



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

901 Locust Street, Suite 462
Kansas City, MO 64106-2641

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 27, 2012

Mr. Rich Adams
Vice President, US Operations
Enbridge Energy, L.P.
Superior City Center
1409 Hammond Avenue
Superior, WI 54880

CPF 3-2012-5005W

Dear Mr. Adams:

On October 18-21 and October 24-27, 2011, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your Enbridge Energy, L.P. (Enbridge) Southern Lights Pipeline in North Dakota, Wisconsin, and Illinois.

As a result of the inspection, it appears that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The item inspected and the probable violation is:

1. §195.573 What must I do to monitor external corrosion control?

(c) Rectifiers and other devices. You must electrically check for proper performance each device in the first column at the frequency stated in the second column.

Device Check frequency Rectifier Reverse current switch Diode Interference bond whose failure would jeopardize structural protection	At least six times each calendar year, but with intervals not exceeding 2 ½ months
Other interference bond	At least once each calendar year, but with intervals not exceeding 15 months.

Enbridge did not monitor an interference bond whose failure would jeopardize structural protection six times a calendar year with intervals not exceeding 2 ½ months. At the time of PHMSA's inspection, the bond at Milepost 475 was only monitored once during the last year.

The pipeline was commissioned in 2010 and Enbridge conducted some interference testing at crossings with foreign pipeline systems. One bond at approximate Milepost 475 was reported by Enbridge representatives as a critical bond, but it was not being monitored 6 times per calendar year, at intervals not exceeding 2 ½ months, as required. All bonds should be reviewed to determine and document which ones whose failure would jeopardize structural protection, and monitor for proper performance at the required intervals.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item identified in this letter. Failure to do so will result in Enbridge Energy, L.P. being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to CPF 3-2012-5005W. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along

with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Barrett', with a stylized flourish at the end.

David Barrett
Director, Central Region
Pipeline and Hazardous Materials Safety Administration