

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

November 19, 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 14, 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 14, 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:
  - Completion of permeation grouting of the sheetpiles not driven to plan elevation.
  - Continuation of exporting impacted soils via rail car.
  - Continuation of West, Center and East Gate Vaults dewatering and treatment at the construction water treatment system.
  - Stormwater management during rainstorm and phase 3 flood event.
  - Continued installation of the HCC utility trench along Railroad Avenue.
  - Continued restoration of the McEvoy House and Whistling Post properties.
  - Preliminary grading of Railroad Ave. for paving with asphalt treated base.
  - Receiving and installing HCC remediation building mechanical components
    - Oil/water separator
    - Sand filters
    - GAC

- Pumps
- Tanks
- 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. Weekly APH sampling as outlined in the Pilot Test Work Plan was completed. 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.
- 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.
- Installed a new pump to redirect stormwater around the School Remediation Pilot Test Site on the railyard.
- Continued to plan for mobilization of hot water steam flushing equipment at the School Remediation Pilot Test Plot on the railyard.
- The resistive thermal heating system at the School Remediation Pilot Test Plot was turned off on November 6, 7, and 12 due to safety concerns caused by ponding of water near the test pads. Additionally, the soil vapor extraction system for the resistive thermal heating pilot test pad was turned off due to high water levels.
- Collected the School Remediation Pilot Test Plot water treatment system weekly effluent sample.
- Continued angle borings in Northwest Developed Zone and FMC East Wetland/South Developed Zone (along Old Cascade Highway). Installed angle wells 2B-W-45 and 2B-W-46 along Old Cascade Highway.
- Installed well 5-W-42, a replacement for MW-43, along West River Road, west of 2006 levee remediation area.

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

- Continue rail car load out.
- Continue to de-water the west, center and east gate vaults and treat pumped groundwater with the construction water treatment system.
- Asphalt treated base grading and asphalt installation along Railroad Ave.

- Continue rail car load out.
- Continue HCC building system installation.
- Joint utility trench installation.
- Continue restoration activities for the Whistling Post and McEvoy House properties.
- 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.

### **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. SAPA's delivery schedule for the final panel will not meet the November 30<sup>th</sup> deadline for levee restoration. A letter requesting an extension to this consent decree deadline is being prepared.

### **Document Preparation**

- On November 11, 2008, BNSF submitted a notice of potential noncompliance with effluent limitations under NPDES Permit No. WA-003212-3 on 11/5/08. Analysis of a re-extraction of the effluent sample was non-detect for total petroleum hydrocarbons (TPH). The preliminary results from the laboratory were incorrect due to a labeling error that occurred at the laboratory during sample log-in.
- Effluent samples collected on November 12th indicated that TPH concentrations exceeded permitted discharge limits. Process samples collected by the water treatment system operators were non-detect for TPH. A notice of potential non-compliance summarizing the results and actions taken is being prepared.
- Submitted Fourth Draft of the Pilot Test Work Plan, Request for Approval of Work Plan Revisions to Ecology on November 13th.
- Submitted CAP Amendment and Excavation Feasibility Evaluation Technical Memorandum to Ecology on November 10th.
- 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.

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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
Revised Draft School Pilot Test Work Plan	November 13, 2008	Review and approval
CAP Amendment and Excavation Feasibility Evaluation Technical Memorandum	November 10, 2008	Review and comment; approval

Sincerely yours,

Sarah Albano, P.E.  
Project Engineer  
salbano@ensr.aecom.com

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.  
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