UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

August 11, 2010

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

Re: U.S. EPA Notice of Disapproval of Enbridge Energy, Limited Partnership's August 2, 2010, submission 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 a review of the following documents submitted by Enbridge Energy, Limited Partnership (Enbridge) on August 2, 2010, pursuant to Paragraph 19 of the above-referenced Order and pursuant to U.S. EPA's request in its July 31, 2010 letter:

Sampling and Analysis Plan (SAP)
Quality Assurance Project Plan (QAPP)

U.S. EPA disapproves Enbridge's Sampling and Analysis Plan (SAP) and Quality Assurance Project Plan (QAPP) due to deficiencies in content and lack of sufficient technical details. Specific comments are set forth below and shall be incorporated into revised SAP and QAPP, pursuant to Paragraph 20 of the U.S. EPA Order. As set out below, U.S. EPA technical staff have been designated to direct Enbridge's revision of the plans. In addition, the Incident Commander (IC), Ralph Dollhopf, has directed Enbridge to work with U.S. EPA to address a lack of information in the SAP and QAPP.

The final SAP and QAPP, as amended, shall be submitted to U.S. EPA no later than 1200 hours Eastern, August 14, 2010. The U.S. EPA IC will then complete a final review. Any additional corrections of, or modifications to, the SAP and QAPP will be made by Enbridge as directed by the IC. Enbridge is directed to submit the SAP and QAPP in Microsoft Word format to allow for corrections or modifications to the electronic documents.

General Comments

The U.S. EPA notes that it was unable to provide comments on certain sections and/or parts of the SAP and QAPP in their entirety because of significant deficiencies in those sections or parts. The U.S. EPA reserves the right to disapprove, comment on, or modify, as appropriate, the SAP and/or QAPP upon their resubmission.

As set out below, the final SAP and QAPP must be comprehensive, detailed, and include specifics on procedures to be utilized and implemented. However, the SAP and QAPP shall not limit or otherwise restrict in any way the sampling and/or analyses that will be performed during these initial response actions to remove visible oil and/or sheen that is either currently affecting navigable water ways and/or poses the threat of release of a visible oil or sheen discharge to navigable waterways. The SAP and QAPP shall incorporate an adaptive management approach, whereby the scope of sampling services may increase as needed based on information regarding the location, nature, and extent of affected visible oil or sheen.

The objective of the SAP and QAPP shall be to describe, in detail, the sampling/analysis and quality assurance programs that Enbridge will adhere to in the short-term during realization of the primary objective, which is the removal and/or abatement of visible oil and/or sheen that is either currently affecting navigable water ways and/or poses the threat of release of a visible oil or sheen discharge to navigable waterways.

Accordingly, in the context of the SAP and QAPP, "remediation" shall be defined to include the interim response action of removal of visible oil and petroleum products from media affected by the spill and located downstream of the spill source area. Specifically, this includes response actions to remove and/or abate visible oil and/or sheen that is either currently affecting navigable water ways and/or poses the threat of release of a visible oil or sheen discharge to navigable waterways.

Future longer-term actions, beyond the removal and/or abatement of oil and sheen, to address residual effects from the spill will be governed by laws, regulations, and regulatory agencies with the appropriate jurisdiction. Enbridge may desire to consider the implications of these requirements as secondary objectives in the current response plan, knowing that these requirements will be applicable to future actions that will be required for assessment and/or closure. To the extent feasible, Enbridge may elect to perform sampling and analyses in supportive of the secondary objective during the current response action.

The principal focus of all current actions covered by the SAP and QAPP shall be the achievement of the primary objective stated above, regardless of any supplemental sampling that Enbridge elects to perform in support of secondary objectives. Actions governed by the SAP and QAPP shall include sampling of at least the media presented below in support of response actions related to the removal of visible oil or sheen from navigable waterways and/or the removal of oil that poses the threat of release of a visible oil or sheen discharge to navigable waterways.

1. The presence or absence of visible oil in media
2. Sediment screening to assess for the presence of visible oil
3. Source area soil and water for the presence of visible oil
4. Air quality related to the spill and associated spill response activities

At no time shall sampling and/or characterization in support of potential secondary objectives prevent or otherwise limit Enbridge's sampling in support of the primary objective. This

includes the allocation of resources or schedule considerations, whereby resources are always assigned to supporting the primary objective first.

