



Technical Assistance Services for Communities

Olin Chemical Superfund Site

TASC Overview of the Surface Transportation Board's Environmental Impact Statement Process and Scope

The Surface Transportation Board (STB) intends to develop an Environmental Impact Statement (EIS) for New England Transrail's (NET's) plan to construct and operate rail lines and transfer facilities on property that is part of the Olin Chemical Superfund site. This fact sheet provides background information, describes STB's process to develop an EIS and highlights the Scope of Study for the EIS. The EIS Final Scope of Study was published on November 2, 2017. Figure 1 shows the EIS timeline.

The U.S. Environmental Protection Agency's (EPA's) Technical Assistance Services for Communities (TASC) program prepared and funded this fact sheet. Its contents do not necessarily reflect the policies, actions or positions of EPA.

Background

On June 24, 2016, NET filed a petition for STB approval to acquire 5,727 feet of existing track, to rehabilitate or construct a combined 10,838 feet of track, and to operate as a rail carrier over the total 16,565 feet of track on and adjacent to property currently owned by the Olin Corporation at 51 Eames Street in Wilmington, Massachusetts. See Figure 2. The Olin property was used as a

manufacturing facility from 1954 to 1987. It is currently the subject of environmental studies under EPA's Superfund program. EPA is completing a remedial investigation and feasibility study (RI/FS) for the Superfund site. After the RI/FS, EPA will propose a cleanup plan that will be made available for public comment.

The STB is a federal agency that regulates the economic aspects of the interstate freight rail system. STB will decide whether to license the construction and operation of NET's proposed rail lines and will likely condition any license to help NET avoid, minimize and mitigate adverse environmental impacts from the project.

The purpose of the NET proposal is to add rail transloading capacity close to the center of the Boston metropolitan area, allowing for lower rail rates and improved service.

NET expects to operate two round-trip trains per day with approximately 30 rail cars. NET also expects a maximum of 400 round-trip vehicle trips from the site per day (365 truck trips per day and 35 employee vehicle trips). Train operations are expected to occur between 11:00 p.m. and 6:00 a.m., and truck deliveries are generally expected to occur outside weekday morning and evening commuter peak hours.



Figure 1. EIS Timeline

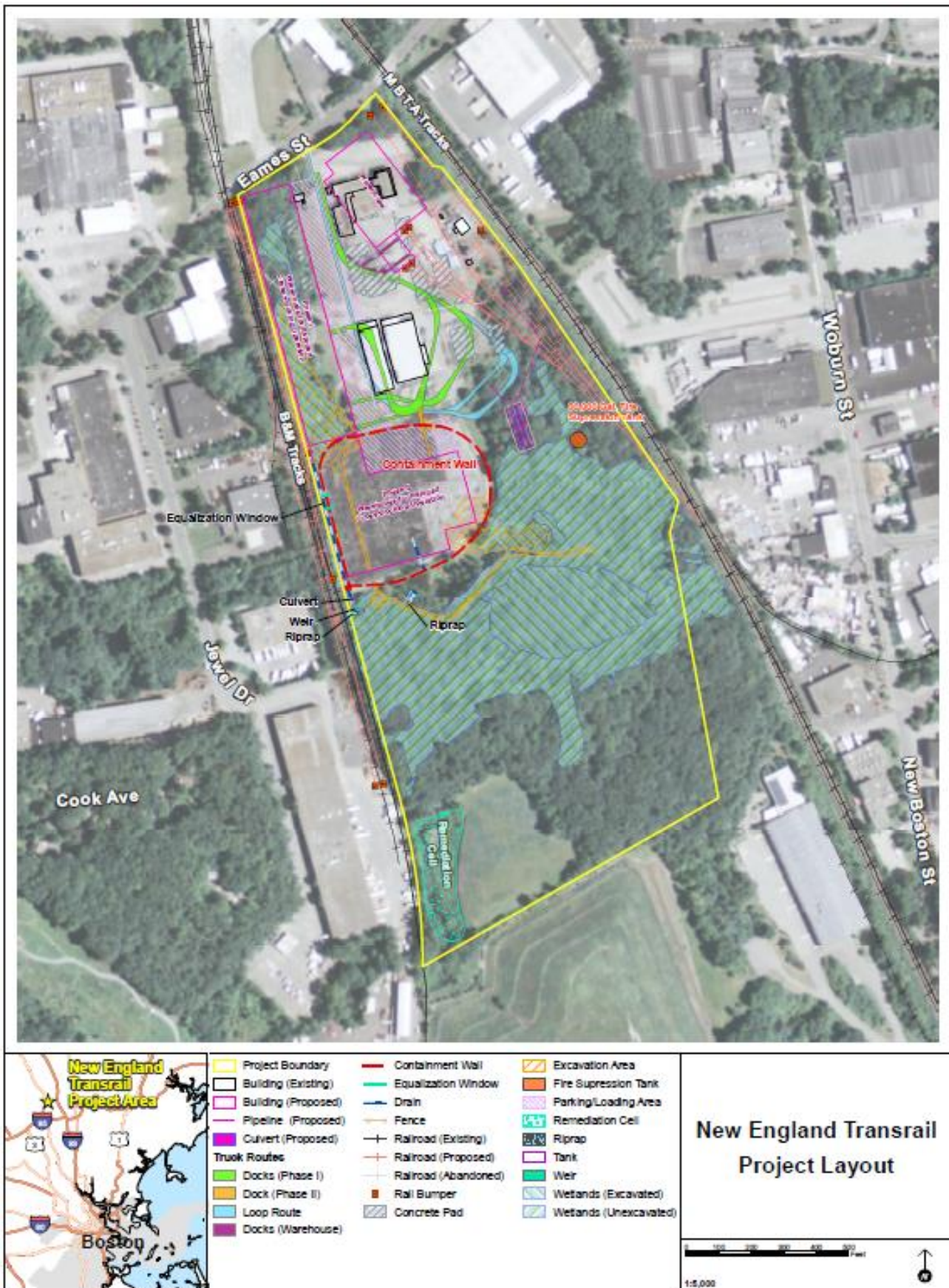


Figure 2. New England Transrail Project Layout
 (Source: http://www.newenglandtransraileis.com/documents/NETR_Project_Layout.pdf)

