

CLARK HILL

John D. Heffner
T 202.572.8679
F 202.572.8690
Email: jheffner@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue NW
Suite 1300
Washington, DC 20004
T 202.772.0909
F 202.772.0919

clarkhill.com

July 17, 2019

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BY E-Filing

Ms. Cynthia T. Brown
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

ENTERED
Office of Proceedings
July 17, 2019
Part of
Public Record

**RE: FD 34797, Sub-Docket 1, New England Transrail, LLC, D/B/A
Wilmington & Woburn Terminal Railway-Construction,
Acquisition, and Operation Exemption-in Wilmington and
Woburn, Mass.**

Further Status Report

Dear Ms. Brown:

By this letter, Petitioner Wilmington Woburn Intermodal, LLC (“WWI”) provides its further status report pursuant to the April 5, 2019 Board decision, which requires the parties to submit a status report every 90 days after April 12, 2019. The parties filed separate reports on April 11th.

As the Board will recall, New England Transrail, LLC (“NET”) petitioned to substitute as the Petitioner Wilmington Woburn Intermodal, LLC (“WWI”), the entity constituting a joint venture between NET and commercial developer GFI Partners. 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 of those preliminary discussions. The conceptual alternative would involve a warehouse for the bulk transfer and short-term storage of retail and other commodities.

However, the parties are aware that substantial areas of disagreement persist in the previously reported discussions between the U.S. Environmental Protection Agency (a cooperating agency with the Board's OEA in this proceeding) and the site's current owner, Olin Corporation, concerning the scope and documentation of remaining remedial investigation and feasibility study for the Superfund Site that overlaps with and implicates the site for any NET or WWI project. Nonetheless, there has been further correspondence between Olin and EPA concerning Olin's technical submittals and EPA's review and comment on them.

It is WWI's understanding that the OEA has been given copies of the April and May submissions (Executive Summaries) sent by Olin to the EPA as well as a copy of the EPA's Power Point presentation from their most recent public meeting in June 2019.

In light of the halting progress in the Superfund matters affecting the project site, WWI (and, by extension, NET as an investor in it) represents that it is not in a position to bring to a final conclusion its engineering and planning of a potential alternative redevelopment project until tangible progress has been made toward the development and approval of remedial options for clean-up of the Olin site. NET/WWI remains fully engaged with EPA and Olin Corporation in an effort to obtain the information which we feel would be satisfactory to the Town of Wilmington and to the STB.

The parties are hopeful that meaningful progress will be made in EPA's regulatory process by the end of this year. In any event, undersigned counsel will update the status of the matter for STB no later than October 10, 2019 and on the interval reporting dates as directed.

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

Respectfully submitted,

CLARK HILL



John D. Heffner

Counsel for NET and WWI

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cc: Danielle Gosselin, OEA
Daniel Deutsch, Esq.
Service list

CERTIFICATE OF SERVICE

I, hereby certify that on the 17th day of July, a copy of the foregoing
“Further Status Report on behalf of New England Transrail” was sent by U.S. Mail
to the following Parties of Record:

Steven C. Armbrust
CSX Transportation, Inc.
500 Water Street, J150
Jacksonville, FL 32202

Kathleen M. Barry
Wilmington-Woburn Collaborative
14 Powder House Circle
Wilmington, MA 02210

Daniel R. Deutsch
Principal and Managing Attorney
Brooks & DeRensis, P.C.
111 Devonshire Street, Suite 800
Boston, MA 02109

Linda Raymond
Woburn Neighborhood Association, Inc.
10 North Maple Street
Woburn, MA 01801

Curtis M. Richards
Olin Corporation
3855 North Ocoee Street, Suite 200
Cleveland, TN 37312

Martha K. Stevenson
Wilmington Environmental Restoration Committee
7 Chandler Road
Wilmington, MA 01887

Laura Swain
Commonwealth of Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108

William Walsh-Rogalski (Mail Code ORA 17-1)
Office of Environmental Review, U.S. EPA Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912



John D. Heffner

Dated: July 17, 2019