



AECOM
710 Second Avenue, Suite 1000
Seattle, WA 98104

206.624.9349 tel
206.623.3793 fax

March 3, 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 February 26, 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 February 26, 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 this 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.
- Protection (Joselyn House crawl space) monitoring and performance (vapor well and groundwater well) monitoring completed on Tuesday, February 23rd.

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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.

Raw Data

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

Deviations

There are no schedule deviations to report at this time.

Document Preparation

- Revising Hydraulic Containment and Control System Special Design Report Amendment 2 in response to Ecology comments.
- Preparing Former Maloney Creek East Wetland Special Design Report Addendum pending Ecology approval of the revised CAP language.
- Submitted the 2010 Compliance Monitoring Plan Update to Ecology on Friday, February 26th. Appendices to the Compliance Monitoring Plan Update include: Air and Noise Monitoring Plan, Groundwater Monitoring Plan, Archeological Monitoring and Discovery Plan, Geotechnical Action Plan, and Sampling and Analysis Plan.
- Received Ecology's approval of the 2010 Public Participation Plan. This will be included as an appendix to the 2010 Engineering Design Report.

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Documents Pending Agency Review

Document Title	Submittal Date	Awaiting Agency Action
Dioxin Data for FMC Areas Memo	Electronic submittal on November 20, 2009	Review and comment
Consent Decree and Cleanup Action Plan amendments for the Former Maloney Creek East Wetlands	Electronic submittal on January 13, 2010	Review and comment
Draft Construction Plans and Specifications	Electronic submittal on January 15, 2010. Hard copy submittal on January 19, 2010	School review and comment
Draft 2009 Annual Air Sparging System Report	Electronic submittal on February 3, 2010	Review and comment
Draft 2009 Annual Hydraulic Control and Containment System Report	Electronic submittal on February 19, 2010	Review and comment
Draft Compliance Monitoring Plan Update (including Groundwater Monitoring Plan, Air and Noise Monitoring Plan, Sampling and Analysis Plan, Geotechnical Action Plan, and Archeological Monitoring and Discovery Plan.	Electronic submittal on February 26, 2010	Review and comment

Additional Remedial Design and Planning Activities

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

BNSF representatives issued the 2nd addendum to the constructions plans and specifications for bid on Thursday, February 25th. The 3rd addendum to the construction plans and specifications for bid was sent on Friday, February 26th.

BNSF, Ecology, and the Washington State Department of Ecology met on Thursday, February 25th to discuss the Bridge work. A follow-up meeting is scheduled for Thursday, March 11th.

BNSF representatives preparing biological assessments in support of Joint Aquatic Resources Permit Applications.

Pre-bid meeting at the School took place on Wednesday, February 24th.

Relocation of the Town Maintenance operations, County Sheriff, and Skykomish historical society museum to the former USFS compound scheduled for the week of March 8th.

Sincerely yours,

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Sarah E. 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 – 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
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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