Part 201 (Environmental Remediation) of the Natural Resources and Environmental Protection Act (1994 PA 451, as amended) administered by the Michigan Department of Natural Resources and Environment (DNRE) may govern issues related to residual contaminant compound concentrations after the current response actions to remove/abate visible oil are completed. Enbridge may consider the Part 201 regulations and others that may apply in the future while preparing the current SAP and QAPP for these initial response actions at the spill source area and downstream area. Other regulatory agencies that may have jurisdiction over future actions, after the visible oil has been removed, include, but are not limited to: U.S. EPA; U.S. Coast Guard; U.S. Army Corps of Engineers; DNRE; U.S. Fish & Wildlife Service (U.S. FWS); Michigan Department of Agriculture (MDA); Michigan Department of Community Health (MDCH); Calhoun County Public Health Department (CCPHD); Kalamazoo County Health and Community Services Department (KCHCSD); and/or others.

Approval of the SAP and QAPP by the U.S. EPA, once granted, does not imply approval of the SAP and QAPP by any other regulatory agencies. Approval of the SAP and QAPP by the U.S. EPA, once granted, also does not represent assurance that activities undertaken consistent with the SAP and QAPP are in compliance with laws and regulations outside the purview of the U.S. EPA during these initial response actions to remove visible oil.

The qualitative information described in the SAP and QAPP including, but not limited to, analytical methods, quantity, duration and frequency is applicable only to the current response action of oil/sheen removal and does not necessarily apply to future response and/or closure actions.

Among the laws and regulations that are outside the purview of U.S. EPA are the laws and regulations of the State of Michigan. Citations to Michigan laws and regulations in these comments are not meant to be all inclusive, and Enbridge is not relieved of its obligation to comply with other laws and regulations if omitted in these comments. Finally, undertaking activities consistent with the SAP and QAPP, once they are approved by the U.S. EPA, does not obviate the need for Enbridge to acquire all necessary permits and comply with other applicable regulatory requirements including, but not limited to: NREPA and other Michigan law, including, but not limited to, Part 201; Part 31, Water Resources Protection (Part 31); Part 55, Air Pollution Control (Part 55); Part 91, Soil, Erosion, and Sedimentation Control (Part 91); Part 111, Hazardous Waste Management (Part 111); Part 121, Liquid Industrial Wastes (Part 121); Part 115, Solid Waste Management (Part 115); Part 301, Inland Lakes and Streams (Part 301); Part 303, Wetlands Protection (Part 303); and Michigan's floodplain regulatory authority found in Part 31.

If Enbridge elects to collect soil, groundwater or other media samples in pursuit of compliance with Part 201, then Enbridge may contact the DNRE Remediation Division (RD) and Water Resources Division (WRD) for details regarding required protocols, guidance and methodologies, to maximize the benefit of the supplemental actions. The chemical composition of the oil released could be an essential component in guiding actions in pursuit of the secondary

objectives. Sampling to determine the horizontal and vertical extent of affected media, as well as a hydrogeologic investigation of the affected area, may be required by the DNRE or other regulatory agencies.

Specific Comments Common to the SAP and QAPP

1. The protocols described in the SAP and QAPP are intended to address sampling and analyses that occur during response actions necessary to remove and abate all visible oil and petroleum from the source area and from areas downstream of the referenced spill source area. Therefore, all references to "remediation" within the SAP and QAPP which are intended to address the interim response action of removal of visible oil and petroleum products from media affected by the spill and areas located downstream of the spill source area shall be referred to as "response" actions. The term "remediation" shall be used in reference to long-term actions/objectives which will be decided by the appropriate regulatory agency.

2. The SAP and QAPP shall be amended to include a section for definitions of terms used in the plan, such as "response" and "remediation." Additionally, terms used and defined by the SCAT program shall be used as much as possible to increase consistency among the plans guiding the current response actions.

3. The SAP and QAPP shall identify the methods and/or protocols that will be used to determine if observed oil is comprised of dense non-aqueous phase liquid (DNAPL), light non-aqueous phase liquid (LNAPL), or both.

SAP-Specific Comments

The SAP-specific comments are subdivided into four general categories as described below.

A. Analytical, Drinking Water, Groundwater, and Soil
B. Wetlands
C. Surface Water and Sediments
D. Other Considerations

A. <u>Analytical, Drinking Water, Groundwater and Soil</u>

1. Section 3.7: Please provide more details on data validation. Validation shall be performed by an independent third-party. Level IV data packages shall be provided to allow full validation. Full validation shall be conducted on at least 10% of chemistry samples while summary (Level III) validation shall be conducted on the remainder of the samples unless significant problems are found in the full validation samples.

