

AECOM Environment

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July 8, 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 July 3, 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 July 3, 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.
- On-going preparation on the General Store and Skykomish Hotel for relocation.
- Sampling for metals on the Weideman and Town Hall properties on Wednesday, July 1st.
- Completion of the jack and bore operation at 5th Street intersection.
- Continuation of overburden sampling.

- Began mobilization of the construction water treatment plant to the site.
- AECOM 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.
 - 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.

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 Soil Sement on the railyard is postponed pending completion of contracting with a new vendor.
- Continued preparation for moving the General Store and Skykomish Hotel. General Store is scheduled to be temporarily relocated the week of July 6th.
- Continue overburden sampling.
- Continued mobilization of the construction water treatment system to the site.
- Sampling of wells 5-W-43 and GW-2 as required by the Compliance Monitoring Plan on Tuesday July 7th.

Raw Data

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

Deviations

On Monday, June 29th, Ecology conditionally approved BNSF's request for an extension of the Final School Alternatives Evaluation Report consent decree deadline from July 1st to August 15th. BNSF provided additional information to Ecology on Wednesday, July 1st.

Document Preparation

- Submitted the revised Former Maloney Creek West Wetland Special Design Report electronically to Ecology on Tuesday, June 30th.
- Preparing 2009 Investigation Work Plan for submittal to Ecology.
- Revising the Draft 2008 As-Built Report to address Ecology's comments from May 19th and to include a section that identifies work not completed in 2008 as directed by Ecology on Saturday, June 20th.

- Received Ecology's approval of the 2007-2008 Annual Groundwater Monitoring Report on Wednesday, July 1st.
- Received Ecology's approval of 2009 Compliance Monitoring Plan Minor Modification 1 on Friday, July 3rd.
- Received Ecology's comments on the Draft School Alternatives Evaluation Report on Friday, June 19th.

Documents Pending Agency Review

| Document Title | Submittal Date | Awaiting Agency Action |
|---|---|------------------------|
| Draft Air Sparging Annual Report | Electronic submittal on June 10, 2009. | Review and comment |
| Draft 2008 Remedial Design Investigation Report Addendum 1 | Electronic submittal on June 22, 2009. Hard copies of text, figures, and CD of photographs submitted on July 1, 2009. | Review and comment |
| Draft Hydraulic Containment and Control Annual Report | Electronic submittal on June 24, 2009 | Review and comment |
| Revised Former Maloney Creek West Wetland Special Design Report | Electronic submittal on June 30, 2009 | Review and approval |

Additional Remedial Design and Planning Activities

Intact historic features have been identified during the sampling. An archeological excavation permit application was submitted to the Department of Archeology and Historic Preservation on Thursday, July 2nd.

Received an extension of the Hydraulic Project Approval from Washington Department of Fish and Wildlife for investigation in the Former Maloney Creek West Wetland.

BNSF representatives are preparing Joint Aquatic Resources Permit Applications for submittal to the U.S. Army Corps of Engineers for: 1) remediation in the west wetland in 2010; 2) remediation in the vicinity of the bridge abutment in 2010; and 3) remediation in the east wetland in 2010.

Sincerely yours,



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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
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