FACT SHEET

RCRA and State Superfund Program

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Site Name: FMC Corporation June 2012
DEC Site #: 932014
Site Address: 100 Niagara Street, Middleport, NY 14105

Draft Statement of Basis
Remedy Proposed for Air Deposition Area 1 (OU2), Royalton Hartland School (OU4), and Culvert 105 (OU5)
Public Comment Period and Public Meeting Announced

Public Meeting Wednesday June 27, 2012, 7:00 PM – 10:00 PM
Public Availability Session Thursday June 28, 2012, 1:00 PM – 4:30 PM
Middleport Fire Hall, 28 Main Street, Middleport NY

NYSDEC invites you to a public meeting and an availability session to learn about and discuss the remedy proposed for the site. At the public meetings a presentation will be given describing the proposed remedy and comments will be accepted. At the public availability sessions you will have an opportunity to talk one-on-one to State personnel about the remedy.

You are encouraged to provide comments at the public meetings, and during the 45-day comment period described in this fact sheet (June 15 – July 30)

The United States Environmental Protection Agency (USEPA), the New York State Department of Environmental Conservation (NYSDEC), and the New York State Department of Health (NYSDOH) (referred to as the "Agencies") are reviewing cleanup documents relative to FMC Corporation ("site") located at 100 Niagara Street in Middleport in Niagara County; the areas to be remediated at this time are off-site. See the attached map for site location and cleanup areas. The Agencies will keep the public informed throughout the investigation and cleanup of the site. Documents related to the cleanup of this site can be located at the locations identified below under "Where to Find Information." The proposed remedy is described in the NYSDEC's draft "Statement of Basis" and applies to the cleanup of soil and sediment in Air Deposition Area 1 including the Royalton Hartland School grounds and along Culvert 105 which have been contaminated with FMC Corporation related constituents (primarily arsenic). This fact sheet also describes how the public can review and provide comments on the NYSDEC's Statement of Basis.

The FMC facility is subject to RCRA and its implementing regulations, including New York State's authorized hazardous waste program. FMC does not presently have an operating permit but is subject to what are called "interim status" requirements. Also, the site is listed as a Class "2" site in the State Registry of Inactive Hazardous Waste Sites (list of State Superfund sites). A Class 2 site represents a significant threat to public health or the environment; action is required.

Draft Statement of Basis. The remedy proposed for the site includes excavation and disposal of contaminated soils followed by restoration of excavated areas. The NYSDEC in consultation with NYSDOH has developed the proposed remedy after reviewing the detailed investigation of the site and the evaluation of remedial options in the “Corrective Measures Study” submitted under New York’s State and EPA’s RCRA Program.

How to Comment

NYSDEC is accepting written comments about the draft investigation work plan for 45 days, from 06/15/2011 through 07/30/2012. Please submit comments to the project manager listed under Project Related Questions in the "Who to Contact" area below.

Next Steps

The NYSDEC will consider public comments as it finalizes the remedy for the site. The selected remedy will be described in a document called a final "Statement of Basis" that will explain why the remedy was proposed and respond to public comments. The Agencies will keep the public informed throughout the investigation and cleanup of the site.

Background

The plant site was used for the manufacturing of a number of chemicals used as pesticides and herbicides between the 1920s and the 1980s. In the mid-1980s, the plant shifted from manufacturing to only formulating pesticides (i.e., mixing and packaging) and is presently operating in this capacity. During its manufacturing period, the plant released hazardous and non-hazardous wastes through production activities and disposed of hazardous and non-hazardous wastes in an on-site landfill and a number of surface impoundments.

Hazardous Waste Program Activities:

On-site investigations began in 1973 with an extensive soil boring program and confirmed the presence of buried wastes and elevated arsenic in soil over much of the plant property. Further investigations performed in the 1980s identified several hazardous constituents in on-site soil, surface water and groundwater, as well as releases to off-site areas via past production discharges, contaminated surface water run-off, and air emissions. Some of these off-site areas are addressed in the preliminary Statement of Basis. These include Operable Unit 2 (OU2) (off-site Air Deposition Area 1 [south of Canal and west of Niagara County Line] where soil has been impacted by past air emissions [primarily arsenic]); Operable Unit 4 (OU4) (Royalton Hartford High School, located within Operable Unit 2); and Operable Unit 5 (OU5) (off-site Culvert Area 105 storm sewer pipe/ditch where surface sediment/soil and sub-surface soil has been impacted by past surface water releases). An operable unit represents a portion of a remedial program for a facility that for technical or administrative reasons can be addressed separately to investigate, eliminate, or mitigate a release, threat of release, or exposure pathway resulting from the site contamination.

In 2009 USEPA and NYSDEC determined that a Corrective Measures Study (CMS) was necessary to address soil / sediment contamination (mainly arsenic) in Air Deposition Area 1 (including OU2 and OU4) and in the Culvert 105 Area (OU5) based on the results of the remedial investigation of these areas. In 2010 FMC submitted a Draft CMS Report which evaluates a number Corrective Measures Alternatives (CMAs) based on different arsenic cleanup goals. This draft report was reviewed by the Agencies and was public noticed in June 2011.

Based on the review of the Agencies and the public comments generated by the public noticing of the CMS the NYSDEC is proposing excavation of arsenic contaminated soils in the off-site areas followed by restoration of excavated areas.

