New York State Department of Environmental Conservation Division of Environmental Remediation

Remedial Bureau B, 12<sup>th</sup> Floor 625 Broadway, Albany, New York 12233-7016 Phone: (518) 402-9768 • Fax: (518) 402-9773 Website: www.dec.ny.gov



April 18, 2012

Mr. Brian McGinnis FMC Corporation, Remediation Department 1735 Market Street Philadelphia, Pennsylvania 19103

Dear Mr. McGinnis:

Re: FMC Corporation, Middleport, NY EPA ID No. NYD002126845 AOC Docket No. II-RCRA-90-3008(h)-0209 DER Site No. 932014 Revised Operation, Maintenance and Monitoring Plan for the North Railroad Property Phase 2 ICM revised March 2012

The United States Environmental Protection Agency (USEPA) and the New York State Department of Environmental Conservation (NYSDEC) hereafter referred to as "the Agencies" have received and reviewed the above mentioned document. The changes are acceptable and the report is hereby approved.

If you have questions concerning this letter, you may contact either Ms. Sally Dewes (NYSDEC) at (518)402-9768 or Mr. Michael Infurna (USEPA) at (212) 637-4177.

Sincerely,

Sally Dewes, P.E. NYSDEC Project Coordinator Division of Environmental Remediation

SiDewes for M. Infuna

Michael Infurna USEPA Project Coordinator Environmental Planning and Protection Division

ec:

R. Cozzy/M. Komoroske, DER
M. Hinton/G. Sutton, NYSDEC Region 9 Buffalo
R. Locey/R. Rink, NYSDEC Region 9 Buffalo
S. Radon/D. Weiss, NYSDEC Region 9
M. Infurna, USEPA
N. Freeman, NYSDOH
W. Lachell, AMEC
D. Watts, MCIG Technical Advisor
W. Arnold, MCIG Chairperson
D. Seaman, Seaman, Jones, Hogan & Brooks

## **FMC Corporation**

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## Transmitted Via Email and FedEx

March 30, 2012

Ms. Sally Dewes, PE NYSDEC Project Coordinator Remedial Bureau B Division of Environmental Remediation New York State Department of Environmental Conservation 625 Broadway, 12<sup>th</sup> Floor Albany, NY 12233-7016

Mr. Michael Infurna USEPA Project Coordinator Division of Environmental Planning and Protection United States Environmental Protection Agency, Region II 290 Broadway, 22<sup>nd</sup> Floor New York, NY 10007-1866

 Re: Revised Operation, Maintenance and Monitoring Plan for the North Railroad Property Phase 2 Interim Corrective Measures (ICM) RCRA Section 3008(h) Administrative Order on Consent (AOC) Docket No. II-RCRA-90-3008(h)-209
 FMC Corporation, Middleport, NY Facility EPA I.D. No. NYD002126845

Dear Ms. Dewes and Mr. Infurna:

By letter dated January 18, 2012, FMC Corporation (FMC) requested approval to reduce the frequency of sampling and analysis activities specified in the *Operation, Maintenance, and Monitoring Plan for the North Railroad Property – Phase 2 Interim Corrective Measures (ICM)* (October 2009) ("Phase 2 OM&M Plan"). The New York State Department of Environmental Conservation (NYSDEC) and the United States Environmental Protection Agency (USEPA) (jointly, "the Agencies"), in consultation with the New York State Department of Health (NYSDOH), identified, by letter dated February 27, 2012, two conditions under which reduction in the frequency of sampling and analysis activities would be acceptable. By letter dated March 12, 2012, FMC agreed to the Agencies' condition #1, provided comments on condition #2, and requested a meeting with the Agencies to discuss condition #2. On March 21, 2012, FMC and the Agencies discussed the Agencies' conditions, and agreed that sampling would be conducted as described in Section 4 of the enclosed revised Phase 2 ICM OM&M Plan.



S. Dewes and M. Infurna Page 2

If you have any questions, please contact me.

Sincerely,

Brian M. M. Diminis

Brian M. McGinnis Remediation Project Manager (215) 299-6047

cc: M. Mortefolio, NYSDEC, Albany
M. Hinton, NYSDEC, Buffalo
R. Locey, NYSDEC, Buffalo
N. Freeman, NYSDOH, Troy
R. Westcott, Mayor, Village of Middleport
D. Seaman, Esq., Village Attorney, Village of Middleport
Middleport Library Document Repository
W. Lachell, AMEC
E. Rankin, PE, ARCADIS



Imagine the result



Operation, Maintenance and Monitoring Plan for the North Railroad Property Phase 2 Interim Corrective Measures (ICM)

FMC Corporation Middleport, New York

October 2009

Revision No. 1 – March 2012

Operation, Maintenance and Monitoring Plan for the North Railroad Property Phase 2 Interim Corrective Measures

FMC Corporation Middleport, New York

Prepared for: FMC Corporation

Prepared by: ARCADIS 6723 Towpath Road P.O. Box 66 Syracuse New York 13214-0066 Tel 315.446.9120 Fax 315.449.0017

Our Ref.: B0037764

Date: October 2009 Revision No. 1 – March 2012

## **Table of Contents**

1.	Background and Purpose	1
2.	Summary of Phase 2 ICM Activities	2
3.	Inspection, Maintenance and Monitoring Activities	3
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## Figure

### 1 Phase 2 ICM OM&M Activities Site Plan

## Appendices

- A Copies of Record Drawings
- B Inspection Form

## 1. Background and Purpose

The North Railroad Property, which was formerly owned by Conrail and acquired by FMC Corporation (FMC) in May 2002, is located to the north of the FMC Middleport, New York Plant Site as shown on Figure 1. The North Railroad Property includes an active railroad mainline and portions of spurs to the FMC Plant Site, stormwater drainage ditches, and the "Northwest Conrail Area," which comprises a concrete platform and a grass-covered area. The North Railroad Property was remediated in two phases ("Phase 1" and "Phase 2") in accordance with an Administrative Order on Consent (AOC) [Docket No. II RCRA-90-3008(h)-0209] entered into by FMC, the New York State Department of Environmental Conservation (NYSDEC), and the United States Environmental Protection Agency (USEPA) (the latter two entities are referred to herein collectively as "the Agencies"), effective July 2, 1991. The locations of the FMC Plant Site, Phase 1 ICM Area, and Phase 2 ICM area are shown on Figure 1.

The Phase 1 ICM activities were completed in 2005, and involved soil excavation and construction of a surface cover on the Phase 1 ICM Area of the North Railroad Property. The Phase 1 ICM activities are documented in the *Final Construction Report for the North Railroad Property Phase 1 Interim Corrective Measures Work Plan* (Phase 1 ICM Construction Report) (2006).

The Phase 2 ICM activities were completed in 2008, and involved installation of a surface cover on the Phase 2 ICM Area of the North Railroad Property and installation of post-Phase 1 stormwater management controls on the northeastern portion of the FMC Plant Site. The Phase 2 ICM activities are documented in the *North Railroad Property Phase 2 Interim Corrective Measures Construction Report* (Phase 2 ICM Construction Report) (2009).

