



Town of Wilmington

Board of Health

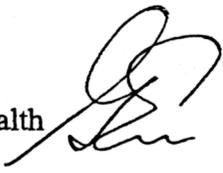
121 Glen Road
Wilmington, Massachusetts 01887

REC'D - TOWN MANAGER

03 OCT -7 PM 12:08

TOWN OF
WILMINGTON, MASS

TO: Michael Caira, Town Manager

FROM: Gregory Erickson, Director of Public Health 

DATE: October 7, 2003

RE: Transrail – Olin property, 51 Eames Street, Wilmington, MA

The purpose of this memo is to enumerate the environmental problems at the proposed site and to ensure that no further environmental harm will come to this area as a result of the Transrail proposal. The area under question is the property located at 51 Eames Street, Wilmington, MA, currently owned by Olin Chemical Company. This site has experienced an inordinate amount of environmental damage over the years and is presently undergoing investigation under the direct oversight of the Massachusetts Department of Environmental Protection (DEP).

Water Pollution: The site is partially situated in the Zone II recharge area for the municipal wells for the Town of Wilmington. Chemicals that have been discharged over the years have entered into the recharge area and have contaminated approximately 60 acres of the Maple Meadow Brook Aquifer (MMBA), resulting in the discontinuance of five water supply wells for the Town of Wilmington.

Claim has been made by the proponent that my previous comments concerning the location of the property within the Aquifer Protection Area are incorrect by quoting the findings of GEI Consultants, Inc., which states in part,

“recharge to the groundwater of the property contributes principally to the Aberjona River Drainage Basin, and not the Ipswich River Basin. Therefore, the redevelopment of the property will not significantly diminish or impact the recharge to the Ipswich River Basin, nor will enhance recharge of storm water runoff to the groundwater at the property contribute significantly to the amount of groundwater within the Ipswich River Basin.” The Town of Wilmington’s water supply is from the Ipswich River Basin and not the Aberjona River Drainage Basin.”

Perhaps storm water runoff can be directed to the south and to the Aberjona River Drainage Basin, but the official DEP Zone II map of this area clearly shows that the site is within the Zone II of the MMBA and the headwaters of the Ipswich River. With regard to what I have stated above, the claim is incorrect. The aquifer has already been contaminated by chemicals from the site. The risk of more contamination still exists and will exist into the future.

Telephone: (978) 658-4298 Fax: (978) 694-2045 TTY: (978) 694-1417
email: boh@town.wilmington.ma.us

Olin is soon to be in the process of extracting contaminated water from the aquifer. Any runoff, spills, or discharges in the Zone II is a potential threat to the aquifer. This point is hardly arguable. Historically, the chemicals from the Olin property have gone to the Maple Meadow Brook Aquifer, which is in the Ipswich River Basin. The fact of the matter is that the Zone II Aquifer Recharge Area, which was certified by the Department of Environmental Protection, extends well onto the property, and is the source of the present day contamination. An operation which involves tank cars of gasoline, chemicals, and materials which can cause further contamination to the well fields is very ill advised.

An important aspect of the site remediation is the capping of the site with impervious barriers. The reason for this is to prevent natural infiltration of water which will enter the groundwater and continue to move the known contaminants in the direction of the aquifer and the Wilmington water supply wells. The proponent's intention is to develop the site includes a gravel surface which is contrary to the site remediation requirements.

The Town of Wilmington hopes to retrieve the use of the five wells which are currently not in use due to the contamination. The proponent's intentions are contrary to sensible development of the site. The Town has developed an aquifer protection bylaw, which defines the proper and sensible development of any site in the Town of Wilmington. The bylaw includes protections for the Zone II aquifers. The proponent is not proposing any of these protections.

Air Pollution: This project will increase the amount of air pollution in the Town of Wilmington. The proponent has claimed that the use of rail, versus trucking, will result in less air pollution. This claim ignores the fact that although there is a total reduction in air pollution in the larger view, the air pollution that is created by the rail yard will be concentrated in the Town of Wilmington. This site is located in a area which has been plagued with air pollution problems for some time.

Industries in the area have encountered enforcement action both by the state DEP and this local Board of Health office. The concentration of air pollution producing industries in this small area have produced many citizen complaints. DEP has enforced many emissions issues. The local Board of Health has addressed many nuisance issues. Local enforcement orders have resulted in fines, some in the elimination of certain processes, and even business closure.

