



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

August 3, 2010

Enbridge Energy, Limited Partnership
c/o Tom Fridel
1500 West Main Street
Griffith, Indiana 46375

Re: U.S. EPA Notice of Approval With Modifications of Enbridge Energy, Limited Partnership's Waste Treatment, Transportation, and Disposal Plan in response to the Removal Administrative Order issued by U.S. EPA on July 27, 2010, pursuant to §311(c) of the Clean Water Act in Docket No. CWA 1321-5-10-001

Dear Mr. Fridel:

The United States Environmental Protection Agency (U.S. EPA) has completed its review of the Waste Treatment, Transportation, and Disposal Plan that Enbridge Energy, Limited Partnership (Enbridge or you) submitted on August 2nd, 2010.

U.S. EPA approves, with modifications, this plan and asks for a clean hard copy to be submitted to the U.S. EPA Incident Commander (IC) no later than 5pm on August 5th, 2010. Until the revised hardcopy is available to replace the current version, the plan as submitted may be used as long as U.S. EPA's corrections are attached and adhered to.

Specific comments are set forth below and shall be incorporated into the revised plan, pursuant to Paragraph 20 of the July 27, 2010 EPA Order. To the extent Enbridge has questions or concerns regarding the enclosed comments, Enbridge must immediately inform the IC or designated agency representative.

Any changes to the plan, other than the comments attached, must be documented in writing as an amendment to the plan and submitted to the IC for approval prior to initiating the change.

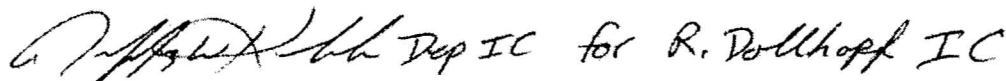
Enbridge must make the following modifications for the IC's approval of your plan:

1. Add a **Section 1.4 Oil Reclamation** and briefly discuss Enbridge's plans to reclaim all free product and transport to Griffith, IN.
2. **Section 2.2** – States that soil removed from the source area will be dewatered and staged within the source area berm containment system. Explain how you intend to dewater the soil prior to transport if it is stored in the same area? Is there going to be a staging pad constructed? If so, please describe the construction of the pad.

3. **Section 2.2** – This section acknowledges that soils may be removed from the source area as well as from downstream bank areas, etc. However, the section only discusses the storage, treatment and disposal of soil from the source area. Discuss what will be done with the other soils.
4. **Section 2.5** – No mention of sampling of the Industrial Waste prior to disposal. Some type of sampling has to occur to determine if the material should be disposed of as hazardous or non-hazardous material.
5. **Section 2.6** – Include a discussion on the trucks being lined, covered, and placarded appropriately.
6. **Section 2.6** – Include a discussion on manifesting (hazardous/non-hazardous) as determined by analytical sampling and profiling.

U.S. EPA recognizes that Enbridge has put forth significant effort over these last few days with respect to both the response and the finalization of this plan. However, in order to ensure that U.S. EPA's interests are being met, we will only approve a complete and thorough plan. U.S. EPA reminds Enbridge that modifications to this plan, including adding or removing resources and adjustment of best field practices, remains explicitly within the authority of the IC for U.S. EPA through Unified Command.

Sincerely,

Handwritten signature of Ralph Dollhoff, with the text "Dep IC for R. Dollhoff IC" written below it.

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

cc: L. Kirby-Miles, U.S. EPA, ORC
J. Kimble, U.S. EPA, Dep. IC, FOSC
S. Wolfe, U.S. EPA, FOSC
M. Durno, U.S. EPA, Dep. IC, Section Chief
Records Center, USEPA, Reg. V