

Linda L. Segal

Edwin Madera
Raytheon Integrated Defense Systems
528 Boston Post Road
Mail Stop 1880
Sudbury, MA 01776

November 22, 2005

**RE: Public Comment on October 19, 2005 PIP Meeting and Draft Phase II and Draft
Phase III Documents
RTN 3-22408, former Raytheon Facility, 430 Boston Post Rd., Wayland, MA**

Dear Ed:

Thank you for this opportunity to provide public comment on the above named draft documents as presented at the October 19, 2005 PIP meeting held in Wayland Town Hall. 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.

Given that the Town's LSP, Ben Gould, of CMG Environmental, Inc., has already filed technical comments, most of my comments are primarily procedural. I reiterate my gratitude to Raytheon for continuing to support Ben; he continues to provide invaluable independent expertise to the acknowledged benefit of all stakeholders in this matter.

Phase II document:

1) page 6, section 3.2 Property Ownership. I do not have documentation of the real estate transaction, but apparently some part of the former Raytheon property changed hands at the end of August/beginning of September, 2005 to a new real estate entity named **Twenty Wayland, LLC**, headed by the following four managers:

| Title | Individual Name First, Middle, Last, Suffix | Address (no PO Box) Address, City or Town, State, Zip Code |
|--------------|---|--|
| MANAGER | ANTHONY J. DELUCA | 45 BROAD ST. 4TH FLR. BOSTON, MA 02109 USA |
| MANAGER | DEAN F. STRATOULY | 45 BROAD ST. 4TH FLR. BOSTON, MA 02109 USA |
| MANAGER | GORDON J. CLAGETT | 45 BROAD ST. 4TH FLR. BOSTON, MA 02109 USA |
| MANAGER | CHARLES R. IRVING III | 45 BROAD ST. 4TH FLR. BOSTON, MA 02109 USA |

It appears you need to clarify ownership, and for purposes of utmost clarity, please do so by parcel number for the entire acreage that Raytheon had for its former facility.

2) page 32, Section 6.2 Site Use Assumptions. It appears the S2 soil standard is being used here consistent with the existing site uses as a Limited Commercial District (office space, etc.) Residential housing is not a current or approved use. The goal of the cleanup is to achieve the determination of no significant risk, and if I understand Ben Gould's comment November 17 letter correctly, if the existing deed restrictions are to be lifted at some point in the future (in part or otherwise), and if no AUL will be imposed in its place, then the more strict S1 standard will apply. I note that that is alluded to on page 41, Section 6.8 Limitations with regard to revisions to the Deed Restrictions.

Phase III Document:

1) page 80+, Section 8.0. Public Notification. In the future, legal notification should be addressed to Fred Turkington, Town Administrator (Wayland no longer has an Executive Secretary position in our town government).

October 19 PIP Meeting:

1) It was clear that a number of first-timers attended this meeting, probably because of the heightened public awareness about future redevelopment of the property. I therefore suggest that while the milestone requiring this PIP meeting are the two Draft documents you must submit to DEP next month to meet permitting deadlines, I respectfully suggest you consider having on hand a few overhead slides that show the status of other RTNs on the property so anyone attending can also appreciate the bigger picture.

2) During the Q&A portion of the meeting, a Wayland resident brought to your attention the fact that the deed restrictions in place on the property do not appear to be attached to the deed as various real estate transactions have occurred in recent years. That being the case, the concern is how in fact those important protective provisions are clearly understood by all current and future stakeholders. Your presentation to Wayland Selectmen at the end of June in tandem with Ben Gould's June 27 5-page explanation about the deed restrictions (posted on the Planning Board's website) are informative, but it is not clear to me what Raytheon and its LSP can be or should be doing to ensure that the deed restrictions are attached to the deed.

3) During that same Q&A portion of the meeting, another Wayland resident brought to your attention the need to have some mechanism in place so the Town of Wayland stays informed as the inevitable redevelopment of the property moves forward, e.g. as Raytheon is asked to amend the deed restrictions, as other environmental issues and impact need to be well-understood by town officials, as the Town still owns and operates a Wastewater Treatment Plant on the property, etc. You reminded us that Raytheon funds LSP services for the cleanup, but not for other related informational needs. I respectfully request that you please consider how such important and reliable communication of information can be ensured.

4) In support of item 3 above, I regret to have to disclose that during public meetings in the last few months, there have been incidents when the Town has not been able to rely on environmental information provided by other parties. I have two examples for you, as follows:

a) At a May 10, 2005 Planning Board/Selectmen joint public meeting, Selectman Doug Leard asked how the deed restrictions affect building housing and children playing on green spaces. KGI developer Frank Dougherty chose to provide a "simple" answer (quoting from videotape) "Raytheon is working with DEP to finish the cleanup of this site. That process is

almost complete and that restriction will be removed we understand fairly shortly....." That is not what I understood from what was presented at the October 19 PIP meeting.

b) During public board discussions about the existing wastewater treatment plant, it was disclosed that KGI developer Frank Dougherty attended a technical meeting with the EPA and Wayland wastewater commissioners. The feedback from the developer was one of optimism regarding their preference to build a new plant to increase the total plant discharge capacity from 65,000 gallons/day to 100,000 GPD or more to enable a larger, higher water-use (housing, restaurants) redevelopment project. The wastewater commissioners, however, seemed to come away from that EPA meeting with the opposite, more dim view of the likelihood of an EPA permit allowing increased discharge to the Sudbury River. Ultimately, at the end of October, EPA contacted the wastewater chairman indicating that the likelihood was "nil."

Thank you again for this opportunity to comment on your draft documents and the PIP meeting where they were publicly presented. I will transmit this cover letter via email today followed by a hard copy in the US mail. I hope these comments are helpful. I repeat my appreciation for the state-of-the-art technology and expertise you are applying to resolving the hazmat issues on this property.

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
Wayland Board of Health PIP file
Karen Stromberg, DEP PIP Coordinator, Boston
John Drobinski, LSP, ERM, Boston
Jeremy Picard, ERM, Boston
Ben Gould, LSP, CMG Environmental, Inc.