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December 28, 2015

Mr. Robert Cianciarulo
United States Environmental Protection Agency – Region 1
Chief – Massachusetts Superfund Program
Office of Site Remediation and Restoration
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Mr. William Walsh-Rogalski
United States Environmental Protection Agency – Region 1
Director
Office of Environmental Review
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Subject: **Response to Olin Chemicals Superfund Site – Wilmington, MA
USEPA Letter to Surface Transportation Board dated Nov. 6, 2015
Re New England Transrail, LLC, FD-34797**

Dear Mr. Cianciarulo:

Olin Corporation is in receipt of your letter, co-signed by Mr. William Walsh-Rogalski, dated November 6, 2015 to the Surface Transportation Board, Office of Environmental Analysis (STB). The letter provides the STB both with an update on recent activities at the Olin Chemicals Superfund Site in Wilmington, MA (the "Site"), and sets forth USEPA's current position regarding the appropriateness of future development of portions of the Site. As the current owner and the party engaged in the investigation and remediation efforts at the Site, we are compelled to respond to certain assertions made in your letter regarding redevelopment of portions of the Site.

First, we agree that current Site conditions do not warrant continued STB deferral on granting NET's petition. Additionally, Site development by NET will in no way affect our ability to comply with our understood obligations to investigate and remedy, to the extent necessary, environmental media both on and off the Site property. This is clearly demonstrated in the redacted copy of the existing Purchase and Sale Agreement, provided at your request, which demonstrates NET's legal obligation to provide us and you with access to the site in order to fulfill our environmental obligations.

However, we strongly disagree with USEPA's position that the Containment Area and the Plant B area are not suitable for redevelopment. With regards to the Containment Area, USEPA states in the letter that:

"...The field work and risk assessments conducted on the Property did not evaluate data from the Containment Area... As a result, EPA is not in a position to make any statement about potential chemical exposure risks in the Containment Area, and this area, plus an appropriate buffer zone around the Containment Area that will be determined in the future, is not suitable for redevelopment until further RI/FS work is completed."

To the contrary, Section 6 of the USEPA-approved Final OU1/OU2 RI report presents the Human Health Risk Assessment for these units. Page 6-4 of the report specifies that *"the exposure areas for OU1 have been identified as EA1, EA2, EA3, EA4, EA6, EA7, **the Containment Area**, South Ditch, on-PWD, Stormwater Detention Basin, and Central Pond."* (emphasis added). Page 6-6 specifies that receptors evaluated with respect to Future Land Use included outdoor workers and trespassers for the Containment Area. After significant discussion with James DiLorenzo, USEPA's Project Manager for the Site, and your oversight contractor, Nobis, we agreed to evaluate risk for surface soils within the Containment Area for both of the receptors referenced above. The OU1/OU2 baseline human health risk assessment approved by USEPA states:

"There are no current land use receptors for the Containment Area. Future land use receptors for the Containment Area include outdoor workers and trespassers (adolescents and adults) (trespassers are potentially exposed to surface soil and the outdoor worker is potentially exposed to soil-derived dust). The risk calculations for the Containment Area are based on analytical data associated with surface soil samples collected during the RI from beneath the temporary cap. As previously discussed, the only potential exposure pathway for the containment area is by trespassers such that surficial soil data are appropriate for calculating risk."

The risk assessment ultimately indicated that there is no unacceptable risk associated with surficial soils within the Containment Area.

With regards to deeper soils within the Containment Area, USEPA has been furnished with a legally-binding deed restriction that has been perfected for the current property deed and recorded appropriately with Middlesex County. The deed restriction specifically prohibits disturbance of soils within the Containment Area except for that associated with installation of a permanent cap. Therefore, by the terms of the existing deed restriction, subsurface soils are prohibited from being brought to ground surface such that there is no potential exposure associated with these deeper soils. The deed restriction also prohibits any use or extraction of groundwater from beneath the property except for that associated with investigation and potential remedial action to the extent remedial action is required at some time in the future.

Lastly regarding the Containment Area, James DiLorenzo stated publicly during a June 10, 2014 Public Meeting in Wilmington, MA that the OU1/OU2 RI effort has indicated that although there exists residual contamination in on-site media, concentrations of site-related impacts are not significant enough to

cause any significant risk, with the potential exception of risk to ecological receptors in surficial soils and sediments in the lower reach of South Ditch, such that the property is now suitable for redevelopment (with no exceptions noted). At no point has USEPA ever communicated to Olin that there would need to be a buffer zone around the Containment Area that it would consider unsuitable for redevelopment, despite being fully aware that Olin has had an executed Purchase and Sale Agreement with NET since 2003. The views expressed in the USEPA's letter are inconsistent with its prior public statements regarding the suitability of Site redevelopment, despite there being no material changes in the underlying data.

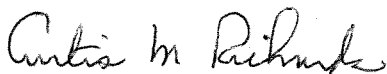
With regards to Plant B, we are committed to the operation of the Plant B treatment system. However, the Plant B infrastructure can be installed anywhere on Site should redevelopment efforts be considered for the portion of the property where the Plant B treatment system is now located. Therefore, it is inaccurate to state that the area is not suitable for redevelopment by virtue of the treatment system infrastructure.

We agree with USEPA's acknowledgement that the Site is ready for redevelopment and that current site conditions do not warrant continued STB deferral on granting NET's petition. In fact, the entire 51 Eames Street property is suitable for redevelopment. This is supported by our current understanding of site conditions and the lack of significant risk associated with environmental media on the property. We trust that the information contained herein provides adequate clarification to these important issues.

We look forward to working cooperatively with USEPA to complete the requirements of the existing Settlement Agreement and Order on Consent for this Site.

Sincerely,

OLIN CORPORATION



Curtis M. Richards
Corporate Vice President
Environment, Health & Safety

cc: Victoria Rutson, Service Transportation Board, Office of Environmental Analysis
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