A plan titled *Operation, Maintenance and Monitoring Plan for the North Railroad Property – Phase 2 Interim Corrective Measures (ICM)* (Phase 2 ICM OM&M Plan) (2009), describing the post-construction inspection, maintenance and monitoring activities to be conducted by FMC relative to the Phase 2 ICM Area, was approved by the Agencies by letter dated March 4, 2010. Based on analytical data for surface water samples collected from the Phase 2 ICM Area under the Phase 2 ICM OM&M Plan from December 2009 through November 2011, FMC submitted a request to the Agencies on January 18, 2012 to reduce the frequency of sampling and analysis activities from quarterly to annual. By letter dated February 27, 2012, the Agencies, in consultation with the New York State Department of Health (NYSDOH), identified two conditions under which the requested reduction in frequency of sampling and analysis activities would be acceptable. On March 21, 2012, FMC and the Agencies discussed the Agencies' conditions, and agreed that sampling would be conducted as described in Section 4 of this revised Phase 2 ICM OM&M Plan.

## 2. Summary of Phase 2 ICM Activities

The Phase 2 ICM construction activities included the following:

- Installation of a surface cover system consisting of (from bottom to top) a flexible membrane liner (FML), a non-woven geotextile, approximately 12 inches of select soil fill, a demarcation layer, approximately 8 inches of general soil fill, and approximately 4 inches of vegetated topsoil.
- Installation of a V-notch strip drain above the surface cover system, ending with a riprap covered termination.
- Installation of an asphalt cover system along the southern, eastern and northeastern perimeters of the Phase 2 ICM Area.
- Installation of a permanent asphalt-lined stormwater diversion and curb in the southwestern portion of the Phase 2 ICM Area and an asphalt-lined stormwater diversion swale along the eastern portion of the Phase 2 ICM Area.
- Installation of an asphalt cover around an existing stormwater catch basin (CB-1-NRR) in the southwest portion of the Phase 2 ICM Area.
- Installation of stormwater management controls on the northeastern portion of the FMC Plant Site to mitigate potential post-Phase 1 ICM increases in stormwater runoff to the Western Surface Impoundment (WSI). These controls consist of a Stormwater Attenuation Structure (SWAS) and adjoining berm.

The locations of these features are indicated on Figure 1. Details regarding the construction of these features are provided in the Record Drawings of the Phase 2 ICM Construction Report. A copy of the Record Drawings is provided in Appendix A of this plan.



#### 3. Inspection, Maintenance and Monitoring Activities

The Phase 2 ICM post-construction activities include inspection, maintenance, and monitoring to maintain the condition and integrity of the Phase 2 ICM components (i.e., surface covers, permanent erosion and sediment control, and stormwater management features) and to monitor surface water quality entering catch basin CB-1-NRR in the Phase 2 ICM Area.

Inspection, maintenance and monitoring of Phase 2 ICM components will be conducted in accordance with the procedures outlined in Section 3 of the *Phase 1 Interim Corrective Measures Operation, Maintenance and Monitoring Plan for the North Railroad Property* (Phase 1 ICM OM&M Plan) (2011). The Phase 2 ICM OM&M components include (see Figure 1):

- Phase 2 ICM Area Surface Covers
- Strip Drain Termination
- Swales and Diversions
- Stormwater Attenuation Structure
- Catch Basin CB-1-NRR

The Phase 2 ICM components will be inspected on a quarterly basis, concurrently with the inspection of the Phase 1 ICM Area O&M components.

Personnel conducting inspection activities will complete an Inspection Form (Appendix B). The Inspection Form includes information necessary to review the condition of the Phase 2 ICM components and will aid in determining whether maintenance activities are required. The Inspection Form provides an organized and consistent means of recording typical inspection information such as the date and time of inspection, personnel involved, visual observations, and photographs.

If any problems are encountered during an inspection, FMC shall notify the NYSDEC within three (3) business days of identifying the problem or problems. This notification shall include a description of the problem(s), any immediate actions that were taken to correct or mitigate the problem, and the actions planned to correct the problem, along with a time frame for implementation of such actions. Subject to the provisions of the AOC, including but not limited to Sections VII and XI.1, FMC will also take any alternative or additional actions deemed necessary and directed in writing by the NYSDEC to protect human health and the environment.

### 4. Surface Water Sample Collection and Analysis

Catch basin CB-1-NRR receives surface water runoff from a portion of the Northwest Conrail Area and the backyards of several residential properties, adjacent to the western boundary of the FMC Plant Site, that were remediated during the 2003 West Properties ICM (2007). In addition, the catch basin receives the effluent from FMC's State Pollutant Discharge Elimination System (SPDES) permitted Outfall 001 (which includes treated water from the Facility water treatment plant [WTP] and stormwater runoff from the south side of the Facility). The catch basin is connected to the Village of Middleport's existing storm sewer system that drains to Tributary One.

Samples of the surface water run-off from the Phase 2 ICM Area entering catch basin CB-1-NRR (not the flow within the catch basin) will be collected during the first calendar quarter (January 1 to March 31) of each year, if feasible. Attempts will be made to collect the samples, during weekday daytime working hours (i.e., 8 am to 5 pm) and when safe to do so, until samples are collected. If surface water samples cannot be collected during the first calendar quarter, then the location will be checked during the subsequent quarter (and thereafter, as needed), with the objective of obtaining a surface water sample within the calendar year.

Sampling and analysis will be conducted in accordance with Section 2.3 and Section 3 of the *North Railroad Property Run-On Sampling and Analysis Plan* (SAP) (2005) that is included as Attachment B to the Phase 1 ICM OM&M Plan. The sample will be submitted to a NYSDOH Environmental Laboratory Accreditation Program (ELAP)-certified laboratory for analysis. The sample will be analyzed for the same constituents and parameters and by the same methods as specified for the Phase 1 ICM Area surface water samples. The analyses and methods include:

- Total and dissolved arsenic (USEPA SW-846 Method 6010B)
- Total and dissolved lead (USEPA SW-846 Method 6010B)
- Site-specific parameter list (SSPL) chlorinated pesticides (USEPA SW-846 Method 8081A)
- Total ammonia (as Nitrogen) (Methods for Chemical Analysis of Water and Wastes [MCAWW] Method 350.1)
- Hardness (MCAWW Method 130.2)

Laboratory analysis, quality control and reporting, and data validation will be conducted in accordance with Section 4 and Section 5 of the SAP.



#### 5. Deliverables and Schedule

The findings of the Phase 2 ICM OM&M activities will be documented in the same manner as for the Phase 1 ICM OM&M activities. The results of the quarterly inspections will be discussed in the Quarterly Progress Reports for the FMC Plant Site. If a stormwater sample is collected and analyzed, then the results will be discussed in a report to be provided to the Agencies within 90 days following receipt of the analytical data. If surface water samples are also concurrently collected from the Phase 1 ICM Area ditches, then the results will be provided in a combined report, separate from the Quarterly Progress Report. The content of the report is outlined in Section 4.3 of the Phase 1 ICM OM&M Plan.

#### References

ARCADIS. 2009. North Railroad Property Phase 2 Interim Corrective Measures Construction Report (October).

