

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

December 12, 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 Pertaining to Cylindrical Sampling Devices 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 December 6, 2012 letter, in which Enbridge Energy, Limited Partnership ("Enbridge") proposed to remove Cylindrical Sampling Devices (CSDs) beginning on December 12, 2012.

The U.S. EPA directs Enbridge to maintain the CSDs currently installed in the Kalamazoo River, and to continue with monthly sampling, as safe weather conditions allow, as outlined in the approved Sediment Trap Monitoring and Maintenance Plan pursuant to the Administrative Order ("Order") dated July 27, 2010 and the Supplement to the Order ("Supplement") dated September 23, 2010.

In your December 6, 2012 letter to U.S. EPA, Enbridge states that it believes the CSDs may be potentially subject to ice damage/removal/loss, and, therefore, proposed removal of all CSDs in December 2012.

U.S. EPA believes that continued data collection from the CSDs over time (e.g., multiple seasons) remains necessary to fully define the seasonality of controls on submerged Line 6B oil fate and transport.

U.S. EPA hereby directs Enbridge to:

1. Maintain the existing CSDs and perform routine monitoring and sampling, as previously approved by U.S. EPA, through the winter to the extent that safe working conditions on the river allow and until otherwise directed by the U.S. EPA. Enbridge may propose substituting the glass jars contained within the CSDs with more durable non-glass containers. Enbridge may also consider installing an anchor system or tethering system to strengthen the CSDs in place to avoid movement in flood or ice events. In addition, Enbridge may consider anchoring the marker buoys to an alternate anchor (not to the CSDs themselves) so that surface ice that may cause the buoys to move would not interfere with the CSDs.

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

cc: K. Peaceman, U.S. EPA, ORC
C. Mikalian, U.S. EPA, ORC
S. McAnaney, U.S. EPA, ORC
M. DeLong, MDEQ
Records Center, U.S. EPA, Reg. V