



Department of  
Environmental  
Conservation

# FACT SHEET

RCRA and State Superfund Program

FMC Corporation

100 Niagara Street  
Middleport, NY 14105

**SITE No. 932014**

**February 2021**

**NYSDEC REGION 9**

## Where to Find Information

Access project documents through the DECinfo Locator and at these location(s):

<https://www.dec.ny.gov/data/DecDocs/932014/>

**Middleport Village Library**  
9 Vernon Street, Middleport, NY  
(716) 735-3281

*(\*Repositories may be temporarily unavailable due to COVID-19 precautions. If you cannot access the online repository above, please contact the NYSDEC project manager listed below for assistance)*

Key project documents and project summary also are available on the NYSDEC website at:

<https://www.dec.ny.gov/chemical/54220.html>

## Who to Contact

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

### Project Related Questions

Nathan Freeman, Project Manager  
NYSDEC  
625 Broadway, Albany, NY  
(518) 402-9767  
[nathan.freeman@dec.ny.gov](mailto:nathan.freeman@dec.ny.gov)

### Project-Related Health Questions

Stephanie Selmer  
NYSDOH  
Corning Tower Room 1787  
Albany, NY 12237  
(518) 402-7860  
[beci@health.ny.gov](mailto:beci@health.ny.gov)

For more information about New York's State Superfund Program, visit:  
[www.dec.ny.gov/chemical/8439.html](http://www.dec.ny.gov/chemical/8439.html)

## Notice of Availability: Final Statement of Basis

The New York State Department of Environmental Conservation (NYSDEC) announces that it has issued the Final Statement of Basis (FSOB) for the FMC Corporation site ("site") Air Deposition Area 2, Operable Unit 3 (OU3) located at 100 Niagara Street, Middleport, Niagara County. Please see the map for the site location.

The FSOB presents the remedy selected to address contamination related to the site and why the remedy was chosen. The FSOB also includes a Responsiveness Summary that addresses public comments received about the proposal. The estimated cost to implement the remedy is \$14 million.

On September 30<sup>th</sup>, 2020 NYSDEC released the proposed clean-up plan, the Draft Statement of Basis, for public review. The comments received during the public comment period (September 30, 2020 through November 16, 2020), along with site's Administrative Record, were considered in preparing the FSOB for the site.

- Access the FSOB and other project documents online through the DECinfo Locator: <https://www.dec.ny.gov/data/DecDocs/932014/>.
- Documents also are available at the location(s) identified at left under "Where to find information."

**Final Statement of Basis:** The following is a summary of the chosen remedy described in the FSOB:

- Excavation and off-site disposal of contaminated soils followed by restoration of excavated areas;
- Consideration of soil tilling on larger parcels, based on the results of a pilot study to be performed;
- Importing clean material that meets the established Soil Cleanup Objectives for use as backfill;
- Implementing a Health and Safety Plan and Community Air Monitoring Plan during all ground intrusive activities; and
- Implementing a Site Management Plan (SMP) for monitoring of soil to assess the performance and effectiveness of the remedy.

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**Site Description:** The FMC Facility is located in the southwest corner of the Village of Middleport in Niagara County. The facility is bounded by residential properties to the west (along South Vernon Street), agricultural lands to the east, an automobile junkyard to the southeast, and State Highway Route 31 to the south. Properties that abut the northern property boundary are the FMC-owned North Railroad Property and the Royalton-Hartland School. OU3, the subject of this Statement of Basis, includes areas immediately north and south of the Erie Canal and east of the Niagara/ Orleans County line. OU3 lands are comprised of Erie Canal Towpath, agricultural lands, railroad right of way, and undeveloped lands.

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 three surface impoundments.

**Summary of the Investigation:** The primary contaminant of concern at the site is arsenic. Arsenic was detected in the soil at concentrations up to 49.3 parts per million (ppm), exceeding the residential use SCO of 16 ppm and the upper limit of local background of 20 ppm. Based on the results of the RCRA Facility Investigation, depths of contamination range from 0 to 12 inches below the ground surface.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the site ID, 932014) at:

<https://www.dec.ny.gov/cfm/xtapps/dereexternal/index.cfm?pageid=3>

**State Superfund Program:** New York's State Superfund Program (SSF) identifies and characterizes suspected inactive hazardous waste disposal sites. Sites that pose a significant threat to public health and/or the environment go through a process of investigation, evaluation, cleanup and monitoring.

NYSDEC attempts to identify parties responsible for site contamination before committing State funds for investigation and cleanup.

