

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

May 23, 2012

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 Directive to Resume Submerged Oil Containment in the Morrow Lake Fan 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**

Dear Mr. Adams:

Pursuant to paragraph 18 of the Administrative Order issued by U.S. EPA on July 27, 2010 ("Order"), and a Supplement to the Order under Section 311(c) of the Clean Water Act issued on Sept. 23, 2010 (Docket No. CWA 1321-5-10-001) ("Supplement"), U.S. EPA directs 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") to resume all necessary actions to contain and prevent the continued migration of oil, oil sheen, submerged oil, and oil-containing sediments toward the Morrow Lake Dam.

Additional response work is necessary since Spring 2012 Submerged Oil Reassessment work (completed during the week ending May 19, 2012) has indicated that migration of submerged oil is occurring from the Morrow Lake Fan westward toward the Morrow Lake Dam. Evidence of this is provided in the attached table and figures showing the increase in number and areas of "light" poling results occurring west of the Morrow Lake Fan (west of the former E 4.5 Control Point) as compared to the Fall 2011 Late Summer Reassessment (LSR) results and the 2011 Spring Reassessment results (Table 1).

As of May 19, 2012, the 2012 Spring Reassessment has identified 54 light poling results (out of a total of 111 poling points) west of the former E 4.5 Control Point, representing an approximate area of light submerged oil of 325 acres, extending west to approximately MP 39.3 (Figure 1). In contrast, the Fall 2011 LSR identified 32 light poling results (out of a total of 75 poling points) west of the former E 4.5 Control Point, representing an approximate area of light submerged oil of 189 acres, extending west to approximately MP 39.0 (Figure 2). Results from the 2011 Spring Reassessment identified 23 light poling results (out of a total of 116 poling points) west of former E 4.5 Control Point, representing an approximate area of light submerged oil of 68 acres, extending west to approximately MP 38.75 (Figure 3).

In addition, several rounds of submerged oil monitoring (or poling) conducted in the Morrow Lake Fan during the Spring of 2012 (prior to official Spring 2012 Reassessment initiation) identified up to 7 locations containing moderate submerged oil concentrations. Similar

monitoring conducted during the Spring of 2012 in the Morrow Lake Delta has indicated that areas of moderate and heavy submerged oil remain in the Morrow Lake Delta.

Accordingly, U.S. EPA requires Enbridge to complete the following actions:

1. Re-install the double sediment curtain containment structure in the Fan of Morrow Lake at Control Point E 4.5. This work shall begin tomorrow, May 24, 2012, and shall be completed no later than June 6, 2012; and
2. Complete submerged oil monitoring activities (poling and coring/analysis) associated with item 1, as well as at other locations both upstream and downstream of Morrow Lake Dam, as directed by the U.S. EPA. U.S.EPA acknowledges that this monitoring is already underway. Enbridge shall provide U.S.EPA with immediate (next day) GIS displays of monitoring data.

All operations shall be performed in accordance with all federal, state and local laws and regulations. Undertaking activities directed by the U.S. EPA does not obviate the need for Enbridge to acquire all necessary permits and comply with other applicable regulatory requirements.

