



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

September 14, 2017

REPLY TO THE ATTENTION OF

VIA EMAIL AND UPS

Lisa D. Wilson  
Associate General Counsel  
Enbridge  
26 East Superior Street, Suite 309  
Duluth, MN 55802

Re: Enbridge Line 5 Coating Repairs Work Plan (Version 2.0)

Dear Ms. Wilson:

On September 13, 2017, the U.S. Environmental Protection Agency ("EPA") received Version 3 of Enbridge's Line 5 Coating Repairs Work Plan ("Work Plan"). Enbridge submitted the Work Plan after identifying gaps in the exterior coating of the Dual Pipelines of Line 5 that cross the Straits of Mackinac. Enbridge identified the coating gaps during implementation of the Biota Investigation Work Plan, as required pursuant to Paragraph 69 of the Consent Decree for *U.S. v. Enbridge Energy, Limited Partnership, et al.*, (Civil Action No: 1:16-cv-914) ("Consent Decree"). The Independent Third Party, retained by Enbridge pursuant to the Consent Decree, has reviewed the Work Plan and provided comments to EPA and Enbridge.

EPA approves this Work Plan with the following conditions:

1. EPA is not approving the use of Method 2 (described in the Work Plan) at this time because Enbridge has not yet demonstrated the effectiveness of that Method. Enbridge may not use Method 2 unless EPA provides prior written approval; and
2. within 30 days of Enbridge's completion of the activities required by the Work Plan, Enbridge shall submit to EPA a Final Report, summarizing its activities and identifying and justifying any deviations from the procedures in the Work Plan; and
3. Enbridge shall implement the Work Plan in accordance with all federal, state, and local regulations and laws, including any permitting requirements.

Enbridge shall implement this Work Plan immediately upon receipt of this approval.

Approval of this Work Plan does not release Enbridge from its obligation to fully comply with Paragraph 69(c) of the Consent Decree. Paragraph 69(c) requires that, no later than 60 days after

the completion of the biota investigation, Enbridge shall submit a final report to EPA, describing the findings of the investigation. In the event that the investigation finds that biota have impaired, or threaten to impair, the Dual Pipelines, Enbridge shall supplement its final report with a proposed work plan and schedule to address such impairments.

Approval of the Work Plan also does not indicate that EPA accepts Enbridge's confidentiality claims attached to the Work Plan. As described in Paragraph 155 of the Consent Decree, EPA will evaluate any claims of confidentiality pursuant to 40 C.F.R. Part 2.

Sincerely,

A handwritten signature in black ink, appearing to read "Jo - El-Zein", followed by a horizontal line.

Jason H. El-Zein, Chief  
Emergency Response Branch 1

cc: Matthew Thompson, Enbridge  
Joanne Coprez, Enbridge  
Carrie Mymko, Enbridge  
William Hassler, Steptoe  
Jay Eickholt, MDEQ  
Jerry Popiel, USCG  
Allan Beshore, PHMSA  
Margaret Guerriero, EPA  
J. Matthew Moore, EPA  
Karen Peaceman, EPA  
Ellen Riley, EPA  
Matthew Mankowski, EPA