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November 12, 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 November 7, 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 November 7, 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 of sheetpiles along Railroad Ave.
 - ◆ Removal and de-commissioning of temporary water bypass line completed.
 - ◆ Continued restoration of Whistling Post and McEvoy House properties.
 - ◆ Continued construction of HCC building.
 - ◆ Continued load out and transporting of excavation spoils to disposal facility via rail.
 - ◆ Installation of HCC recovery and injection wells.
 - ◆ Continued final grading of Railroad Ave.
 - ◆ Continued de-watering the west, center and east gate vaults and treating the pumped groundwater with the on-site waste water treatment system
 - ◆ Initial metals excavation on Cascadia, Javier, and Elrod properties 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. The air monitoring program was scaled back with Ecology's approval based on completion of much of the handling of impacted soils and the results of monitoring to date. Noise monitoring is continuing until all soils are loaded out and permeation grouting has been completed. Air samples were not collected this week due to problems with sample containers. Weekly APH sampling will continue as outlined in the Pilot Test Work Plan the week of November 10, 2008. All other air monitoring activities have been discontinued pending start-up of the air sparging system.
- 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.
- Clear Creek Contractors continued operations and maintenance of the resistive thermal heating system at the School Remediation Pilot Test Plot on the railyard.
- Collected the School Remediation Pilot Test Plot water treatment system weekly effluent sample.
- Monitored the gradient control system at the School Remediation Pilot Test Plot on the railyard.
- Performed maintenance on resistive thermal heating system extraction pump at the School Remediation Pilot Test Plot on the railyard.
- Continued to plan for mobilization of hot water steam flushing pilot test equipment to the School Remediation Pilot Test Plot on the railyard.
- Initial angle borings drilled on Cascadia property.
- Wilder (now Granite Construction Incorporated) continued levee railing installation. The railing order was missing a panel. The replacement panel has been manufactured and is being sent to be anodized. This process could take up to 3 weeks.

Upcoming On-Site Work

- Complete permeation grouting.
- Continue restoration activities on Whistling Post and McEvoy structures and properties.
- Perform asphalt treated base paving on Railroad Avenue, weather permitting.
- Continue rail car load out.
- Continue to de-water the west, center and east gate vaults and treat pumped groundwater with the on-site waste water treatment system
- Start joint utility trench installation pending Town approval of the Schedule 74 agreement between the Town and Puget Sound Energy.
- Clear Creek Contractors to continue 24-hour monitoring of School Remediation Pilot Test Plot on the railyard.
- Collect air samples from the resistive thermal heating soil vapor extraction system at the School Remediation Pilot Test Plot on the railyard.

Brian Sato
Page 3

- Continue angle borings in Northwest Developed Zone and FMC East Wetland/South Developed Zone (along Old Cascade Highway). Install angle wells 2B-W-45 and 2B-W-46 along Old Cascade Highway.
- Install well 5-W-42, a replacement for MW-43, along West River Road, west of 2006 levee remediation area.

Raw Data

Data received during the reporting period have been submitted via virtual project manager.

Deviations

The levee railing manufacturer (SAPA) is anodizing the last railing panel. The installation of this panel depends on SAPA's anodizing schedule and delivery. It is currently estimated that this work will be completed prior to the November 30, 2008 deadline for restoration of the levee.

Document Preparation

- Revising the Former Maloney Creek East Wetland Special Design Report and Restoration Plan based on preliminary Ecology comments.
- Revising the Draft 2009 EDR based on 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

Sincerely yours,



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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, Dawn Hooper – 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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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