



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Matthew A. Beaton  
Secretary

Karyn E. Polito  
Lieutenant Governor

Martin Suuberg  
Commissioner

**VIA E-FILING**  
December 23, 2015

239783

Surface Transportation Board  
Rachel D. Campbell, Director,  
Office of Proceedings,  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423

ENTERED  
Office of Proceedings  
December 23, 2015  
Part of  
Public Record

Re: New England Transrail, LLC d/b/a Wilmington & Woburn Terminal Railway-  
Construction, Acquisition and Operation Exemption  
Request for Extension of Time or Leave to File Late Comments  
re: EPA's November 6, 2015 letter  
STB Finance Docket #34797

Dear Director Campbell:

On December 18, 2015 the Massachusetts Department of Environmental Protection (MassDEP) received a copy of the decision by the Surface Transportation Board (STB) to include the U.S. Environmental Protection Agency's (EPA) letter of November 6, 2015 in the record for procedure and allowing a 20 day comment period ending January 4, 2016. Therefore, the time for MassDEP to prepare a comment letter falls over the end-of-year holidays when staff will not be in the office. MassDEP seeks an extension to file comments by February 4, 2016 or in the alternative will attempt to file late comments no later than January 20, 2016.

In its remarks, MassDEP expects to comment on the need for an updated plan for the transrail facility from New England Transrail, LLC (NET) prior to any further action in the proceeding, a clarification as to whether NET intends to construct its facility over any areas unsuitable for development at the Olin Chemical site, and a statement about whether NET intends to accept for shipment any construction and demolition debris or other solid waste. MassDEP also expects to comment on EPA's letter and the need for clarity about where NET may or may not construct its facility.

Thank you for your consideration.

Sincerely,

Nancy L. Seidman, Assistant Commissioner  
Bureau of Air and Waste

CERTIFICATE OF SERVICE

I, Laura Swain, hereby certify that on December 23, 2015 a copy of the foregoing was sent via electronic or U.S. mail to the following entities:

- Party Of Record: Armbrust, Steven  
Csx Transportation Inc.  
500 Water Street (J150)  
Jacksonville, FL 32202
- Party Of Record: Bary, Kathleen M  
Concerned Citizens Network  
14 Powder House Circle  
Wilmington, MA 01887
- Party Of Record: Berry, J. Patrick  
Baker Botts Lp  
1299 Pennsylvania Avenue, Nw  
Washington, DC 20004
- Party Of Record: Cane, Patrick John  
Mercer County Improvement Authority  
80 N. Hamilton Avenue  
Trenton, NJ 08619-2426
- Party Of Record: Carrington, John W.  
Hiram Grand Lodge A.F. & A.M., Inc.  
98 Talbot Avenue  
Dorchester, MA 02124
- Party Of Record: Cianciarulo, Robert  
United States Environmental Protection Agency, Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912
- Party Of Record: Colman, James  
Commonwealth Of Massachusetts  
One Winter Street  
Boston, MA 02108
- Party Of Record: Conway, Tim  
U.S. Environmental Protection Agency, Region I  
5 Post Office Square, Suite 100  
Boston, MA 02109-3946
- Party Of Record: Demasi, Frank S.  
26 Macarthur Road  
Wellesley, MA 02482
- Party Of Record: Derensis, Paul R.  
Deutsch Williams Derensis & Holland, P.C.  
One Design Center Place, Suite 600  
Boston, MA 02210

Party Of Record: Deutsch, Daniel R.  
Deutsch Williams Brooks Derensis & Holland, P.C.  
One Design Center Place, Suite 600  
Boston, MA 02210

Party Of Record: Dilorenzo, Jim  
United States Environmental Protection Agency  
Region I, 5 Post Office Square, Suite 100  
Boston, MA 02109-3912

Party Of Record: Dingle, Michael  
Massachusetts Department Of Environmental Protection  
One Winter Street  
Boston, MA 02108-1598

