



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING DISTRICT OFFICE



DAN WYANT  
DIRECTOR

June 28, 2013

CERTIFIED MAIL

Mr. Rob Mickelson, Environmental Analyst II  
Enbridge Energy, Limited Partnership  
1409 Hammond Avenue, Second Floor  
Superior, Wisconsin 54880

VN No. VN-005635

Dear Mr. Mickelson:

SUBJECT: Violation Notice  
NPDES Certificate of Coverage (COC) No. MIG670344  
Designated Name: Enbridge-Line 6B 2012 Maintenance

On June 20, 2013, the Department of Environmental Quality (DEQ), Water Resources Division (WRD) staff inspected the Enbridge-Line 6B 2012 Maintenance Facility, Outfall 004, located at North Ore Creek north of Parshallville Road in Tyrone Township, Livingston County, to respond to a complaint and determine compliance with National Pollutant Discharge Elimination System (NPDES) Permit No. MIG67000 and Certificate of Coverage (COC) MIG670344, which was issued on November 5, 2012, effective April 1, 2013. The DEQ WRD has determined that Enbridge Energy, LP is in violation of NPDES Permit No. MIG67000 and COC MIG670344.

Mr. Keith Lane and I participated in the site inspection. Additional information was provided via telephone and email by you and Mr. Jacob Koebbe of Air & Water Compliance Group, LLC. Our findings and observations are as follows.

1. Film footage from the site showed reddish effluent and a river colored red downstream of the discharge. Red-stained algae and stream bank vegetation was observed during our June 20, 2013, inspection. This discharge is a violation of your permit. As a result of this discharge, the receiving water contained unnatural turbidity and color which is a violation of Part 31 and your NPDES permit and COC. Also, we note that your Hydrostatic Test Discharge Plan states that the final flow of water, which tends to be reddish in color and contain dirt, will be collected in tanks and hauled for proper treatment.
2. No on-site representative (i.e. certified operator for wastewater or their staff) was present on June 17, 2013, as required. This is a violation of your NPDES permit and COC.
3. No discharge and receiving water inspections were conducted on June 17, 2013. This is a violation of your NPDES permit and COC.
4. No samples were taken as required on June 17, 2013. This is a violation of your NPDES permit and COC.
5. Discharge and receiving water inspections were conducted once per day instead of the required three times daily from June 12-14, 2013. This is a violation of your NPDES permit and COC.

6. According to Mr. Koebbe, samples of the effluent were taken after mixing with the receiving stream. Samples must be taken prior to mixing with the waters of the state. This is a violation of your NPDES permit and COC.
7. Samples for dissolved oxygen (DO) and pH taken on June 12-14, 2013, exceeded the hold time requirements of 15 minutes. Samples taken on June 12-14, 2013, were received by the laboratory on June 14, 2013. This is a violation of your NPDES permit and COC.
8. Samples for total suspended solids (TSS) taken on June 12-14, 2013, were required to be daily three-portion composite samples collected at three equally-spaced intervals representing the daily discharge period. Only one grab sample was taken each day. This is a violation of your NPDES permit and COC.
9. Samples for pH and DO were required to be taken three times daily. Only one sample for each parameter was taken each day from June 12-14, 2013. This is a violation of your NPDES permit and COC.
10. Equipment inspections, required three times daily, were not documented as required. It is not clear if they were conducted. You provided a "Hydrostatic Testing-Inspector Daily Report" in response to my request for documentation of equipment inspection. No inspections of equipment are noted. Please be advised that the absence of comments regarding equipment failure does not provide documentation that three inspections occurred. Further, even if inspections were conducted by this person and not documented, he is not a certified operator or under the supervision of your certified operator. This is a violation of your NPDES permit and COC.
11. Laboratory reports that you provided reported the effluent limit violations for oil and grease shown in Table 1 below occurring from June 12-14, 2013. These monitoring results are violations of your permit.

**Table 1, Known Effluent Limit Violations**

DATE	PARAMETER	EFFLUENT LIMITATION Daily Maximum, mg/l	REPORTED VALUES Daily Maximum, mg/l
6/12/13	Oil & Grease	15	85
6/13/13	Oil & Grease	15	18

We note that the laboratory results indicate violations for DO on June 12-14, 2013. We have not cited these results as effluent limit violations, however, since the hold times were grossly exceeded and it is unlikely that these results are valid.

12. Given the appearance of the stream and vegetation, it is likely that effluent limits for TSS and/or Oil and grease were violated on June 17, 2013, but no data is available.

The discharges for this location have ceased and the violations identified in this Violation Notice have ceased. The violations identified in the Violation Notice are violations of Part 31 and NPDES Permit No. MIG670000 and COC No. MIG670344. Enbridge Energy, LP should take

Mr. Rob Mickelson, Enbridge Energy, LP  
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immediate action to achieve and maintain compliance with the terms and conditions of NPDES Permit No. MIG670000 and COC No. MIG670344.

Please submit a written plan to this office by July 31, 2013. At a minimum, the plan shall include:

1. Steps that will be taken to ensure that adequately trained and knowledgeable staff serve as your on-site representative(s) and conduct all required inspections and sampling;
2. Training for the on-site representative and other appropriate on-site staff in required sample collection, preservation, and analysis techniques;
3. Communication procedures that ensure that the on-site representative is aware of discharge periods and is on site during these discharges;
4. Procedures to ensure that permit requirements are understood and followed by Enbridge Energy, LP representatives (including contract personnel), including adequate sampling frequency, EPA-approved sampling techniques and methods of analysis, and written documentation; and
5. Procedures to ensure that noncompliance is recognized and responded to, including notification of the DEQ WRD.
6. Procedures to ensure that the above training, communication, and procedures are implemented state-wide for all hydrostatic pressure test water discharges.

Please submit your final discharge and monitoring report as required, within 30 days of completing the discharge.

If you have any factual information you would like us to consider regarding the violations identified in this Notice, please provide them with your written response.

We anticipate and appreciate your cooperation in resolving this matter. Should you require further information, please contact me at the number listed below; davidsonc@michigan.gov; or Department of Environmental Quality, Water Resources Division, Lansing District Office, 525 West Allegan Street, Constitution Hall 4th Floor-North, P.O. Box 30242, Lansing, Michigan 48909.

Sincerely,



Carla Davidson  
Lansing District Office  
Water Resources Division  
517-335-6106

cc: Mr. Barry Selden, Enforcement Unit, WRD  
Mr. Ken Leanin, DEQ WRD

