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September 3, 2008

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

**Subject: Progress Report for Week Ending August 29, 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 August 29, 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**

- 2008 Remediation work included:
  - Installation of tie-backs and walers continued.
  - Control density fill was placed around the utility bore pit and a concrete foundation was poured in the far west vault.

- Below vertical delineation limit (VDL) excavation, dewatering and water treatment operations, oil recovery operations, excavation backfilling with stabilization fill and clean overburden, and mechanically stabilized earthen wall construction continued.
- Sanitary sewer line installation in backfilled areas.
- Preparation for the temporary road parallel to the main track. The road is expected to open on Wednesday, September 3<sup>rd</sup>.
- Nichols Brothers inspected the temporarily relocated buildings.
- S&G Landscaping relocated the Church's memorial tree.
- Additional borings in the vicinity of the Sky River Inn were completed.
- Monthly groundwater gauging in the Former Maloney Creek Zone completed.
- Piezometer, injection, and extraction well installation for the School pilot testing continued.
- Groundwater sample collection from the newly installed monitoring wells located around the School was completed.
- ENSR completed the following monitoring activities, as described in the 2008 CMP:
  - **Protection monitoring** required by MTCA regulations to confirm that human health and the environment are adequately protected during remediation activities.
  - **Performance monitoring** required by MTCA regulations to demonstrate that cleanup action has attained the designated Cleanup Levels (CULs), Remediation Levels (RLs), and other performance standards.
  - **Mitigation monitoring** to demonstrate that the mitigation requirements defined in the CAP and Environmental Impact Statement are being met.

### Upcoming On-Site Work

- Overburden excavation, below VDL excavation and sheetpile driving in the northern section of 4<sup>th</sup> Street will begin once the temporary road routing traffic between the HCC and the mainline track is open.
- Vegetation clearing in FMC West Wetland to enable pedestrian access for the investigational drilling is scheduled for the week of September 1<sup>st</sup>. No material will be removed from the wetland.
- Investigational drilling in the Former Maloney Creek West Wetland (and in the South Developed Zone/Formaloney Creek East Wetland if necessary) is scheduled for the week of September 8<sup>th</sup>.
- HCC vault delivery is scheduled for the week of September 15<sup>th</sup>.

- Anticipated delivery of anodized railing for the levee in mid-September. Anticipated delivery of plant cuttings for the levee in mid-October.

**Raw Data**

Raw data received during the reporting period have been posted via VPM.

**Deviations**

The restoration of the levee will not be complete by July 31 due to certain plant stock not being available and anodizing of the railing taking longer than expected. BNSF submitted a letter requesting an extension for levee restoration. Ecology requested some additional information regarding the plant stock. The supplier has confirmed delivery for mid-October.

**Document Preparation**

- Revising the Former Maloney Creek East Wetland Special Design Report and Restoration Plan based on preliminary Ecology comments.
- Preparing the Draft 2009 Engineering Design Report for submittal to Ecology on Monday, October 6<sup>th</sup>.

**Documents Pending Agency Review**

<b>Document Title</b>	<b>Submittal Date</b>	<b>Awaiting Agency Action</b>
Draft 2007 Levee Interim Action As-Built Report	Initial submittal August 31, 2007; supplemental information submitted January 25, 2008	Review and comment; approval
HCC Treatment building and system bid documents	May 5, 2008	Review and comment
West Wetland Delineation	July 21, 2008	Review and comment; approval
Former Maloney Creek Zone-East Wetland Mitigation Memo	August 18, 2008	Review and meeting with ENSR

**Additional Remedial Design and Planning Activities**

Washington Department of Fish and Wildlife approved the boulder turbidity mitigation option from the November 2006 Turbidity Mitigation Plan (prepared by Grette Associates). Grette Associates submitted the Joint Aquatic Resource Permits Application (JARPA) and a technical memo outlining the turbidity mitigation work to the Town of Skykomish, Washington State Department of Fish and Wildlife (WDFW), Ecology, and the Army Corps of Engineers. Additionally, a SEPA checklist was submitted to the Town and a Fish Habitat Restoration Specific Project Information Form (SPIF) was submitted to the Army Corps of Engineers. A site-visit with WDFW is scheduled for Tuesday, September 9<sup>th</sup>.

Brian Sato  
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Sincerely yours,



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cc: Amy Essig Desai- Farallon Consulting  
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Brad Petrovich, Louise Bardy, Ron Timm, Jeanne Tran – 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  
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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