

May 3, 2007 Community Input Group Meeting

2007 and 2008+ Early Actions Update

Presentation Overview

1. Review of approval process for the Early Actions
2. Update on 2007 Early Actions for the Coe Property, Culvert 105 south of Sleeper Street
3. Continued review of the Air Deposition Study Area data
4. Proposed additional 2007 Early Action for P-Block of Historic Air Deposition Study Area
5. Timetable for Proposed 2007 Early Actions
6. Timetable for 2008+ Early Actions for Historic Air Deposition Study Area
7. Proposed Early Action communications
8. Feedback

Overview of the Approval Process for the Early Actions

A1. Propose and Develop General Scope of Work

- Discuss key design parameters
- Inform affected property owner after FMC and Agencies agree

A2. Design and Work Plan Development

- Draft issued to Agencies
- Finalize Design and Work Plan

A3. Solicit comments from public

A4. Agencies Approve Design and Work Plan

Tasks Performed Prior to Work Plan Approval

B1. Develop property-specific work scopes with input from owners of affected properties

B2. Prepare and obtain access agreements

B3. Solicit bids from qualified contractors

B4. Survey property and obtain other information needed for design

Update on Proposed 2007 Early Actions

Coe Property & Culvert 105 South of Sleeper Street Activities Completed or In Progress

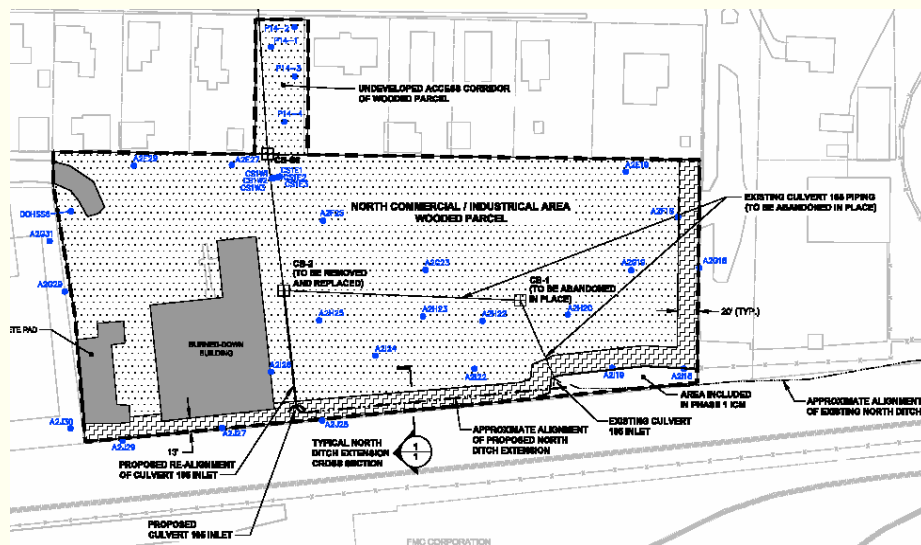
- Property owners contacted
- Electronic Draft Work Plan submitted week of April 23rd and week of April 30th
- April 24th Public Information Session
- Property topographic survey
- Preparation of Access Agreements and Canal Corporation permit application
- Meetings to be scheduled for development of property-specific work scopes

2007 Early Action - Wooded (Coe) Property

- Excavate 2-feet of soil, 4-feet from southern and eastern boundaries; backfill with a soil/gravel engineered cover
- Excavated soil to be placed in ESI Fill Area at FMC Plant
- Extend North Ditch and install new inlet section of Culvert 105
- Environmental Easement on the property to restrict use to commercial/industrial and recreational purposes; to provide for on-going maintenance of the soil and grass cover; and to impose requirements for any future excavation activities.

	No. of Samples	Arsenic Concentration (mg/kg or ppm)	
		Range	Average
Pre - Remediation	83	3.3 – 435	69.3
Post – Remediation	23	3.6 – 79	31.8