For more information about the SSF, visit:

<https://www.dec.ny.gov/chemical/8439.html>

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*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.*

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### Stay Informed With DEC Delivers

Sign up to receive site updates by email:

[www.dec.ny.gov/chemical/61092.html](http://www.dec.ny.gov/chemical/61092.html)

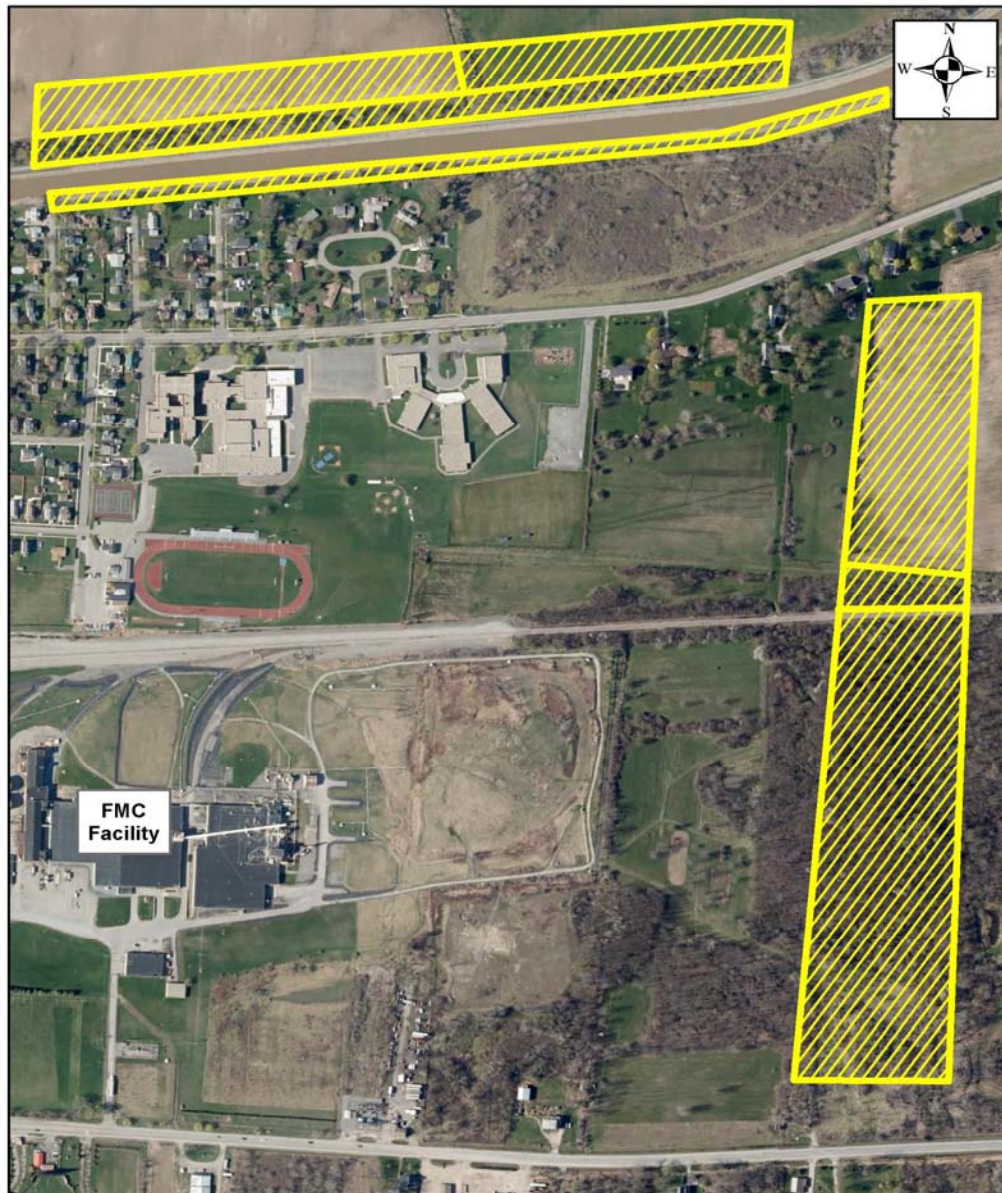
Note: Please disregard if you already have signed up and received this fact sheet electronically.

### DECinfo Locator

Interactive map to access DEC documents and public data about the environmental quality of specific sites: <https://www.dec.ny.gov/pubs/109457.html>

# RCRA and STATE SUPERFUND PROGRAM

## FMC - OU3



**Legend**


 Properties to be Remediated

Figure 1  
Remediation Area Boundaries  
Air Deposition Area 2  
(Operable Unit 3)  
Middleport, New York



NYS ITS GIS Program Office