ARCADIS. 2011. Operation, Maintenance, and Monitoring Plan for the North Railroad Property Phase 1 Interim Corrective Measures (Revision No. 1 – June).

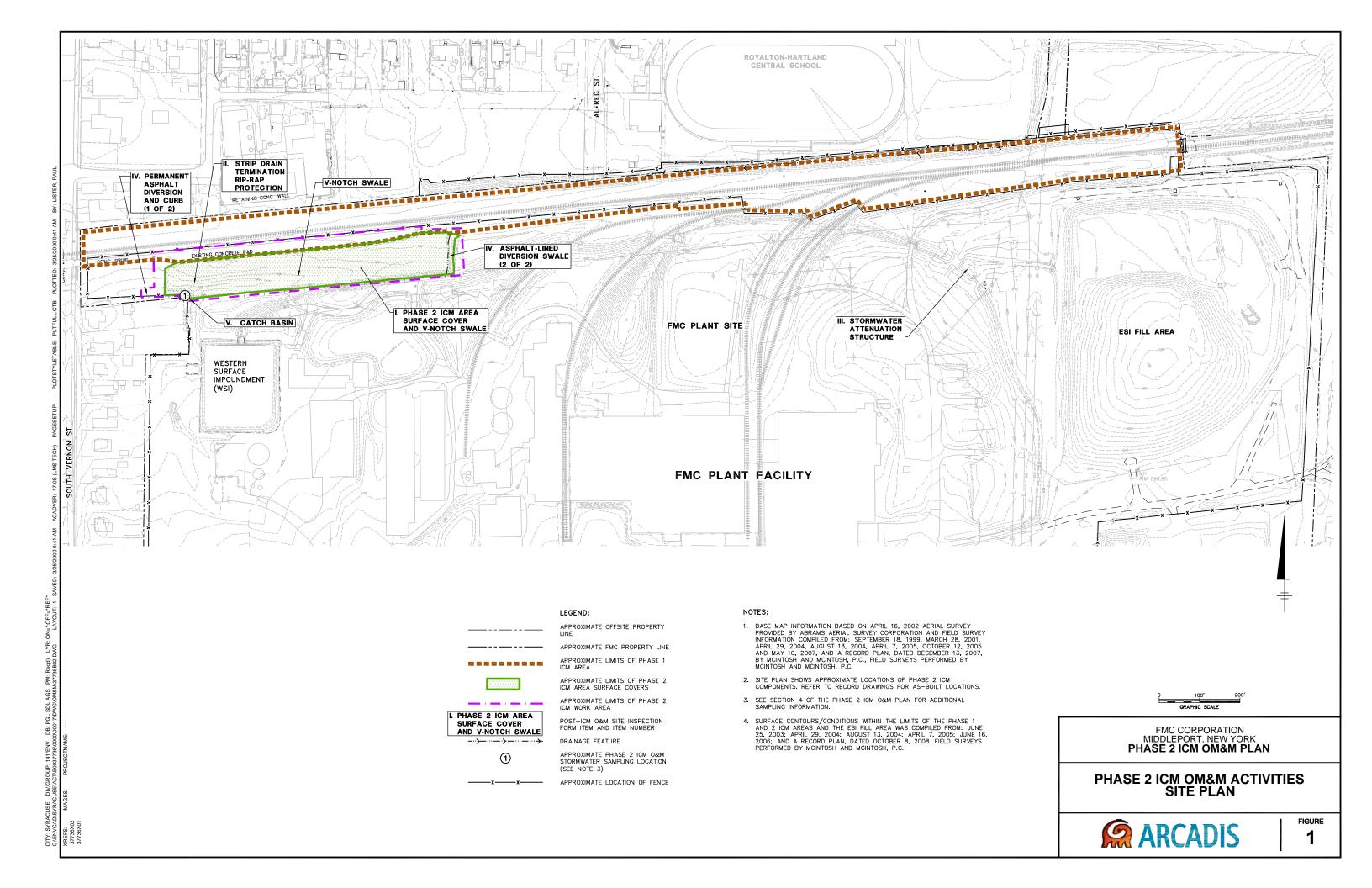
BBL. 2006. Final Construction Report for the North Railroad Property Phase 1 Interim Corrective Measures Work Plan (January).

Geomatrix. 2005. North Railroad Property Run-On Sampling and Analysis Plan (SAP). Included as Attachment B to the Phase 1 ICM O&M Plan.

Geomatrix. 2007. Final Construction Report for the West Properties Soil and Former Sewer Removal ICM (February).



