

**Middleport Community Input Group
Meeting at Masonic Lodge Hall
August 6, 2007 – 5:30 to 8:00 p.m.**

In Attendance:

Village Mayor Julie Maedl
Village Coordinator Dan Dodge
Village Code Enf. Tom Arlington
Village Trustee Frank Sarchia
MRAG – Dan Watts
CAP – Lisa Allen
CAP – Dick Westcott
CAP – Richard Owen
William Arnold – Resident/Property
Owner Adjacent to Plant
Karen Pollworth – Resident (P
Block)
Don Hillman – Resident (P Block)
Gary Wolter – Resident (P Block)
Shirley Wolter – Resident (P
Block)

Betty Whitney – Resident (Maple)
Facilitator – Ann Howard, RIT
DEC (Buffalo) – Mike Hinton
DEC – Jim Tuk
FMC – Brian McGinnis
Geomatrix – Debra Overkamp
Geomatrix – Glenn Combes
Arcadis (BBL) – Erin Rankin
Arcadis (BBL) – Mike Aloï
Arcadis (BBL) – Sue Tauro
Parsons – Ron Prohaska
Meeting Notes: Bob Carr
Carr Marketing
Communications

1. Welcome and Introductions

- Mayor Maedl welcomed the attendees and asked everyone to provide a personal introduction. B. McGinnis announced that Wai Chin Lachell of Geomatrix was on surgery leave and was doing fine.

2. Agenda Review

- A. Howard reviewed the agenda, and especially noted the end of the meeting had been extended to 8:00 p.m. based on consensus from the last meeting to provide more time, if needed, for open discussion among community members.

**3. 2007 Early Actions Update – Culvert and Coe Property
Residential Remediation**

- ? E. Rankin reviewed a map showing the 2007 soil remediation projects and noted that, with the approval of the Agencies, clearing and grubbing activity and excavation work began that day on the wooded parcel. The work on the wooded parcel should take two to three weeks to complete. She said the soil being dug up would be disposed of in the Eastern Surface Impoundment (ESI) on FMC property. She also showed a slide depicting the truck routes being

used for the remediation work. B. McGinnis noted that steel from the Coe property structure will be sent to a recycler and the bricks and concrete debris will go to Modern Landfill. E. Rankin explained that the Agencies have responded to most of the work plans and related documents submitted regarding the early actions.

- E. Rankin talked about recent activities. These include the collection, analysis and validation of 724 additional samples along Culvert 105 and P-Block properties; structural engineer on-site inspections; the evaluation by the village engineer of Culvert 105 plans; the mobilization of the contractor and the start of initial prep work; and on-going FMC communications activities. The latter includes the presence of D. Overkamp and G. Combes at the FMC Neighborhood Office, and newsletter and door-to-door communications.
- E. Rankin said the final work plan on the North Railroad Property Phase 2 ICM will be submitted to the Agencies on Aug. 8 and the final work plan on the Wooded Parcel on Aug. 13. Previous plans had received conditional approval. Work continues on the plans for Culvert 105 at Margaret Droman Park and between Mechanic and Sleeper Streets, and the P-Block properties.
- E. Rankin discussed ongoing/upcoming construction-related activities that included the Agencies currently conducting backfill source testing, analysis and surveying; installing storm water management and controls and providing dust control. She handed out to attendees a dust monitor for them to inspect. She said this monitor will be placed to compare dust levels in work areas to standard levels.
- D. Overkamp reported on FMC Communications Activities by saying the FMC Neighborhood House has been available since June and is open 8 a.m. to 5 p.m. daily. Also with offices there are Ron Prohaska, the project construction manager from Parsons, and Jim Tuk from DEC. A Project Update newsletter was recently mailed to residents and the current web site is being updated in both design and to make it user-friendlier. The web site can be accessed through both middleport-ny.com and teapothollow.com. D. Overkamp said they are also looking for any ideas from attendees on how to increase community attendance at MCIG meetings.
- E. Rankin reviewed the 2007 Remediation Schedule and noted that each week meetings are held with all involved parties – the Agencies, contractors and the Village – to see what work will take place that week. B. McGinnis said some work items will be done on parallel schedules.
- D. Dodge asked how late in the season would the work be completed, saying that good growth, especially with seeded lawns, could be impacted by a later completion date. E. Rankin said completion is targeted for mid-October.
- D. Westcott asked how much soil was going to be excavated from properties and B. McGinnis said the range was from six to 24 inches. D. Hillman expressed concern about the amount of dust he saw on the site that day and B. McGinnis said he would meet with the construction crews first thing the next morning to inform them. G. Wolter asked who would received the money from selling steel to the recycler from the wooded parcel and B. McGinnis

said FMC would be the recipient because it is taking down the building at its own expense in order to gain access and do the soil remediation work.

