



Town of Wilmington
Board of Selectmen
121 Glen Road
Wilmington, MA 01887-3597

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WWW.WILMINGTONMA.GOV

November 28, 2016

The Honorable Seth W. Moulton
U. S. House of Representatives
1408 Longworth House Office Building
Washington, DC 20515

RE: Docket No. FD 34797 (Sub-Docket 1)
New England Transrail, LLC, DBA Wilmington & Woburn Terminal Railway
Construction, Acquisition and Operation Exemption in Wilmington and Woburn,
Massachusetts

Dear Congressman Moulton:

On behalf of the 22,375 residents we, the Board of Selectmen, as their chief elected officials are appealing to you to take whatever steps are necessary in persuading the Surface Transportation Board (STB) to deny New England Transrail's (NET) petition for exemption pursuant to 49 U.S.C. § 10502 and 10901 in Docket No. FD 34797 (Sub-Docket 1).

Residents of Wilmington have been saddled for many years with the serious misfortune of a major contamination site. For the past thirty years, contamination has been known to exist at the site of Olin Chemical on 51 Eames Street in Wilmington. As time has marched on, the veil of uncertainty is gradually being removed to reveal contamination that is far more severe and extensive than could have ever originally been imagined. While the Commonwealth's Department of Environmental Protection originally took jurisdiction over the site, given the scale of contamination it became apparent that only the resources and legislative authority of the federal Environmental Protection Agency (EPA) could begin to address this environmental disaster.

Unfortunately, EPA's designation of the Olin Chemical site on the National Priorities List as a Superfund Site did not occur before the Town was required to discontinue use of five of the Town's nine water wells which have historically been the sole supply of potable water to residents and businesses. The Town must now rely upon water from the Massachusetts Water Resources Authority to supplement the supply provided from its four remaining wells.

Residents closest to the Olin Superfund site have been forced to live with the stigma of having their property associated with the contamination area. Residents on well water on Cook Avenue in Wilmington have their water regularly tested for the nearly 200 contaminants that have been detected in groundwater on and off the Superfund site. Bottled water has been provided to these residents by Olin Chemical on a voluntary basis.

And yet New England Transrail has been pursuing redevelopment of this highly contaminated site since 2003 for purposes of developing a transloading facility that would bring to the site a variety of commodities in the form of solids, liquids and gas. At the time of NET's initial petition they were seeking to include solid waste within the mix of commodities that would be off loaded on to trucks for shipment to other destinations. Only through the efforts of our Congressional delegation at that time, and through the strong efforts of former U.S. Senator Frank Lautenberg of New Jersey, were NET's efforts "derailed." Thanks to the successful passage of legislation sponsored by Senator Lautenberg governing the transportation of solid waste, NET withdrew their petition for exemption.

NET has continued to have designs on targeting Wilmington for a transloading facility and has once again filed a petition for exemption with the STB. Given the scale and complexity of this contamination site, EPA has not yet finalized the characterization of on-site and off-site impacts to groundwater. Because this characterization has not yet been completed, EPA in conjunction with Olin's consultants have not yet been able to present for public review and discussion a set of options for remediating this highly toxic site. Without having a complete understanding of the on-site and off-site contamination and without knowing the potential options to clean-up the contamination, consideration of redevelopment of this Superfund site for rail and heavy truck transit is simply irresponsible.

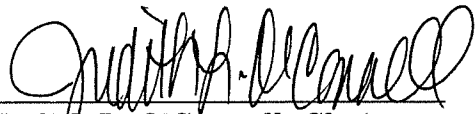
A decision by the STB to authorize the construction, acquisition and operation of rail lines and facilities at this site poses serious threats to further contamination of the site through spills or failure to properly control run-off. The substantial truck traffic resulting from this development will exacerbate traffic on already overburdened roads and further stress failing intersections. Development of the site before EPA has completed a public process for establishing a remediation plan may limit the options available for remediation. The ability to clean up this highly contaminated site cannot be subordinated to redevelopment of this site.

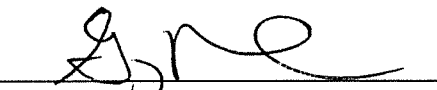
There is also the issue of environmental justice. The Town of Wilmington, and this neighborhood in particular, should not be forced to endure yet another assault on the ability of residents to live in a safe environment without concern over the health of their children and themselves and without concern that the value of their largest asset, their homes, will be negatively impacted by further adverse development in south Wilmington.

The Town continues to marshal all the resources available to it using staff, legal counsel and an environmental consultant to express legitimate questions and concerns about the lack of specificity of NET's proposal and the short and long term consequences if NET's proposal is approved.

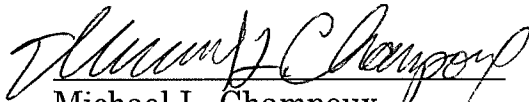
On behalf of our residents we are calling upon you to work with the Town through any and all means possible to ensure that this ill-conceived petition is not allowed to proceed to fruition. We are appealing to you to protect both the current and future generations who call Wilmington home.

Sincerely,


Judith L. O'Connell, Chairman


Gregory B. Bendel


Kevin A. Cairra


Michael L. Champoux


Michael V. McCoy

cc: Senator Bruce E. Tarr
Representative James R. Miceli
Representative Kenneth I. Gordon



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November 28, 2016

The Honorable Edward Markey
218 Russell Senate Office Building
Washington, DC 20510

RE: Docket No. FD 34797 (Sub-Docket 1)
New England Transrail, LLC, DBA Wilmington & Woburn Terminal Railway
Construction, Acquisition and Operation Exemption in Wilmington and Woburn,
Massachusetts

Dear Senator Markey:

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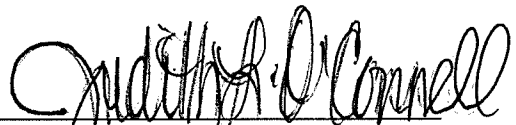
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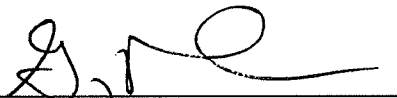
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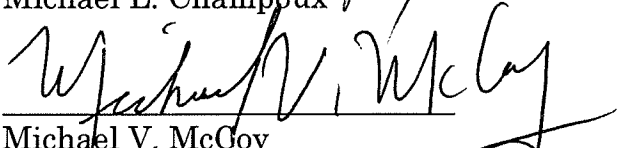
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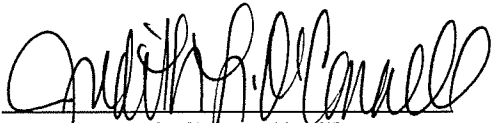
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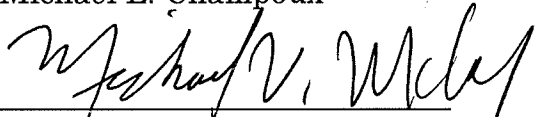
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