This site is located in an area surrounded on three side by residential neighborhoods, Main Street to the west, Woburn Street to the east, and Morse Avenue, Lawn Street neighborhood to the north. Based on the history of this area and the number of complaints and enforcement actions taken, the establishment of an operation which will substantially contribute to the discomfort of the citizens in the area is ill advised.

Documentation: The documentation for the contamination at the site is substantial and fills boxes at the Town Hall. This is available for review.

GENolin\Transrail_10-7-03

Congress of the United States

Washington, DC 20515

October 29, 2003

Neil Sullivan
ICF, Incorporated
9300 Lee Highway
Fairfax, VA 22031
Attention: Finance Docket No. 32391 – Environmental Comments

Dear Mr. Sullivan:

We are writing to offer our comments on New England Transrail's (NET) proposal to the Surface Transportation Board (STB) for authority to construct and operate rail lines and a multi-commodity truck-rail reload facility at the former Olin Corporation (Olin) property located at 51 Eames Street in Wilmington, Massachusetts. We have been informed that the STB's Section of Environmental Analysis (SEA) is initiating an environmental review of the project under the National Environmental Policy Act (NEPA). Our comments are focused on specific environmental issues pertaining to this particular site.

As we wrote to the STB regarding previous filings by NET with regard to this project (See Finance Docket No. 34365 – our letter of July 11, 2003), the parcel of land on which this project is proposed has a long and sordid history of environmental degradation and chemical contamination. On July 2, 2003, the Massachusetts Department of Environmental Protection (MADEP) requested that the U.S. Environmental Protection Agency (EPA) assist in the technical evaluation of the chemical make-up of contaminants found on the property. Concerned citizens from Wilmington and abutting Woburn, Massachusetts, have exhaustively catalogued the long-standing and pervasive contamination on the site. Officials of both communities, as well as Massachusetts State Senators Robert Havern and Bruce Tarr and Representatives James Miceli and Carol Donovan, remain strongly opposed to the proposed project based in large part on its potential for exacerbating an already precarious environmental situation.

Since we last communicated our concerns to the STB in July, the town of Wilmington has received a report from GeoInsight, Inc., a multi-disciplinary environmental consulting and engineering firm engaged by the town to conduct an independent evaluation of environmental issues associated with the NET project. (We understand that the GeoInsight report is included in a package of comments submitted by the town of Wilmington.) We commend this report in its entirety to your careful review. We point out, however, that the "recent discovery of previously unknown impacts associated with the Olin site has caused MADEP to suspend its review of certain elements of the Phase III Remedial Action Plan pending completion of additional site investigation and source identification." Specifically, a contaminant related to former operations at the Olin site, N-nitrosodimethylamine (NDMA), was detected in ground water affected by site conditions and in downgradient town water supply wells. Investigation of the extent of

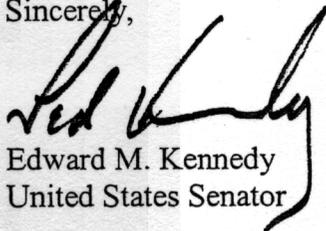
the NDMA impacts and source(s) is currently in progress. The presence of NDMA and the discontinued use of certain municipal wells will require reevaluation of the currently selected remedial alternative for the site; this reevaluation is currently in its early stages.

GeoInsight's evaluation also concluded that the documentation presently provided by NET does not provide sufficient detail for a thorough review of the proposed uses that is necessary to ensure protection of the public health of the community. According to GeoInsight's report, insufficient detail is available, for example, on:

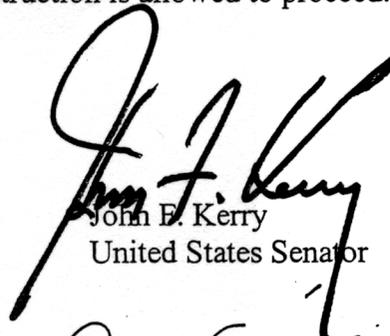
- the nature and location of new facilities to be constructed with regard to ground water flow systems at the site;
- the nature of materials to be handled, re-packaged, re-loaded and transshipped and, particularly, a definitive statement as to whether hazardous materials will be handled or stored or otherwise transit environmentally sensitive areas of the site;
- the construction, operation and maintenance of spill containment structures and systems; and
- plans and training for spill prevention and response.

For these reasons, we respectfully request that the proposed project be evaluated under the most stringent possible environmental standards; that a full Environmental Impact Statement be issued for public review and comment; and that all environmental issues be fully addressed and mitigated before any construction is allowed to proceed.

