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December 23, 2009

Brian Sato, P.E.  
Department of Ecology  
Northwest Regional Office  
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Bellevue, WA 98008-5452

**Subject: Progress Report for Week Ending December 18, 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 December 18, 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**

- Continued operation of the hydraulic containment and control system.
- Continued operation of the air sparging system.
- Owner walk-through of the Skykomish Hotel was completed on Thursday, December 17<sup>th</sup>.
- Potelco completed distribution loop for power at the 5<sup>th</sup> Street bridge.

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- AECOM completed the following monitoring activities, as described in the 2009 CMP:
  - Protection monitoring required by MTCA regulations to confirm that human health and the environment are adequately protected during remediation activities in the Joselyn property crawl space.
  - 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. Vapor samples were collected from the soil vapor monitoring wells and groundwater samples were collected from the air sparging system performance monitoring wells. Quarterly groundwater monitoring was completed. Well 5-W-43 was not sampled due to field conditions.

**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.
- Pulling of electrical wire in conduit anticipated to be complete by year-end.

**Raw Data**

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

**Deviations**

There are no deviations to report at this time.

**Document Preparation**

- Preparing construction plans and specifications for 2010 remediation.
- Submitted revised 2010 Engineering Design Report (EDR) in response to Ecology’s comments to Ecology on December 15<sup>th</sup>. Received Ecology comments on Thursday, December 17<sup>th</sup>. Updated revised 2010 EDR submitted on Friday, December 18<sup>th</sup>. Received Ecology comments on Friday, December 18<sup>th</sup>. Per the consent decree, the final version of the 2010 EDR is due to Ecology on January 18, 2010, 30 days after receipt of final Ecology comment.

**Documents Pending Agency Review**

Document Title	Submittal Date	Awaiting Agency Action
Final School Alternatives Evaluation Report	Electronic submittal on September 18, 2009; Response to comments submitted September 22, 2009	Review and approval
Dioxin Data for FMC Areas Memo	Electronic submittal on November 20, 2009	Review and comment

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## Additional Remedial Design and Planning Activities

Preparing investigation report presenting 2009 investigation results.

BNSF representatives contacting property owners regarding access for the 2010 remediation activities.

BNSF representatives met with the Town of Skykomish to discuss the Town's proposed alternative mitigation for the Former Maloney Creek East Wetland on Tuesday, December 15<sup>th</sup>.

Sincerely yours,



Sarah E. 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 – Ecology  
Bruce Sheppard – BNSF  
Chris Yates, Clint Stanovsky, Fred Black, Kevin Wiederstrom – Town of Skykomish  
Craig Trueblood – K&L Gates  
Daryl Petrarca – Adapt Engineering, Inc.  
David Carson – Bell & Ingram, P.S.  
Jeff Long, 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  
Mike Byers, Rich Truax, Halah Voges, Steve Howard, John Guenther, Mark Havighorst,  
Winston Chen, Joyce Sheldon, Ericka Camp, Dan Davis, Lisa Miller, File 60136319 –  
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