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

**Attachments (4)**

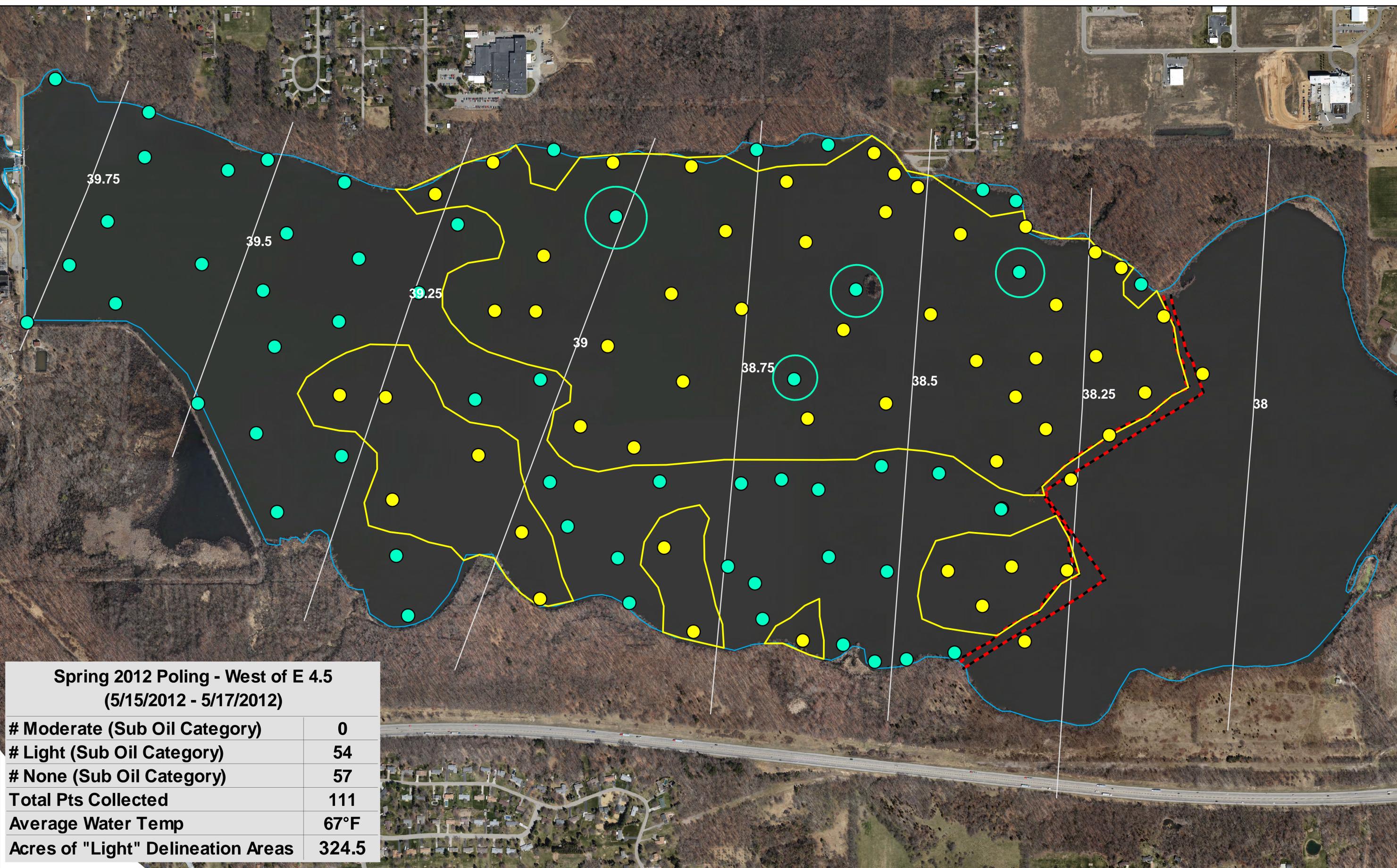
**cc:** L. Kirby-Miles, U.S. EPA, ORC  
S. Vega, U.S. EPA  
M. Ducharme, MDEQ  
M. DeLong  
Records Center, U.S. EPA, Reg. V

**Table 1**  
**Submerged Oil Poling Results**  
**West of Former Control Point E 4.5**

Spring 2011 Poling - West of E 4.5 (Former Control Point) (5/4/2011 - 6/14/2011)	
# Moderate (SubOilCat)	0
# Light (SubOilCat)	23
# None (SubOilCat)	93
Total Poling Points Collected	116
Average Water Temp	69°F
Acres of "Light" Delineation Areas (approximate)	67.5

