

# Community *updates*

## FMC Corporation – Middleport Facility

Spring 2022

Site No.932014

NYSDEC Region 9

### FMC Corporation Continuing Off-Site Remedial Activities in the Village of Middleport

FMC Corporation (FMC) is continuing the multi-year cleanup of properties nearby and adjacent to the FMC facility (Site No. 932014) located at 100 Niagara Street in Middleport, Niagara County. The New York State Department of Environmental Conservation (DEC) is overseeing a comprehensive cleanup of arsenic and other contamination by FMC that complies with requirements in the May 2013 *Final Statement of Basis for Air Deposition Area #1* (2013 FSOB). This document specifies the required cleanup activities, which includes removal of impacted soil from residential and commercial parcels in the community, called Operable Units or OUs (OU2 and OU5), and the Royalton-Hartland Central School District (Roy-Hart) Middleport campus (OU4). The DEC selected remedy includes removal of arsenic in soils to levels that meet state health and environmental guidelines and, when removal is not an option, actions to prevent potential public exposure.

Prior to a 2019 consent order and settlement with DEC that held FMC responsible for the cleanup of all contaminated areas both on-site and off-site, DEC conducted extensive cleanup activities from 2015 through 2020 through the State's Superfund program. FMC took over implementation of the DEC-selected remedy for remaining properties in 2021, and will continue the remaining work in 2022. In addition, FMC will begin remedial activities within a portion of OU3 (referred to as Air Deposition Area 2).

Cleanup activities for this season will commence in April 2022 and continue into December 2022, weather permitting. Construction activities may include demolition of structures on certain industrial/commercial parcels (e.g. the former Norco Machine & Sheet Metal Corporation site [Norco]), as well as soil removal, soil tilling, replacement of the Culvert 105 storm sewer, soil sampling and analyses, and restoration activities.

FMC continues to meet with owners of affected properties, including those identified for remedial construction activities, to review and discuss their data, the proposed remedial plans and restoration activities, and to obtain their consent for the work to take place. This is consistent with the process completed in prior years.

#### Highlights of Upcoming 2022 Activities

In 2022, FMC will be continuing remedial construction activities on remaining OU2 properties and OU5 properties north of the Erie Canal and will begin remedial activities on portion of OU3. DEC and the New York State Department of Health (DOH) will review and approve the remedial plans prior to implementation by FMC. A DEC field representative will inspect and oversee work being performed by FMC's contractors and consultants is consistent with state standards and guidelines to protect the community.

OU2 consists of Air Deposition Area 1, south of the Erie Canal and west of the Niagara/Orleans County Line (See Figure 1), and OU5 consists of Culvert 105 and Flood Zone (see Figure 2). Work at OU5 was planned in 2021 but unable to be completed by the end of the construction season. The 2022 remedial construction will include the following, pending agreement of the property owners, Village of Middleport, Town of Royalton and Hartland officials, and other relevant stakeholders:

1. Soil remediation at three residential properties south of the Erie Canal, on State Street, Freeman Avenue and South Main Street South Vernon Street and on Telegraph Road (Route 31E).

2. Soil remediation on a large vacant property on State Road in OU2 and the abutting portion of the Erie Canal Corporation property, which is part of OU3.
3. Potential work on certain industrial/commercial parcels previously affiliated with the Norco operation on Elizabeth Street and Cemetery Street to allow for soil remediation activities.
4. Soil sampling and soil remediation of a large farm property northeast of the FMC facility, including utility corridors that abut the southeastern portion of the Roy-Hart property.
5. Removal/replacement of the village storm water system (Culvert 105) on affected parcels north of the Erie Canal, and soil removal from affected residential, commercial, and vacant properties. This work includes replacement of the storm sewer across North Main Street and Sleeper Street. Traffic controls will be in place when working within and adjacent to roads. Associated truck traffic will likely be run on North Main Street/Stone Road, Sleeper Street, and/or North Vernon Street and then will travel northward to Pearson Road or Route 104, but may change in consultation with local officials and stakeholders.
6. Excavated soils, demolition debris and other materials removed from the properties will be disposed of at a permitted disposal facility or facilities. Truck traffic patterns are designed to minimize traffic on Village of Middleport roads, to the extent practicable, and to maintain public safety along the truck routes and within and near the work areas.
7. An existing construction staging area located on Telegraph Road (Route 31) will continue to be used.
8. Areas that are disturbed during cleanup will be restored as close to pre-existing conditions as practicable in consultation with each property owner. All backfill materials will be tested to demonstrate that they meet DEC requirements for protection of public health and the environment prior to use.
9. All efforts will be made to complete landscaping and restoration activities before winter, weather permitting.

FMC has contacted, and will continue to work with, all affected property owners regarding permissible access and information about the scope of the remedial construction activities and health and safety procedures. FMC will keep affected property owners and residents updated with respect to the schedule and scope of the work activities.

### **Community Safety During Construction Activities**

FMC is committed to performing the remediation construction work in a manner that will ensure safety. FMC and its contractors will work with the affected property owners and residents, Village of Middleport officials, DEC and DOH to complete the remediation construction work in a safe manner that will also minimize inconvenience and disruption to the community.

Safety precautions will include installation of construction fencing and signage around work areas to restrict access to only authorized personnel; providing appropriate traffic control and/or personnel to direct residents and the public safely around work areas and equipment; and continuing open and frequent communications regarding the construction activities, including reviewing property-specific safety plans with affected owners/residents.

A Community Air Monitoring Plan (CAMP) approved by DEC and DOH will include continuous air monitoring during excavation activities as added protection to avoid the potential for any public exposure or impacts to the environment during the cleanup. Dust suppression techniques will be used whenever activities that might create airborne dust are performed, including applying water in the work area and on the roads.

FMC will work with residents to ensure safe ingress/egress to their homes during construction on their properties.

## Background

The FMC facility is at southern portion of the Village of Middleport in Niagara County. The facility is bounded by residential properties to the west (along South Vernon Street), the Roy-Hart Middleport campus and commercial and residential properties to the north, agricultural lands to the east, and commercial properties and State Highway Route 31 to the south.

The plant site was used for the manufacturing of pesticides, including products containing arsenic, between the 1920s and the 1980s. In the mid-1980s, the current site operation shifted from manufacturing to only formulation of pesticide products (*i.e.*, mixing and packaging). Arsenic containing pesticides ceased to be made at the facility in mid 1970s. FMC started implementation of a number of environmental studies and remedial programs in 1970s. FMC is now completing remediation of the OUs associated with the Middleport facility as required by DEC.

## How to Get More Information

Additional site details, including environmental and health assessment summaries, and project documents are available at the following locations:

<p><b><i>NYSDEC Website:</i></b> <a href="http://www.dec.ny.gov/chemical/96987.html">http://www.dec.ny.gov/chemical/96987.html</a></p> <p><b><i>FMC Middleport Website</i></b> <a href="https://www.fmc-middleport.com">https://www.fmc-middleport.com</a></p>	<p>Royalton Hartland Community Library 9 South Vernon Street Middleport, New York 14105 Phone: 716-735-3281</p>
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Comments and questions are always welcome and can be directed to the following individuals:

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### **NYSDEC**

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### **FMC Community Office**

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# 2022 Proposed Remedial Activity Locations

