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January 14, 2011

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

**Subject: Progress Report for Month Ending December 31, 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 month ending December 31, 2010 and provides:

- A list of on-site activities that have taken place during the month
- 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.
- Completed punch list items associated with restoration of Cascadia Inn Restaurant as necessary.
- Quarterly groundwater sampling and monthly performance monitoring of the air sparging system was completed the week of December 13th.

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.
- Update computer program for HCC as required for inclusion of RW-09.
- Shallow metals excavation on the railyard to be completed in a future construction season.
- Monthly air sparging system performance and protection monitoring is scheduled to be completed the week of January 24th.

Raw Data

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

Environmental Information Management System (EIMS) submittal for all soil and groundwater data continues to be under Ecology review.

Deviations

It was not 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.

Documents Pending Agency Review

Submitted the *Draft 2010 Hydraulic Control and Containment Operations and Maintenance Manual* for system updates installed in 2010 on Thursday, December 30th.

No system updates were made to the air sparging system in 2010 so the Air Sparging Operations and Maintenance Manual has not been updated.

Received Ecology comments on the *Draft School Alternatives Evaluation Report Addendum* on Wednesday, December 29th.

Document Title	Submittal Date	Awaiting Agency Action
Additional Subsurface Investigation and Preliminary Implications for Cleanup Alternatives, Skykomish School	September 14, 2010	Review and comment
National Pollutant Discharge Elimination System Renewal Application	November 4, 2010	Review and approval by Ecology's Water Quality Program
Draft 2010 Hydraulic Control and Containment Operations and Maintenance Manual	December 30, 2010	Review and comment

Pursuant to Section XI of the Consent Decree, BNSF is submitting progress reports monthly until the start of construction activities which are anticipated to resume in June 2011.

Sincerely yours,



Sarah E. Albano, P.E.
Project Manager
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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
Charlotte Mackner, Teddy Jo Ryder- Skykomish Residents
Lorna Goebel- Skykomish Environmental Coalition
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