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April 30, 2008

Brian Sato, P.E.
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452

**Subject: Progress Report for Week Ending April 25, 2008
BNSF Skykomish Cleanup - Consent Decree No. 07-2-33672-9**

Dear Brian,

This progress report is submitted on behalf of BNSF Railway Company (BNSF) pursuant to Section XI of Consent Decree No. 07-2-33672-9 (Consent Decree) for the week ending April 25, 2008 and provides:

- A list of on-site activities that have taken place during the week
- Detailed description of any deviations from tasks required by the Consent Decree not otherwise documented in project plans or amendment requests
- Description of all deviations from the Cleanup Action Plan (CAP) and schedule contained therein, during the reporting period and any planned deviations in the upcoming month
- For any deviations in the schedule, a plan for recovering lost time and maintaining compliance with the schedule
- All raw data (including laboratory analyses) received by BNSF during the reporting period and an identification of the source of the sample, unless Ecology agrees that submitting raw data is not necessary at that time, and
- A list of deliverables for the upcoming reporting period if different from the schedule.

Additionally, this report also provides a list of remedial design and planning activities as you requested in our meeting on Friday, January 11, 2008.

On-Site Activities

- Wilder Construction anticipates that it will take 1 to 2 weeks to install the levee railing.
- Groundwater sampling of wells MW-26, MW-27, and 2A-W-6 prior to their abandonment was completed on Wednesday, April 23rd to perform quantitative analyses on the silica gel cleanup as a follow-up to work completed under the HCC Special Design Report work plan.
- Green Earthworks completed the hazardous materials survey of the trailer on the BNSF parcel on Old Cascade Highway.

Upcoming On-Site Work

- Well abandonment within the 2008 construction area is scheduled to be completed during the week of Monday, April 28th.
- Historic documentation, structural assessment, and landscape surveying of the McEvoy House is scheduled to be completed during the week of Monday, May 5th.
- Landscape surveying of properties affected by the 2008 work is scheduled to be completed during the week of Monday, May 5th.
- Green Earthworks is scheduled to remobilize to the site the week of May 5th for the limited railyard excavation and demolition of the trailer on the BNSF property north of Old Cascade Highway.

Raw Data

- Preliminary sample results from the carbon column study and the surface metals sampling received during the reporting period have been reported via VPM.

Deviations

There are no deviations from the Consent Decree, CAP or schedule to report at this time.

Document Preparation

- Farallon Consulting submitted the final draft of the *Comparative Physical Testing Study Report* on Monday, April 21st.
- Revising the Remedial Design Investigation Report, Compliance Monitoring Plan, and Groundwater Monitoring Plan based on Ecology's comments.

Permitting

- BNSF will revise the JARPA for submittal to the U.S. Army Corps of Engineers upon receiving Ecology's preliminary comments on the draft Former Maloney Creek Special Design Report.
- BNSF is awaiting receipt of the draft NPDES permit.

Additional Remedial Design and Planning Activities

- BNSF is finalizing arrangements to relocate the residents affected by the 2008 construction.
- BNSF is finalizing access agreements for properties affected by the 2008 construction.
- The remediation systems building bid package has been issued to potential bidders.

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- Finalizing the treatment system bid packages for bidding.
- Finalizing concrete vault and steel screens details prior to their manufacture.

Sincerely yours,



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cc: Amy Essig Desai- Farallon Consulting
Angie Thomson, Lauren Stensland, Hillary Johnson - Enviroissues
Brad Petrovich, Louise Bardy, Ron Timm – Ecology
Bruce Sheppard – BNSF
Chris Yates, Clint Stanovsky – Town of Skykomish
Craig Trueblood – K&L Gates
Daryl Petrarca – Adapt Engineering, Inc.
David Carson – Bell & Ingram, P.S.
Desiree Gould – Skykomish School Superintendent
Gary West – Skykomish Resident
John Robinson – US Forest Service
Larry Johnson – Light Brigade
Michael Moore – Skykomish Environmental Coalition
Tom Bean – King County
Dave Pischer- Landau
Mike Byers, Steve Howard, John Guenther, Halah Voges, Mark Havighorst, Winston Chen,
Joyce Sheldon, Ericka Camp, File 01140-204 and 01140-144 – ENSR