

Minnesota House of Representatives



Minnesota State Senate

July 27, 2021

Commissioner Peter Tester
MN Pollution Control Agency
520 Lafayette Road
Saint Paul, MN 55155

Dear Commissioner Tester,

We write to express our concerns with the reported releases of drilling fluid at nine separate locations along the Enbridge Line 3 pipeline route. The severe drought and excessive heat experienced throughout Minnesota impact the ability of waterways, wetlands, and marshes to effectively dilute harmful chemicals and excessive sediment. The drought is also causing rapid evaporation of waterways and could result in a lack of clean water available to assist with any cleanup of spills and releases.

Your transparency throughout this process is instrumental in addressing these incidents and enforcement violations. To date, the public has had access to information only through social media posts, Enbridge's press releases and individual conversations or email exchanges with your staff. Therefore, we are requesting that you provide us, in writing, with the following information related to the nine incidents:

- Dates and locations of each incident;
- Total amount of drilling fluid released;
- Total amount of bentonite clay contained in each release;
- All materials, gases and substances designated as pollutants contained in each release;
- How MPCA agency staff or Enbridge's environmental monitors became aware of each incident;
- Estimated length of time between the start of each release, detection by the company or agency, and the start of cleanup and mitigation efforts;
- Distance between each release and the nearest waterway, wetland or marsh;
- How MPCA staff is monitoring the drilling activities throughout construction;
- The "detailed plans" referenced in the July 21 MPCA Facebook post that Enbridge has provided for cleanup and mitigation; and
- Whether drilling has resumed at any of the sites that were deemed enforcement violations.

Given the frequency and nature of these releases, we are asking that you temporarily suspend the Section 401 Certification and order Enbridge to immediately halt all drilling along the Line 3 route until the state is no longer experiencing drought conditions and until a thorough investigation can be completed by your agency so that the causes of these releases are fully understood and further releases can be avoided.

Because of the urgency related to potential harm to human health and the environment, we are requesting

this information by no later than close of business on Monday, August 2. We believe this is reasonable as this data should have been provided to the agency at the time of the incidents.

Sincerely,

Representative Patty Acomb
Representative Esther Agbaje
Representative Jamie Becker-Finn
Representative Liz Boldon
Representative Jim Davnie
Representative Sandra Feist
Representative Cedrick Frazier
Representative Aisha Gomez
Representative Emma Greenman
Representative Jessica Hanson
Representative Frank Hornstein
Representative Sydney Jordan
Representative Heather Keeler
Representative Jamie Long
Representative Rena Moran
Representative Kelly Morrison
Representative Liz Reyer
Senator Greg Clausen
Senator Scott Dibble
Senator Kari Dziedzic
Senator Chris Eaton
Senator Omar Fateh
Senator Melisa Franzen
Senator Mary Kunesh
Senator John Marty
Senator Jennifer McEwen
Senator Erin Murphy
Senator Sandra Pappas
Senator Lindsey Port
Senator Ann Rest
Senator Patricia Torres Ray
Senator Chuck Wiger