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January 28, 2009

Brian Sato, P.E.
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452

**Subject: Progress Report for Week Ending January 23, 2009
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 January 23, 2009 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 west, center and east gate vaults dewatering and treatment at the construction water treatment system and in the remediation building. Continuation of twice weekly gauging.
- Tested the hydraulic containment and control water treatment system in the remediation building in preparation of switching water treatment over.
- Completed the repair of Cascadia Inn drainfield.
- Completed removal of the west temporary railroad crossing access road.
- Completed structural assessment and began historical documentation of the Skykomish Hotel.
- Continued equipment installation in the hydraulic containment and control system vaults and remediation building.

Upcoming On-Site Work

- Transfer of water treatment from construction water treatment system to system in remediation building. System will be operated manually until all controls have been installed.
- Start demobilization of the construction water treatment system.
- Installation of temporary street lights on Railroad Avenue.
- Site restoration to be completed at a later time includes: final paving of roads, installation of curb and gutter, final sidewalks, and installation of the irrigation system in the Town park.
- Continue twice weekly gauging in the vicinity of the hydraulic containment and control system.
- Complete historical documentation of the Skykomish Hotel.
- Joint utility trench installation delayed until weather conditions improve.
- Delivery of granular activated carbon for hydraulic containment and control vaults scheduled for the week of January 26th. Installation of granular activated carbon and granular material in the vaults scheduled for the week of February 9th.

Raw Data

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

Deviations

There are no deviations from the consent decree schedule to report at this time.

Document Preparation

- Revising construction plans and specifications to cover a multi-year bid and for submittal to Ecology on February 16, 2009.
- Finalizing the 2009 Engineering Design Report for submittal to Ecology on February 16, 2009.
- Revising the Draft 2007 Levee Interim Action As-Built report to reflect 2008 activities and in response to Ecology's comments for submittal to Ecology on January 30, 2009.

Documents Pending Agency Review

Document Title	Submittal Date	Awaiting Agency Action
West Wetland Delineation	July 21, 2008	Review and comment; approval
CAP Amendment and Excavation Feasibility Evaluation Technical Memorandum	November 10, 2008	Review and comment; approval
Former Maloney Creek East Wetland Special Design Report and Restoration Plan	December 5, 2008	Review and approval

Additional Remedial Design and Planning Activities

BNSF received Ecology's approval of extensions to several consent decree deadlines including: submittal of the Final Annual Engineering Design Report (December 19, 2008), submittal of

construction plans and specifications (January 16, 2009), submittal of draft annual remediation system reports (February 6 and February 20, 2009), and submittal of final annual remediation system reports (May 1 and May 15, 2009).

BNSF, Ecology, and the Skykomish School District met on Wednesday, January 21st to discuss treatment options at the School.

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, 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
Halah Voges, Mike Byers, Steve Howard, John Guenther, Mark Havighorst, Winston Chen,
Joyce Sheldon, Ericka Camp, Dan Davis, Lisa Miller, File 01140-204 and 01140-144 –
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