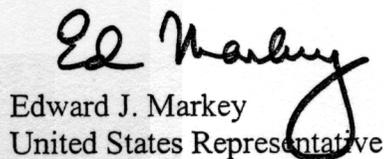
Sincerely,



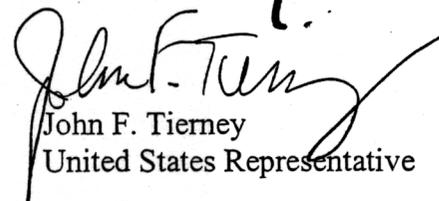
Edward M. Kennedy
United States Senator



John F. Kerry
United States Senator



Edward J. Markey
United States Representative



John F. Tierney
United States Representative



Woburn City Council
City Hall
10 Common Street
Woburn, MA 01801

October 21, 2003

Nell Sullivan
ICF, Inc.
9300 Lee Highway
Fairfax, VA 22031
Attention: Docket # 34391--Environmental Comments

Dear Mr. Sullivan,

This letter concerns New England Transrail's recent filing to the Surface Transportation Board to establish a rail carrier and rail re-load center at 53 Eames Street in Wilmington, Massachusetts. We would like to state for the record that we are opposed to New England Transrail's proposal on several grounds.

1. The property at 51 Eames Street has been a major source of contamination for decades. Migration of contaminants to Woburn's watershed (Aberjona) is being monitored. Further investigation, remedial action and review by DEP, EPA and the Town of Wilmington is required to establish whether this property is suitable for redevelopment at this time (and whether the use being proposed is suitable for the site).
2. The Fire and Police Chiefs of both communities need to be given NET's proposal with site plans to determine whether these two communities are equipped to handle potential rail or trucking accidents involving containers of harmful commodities.
3. The proposal does not adequately address serious trucking issues raised previously in letters from the Woburn City Council. Responding to our concerns, New England Transrail states in a letter to the Board (June 20th, 2003) that trucks will not use Route 38 in Woburn (a primarily, residential area) to access the interstate highways. They state that this is not a logical trucking route and that appropriate measures will be taken with customers to ensure that this route will not be used. Those measures were not specified in the proposal. Furthermore, in our experience, trucks accessing businesses in that area of Wilmington do use Route 38 in Woburn routinely, over our repeated objections. The volume of heavy trucks involved in this proposed operation would be unbearable for area residents should they traverse Route 38 in Woburn.

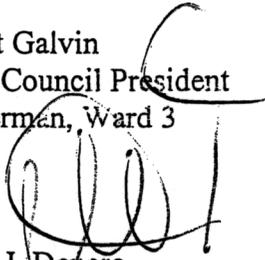
Given these objections we respectfully ask that the Surface Transportation Board delay any action on this filing until the Massachusetts Department of Environmental Protection, the EPA, and both communities are satisfied that this site is ready for redevelopment and that the environmental impact of this proposed rail and reload use is minimal. There are too many serious concerns left unaddressed at present for this proposal to move forward.

Thank you for your attention to our comments.

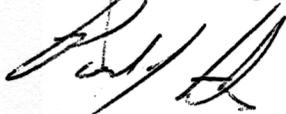
Sincerely,

The Woburn City Council

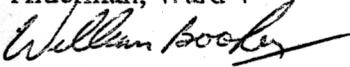
Scott Galvin
City Council President
Alderman, Ward 3



Paul J. Denaro
Alderman-at-Large



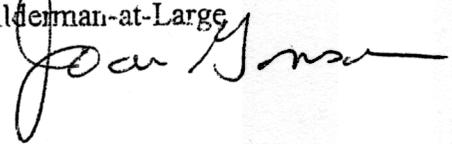
William Booker
Alderman, Ward 4



Donald A. Galante
Alderman, Ward 6



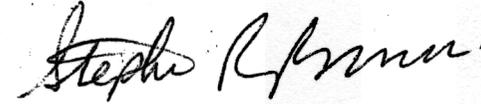
Joanna Gonsalves
Alderman-at-Large



James McSweeney
Alderman, Ward 1



Paul A. Medeiros
Alderman, Ward 5



Stephen Braese
Alderman, Ward 7

cc:

Wilmington Board of Selectman

Mayor John C. Curran

Kathy Barry, President, Woburn-Wilmington Collaborative (14 Powder House Circle)