

US EPA ARCHIVE DOCUMENT

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August 29, 2011

Mr. Ralph Dollhopf
Federal On-Scene Coordinator and Incident Commander
U.S. Environmental Protection Agency
801 Garfield Avenue, #229
Traverse City, MI 49686

Dear Mr. Dollhopf:

This letter is to follow-up on our August 9, 2011 letter concerning the upcoming August 31, 2011 deadline to complete recovery of all submerged oil, oil sheen, oil-containing soils and oil-containing sediments. This letter will provide an update on the progress made toward meeting the August 31, 2011 deadline.

At this time, Enbridge has deployed over 600 workers, 211 boats and 78 pieces of mechanized equipment. With the current level of mechanization, our daily production compares to, or exceeds that which was achieved at the height of the response in 2010. Even with this level of effort, we do not believe that we will be able to achieve the necessary level of clean up in all areas by the deadline initially established in the United States Environmental Protection Agency (U.S. EPA) directive of June 17, 2011.

We anticipate that all overbank excavations, including removal of islands E and F, will be complete and ready for signoff by the current deadline, as will 43 of the 59 STRIKE locations. Given the current river conditions, the submerged oil toolbox methods will not be successful at the remaining STRIKE sites. Many of these sites are too dry for implementation of the submerged oil toolbox. We are currently working with U.S. EPA and Michigan DEQ to develop methods to further address these locations and to ensure their continued monitoring. Included within this group are a number of sites considered highly sensitive, consequently, the Michigan-DEQ and USFWS have requested that they not be disturbed. Enbridge respects these concerns and we are hopeful that the discussions regarding the status of these sites can focus on the most appropriate and effective means of remediation as opposed to the timing of completion of remediation.

In addition to the concerns identified in our August 9, 2011 correspondence, changing field conditions have directly affected our ability to complete the work. One of the primary challenges to meeting the deadline is the expansion of both the area requiring submerged oil cleanup and expansion of the work necessary in those areas. The 2011 Spring Reassessment that led to the August 31 deadline originally identified approximately 8.5 million square feet of area requiring submerged oil cleanup. The current known work area now totals over 14.7 million

square feet and is likely to continue to increase. This includes new or expanded areas of submerged oil. Additionally, the early summer storms significantly increased the amount of woody debris that needs to be removed from the lower portions of the river. This woody debris has hindered our access to numerous STRIKE and submerged oil sites. Submerged oil remains the primary issue with 103 out of 214 locations having completed the process established by our Summer 2011 Strategic Plan; 65 locations currently in progress, and 46 sites waiting to be addressed.

By August 31, 2011, we expect to complete submerged oil recovery from the confluence down to the Fort Custer Recreational Area (MP 30) with the possible exception of the area immediately above Ceresco Dam, a remedial area which is pending further discussions with the U.S. EPA. At our present rate of production, it is anticipated that we will have completed all of our current submerged oil activities by the first week in October, 2011. An additional week will be necessary to finish the newly instituted Late Summer 2011 Reassessment.

As stated in our previous correspondence, we believe that our approach to cleaning up remaining submerged oil has been and remains well thought out and will achieve the desired results. To meet the desired results, we must adhere to a philosophy that works from upstream to downstream locations and one that cannot sacrifice the process and quality of these efforts to meet a deadline. We look forward to continuing our open dialog with the U.S. EPA to potentially extend the August 31, 2011 deadline to a date that allows for the safe and efficient clean up of all remaining areas. An alternative to the extension of the deadline would be the development of an appropriate quality metric to achieve completion of the goals of the order.

We will continue to collaborate with state and federal agencies to ensure the ongoing cleanup is of high quality and minimizes environmental impact.

Sincerely,



Rich Adams

Cc: Jeff Kimble
Tricia Edwards
Steve Wolfe
Mike Alexander
Mark Ducharme