

Senator
John Marty

Senate
State of Minnesota

Bobby Hahn
Environmental Manager
Enbridge
Bobby.Hahn@enbridge.com

January 7, 2022

Dear Mr. Hahn,

On behalf of my constituents and concerned Minnesotans across the state, I have been engaged in ongoing discussions with the MPCA and MNDNR to assure that Minnesota's groundwater and surface waters face no long-term harm from the construction of Line 3. A primary measure of potential risk is the amount of drilling fluids that were released into these water resources. While reviewing the records with experts, we see that only the surface was cleaned up from the known frac-outs that occurred during construction. We have asked the Agencies how much drilling mud was used, how much was recovered during the operations, and how much remains below the surface. I understand that you have failed to provide this important information to our State's regulatory agency, so at their suggestion, I am contacting you directly to request this information.

I am told by experts familiar with our hydrology and with Horizontal Directional Drilling (HDD) processes that contractors tightly control the amount of mud necessary to complete the borings and that they adjust mud mixtures and drilling techniques to limit or stop unexpected mud loss or water gain in the borings. HDD contractors record mud mixtures, mud weight, and employ monitoring and warning systems for drilling pressure in the drill stem, mud loss into the boring, and water gain from the subsurface during drilling, and they measure the amount of recovered drill cuttings. These are all surrogate measures for the size of the boring before the pipe is installed and of how much mud remains in the subsurface.

I write to request that you provide the drilling records of:

- a. total mud volumes used at each Horizontal Directional Drilling site;
- b. mud volumes recovered at each HDD site, and
- c. the annular pressure data from each HDD site on the Line 3 construction project.

The only information the MPCA has received are data from last August showing how much was cleaned up at the frac-out sites. However, this doesn't show how much was pumped into the ground or released into our waters in the first place.

Without this information from you, the MPCA and DNR cannot know how Minnesota's

waters have been affected by this project and whether they are safe for future generations. The mud use, mud loss, and water gain data should have been promptly reported by you and the Independent Environmental Monitors. The Enbridge 401 Water Quality Certification application stated that there was low probability of frac-outs or leakage, yet we are aware of at least 28 frac-outs. That statement in your application was clearly inaccurate, yet the data to document the extent of the frac-outs has still not been sent to the MPCA, months after the construction has been completed.

It is inexcusable that the MPCA cannot get timely access to this important data that is necessary to show the locations and extent of these frac-outs both above and below the surface, and they should not need to turn to people outside of the agency for help in obtaining the data.

This data should be easily accessible to you from your contractor, and easy to provide immediately to the agency. I ask you to send me and the MPCA this data by next Friday, January 14.

Thank you for your prompt attention to this request.

Sincerely,



John Marty

cc: Commissioner Katrina Kessler, MPCA
Attorney General Keith Ellison
Jeff Broberg, Independent Geologist