2. Section 4.1: Please provide additional details. The Data Quality Objectives (DQOs) shall include quantitative as well as qualitative descriptions that define the decisions that need to be made, the appropriate types of data, and the tolerable levels of potential decision errors

that will be used as the basis for establishing the quality and quantity of data needed to support decisions. Consistent with the DQOs, the detection limits, precision, and accuracy of the analytical methods listed in other sections must be sufficient to evaluate the decision endpoints.

3. Section 4.2: Please revise this section to include sampling of the entire water column at all sample locations. This is required to assure that no visible oil (LNAPL or DNAPL) or sheen is present in the water column.

4. Table 4.3: Metals in the referenced Target Analyte List are not specified. Please specify all of the metals that are to be analyzed.

5. Section 4.4: Please provide confirmation that the proposed analytical laboratory has the proper certification for the proposed analyses.

6. Table 4.4: Please provide more details. There is insufficient information to determine the frequency and duration of groundwater monitoring.

7. Section 4.5: Surface soil samples shall be collected from at least the top six inches of the soil, instead of just the top two inches of soil. Because soils were saturated at the beginning of the release, it is possible that oil may have penetrated deeper as it dissolved and as soils began to dry out. Additional subsurface samples (deeper than the surface) may be required.

8. Table 4.5 is missing from the SAP document as referenced in Section 4.5 Soil Sampling/Screening Approach, Soil Sample Analyses. Please add the referenced Table 4.5.

9. Please provide additional details regarding the evaluation of the analytical data. Please include in the SAP a table of required or target Practical Quantitation Limits (PQLs) for the various matrix test parameters. Also include a short discussion on how sample results exceeding the target PQLs will be handled, such as acceptable qualification/flag codes, increasing sample volume for lower PQLs where needed (due to high moisture content, etc.), and the need to identify significant unknown organic test chromatographic peaks as tentatively identified compounds.

10. Section 7.0: Please add a section 7.7 to include Trip Blank for water VOC samples as part of the Quality Assurance (QA) program.

11. Standard Operating Procedures 20101-7, Potable Well Sampling, Laboratory and Reporting, Laboratory Quality Control (QC) Samples: Please delete end of last sentence "…consistent with EPA document SW 846…" and substitute, "…..consistent with all analytical method requirements under the Safe Drinking Water Act (SDWA)." Potable water testing must conform to the SDWA program, not the Solid Waste Program method requirements.

12. Soil Sampling - Soil Classification and Logging: Please provide additional details on soil sampling methods. If soil sample collection for analytical testing will occur, then a new section must be added to address how soil samples will be collected, what test methods will

be employed, and the QC requirements needed. If soil VOC testing is planned, then Methanol (MeOH) preservation should be identified. If low-level soil VOC testing may be used, then the preservatives must be identified. All soil testing results shall be reported on a dry weight basis.

13. In many locations throughout the text and tables, the method specified for Volatile Organic Compounds (VOC) is 8206B. Please revise to include the correct method of 8260B.

14. Section 7.0, Quality Assurance: Soil and groundwater are not included in this section. Please revise to include soil and groundwater samples.

15. In general, the Standard Operating Procedures (SOP) significantly lack relevant content. Information that is lacking includes an explanation of how groundwater samples will be collected, the type of equipment that will be used to collect samples, and the specific sample containers that will used. In addition, use of Method 5035A, methanol preservation, is not discussed. Please revise to include these details.

16. SOP, 2010 – 1, Section 4.4: Use of zip lock bags to homogenize samples has the potential to introduce chemicals into samples that may not be present in the oil that was released. Please propose an alternate method to homogenize samples that minimizes the potential to introduce contaminants to samples.

17. Please specify the sampling method that is to be used for soil sampling [i.e., Method 5035A for methanol preservation of soil samples collected for laboratory analysis of volatile organic compounds (VOC)].

18. SOP, 2010-1, Section 4.10: Please revise the analytical list to include all constituents that may be present in the oil that was released. Of particular concern, this section omits VOCs and may omit some of the inorganic compounds (i.e., metals) that may be present in the oil.

19. The proposed survey-by-canoe along the river to locate existing wells as a way to supplement local health department information is not an effective approach to gain the needed data. Other sources of information, including township tax records for property owner names and addresses, electronic database searches, and mailings to all affected property owners asking for information about their wells may be more effective. The well survey shall cover both potable and irrigation wells along the river within the 200 foot buffer zone.

