

# 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