Coe Property

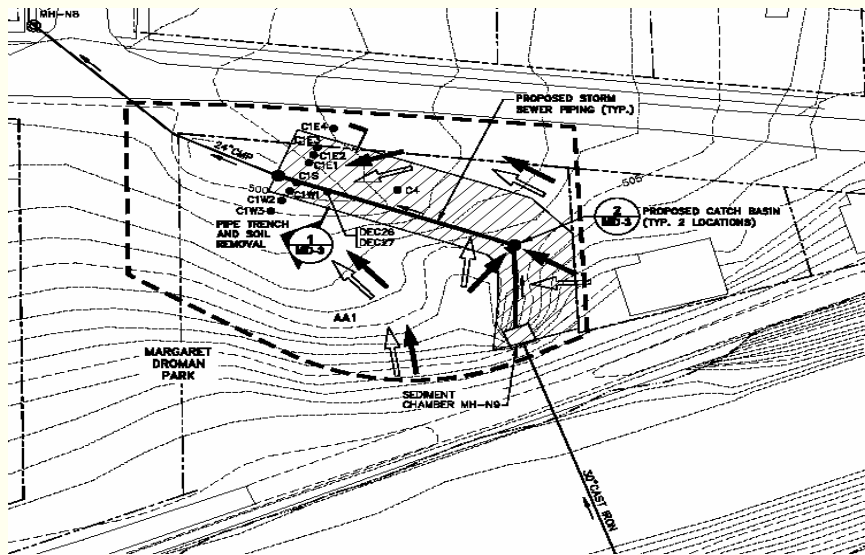


2007 Early Action - Culvert 105 at Margaret Droman Park

1. Excavate minimum of 1-foot of soil from the bottom and along the open ditch for installation of buried storm sewer pipe.
Additional sampling and analysis to verify excavation depth.
2. Remove sediment from manholes/sedimentation chambers to Culvert 105 between Mechanic Street and Park Avenue
3. Excavated soil and sediments to be placed in ESI Fill Area at FMC Plant

Margaret Droman Park	No. of Samples	Arsenic Concentration (mg/kg or ppm)	
		Range	Average
Pre - Remediation	31	2.4 - 210	41.4
Post - Remediation	12	2.4 - 18.6	11.4

CULVERT 105/MARGARET DROMAN PARK

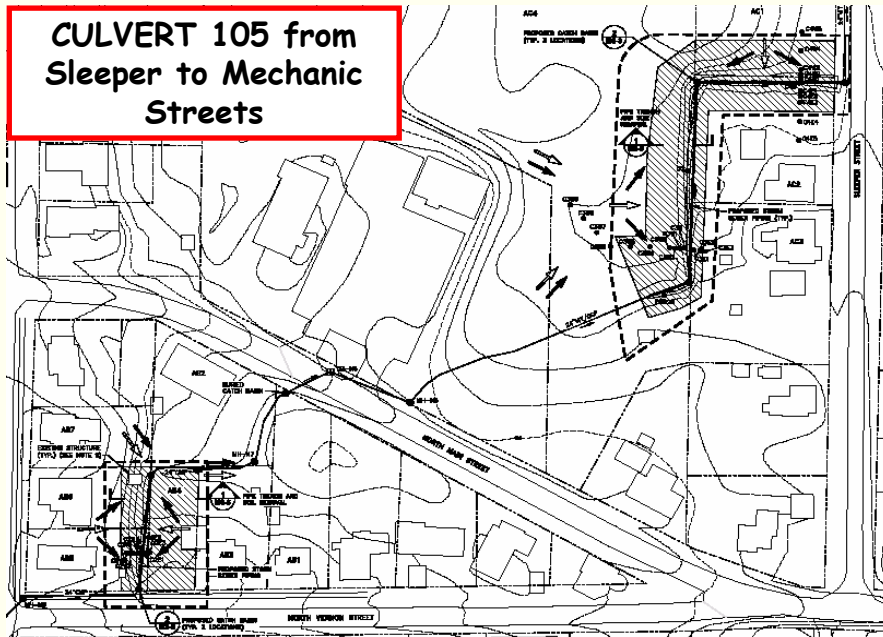


2007 Early Action - Culvert 105 Open Ditches Between Sleeper & Mechanic Streets

1. Excavate minimum of 1-foot of soil from the ditch bottom and along the ditch for installation of buried storm sewer pipe.
Additional sampling and analysis to verify excavation depth.
2. Remove sediment from Culvert 105 manholes between Mechanic Street and Sleeper Street
3. Excavated soil and sediments to be placed in ESI Fill Area at FMC Plant

Open Ditch Sections of Culvert 105 between Sleeper & Mechanic Streets	No. of Samples	Arsenic Concentration (mg/kg or ppm)	
		Range	Average
Pre - Remediation	15	1.8 – 199	32.5
Post - Remediation	18	2.2 – 29	7.0

CULVERT 105 from Sleeper to Mechanic Streets



Historic Air Deposition Study Area Sampling Data Discussion

Of the ~230 residential properties sampled in 2004-2005, arsenic data show that there are

- ~200 properties with a maximum arsenic concentration above the upper range of Gasport residential background (3.3-21.1 ppm)
- ~128 properties with an average arsenic concentration above the upper range of Gasport residential background (3.3-21.1 ppm)
- The Agencies determined that no further action (i.e., no use restrictions and no further sampling) was necessary on **46 properties** in February 2007

Historic Air Deposition Study Area Sampling Data Discussion

Comments Received to Date

1. Is 20 ppm the right clean-up number for arsenic? 30 ppm was used for the clean-up number at the Roy-Hart School property?
2. What does it mean if the arsenic soil clean-up number is not 20 ppm (i.e., 30 ppm)?
3. What happens if someone refuses access permission for FMC to sample or clean-up their property? What will the State do?