20. The sampling frequency based on depth of well screen is not adequate for rock wells where bedrock is near the surface. The frequency for the drift wells less than 40 ft deep should be used for wells such as the wells in Calhoun County. The wells in Calhoun County are mostly rock wells without screens and may have only 25 feet of casing despite being deeper open boreholes. That means that those wells pull water throughout the column and likely draw water from fractures in the rock, possibly higher up in the column than where the well terminates. Elevation of the well screen or the bottom of the casing for bedrock wells should be measured at an elevation below the Kalamazoo River bottom rather than below ground

surface for all wells, drift or rock. Additionally, mean sea level should be used to reference all elevations of wells and the bottom of the Kalamazoo River.

21. The need for monitoring wells to assess impact to groundwater should not hinge on detecting contaminants in drinking water wells. The proposed plan does not take future use of the ground water resource into account. Monitor wells should be sited where conditions are likely to have an impact on groundwater. Areas where there are/were large amounts of oil deposited, specific hydrogeologic conditions (such as near dams), high capacity groundwater withdrawals, etc., may be of particular concern.

    Please provide additional information on surface water collection samples. In the additional information, please indicate whether the samples will be grab samples or stream-integrated composite samples.

22. Section 4.3: States that "aquatic vegetation, water depth and water velocity" will be investigated. Please provide details regarding the specific methods and protocols for which these parameters will be investigated.

23. Please provide details about purging methods and volumes that will be used when developing a borehole for subsurface water collection to ensure that a representative, non-stagnant, water sample is collected.

24. Please include depth-to water measurements in records at all locations where subsurface water samples are collected.

B. <u>Wetlands</u>

1. The SAP does not specifically address evaluation of wetlands. Please provide details regarding planned assessment of the wetland. The plan must contain, as a minimum, short term monitoring of affected wetlands.

2. Please provide documentation as to the extent of affected wetlands known at the time of the revised SAP, including a figure with the known limits and a calculated estimate of the affected wetland acreage.

3. Please provide detailed information about wetland types that have been affected, because this information may affect the type of response action initiated for the affected wetlands when executing the response actions of removing visible oil or sheens. The information provided shall include, but not be limited to: predominant vegetation type (e.g. forested floodplain, emergent, wet meadow) and definition of same, and soil type (mineral or organic).

4. Please provide detailed information about sensitive wildlife species present within the affected wetlands this information may affect the type of response action initiated for the affected wetlands when executing the response actions of removing visible oil or sheens.

5. Please define physical impacts to wetlands from remedial actions (i.e., excavation of soils, construction of temporary roads), both in terms of acreage and type of impact, with resulting loss of wetland function. This shall include delineating the scope of impact, and monitoring impacts on adjacent wetlands (i.e., does de-watering drain adjacent wetlands?).

6. Please provide detailed information about impacted runoff, if any, from the spill and/or spill response being directed to adjacent wetlands.

C. <u>Surface Water and Sediments</u>

1. Section 4.0, Page 9:

   a. First two bulleted items "surface water sampling" and "sediment sampling" have the same objective which is to assess impacts to sediments. The objective of the surface water sampling shall be to assess impacts to surface water. Please revise accordingly.

   b. Please add a wet-weather component in the sampling objectives that includes increased monitoring frequency (including visual observations) to ensure that the visible oil/sheen is contained and does not exacerbate the extent of oil impacts.

2. Please add total petroleum hydrocarbons (TPH), gasoline-range TPH (GRO), diesel-range TPH (DRO) and oil-range TPH (ORO) to the list of analytes for all soil samples.

3. Section 4.2, Page 10:

   a. The narrative in the plan does not appear to reflect the sampling stations shown in Figures 8-10. Please ensure the text and figures are consistent. Additionally, please provide a table with sampling locations using common terminology, in addition to the latitude and longitude for contemplated sampling location.

   b. The plan states that subsurface water column collections will be made at 25% of the sample locations, chosen at random. Please revise this to include subsurface water column samples at each sample location.

   c. Please provide details about sample collection methods for all media.

   d. Visual observations shall be made and recorded at all sample locations (i.e., sheen presence and size of sheen, free product, tar balls, etc.).

   e. Oil/tar-like flecks have been observed in water samples collected from the 35th Street bridge in Galesburg. Please propose an analytical method to analyze these samples for the presence of oil to determine what this material is and where it originates (i.e., erosion material from soiled areas, oiled vegetation, etc.).