Figure





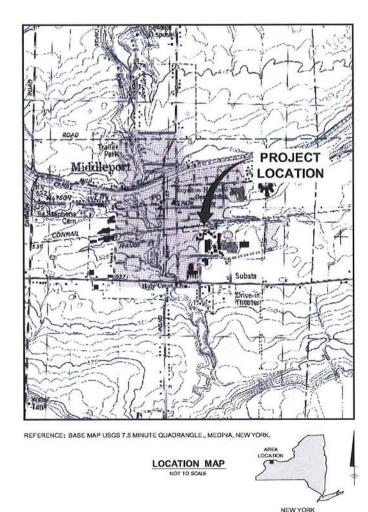
Appendices

Appendix A

**Copies of Record Drawings** 

## **RECORD DRAWINGS**

# NORTH RAILROAD PROPERTY PHASE 2 INTERIM CORRECTIVE MEASURES CONSTRUCTION REPORT



## FEBRUARY 2009

## FMC CORPORATION MIDDLEPORT, NEW YORK

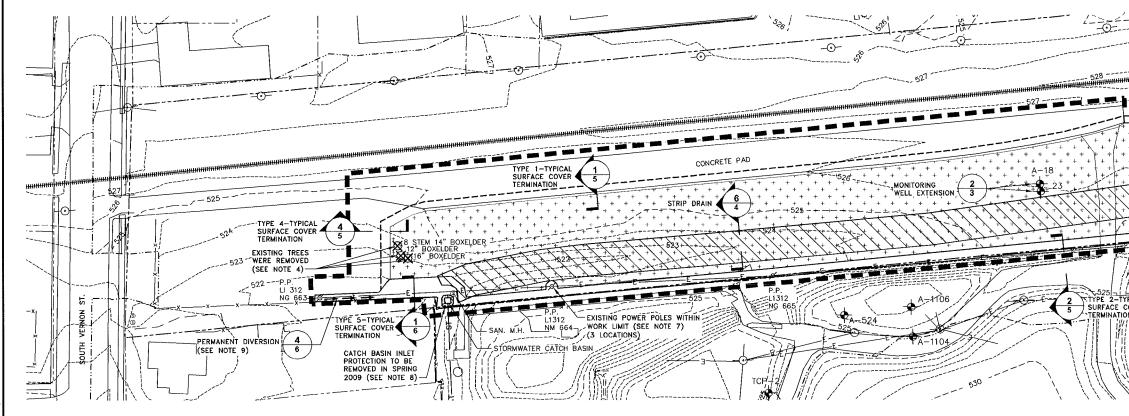


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#### **INDEX TO DRAWINGS**

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- 1. SITE PLAN
- 2. FINAL GRADING PLAN
- 3. DETAILS AND SECTIONS
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	LEGEND:
	APPROXIMATE LIMIT OF WORK
	LIMIT OF PHASE 2 ICM AREA
	LIMIT OF FIELD SURVEY
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+ + + + + + + + + + + + +	APPROXIMATE LIMIT OF PHASE 2 ICM SURFACE COVER (SEE DETAIL 2 ON DRAWING 4 AND NOTE 6)
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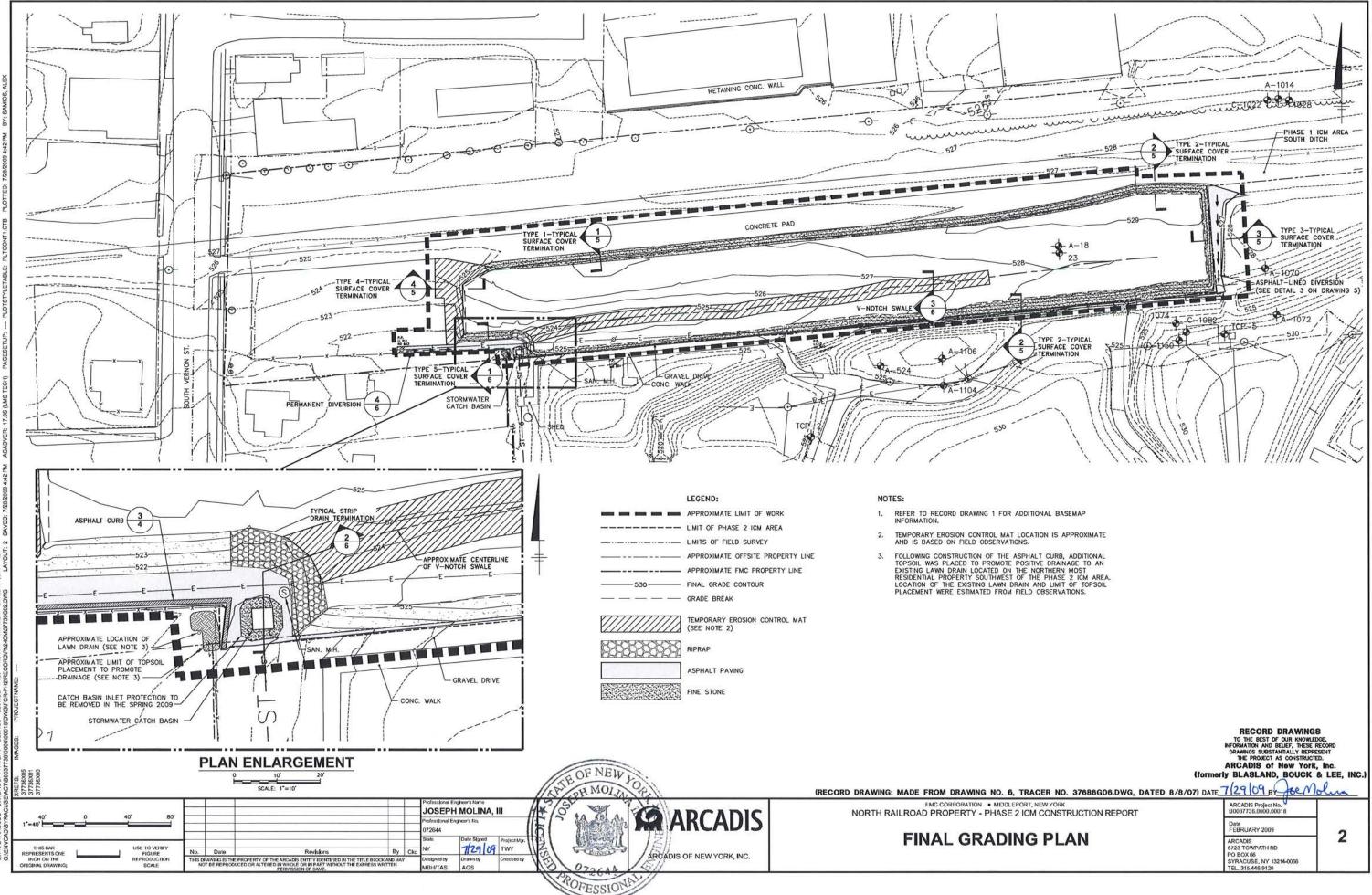
- 1. BASEMAP INFORMATION OUTSIDE LIMIT OF FIELD SURVEY BASED ON APRIL 16, 2002 AERIAL SURVEY PROVIDED BY ABRAMS AERIAL SURVEY CORPORATION.
- FIELD SURVEY INFORMATION SHOWN ON THIS DRAWING WAS COMPILED FROM: JUNE 25, 2003; APRIL 29, 2004; AUGUST 13, 2004; APRIL 7, 2005; JUNE 16, 2006; AND A RECORD PLAN, DATED OCTOBER 8, 2008. FIELD SURVEYS PERFORMED BY MCINTOSH AND MCINTOSH, P.C.
- THE HORIZONTAL DATUM IS NORTH AMERICAN DATUM (NAD) 1983. ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM (NGVD) 1929.
- 4. EXISTING TREES WERE CHIPPED AND DISPOSED OF IN THE ESI FILL AREA. STUMPS WERE REMOVED TO A MINIMUM DEPTH OF 4 INCHES BELOW GROUND SURFACE (OR AS NECESSARY TO COMPLETE SURFACE COVER CONSTRUCTION). STUMPS AND/OR ROOT MATERIALS WERE GROUND-UP AND PLACED IN THE ESI FILL AREA. THE REMAINING HOLES WERE BACKFILLED WITH COMPACTED GENERAL FILL PRIOR TO PLACEMENT OF THE GRADING LAYER.
- 5. SOIL MATERIAL REMOVED DURING SITE PREPARATION (E.C., EXCAVATED SOILS, EXISTING DIVERSION BERM) WAS SPREAD EVENLY BENEATH THE GRADING LAYER. MATERIAL NOT SUITABLE FOR REUSE WITHIN OR BENEATH THE GRADING LAYER WAS PLACED IN THE ESI FILL AREA.
- 6. FML WAS EXTENDED BENEATH THE NEW ASPHALT PAVING ALONG THE SOUTHERN PERIMETER OF PHASE 2 ICM AREA. REFER TO TYPICAL SURFACE COVER TERMINATION DETAILS ON DRAWINGS 5 AND 6 FOR ADDITIONAL INFORMATION PERTAINING TO THE LIMITS OF THE GRADING LAVER AND FML.
- 7. EXISTING POWER POLES (POLE NUMBERS 663, 664, AND 665) WITHIN THE WORK LIMIT WERE REPLACED WITH NEW POLES BY NATIONAL GRID PRIOR TO CONSTRUCTION.
- 8. REMAINING TEMPORARY EROSION AND SEDIMENT CONTROLS (E.G., FILTER LOGS, CATCH BASIN INLET PROTECTION) WILL BE REMOVED IN THE SPRING OF 2009.
- 9. THE LENGTH OF THE PERMANENT DIVERSION WAS SHORTENED, IN ACCORDANCE WITH FIELD MODIFICATION/CLARIFICATION FORM NO. 01. REFER TO APPENDIX B OF THE PHASE 2 ICM FINAL CONSTRUCTION REPORT FOR THE FIELD MODIFICATION/CLARIFICATION FORMS.

