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Office of Proceedings  
May 3, 2021  
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May 3, 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")<sup>1</sup> 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 January 29, 2021 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.

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<sup>1</sup> 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 released its Record of Decision (“ROD”) on April 1, 2021. A general description of the ROD, and the timeline for next steps is set out in the USEPA’s announcement at: <https://www.epa.gov/newsreleases/epa-approves-cleanup-plan-olin-chemical-superfund-site-wilmington-mass> The ROD is available for review on the USEPA’s Olin Chemical Superfund Site webpage at: [www.epa.gov/superfund/olin](http://www.epa.gov/superfund/olin). WWI/NET provided a copy of the ROD to OEA.

WWI (and, by extension, NET as an investor in it) continue to refine their current plans for the property in the context of the ROD, and expect to have initial discussions with USEPA in May. Following the discussions with USEPA, WWI expects to schedule meetings with the Town of Wilmington and other stakeholders regarding 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 for Sub-Docket No. 1

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 3rd day of May, 2021, a copy of the foregoing “Further Status Report” was sent by email to the following Party of Record in Sub-Docket No. 1:

Daniel R. Deutsch  
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*/s/ Eric M. Hocky*

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