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May 20, 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 May 15, 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 May 15, 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

On-site 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. Crawl space air monitoring was also completed this week.
- Hazardous materials survey of buildings designated for demolition or relocation in 2009 and 2010 completed.

- Preparation for temporary post office facilities on the former USFS compound began Wednesday, May 13th by removing grass and top soil. Crushed rock is scheduled to be placed the week of May 18th.

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.
- Placement of topsoil east of the Whistling Post Tavern, weather permitting, once owner completes painting.
- Placement of Soil Cement on the railyard is postponed pending contracting with a new vendor.
- Preparation for the temporary post office facilities including paving, trailer delivery and utility hook-up.
- Temporary asphalt treated base along Railroad Avenue is scheduled to be placed the week of May 18th.
- Installation of an underground vault to house a Verizon pedestal is scheduled for the week of May 18th.

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.

The second amendment to the consent decree was entered by the court on Monday, May 11th.

Document Preparation

- Ecology has approved Addendum 1 to the 2009 Engineering Design Report on Tuesday, May 12th.
- Received Ecology's comments on the Draft Former Maloney Creek West Wetland Special Design Report on Monday, May 11th.
- Preparing the Draft School Alternatives Evaluation Report for submittal to Ecology by June 1, 2009.

Documents Pending Agency Review

Document Title	Submittal Date	Awaiting Agency Action
Draft 2008 As-Built Completion Report	Electronic text and appendices, hard copy figures and tables: March 31, 2009	Review and comment

Document Title	Submittal Date	Awaiting Agency Action
Draft 2007-2008 Annual Site-Wide Groundwater Monitoring Report	Electronic text and appendices, hard copy tables and figures: April 29, 2009	Review and comment

Additional Remedial Design and Planning Activities

BNSF representatives will be attending the design review board meeting on May 20th.

BNSF and BNSF representatives will be meeting with Ecology and the US Army Corps of Engineers on May 20th to discuss in-water work permits (JARPAs) for the project.

BNSF is preparing an informational building permit for the temporary post office facility.

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

BNSF is contracting with the selected general contractor and selected mobile laboratory.

BNSF representatives and Ecology discussed coordination between the School remediation and overall project during their conference call on Tuesday, May 12th.

BNSF representatives attended the school board meeting on Tuesday, May 12th.

A public meeting is scheduled for Thursday, May 28th.

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, Kimberly McCullough – Skykomish School District
Gary West – Skykomish Resident
Henry Sladek- Cascadia Inn Owner

John Robinson – US Forest Service
Larry Johnson – Light Brigade
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