FOR MORE INFORMATION

Where to Find Information

Project documents are available at the following location(s) to help the public stay informed.

Middleport Village Library, 9 Vernon Street, Middleport NY
NYSDEC website: http://www.dec.ny.gov/chemical/54220.html
Middleport Community Involvement Group (MCIG) web site:
http://www.cms.middleportny.com

Who to Contact

Comments and questions are always welcome and should be directed as follows:

Project Related Questions
Sally Dewes, NYSDEC Project Manager
NYSDEC, Division of Environmental Remediation
625 Broadway
Albany NY 12233-7016
der@gw.dec.state.ny.us

Site-Related Health Questions
Nathan Freeman, NYSDOH Project Manager
NYSDOH, Bureau of Environmental Exposure Investigation
Flanigan Square, 547 River Street
Troy NY 12180
beei@health.state.ny.us

We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.

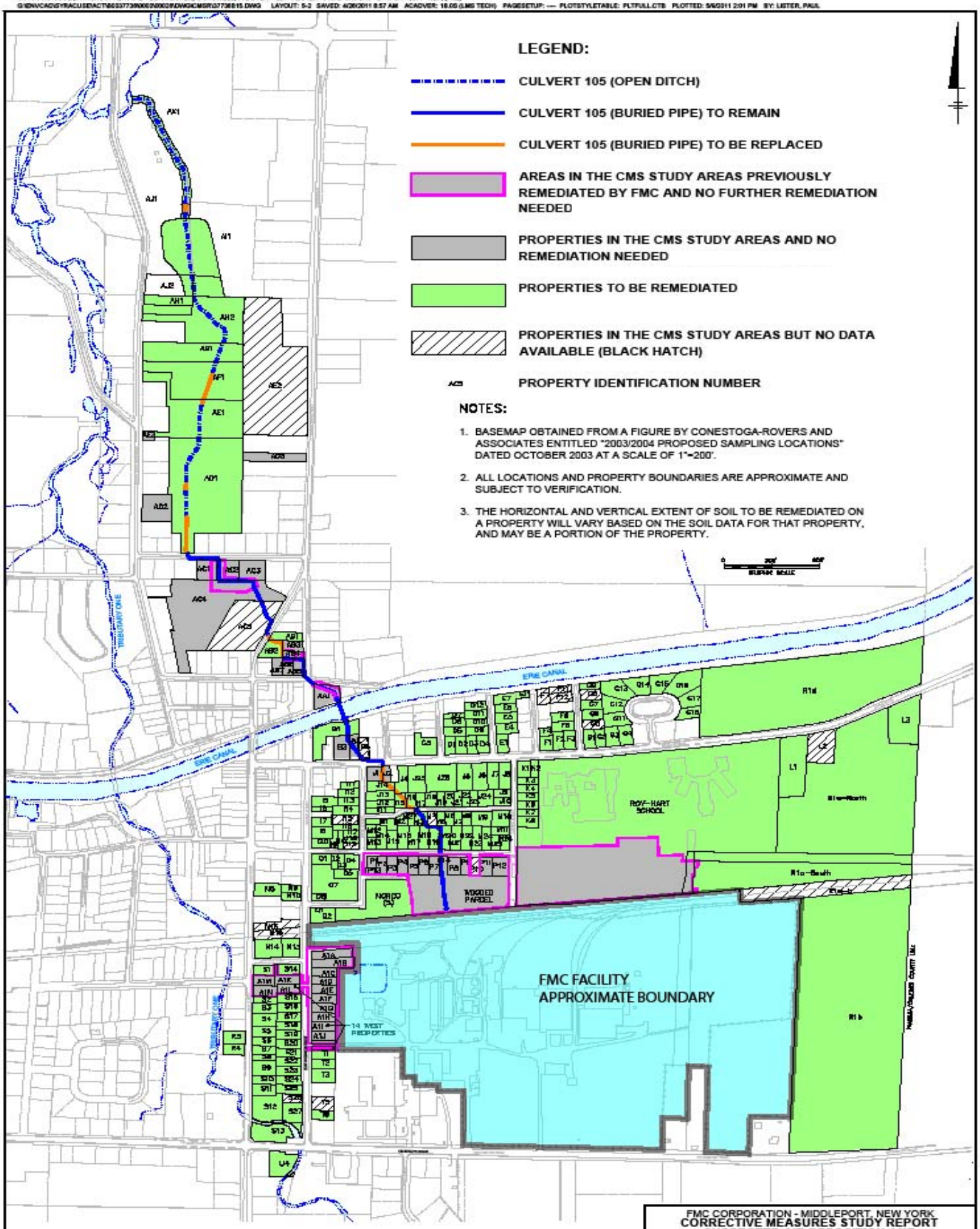
Receive Site Fact Sheets by Email

Have site information such as this fact sheet sent right to your email inbox. NYSDEC invites you to sign up with one or more contaminated sites county email listservs available at the following web page: www.dec.ny.gov/chemical/61092.html . It's quick, it's free, and it will help keep you *better informed*.

As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select.

You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

Note: Please disregard if you already have signed up and received this fact sheet electronically.



FMC CORPORATION - MIDDLEPORT, NEW YORK
CORRECTIVE MEASURES STUDY REPORT
SUSPECTED AIR DEPOSITION AND CULVERT 105 STUDY AREAS

PROPERTIES TO BE FULLY OR PARTIALLY REMEDIATED

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