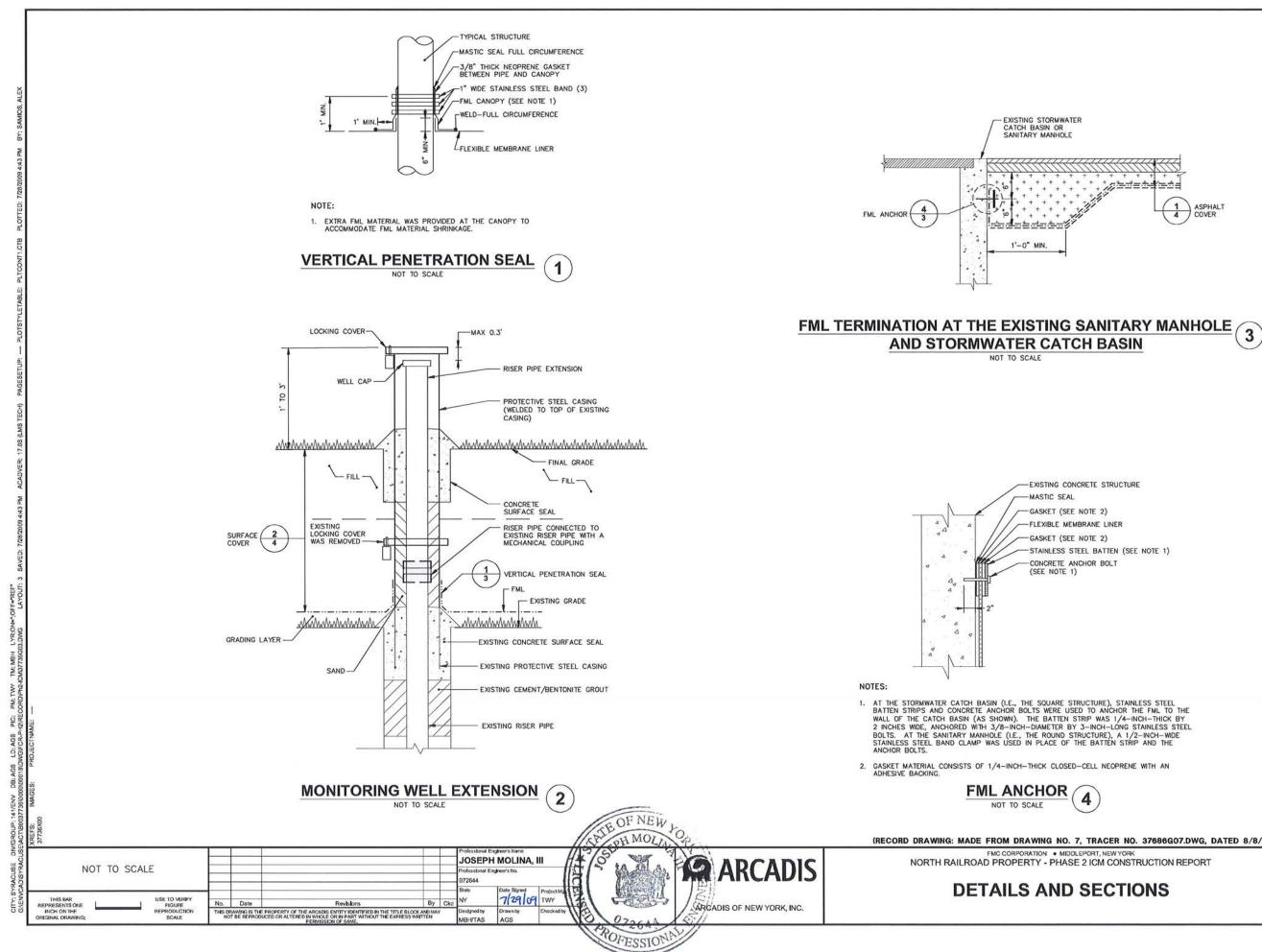
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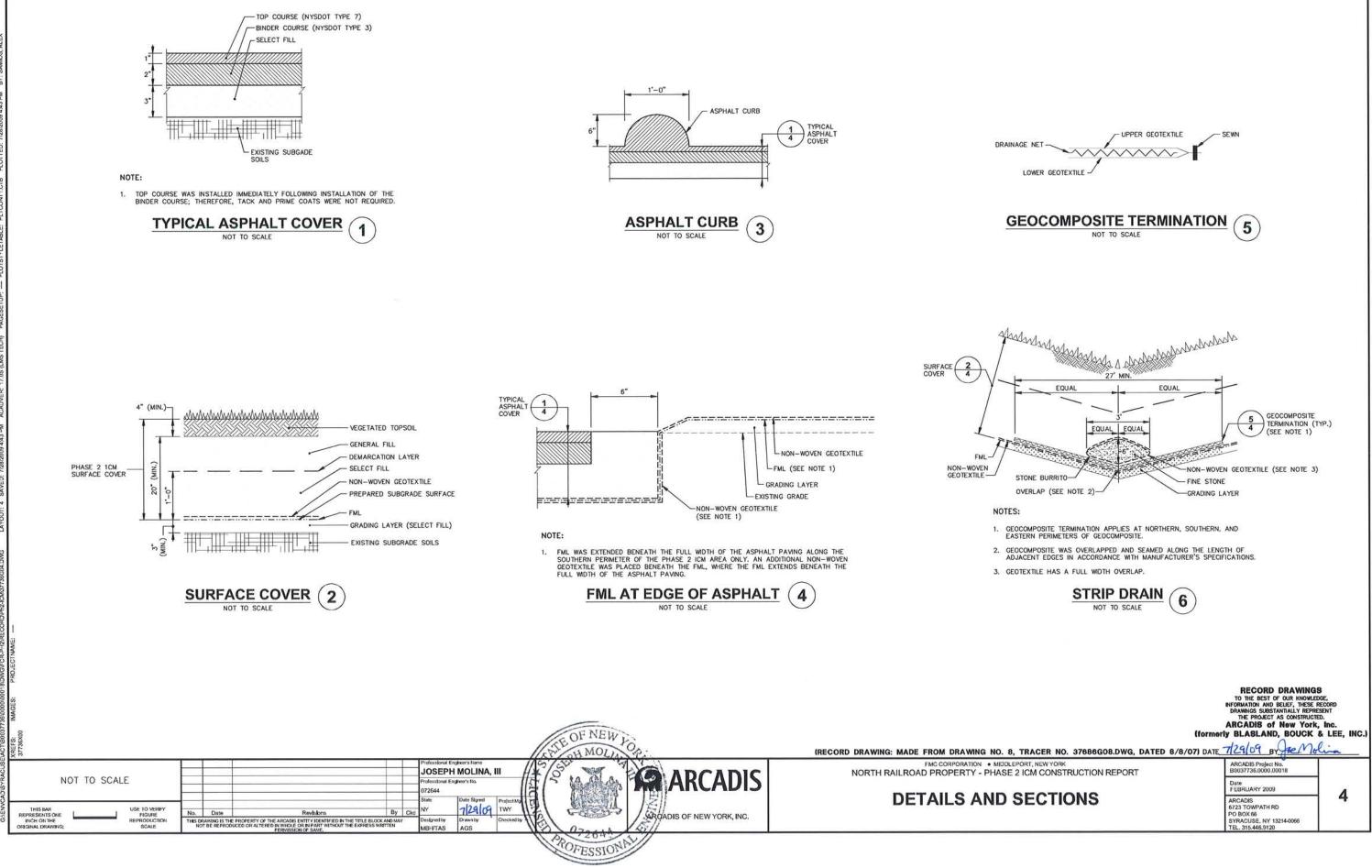
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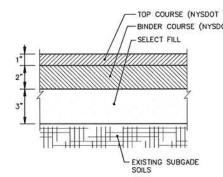