Examples of Gasport & Middleport Background Numbers

1999 Draft RFI Report Arsenic Background Dataset	
11 surface soil samples (1985-1990)	4.4 – 56.1 ppm 30 ppm (95% UCL on the average)

1989 Gasport Orchard Data	
9 Surface Soil Locations	31.6 – 56.1 ppm

2002 Gasport Study		
Property Groups	No. of Locations	Arsenic (ppm)
Orchard Lands	12	3.1 – 121.3
Wooded & Agricultural	56	3.1 – 56.7
Commercial & Industrial	12	2.2 – 32.8
Residential & School	23	3.3 – 21.1

Examples of New York State Background Numbers

Table 9.1-3. Summary Statistics for Five Elements in Selected Surveys of Rural New York State Soils.

Arsenic Data Set	Samples Collected	Lots Sampled	Regions Covered ⁽¹⁾	Range (ppm)	98th Percentile (ppm)
Rural Survey (2005) ⁽²⁾	265	119	5	<0.25 - 68.9	14.1
NYS DEC Region 3 (2003)	60	20	1	2.2 - 23.1	17.7
Al-Wardy (2002)	51	51	2	1.3 - 19.1	19.1 ⁽³⁾
Clarke <i>et al.</i> (1985)	11	5	3	3.4 - 19	19.0 ⁽⁴⁾
Shacklette and Boerngen (1984)	25	25	5	1.5 - 16.0	16.0 ⁽⁴⁾

1993-2002 Lyndonville Background Data	
19 Surface Soil Locations	2.6 - 110 ppm 41.1 ppm (Average) 49.9 ppm (95% UCL on average)

Background and Risk-Based Numbers

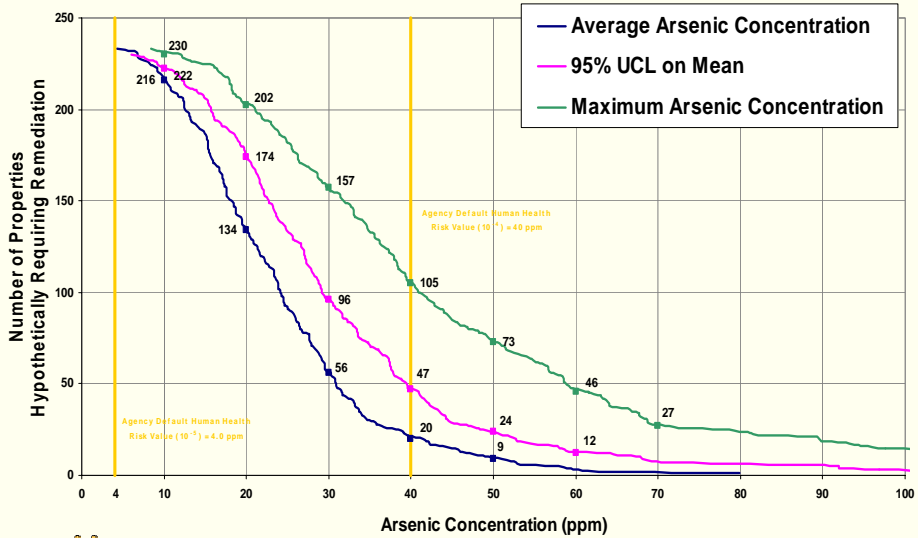
NYS Brownfield Cleanup Objectives	
Based on Statewide Soil Background (98 th Percentile of the Data set)	13 ppm (Unrestricted Use)
	16 ppm (Restricted Use)

USEPA Default Residential Soil Screening Levels	
10 ⁻⁴ Human Health Risk	40 ppm
10 ⁻⁵ Human Health Risk	4 ppm
10 ⁻⁶ Human Health Risk	0.4 ppm

Historic Air Deposition Study Area INDIVIDUAL SAMPLE DATA

Arsenic Concentration (ppm)	Number of Samples (0-12" Depth Interval)
<20	1,247 (47%)
20-30	684 (26%)
30-40	399 (15%)
40-50	150 (6%)
>50	165 (6%)
Total	2,645

