

**Wilmington Environmental Restoration Committee
7 Chandler Rd.
Wilmington, MA 01887**

November 29, 2016

Danielle Gosselin
Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: Docket No. FD 34797 (Sub-No 1) New England Transrail EIS

WERC maintains its position that the EIS and the STB's consideration of New England Transrail's proposal to operate as a railway and rail-truck transloading facility is a) premature and b) in conflict with the Federal Superfund process already underway for the Olin Chemical site in Wilmington, MA.

The Olin site was listed on the NPL in 2006 due to extensive groundwater contamination by N-nitrosodimethylamine (NDMA) among many additional contaminants of concern. The site investigation to determine the full extent of NDMA migration away from the property is ongoing, as is the investigation of the slurry wall "containment area." The only activity associated with actual remediation of the groundwater contamination is a Pilot Removal System to ascertain the feasibility of pumping the densest contamination for removal and/or treatment as a partial remedy. No actual remedial actions have yet been proposed. Issuance of a Record of Decision is years away.

WERC believes no redevelopment of the Olin property should occur unless and until the groundwater, surface water, sediment and soil cleanup options are presented and the location(s) of any/all treatment facilities determined. It is highly probable that the Olin property at 51 Eames Street will be the most suitable location for some if not all such facilities. Therefore redevelopment of the property by NET and moving forward absent the ROD is premature and unwarranted.

WERC takes offense at NET's complaint to the STB that it has had to wait more than a decade for a decision on its original application. The people of Wilmington have had to cope with the contamination on Eames Street for fifty years. We have been without our local drinking water source since 2003, are undergoing a Childhood Cancer Study, and many of us were working with the Massachusetts Department of Environmental Protection in the late 1990's, well before the site was elevated to the NPL. If NET wants expedited consideration, they should urge Olin Corporation to stop delaying and start cooperating fully with the USEPA in finishing the site investigations and Feasibility Studies so we can all move forward towards remediation.

Given that the STB has chosen instead to allow NET's petition to move forward, and is requiring the preparation of an EIS, we have a number of questions, concerns, and thoughts for consideration in the scope of the impact study:

General

The EIS should clarify upfront the role of the USEPA as both administrator of the Olin Chemical Superfund site and primary environmental advisor to the STB. The authority of both Federal agencies to make decisions regarding the redevelopment and future use of the property is unclear to the Public. Which agency controls the site?

The EIS must examine actual plans and detailed descriptions of what is being proposed. The information provided by NET is lacking in sufficient detail, legible large-scale figures, and signed engineering documents laying out very specific facts as to precise locations of structures, depth of footings and underground utilities, weight-bearing capacities, etc. Aerial photos and map overlays would be helpful in analyzing what is actually being proposed. The information provided thus far in a text format is equivalent to a 'back of the envelope' sketch. The single graphic included in the packet doesn't even meet the minimum requirements for a local permit to build a house, much less a complicated, multi-faceted industrial complex. A valid EIS cannot be prepared without a set of detailed plans to review.

Traffic

Traffic at peak hours is already a disaster on Eames and Woburn Streets. The addition of an estimated 30 truck trips per hour to and from the property must be evaluated, especially in light of the lack of larger local roadways, and the 2-mile distance of 51 Eames Street from both Routes 93 and 95. Heavy truck traffic on the local, primarily residential streets will adversely affect residents and businesses in the vicinity.

The EIS should examine and discuss actual expected truck routes for the 300-400 round trips per day, the impacts on roadways, increased noise and exhaust on existing and future homes and business interests. It should also evaluate the additional stresses and costs of maintaining the bridges, on-ramps, and overpasses on the federal highways closest to the interchanges in Wilmington and Woburn. While the proponent argues that truck traffic on New England highways is reduced when more goods are transported via rail, the immediate impacts to the local roads and infrastructure absorb an undue increase of use, wear and tear, and accidents.

Public Safety

The EIS must look at the anticipated commodities and handling processes and procedures that have the potential to put the Public's safety at risk. Local Public Safety officials and first responders bear total responsibility of protecting the public day to day and especially in emergencies. Ironically those same personnel have no authority or jurisdiction over the proposed operations, and may not even know if hazardous cargoes are coming and going to and from our communities.

What compensation is due the Town of Wilmington and City of Woburn for supplying protection for the operation and from its dangers? Who knows if, when, and what changes in materials being processed by NET occur, as noted in the proposal, " The precise mix and

types of commodities transloaded at the facility may change over time...” (Appendix F, page 3)? Does the STB get notified of these changes? Is there any obligation to inform the Public and/or public officials?

