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Edwin Madera
Raytheon Integrated Defense Systems
528 Boston Post Road
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RE: Public Comment on November 12, 2003 Draft Phase I ISI
RTN 3-22408, former Raytheon Facility, 430 Boston Post Rd., Wayland, MA

Dear Ed:

Thank you for this opportunity to provide public comment on this draft Phase 1 Initial Site Investigation (ISI) as your company's work expands north of your former research facility. Please understand that my comments represent only my own personal lay opinion and are not related in any way to any organization, board or committee with which I am currently or have been previously affiliated.

INTRODUCTORY REMARKS

I thank Raytheon for your company's consistent efforts to make pertinent documents available to the public for this PIP site. Your website and the new 5-drawer filing cabinet provided this past year to the Board of Health's repository have helped make your materials more easily available. I also very much appreciate the hard copies you have provided me of several figures from this draft report.

Raytheon's ongoing support for funding the Town's LSP, Ben Gould, of CMG Environmental, Inc. continues to provide independent expertise to the acknowledged benefit of all stakeholders in this matter. Clearly your project in Wayland is unique and complex and will continue to evolve. Purposeful progress is apparent to me on various site issues. At the November 19, 2003 PIP meeting, where this Draft Phase I document was discussed, Ben Gould's contributions to the technical discussion as well as his efforts to respond to a citizen new to this process seemed most appropriate.

PROCEDURAL AND TECHNICAL COMMENTS

I have two general comments which are procedural and technical. The first is in regard to the DEP PIP (Public Involvement) Plan in place for the previous portions of the site investigations under other RTN numbers. The second is in regard to the AUL (Activities and Use Limitation, a.k.a. deed restriction) shown on Figure 2 in this draft document under current review.

1) **PIP Plan:** The August 23, 2000 PIP Plan as well as the DEP's PIP regulations have served everyone well, in my view. You are aware from personal comments I have made, even before your need to seek a new RTN for this expanded site investigation, that I was suggesting the Plan be amended and updated. At a working meeting held in Wilmington last year (which I attended) with DEP's Larry Immerman and Stephen

Johnson to discuss site groundwater issues and how to best proceed, it is my recollection that everyone agreed in principle to move forward without creating more paperwork or duplication than is necessary but still applying the benefits of the PIP to your expanding investigation.

I have patiently waited to address this issue until the most appropriate time. It seems that time has finally arrived. It is my understanding that once this Phase I is approved by the DEP and a Tier Classification (likely to be Tier 1B) is announced for this new RTN, this is the opportune and appropriate time to address the PIP Plan.

I simply offer to work with you directly to facilitate this housekeeping task. It is clear to me that the PIP Plan provides important governing framework for all stakeholders for how this cleanup proceeds under the DEP's regulations. It would be straightforward for me to make sure you receive the requisite signed PIP petition, and I volunteer to discuss with you further how I can assist you with the task of drafting wording to amend and expand the existing Plan. Raytheon could then incorporate the draft into your next PIP technical meeting and have it vetted through the normal public comment process.

2) AUL: This second matter is admittedly more complicated and enters into areas where I have no legal experience or expertise. Figure 2 of this Draft Phase I document shows the land parcels and two AULs. The October 21, 1997 AUL covering 77 acres is the only one I am addressing right now. Figure 2 clearly shows that your need to expand your groundwater investigation enters into land not covered by the AUL. Several different parties clearly are stakeholders as you expand your site investigation, and the AUL is a legal document. I have some recollection of this AUL from a personal discussion I had with DEP's BWSC Stephen Johnson about it years ago when folks in Wayland first learned of its existence. It is my understanding this AUL is a deed restriction and seems a commonly used tool, in this case intended to protect Raytheon as it proceeds with the cleanup. It is NOT the kind of AUL filed with the DEP as part of a concluding RAO.

My reason for even raising this issue is consistent with my long-term interest in protecting groundwater and our town's drinking water, which has been a broad and publicly-vetted concern of mine for more than a decade. It seems paramount to the integrity of this overall cleanup effort that Raytheon be able to proceed to address all environmental issues stemming from the past uses of your former research facility, no matter where your site investigation takes you.

The public is aware from discussions occurring in public meetings that there are interested parties looking to develop the residentially zoned parcels of land nearby for housing, which may require addressing septic systems whose possible construction and resulting impacts to groundwater in this greater area would need to be carefully evaluated and understood. The flow of groundwater has been documented over the years by Raytheon for your proposed site work. Page 36 of this draft seems to show the migration flow (from east to west) of the plume you are attempting to address.

Figure 2 shows that the AUL also covers the wastewater treatment facility, now owned by the Town of Wayland. I understand Raytheon and the Town of Wayland have been working on the lease agreement required for your company's access to town-owned land located north of the subject property line. According to page 5 of this Draft Phase I report, and Figure 2, Lot 23-52D, located east, appears to be owned by Wayland

Meadows. The former Raytheon-leased property, Lot 23-52C, appears to be owned by the Wayland Business Center.

I am not trying to focus on what must be a complicated legal arena in which your company is operating, but I simply want to voice my personal concern that all stakeholders remain mindful of the need to protect the groundwater so that Raytheon can continue to perform required site investigations. It benefits nobody to create additional complications of unintended impacts resulting from disturbances to groundwater that could affect the integrity of testing or monitoring or the ability to achieve what is in the interest of all stakeholders - the most protective and definitive cleanup outcome possible.

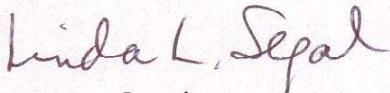
It seems crucial for there to be clear and adequate planning and communication amongst all interested parties. Hopefully the benefits of the PIP continue to facilitate productive working relationships all around. Nevertheless, we have already seen one unfortunate outcome where a childcare facility somehow was built a few years ago on the subject property, which could not be occupied for that use.

CONCLUDING REMARKS

Thank you again for this opportunity to comment on your draft document and for your gracious half-day extension of time. This submittal will be sent to you shortly as an email attachment, followed by a hard copy in the US mail.

I hope these comments are helpful. If you have any questions about this submittal, please do not hesitate to contact me.

Sincerely,



Linda L. Segal

cc: Wayland Town Boards
Wayland Public Library PIP file
Karen Stromberg, DEP PIP Coordinator, Boston
John Drobinski, LSP, ERM, Boston
Ben Gould, LSP, CMG Environmental, Inc.