



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

March 19, 2012

**SCIOTO COUNTY
GENERAL FILE
(TEXAS EASTERN TRANSMISSION LP
WHEELERSBURG aka SPECTRA
ENERGY)
DMWM/SEDO
OHD051368033**

Mr. Robert Bartels, Area Supervisor
Spectra Energy Transmission, LLC
3096 State Route 522
Wheelersburg, Ohio 45694

RE: PARTIAL RETURN TO COMPLIANCE

Dear Mr. Bartels:

Thank you for your March 14, 2012 response to Ohio EPA's Notice of Violation letter. In addition to a telephone call to me from Mr. Noah Minge, Regional Environmental contact for Texas Eastern/Spectra Energy on March 5, 2012, I received written documentation which included a cover letter explaining Texas Eastern/Spectra Energy's position on the violations cited as a result of Ohio EPA's February 22, 2012 hazardous waste inspection. The written response also included a copy of the Wheelersburg Compressor Station's SPCC Plan which includes the facility's Contingency Plan and a copy of the facility's Spill Response Chart that is located near the entrance/exit of on-site buildings.

Based on my discussion with Mr. Noah Minge on March 5, 2012 and my review of the written documentation submitted March 14, 2012, Texas Eastern Transmission LP-Wheelersburg (aka Spectra Energy Transmission, LLC) has demonstrated compliance with the following:

OAC Rule 3745-65-51, Purpose and Implementation of Contingency Plan.
OAC Rule 3745-65-52(E), Content of Contingency Plan – List of Emergency Equipment.
OAC Rule 3745-65-52(F), Content of Contingency Plan – Evacuation Plan.

However, Texas Eastern Transmission LP-Wheelersburg remains in violation of the following. In order to correct these violations, you must do the following and send me the required information **within 14 days** of your receipt of this letter:

- **OAC Rule 3745-65-52(A), Content of Contingency Plan-Notification Requirements.** The contingency plan must describe the actions the facility will take to comply with OAC Rules 3745-51 (Contingency Plan) and 3745-65-56 (Emergency Procedures). OAC Rule 3745-56 requires immediate notification of the Ohio EPA emergency response team by use of its 24-hour toll free number (1-800-282-9378) whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

The Spill Procedures Chart, and the Environmental SOPs and SPCC Supplemental Document referred to in the chart, did not list Ohio EPA's emergency response team among the required notifications in the event the contingency plan is implemented, as required. The Spill Procedures Chart instructs the facility's Emergency Coordinator to contact an Emergency Response Hotline (1-800-735-6364), which is an internal system for reporting spills located in Houston TX. The Houston representative is then responsible for notifying state and federal agencies. The Spill Procedures Chart, the Environmental SOPs, nor the SPCC Supplemental Document instruct the Houston representative to immediately notify the Ohio EPA emergency response team by use of its 24-hour toll free number (1-800-282-9378).

The SPCC Supplemental Document also states that " the facility's Environmental Coordinator is responsible for notifying appropriate authorities, as necessary", but the Spill Procedures Chart, the Environmental SOPs, nor the SPCC Supplemental Document instruct the Environmental Coordinator to immediately notify the Ohio EPA emergency response team by use of its 24-hour toll free number (1-800-282-9378) whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment (i.e., upon implementation of the facility's contingency plan) as OAC Rule 3745-56 requires.

To demonstrate a return to compliance with this rule, Texas Eastern's Wheelersburg facility must revise the Contingency Plan, SOPs, SPCC Supplemental Document and Spill Procedures Chart to include this information. To document abatement of this violation, please submit to me a copy of the corrected documents.

Texas Eastern Transmission LP-Wheelersburg needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, Texas Eastern Transmission LP-Wheelersburg is requested to provide the requested documentation to this office of the steps taken to abate the violations cited above. The requested documentation may be submitted via regular postal service mail, or electronically to vicky.german@epa.ohio.gov.

Please be advised that violations cited above will continue until they have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and the rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each

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violation. Therefore, it is imperative that you return to compliance. If circumstances delay abatement of these violations, Texas Eastern Transmission LP-Wheelersburg is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions or need assistance, please contact me at 740-380-5237 or vicky.german@epa.ohio.gov.

Sincerely,



Vicky D. German
Division of Materials and Waste Management
Ohio EPA, Southeast District Office

VDG/sb

cc: Victoria Wagner, EHS Manager - US Operations
Texas Eastern Transmission, LP
P.O. Box 1642
Houston TX 77251-1642

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.