

FOR DISCUSSION PURPOSES ONLY

March 9, 2010 Middleport Community Input Group Meeting

Community Concerns/Comments (as of February 2010) on FMC's Proposed Corrective Action Management Unit (CAMU) - Based on feedback from the community about the proposed CAMU, the major issues/concerns are understood to be as follows:

1. Short term health and environmental concerns
 - Dust
 - Truck traffic
 - Safety of school students and community members during its use
 - Dust migration and potential for re-contamination of nearby properties
2. Long term health and environmental concerns
 - Leaching into groundwater and potential for off-site migration of contaminants
 - Impacts to surface water quality
 - Potential for human exposure to materials placed in CAMU
 - Reliability of CAMU final cover, surface water controls and groundwater remedial systems
3. Potential Concerns Related to Middleport Economics, Reputation and Aesthetics
 - Businesses and people may not want to move into Middleport
 - It will be ugly and visible
 - Negative image for the community and threat to "peace of mind" ("psychological" impact)
 - Trees, shrubs or other vegetation should be planted to camouflage the CAMU.
 - Adverse news coverage
4. CAMU Eligible Wastes
 - CAMU should not receive remediation wastes from outside of the community
 - Finite time limit for adding materials to the CAMU
 - No plant production wastes or wastes from other remediation sites should be placed in the CAMU
 - Perception that wastes placed in the CAMU are hazardous
5. Long term Responsibility and Financial Assurance
 - What happens if FMC goes bankrupt? Who will maintain the CAMU and be responsible for the associated costs?
6. Miscellaneous CAMU Design
 - Increase the buffer zone between the southern limits of the CAMU and the southern FMC property boundary to 100 feet to preserve existing trees in the buffer area.
 - Will CAMU be designed to withstand an earthquake or extreme flood event?
 - What are the potential impacts to storm water runoff from the CAMU?

What are the Potential Benefits of a CAMU?

1. Remediation soils previously placed in the eastern area at the FMC Middleport facility (e.g., from the 1996 and 1999 Roy-Hart school remediation projects, 2003 Interim Corrective Measures (ICMs) on the South Vernon Street properties, 2005 and 2008 ICMs on the North Railroad Property, and 2007 Early Actions on Park Avenue, including the formerly wooded commercial parcel, and areas along Culvert 105 north of the Canal) can remain on the Plant site; otherwise, management of these materials will need to be addressed further.
2. Allows soils removed during remediation to be handled, managed and controlled by FMC locally.
3. Results in a lower carbon footprint and relatively cost-effective means to address a problem.
4. Would rely on the existing infrastructure of surface water and groundwater collection and treatment systems.
5. Improves control of storm water runoff at the eastern portion of the FMC Plant Site.
6. Allows more certainty of disposal costs for remediation soils/debris.
7. Reduces the unnecessary diversion of limited financial resources that could otherwise be utilized to provide jobs and tax revenue at the FMC Middleport facility.
8. Design and landscaping features can be incorporated to enhance the appearance of the property.
9. Allows flexibility for performance of future remediation projects in a more efficient manner, potentially reducing the remediation schedule by significant periods of time.
10. Not restricted by commercial disposal facility operating hours or daily capacity limitations (which can vary and significantly affect schedule).
11. Reduces the need to idle or park dump trucks while waiting for loading opportunities.
12. Minimizes need for double handling of excavated soil, which is time consuming and inefficient.
13. Enables use of dwindling space in commercial disposal facilities for other projects and purposes.
14. Reduces greenhouse gas emissions and fuel usage since dump trucks will not be travelling on daily basis to and from Middleport with respect to commercial disposal facilities that are located up to a hundred or more miles distant.
15. Less truck traffic and miles to commercial disposal facilities could reduce potential for automobile accidents.
16. Fewer trucks needed because turnaround time is much shorter.
17. Smaller trucks can be used.
18. Minimizes truck use of public roads.

What doesn't change by having a CAMU at the FMC Plant Site?

1. FMC's public outreach and public relations staffs will remain involved in working with the community and news media in addressing issues/concerns as they arise regarding the remediation projects.
2. FMC will maintain a high standard of care to ensure that remediation is performed in a manner that is safe and protective of the community and in accordance with all applicable local, state and federal regulations.
3. FMC will remain responsible for the indefinite care of the existing groundwater and surface water remedial systems (e.g., existing engineered cover, water collection and treatment systems).
4. FMC will continue monitoring and evaluation of environmental conditions (e.g., groundwater, surface water) at the FMC Plant Site.
5. FMC will continue to provide employment and to pay property taxes and other local, state and federal fees and taxes.
6. The FMC Plant Site will continue to be listed on the New York State Registry of Inactive Hazardous Waste Sites.
7. FMC will continue to meet its RCRA Corrective Action obligations for the investigation and remediation of environmental impacts that resulted from historic operations at the FMC Plant Site under the applicable federal and state laws and regulations and the terms and conditions of the existing Administrative Order on Consent.
8. FMC will construct a final cover over the Eastern Surface Impoundment area, even if a CAMU is not designated, as part of the RCRA closure of the impoundment and/or implementation of the final corrective measures for the FMC Plant Site.
9. FMC will provide financial assurance for post-closure operation and care with respect to the implemented final corrective measures for the FMC Plant Site, including the Eastern Surface Impoundment area, and any material that remains in this area.