Fall 2011 LSR Poling - West of E 4.5 (Former Control Point) (9/17/2011 - 10/28/2011)	
# Moderate (SubOilCat)	1
# Light (SubOilCat)	32
# None (SubOilCat)	42
Total Poling Points Collected	75
Average Water Temp	54.5°F
Acres of "Light" Delineation Areas (approximate)	188.7
Note: Cluster in west corner counted as 1 result	

Spring 2012 Poling - West of E 4.5 (Former Control Point) (5/15/2012 - 5/17/2012)	
# Moderate (SubOilCat)	0
# Light (SubOilCat)	54
# None (SubOilCat)	57
Total Poling Points Collected	111
Average Water Temp	67°F
Acres of "Light" Delineation Areas (approximate)	324.5



Spring 2012 Poling - West of E 4.5 (5/15/2012 - 5/17/2012)	
# Moderate (Sub Oil Category)	0
# Light (Sub Oil Category)	54
# None (Sub Oil Category)	57
Total Pts Collected	111
Average Water Temp	67°F
Acres of "Light" Delineation Areas	324.5

**FOR OFFICIAL USE ONLY**

Submerged Oil Category

- Heavy
- Light
- Moderate
- None

— Boom Line E 4.5  
— Quarter Mile Grid Segments  
— Kalamazoo Waterway

"Light" Sub-Oil Delineation Ares  
 "Light" Sub-Oil Delineation Ares

Feet

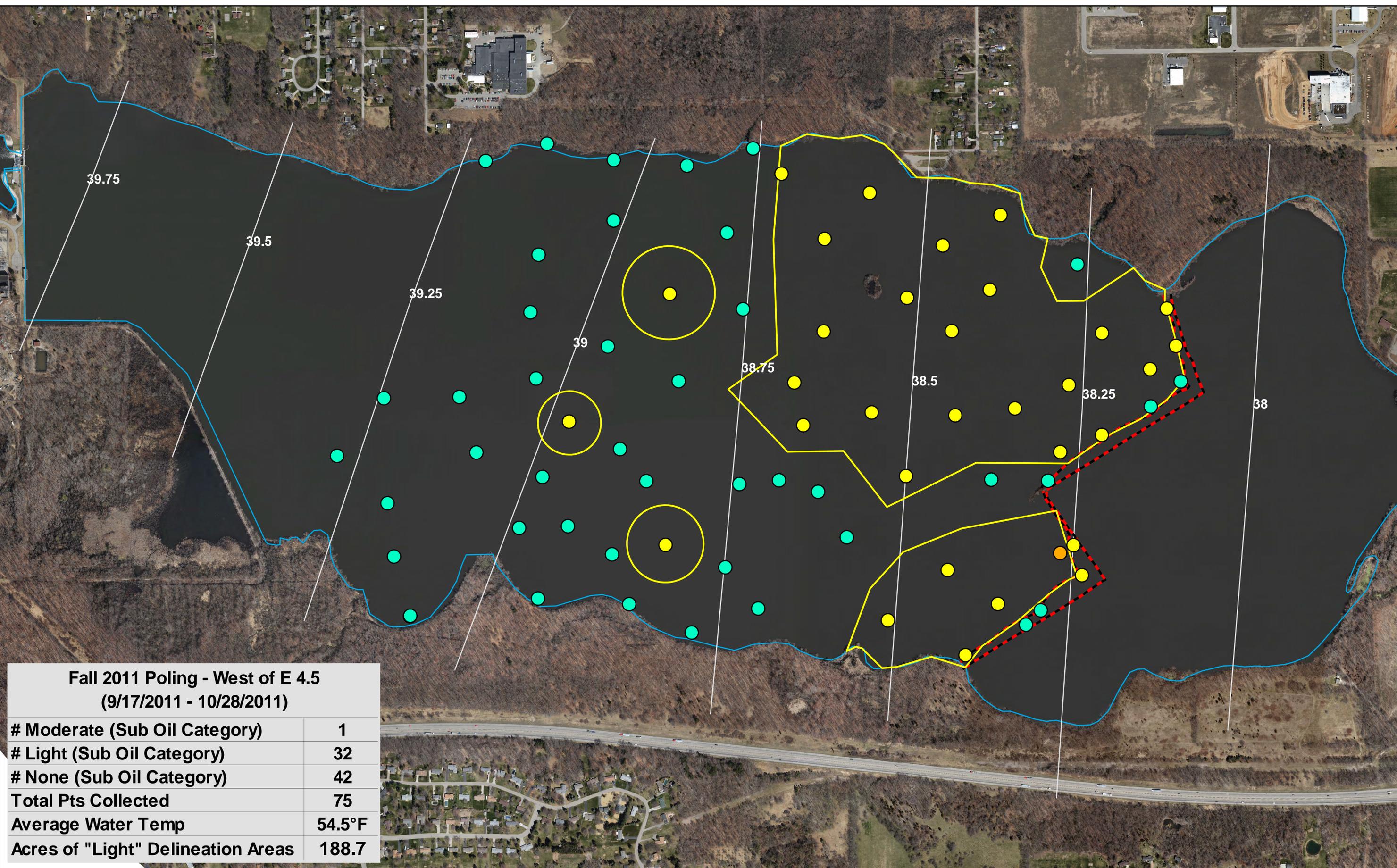
0 300 600 1,200

Prepared for:  
**U.S. EPA REGION V**  
 Contract No.: EP-S5-06-04  
 TDD: S05-0005-1007-030  
 DCN: 1154-4D-AHMS

Prepared by:  
**WESTON SOLUTIONS, INC.**  
 2501 Jolly Road, Suite 100  
 Okemos, MI

SPRING 2012 POLING RESULTS AND DELINEATIONS  
 WEST OF E 4.5  
 05/15/2012 THROUGH 05/17/2012  
 MARSHALL OIL ER  
 MARSHALL, KALAMAZOO AND CALHOUN COUNTIES, MI  
 CREATED: MAY, 2012

**FIGURE 1**



Fall 2011 Poling - West of E 4.5 (9/17/2011 - 10/28/2011)	
# Moderate (Sub Oil Category)	1
# Light (Sub Oil Category)	32
# None (Sub Oil Category)	42
Total Pts Collected	75
Average Water Temp	54.5°F
Acres of "Light" Delineation Areas	188.7

