

**M.G.L. CHAPTER 21E, SECTION 3A(j)(2)**  
**NOTICE OF SETTLEMENT**  
**FOR**  
**OPERABLE UNIT 3 OF THE IRON HORSE PARK SUPERFUND SITE**  
**BILLERICA, MASSACHUSETTS**

In accordance with § 3A(j)(2) of M.G.L. ch. 21E, NOTICE is hereby given on behalf of BNZ Materials, Inc., Massachusetts Bay Transportation Authority and Boston & Maine Corporation (the Settling Defendants) of a settlement relative to alleged releases of oil or hazardous materials at Operable Unit 3 of the Iron Horse Park Superfund Site (the Site).

The Settling Defendants will resolve their liability to the Commonwealth of Massachusetts in a judicially-approved Consent Decree regarding the Site. The Consent Decree requires the Settling Defendants to perform response actions at the Site and to reimburse the Commonwealth for response costs it has incurred there. As of the effective date of the Consent Decree, the Settling Defendants shall be entitled to protection from claims brought pursuant to M.G.L. c. 21E for contribution, cost recovery or equitable share regarding matters addressed in the Consent Decree, pursuant to §3A(j)(2) of M.G.L. c. 21E.

A copy of the Consent Decree may be reviewed at MassDEP's office, located at One Winter Street, Boston, MA, between 8:45 a.m. and 5:00 p.m. Please contact Janet Waldron at (617) 556-1156 to schedule an appointment.

**OPPORTUNITY TO COMMENT**

In accordance with §3A(j)(2) of M.G.L. ch. 21E, , the Consent Decree is subject to a 90 day public comment period. Written comments on the Consent Decree may be submitted until 5:00 pm on May 15, 2008 to the Commonwealth and to each Settling Defendant by delivering such comments to the persons listed below.

For the Commonwealth: Carol Iancu, Assistant Attorney General  
Office of the Attorney General  
Environmental Protection Division  
One Ashburton Place, Room 1813  
Boston, MA 02108-1598

For BNZ Materials, Inc.: Wilmer Cutler Pickering Hale and Dorr LLP  
Attn: Patrick van der Voorn  
60 State Street  
Boston, MA 02109

For Massachusetts Bay  
Transportation Authority: Noble & Wickersham LLP  
Attn: Julie Taylor  
1280 Massachusetts Ave.  
Cambridge, MA 02138

For Boston & Maine  
Corporation:

Day Pitney LLP  
Attn: John Bashaw  
One Audubon Street  
New Haven, CT 06511