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January 20, 2010

Brian Sato, P.E.
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452

**Subject: Progress Report for Week Ending January 15, 2010
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 January 15, 2010 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

- The hydraulic containment and control system has been shut down at Ecology's request. Groundwater samples were collected as required by the Ecology-approved Compliance Monitoring Plan.
- Continued operation of the air sparging system.

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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.
- Change-out of the hydraulic containment and control system granular activated carbon is scheduled for Tuesday, January 19th. The system will be restarted at that time.
- Installation of the permanent pH system is scheduled for early February.

Raw Data

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

Deviations

Received Ecology's letter dated January 11th granting the request for extension for obtaining school access and evaluating the alternative remedy option for the Former Maloney Creek East Wetland.

Document Preparation

- Submitted draft construction plans and specifications for 2010 remediation electronically on January 15th.
- Reached agreement with Ecology on January 12th regarding text changes to revised draft 2010 EDR to address Ecology's December 16th comments regarding potential need for institutional controls and/or restrictive covenants if contamination is left around bridge abutment after excavation is complete.
- Preparing Former Maloney Creek East Wetland Special Design Report Addendum.
- Preparing Hydraulic Containment and Control System and Air Sparging annual performance reports.

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
Draft Hydraulic Containment and Control System Operations and Maintenance Manual	Electronic submittal on December 30, 2009	Review and comment

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Document Title	Submittal Date	Awaiting Agency Action
Draft Air Sparging Operations and Maintenance Manual	Electronic submittal on December 30, 2009	Review and comment
Hydraulic Containment and Control System SDR Addendum 2	Electronic submittal on January 8, 2010	Review and comment
Draft 2009 Remedial Design Investigation Report	Electronic submittal on January 14, 2010	Review and comment
Draft Construction Plans and Specifications	Electronic submittal on January 15, 2010. Hard copy submittal on January 19, 2010.	Review and comment

Additional Remedial Design and Planning Activities

Submitted investigation report presenting 2009 investigation results on Thursday, January 14th.

Submitted Consent Decree and Cleanup Action Plan amendments for the Former Maloney Creek East Wetlands to Ecology on Wednesday, January 13th.

Preparing annual groundwater monitoring report presenting groundwater monitoring results from October 2008 through September 2009.

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

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
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

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Larry Johnson – Light Brigade
Lorna Goebel and Charlotte Mackner- Skykomish Residents
Michael Moore – Skykomish Environmental Coalition
Mike Byers – Crete Consulting Inc.
Tom Bean – King County
Rich Truax, Halah Voges, Steve Howard, John Guenther, Mark Havighorst, Winston Chen,
Joyce Sheldon, Ericka Camp, Dan Davis, Lisa Miller, File 60136319 – AECOM

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