Party Of Record: Duncanson, Marlinda  
City Of Middletown  
16 James Street  
Middletown, NJ 10940

Party Of Record: Edwards, John V  
Norfolk Southern Corp.  
Three Commercial Place  
Norfolk, VA 23510

Party Of Record: Ehlert, Dean  
Idaho Department Of Environmental Quality Solid Waste Program Coordinator  
1410 N. Hilton  
Boise, ID 83706

Party Of Record: Farrell, Thomas E.  
1777 Market Tower  
10 West Market Street  
Indianapolis, IN 46204

Party Of Record: Fiehrer, Dr. Daniel R.  
Transportation Preservation Society Of Montana  
P.O. Box 1004  
Helena, MT 59624

Party Of Record: Fischbein, Bill  
Ohio Environmental Protection Agency  
P. O. Box 1049  
Columbus, OH 43216

Party Of Record: Greenberg, Edward D.  
Galland, Kharasch, Greenberg, Fellman & Swirsky, P.C.  
1055 Thomas Jefferson Street, N.W., Suite 500.  
Washington, DC 20007

Party Of Record: Hahs, Don M  
Brotherhood Of Locomotive Engineers  
1370 Ontario Street  
Cleveland, OH 44113

Party Of Record: Hitchcock, Paul R  
Csx Transportation Inc  
500 Water Street, J-150  
Jacksonville, FL 32202

Party Of Record: Hixon, James A  
Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, VA 23510-2191

Party Of Record: Hynes, Terence M.  
Sidley Austin Llp  
1501 K Street Nw  
Washington, DC 20005

Party Of Record: Kirmayer, Kathryn  
425 Third Street, S.W. Ste 1000  
Washington, DC 20024

Party Of Record: Leifer, Steven L.  
Baker Botts Llp  
1299 Pennsylvania Avenue, Nw  
Washington, DC 20004

Party Of Record: Lotz, Richard E.  
State Of Colorado Natural Resources & Environment Section  
1525 Sherman Street, 5Th Floor  
Denver, CO 80203

Party Of Record: Macdougall, Gordon P  
1025 Connecticut Avenue, Nw, Suite 919  
Washington, DC 20036

Party Of Record: Mansilia, Arthur G.  
United Tool & Die Co., Inc.  
Eames Street  
Wilmington, MA 01887

Party Of Record: Markey, Edward J  
U.S. Senate  
225 Dirksen Senate Office Building  
Washington, DC 20510

Party Of Record: Mchugh, John F.  
6 Water Street Suite 401  
New York, NY 10004

Party Of Record: Meaney, Paul J.  
Woburn Business Association  
P. O. Box 3057  
Woburn, MA 01888

Party Of Record: Miceli, Honorable James R.  
11 Webber Street  
Wilmington, MA 01887

Party Of Record: Moates, G Paul  
Sidley Austin Llp  
1501 K Street, N.W.  
Washington, DC 20005

Party Of Record: Monroe, David K  
Galland, Kharasch, Greenberg, Fellman & Swirsky  
1055 Thomas Jefferson Street, N.W., Suite 500  
Washington, DC 20007

Party Of Record: Moore, Fred R.  
6 Ella Street  
Saugus, MA 01906

Party Of Record: Owens, Bill  
115 Hazelton Street  
Mattapan, MA 02121

Party Of Record: Pechulis, Kevin  
U.S Epa, Region 1 Post Office Square, Ste 100 Mail Code: Oes04-3  
Boston, MA 02109-3912

Party Of Record: Podgurski, P. Christopher  
Podgurski Corp.  
8 Springfield Ave  
Canton, MA 02021

Party Of Record: Raymond, Linda  
Woodburn Neighborhood Association, Inc.  
10 North Maple Street  
Woburn, MA 01801

Party Of Record: Reich, Mark R  
Kopelman And Paige, P.C.  
101 Arch Stree, 12Th Floor  
Boston, MA 02110-1109

