



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

August 24, 2022

Shane DeGross  
BNSF Railway Company  
605 Puyallup Avenue  
Tacoma, WA 98421

**Re: Satisfaction of Consent Decree No. 12202548-1 and No Further Action at the following Contaminated Site:**

- **Site Name:** BNSF Parkwater Railyard
- **Site Address:** 5302 E Trent, Spokane WA 99212
- **Cleanup Site ID:** 1318
- **Facility/Site ID:** 676

Dear Shane DeGross:

Thank you for working with the Washington State Department of Ecology (Ecology) on the BNSF Parkwater Railyard Site (Site). This letter provides written notification that the remedial actions required by Consent Decree No. 12202548-1 (Decree) have been satisfactorily completed and that no further remedial action is necessary to clean up contamination at the Site under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW. This letter also describes the removal of the Site from Ecology's Hazardous Sites List and next steps for dismissing the Decree. The Decree became effective on July 19, 2012.

**Satisfaction of Decree**

Ecology has determined the requirements of the Decree have been satisfied. Ecology made this determination pursuant to Section XXVIII (Duration of Decree).

The remedial actions required by the Decree are specified in Section VI (Work to Be Performed) and detailed in the Cleanup Action Plan (Exhibit B). BNSF Railway Company was required to excavate some areas of contaminated soil and dispose offsite, place gravel or asphalt caps over three other areas, and remediate contaminated groundwater through operation of an air sparge/soil vapor extraction system. After inspecting the Site and reviewing the supporting documentation, Ecology has determined that the remedial actions required by the Decree have been satisfactorily completed.

**No Further Action Determination**

Ecology has determined that no further remedial action is necessary to clean up contamination at the Site under MTCA. Ecology has determined that post-cleanup controls or monitoring are necessary under MTCA and will continue.

**Delisting of the Site**

Based on the no further action determination, Ecology proposed removing the Site from the Hazardous Sites List (HSL). Ecology published notice of the proposal in the Site Register on May 19, 2022 and provided a 30-day public comment period, from May 16, 2022 to June 15, 2022. One comment was received. After review and consideration of the comment, Ecology removed the Site from the HSL on 8/24/22. The removal will be reflected in the next publication of the HSL in the Site Register.

**Dismissal of the Decree**

Based on the above determinations, Ecology has decided to dismiss the Decree. The Attorney General's Office will seek joint dismissal of the Decree in Spokane County Superior Court.

Upon dismissal of the Decree, Section XII (Retention of Records) will remain in effect for ten years from the date the Decree is no longer in effect. Sections XXII (Contribution Protection) and XXI (Covenant Not to Sue) will remain in effect in perpetuity.

**Thank You**

Thank you for cleaning up the Site. Should you have any questions, please do not hesitate to contact Ecology's cleanup project manager for this Site, Sandra Treccani, at 509/724-1205 or [sandra.treccani@ecy.wa.gov](mailto:sandra.treccani@ecy.wa.gov).

Sincerely,



Barry Rogowski  
Program Manager  
Toxics Cleanup Program

cc: Craig Trueblood, K&L Gates  
Ivy Anderson, Office of the Attorney General  
William J. Fees, P.E., Department of Ecology <sup>WJF</sup>  
Kathleen L. Falconer, Department of Ecology <sup>KLF</sup>  
Tra Thai, Department of Ecology  
Ecology Site File