Arsenic Concentration by Property (0 to 12 inch depth)



May 1, 2007 DRAFT – For Discussion Purposes Only

Residential Properties within Areas Potentially Affected by Historic Air Deposition



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Residential Properties within Areas Potentially Affected by Historic Air Deposition



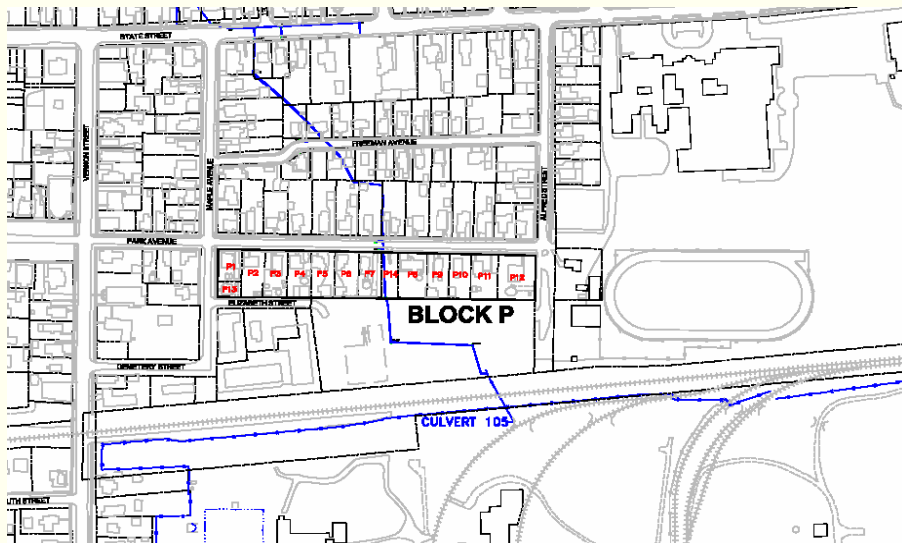
Residential Properties within Areas Potentially Affected by Historic Air Deposition



Historic Air Deposition Study Area Proposed 2007 Early Action

1. 2007 Early Action for P-Block (13 properties south side of Park Avenue, between Maple Avenue and Alfred Street)
 - Discussed (April 18th - 27th) with Owners possible remediation in 2007
 - Minimize future inconvenience if performed in conjunction with work at the Coe property
 - Effective But Less-Intrusive Approach
 - Surface soil removal for most properties, no relocation, input from owners will be considered
 - Property-Specific Work Scopes to be prepared with owners
 - Remediation will not be performed on properties whose owners refuse access permission
 - Properties that were not sampled in 2004-2005 will be offered sampling again.

2007 Early Action for P-Block



TIMETABLE FOR 2007 EARLY ACTIONS

1. April 3-9, 2007 – Notify Owners of 2007 EA for P-Block
2. Week of April 9, 2007 – Notify Community of P-Block remediation
3. April–May 2007 – Complete property surveys
4. May-June 2007 – Develop Property-Specific Work Scopes
5. May-June 18, 2007 – Contractor Procurement
6. May 25, 2007 – Agencies approval of Work Plans
7. June 15, 2007 – Access Agreements Obtained
8. June 19-July 9, 2007 – Contractor Deliverables and Backfill Source Qualification
9. July 9-October 2007 - Construction

TIMETABLE FOR 2008 Early Actions

1. Fall 2007: Identify properties that will require remediation, schedule for remediation and conceptual scope of work
2. Nov – Dec 2007: 2008 Early Action Work Plan and Property-Specific Work Scope Preparation & Approval
3. Jan-Mar 2008: Contractor Procurement
4. Apr 2008: Contractor pre-construction activities
5. May-Sept 2008: Construction

Proposed Early Action Communications

1. May 3-4, 2007: Contact and send letters to P-Block owners
2. Week of May 7th: Send letters to remaining properties owners in air deposition area
3. Week of May 7th: Issue press release on 2007 Early Action for P-Block and continued evaluation of remaining properties

What other communications is needed?

- Information session?
- Newsletter?
- Open house?

WE NEED YOUR FEEDBACK ON

1. P-Block 2007 Early Action
2. On-going remedy evaluation of remaining air deposition areas
 - the data
 - the remedy evaluation process
 - the schedule for remediation of the properties
3. What other information would you like?