4. 2008 Early Actions Overview

- ? B. McGinnis presented a slide presentation on the Discussion of 2008 Early Actions, beginning with a definition of Early Actions as permanent remedies for distinct portions of the off-site study area, with the scope to be determined with input from the village and property owners, and with integration as much as possible with the village's economic development plans.
- ? B. McGinnis said the goal was to start scoping now, in the year before remedy construction. Other guidelines for the scoping include addressing upstream areas first to avoid potential for recontamination, basing scoping on the ability to complete the work in one construction season, and relating any project-specific soil removal volume to available space in the ESI Fill Area.
- ? He said they have always attempted to look at what properties need to be done first based on consideration of exposure and risk reductions and current and future reasonable foreseeable land use. E. Rankin said it has been very helpful to get community comments previously on any Early Actions.
- ? B. McGinnis outlined possible remedial options in 2008. He noted he was unsure about the structural integrity of the Norco parcel and other commercial properties. Other options include properties within the historic air deposition study area and Culvert 105 between Sleeper St. and Tributary One. Another option, he said, was to do no remediation at all in 2008 and focus resources instead on the RCRA Facility Investigation/Corrective Measures Study (RFI/CMS) process, the Corrective Action Management Unit (CAMU) application and the Phytoremediation Study option.
- ? B. McGinnis reviewed a timetable for 2008 Early Actions, with discussion to take place through September and to develop and secure Agencies' approval of scopes of work in October-November. J. Maedl said it makes sense to go in sequence, like this year's Early Actions and B. McGinnis said it could be a mix of actions. D. Westcott asked how far from Pearson Road would be impacted and B. McGinnis said that discussion has not taken place yet with the Agencies. D. Watts asked what were the roles of the community, FMC and the Agencies in the decision making. B. McGinnis said everyone is at this point today because of community input and that FMC and the Agencies are looking for what the community thinks and can take that into account as they move forward.
- ? J. Maedl said village residents feel they have had too many meetings and a vast majority do not believe they can really have an impact on the decisions. She asked whether some of the old established trees could be saved. She requested that the cleanup be done reasonably but she believes that is not happening. W. Arnold said there are two key questions for each property owner to consider – 1) Are they concerned about the level of arsenic on their

property? and 2) Are they concerned about getting the paper from the Agencies that says it is all clear?

- ? J. Maedl said a person who has not attended the meetings told her the reason why more residents do not ask questions is because the work is being done in sections at a time. This person commented to her that if you only do small sections, then you will only get a small response from the residents. J. Maedl said this person also asked where is the risk assessment and asked that it be done. B. McGinnis said this could lead toward no remediation in 2008 and a concentration on an RFI and CMS as a holistic approach. J. Maedl, citing information on arsenic and soil from the Center for Disease Control, asked if it there was that much of a risk to warrant stripping everything.
- J. Maedl noted that 157 properties in the Air Deposition Study Area were a lot of properties in the village and that people don't fully understand the scope. She said it was very important for the MCIG to reach out to residents in the air deposition area, even though it has been more than three years since their properties were sampled, so they could become more aware of current and potentially future actions and get as much information as possible through attendance at MCIG meetings. She offered to send out notices to these residents inviting them to future MCIG meetings and especially the panel discussion scheduled for Oct. 1.
- ? In answering a question on the process, B. McGinnis said the RFI/CMS would take at least a year-and-a-half. It would be completed at a slower pace if done along with some Early Actions. D. Westcott asked if the RFI/CMS would include a health risk assessment and M. Hinton said that is part of the process. M. Hinton said part of the evaluation is the health impact. He noted that the RFI/CMS is not done so there is no completed study and the RFI/CMS needs to be completed to bring all the options together. He noted that Middleport is a complex problem because of the many different elements involved – including properties, streams and groundwater.
- ? M. Hinton also noted that one large CMS would be a huge undertaking and said that the village may want to request that EPA look at breaking the project down into manageable pieces – such as operable units. This includes the Air Deposition Study Area, Culvert 105 and Tributary One
- ? D. Watts asked what above background is an accepted risk. J. Maedl said the schoolyard was 30 ppm, now background is 20 ppm and a lot of people are asking what is the health risk between 20 ppm and 30 ppm. W. Arnold questioned where did the 20 ppm come from in the Gasport study and whether more weight should have been given to the orchard property sample results. M. Hinton said it was a weighted average at the 95 percentile in regards to the samples taken from all four property sources: orchard fields, wooded and agricultural, commercial and industrial, and residential and school.
- ? D. Dodge said that if one goes to 30 ppm then the number of properties possibly requiring cleanup would be reduced in half in the Air Deposition Area. K. Pollworth asked what was the highest ppm sample result and B. McGinnis said it was 124 ppm on a P-Block property close to the Coe

property. D. Dodge said he would like to see the difference in health risk between 20 ppm and 30 ppm.

- ? B. McGinnis said that if the community wanted to continue with cleanup of the Air Deposition Area, then FMC would go back and take a look at what makes sense. He mentioned arsenic, as a naturally recurring element, is difficult to get your arms around, as compared to a spill of a chemical like toluene. D. Hillman asked if FMC believe it was doing the right thing with the remediation work and B. McGinnis said yes, they did.

5. Update on Panel Presentation

- ? B. McGinnis reported that both Dr. Rosalind Schoof of Integral Consulting and Dr. Teresa Bowers of Gradient will be available for the Oct. 1 panel discussion for the community on arsenic and health issues. D. Watts will also participate. J. Maedl will send a letter to Walter Mugdan at EPA for an agency representative to participate. D. Westcott will check on the availability of the village fire hall for the event and report back to D. Overkamp.

6. Grant Funding Update

- ? D. Dodge reported that application information on the RESTORE NY program was released July 27 and that he is working with S. Tauro on it. The application is due Sept. 28. They also continue to look for other funding opportunities and have been working with the Niagara County Center for Economic Development.

7. Future Meetings

- ? Attendees agreed to keep the next meeting for Thursday, Sept. 13. The meeting on Monday, Oct. 1 will be the expert panel discussion. The November meeting date will be set at the September meeting.

8. Tentative Agenda for Next Meeting: 5:30 p.m. to 8 p.m. Thursday, September 13, 2007

- ? Update of 2007 Early Actions, including P-Block
- ? 2008 Early Actions Planning – Operable Units
- ? Funding Update

9. Upcoming Scheduled Meetings

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