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October 8, 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 October 3, 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 October 3, 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.

### **On-Site Activities**

- 2008 Remediation work included:
  - ◆ Continued backfilling above groundwater table and compaction testing of material.
  - ◆ Construction water treatment plant treating water pumped from HCC vaults.
  - ◆ Grouting of sheetpiles that were not driven to design depth began.
  - ◆ Removal of temporary sheetpiles from HCC vaults.
  - ◆ Construction of remediation building continued.
  - ◆ Oil recovery operations crew began demobilization.
  - ◆ Exporting of impacted material via railcars continued.
  - ◆ Temporary road between HCC wall and mainline closed. Railroad Avenue east of 4<sup>th</sup> Street has reopened.
  - ◆ 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.
- Water line trenching and installation occurred in the Railyard for the pilot test.
- Resistive thermal heating equipment delivery occurred in the Railyard for the pilot test.
- Installation of two power poles occurred in the Railyard for the pilot test.
- Installation of 2 groundwater extraction wells occurred in the Railyard for the pilot test.
- Wilder (now Granite Construction Incorporated) scheduled a crew for levee railing installation.

### **Upcoming On-Site Work**

- Continued backfilling, dewatering from the HCC vaults, water treatment, and railcar loadout operations.
- McEvoy House scheduled to be returned to original location Saturday, October 4<sup>th</sup> with foundation construction scheduled for the week of October 6<sup>th</sup>.
- Whistling Post scheduled to be moved from temporary location the week of October 13<sup>th</sup>.
- Continued HCC sheetpile permeation grouting and removal of temporary sheetpiles from HCC vaults.
- Additional investigational drilling in Northwest Developed Zone scheduled.
- Air sparging well and HCC well installation scheduled for the weeks of October 6<sup>th</sup> and 13<sup>th</sup>.
- Installation of the last groundwater extraction well will occur in the Railyard for the pilot test
- Equipment set-up and testing for resistive thermal heating will be completed.
- Live stake cutting installation on the levee scheduled for Friday, October 10<sup>th</sup>.
- Levee railing installation scheduled to begin on Friday, October 10<sup>th</sup>.

### **Raw Data**

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

### **Deviations**

BNSF received Ecology's revised Exhibit C of the CD on Thursday, October 2<sup>nd</sup>.

### **Document Preparation**

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

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### 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
Joint Aquatic Resources Permit Application (JARPA) for NRD boulder placement	August 27, 2008	Review and permits from Ecology (401 Water Quality Certification), Army Corps (Section 404), and WDFW (HPA)
Revised Draft School Pilot Test Work Plan	September 17, 2008	Review and comment; approval

### Additional Remedial Design and Planning Activities

United States Fish and Wildlife Services (USFWS) completed their review of the JARPA for NRD boulder placement and concurs with the U.S. Army Corps of Engineers finding that the effects of the proposed project are within the range of effects addressed. National Marine Fisheries Service (NMFS) is reviewing the JARPA. If NMFS concurs as well, the U.S. Army Corps of Engineers will issue the Section 404 permit for the work.

Grette Associates is following up with the Town of Skykomish regarding the State Environmental Policy Act (SEPA) review of the JARPA and Ecology Shorelines & Environmental Assistance regarding Ecology's 401 Water Quality Certification permit.

ENSR presented the proposed Depot location to the Town Planning Commission on Monday, September 29<sup>th</sup>.

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