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April 21, 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 April 16, 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 April 16, 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.
- Operation of the air sparging system and repair of leak.
- Mobilization for remaining Northwest Developed Zone work (between 5th and 6th Streets) on Monday, April 12th.
- Minor grading of clean fill on properties remediated in 2009. Tying in of a dry well to the storm drain system in 4th Street.
- Moved Theater building contents.

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 maintenance. Replacement of pump in RW-6.

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

- Submitted the revised 2010 Engineering Design Report and Compliance Monitoring Plan (and appendices) to exclude the work on School Property west of 6th Street on Monday, April 12th.
- Submitted final hard copies of the Hydraulic Containment and Control System Special Design Report Amendment 2 and the 2009 Annual Air Sparging System Report on Wednesday April 14th to Ecology.
- Submitted school EDR comments to Ecology and School on April 15 that identified technical vs. non-technical comments.
- Revising Draft Annual Hydraulic Containment and Control System Operations Report- 2009 based on Ecology comments.
- Submitted revised language for the 3rd amendment to the Consent Decree and Cleanup Action Plan.

Documents Pending Agency Review

Document Title	Submittal Date	Awaiting Agency Action
Consent Decree and Cleanup Action Plan amendments for the Former Maloney Creek East Wetlands	Electronic submittal on April 14, 2010	Initiation of public comment
Draft As-Built Report for 2009	Electronic submittal on March 31, 2010	Review and comment
Former Maloney Creek Special Design Report Amendment #1 and Hydrology Report	Electronic submittal on April 9, 2010	Review and comment
Revised Draft 2010 Engineering Design Report	Electronic submittal on April 12, 2010	Review and Comment

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Document Title	Submittal Date	Awaiting Agency Action
Revise 2010 Compliance Monitoring Plan Update (including Sampling and Analysis Plan and Groundwater Monitoring Plan)	Electronic submittal on April 12, 2010	Review and Comment

Additional Remedial Design and Planning Activities

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

30 day public comment on the Department of Archeology and Historic Preservation Excavation Permit application is anticipated to end on April 28th.

Submitted Town traffic control plan for bridge closure to WSDOT on Tuesday, April 13th.

Received questions from the U.S. Army Corps of Engineers on the Biological Evaluations (BE) submitted in support of the Joint Aquatic Resource Permits Application (JARPA) on Thursday, April 15th.

Design Review Board meeting scheduled for Wednesday, April 21st.

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
Larry Johnson – Light Brigade
Lorna Goebel and Charlotte Mackner- Skykomish Residents
Michael Moore – Skykomish Environmental Coalition

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Mike Byers – Crete Consulting Inc.
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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