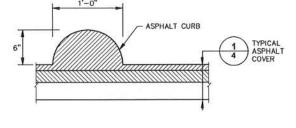


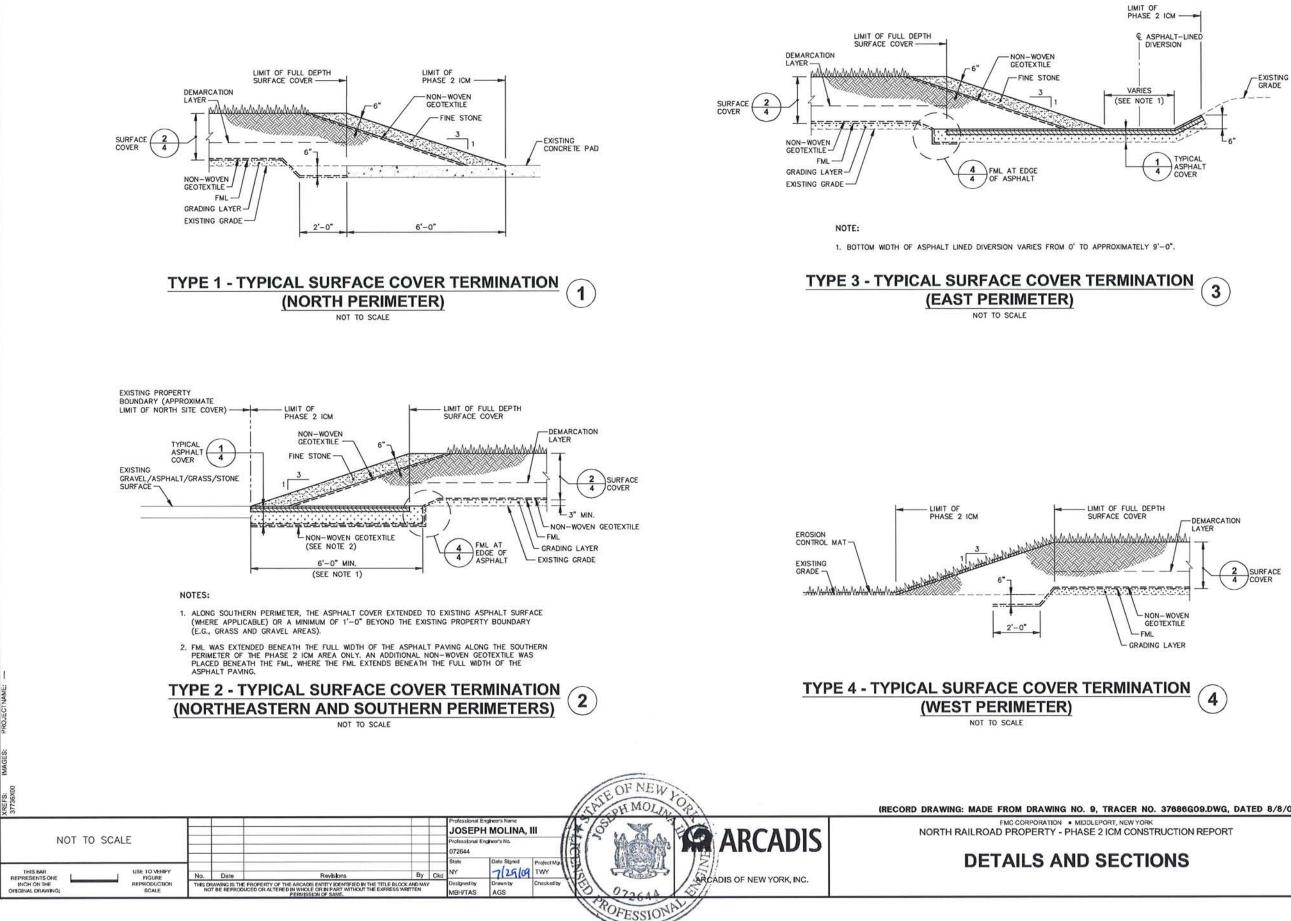
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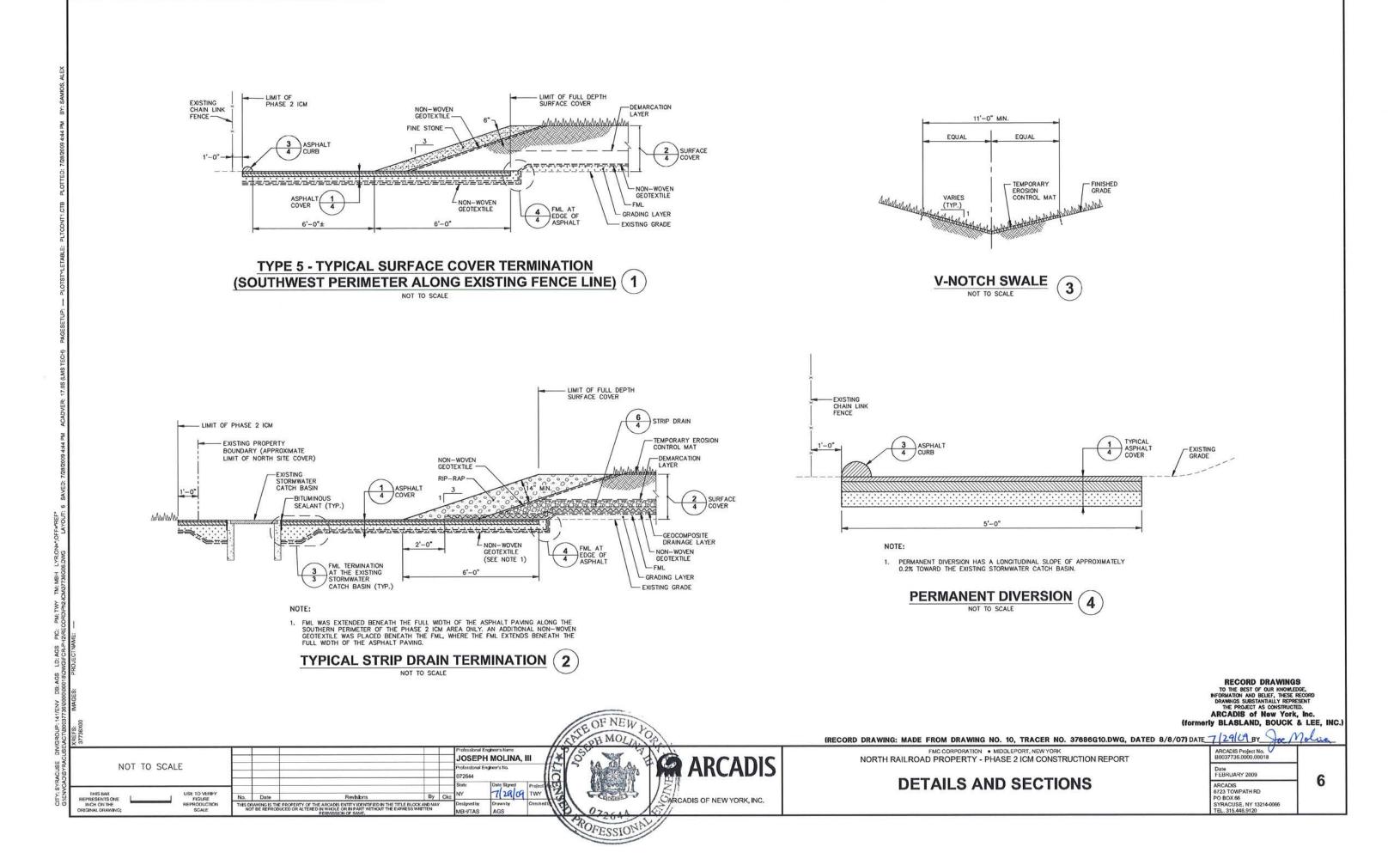