The transporting and transloading of liquid natural gas and other flammable, explosive materials are of particular concern. LNG via rail is a relatively new technology. The EIS should discuss the potential for explosions, the blast area, and possible safeguards and alternatives to the handling and storage of these hazardous materials.

Land Use

As mentioned above the future use of Olin’s Eames Street property should be discussed and decided as part of the Superfund process. WERC also takes issue with the assertion that only a transloading operation within 15 miles of downtown Boston is viable to meet the perceived need for this type of operation closer than Worcester and Ayer. The proposal describes the relocation of CSX and PanAm Railway to those more removed areas in response to development pressure and increased real estate prices in the urban environment. NET rejects out of hand sites in North Billerica and Tewksbury as being too far removed from Boston proper to serve the stated need. The EIS should look at alternative locations that are better suited, particularly size-wise, for a transloading facility.

The Olin parcel lacks easy accessibility to the interstates and adequate acreage to accommodate the large scale structures, vehicles, and maneuvering room, along with appropriate safeguards against spills, leakage, and additional contamination of surface and groundwater. Stormwater treatment and disposal is also problematic given the constraints of recharging to already polluted soils, sediments, and groundwater, and the enormous area of new impervious surface proposed.

It is not clear from the information provided if the inactive rail line on the west perimeter of the property will be extended to the southern property boundary or beyond. Olin’s so-called “Calcium-Sulfate Landfill” is located in the southwestern corner of the property. If the tracks are to be extended and operations conducted in that area, the EIS should include an assessment of the landfill, the contaminants of concern contained within, and the adequacy of the existing base and cap, which has been excluded from the USEPA’s review.

Water Resources and Wetlands

Over the past 60 years owners of the property altered the natural landscape dramatically, converting existing streams and waterways to industrial drainage ditches, filling wetlands, clear cutting woodlands, and creating numerous settling ponds, disposal areas, and landfills for manufacturing waste and unused source materials. More recently Olin agreed to a protective restriction on the southern portion of the property, exclusive of the Olin landfill, as compensation for excessive wetland alterations and additional filling during various remedial actions under Mass DEP’s 21E program. No further filling of wetlands and/or alteration of surface waterways should be allowed on the unrestricted portion. There are no remaining compensatory options available.

In the 1990’s a weir constructed on the South brook altered the site’s hydrology and groundwater flow patterns. The EIS must address the ongoing ammonia contamination of the South brook and the Industri-plex Superfund site downstream in Woburn. The study

should examine the potential for spills and leaks on the property exacerbating existing conditions, and discuss ways in which the proposed operation minimizes adverse impacts on wildlife and aquatic life in the protected area.

WERC is particularly concerned with and disagrees with Olin's assertion that the existing "containment area" adequately prevents contaminated groundwater flow in/through/beneath the slurry wall and the underlying bedrock. The wall was constructed in 2000 on unconsolidated soils with no sub-base, and is already 16 years into its projected 30-year lifespan. No one knows how fractured the bedrock underlying the contaminated soils and groundwater is, and no one (except perhaps Olin) knows the full array and extent of the contaminants of concern "contained".

The EIS must closely review and evaluate the original construction documents, photos, and as-builts along with the more recent studies of the slurry wall, including the on-going Hydraulic Pulse Interference Test and groundwater elevation measurements, to judge the integrity of the slurry wall and the impact on the slurry wall, soils, and groundwater from construction of a large structure on top of it.

The proponent suggests that storage tanks for liquid commodities will be placed outside of Wilmington's Groundwater Protection District. This proposal is of little comfort. The GWPD is based on 1990 modeling technology and 1980's pumping data, and so is very outdated. Actual migration of contaminants from the Olin property indicate flow directions and volumes aren't necessarily what were anticipated. Residents on Cook Ave and other homes southwest of the property have private wells located outside of the GWPD that are contaminated with NDMA. Therefore saying hazardous liquids will be stored outside the GWPD is meaningless. The EIS must explore current surface and groundwater flow routes to evaluate the potential for new contamination to reach existing and future potable water supplies, regardless of lines on a map.

Geology and Soils

The proponent cites investigatory work completed in OU1 (the Superfund site operable unit assessing soil contamination) as evidence that no additional remedial work is necessary on Olin's property. The OU1 investigation did not characterize the "containment area" in any way, assuming that the wall would later be proven effective at isolating the soils and groundwater within. The EIS must take new information into account, which does not support those assumptions. WERC once again points out the obvious, that the NPL listing is due to the presence of NDMA in the groundwater beneath the property and beyond the property bounds in all directions. The Feasibility Study for the entire Superfund site has not yet been generated as the Site Investigation of the groundwater contamination drags on. The USEPA has required a number of additional bedrock and boring investigations, which should be reviewed in the EIS. No final cleanup options have been agreed upon yet for soils or sediments on and off the property. Therefore it cannot be assumed that the remaining soils and subsurface soils are "safe" for redevelopment.

