

**Middleport Community Input Group
Meeting at Masonic Lodge Hall
July 9, 2007 – 5:30 to 7:30 p.m.**

In Attendance:

Village Mayor Julie Maedl	Gary Wolter – Resident (P Block)
Village Attorney Dan Seaman	Betty Whitney – Resident (Maple)
Village Trustee Liz Bateman	Pauline Murphy –Resident
MRAG – Dan Watts	Chad Owen – Resident
MRAG – Dr. Susan Crafts	Facilitator – Ann Howard, RIT
CAP – Lisa Allen	DEC (Buffalo) – Mike Hinton
CAP – Police Chief John Swick	FMC – Brian McGinnis
CAP – Christa Lutz	FMC – Dana Thompson
CAP – Dick Westcott	FMC – Bob Wojcik
CAP – Richard Owen	Geomatrix – Wai Chin Lachell
CAP – Sandie Owen	Geomatrix – Debra Overkamp
William Arnold – Resident/Property Owner Adjacent to Plant	Geomatrix – Glenn Combes
Karen Pollworth – Resident (P Block)	Arcadis (BBL) – Sue Tauro
Don Hillman – Resident (P Block)	Meeting Notes: Bob Carr Carr Marketing Communications

**1. Welcome and Introductions
Review MCIG Mission**

- After the welcome and introductions, Mayor Maedl reviewed the mission of the MCIG and how it was formed last November as a joint effort of the Community Advisory Panel (CAP) and the Middleport Remediation Advisory Group (MRAG) to provide information and guidance from the community to FMC and the Agencies as they prepare future environmental projects. This effort includes the review of technical information as assisted by Dan Watts from NJIT. She also noted the revised agenda featuring a scheduled time for community discussion.

2. Agenda Review

- A. Howard reviewed the agenda and reiterated that a brief portion, after the break, was designated as an open discussion among community members on issues of general concern. She emphasized that individual property concerns could best be addressed by contacting the FMC Neighborhood Center. She also noted that many residents had the opportunity to voice individual concerns and comments about upcoming remediation activities at previous MCIG meetings, Agencies public meetings, and at the open houses in early June at the FMC Neighborhood Center.

3. Update on Outreach Center Activities

- ? D. Overkamp said the FMC Neighborhood Center at 17 Vernon St. is open daily from 9 a.m. to 5 p.m. for residents to come in and receive information. Residents can also call the center at 735-7939. The center will be open daily during remediation activities so residents can have a quieter place to come to for a period if they desire. Staffers there include Debbie Overkamp and Glenn Combes. An initial open house was held June 7 and 8.

4. 2007 Early Actions Update

- ? B. McGinnis announced that the contractor for the work this year has been selected – ENTACT of Dallas, TX, with northeastern offices in Philadelphia and Pittsburgh. He introduced the construction manager, Ron Prohaska of Parsons Engineering. A kick-off meeting on the work was scheduled for July 10, with the mobilizing of site work to begin on Monday, July 16, with the clearing of the Coe property.
- ? W. Lachell reviewed diagrams of the proposed projects with work to begin later in July on the properties north of the canal. She said work would begin on the P-block remediation after work plan approvals are received from the Agencies and access agreements obtained from residents. All access agreements have been obtained for residential properties north of the canal and work continues with the village on other agreements.
- ? A Q&A handout was passed out regarding the proposed Corrective Actions Management Unit (CAMU).

5. Concerns from Availability Session

- ? W. Lachell reviewed the major comments that were brought up at the Public Involvement Session hosted by the Agencies on June 18 and asked the residents attending if there were any further comments. Among the comments from the session were the placing of a berm on the Coe property (*yes, there will be one*); the soil used for backfill on the remediated properties (*the Shelby Quarry in Medina, a different source than that used on the remediated properties on Vernon St.*); the truck route used from P-Block (*back on the Coe property and over the railroad tracks onto the FMC plant site – north of the canal the trucks will take Sherman Road to Carmen Road to Rt. 31 to the FMC plant site*); the possible remediation of the Norco property this year (*no, but under consideration for 2008*); the effect on wildlife, including rodents, of the remediation activities (*FMC will be talking to its contractor about this issue*); how many properties to be cleaned up in Middleport (*addressed later*) and the correlation between a cleanup standard of 20 ppm and health risk (*a chart from Dr. Rosalind Schoof of Gradient was available demonstrating the*

risks associated with heavy daily ingestion of soils with 20, 30, 40 and 50 ppm).