4. Section 4.3:

    a. Sediment Sampling: Please provide additional details on how the sediment sampling objectives will be met. The plan states that the objective for sediment sampling is to "determine whether surficial releases have impacted creek and river beds". Given the spatial heterogeneity of sediment contamination that typically occurs in river systems, many additional sediment samples are needed, particularly in the currently unsampled reach between the Historic Bridge Park and Morrow Lake, to meet this objective.

    b. The depth of sediment sampling must be sufficient to detect submerged oil at the surface and in areas where ongoing deposition may have already buried an oily layer.

    c. Sediment sampling locations shall be based on geomorphic features where sediment accumulates, depositional areas, emergent vegetative areas, sensitive habitat areas, and contemplated response action areas, and shall not be based on geographic grids.

    d. Sediment sampling frequency is not clearly stated in the SAP. Sediments shall be sampled a minimum of 2 times monthly to monitor changes in sediment quality during response activities.

    e. Sediment samples shall be collected in upstream sampling locations at the same frequency as sampling within and downstream of the impacted areas.

    f. Third paragraph should state “one upstream location on the Kalamazoo River” instead of “one upstream sample”.

    g. Please provide sediment collection methods/protocols (i.e., how are sediment samples collected from the substrate).

    h. The sampling plan is unclear regarding sediment sampling in Morrow Lake. In addition to sample locations suggested by other means, sediment samples shall be collected at the inlet of Morrow Lake, off Wenke Park and near the dam.

5. Section 4.4: TPH is referenced, but not defined. Please add TPH to the list of acronyms and definitions.

6. Table 4.6: It is likely that TPH will be required for waste characterization. Therefore, please add TPH GRO, DRO, and ORO to Table 4.6.

7. Section 4.6:

    a. Please add “sediment” and “Morrow Lake” to the list of places where waste will be generated in the second bullet.

    b. Please add analyses of soils in the storage area to the waste characterization sampling plan as a preventative measure so that the contaminants in the soil are known in the event

that leakage of the contaminants from the stockpile occurs. Soils shall be analyzed for the same parameters as the other waste streams identified.

c. Please delete one "tank" in second sentence under "Location and Frequency".

8. Section 4.8:

   a. Using "Manta" samplers in Morrow Lake to monitor dissolved oxygen (DO) and other parameters. Please consider this sampling methodology for deployment at other impacted areas/zones of the Kalamazoo River, upstream of Morrow Lake.

   b. Also, please clarify the wording in the last sentence of the first paragraph.

   c. Please clarify, in the first paragraph, the conditions that warrant maintaining and monitoring the containment booms.

   d. Please include a map of sampling locations in Morrow Lake

9. Section 4.8.2: Please add TPH GRO, DRO, and ORO to the list of surface water analytes to monitor.

10. Page 23: Table 6.1: Reactive sulfide and total sulfur do not appear in the sampling plan except in this table. Please clarify which samples will be analyzed for this parameter.

11. Pages 29-30: Section 11.2: Please include sediment screening values in the last paragraph of page 29 and the first paragraph of page 30 to clarify what sediment results will be compared to.

12. Appendix - Standing Operating Procedures 2010-2: The abbreviations in the Standard Operating Procedures 2010-Appendix shall be consistent with the abbreviations in the main body of the plan.

13. The number of sediment samples proposed in the plan does not match the number of samples shown on the figure. Please revise to make the text and figures consistent with the planned quantity of samples.

14. Bi-weekly sampling of surface water is unacceptable. Please propose other methods and/or sampling frequencies that are based on river flow, precipitation events, and other observations made regarding the visual presence of oil and/or sheen.

D. <u>Other Considerations</u>

1. Public health considerations in the SAP are inadequate. Please provide additional sampling criteria and methods that will be employed during the visible oil/sheen removal response actions. The actions should provide clearly defined action levels that will be used.

2. The SAP identifies possible sampling duration for the groundwater sampling program. The duration of groundwater monitoring that will be associated with this spill has not been determined and, as such, shall be eliminated from the SAP.

3. Spatial distribution of sampling locations contemplated in the SAP shall be identified as conceptual maximum distances only. Further, the SAP shall be modified to explicitly allow flexibility to reduce the spatial distance between sample locations, depending on the site-specific conditions encountered.

4. Given that the current physical response actions to remove visible oil and sheen from navigable waterways are initial actions related to the spill response and given that the magnitude of the subsurface effects related to the spill are currently unknown, the SAP shall not place any limitations on the depths for sampling of soil, groundwater, or sediment. Therefore, please modify all references to depths identified in the SAP to reflect that they are only minimum depths.

