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February 11, 2009

Corrected February 13, 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 February 6, 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 February 6, 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 manual operation of HCC treatment system in the remediation building. Continuation of twice weekly gauging.
- Continued equipment installation in the hydraulic containment and control system vaults and remediation building including an underground power connection to the remediation building.
- Completed demobilization of the construction water treatment system.
- Removed some of the temporary fencing at the Site.
- Continued restoration on the McEvoy House including installation of a weather head extension, Labor and Industries inspection, and power hook-up.

Upcoming On-Site Work

- 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.
- Joint utility trench installation scheduled to start the week of February 9th.
- Granular material delivery scheduled for the week of February 9th. Installation of granular activated carbon and granular material in the vaults currently scheduled for the week of February 16th.
- Continue installation of electrical wire feeds to the hydraulic containment and control system gate vaults and associated equipment.
- Continue restoration of McEvoy House.
- Monthly site-wide gauging scheduled for the week of February 16th.

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

- Submitted revised electronic versions of the Former Maloney Creek East Wetland Special Design Report and Restoration Plan to Ecology on Friday, February 6th.
- 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.
- Preparing the Draft Compliance Monitoring Plan Update for submittal to Ecology on February 27, 2009.
- Producing the revised 2007-2008 Levee Interim Action As-Built as approved by Ecology on Monday, February 2nd.

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	February 6, 2009	Review and approval

Additional Remedial Design and Planning Activities

Teleconference with BNSF and Ecology to discuss coordination of School cleanup with other phases of the cleanup scheduled for Tuesday, February 9th.

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
Henry Sladek- Cascadia Inn Owner
John Robinson – US Forest Service
Larry Johnson – Light Brigade
Michael Moore – Skykomish Environmental Coalition
Tom Bean – King County
Halvah Voges, Mike Byers, Steve Howard, John Guenther, Mark Havighorst, Winston Chen,
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