

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	
ENBRIDGE ENERGY, LIMITED)	
PARTNERSHIP,)	
ENBRIDGE PIPELINES (LAKEHEAD) L.L.C.,)	Civil Action No. 1:16-cv-914
ENBRIDGE ENERGY PARTNERS, L.P.,)	
ENBRIDGE ENERGY MANAGEMENT, L.L.C.,)	Judge Gordon J. Quist
ENBRIDGE ENERGY COMPANY, INC.,)	
ENBRIDGE EMPLOYEE SERVICES, INC.,)	
ENBRIDGE OPERATIONAL SERVICES, INC.,)	
)	
ENBRIDGE PIPELINES INC., and)	
ENBRIDGE EMPLOYEE SERVICES CANADA)	
INC.,)	
)	
Defendants.)	

NOTICE OF NON-MATERIAL MODIFICATION OF CONSENT DECREE

(FOURTH MODIFICATION OF CONSENT DECREE)

The United States and Enbridge¹ hereby notify the Court that they have agreed to a non-material modification of a provision in Paragraph 116.a of the Consent Decree that governs the location of certain Field Exercises and Table Top Exercises required as part of the Spill

¹ As used herein, “Enbridge” refers collectively to: Enbridge Energy, Limited Partnership, Enbridge Pipelines (Lakehead) L.L.C., Enbridge Energy Partners, L.P., Enbridge Energy Management, L.L.C., Enbridge Energy Company, Inc., Enbridge Employee Services, Inc., Enbridge Operational Services, Inc., Enbridge Pipelines Inc. and Enbridge Employee Services Canada Inc.

Response and Preparedness Requirements established in Section VII.H of the Consent Decree previously entered by the Court in this action. As previously approved by the Court, Paragraph 116.a specified that “Enbridge shall conduct such exercises in cities and towns shown on Appendix C.” The parties have agreed to modify this sentence to read: “Enbridge shall conduct such exercises in cities and towns shown on Appendix C, unless Enbridge requests in writing and EPA agrees in writing to conduct such exercises in other cities and towns.”

The agreed modification is not a material modification of the Consent Decree, as it does not change the number, timing, or content of any of the required exercises. Rather, it merely expands the number of locations where required exercises may be conducted, provided that the Environmental Protection Agency agrees in writing to locations proposed by Enbridge for the exercises.

Under Paragraph 201 of the Consent Decree, non-material modifications of the Consent Decree do not require Court approval and are effective upon notice to the Court. Thus, no separate action by the Court is required to effectuate the modification described herein.

The undersigned party enters into and agrees to be bound by this Fourth Modification of the Consent Decree in *United States v. Enbridge Energy, Limited Partnership, et al.*, 1:16-cv-914 (W.D. MI).

FOR PLAINTIFF UNITED STATES OF AMERICA



KAREN DWORKIN
Deputy Section Chief
Environmental Enforcement Section

s/ STEVEN J. WILLEY (Ohio 002536)

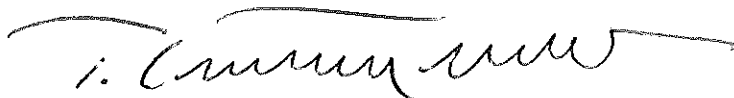
STEVEN J. WILLEY
Senior Counsel
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20530
Tel. (202) 514-2807
Fax (202) 616-6584

ANDREW J. BIRGE
United States Attorney
Western District of Michigan

RYAN COBB
Assistant United States Attorney
330 Ionia Avenue, N.W.
Suite 501
Grand Rapids, MI 49503
Tel. (616) 456-2404

The undersigned party enters into and agrees to be bound by this Fourth Modification of the Consent Decree in *United States v. Enbridge Energy, Limited Partnership, et al.*, 1:16-cv-914 (W.D. MI).


FOR THE UNITED STATES OF AMERICA (CONTINUED)

A handwritten signature in black ink, appearing to read "T. Leverett Nelson", written over a horizontal line.


T. LEVERETT NELSON
Regional Counsel
U.S. EPA, Region 5
Chicago, Illinois

The undersigned party enters into and agrees to be bound by this Fourth Modification of the Consent Decree in *United States v. Enbridge Energy, Limited Partnership, et al.*, 1:16-cv-914 (W.D. MI).

FOR THE UNITED STATES OF AMERICA (CONTINUED)



MARK POLLINS
Director
Water Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency




CATE TIERNEY
Senior Attorney
Water Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

The undersigned party enters into and agrees to be bound by this Fourth Modification of the Consent Decree in *United States v. Enbridge Energy, Limited Partnership, et al.*, 1:16-cv-914 (W.D. MI).

FOR DEFENDANTS:

ENBRIDGE ENERGY, LIMITED PARTNERSHIP,
ENBRIDGE PIPELINES (LAKEHEAD) L.L.C.,
ENBRIDGE ENERGY PARTNERS, L.P.,
ENBRIDGE ENERGY MANAGEMENT, L.L.C.,
ENBRIDGE ENERGY COMPANY, INC., and
ENBRIDGE EMPLOYEE SERVICES, INC.



BRADLEY F. SHAMLA, Vice President, U.S. Operations

The undersigned party enters into and agrees to be bound by this Fourth Modification of the Consent Decree in *United States v. Enbridge Energy, Limited Partnership, et al.*, 1:16-cv-914 (W.D. MI).

FOR DEFENDANTS:

ENBRIDGE OPERATIONAL SERVICES, INC.,
ENBRIDGE PIPELINES INC., and
ENBRIDGE EMPLOYEE SERVICES CANADA INC.



D. GUY JARVIS, President