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July 28, 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 23, 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 23, 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 in recirculation mode.
- Continued construction of the Community Center, Cascadia Restaurant, Town Maintenance Building, Opera House, Wheatley House, and the General Store foundations. Joist repairs required to place buildings on new foundations are being performed.
- Preliminary preparation for raising the Mackner House and Cottage.

- Continued shallow metals excavation on the railyard.
- Excavation of the stormwater retention pond east of the Former Maloney Creek East Wetland.
- Began installation of electrical components in RW-09 (new recovery well at the east end of the Hydraulic Containment and Control System).
- 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.
- Additional excavation along Railroad Avenue to remove impacts extending west of 6th Street.
- Continue installation of RW-09 components and update computer program as required.
- Continue foundation work on the Mackner House and Garage.
- Preparation for remediation work in Former Maloney Creek East and West Wetlands including clearing and grubbing, fish removal, placement of construction fencing.

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

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

Documents Pending Agency Review

Document Title	Submittal Date	Awaiting Agency Action
Technical Execution Plan- Revision 1	July 12, 2010	Review and comment

Additional Remedial Design and Planning Activities

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

BNSF received the US Army Corps of Engineers Nationwide Permit 38 for the Former Maloney Creek Wetlands. 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.

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
Mike Byers – Crete Consulting Inc.

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