**FOR OFFICIAL USE ONLY**

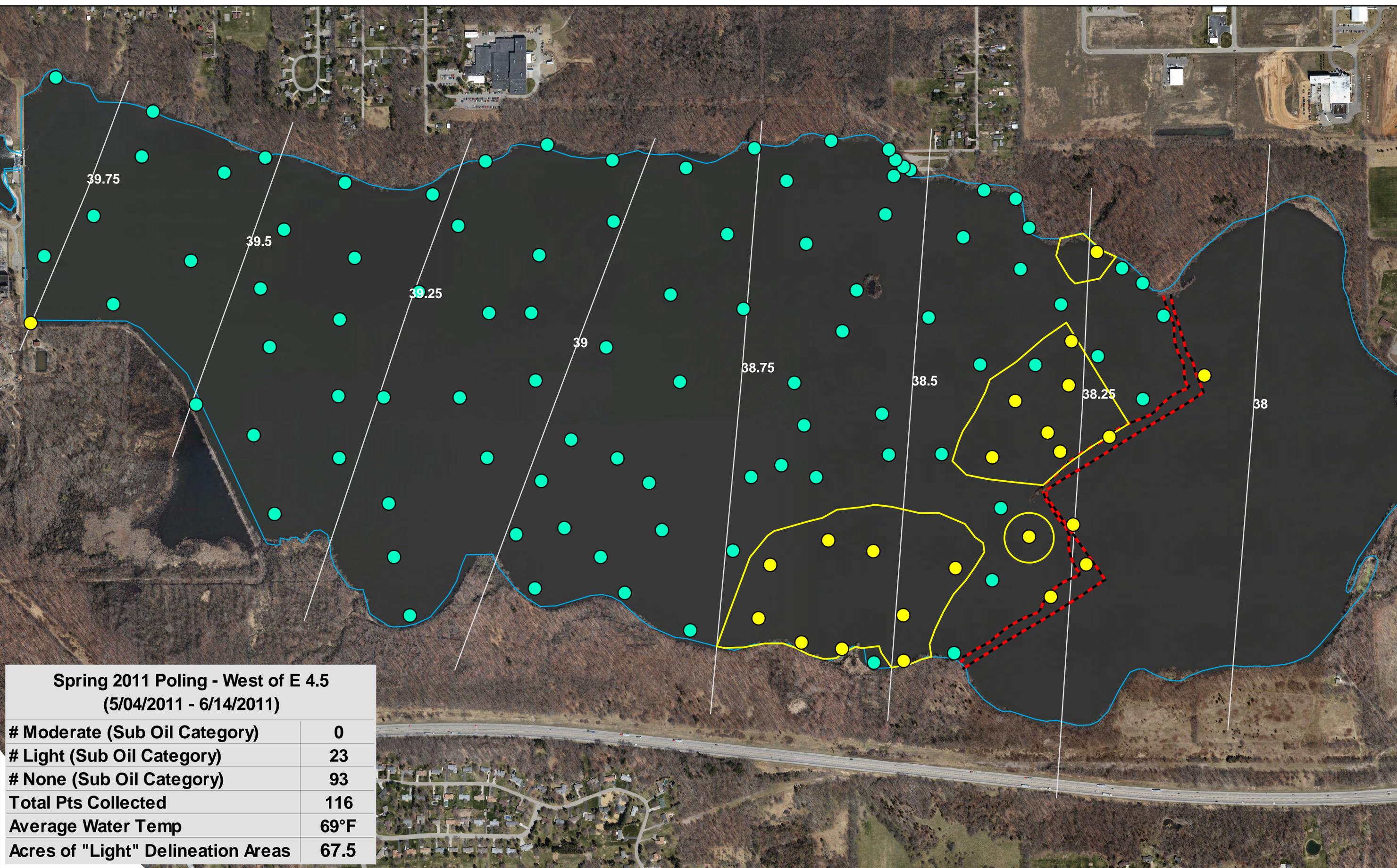
Submerged Oil Category  
 ● Heavy    ● Light  
 ● Moderate    ● None  
 — Boom Line E 4.5  
 — Quarter Mile Grid Segments  
 — Kalamazoo Waterway  
 Feet  
 0    375    750    1,500  
 "Light" Sub-Oil Delineation Areas

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FALL 2011 POLING RESULTS AND DELINEATIONS  
 WEST OF E 4.5  
 09/17/2011 THROUGH 10/28/2011  
 MARSHALL OIL ER  
 MARSHALL, KALAMAZOO AND CALHOUN COUNTIES, MI  
 CREATED: MAY, 2012

FIGURE 2



**Spring 2011 Poling - West of E 4.5**  
(5/04/2011 - 6/14/2011)

# Moderate (Sub Oil Category)	0
# Light (Sub Oil Category)	23
# None (Sub Oil Category)	93
Total Pts Collected	116
Average Water Temp	69°F
Acres of "Light" Delineation Areas	67.5

**FOR OFFICIAL USE ONLY**

Submerged Oil Category

- Heavy (Red dot)
- Moderate (Orange dot)
- Light (Yellow dot)
- None (Cyan dot)

— Boom Line E 4.5  
— Quarter Mile Grid Segments  
— Kalamazoo Waterway  
 "Light" Sub-Oil Delineation Areas

0 375 750 1,500 Feet

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SPRING 2011 POLING RESULTS AND DELINEATIONS  
 WEST OF E 4.5  
 05/04/2011 THROUGH 6/14/2011  
 MARSHALL OIL ER  
 MARSHALL, KALAMAZOO AND CALHOUN COUNTIES, MI  
 CREATED: MAY, 2012

**FIGURE 3**