



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND
ENERGY

KALAMAZOO DISTRICT OFFICE



LIESL CLARK
DIRECTOR

July 10, 2020

Enbridge Energy
Attn: Mr. Bryan Stiemsma,
Project Coordinator and Manager Environment
455 Leggit Road
Marshall, Michigan 49068

Dear Mr. Stiemsma:

SUBJECT: Notice of Approval of No Further Action Report for a Portion of the Enbridge Spill-Talmadge Creek-Kalamazoo River Facility Segment 10 (Reaches 41-48), extending from Mile Post 32.19 to Mile Post 40.10; for the Crude Oil Release from the Lakehead System Line 6B Pipeline on July 25 and July 26, 2010; Hazardous Substances Include All Volatile Organic Compounds, Polynuclear Aromatic Hydrocarbons, and Metals; Within the Soil, Sediment, Groundwater, and Surface Water; Marshall, Calhoun County, Michigan; Facility ID No. 13000397

The Department of Environment, Great Lakes, and Energy (EGLE), Remediation and Redevelopment Division (RRD), has reviewed the No Further Action (NFA) Report for Segment 10 submitted by Enbridge Energy on January 25, 2020, respectively. The NFA Report was submitted under Section 20114d of Part 201 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). Based on this review, the NFA Report is approved.

EGLE has determined that the remedial action described in the NFA Report satisfies the requirements of Part 201 for the unrestricted residential cleanup category provided for in Section 20120a(1) of the NREPA. Therefore, the NFA Report is approved for a portion of the Enbridge Spill-Talmadge Creek-Kalamazoo River Facility Segment 10 (Reaches 41-48), extending from Mile Post 32.19 to Mile Post 40.10; for the crude oil release from the Lakehead System Line 6B Pipeline on July 25 and July 26, 2010; hazardous substances include all volatile organic compounds, polynuclear aromatic hydrocarbons, and metals; within the soil, sediment, groundwater, and surface water; and this correspondence serves as the No Further Action Letter as defined by Section 20101(1)(gg) of the NREPA.

As provided in Section 20126(4)(e) of the NREPA, a person with an approved NFA Report has an exemption to liability for the environmental contamination addressed in the NFA Report but may be subject to liability for environmental conditions under the circumstances described in that subparagraph.

EGLE's approval is based upon representations and information contained in the NFA Report for a portion of the Enbridge Spill-Talmadge Creek-Kalamazoo River Facility Segment 10 (Reaches 41-48), extending from the Mile Post 32.19 to Mile Post 40.10; for the crude oil

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release from the Lakehead System Line 6B pipeline on July 25 and July 26, 2010; hazardous substances include all volatile organic compounds, polynuclear aromatic hydrocarbons, and metals; within the soil, sediment, groundwater, and surface water.

EGLE expresses no opinion as to any other contaminants or areas beyond those identified and addressed as described in the NFA Report. EGLE makes no warranty as to the fitness of this facility for any general or specific use, and prospective purchasers or users are advised to use due diligence prior to acquiring an interest in or using this facility. The State reserves the right to take an action against Enbridge Energy if it discovers at any time that any material information provided by Enbridge Energy in the NFA Report was false or misleading.

All documents and data prepared, acquired, or relied upon in connection with these NFA Report must be maintained for not less than ten years after this approval pursuant to Section 20114d(7) of the NREPA, and shall be made available to EGLE upon request.

If you have additional questions regarding this matter, please contact Chris Lantinga, Project Manager, at 269-548-7182; lantingac@michigan.gov; or EGLE, 7193 Adobe Road, Kalamazoo, MI 49009; or you may contact me.

Sincerely,

 *FOR*

David Heywood, District Supervisor
Kalamazoo District Office
Remediation and Redevelopment Division
269 547-0604
HeywoodD1@michigan.gov

cc: Mr. John Bohrmann, Enbridge Energy
Ms. Polly Synk, DAG
Ms. Josh Mosher, EGLE
Mr. Chris Lantinga, EGLE
Ms. Michelle DeLong, EGLE
Mr. Pablo Mora, EGLE