

April 17, 2017

Mr. Aaron Wolfe Mr. Kurt Kollar Ohio Environmental Protection Agency Division of Environmental Response, Investigation and Enforcement 2195 Front Street Logan, Ohio 43138

Subject:

Response to Notices of Violation

1704-70-0756 and 1704-76-0751

Dear Mr. Wolfe and Mr. Kollar:

Please find enclosed signed copies of the Notices of Violation sent to Rover Pipeline LLC on March 14, 2017 for inadvertent returns of horizontal directional drilling fluid at two locations in Ohio. We appreciate your collaboration and your time and effort in providing guidance in the remediation of the two sites. If you have any questions or need additional information, please contact me at 713-989-2844 or at buffy.thomason@energytransfer.com.

Sincerely,

Senior Project Manager - Environmental



# Division of Environmental Response, Investigation and Enforcement ER PROGRAM

# NOTICE OF VIOLATION

Ohio EPA Inc	cident Number: 1704-	70-0756			Da	te of Discov	very:	04/14/2017	7
Entity:	Rover Pipeline LLC Attn: Buffy Thomason								
Address:	1300 Houston, Tex	kas 77002							
Phone:	979-571-3113	Cellular:			Email:	buffy.tho	mason(	@energyt	ransfer.com
	vise that due to circums d Code chapters: 370	10002	100 100000						e following Code 3745-1-04.
Release of a gas pipeline. drilling fluids and cuttings wetland is "Wis a violation aquatic life a Note: Notice caddress the viadditional violainvoiced to the responses, as Initial abatem 1. Termina 2. Establis 3. Remov	of violation(s) / incident on estimated 50,000 gallows The break out point for accumulated within an efform the natural formation of the State" of Old ORC 6111. The release of a violation is not a final polation. Citation of a violations. Each day of each of responsible party for reing needed, to address the verse atteined to the release of address the release of address the release of address the drilling fluids and the control of the release of address the drilling fluids and the setting fluids and	ons of drilling fluctions of drilling fluctions of the dilling fluction. The unautase also violativater.  action of the Dation in this notiviolation is a sembursement as it is in by entity: Iditional drilling the mud that	rluids from uids was lo 1000 square area with a athorized roted OAC 3 director and ice does not abatement ing fluids tainment a settled of the control of th	cated within foot area of a layer of mucelease of the 745-1-04 "Fro is not a neces of preclude the ense. Actual or d by law. Appr actions are gi	a wetlan the wetla d and im drilling fl ee From sary pre Ohio En optiate re ven belov etland a prevent pacted	d in Richland and. The dri pacted water luid, a pollution of the requisite to a particular to a policity of the requisite to a policity of the requisite to a policity of the properties of the migratian area of weard.	d County illing fluid r quality. ant, into 'e deposit  violator's Protectior EPA or its lude abate  rs of the tion of netland;	s, Mifflin Tow s which included in the surface "Waters of the of sludge, and in the surface of the of sludge, and in the surface of the surfa	rnship, Ohio. The uded bentonite water within the ne State" of Ohio adverse affect to be of obligation to nio EPA) from citing if any, may be essment or remedial and Ohio; mpacted area;
<ul> <li>Follow procedures provided the Rover Pipeline HDD Contingency Plan for Corrective Actions; and,</li> <li>Properly dispose of all generated waste in accordance with all applicable laws and regulations.</li> </ul>									
Note: Ohio EPA does not assume liability for any abatement, assessment or remedial responses by entity. Ohio EPA reserves the right, pursuant to chapters 3704, 3714, 3734, 3745, 3750, 6109 and 6111 of the Ohio Revised Code and any other applicable state or federal laws or regulations, to require further site assessment and abatement to address release(s) of hazardous wastes, hazardous substances, industrial wastes or other wastes, pollutants or contaminants into the environment at or from the above designated site. Ohio EPA also reserves the right to seek civil penalties, reimbursement of costs, and any other appropriate legal or equitable relief for any violation.  By signing below the party acknowledges receipt of the Notice of Violation but does not admit the fact of or liability for any violation.									
Signature of	receipt of this notice:	Bus	20)	Hom	200	\ \		(indicate ref	fusal to sign)
Printed name	e of above: Buff	yTho	masi	)n		Date:	Emailed	l on: 04/14	/17
Issuing OSC	Aaron Wolfe	J	Phone:	614-867-1	055	Email:	Aaro	n.Wolfe	@epa.ohio.gov

Pursuant to applicable law, Ohio EPA may request the Attorney General to commence action for legal and equitable remedies, or civil or criminal penalties, or both, whenever there is cause to believe that any person or any source of pollution is violating or has violated any applicable provision of Chapters 3704, 3714, 3734, 3745, 6109, 6111, or other provisions of the Ohio Revised Code administered by Ohio EPA or any rule or order of Ohio EPA, and administrative remedies taken have been or appear likely to be ineffective.

