

W.W.C.

Wilmington-Woburn Collaborative
14 Powder House Circle
Wilmington, MA 01887

September 14, 2004



Case Control Unit
Surface Transportation Board
1925 K Street NW
Washington, D.C. 20423
ATTN: Ms. Phillis Johnson-Ball

New England Transrail, LLC d/b/a/ Wilmington and Woburn and Woburn Terminal
Railroad Co. Construction, Acquisition and Operation Exemption

RE: Environmental Comments, Finance Docket No. 34391

The Wilmington-Woburn Collaborative (WWC) is an organization with combined memberships of the Concerned Citizens Network of Wilmington, the Woburn Neighborhood Association, Inc. of Woburn, and individuals of both communities who have been concerned and extensively involved in the Olin Chemical Corporation's 51 Eames Street property and its long history of contamination and migratory chemical impacts to two major watersheds, the Ipswich and Aberjona.

We are profoundly disappointed in the Surface Transportation Board (STB) Section of Environmental Analyses (SEA) in their decision to grant a conditional exemption to New England Transrail without a full Environmental Impact Review and investigation.

The WWC wishes that the Surface Transportation Board defer to the environmental experts, the local officials of the Town of Wilmington and the City of Woburn, our State and Federal officials by evoking the "No-Action Alternative" and allow for a thorough and complete investigation of the property/site so that a proper characterization can be determined for the appropriateness of redevelopment in the future.

The concerned citizens of Wilmington and Woburn filed letters last year opposing this project. (see attachment) Many of the detailed concerns were not addressed in the SEA's Environmental Assessment. The EA did little to quell the anxiety of the region. It dismissed the community by

- Falsely and haphazardly interpreting Environmental Justice,
- Sparsely evaluating the cumulative air quality issues of the region,
- Ignoring recent trends and reports that there is more to the contamination and its impact on the community than those presented by the applicant and property owner,

- Not considering the poor infrastructure and roadways which can not support a project of this magnitude, and
- Continuing to evoke that this is a non-residential area.

The fact that these, and many other concerns of the public fell on deaf ears has further ignited a public campaign to oppose this project from every angle and from every level. All of the arguments made by the environmental experts, officials and the public deserve your attention and it is un-excusable that each area of concern was not researched fully. I would submit to you, if such a comprehensive examination and study of this property was done properly, one could only conclude that this property and site is incompatible for this company and its operation would further imperil the community, its environment and health. Formidable arguments have been made regarding the potential exacerbation of the present contamination issues should an accident occur; truck traffic and the inadequate infrastructure which exists presently to accommodate the proposed number of deliveries on and off the property, including the ill-prepared emergency response team mechanisms which are not in place regionally. Area town response teams, including Reading and Stoneham along with Wilmington and Woburn have appropriate concerns when taking into account the existing and problem-some clover leaf (Rt93:Rt95) entrance and exit ramps.

Recent events and ongoing efforts of contamination discovery prove that the property and site has been ineffectually evaluated and determinations and decisions made on submittals by Olin and their investigators and/or via New England Transrail must be considered arbitrary and incomplete. It has been the WWC's contention that the property's owners and their consultants have not adequately characterized the property and site. The Environmental Analysis speaks of groundwater contamination in terms of old data sets and speaks of the DAPL and four or five contaminants of concern. The DEP of Massachusetts has solicited for a full analysis of the characteristics of the aquifer from the US EPA. The EPA laboratory from Nevada has issued an interim report detailing approximately 64 chemicals of concern and over 100 chemical compounds yet to be determined. (see attachment)

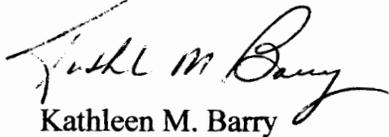
The Environmental Analysis speaks of the ongoing relations with the Massachusetts DEP and the cleanup efforts enforced under the Massachusetts Contingency Plan. This relationship however is in transition due to the failure of the present owners to comply effectively with a timely cleanup effort. According, the MADEP, it has notified the US EPA of its desire to list the Olin property with the National Priority Listing for Superfund sites stating that the "listing is the best way to ensure the most effective cleanup technologies available are applied in a timely manner to remediate the Olin site, in light of the complexity, cost and resources that will be necessary to complete the project." (see attachment)

It is the disputation of the members of the WWC that any redevelopment at this time is premature. We feel that this particular site use as determined by New England Transrail and supported by comments within the Environmental Assessment will aggravate present conditions. We echo our federal representatives in their statement that "Any

redevelopment of the Olin site must be deferred until the full extent of the existing contamination has been determined and a comprehensive and timely remediation plan is in place." (see attachment)

This project is offensive to the members of three impacted communities who have strongly evoked Environmental Justice protection. We urge the Surface Transportation board to reject the recommendation of the Section of Environmental Analysis and insist that before any redevelopment project goes forward on this property, all environmental issues be completely and comprehensively analyzed. We suggest that any approvals granted for construction and thus disruption of the present and existing property, prior to EPA's analysis and input would be divergent to their work and investigation.

Sincerely,



Kathleen M. Barry
Chair,
Wilmington-Woburn Collaborative

Enclosures:

Interim Report: Study of Organic Chemical Compounds Present in Water Samples from the Town of Wilmington's Maple Meadow Brook Aquifer Study Area---EPA Nevada (April 2004)

US Congressional Letter to Case Control Unit, STB (September 2004)

MA. DEP Letter to US EPA (Stephen Johnson-Section Chief, Site Management)

CCN letter to Neil Sullivan (Kathleen Barry, President CCN-October 2003)

Cc:

The Honorable Edward M. Kennedy, US Senate

The Honorable John F. Kerry, US Senate

The Honorable John Tierney, US House of Representatives

The Honorable Edward Markey, US House of Representatives

The Honorable James Miceli, MA House of Representatives

The Honorable Carol Donovan, MA House of Representatives

The Honorable Jay Kaufman, MA House of Representatives

The Honorable Charles Murphy, MA House of Representatives

The Honorable Bruce Tarr, MA Senate

The Honorable Robert Havern, MA Senate

Michael Caira, Wilmington Town Manager

John Curran, Woburn Mayor

The Wilmington Board of Selectman

The Woburn City Council

Ellen Roy Herzfelder, Secretary EOE