The proposed project includes demolition of existing buildings and construction of transloading facilities and warehouses. NET plans to move goods and materials (such as bricks, newspaper, steel, glycols, biofuels, liquid natural gas, vegetable oils, wood chips, sand and gravel) and transload them from rail cars directly onto trucks, into holding tanks or into a warehouse on site for temporary storage.

Environmental Review

The National Environmental Policy Act (NEPA), requires federal agencies to conduct an EIS for certain actions that could significantly affect the quality of the human environment, including ecosystems and aesthetic, historic, cultural, economic, social and health concerns. The primary goals of NEPA are to assure that environmental information is available to the public before decisions are made and that those decisions are well informed. The STB decided to prepare an EIS because the project could result in significant environmental impacts. More information about NEPA can be found at <https://energy.gov/nepa/council-environmental-quality-ceq-nepa-guidance-and-requirements>.

STB's EIS Process

The main components of STB's EIS process are:

1. Scoping
 - Public review/comment (**Completed**)
2. Draft EIS
 - Public review/comment
3. Final EIS
4. STB Decision

Scoping

STB conducts scoping to help identify significant environmental issues deserving of study in the EIS. In October 2016, the STB shared a Draft Scope of Study for the EIS with the public and encouraged interested parties to comment on the Draft Scope and on any potential reasonable and feasible alternatives for the proposed project, including the no-action alternative (denial of NET's application). On November 2, 2017, the STB issued a Final Scope of Study for the EIS. It reflects any changes to the Draft Scope of Study resulting from comments received, and summarizes and addresses

the main environmental concerns raised by the comments.

Scoping determined that the EIS will study potential environmental consequences related to transportation systems, safety, land use, recreation, biological resources, water resources (including wetlands and other waters of the U.S.), geology and soils, air quality and climate, noise and vibration, energy resources, socioeconomics as related to physical changes in the environment, cultural and historic resources, aesthetics, and environmental justice.

Draft EIS and Additional Public Comment Opportunity

STB's Draft EIS will describe the purpose of the project; evaluate all reasonable alternatives (including no-action) and discuss why any alternatives were eliminated from evaluation. It will also compare alternatives based on an analysis of the direct, indirect and cumulative impacts of the alternatives, and any adverse impacts that cannot be mitigated. The analysis will consider acquisition, construction and operation activities. The Draft EIS will address issues and concerns identified during the scoping process and will contain STB's preliminary recommendations for environmental mitigation measures.

The Draft EIS will be released for public and agency review and comment. The public comment period will be at least 45 days long. STB will hold one or more public meetings to discuss the Draft EIS.

Final EIS

STB will prepare a Final EIS that responds to comments on the Draft EIS. The Final EIS will include STB's final mitigation recommendations. STB will publish a Notice of Availability in the Federal Register when the Final EIS is available for public review. STB must wait at least 30 days before making a final decision on NET's petition.

STB Decision

After completion of the Final EIS and the minimum 30-day wait period, STB will decide whether to

approve NET's project and whether environmental mitigation is needed.

STB Coordination

STB intends to consult with various federal, state and local agencies with specific knowledge of the potential environmental impacts that may be associated with the proposed project. EPA will serve as a cooperating agency, helping STB throughout the development of the EIS while also continuing work at the Olin Superfund site. STB is also consulting with potentially affected tribes, including the Narragansett Indian Tribe and the Mashpee Wampanoag Tribe. Stakeholders that STB has reached out to include the Town of Wilmington, City of Woburn and Wilmington Environmental Restoration Committee (WERC).

Relationship of the EIS to the Superfund Process

The EIS and Superfund processes will proceed simultaneously. EPA and STB will continue to share information in support of the EIS development, but the STB's EIS process will remain separate from the decision-making process EPA is engaged in under Superfund. EPA will continue to investigate the nature and extent of contamination on the site, risks it poses, and the appropriate actions to protect human health and the environment.

What will the EIS Include?

An EIS typically includes:

- *Cover Sheet* – provides:
 - name of the lead agency and any cooperating agency,
 - agency contact information,
 - title of the proposed action and its location,
 - a paragraph abstract of the EIS, and
 - date when comments must be received.
- *Summary* – summarizes the EIS, including its major conclusions, areas of concern and issues to be resolved.
- *Table of Contents* – assists the reader in navigating the EIS.

- *Purpose and Need Statement* – explains why the agency is proposing the action and what the agency expects to achieve.
- *Alternatives* – considers a range of reasonable alternatives that can accomplish the purpose and need of the proposed action.
- *Affected Environment* – describes the environment of the area to be affected by the alternatives under consideration.
- *Environmental Consequences* – discusses the direct and indirect environmental effects of the proposed action and their significance.
- *List of Preparers* – lists the names and qualifications of the people responsible for preparing the EIS.
- *List of Receiving Parties* – lists the agencies, organizations and people to whom the EIS was sent.
- *Index* – identifies major EIS topics for the reader.
- *Appendices (if required)* – provide background materials prepared in connection with the EIS.

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