

Viewpoints

Volume VI Issue II

Fall 2004

Middleport CAP Members

- Barb Albone
- Fr. Joe Badding
- Kathleen Casey
- Sherrin Hamish
- Krista Lutz
- Larry Lutz
- Rob Richards
- Rebecca Schweigert
- John Shuttleworth
- Davy Smith
- Sharon Smith
- Dick Westcott

Facilitator - Ann Howard
Agency Liaison - Mike Hinton, NYSDEC
FMC Liaisons - Brian Vain, Bob Wojcik, Patt Fagan

VIEWPOINTS - A PUBLICATION
OF THE MIDDLEPORT
COMMUNITY ADVISORY PANEL
P.O. Box 163
Middleport, New York
14105

THIS NEWSLETTER IS COMPILED AND PUBLISHED BY THE MIDDLEPORT COMMUNITY ADVISORY PANEL. IT IS THE EXPRESS INTENT OF THE CAP TO PROVIDE RESIDENTS OF MIDDLEPORT CREDIBLE INFORMATION REGARDING COMMUNITY ISSUES, FMC PLANT ACTIVITIES, AND ENVIRONMENTAL CONCERNS.

What number triggers a cleanup?

By *Rebecca Schweigert, Middleport CAP member*



One of the greatest areas of confusion in the entire testing and remediation efforts going on in Middleport

concerns soil sampling results. Most people do not understand that there are two types of

numbers that are being considered.

The first number is the "trigger" number and the second is the "remediation" number. These refer to the test results for soil arsenic levels from specific properties. Now, the number that everyone seems to be familiar with

is "20 ppm (parts per million)" of arsenic in soil.

The Agencies determined that it would be acceptable to dig down to a 20 ppm soil arsenic level for the remediation project on South Main and South Vernon Streets based on results from residential properties in Gasport that were tested in 2002. Seven Gasport residential

properties that were tested, had soil arsenic levels between 1 and 21 ppm.

Because Gasport and Middleport are similar, the Agencies determined that probably Middleport's residential properties would have a similar arsenic

*"Therefore,
having a soil
sample test result
higher than 20 ppm
does not
automatically mean
your property needs
remediation."*

Rebecca Schweigert

What number triggers a clean up?

...continued from page 1

content as Gasport's if FMC wasn't in the picture.

This 20 ppm soil arsenic level is what the properties were cleaned up to, not the number that triggered clean up work. This is where the confusion is. The trigger number, i.e., the parts per million level in any given property that will

are trying to prevent a possible one cancer in a one in 10,000 to one in 1,000,000 range that could theoretically be caused by arsenic exposure. Five of the properties on South Vernon Street (31 through 39) did have arsenic levels in the soil along the fence that ran between these properties and FMC and needed to be cleaned.



cleaned.

The four properties across the street from FMC (38 and 40 S. Vernon and 73 and 75 S. Main) were remediated because an old storm sewer drainage pipe ran from FMC along the fence line, across the street, between these properties, and then emptied into Jeddo Creek. The cleanup stopped at the sidewalk as the portion of the drainpipe that ran from the sidewalk to Jeddo Creek was replaced when the State repaired Main Street in 1995. The agencies wanted the pipe removed and remediated those entire yards as a precautionary

measure. make the Agencies decide it needs to be cleaned, has not yet been determined for the current round of testing along Culvert 105 and the tributary (Jeddo Creek) or for the upcoming air deposition testing. Therefore, having a soil sampling test result higher than 20 ppm does not automatically mean your property needs remediation. The trigger number will be determined at a later date, hopefully with a lot of input from the Village residents who are involved in the testing.

Something that many residents may not be aware of is that the remediation done on South Vernon and South Main Streets was done mostly as a preventative measure.

The agencies have maintained that they

are trying to prevent a possible one cancer in a one in 10,000 to one in 1,000,000 range that could theoretically be caused by arsenic exposure.

If you participated in the biomonitoring study done last summer by Exponent, you may have had your property tested. This involved testing at least four areas in a yard to determine the average level of soil arsenic. Any upcoming testing involves several (at least four) soil sampling locations on a property because a single result cannot satisfactorily determine the soil arsenic level on a property.

Again, a sample result higher than 20 ppm of soil arsenic does not automatically mean your property needs remediation.

I hope this information helps residents of Middleport understand a little better what is happening in our friendly little Village.