May 3, 2007 Community Input Group Meeting

Conceptual Scoping for RCRA Corrective Action Management Unit (CAMU)

Presentation Overview

- Presentation Overview
 - Review proposed CAMU phases
 - Review/Discus comments from April 24th Information Session
 - Next Steps and Schedule for CAMU Determination Process

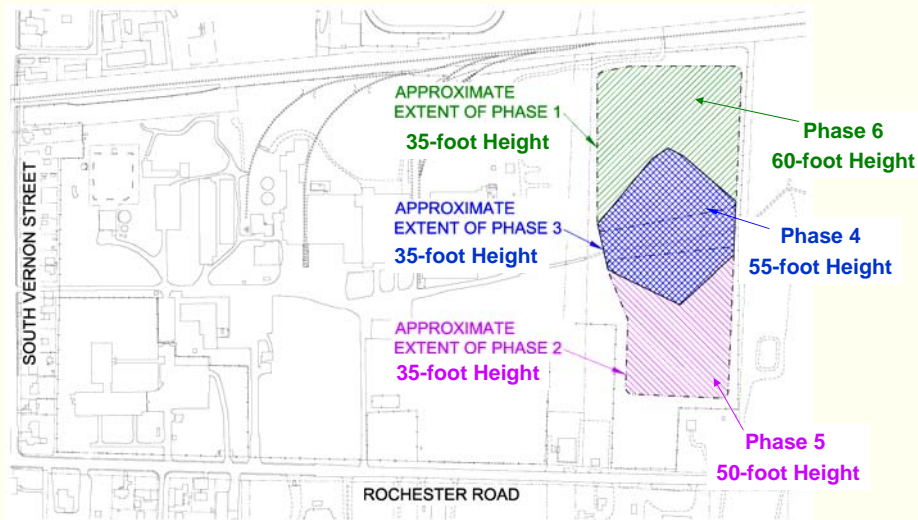
Proposed CAMU Phases

- CAMU Phase 1 – ESI Fill Area Footprint to an approximate height of 35 feet
- CAMU Phase 2 – Southeastern Area Footprint to an approximate height of 35 feet
- CAMU Phase 3 – Eastern Access Road Footprint to an approximate height of 35 feet

If needed

- CAMU Phase 4 – Eastern Access Road Footprint to an approximate height of 55 feet
- CAMU Phase 5 – Southeastern Area Footprint to an approximate height of 50 feet
- CAMU Phase 6 - ESI Fill Area Footprint to an approximate height of 60 feet

CAMU Area (Phases 1-6)



Comments Thru March 2007

1. Based on the view from the Roy-Hart campus, people would be more comfortable with a 40-foot height than a 60-foot height.
2. In order to ensure that there will be enough space to accommodate all of the off-site remediation soils that might be removed, maximum height should be included in the CAMU proposal.
3. Trees, shrubs or other vegetation should be planted to camouflage the CAMU.
4. Although most Middleport residents do not even know about the current ESI Fill Area, community perceptions of the CAMU need to be considered.
5. No plant production related wastes or wastes from any other remediation site should be placed in the CAMU.

April 24th Information Session Comments

1. Can remediation soils from all FMC study areas, including north of Pearson Road, be placed in the CAMU?
2. What is the approximate total area of the proposed CAMU?
3. What are the estimated volumes for the various CAMU phases?

HAVE YOU HEARD ANY OTHER COMMENTS?

Proposed CAMU Phases Estimated Volumes

CAMU PHASES	MAX. HEIGHT (feet)	AREA (acre)	ADDED VOLUME (cubic yards)	CUMULATIVE VOLUME (cubic yards)
Phase 1 – ESI Fill Area	35	8.8	137,100	137,100
Phase 2 – Southeast Area	35	6.3	108,700	245,800
Phase 3 – Access Road Area	35	5.9	93,000	338,800
Phase 4 – Access Road Area, Maximum Height	55	5.9	66,000	404,800
Phase 5 – Southeast Area, Maximum Height	50	6.3	17,500	422,300
Phase 6 – ESI Fill Area , Maximum Height	60	8.8	74,600	496,900

Next Steps & Targeted Schedule

1. Continue to review and solicit comments from:
 - Town of Royalton
 - Royalton-Hartland School District
2. May-September 2007 - Prepare Draft CAMU Design Documents/Plan for Agencies and MCIG review and Comments
3. Fall 2007 – Draft CAMU Design Documents/Plan for public comment
 - Agencies Public Availability Session on CAMU Design Documents/Plan
 - Issue fact sheet/newsletters to community
 - Public comment period
4. Early 2008 - Revise and finalize CAMU Design Documents/Plan for final approval by the Agencies