

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

March 3, 2011

Enbridge Energy, Limited Partnership
c/o Mr. Rich Adams
Vice President, Operations
Superior City Centre
Second Floor
1409 Hammond Ave.
Superior, Wisconsin 54880

Re: U.S. EPA Notice of Conditional Approval with Modifications of Enbridge Energy, Limited Partnership's February 28, 2011 submittal in response to the Removal Administrative Order issued by U.S. EPA on July 27, 2010, pursuant to §311(c) of the Clean Water Act (Docket No. CWA 1321-5-10-001)

Dear Mr. Adams:

The United States Environmental Protection Agency (U.S. EPA) has completed its review of the following document submitted by Enbridge Energy, Limited Partnership, Enbridge Pipelines (Lakehead) L.L.C., Enbridge Pipelines (Wisconsin), and Enbridge Energy Partners, L.P. (herein collectively referred to as "Enbridge") on February 28, 2011:

Enbridge Line 6B MP 608 Pipeline Release, Marshall, Michigan, Supplement to Operations and Maintenance Work Plan Referred to as 2011 SPRING Containment Plan, Enbridge Energy, February 28, 2011

Pursuant to Paragraph 19 of the above-referenced Order, the above-referenced document ("2011 Spring Containment Plan") is approved with the modifications set forth herein.

Specific Modifications Required to the 2011 Spring Containment Plan:

1. Page 3 & 4 (Implementation, Control Point Booming). Please replace the bullet list of seven control points (currently located at the bottom of page 3 and top of page 4) with the following:
 - MP-2.00, B 5 (confluence of Talmadge Creek and Kalamazoo River) (complete)
 - MP-5.30, C 0.5
 - MP-15.50, C 6 (Mill Ponds) (complete)
 - MP-19.40, D 3 (complete)
 - MP-35.20, E 3, (complete)
 - MP-36.50 (35th Street Bridge)
 - MP-37.75, E 4

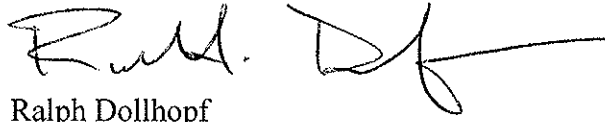
2. Page 5 (Implementation, Protective Containment). Please make the following modifications:
 - Please arrange all of the listed sites in numerical order, according to mile post.
 - Based on aerial reconnaissance photos, MP-4.50 and MP-4.50 Island F are different protective boom locations because there is protective boom around Island F and a second boom along the shoreline. Therefore, please replace the single entry of “MP 4.5” with two separate bullet entries consisting of “MP 4.50 L1” and “MP 4.50 IF.”
 - Please change “MP 21.25” to “MP 21.50” to be consistent with the work plan designation for that site.
3. Figure Sheet 4 of 6. Please change the booming site designation from “MP 21.25” to “MP 21.50” and show the accurate location of the protective boom, specifically at the entrance (e.g., upstream) and exit (e.g., downstream) of the oxbow.
4. Please add a paragraph at stating that an adaptive management approach is incorporated into the 2011 Spring Containment Plan, which will allow for modifications to the approved plan to be made as warranted by field conditions. Additionally, include a statement that all changes made to the 2011 Spring Containment Plan must submitted to and be approved by the Federal On-Scene Coordinator (FOSC) before they are executed. In this paragraph provide a clear plan for documenting and addressing changed conditions and/or changes to the plan.
5. Please rename the document from “2011 SPRING Containment Plan” to “2011 Containment Plan” so that the document does not imply that it expires at the end of Spring 2011.
6. State in the Plan that Enbridge will use best efforts, including reasonable compensation, to obtain access to allow for the replacement of chevron boom at the downstream extent of Morrow Lake,

Enbridge shall implement the 2011 Containment Plan, as modified, in accordance with the schedule set forth in Paragraphs 18 and 19 of the above-referenced Order (as supplemented on September 23, 2010).

Five copies of the revised 2011 Containment Plan, as modified, shall be submitted to U.S. EPA no later than 12:00 hours Eastern, March 8, 2011. The document shall also be concurrently submitted electronically in Microsoft Word format.

If you have any questions regarding this conditional approval, please contact me immediately at (231) 301-0559.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Dollhopf', with a long horizontal stroke extending to the right.

Ralph Dollhopf
Federal On-Scene Coordinator and Incident Commander
U.S. EPA, Region 5

cc: L. Kirby-Miles, U.S. EPA, ORC
J. Cahn, U.S. EPA, ORC
J. Kimble, U.S. EPA, Dep. IC, FOSC
M. Durno, U.S. EPA, Dep. IC, Section Chief
Tricia Edwards, U.S. EPA
Stephen Wolfe, U.S. EPA
Records Center, U.S. EPA, Reg. V