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July 7, 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 July 2, 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 July 2, 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 and maintenance of the hydraulic containment and control (HCC) system. Operation of the air sparging system.
- Construction waste water treatment system was operational.
- Continued layout and constructing of the Cascadia foundation.
- Continued construction of the Community Center, Town Maintenance Building, and Opera House foundations.
- The 5th Street bridge was re-opened on Saturday June 26th.

- Returned the Wheatley House and the General Store to their parcels.
- Completed test pits along the Robinson Garage to determine if impacts extended beneath the structure.
- Shallow metals excavations on the railyard and behind the library were completed and backfilled.
- Continued routine cleaning of small diameter piping to remove iron build-up.
- Quarterly groundwater monitoring and monthly monitoring of the air sparging system was completed the week of June 28th.
- 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.
 - Performance monitoring required by MTCA regulations to demonstrate that cleanup action has attained the designated Cleanup Levels (CULs), Remediation Levels (RLs), and other performance standards.
 - 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 including routine cleaning of small diameter piping to remove iron build-up.
- Continue loading out impacted material in rail cars.
- Continue construction of foundations for Community Center, Town Maintenance Shop, Opera House, and Cascadia Inn Restaurant.
- Expand excavation at the eastern extent of the Bridge abutment excavation.

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.

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Document Preparation

- Submitted revised Former Maloney Creek Special Design Report Amendment 1 to Ecology on Wednesday, June 30th. Received additional comment from Ecology on Friday, July 2nd.
- Received Ecology's comments on the TEP on Wednesday, June 30th.
- Submitted Compliance Monitoring Plan Modification 2 to Ecology on Tuesday, June 29th. Received Ecology's approval on Thursday, July 1st.

Documents Pending Agency Review

None at this time.

Additional Remedial Design and Planning Activities

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

Received revised National Pollutant Discharge Elimination System (NPDES) permit modification allowing increased discharge during the summer. Contacting Ecology regarding minor errors and clarifications.

Joint Aquatic Resources Permit Applications (JARPA) for in-water work in the South Fork Skykomish River and the Former Maloney Creek wetlands are being reviewed National Marine Fisheries Service (NMFS) and United States Fish and Wildlife Service (USFWS). Washington State Department of Fish and Wildlife (WDFW) has issued two Hydraulic Permit Approvals for the river and wetland work.

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

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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.
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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