FMC seeks enhanced public participation

By Brian McGinnis, FMC Remediations Project Manager

FMC Corporation is committed to a public participation process in which the Middleport community, affected property owners, local officials and other stakeholders have meaningful input into, and can influence decisions in the ongoing RCRA Corrective Action Program in the Village.

We believe such a process is not only the right public policy, but that it also results in better decisions and greater consensus on complex issues affecting individual properties and the community as a whole. FMC believes that upcoming RCRA Corrective Action projects should use a community involvement program based on the following principles:

- The public has a say in decisions concerning actions that will affect them and their properties.
- The public's contribution will influence those decisions.
- The interests of the public are being communicated.
- The public has the information they need to participate in the process in a meaningful way.
- The public is advised how their input affected the decision.

An important element of any public participation program is the formation of a community stakeholders group to facilitate involvement. This group should represent the key interests of the community, encourage the public participation process among FMC, the Agencies and residents, identify critical concerns and issues, provide comments to all parties involved, and advise all the parties involved of the group's determinations and recommendations on project-related issues.

Among the key focuses of these efforts would be the sampling programs in current study areas and what comes after the completion of these programs.

One such group that was formed in 1998 by FMC formed, is the FMC Community Advisory Panel, or CAP, in 1998 to provide a vehicle for

communications and community feedback on important issues pertaining to the FMC Middleport plant, including the RRCA Corrective Action Program.

Over the years the CAP has had many opportunities to help shape FMC's public participation process, and the RCRA Corrective Action Program. For example, the Middleport CAP provided input that positively shaped the community surveys FMC conducted in 2000 and 2003. More recently, in response to the request of the CAP, urged FMC sponsored an independent to undertake the biomonitoring study of Middleport residents' exposure to soil arsenic.

FMC applauds any and all such efforts such as the issuance by the regulatory agencies last year of a Community Participation Plan and the formation earlier this year by the Village of a "remediation advisory panel" to that may serve to increase public participation with regards to the RCRA Corrective Action Program and provide recommendations while taking a "big picture" and long-term view of the issues.

As we have always done in the past, FMC continues to have discussion with all stakeholders and is ready to assist in the public involvement process in any meaningful way. The regulatory agencies have issued a Community Participation Plan and have asked for comments from residents about this plan, which is available at the Middleport Free Library.

We look forward to the community's participation in helping decide the course of the RCRA program in Middleport.

**A copy of the Agencies'
Community Participation Plan
is available in the
Middleport Free Library**

Viewpoints

A PUBLICATION OF THE MIDDLEPORT
COMMUNITY ADVISORY PANEL

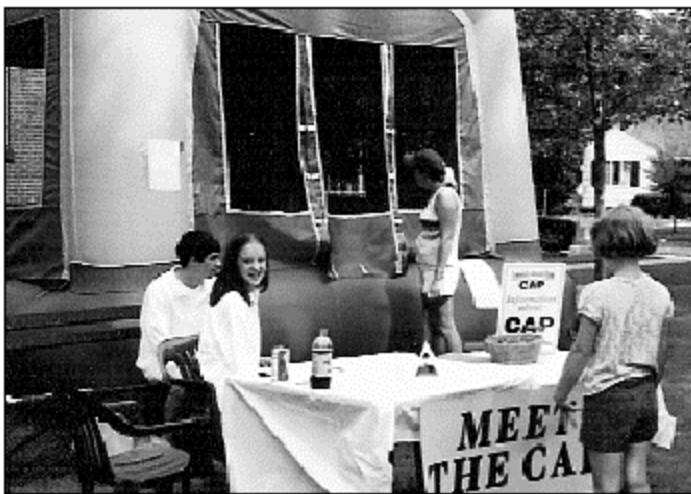
P.O. Box 163

Middleport, New York 14105

Inside this issue:

- * *What number triggers a cleanup?*
- * *True public participation*

CAP has booth at Labor Day festivities



The CAP bounce house was a busy place during Middleport's annual Labor Day festivities. CAP member Sharon Smith, assisted by some student CAP members, kept things hopping. Funds donated at the bounce house went to the Middleport Area Food Pantry.

CAP MEETING NOTES AND INFORMATION AVAILABLE ONLINE



**Who is on
the CAP?**

**Why does the
CAP meet?**

What guidelines are followed?

**Learn more at
www.teapothollow.com**