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August 25, 2004

Case Control Unit, Surface Transportation Board
Section on Environmental Analysis
1925 K Street NW
Washington, D.C. 20423

Attn: Ms. Phillis Johnson- Ball, Environmental Comments, Finance
Docket 343391

Re: New England Transrail, LLC
Environmental Assessment, seeking to establish a Class III rail carrier
and construction of a bulk re-load center at 51 Eames St. Wilmington,
MA

To Whom It May Concern:

I was elected as a state representative in 1977, and I have represented the town of Wilmington in the Massachusetts legislature since that time. Prior to my election to the legislature, I served the town as Chairman of the Board of Selectmen, and before that as a member of the Wilmington Planning Board. The only reason I mention my experience is to demonstrate my intricate knowledge of the environmental and public health issues the Town of Wilmington will continue to face until all of the outstanding issues are addressed.

As you know, this site has been designated as a Tier 1 site, the worst possible listing by the state Department of Environmental Protection regarding contamination. It is also one of the most complicated sites that the Massachusetts Department of Environmental Protection (DEP) has attempted to address. The DEP has initiated the process to get

this site designated as a National Priorities List (NPL) site by the Federal Environmental Protection Agency. The reason the DEP requested the listing is they have been unable to reach a strategic agreement with Olin Corporation to clean up the excessive groundwater contamination at the site.

The discovery of n-Nitrosodimethylamine (NDMA) has forced the community to close down 5 of the public water supply wells in the Maple Meadow Brook Aquifer. These wells have been closed down indefinitely, and they comprise 60% of the town's water supply. Many other chemicals of concern have been identified at this site, but many more remain unidentified.

Prior to the closure of these wells due to contamination, the Bureau of Environmental Health Assessment of the Massachusetts has been conducting a public health study in The Town of Wilmington, at my request. This study was initiated to determine an environmental etiology of abnormally high incidences of childhood cancers including Brain Tumors, Hodgkin's and Non-Hodgkin's Lymphoma and Leukemia. In addition to the DPH study, I also petitioned the Agency for Toxic Substances and Disease Registry (ATSDR) to conduct a distribution study to determine the extent of the exposure, as well as the history if possible.

I am **vehemently opposed** to New England Transrail's proposed project. I am absolutely aghast at the statement in the Decision Summary of the Notice of Availability of Environmental Assessment and Request for Comments that states, "Based on all information provided from all sources to date and its independent analysis, SEA preliminary concludes that the Proposed Action would have **no significant environmental impacts** if the Board imposes and the Applicant implements the environmental mitigation conditions recommended in the EA." The property at 51 Eames St, where the applicant has proposed for this development is an absolute cesspool.

The residents have been exposed to numerous health and environmental hazards and this project will only exacerbate the problem. New England Transrail will not even commit to the types of products it will be transferring and transporting. They have submitted an "expected list," but also stated within the document that the items that may potentially be transported are not limited to those in the list.

The National Environmental Policy Act of 1969, which I believe you are governed by, specifically states the intention of Congress in Section

101 [42 USC 4331] (b) 2. to "assure all Americans safe, helpful, productive and aesthetically and culturally pleasing surroundings."
SAFE, HELPFUL and PRODUCTIVE. How does this project provide a safe environment for my constituents and neighbors in Wilmington? It does not. It puts the residents at incredible risk. In some instances, we do not even know the extent of the risk.

Allowing this transfer station to proceed is irresponsible and negligent. How can we know how the chemicals on site will react to those transported and transferred from rail to trucks?

I propose that this project be immediately stopped.

The residents of Wilmington and Woburn have suffered enough due to past mistakes. Do not exacerbate the problem by allowing this project to proceed. Wilmington and Woburn have already had their share of environmental and health disasters. Our children and residents deserve to opportunity to live without fear of continuing environmental exposure.

Before deciding on this issue, I implore you to think about the people your decision will affect. Please take into consideration all the comments from the Towns of Wilmington and Woburn and their residents.

We have suffered too long. Please do not approve this project.

The Town of Wilmington has already become an environmental disaster area.

If you have any further questions or concerns, please do not hesitate to contact me at (617)722-2692.

Yours truly,



JAMES R. MICELI
Vice Chairman

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Senator Edward Kennedy, Room 315 Russell Senate Office Building, Washington, D.C. 20510

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