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May 28, 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 23, 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 23, 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

- Strider has begun mobilizing equipment and materials to the site.
- Demolition of the trailer on BNSF property north of Old Cascade Highway.
- Septic system contractor on-site on Thursday, May 21st to confirm drainfield locations of properties adjacent to the 2008 excavation.

Upcoming On-Site Work

- Strider 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 and the limited railyard excavation 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 Compliance Monitoring Plan based on Ecology's comments.
- Submitted the Draft Groundwater Monitoring Plan to Ecology on May 17th (electronically) and May 19th (hard copy).
- Submitted the Final Remedial Design Investigation Report to Ecology on Thursday, May 22nd.

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 public comment & issuance of final
Draft FMC SDR	April 17, 2008	Review and comment; approval
HCC Treatment building and system bid documents	May 5, 2008	Review and comment
EDR Amendment #2	May 6, 2008	Review and comment; approval
Revised redline/strikeout text for HCC SDR	May 9, 2008	Review and comment; approval
Draft Groundwater Monitoring Plan	May 17, 2008	Review and comment; approval
Final Remedial Design Investigation Report	May 22, 2008	Approval

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Permitting

- BNSF received the draft NPDES permit on May 23. The NPDES permit is scheduled to go out for the 30-day comment period on May 28.
- Land clearing permit, grading permit, and right of way/use permit application submitted to the Town on April 24, 2008.
- Preparing Town's Historic Building (informational) Permit Applications for each of the buildings to be moved in 2008 for submission in early June.

Additional Remedial Design and Planning Activities

- Strider is preparing the Technical Execution plan. BNSF submitted Strider's Traffic Control Plan and Temporary Facilities and Controls to Ecology on Thursday, May 22nd for review.
- BNSF has finalized 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
salbano@ensr.aecom.com

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

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Mike Byers, Steve Howard, John Guenther, Halah Voges, Mark Havighorst, Winston Chen,
Joyce Sheldon, Ericka Camp, File 01140-204 and 01140-144 – ENSR