

AECOM Environment
710 2nd Avenue, Suite 1000, Seattle, WA 98104
T 206.624.9349 F 206.623.3793 www.aecom.com

April 15, 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 April 10, 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 April 10, 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

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.
- Operation of the air sparging system. Completed the final weekly start-up sampling of groundwater monitoring and vapor monitoring. Weekly sampling was required for the first month of operation per the 2008 Compliance Monitoring Plan. Crawl space air monitoring was also completed this week. Air monitoring will continue weekly for the next two months per the 2008 Compliance Monitoring Plan.
- Installed recovery wells RW-7 and 8 on the Railyard.

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- Verizon continued to pull their lines in the joint utility trench.

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 HCC operations in manual mode including twice weekly gauging in the vicinity of the hydraulic containment and control system and NPDES sampling of the manually operated hydraulic containment and control system.
- Follow-up structural assessment and residential inspection of McEvoy House scheduled for Tuesday, April 14th.
- Resolution of utility conflicts at the intersection of 5th Street and Railroad Avenue.

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

- Received Ecology's approval to finalize the Draft Bridge Coordination Report on Tuesday, April 7th.
- Construction Plans and Specifications and three addenda issued for bid have been submitted to Ecology as the Final Construction Plans and Specifications due April 15th. Hard copies of the "For Construction" Plans and Specifications will be provided to Ecology once they are finalized.

Documents Pending Agency Review

Document Title	Submittal Date	Awaiting Agency Action
2007-2008 Levee Interim Action As-Built Completion Report	Electronic: January 28 2009 Hardcopy: February 12, 2009	Review and approval
2009 Engineering Design Report	February 17, 2009; Revised App. B finalized on March 17, 2009; Draft Addendum 1 submitted on March 26, 2009	Review and approval
Former Maloney Creek East Wetland Special Design Report	March 23, 2009	Review and approval
Draft Former Maloney Creek West Wetland Special Design Report	March 31, 2009	Review and comment
Draft 2008 As-Built Completion Report	March 31, 2009	Review and comment

Document Title	Submittal Date	Awaiting Agency Action
Draft School Comparative Physical Testing Study Report	April 1, 2009	Review and comment

Additional Remedial Design and Planning Activities

BNSF is working with property owners on outstanding access agreements and preparation for temporary relocation.

BNSF representatives and Ecology met on Tuesday, April 7th to discuss School coordination with the overall project.

BNSF representatives and Ecology met on Thursday, April 9th to discuss the 2009 Compliance Monitoring Plan, laboratory method reporting limits, material distribution in the hydraulic containment and control vaults, and the proposed location of compliance well EW-2.

BNSF representatives will present the technologies under consideration for the School to parents and teachers on Tuesday, April 14th.

BNSF representatives will attend the Wednesday, April 15th Design Review Board Meeting.

Public comment period on Cleanup Action Plan amendment ends on April 21, 2009.

Sincerely yours,



Sarah Albano, P.E.

Project Engineer

sarah.albano@aecom.com

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, Kimberly McCullough – Skykomish School District
Gary West – Skykomish Resident
Henry Sladek- Cascadia Inn Owner
John Robinson – US Forest Service
Larry Johnson – Light Brigade

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Lorna Goebel- Skykomish Resident
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 01140-222 – AECOM