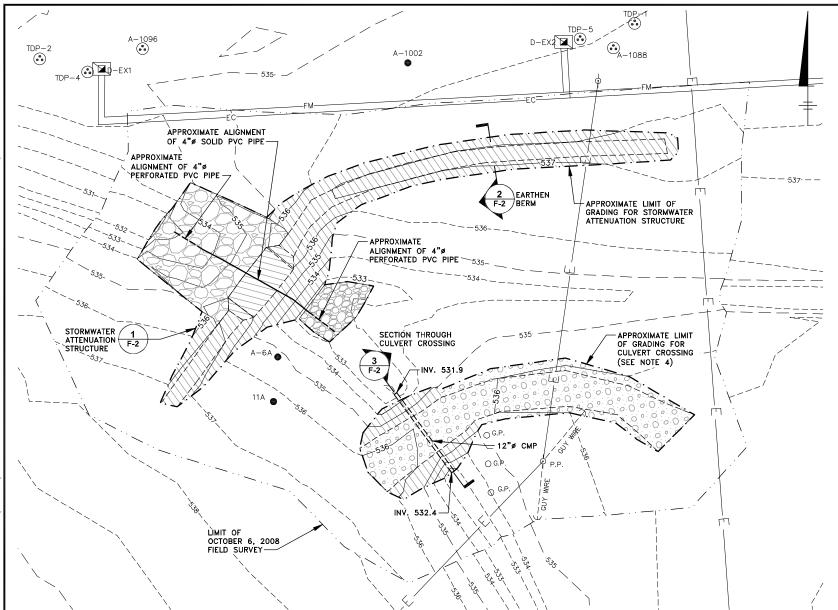


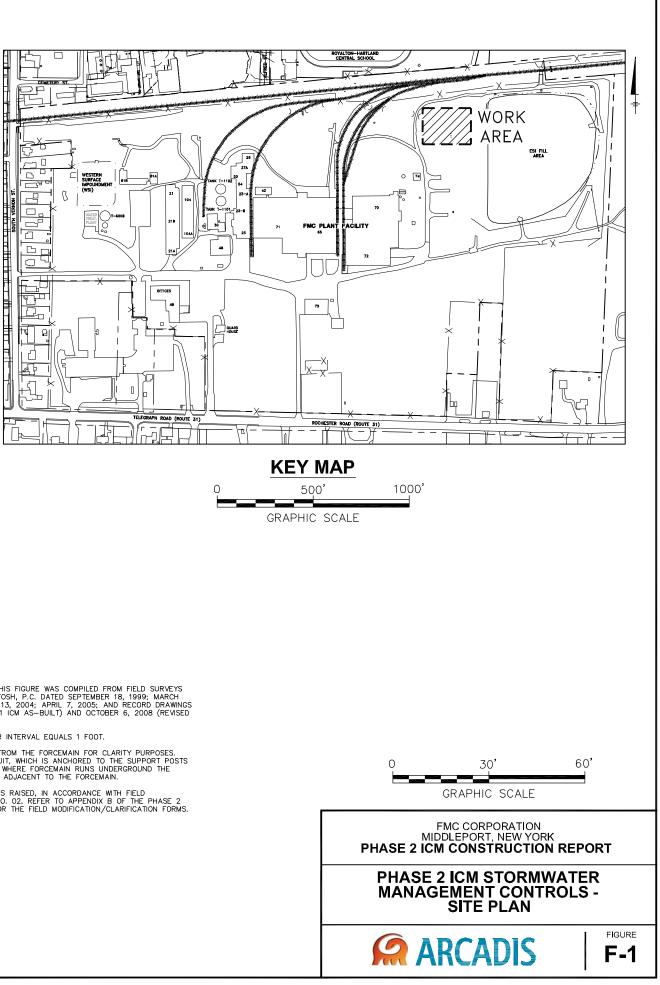




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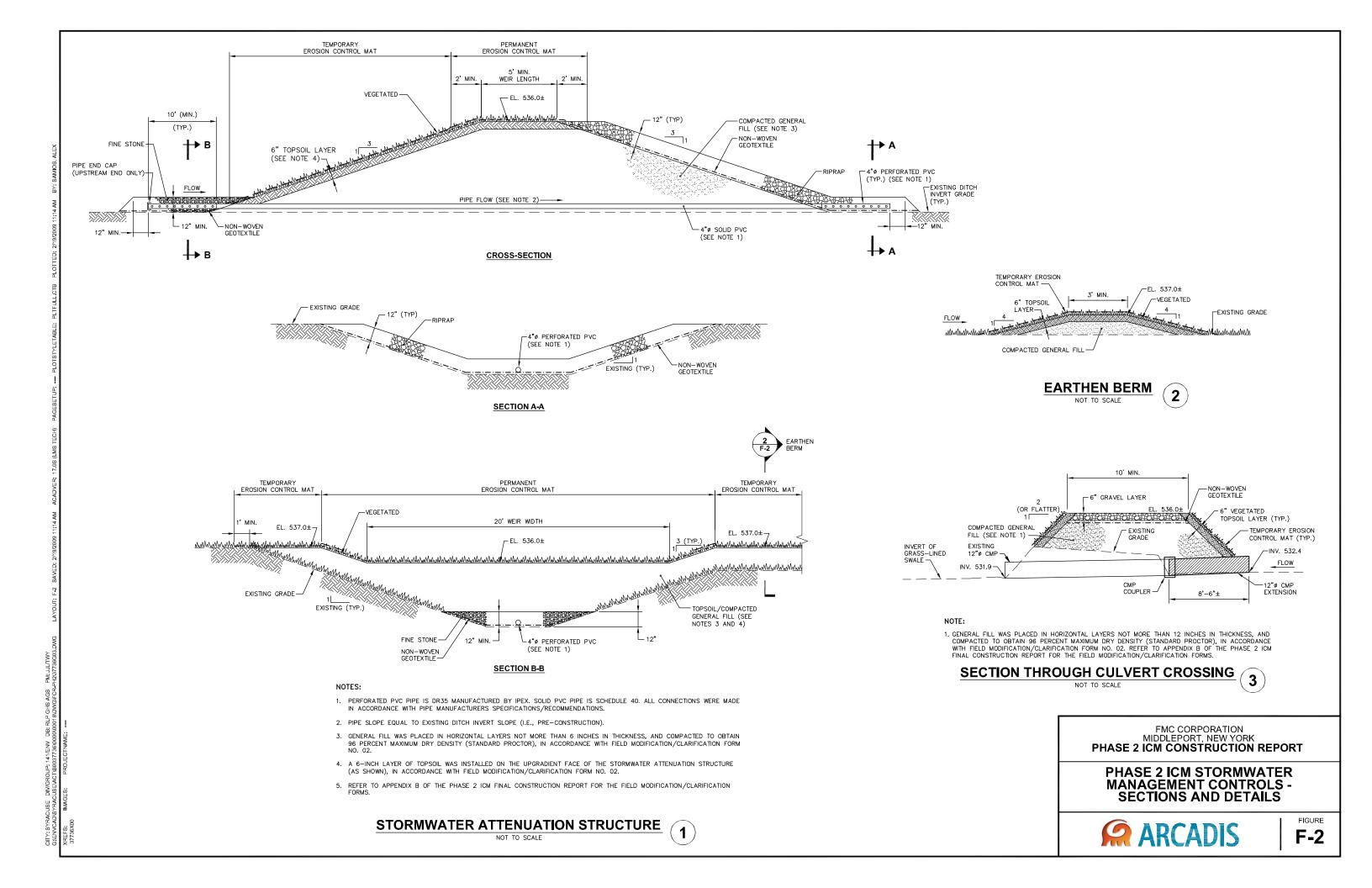
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- GRADE BREAK

#### NOTES:

- BASEMAP INFORMATION SHOWN ON THIS FIGURE WAS COMPILED FROM FIELD SURVEYS PERFORMED BY MCINTOSH AND MCINTOSH, P.C. DATED SEPTEMBER 18, 1999; MARCH 28, 2001; APRIL 29, 2004; AUGUST 13, 2004; APRIL 7, 2005; AND RECORD DRAWINGS DATED SEPTEMBER 9, 2005 (PHASE 1 ICM AS-BUILT) AND OCTOBER 6, 2008 (REVISED ON FEBRUARY 10, 2009).
- 2. EXISTING AND FINAL GRADE CONTOUR INTERVAL EQUALS 1 FOOT.
- 3. ELECTRICAL LINE IS SHOWN OFFSET FROM THE FORCEMAIN FOR CLARITY PURPOSES. ELECTRICAL LINE RUNS WITHIN CONDUIT, WHICH IS ANCHORED TO THE SUPPORT POSTS FOR THE ABOVEGROUND FORCEMAIN. WHERE FORCEMAIN RUNS UNDERGROUND THE ELECTRICAL LINE RUNS IN A TRENCH ADJACENT TO THE FORCEMAIN.
- 4. THE EXISTING CULVERT CROSSING WAS RAISED, IN ACCORDANCE WITH FIELD MODIFICATION/CLARIFICATION FORM NO. 02. REFER TO APPENDIX B OF THE PHASE 2 ICM FINAL CONSTRUCTION REPORT FOR THE FIELD MODIFICATION/CLARIFICATION FORMS.



Appendix B

**Inspection Form** 

## Inspection Form

Phase 2 ICM OM&M Plan

### North Railroad Property FMC Corporation - Middleport, New York

Inspector Name:	Weather:	Other Parties Present (and affiliation):				
Date/Time:						
[]       []       Is the grass cover growing evenly wi         []       []       Is the grass growth even and proper         []       []       Are there any signs of erosion?         []       []       Are there any ponded areas?         []       []       Is there any evidence of slope failure         []       []       Is there any evidence of burrowing a         []       []       Is the non-woven geotextile exposed         []       []       Are there any trees, bushes, or othe	ly maintained? Are there any distressed a e? animals?	cover area?				
II. Strip Drain Termination         Yes       No       (If Yes, describe below, identify location on site map, and provide photo.)         []       []       Is there any sign of erosion?         []       []       Is any of the rip rap dislodged exposing the strip drain? (describe below)         []       []       Is there sediment visible directly down-gradient from the outlet structure?         Comments/Recommended Actions						
