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September 29, 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 September 24, 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 September 24, 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

- Continued operation and maintenance of the hydraulic containment and control (HCC) system. Operation of the air sparging system.
- The construction wastewater treatment system has been treating and discharging construction water resulting from rainfall on the soil handling facility.
- Continued restoration of the General Store, Town Community Center, Cascadia Inn restaurant, Wheatley house, Town Maintenance Building, and Opera House. Continued to complete items on the Mackner house and cottage punch-list.
- Semi-annual site-wide groundwater monitoring was completed.

- Load out of impacted material in rail cars continued.
- AECOM completed the following monitoring activities, as described in the 2010 CMP:
 - Protection monitoring required by MTCA regulations to confirm that human health and the environment are adequately protected during remediation activities.
 - 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.
- Hydraulic control and containment and air sparging systems operation and maintenance.
- Continue restoration of Opera House, Wheatley House, General Store, Community Center, Town Maintenance Building, Mackner buildings, and Cascadia Inn Restaurant.
- Update computer program for HCC as required for inclusion of RW-09.
- Final grading of private properties in the Former Maloney Creek East Wetland Zone.
- Cast in place piping is scheduled to be placed in the culvert between the Former Maloney Creek East and West Wetlands the week of September 27th.
- Shallow metals excavation on the railyard to be completed in a future construction season.

Raw Data

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

Deviations

It will not be possible to complete the west end levee and bridge in-river work during the 2010 construction period and fish window as previously reported. This work will be rescheduled once the U.S. Army Corps of Engineers permit is obtained.

Document Preparation

Preparing Former Maloney Creek East Wetland Special Design Report Amendment 2 to document changes in the design for the stormwater basin.

Documents Pending Agency Review

Document Title	Submittal Date	Awaiting Agency Action
Additional Subsurface Investigation and Preliminary Implications for Cleanup Alternatives, Skykomish School	September 14, 2010	Review and comment

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 – 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.
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