

# Next Steps in the RCRA Corrective Action Process

FMC Submits Final Draft (CMS) Report

**FORMAL PUBLIC COMMENT PERIOD (PUBLIC MEETING JUNE 14, 2011)**

*May 17 - July 1, 2011*



Agencies Respond to Public Comments on Draft CMS Report and Announce Preliminary Selection of Corrective Measures

**FORMAL PUBLIC COMMENT PERIOD - PUBLIC MEETING**

*Dates to be Determined*



Agencies Respond to Public Comments on Preliminary Selection of Corrective Measures and Announce Final Selection of Corrective Measures

*Dates To Be Determined*



FMC Begins Corrective Measure Implimentation (CMI) Phase

*Dates To Be Determined*



Performance of Corrective Action

*Dates to be Determined*

# Important Information About FMC's RCRA Corrective Action Environmental Program in Middleport

*For properties included in the Corrective Measures Study*

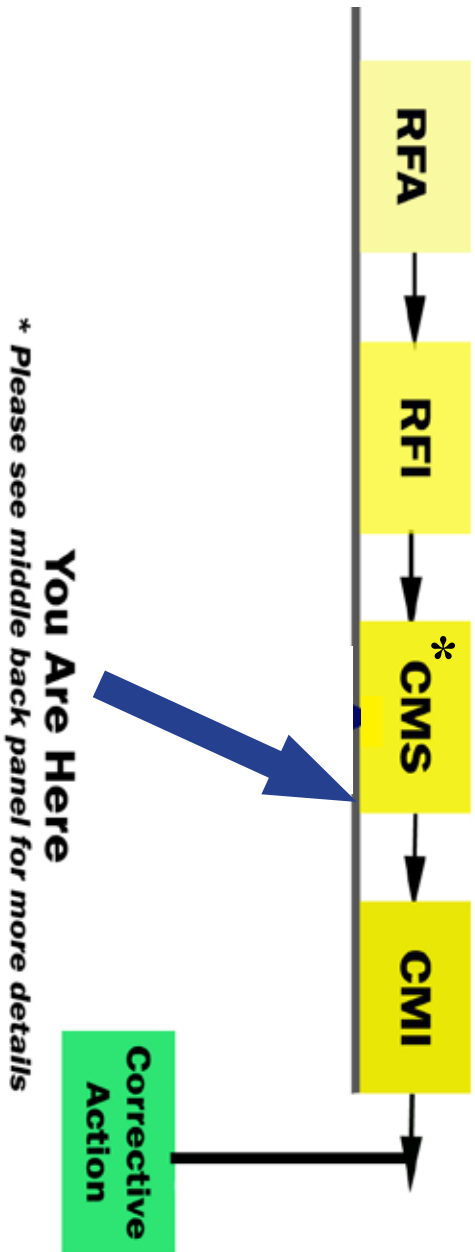


**MAY 2011**



Prepared by FMC Corporation  
100 Niagara Street  
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## STEPS IN THE RCRA CORRECTIVE ACTION ENVIRONMENTAL PROCESS



Dear Neighbor:

This is to inform you that on May 13, 2011, FMC submitted the Draft Corrective Measures Study (CMS) Report to the regulatory Agencies.

The CMS is part of the Resource Conservation and Recovery Act (RCRA) corrective action environmental program that FMC is conducting under the terms of an administrative order on consent with US Environmental Protection Agency and the NY State Department of Environmental Conservation relative to historic releases of contaminants at the FMC Middleport plant.

The CMS evaluates corrective actions (or remedial alternatives), including “no further action”, for all properties included in the CMS coverage area that includes the historic air deposition and Culvert 105 study areas. The Draft CMS Report includes FMC’s recommended corrective actions (or remedial alternatives) for all properties included in the CMS area. The remedial alternatives that are proposed for your property are included in this document.

This Draft CMS Report, now available online at [www.cms.middleportny.com](http://www.cms.middleportny.com) and in the Middleport Free Library, presents the results of this evaluation for review and comment.

### **Opportunities For Your Input**

The formal public comment period for the Draft CMS Report runs from May 17 to July 1, 2011. During the public comment period, the Agencies will be holding two public meeting sessions regarding FMC’s Draft CMS Report on **June 14 at the Middleport Fire Hall from 2 p.m. to 4 p.m. and another at 6:30 p.m. to 8:30 p.m.**

The regulatory Agencies will respond to public comments on FMC’s Draft CMS Report and will preliminarily select corrective actions for properties in the CMS Areas.

The Agencies’ preliminary selection of corrective actions will then be subjected to

public comments before the Agencies make a final decision on the corrective actions for properties in the CMS Area.

After the Agencies make the final decision on the corrective actions for properties in the CMS area, the Corrective Measures Implementation (CMI) phase will begin. The CMI is when the corrective measures selected by the Agencies will be planned, designed, and constructed or performed.

While dates are still to be determined, it is unlikely that the CMS process will conclude until late 2011, and it is unlikely that a CMI Plan can be submitted, reviewed and approved before the end of 2012. In any event, FMC does not anticipate any remedial activities to occur in 2011.

FMC believes that as a property owner you should be informed of the steps in this process. We understand that you may have questions about this process and what is proposed for your property.

### **Availability Sessions for Residents**

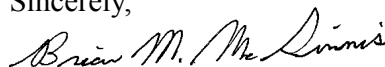
FMC representatives will be available to answer questions you might have about your property at FMC’s 15 Main Street office on **May 23, 24, 25 and 26 from 12 p.m. until 8 p.m.**

A hard copy of the Draft CMS Report will be available for review at that time.

FMC representatives are also available to answer any additional questions you might have at FMC’s 15 Main Street office on May 23, 24, 25 or 26 from 12 p.m. to 8 p.m., any Monday or Thursday from 9 a.m. to 4 p.m. or on other days and times by appointment.

In addition, you can call **735-9769** for more information or to ask questions. (Please leave a message so that we can contact you.)

Sincerely,



Brian McGinnis, FMC Remediation

## **IMPORTANT MEETINGS**

**AVAILABILITY SESSIONS FOR  
PROPERTY OWNERS  
May 23, 24, 25, 26 - 12 Noon to 8 p.m.  
FMC’s 15 Main St. Office**

**CAMU QUESTION/ANSWER  
SESSION  
Wed., June 8 at 7 p.m.  
FMC Plant, 100 Niagara St.**

**AGENCIES’ PUBLIC MEETING  
Tues., June 14 from 2 to 4 p.m. and  
6:30 to 8:30 p.m.  
Middleport Fire Hall, 28 Main St.**

**FOLLOW-UP AVAILABILITY  
SESSIONS  
Friday, June 17 - 12 Noon to 8 p.m.  
FMC’s 15 Main St. Office  
Phone: (716) 735-9769**

## **ADDITIONAL RESOURCES**

FMC Document Repository  
Middleport Free Library, 9 Vernon Street

Middleport Community Web site  
[www.middleport-ny.com](http://www.middleport-ny.com)

Middleport CMS Web site  
[www.cms.middleportny.com](http://www.cms.middleportny.com)

CIG Web site  
[www.middleport-future.com](http://www.middleport-future.com)

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