III. Stormwater Attenuation Structure         Yes       No       (If Yes, describe below, identify location on site map, and provide photo.)         []       []       Is there any sign of erosion, sloughing or displacement of structural material or grass lining? (describe below)         []       []       Is there water flowing in the downstream ditch? If yes, is the water clear or turbid? (describe below)         []       []       Is there sediment build up upstream of the attenuation structure? (describe below)         []       []       Is there evidence of conditions (e.g., burrowing animals, vegetation growth) that may impede flow? (describe below)         []       []       Is there evidence of conditions (e.g., burrowing animals, vegetation growth) that may impede flow? (describe below)         Comments/Recommended Actions       Image: Start						
[]       []       Is there any sign of erosion along the         []       []       Is there any sign of cracking, depres         []       []       Are there any cracks or breaks in the         []       []       Is there any debris, accumulated see		ribe below)				

## Inspection Form

Phase 2 ICM OM&M Plan

### North Railroad Property FMC Corporation - Middleport, New York

Inspector Name:		Weather:	Other Parties Present (and affiliation):					
Date/Time:								
V. Catch Basin Structure         Yes       No       (If Yes, describe below, identify location on site map, and provide photo.)         []       []       Is there any sign of erosion or asphalt damage in the vicinity of the catch basin structure? (describe below)         []       []       Is there any debris or accumulated sediments within the catch basin structure?         []       []       Is there any apparent damage to the catch basin structure? (describe below)         Comments/Recommended Actions								
VI. Surface Wat Sample Information	er Samples							
Sample Number	Describe the surface w	ater sample characteristics (i.e., turbidi	ity, color, presence of debris, odor):					
VII. Photograph	Comments/Recommended Actions           VII. Photographic Documentation           Instructions: Photo documentation is required during inspection. Describe each photo and mark its location and view direction on a site map.							
Photo Number	Location	Inspection Item Nur	nber and Photo Description					
VIII. Problem Identification and Corrective Action If applicable, describe any problem(s) identified, immediate actions taken to correct or mitigate the problem(s), documentation of NYSDEC notification, the nature and timeframe for implementation of planned corrective actions, and for follow-up inspections.								