



AECOM
710 Second Avenue, Suite 1000
Seattle, WA 98104

206.624.9349 tel
206.623.3793 fax

July 14, 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 9, 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 9, 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 construction of the Community Center, Cascadia Restaurant, Town Maintenance Building, and Opera House foundations.
- Began foundation construction for the Wheatley House and the General Store.
- Extended upland Bridge abutment excavation to the east.

- 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.
- Continue loading out impacted material in rail cars.
- Continue construction of foundations for Community Center, Town Maintenance Shop, Opera House, Wheatley House, General Store, and Cascadia Inn Restaurant.
- Abandonment of wells previously used to monitor the Former Maloney Creek East Wetland.
- Test pitting near the southeast corner of the School building.

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

- Corresponded with Ecology regarding Former Maloney Creek Special Design Report Amendment 1 revisions.

Documents Pending Agency Review

None at this time.

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Additional Remedial Design and Planning Activities

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

National Marine Fisheries Service (NMFS) and United States Fish and Wildlife Service (USFWS) are reviewing the Joint Aquatic Resources Permit Applications (JARPA) for in-water work in the South Fork Skykomish River and the Former Maloney Creek wetlands.

Sincerely yours,



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.
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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