Party Of Record: Richmond, Stephen M.  
Beveridge & Diamond Pc  
15 Walnut Street, Suite 400  
Wellesley, MA 02481

Party Of Record: Rowe, G. Steven  
State Of Maine  
6 State House Station  
Augusta, ME 04333

Party Of Record: Ruch, Susan P.  
Massachusetts Department Of Environmental Protection Northeast Regional Office  
205B Lowell Street  
Wilmington, MA 01887

Party Of Record: Sasala, Ii, Stephen R.  
Waterbury Regional Chamber  
P.O. Box 1469  
Waterbury, CT 06721

Party Of Record: Shudtz, Peter J  
Csx Corporation  
500 Water Street  
Jacksonville, FL 32202

Party Of Record: Stevenson, Martha K  
7 Chandler Rd  
Wilmington, MA 01887

Party Of Record: Strickland, Jr., Carter H.  
Rutgers Environmental Law Clinic  
123 Washington Street  
Newark, NJ 07102

Party Of Record: Strohmeyer, Eric S.  
Cnj Rail Corporation  
833 Carnoustie Drive  
Bridgewater, NJ 08807

Party Of Record: Swain, Laura  
Department Of Environment Protection  
One Winter Street  
Boston, MA 02108

Party Of Record: Van Tine, Kirk  
Baker Botts Llp  
1299 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Party Of Record: Wight, Mark  
Illinois Environmental Protection Agency  
P. O. Box 19276  
Springfield, IL 62794

Party Of Record: Wyche, Nyjah  
Health Education And Learning Program For Black Males Health-University Of  
Massachusetts, Boston  
100 Morrissey Blvd.  
Boston, MA 02125

Party Of Record: Zucker, Audrey  
United States Environmental Protection Agency Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

Member Of  
Congress: Latourette, Honorable Steven C.  
Chairman, Subcmte. On Railroads; Committee On Transportation & Infrastructure  
U.S. House Of Representatives  
Washington, DC 20515

Non-Party: Bradley, Garland And Barbara  
1229 Woodward Ave  
South Bend, IN 46616

Non-Party: Dew, Thomas E.  
Berry Moorman  
900 Victors Way - Suite 300  
Ann Arbor, MI 48108-2705

Non-Party: Duggan, Deborah L  
11 Hillcrest Street  
Wilmington, MA 01887

Non-Party: Gross And Co., Inc., Neal  
Court Reporter  
1323 Rhode Island Ave., Nw  
Washington, DC 20005-3701

Non-Party: Mclaughlin, Thomas  
10 Common Street  
Woburn, MA 01801

Non-Party: Phillips, Bill  
Morristown & Erie Railway Inc  
P. O. Box 2206  
Morristown, NJ 07962-2206

Non-Party: Rio, Robert A  
Associated Industries Of Massachusetts  
P. O. Box 763  
Boston, MA 02117-0763

Non-Party: Siriani, Don  
Legislative & Communications Director, Office Of Senator Bruce E. Tarr  
Massachusetts State House, Room 308  
Boston, MA 02133

Non-Party: Sullivan, M. Barbara  
27 Gunderson Rd  
Wilmington, MA 01887-1546

Non-Party: Tarr, Bruce E.  
Senate Minority Leader  
Massachusetts State House, Room 308  
Boston, MA 02133

Non-Party: Wilmington-Woburn Collaborative  
C/O Kathleen M. Barry  
14 Powder House Circle  
Wilmington, MA 01887

Non-Party: Woburn City Council  
City Clerk  
10 Common Street  
Woburn, MA 01801

Non-Party: Woburn Neighborhood Association, Inc.  
10 North Maple Street  
Woburn, MA 01801

Non-Party:

Yurek, Ann L  
448 Shawsheen Avenue  
Wilmington, MA 01887

Kirmayer, Kathryn  
425 Third Street, S.W. Ste 1000  
Washington, DC 20024



Signed: Laura Swain

Dated: December 23, 2015