



ROVER PIPELINE
An ENERGY TRANSFER Company

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,

Buffy Thomason

Senior Project Manager - Environmental



Division of Environmental Response,
Investigation and Enforcement
ER PROGRAM

NOTICE OF
VIOLATION

Ohio EPA Incident Number:	1704-70-0756	Date of Discovery:	04/14/2017
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Entity:	Rover Pipeline LLC Attn: Buffy Thomason		
Address:	1300 Houston, Texas 77002		
Phone:	979-571-3113	Cellular:	
Email:	buffy.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.

Description of violation(s) / incident circumstances:

Release of an estimated 50,000 gallons of drilling fluids from a Horizontal Directional Drilling operation for the installation of a natural gas pipeline. The break out point for the dilling fluids was located within a wetland in Richland County, Mifflin Township, Ohio. The drilling fluids accumulated within an estimated 30,000 square foot area of the wetland. The drilling fluids which included bentonite and cuttings from the natural formation coated the area with a layer of mud and impacted water quality. The surface water within the wetland is "Waters of the State" of Ohio. The unauthorized release of the drilling fluid, a pollutant, into "Waters of the State" of Ohio is a violation of ORC 6111. The release also violated OAC 3745-1-04 "Free Froms" rule by the deposit of sludge, adverse affect to aquatic life and discoloration of the water.

Note: Notice of a violation is not a final action of the Director and is not a necessary prerequisite to a violator's liability for or obligation to address the violation. Citation of a violation in this notice does not preclude the Ohio Environmental Protection Agency (Ohio EPA) from citing additional violations. Each day of each violation is a separate offense. Actual costs incurred by Ohio EPA or its contractor, if any, may be invoiced to the responsible party for reimbursement as authorized by law. Appropriate responses include abatement, assessment or remedial responses, as needed, to address the violation. Initial abatement actions are given below.

Initial abatement actions to be taken by entity:

1. Terminate the release of additional drilling fluids into the wetland and "Waters of the State" of Ohio;
2. Establish and maintain appropriate containment points to prevent the migration of mud from impacted area;
3. Remove drilling fluids and the mud that settled out from impacted area of wetland;
4. Follow procedures provided the Rover Pipeline HDD Contingency Plan for Corrective Actions; and,
5. Properly dispose of all generated waste in accordance with all applicable laws and regulations.

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:		(indicate refusal to sign) <input type="checkbox"/>
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Printed name of above:	Buffy Thomason	Date:	Emailed on: 04/14/17
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Issuing OSC:	Aaron Wolfe	Phone:	614-867-1055	Email:	Aaron.Wolfe @epa.ohio.gov
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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.



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NOTICE OF
VIOLATION

Ohio EPA Incident Number:	1704-76-0751	Date of Discovery:	04/13/2017
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Entity:	Rover Pipeline, LLC	Attn: Buffy Thomason
Address:	1300 Main Street Houston TX 77002	
Phone:	Cellular: 979.571.3113	Email: buffy.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.

Description of violation(s) / incident circumstances:

Release of an estimated 2 million gallons of drilling fluids from a Horizontal Directional Drilling project for the installation of a natural gas pipeline. The break out point for the drilling fluids was located within a Category 3 wetland adjacent to the Tuscarawas River in Stark County, Navarre, Ohio. The drilling fluids accumulated within an estimated 500,000 square foot area of the wetland. The drilling fluids which included bentonite and cuttings from the natural formation coated the area with a layer of mud and impacted water quality. The surface water within the wetland is "Waters of the State" of Ohio. The unauthorized release of the drilling fluid, a pollutant, into "Waters of the State" of Ohio is a violation of ORC 6111. The release also violated OAC 3745-1-04 "Free Froms" rule by the deposit of sludge, adverse affect to aquatic life and discoloration of the water.

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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:		(indicate refusal to sign) <input type="checkbox"/>
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Printed name of above:	Buffy Thomason	Date:	Emailed on: 04/14/2017
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Issuing OSC:	Kurt Kollar	Phone:	216-789-9282	Email:	kurt.kollar @epa.ohio.gov
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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.

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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

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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.