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October 29, 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 24, 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 24, 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:
 - ◆ Continuation of permeation grouting on the east end of Railroad Ave
 - ◆ Completed installation of ductile iron water line and service connections
 - ◆ Whistling Post move was completed and the building was set on its new foundation
 - ◆ The McEvoy House is currently being set down on its foundation
 - ◆ Completed the tie-in to Town sewer lift station
 - ◆ Continued construction of HCC building
 - ◆ Continued rail car load out
 - ◆ Completed installation of stormwater drain and associated catch basins
 - ◆ Continued backfilling with structural fill - Railroad Ave is almost up to grade
 - ◆ Continued de-watering the west, center and east gate vaults with the on-site waste water treatment system

- ◆ 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. As approved by Ecology on Friday, October 24th, monitoring for particulates, lead, arsenic, and petroleum distillates has been discontinued for this construction season. Weekly air-phase petroleum hydrocarbons (APH) sample collection downwind of the pilot study area only will continue. Noise monitoring will be performed until the grouting and soil load out operations have been completed.
 - 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.
- Temporary power installed and connected to resistive thermal and gradient control equipment at the School pilot testing location.
- Continued testing of resistive thermal heating equipment and performed pre-startup health and safety monitoring at the School pilot testing location.
- Tested the gradient control system and optimized flow rates at the School pilot testing location.
- Wilder (now Granite Construction Incorporated) continued levee railing installation. The railing order was missing a panel. A replacement panel has been ordered and we are waiting for an estimated delivery date from the supplier.

Upcoming On-Site Work

- Installation of recovery and injection wells by Tacoma Pump and Drill
- Continue permeation grouting
- Provide utility connections to Whistling Post and McEvoy building
- Perform backfill and grading on Railroad Avenue
- Continue rail car load out
- Continue to de-water the west, center and east gate vaults with the on-site waste water treatment system
- Start joint utility trench installation pending construction agreement approval, and, design finalization.
- Potentially start asphalt treated base road installation
- Startup of the resistive thermal heating system at the School pilot testing location.
- Collect air samples and samples from the pilot system water treatment system at the School pilot testing location
- Boulder placement for turbidity mitigation scheduled to be completed on Friday, October 31st.

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Raw Data

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

Deviations

BNSF received Ecology's October 20th letter approving of an extension of the October 19th for implementation of the Turbidity Mitigation Plan as required under Section XVIII.G. of the Consent Decree in order to perform a thorough health and safety review of the helicopter company selected for the work. The implementation deadline has been extended to Friday, October 31st.

Document Preparation

- Revising the Former Maloney Creek East Wetland Special Design Report and Restoration Plan based on preliminary Ecology comments.

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
Revised Draft School Pilot Test Work Plan	September 17, 2008	Review and comment; approval
Draft 2009 EDR	October 6, 2008	Review and comment; approval

Additional Remedial Design and Planning Activities

Additional investigational drilling in Northwest Developed Zone and FMC East Wetland/South Developed Zone (along Old Cascade Hwy) is scheduled for the weeks of November 3rd and 10th.

Sincerely yours,



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