

Kennedy/Jenks Consultants
Engineers & Scientists

116 Lupfer Avenue, Suite B
Whitefish, Montana 59937
406-578-4502
FAX: 406-578-4529

10 August 2015

Transmitted Electronically via Email

Mr. Nikia Greene
U.S. EPA Region VIII, Montana Office
Baucus Federal Building
10 West 15th Street, Suite 3200
Helena, Montana 59626
Greene.Nikia@epa.gov

Mr. Daryl Reed
Environmental Project Manager
Montana Department of Environmental Quality
P.O. Box 200901
Helena, Montana 59620
dreed@mt.gov

Mr. D. Henry Elsen
U.S. EPA Region VIII, Montana Office
Baucus Federal Building
10 West 15th Street, Suite 3200
Helena, Montana 59626
Elsen.Henry@epa.gov

Mr. Jonathon Morgan
Legal Counsel
Montana Department of Environmental Quality
P.O. Box 200901
Helena, Montana 59620-0901
jmorgan3@mt.gov

Subject: July 2015 Monthly Activity Report for BNSF and Union Pacific
Butte Priority Soils Operating Unit
Unilateral Administrative Order-Docket No. CERCLA 08-2011-0011
K/J 1596019.00

Dear Mr. Greene, Mr. Reed, Mr. Elsen, and Mr. Morgan:

Attached, please find the July 2015 Monthly Activity Report for BNSF Railway Company (BNSF) and Union Pacific Railroad Company (Union Pacific) on their activities concerning the Butte Priority Soils Operable Unit (BPSOU) of the Silver Bow Creek/Butte Area Superfund Site, as required by the BPSOU Unilateral Administrative Order.

If you have any questions or require further explanation concerning the above information, please call Rob Hagler at 406-578-4502.

Very truly yours,

KENNEDY/JENKS CONSULTANTS



Rob Hagler, P.E.
Technical Representative for
BNSF Railway Company
Union Pacific Railroad Company

Attachment

Mr. Nikia Greene, U.S. EPA Region VIII, Montana Office
Mr. Daryl Reed, Montana DEQ
Mr. D Henry Elsen, EPA
Mr. Jonathon Morgan, Montana DEQ

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cc: Sara Sparks, EPA – email
Joe Vranka, EPA – email
Dave Shanight, EPA - email
James Freeman, DOJ - email
Mary Capdeville, State of Montana – email
Dave Smith, BNSF – email
Brooke Kuhl, BNSF – email
Yueh Chuang, BNSF – email
Gary Honeyman, Union Pacific – email
Robert Bylsma, Union Pacific – email
Marsha Woodard, Union Pacific - email
Lindy Hanson, Atlantic Richfield – email
David Schultz, Butte Silver Bow – email
Jon Sesso, Butte Silver Bow – email
Julia Crain, Butte Silver Bow – email
Patrick Riordan, Butte Silver Bow – email
Bob Andreoli, Patriot/Rarus – email
Becky Summerville / Datsopoulos McDonald & Lind – email
Leo Berry, BKBH – email
John Ashworth; Kell Alterman – email
Robert Lowry; Kell Alterman – email
John Gilmour; Jackson Gilmour Dobbs – email

**Monthly Activity Report for BNSF and Union Pacific
Butte Priority Soils Operable Unit
Unilateral Administrative Order
July 2015**

Activities for July 2015

Meetings

BNSF Railway Company (BNSF) and Union Pacific Railroad Company (Union Pacific), collectively referred to as the Railroads, attended the bi-monthly Unilateral Administrative Order technical meeting via conference call on 14 July 2015. Representatives from Kennedy/Jenks Consultants and Butte Silver Bow's (BSB) consultant WET continued coordination to launch the draft Railroad Butte Reclamation Evaluation System (BRES) data base prototype prepared by WET.

Construction and Inspection Activities

The Railroads' contractor for the Third Cycle Best Management Practices (BMPs) and BRES construction work demobilized from the site on 1 July 2015.

Kennedy/Jenks Consultants representatives conducted 2015 BRES inspections on 23 July 2015 and conducted 2014 stormwater inspections on 23 and 24 July 2015.

Beginning 30 July 2015, soil stockpiled on Railroads property was loaded into railcars for disposal in accordance with *2015 Soil Stockpile Results and Disposal Plan*.

Deliverables

The Railroads submitted four documents to U.S. Environmental Protection Agency (EPA) during July 2015. The first two documents were sent to EPA on 7 July 2015 and include the *Second Quarter 2015 Operations and Maintenance Report* and the *June 2015 Monthly Activity Report for BNSF and Union Pacific*. The third and fourth documents were submitted to EPA on 14 July 2015 and include the *Agency Review Draft 2015 Soil Stockpile Results and Disposal Plan* and the *Agency Review Draft Middle Yard and Lower Yard Access Restriction Plan*. EPA provided an email on 23 July 2015 in response to the soil disposal plan stating EPA had no objections to the 2015 Soil Stockpile Results and Disposal Plan; therefore, the plan was implemented beginning 30 July 2015 as mentioned above.

EPA provided two comment letters to the Railroads on 20 July 2015. The first comment letter is for the *Draft 2014 BRES Technical Recommendations Report*. The second comment letter is for the *Draft Stormwater Operations and Maintenance Plan*. EPA comments on the stormwater operations and maintenance (O&M) plan allowed for the Railroads' to proceed with inspections in accordance with the "interim" plan in July 2015, as described above. The Railroads are in the process of evaluating EPA's comments.

Problems Encountered

No problems.

**Monthly Activity Report for BNSF and Union Pacific
Butte Priority Soils Operable Unit
Unilateral Administrative Order
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Activities Planned for Next 2 Months¹

Continue discussions regarding BRES comprehensive database implementation with Atlantic Richfield and BSB County.

Incorporate 2015 BRES inspection data into Railroads' prototype data base created by BSB's consultant WET.

Prepare Draft 2015 BRES inspection report.

Receive and respond to comments from EPA on the Draft Access Restriction Plan.

Respond to comments from EPA on 2014 BRES Technical Recommendations Report and Stormwater BMPs and O&M Plan.

Prepare draft construction completion report for Third Cycle BMPs and BRES construction work completed in fall 2014 and spring 2015.

Prepare draft stormwater O&M inspection report for the 2015 inspection effort.

Prepare construction completion reports (CCRs) for paving Middle Yard Repository and for prior stormwater BMP construction.

¹ Note: Due to the large number of deliverables in progress, it is anticipated that more than 2 months may be required to complete the above described "Activities Planned for Next 2 Months." The Railroads will work with EPA to prioritize the deliverables and any associated O&M field activities.