

June 17, 2020

VIA ELECTRONIC MAIL TO: vern.yu@enbridge.com

Mr. Vern Yu
Executive Vice President and President, Liquid Pipelines
Enbridge, Inc.
200 Fifth Avenue Place
425 – 1st Street S.W.
Calgary, Alberta, Canada T2P 3L8

Re: CPF No. 3-2020-5006

Dear Mr. Yu:

Enclosed please find the Final Order issued in the above-referenced case to your subsidiary Enbridge Energy, LP. It makes a finding of violation and finds that the civil penalty amount of \$23,500 has been paid in full. This case is now closed. Service of the Final Order by electronic mail is effective upon the date of transmission as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Enclosures (Final Order and NOPV)

cc: Mr. Allan C. Beshore, Director, Central Region, Office of Pipeline Safety, PHMSA
Mr. Al Monaco, President and Chief Executive Officer, Enbridge, Inc.,
al.monaco@enbridge.com
Mr. David Stafford, Manager - U.S. Compliance, Enbridge Energy, LP,
david.stafford@enbridge.com
Mr. Bradley Shamla, Vice President - U.S. Operations, Enbridge Energy, LP,
brad.shamla@enbridge.com

CONFIRMATION OF RECEIPT REQUESTED

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, D.C. 20590**

In the Matter of)	
)	
Enbridge Energy, LP,)	CPF No. 3-2020-5006
a subsidiary of Enbridge, Inc.,)	
)	
Respondent.)	

FINAL ORDER

On March 19, 2020, pursuant to 49 C.F.R. § 190.207, the Director, Central Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation and Proposed Civil Penalty (Notice) to Enbridge Energy, LP (Respondent), a subsidiary of Enbridge, Inc.¹ The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 195 and proposed a civil penalty of \$23,500. Respondent did not contest the allegations of violation and paid the proposed civil penalty by wire transfer on April 14, 2020. In accordance with § 190.208(a)(1), such payment authorizes the entry of this final order.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 195.264(b)(1)(i) (**Item 1**) — Respondent failed to install impoundment areas for its aboveground breakout tanks, constructed after October 2, 2000, in accordance with NFPA-30 Section 22.11.2.

This finding of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent. In accordance with 49 C.F.R. § 190.223, Respondent is assessed the proposed civil penalty amount of \$23,500, which Respondent has already paid in full.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R. § 190.5.

June 17, 2020

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued

¹ SEC Form 10-K, *available at* <https://enbridge.gcs-web.com/node/17971/html> (last accessed June 4, 2020)