The following penalties may be assessed based on violation of an applicable Ohio Revised Code section:

## **Chapter 3704: Air Pollution Control**

Violations may result in civil penalties of not more than \$25,000 for each day of each violation.

## **Chapter 3714: Construction and Demolition Debris**

Violations may result in civil penalties of not more than \$10,000 for each day of each violation.

## **Chapter 3734: Solid and Hazardous Wastes**

Violations may result in civil penalties of not more than \$25,000, \$10,000, or \$250 for each day of each violation, depending on the section violated.

#### **Chapter 3750: Emergency Planning**

Violations may result in civil penalties of not more than \$25,000 for each violation or \$10,000 for each day of violation, depending on the section violated.

## Chapter 6109: Safe Drinking Water

Violations may result in civil penalties of not more than \$10,000 for each day of each violation.

# **Chapter: 6111: Water Pollution Control**

Violations may result in civil penalties of not more than \$10,000 per day of violation.

Criminal fines and/or imprisonment may also be assessed in accordance with sections 3704.99, 3714.99, 3734.99, 3750.99, 6109.99, and/or 6111.99 of the Ohio Revised Code.

Notice of Violation Page 2 of 2



# Division of Environmental Response, Investigation and Enforcement ER PROGRAM

NOTICE OF VIOLATION

Ohio EPA Inc	cident Number: 1704-	76-0751			Da	te of Disc	overy:	04/13/2017				
Entity:	Rover Pipeline, LLC Attn: Buffy Thomason											
Address:	1300 Main Street Houston TX 77002											
Phone:		Cellular: S	979.571.3	113	Email:	buffy.th	ffy.thomason@energytransfer.com					
This is to advise that due to circumstances noted below you have responsibility for one or more violations of the following Ohio Revised Code chapters: 3704, 3714, 3734, 3750, 6109, ✓ 6111, or ✓ Ohio Administrative Code 3745-1-04.												
Release of algas pipeline. Stark County drilling fluids water quality. pollutant, into by the depos Note: Notice of address the virus additional violational violational of the start of th	The break out point for a which included bentonity which included bentonity and the surface water with which waters of the State of sludge, adverse afformation. Citation of a violation. Each day of each water of the state of a violation.	llons of drilling or the dilling fluids as e and cutting in the wetla of Ohio is a vect to aquatication of the ation in this not only in the armousement action is a subursement action is a subursement action in this not only in the action is a subursement action in this not only in the action in this not only in this not only in this not only in this not only in the action in this not only in the action in this not only in this	ng fluids from fluids was lo coumulated gs from the ind is "Water itolation of Cool life and dis Director and otice does no separate offers as authorized	ocated within within an est natural formars of the State PRC 6111. The scoloration of is not a necest preclude the ense. Actual of the law. Apples of the process of the pr	a Categorimated 5 tion coate of Ohio he release the wate essary pre e Ohio Er osts incur copriate re	ory 3 wetla 00,000 sq ted the are o. The un se also vio er. requisite to vironmentared by Ohi esponses ii	and adjace uare foot a a with a la authorized lated OAC a violator's al Protectio to EPA or it	or the installation of a natural int to the Tuscarawas River in the area of the wetland. The yer of mud and impacted release of the drilling fluid, a 3745-1-04 "Free Froms" rule is liability for or obligation to an Agency (Ohio EPA) from citing is contractor, if any, may be the ement, assessment or remedial				
<ol> <li>Termina</li> <li>Establis</li> <li>Remove</li> <li>Follow</li> </ol>	nent actions to be taken ate the release of act ish and maintain app ie drilling fluids and r procudures provided by dispose of all gene	Iditional dr ropriate co nud that se I the Rove	ontainment ettled out f r Pipeline	t points to ր from impac HDD Conti	orevent ted are ngency	the migr a of wetl Plan for	ation of r and; · Correcti	nud from impacted area; ve Actions; and,				
Note: Ohio EPA does not assume liability for any abatement, assessment or remedial responses by entity. Ohio EPA reserves the right, pursuant to chapters 3704, 3714, 3734, 3745, 3750, 6109 and 6111 of the Ohio Revised Code and any other applicable state or federal laws or regulations, to require further site assessment and abatement to address release(s) of hazardous wastes, hazardous substances, industrial wastes or other wastes, pollutants or contaminants into the environment at or from the above designated site. Ohio EPA also reserves the right to seek civil penalties, reimbursement of costs, and any other appropriate legal or equitable relief for any violation.  By signing below the party acknowledges receipt of the Notice of Violation but does not admit the fact of or liability for any violation.												
Signature of	receipt of this notice:	3	RO	liona	202		11111	(indicate refusal to sign)				
Printed name	e of above: Buff	yThou	uason			Date	Emailed	d on: 04/14/2017				
Issuing OSC	: Kurt Kollar		Phone:	216-789-9	9282	Ema	il:	kurt.kollar @epa.ohio.gov				

Notice of Violation Page 1 of 2

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