Air Quality

The proposal states there will be 365 truck round-trips or more than 700 one-way trips to and from the facility each day traveling two miles each way to either Route 93 to the east or

Route 95 to the south. How much additional diesel exhaust will be generated by this large increase in local truck traffic, along with the anticipated locomotive operations? What effect will the additional particulate matter and fumes have on the average resident, both adult and especially children, and on employees who work in the vicinity? How will the increase in emissions affect the local wild and aquatic life?

What safeguards, if any, can be put in place to protect against both expected and inadvertent releases of potentially harmful air emissions generated by the project?

Noise, Vibration, Aesthetics

How many decibels of new noise will emanate from the property each day and each night, whether coming from trucks, the trains, or the various loadings/off-loadings of commodities at the facility? What mitigation can be conditioned upon the proponent to protect nearby residents and businesses?

How many new lumens of light will there be, all night, every night, all year long? How will so much artificial light affect wildlife and humans on and near the property?

The effect of vibrations, whether caused by the increase in heavy trucking or by locomotives hauling 60 freight cars a night onto, under and over the “containment area”, the Eames Street bridge/underpass, and other structures along projected travel paths must be considered. In addition the impact of vibration on the highly fractured bedrock, through which the NDMA contaminated groundwater is traveling, must be considered. It is unknown who will pay for the maintenance and upkeep of highly impacted roads and bridges, so the EIS should evaluate the noise, vibration, and aesthetics assuming poorly maintained rough surfaces.

While the site is in an industrial area, it is also surrounded by residential areas and a children’s gym. The impacts of a noisome, smelly, 24-hour operation that generates a huge increase in traffic on local streets and introduces new potential hazards to a site and area already heavily burdened by past practices and harmful land uses, must be considered in evaluating the aesthetics of the project. One of the stated objectives of EPA’s Superfund program is to remediate the site, and hopefully return it to a healthier condition for humans and the environment. The EIS must contrast this with a “worst case scenario” of the proposed NET facility and the many possible commodities that could be transloaded and stored there.

Environmental Justice

The City of Woburn was listed in 2010 as an Environmental Justice Population. The EIS should address and assess the impacts of the proposed project on the already overstressed area immediately south of the facility.

Other

WERC believes the EIS should also include a financial analysis of the proposed project. The proponents state, “It is anticipated that NET’s annual revenues will be less than \$5 million”. (Appendix C, Page 2) Given the required infrastructure and intensive operation anticipated, \$5 million a year in revenue, not net profit, seems inadequate to maintain and sustain safe

operation and upkeep of the property. Is such a small revenue stream sufficient to insure a well-maintained and safe working environment?

The EIS should also prepare a comprehensive cost-benefit analysis of the proposed project that includes environmental, aesthetic, threats to human health and well-being, not just the financial pros and cons. It should include the cost to the Town and City governments for providing public safety and emergency response, as well as decreased tax revenues due to reduced property values in the vicinity of Eames Street and along the projected truck routes. Is this project viable financially? If not, who pays for the damage created if it fails?

The Proponent's application sums up what it considers the major benefit of the project: "On a macro environmental basis, the project should reduce almost 5 million long-haul trucking miles within New England, leading to reductions in: Air Pollution; Congestion; Community Noise; Traffic Accidents; Roadway Wear and Tear." (Project description, Pages 11-12)

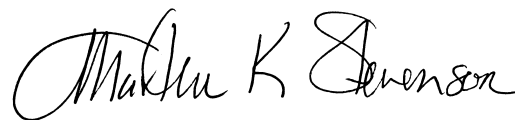
WERC points out that precisely the opposite is true on the micro environmental basis in South Wilmington/North Woburn. The project will result in increased Air Pollution; Congestion; Community Noise; Traffic Accidents; Roadway Wear and Tear.

Impacts to the immediate locality will be significant, and adversely so. It is hard to imagine any positive impact the project will have on the residents in the immediate vicinity of NET's operations.

The intensity of the various impacts may be up for debate, but one aspect WERC considers of utmost importance is the precedent being set by and for the USEPA in allowing, for the first time ever, to our knowledge, a Superfund site's future development being determined before Feasibility Studies and final decisions on cleanup options have been decided. We reiterate our objection to NET's application moving forward before the final Record of Decision on the Olin Chemical Superfund site is issued.

We thank the Office of Environmental Analysis for the opportunity to comment on the scope of the Environmental Impact Statement.

Sincerely,

A handwritten signature in black ink that reads "Martha K. Stevenson". The signature is written in a cursive, flowing style.

Martha K. Stevenson, President
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Committee
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