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June 11, 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 June 6, 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 June 6, 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 planted the salmonberry plants along the levee. Per Wilder's supplier, the dogwood and willows will not be available as live cuttings until fall.
- The temporary railing along the riverside of the viewing platform on the levee has been replaced while sections of the railing are remanufactured. Wilder provided a proposal to address issues with the installed railing. BNSF and the Town reviewed the proposal and provided feedback. The new railing is expected to be ready for installation in mid-July.

- Strider continued site preparation work. This work included grinding asphalt along Railroad Ave., beginning installation of the temporary water bypass line, pre-move walk through of buildings to be relocated, and installing the western railroad crossing to the property boundary and preparing the eastern railroad crossing.

Upcoming On-Site Work

- Overburden sampling will begin the week of June 9th.
- Strider will continue to do site preparation work including installation of silt and security fencing, installing and testing the temporary bypass line, receiving and storing sheetpile, and preparing items in the Town Park for temporary relocation.
- WSDOT will replace the United States Coast and Geodetic Survey benchmark (BM Z58) which is within the 2008 excavation footprint.
- Nickels Brothers will begin preparation work for building relocation the week of June 9th.

Raw Data

No data were received during the reporting period.

Deviations

The restoration of the levee will not be complete by July 31 due to certain plant stock not being available. BNSF will submit a letter requesting an extension for levee restoration.

BNSF continues to discuss access issues with the Town related to work on the west end of RR Avenue and Sixth Street. If access or permits are denied for work currently scheduled for early June, this may lead to a delay in portions of the work.

Document Preparation

- Submitted the Compliance Monitoring Plan and 2008 EDR Amendment #2 (which addresses metals excavation) based on Ecology’s comments.
- Submitted a revised Appendix B to the Hydraulic Containment and Control System Special Design Report on June 6th.

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	Issuance of final anticipated after public comment period

	submitted March 24, April 24 and May 9, 2008	closes on June 27, 2008.
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; revised figures and appendices submitted on May 30, 2008; revised Appendix B submitted on June 6, 2008	Text verbally approved as final by Ecology on May 30; awaiting written approval of text, figures and appendices
Draft Groundwater Monitoring Plan	May 17, 2008	Review and comment; approval
Compliance Monitoring Plan	June 5, 2008	Review and approval

Permitting

- BNSF is reviewing the NPDES permit during the 30-day comment period which ends on June 27th.
- Land clearing permit, grading permit, and right of way/use permit application for 2008 scope of work submitted to the Town on April 24, 2008.
- BNSF submitted the Town’s Historic Building (informational) Permit Applications for each of the buildings to be moved in 2008 for submission on June 2nd.

Additional Remedial Design and Planning Activities

- 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.

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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