

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

September 25, 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: Requirement to Maintain Existing Containment Boom Installed at the Ceresco Dam Control Point, pursuant 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

Dear Mr. Adams:

The United States Environmental Protection Agency ("U.S. EPA") acknowledges receipt of your September 24, 2012 letter, where you stated that Enbridge Energy, Limited Partnership ("Enbridge") is planning to remove the Ceresco Dam Control Point.

The U.S. EPA directs Enbridge to maintain the currently installed containment boom at the Ceresco Dam Control Point pursuant to the Administrative Order ("Order") dated July 27, 2010, issued pursuant to Section 311(c) of the Clean Water Act, 33 U.S.C. § 1321, and the Supplement to the Order ("Supplement") dated September 23, 2010.

Line 6B Oil Sheen and Globule Manifestation at Ceresco

U.S. EPA field observations during 2012 confirm that Enbridge Line 6B oil sheen and globules are continuing to manifest at Ceresco from locations where heavy and moderate submerged oil and/or oil-containing sediment have accumulated.

Containment of Oil Sheen and Globules at Ceresco

Enbridge's current and primary form of submerged oil active recovery is sheen management via collection of surface oil sheen and globules. The Ceresco Dam Control Point serves as secondary containment to collect surface oil sheen and globules that are either generated by or not collected by this recovery method. In addition, the containment provided by the Ceresco Dam Control Point serves as the primary containment method when active sheen management

activities (i.e., sweep boats) are not performed (i.e. overnight periods, inclement weather, and Sundays).

Between August 1, 2012 and September 19, 2012, 3,897 bags of oil-contaminated debris were collected from the Ceresco Dam Control Point. U.S. EPA's current field observations confirm that this debris is comingled with surface oil. The on-going manifestations and collection of oil and oil-contaminated debris from the Ceresco Dam Control Point demonstrate the need for continued maintenance and operation of the control point until the source (i.e., submerged oil and/or oil-contaminated sediment) of the oil sheen and globules has been removed.

Requirements for Continued Containment

The Consolidated Work Plan from Fall 2011 through Fall 2012¹ required Enbridge to install and maintain the Ceresco Dam Control Point in Spring 2012.

The 2012 Ceresco Dam Control Point was installed on March 22, 2012 and, at the request of Enbridge, removed on June 19, 2012. In the following weeks, oil sheen and globule manifestations increased and migrated downstream uncontrolled in the absence of the Ceresco Dam Control Point. On July 7, 2012, Enbridge reinstalled the Ceresco Dam Control Point. Since this time, oil sheen and globules have continued to manifest from the areas of accumulated submerged oil at Ceresco, demonstrating the continued need for the Ceresco Dam Control Point.

Future Potential Removal of Containment at Ceresco

Given the ongoing and current manifestations of Line 6B oil sheen and globules documented at Ceresco in 2012, the current conditions do not support removal of the 2012 Ceresco Dam Control Point. Accordingly, the U.S. EPA directs Enbridge to continue maintaining and not remove the existing Ceresco Dam Control Point.

¹ Addendum to the Response Plan for Downstream Impacted Areas, August 2, 2010 (Revised August 17, 2010 per U.S. EPA August 17, 2010 letter), Supplement to Source Area Response Plan, and Supplement to Response Plan for Downstream Impacted Areas, Referred to as Operations and Maintenance Work Plan Commonly referred to as "Consolidated Work Plan from Fall 2011 through Fall 2012"; Prepared for the United States Environmental Protection Agency by Enbridge Energy, Limited Partnership Submitted: October 20, 2011; Revised by the United States Environmental Protection Agency November 17, 2011; Revised by Enbridge Energy, Limited Partnership Submitted: December 4, 2011; Approved: December 21, 2011

U.S. EPA will continue to evaluate the conditions at Ceresco. If in the future Enbridge believes conditions have changed and warrant the removal of this containment (*eg*, no oil sheen and/or globule manifestations), Enbridge must seek U.S. EPA's approval prior to removal of the Ceresco Dam Control Point. If you have any questions regarding this letter, please contact me at (231) 301-0559.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph Dollhopf". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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

Attachment (1)

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