5. The SAP shall specify that notification will be provided to all regulatory agencies with jurisdiction over the area or activity where sampling will be performed. A minimum of 48 hours prior notice is needed to allow adequate time for the agencies to coordinate resources to be present during sampling and/or to take split samples.

6. The SAP figures shall be revised so that the symbols on the legends correspond with the symbols on the maps.

7. Section 3.1: The SAP states that "The Company Project Management Team (EPMT) is responsible for implementing the project." A single individual shall be made responsible for overall responsibility/accountability for performance instead of a Team.

8. Section 3.3: Please revise as follows: "The Quality Assurance Officer (QAO) shall report directly to the EPMT and have the authority to mandate changes to field/lab activities if QA/QC issues arise. The Laboratory QA manager shall report to the QAO, rather than being 'equal' in the organizational structure. Likewise, the QAO shall be above the field manager task leader so that QAO instructions are followed."

QAPP-Specific Comments

1. The QAPP references the subject site as being located in Kansas. Please revise the response area location to be in Michigan.

2. Section 1.1: Please specify which specific work plan is referenced in the first bullet by providing the complete name of the work plan, or work plans if appropriate.

3. Section 1.2.1: The overall project objective is stated as removing "oil and grossly contaminated soil with the intent of achieving Part 201 criteria". However, the primary

objective of the current response action is actions to remove visible oil and/or sheen that is either currently affecting navigable water ways and/or poses the threat of release of a visible oil or sheen discharge to navigable waterways. Please modify the text to reflect the primary objective stated above. Any sampling performed by Enbridge in support of secondary objectives to support characterization and/or closure in compliance with Part 201 is outside of the purview of the U.S. EPA and Enbridge may want to contact the DNRE or otherwise ensure compliance with DNRE regulations/practices in support of this secondary objective.

4. Section 1.2.2: The impacted area is stated as 8 miles. However, current response actions have confirmed that the extent of the impact is greater than this. Please revise the size of the known impacts.

5. Section 1.2.3: The description of the impacted area is vague. Please provide a more accurate and detailed description of the impacted area and identification of affected media.

6. Section 1.5.2: Please provide confirmation that the Enbridge-selected laboratories of ALS Environmental and Pace Analytical Services, Inc., are certified by the National Environmental Laboratory Accreditation Conference (NELAC).

7. Section 2.2.2: This section only identifies USEPA Solid Waste SW-846 methodology for the testing of all samples. The SAP identifies potable water sample collection and testing. Using the Solid Waste methods for the testing of drinking water samples from wells is inappropriate. This section should identify the appropriate Safe Drinking Water Act (SDWA) promulgated test methods for the proposed analyses. Additionally, the testing of potable water (drinking water) should be performed by a laboratory certified for each test method by the State of Michigan under primacy of the SDWA. Please add tables that identify the reporting requirements to meet the SDWA to include Accuracy, Precision and Reporting Limits.

8. Tables 1-2 through 1-11:

    a. Tables 1-2 and 1-3 identify Method 5035 for soil sample preparation. This should state that soil samples for VOC analysis of highly contaminated samples should use methanol preservation as specified in Method 5035.

    b. VOC and SVOC accuracy and precision aqueous data is insufficient, given that surface water and groundwater may be impacted. This information should be added to the plan.

    c. Precision acceptance of 30 and 50 Relative Percent Difference (RPD) for every VOC/SVOC soil/sediment compound is unacceptable. Please propose appropriate revised RPDs.

d. Precision, Accuracy or Reporting Limit data is not provided for an oil matrix. Because the spill was an oil matrix, this information shall be included.

9. Tables 1-16, 1-21, 1-22: Many compounds in these tables have footnotes referencing the Kansas Department of Health and Environment (KDHE). Please provide an explanation as to why KDHE is referenced; or provide a correct reference.

The nature of this emergency response effort demands an expedited and efficient review and approval process. U.S. EPA is providing competent and technical resources to ensure that a final comprehensive and functional SAP and QAPP for this project can be in place no later than 1200 hours on August 14, 2010.

U.S. EPA appreciates Enbridge's continued desire to conduct response efforts to the release from its 6B Pipeline, but requires that these efforts be conducted safely, promptly, and with appropriate resources and best technical practices. U.S. EPA will not accept further submissions of deficient plans.

Sincerely,

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

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