

ENSR
1011 SW Klickitat Way, Suite 207, Seattle, WA 98134-1162
T 206.624.9349 F 206.624.2839 www.ensr.aecom.com

September 10, 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 September 5, 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 September 5, 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
- 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:
 - ◆ Preparation of the far west and west hydraulic control and containment (HCC) vaults in anticipation of vault delivery the week of September 15th.
 - ◆ Opening of the temporary public road between the HCC and the mainline tracks.
 - ◆ Determining grouting requirements for permanent sheetpiles that were not driven to depth.
 - ◆ Piezometer, injection, and extraction well installation for the School pilot testing continued.
 - ◆ Permit applications for building foundations were submitted.

- ◆ Vegetation clearing in FMC West Wetland to enable pedestrian access for the investigational drilling was completed on September 3rd and 4th. No material was removed from the wetland
- ◆ 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 4th Street will begin once the temporary road routing traffic between the HCC and the mainline track is open.
- Investigational drilling in the Former Maloney Creek West Wetland (and in the South Developed Zone/Formal Maloney Creek East Wetland if necessary) is scheduled for the week of September 8th.
- HCC vault delivery is scheduled for the week of September 15th.
- 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 31st 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 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
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 9th.

Sincerely yours,

Halal Voges, P.E.
Senior Program Manager
hvoges@ensr.aecom.com

cc: Amy Essig Desai – Farallon Consulting
Angie Thomson, Lauren Stensland, Hillary Johnson – Enviroissues
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
Dave Fischer – Landau
Sarah Albano, Mike Byers, Steve Howard, John Guenther, Mark Havighorst, Winston Chen, Joyce Sheldon, Ericka Camp, File 01140-204 and 01140-144 – ENSR