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January 29, 2021

VIA E-FILING

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington DC 20423

Re: **New England Transrail, LLC d/b/a Wilmington & Woburn Terminal
Railway-Construction, Acquisition and Operation Exemption-in Wilmington
and Woburn, Massachusetts**
Docket No. FD 34797 (Sub No. 1)
Further Status Report

Dear Ms. Brown:

By this letter, Petitioner New England Transrail ("NET") and Wilmington Woburn Intermodal, LLC ("WWI")¹ provide their joint further status report pursuant to the April 5, 2019 Board decision, as amended by the October 24, 2019 Board decision, which requires the parties to submit a status report by November 8, 2019, and every 90 days thereafter. NET and WWI filed their joint most recent report on November 3, 2020 as required.

As noted in previous reports, in October 2018, representatives of WWI presented to the Wilmington Board of Selectmen, WWI's concept for a potential project alternative to the project which is the subject of NET's petition before the Board. The parties apprised Danielle Gosselin in the Board's Office of Environmental Assessment ("OEA") of those preliminary discussions. The conceptual alternative would involve an expanded version of its proposed warehouse for the bulk transfer and storage of retail and other commodities.

¹ In November, 2018, NET petitioned to substitute WWI as the Petitioner. WWI is a joint venture between NET and commercial developer GFI Partners. That petition is still pending with the Board. Nevertheless, WWI is joining in this status report.

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USEPA circulated its Proposed Remedial Action Plan, and made it available for comments. As noted in their last report, in October 2020, WWI/NET submitted questions and comments to the Proposed Remedial Action Plan, copies of which were provided to OEA. USEPA is expected to issue a further revised plan. Although the logistics of the process has been slowed by COVID-19, the involved parties continue to use their best efforts to move the process forward.

WWI (and, by extension, NET as an investor in it) continue to refine their current plans for the property in the context of the Proposed Remedial Action Plan, the comments and the anticipated revised plans. WWI continues to believe that the USEPA's final plans will present opportunities for WWI's to contribute positively. Once plans are finalized, WWI will discuss with any other stakeholders any potential areas of variance or benefits of their proposed development. WWI and NET will continue to provide status reports to the Board while the proceeding remains in abeyance.

Please let us know if the Board has any questions concerning this report.

Respectfully,

CLARK HILL PLC

/s/ Eric M. Hocky

Eric M. Hocky

Attorneys for New England Transrail and
Wilmington Woburn Intermodal, LLC

EMH/e

cc: Danielle Gosselin, OEA (by email)
Adam Assenza, OEA (by email)
Daniel Deutsch, Esq. (by email)
Attached Service List

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of January, 2021, a copy of the foregoing “Further Status Report” was sent by U.S. Mail to the following Parties of Record:

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/s/ Eric M. Hocky

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