- ? W. Lachell provided a handout with updated information on FMC's Property Price Projection Program (PPP) and an article from the *Buffalo News* on regional home sales in response to previous concerns about declining home values in Middleport. She noted that property values and sales have not been negatively impacted and that sales and price trends in Middleport have been similar to that in other nearby communities. She said more information will be provided in future reports. Mayor Maedl said she spoke with two realtors who said that the percentage of houses for sale in Middleport was about the same on average compared to other communities. She said they cited the area economy as the major influence on home sales. She said it is a buyer's market right now and that houses that are selling are those which are listed closest to what the house is worth. A few residents questioned several aspects of the PPP, including the need to sign a contract before getting an appraisal. B. McGinnis said the program was established to protect property prices during a period of uncertainty between the sampling of properties and their remediation. He said FMC has not made a dime on the program because investments had to be made in properties to correct existing problems so that a sale could occur. He said the program is now scheduled to run through the middle of 2009 and at this point no decision has been made on extending it. Any decision in that regard would likely be made by mid to late 2008. Mr. Arnold noted that the program should keep going as long as the remediation is going on.
- ? In answer to the question about how many properties will have to be remediated, W. Lachell reviewed a handout from the May 3 MCIG meeting that contained a graph showing the arsenic concentration by property and that 105 properties had a single data point above 40 ppm and 20 properties had an average arsenic concentration above 40 ppm. R. Owen asked if there had been a scientific peer review of the data and M. Hinton said the study that set the 20 ppm was peer reviewed by the University at Buffalo. W. Lachell said the study was peer reviewed but not the 20 ppm. M. Hinton said the new regulations in New York set arsenic levels at 16 ppm but they also allow for evaluation of background. Mr. Arnold said that if the background study in Gasport measured orchard fields, wooded and agricultural, commercial and industrial and residential and school property groups, why did it seem the cleanup is being done to residential levels. M. Hinton said the 20 ppm is a weighted average for all the different uses. He also said the former usage of Middleport as an orchard site was also taken into consideration. W. Lachell said that the 2003 Gasport Background Report reported that the 95th percentile of the Gasport data was approximately 20 ppm.

6. Update on Grant Funding

- ? S. Tauro provided a grant funding update, noting that properties have been identified for the RESTORE NY program but the new grant application

materials have not been received yet from the state. This program funds the demolition or rehabilitation of abandoned buildings. Alternate sources of funding are being investigated and future meetings will take place with the Niagara County Center for Economic Development, Sen. Maziarz's office and the New York State Empire Development Corp.

7. Feedback on Dr. Schoof's Presentation on Bioavailability Study

- ? CAP members C. Lutz and D. Westcott said her presentation to the CAP on May 16 was excellent and recommended that Dr. Schoof be invited to an MCIG meeting. Mayor Maedl said that unlike the Vernon St. project, residents this time have had the opportunity to attend several meetings before work begins on the remediation of residential properties and that there is a need for people to have as much information as possible. Consensus was to have a panel discussion for the community in September on arsenic, health risk and background featuring Dr. Schoof, Dan Watts, and Dr. Teresa Bowers and a representative of the Agencies. Mayor Maedl was asked to write and send a letter to Bob Forbes at FMC requesting Dr. Schoof and Dr. Bowers and to Walter Mugdan at EPA requesting an agency representative to participate in the panel discussion.

8. Planning for 2008

- ? W. Lachell said there was a possibility of remediating the remainder of the Air Deposition Study Area in 2008 and would like to have a scope of work available by the end of October. She asked the MCIG participants for their future input – their thoughts and suggestions – at the August 6 MCIG meeting. Mayor Maedl said one suggestion was to do a mix of projects such as that being undertaken in 2007.
- ? It was agreed that FMC will present several options for the 2008 Early Action scope of work for discussion purposes during the August MCIG meeting.

9. Open Discussion with Community Members

- D. Hillman asked about relocation of residents during P-Block remediation and B. McGinnis said there was no word yet on that. Dr. Crafts asked about the supervision and control of subcontractors and B. McGinnis said that they are bound to the same contract language as the main contractor. Dr. Crafts also asked about the quality of the topsoil that would come into P-Block and W. Lachell said all materials, topsoil and subsoil, are coming from Shelby Quarry in Medina. G. Combes said strict soil specifications have been issued regarding size of material, pH levels and organic matter. D. Watts asked if community health and safety were addressed in the plans and B. McGinnis and W. Lachell said a notice will be issued and D. Overkamp and G. Combes will go door-to-door with the contact information. In addition, the FMC Neighborhood Center

will be open daily at 17 Vernon St.

- Upon request of those attending for the opportunity to further discuss topics, it was decided to extend the conclusion of future MCIG meetings from 7:30 p.m. to 8:00 p.m.

**10. Tentative Agenda for Next Meeting: 5:30 p.m. to 8 p.m.
Monday, August 6, 2007**

- ? Update of 2007 Early Actions, including P-Block
- ? 2008 Early Actions Planning – Community Input
- ? Other items as needed

11. Upcoming Scheduled Meetings

- ? **Thursday, September 13**
- ? **Monday, October 1**