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May 21, 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 May 16, 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 May 16, 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

- Green Earthworks completed the limited railyard excavation.
- Abatement of asbestos containing material on the trailer on BNSF property north of Old Cascade Highway.

Upcoming On-Site Work

- Demolition of the trailer on the BNSF property north of Old Cascade Highway is scheduled for next week.

- Septic system contractor scheduled to be on-site on Thursday, May 21st to confirm drainfield locations of properties adjacent to the 2008 excavation.
- Strider will begin mobilizing equipment to the site the week of May 19th and anticipates beginning site preparation work on BNSF property south of the railroad tracks the week of May 26th.
- Remaining levee planting scheduled for the week of June 2nd.

Raw Data

- Unvalidated data from the carbon column study 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

- Revising the Remedial Design Investigation Report and Compliance Monitoring Plan based on Ecology’s comments.
- Preparing the Draft Groundwater Monitoring Plan for submittal to Ecology.

Documents Pending Agency Review

Document Title	Submittal Date	Awaiting Agency Action
Draft 2007 Levee Interim Action As-Built Report	Initial submittal August 31, 2007; supplemental information submitted January 25, 2008	Review and comment; approval
NPDES permit modification request	Initial submittal March 6, 2008; supplemental information submitted March 24, April 24 and May 9, 2008	Issuance of draft permit for review and public comment
EDR Amendment #2	May 6, 2008	Review and comment; approval
Draft FMC SDR	April 17, 2008	Review and comment; approval
HCC Treatment building and system bid documents	May 5, 2008	Review and comment
Revised redline/strikeout text for HCC SDR	May 9, 2008	Review and comment; approval

Permitting

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- BNSF submitted a request to Ecology to modify their NPDES permit on March 7, 2008. BNSF is awaiting receipt of the draft NPDES permit.
- Land clearing permit, grading permit, and right of way/use permit application submitted to the Town on April 24, 2008.

Additional Remedial Design and Planning Activities

- Meeting with King County Department of Health to discuss potential impacts to residential drainfields adjacent to the 2008 excavation on Friday, May 16th.
- Strider is preparing the Technical Execution plan.
- 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.

Sincerely yours,



Sarah Albano, P.E.
Project Engineer
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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 Fischer- Landau
Mike Byers, Steve Howard, John Guenther, Halah Voges, Mark Havighorst, Winston Chen,
Joyce Sheldon, Ericka Camp, File 01140-204 and 01140-144 – ENSR