

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

March 29, 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 1) Conditional Approval of Enbridge Energy, Limited Partnership's March 28, 2011 submittal in response to the 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) and Supplement to the Administrative Order issued by U.S. EPA on September 23, 2010 and 2) Required Documentation and Reporting of Recovered Oil from Control Points

Dear Mr. Adams:

The United States Environmental Protection Agency (U.S. EPA) is providing notice to 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") regarding the following two items:

1. Conditional Approval of Enbridge Energy, Limited Partnership's March 28, 2011 submittal referenced below in response to the 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) and Supplement to the Administrative Order issued by U.S. EPA on September 23, 2010.
2. Required Documentation and Reporting of Recovered Oil

Conditional Approval of the Aerial Imagery Work Plan

U.S. EPA has completed its review of the following document submitted by Enbridge on March 28, 2011:

Enbridge Line 6B MP 608, Marshall, Michigan Pipeline Release, Supplement to the Response Plan for Downstream Impacted Areas and the Source Area Response Plan, Commonly Referred to as the "Aerial Imagery Work Plan", Enbridge Energy, Limited Partnership, Line 6B Incident, Marshall, Michigan, March 14, 2011, Revised: March 28, 2011.

Pursuant to Paragraph 19 of the July 27, 2010 Order, the above-referenced document ("Aerial Imagery Plan") is approved with the modifications set forth below.

Specific Comments to the Aerial Imagery Work Plan:

1. Please add the following survey work tasks to the Aerial Imagery Plan for all areas of the Kalamazoo River between the Calhoun County/Kalamazoo County line and Morrow Dam (e.g., Divisions D and E): river cross sections, bridges and culverts. The work shall be performed as directed by the United States Geological Survey (USGS).
2. Section 2:
 - a. First Paragraph, Second Sentence: please replace "...all areas inundated at the time of the release" with "...FEMA 100 year flood plain."
 - b. Table: please define "FOV" and "GSD."
3. Section 3.1, First Paragraph: please delete the second period at the end of the second sentence.
4. Section 4, First Paragraph: please replace "...vegetation/leaf out" with "vegetation/leaf emergence."
5. Please add submission of a comprehensive report documenting the imagery work performed after the work plan is executed. The report shall include, at a minimum: specific activities performed, problems encountered, imagery results, findings and conclusions.
6. Results of the aerial imagery work will be used to guide the reassessment of Talmadge Creek, Kalamazoo River and overbank areas. Therefore, imagery results and final report must be submitted to U.S. EPA more expeditiously than the currently submitted schedule indicates. Please modify the schedule to submit the comprehensive imagery report to U.S. EPA within 5 business days of completing the last data collection flight or by April 22, 2011, whichever occurs first.

The revised Aerial Imagery Work Plan, as modified, shall be submitted to U.S. EPA no later than 17:00 hours Eastern, March 30, 2011. The document shall also be concurrently submitted electronically in Microsoft Word format.

Required Documentation and Reporting of Recovered Oil

Effective immediately, U.S EPA directs Enbridge to measure, track and report the volume of oil recovered at each control point established in accordance with the 2011 Containment Plan. The oil recovered at control points shall be measured, tracked and reported daily separately from all other oil recovered on the response. Additionally, the oil/sheen fluids collected from the control points shall be segregated from other recovered oil for quantification prior to storage, disposal and/or treatment.

Please provide a detailed plan for the collection, segregation, storage, quantification and reporting of oil recovered from control points. A Control Point Oil Recovery Work Plan shall be submitted to U.S. EPA no later than 17:00 hours Eastern, March 30, 2011. The document shall also be concurrently submitted electronically in Microsoft Word format.

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

Sincerely,



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
T. Edwards, U.S. EPA
S. Wolfe, U.S. EPA
M. Ducharme, MDEQ
M. Alexander, MDEQ
Records Center, U.S. EPA, Reg. V