



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

DEC - 3 2002

Mr. Daniel C. Tutcher
President
Enbridge Energy Company, Inc.
1100 Louisiana Street
Suite 3300
Houston, TX 77002-5217

Re: CPF No. 3-2002-5008M

Dear Mr. Tutcher:

Enclosed is the Order Directing Amendment issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes a finding of inadequate procedures and requires that you amend your integrity management program procedures. When the terms of the Order are completed, as determined by the Director, Central Region, OPS, this enforcement action will be closed. Your receipt of the Order Directing Amendment constitutes service of that document under 49 C.F.R. § 190.5.

Sincerely,

Gwendolyn M. Hill
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

cc: John R. Sobojinski
Manager, U.S. Compliance & Risk Management
Enbridge Energy Company, Inc.
Lake Superior Place
21 West Superior Street
Duluth, MN 55802-2067

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590

In the Matter of)	
)	
Enbridge Energy Company, Inc.)	CPF No. 3-2002-5008M
)	
Respondent.)	
)	

ORDER DIRECTING AMENDMENT

On February 26-27, 2002, pursuant to 49 U.S.C. § 60117, representatives of the Central and Eastern Regions, Office of Pipeline Safety (OPS), inspected Enbridge Energy Company's (Respondent's) integrity management program at Respondent's facility in Duluth, Minnesota. As a result of the inspection, the Central Regional Director, OPS, issued to Respondent, by letter dated May 15, 2002, a Notice of Amendment (NOA). The NOA alleged inadequacies in Respondent's integrity management program and proposed to require amendment of Respondent's procedures to comply with the requirements of 49 C.F.R. § 195.452(b).

Respondent responded to the NOA by letter dated June 18, 2002, as supplemented by letter dated September 3, 2002. Respondent did not contest the allegations set forth in the NOA and did not request a hearing, consequently Respondent waived its right to one. However, Respondent described the actions it is taking to address the inadequacies in its procedures that were identified in the NOA.

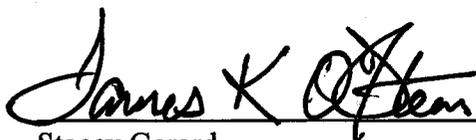
Accordingly, I find that Respondent's integrity management program procedures are inadequate to ensure safe operation of its pipeline system. Pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237, Respondent is ordered to make the following changes to its integrity management program procedures. Respondent must:

1. Amend its procedures to provide adequate technical justification for determining the spill volume used to identify pipeline segments that could affect high consequence areas accounting for Respondent's leak history which includes incidents larger than the 20,000 barrel volume used in its original analysis;
2. Amend its procedures to modify the land flow analysis used to identify pipeline segments that could affect high consequence areas to account for topographical gradients and other factors that could stretch the spill plume geometry beyond the 1,770 feet associated with uniform distribution over a strophoid shaped plume;

3. Amend its procedures to provide adequate technical justification for determining the extent of the buffer zone used to identify natural gas liquid pipeline segments that could affect high consequence areas to include an analysis of predicted vapor dispersion from a natural gas liquid release;
4. Respondent must amend its procedures within 30 days following receipt of this Order Directing Amendment. Submit all amended procedures and technical justifications demonstrating compliance with this Order to the Director, Central Region, Office of Pipeline Safety, 901 Locust Street, Suite 462, Kansas City, MO 64106-2641.

The Director, Central Region, OPS, may grant an extension of time to comply with any of the required items upon a request by the Respondent demonstrating good cause for an extension.

Failure to comply with this Order Directing Amendment may result in the assessment of civil penalties of up to \$25,000 per violation per day, or in the referral of the case for judicial enforcement. The terms and conditions of this Order are effective upon receipt.



Stacey Gerard
Associate Administrator
for Pipeline Safety

DEC - 3 2002

Date Issued