

Rep: Enbridge Inc. violated oil spill rules

August 5 2010, By JOHN FLESHER , AP Environmental Writer

(AP) -- A member of Congress said Wednesday that Enbridge Inc. violated federal regulations by dragging its feet on reporting a pipeline rupture that poured hundreds of thousands of gallons of oil into a southern Michigan waterway, although the company said it met legal requirements.

Rep. Mark Schauer, a Michigan Democrat, said he was convinced the massive leak began the night of July 25, although the Canadian company insists it didn't confirm the spill was under way until about 11:30 a.m. the next morning.

Schauer also said Enbridge began laying boom material to contain the oil then but took two more hours to file a report with the National Response Center. Federal rules require pipeline operators to report releases of more than 5 gallons of hazardous liquids "at the earliest practicable moment" following their discovery.

"Can you imagine having a massive bleeding injury, putting a pressure bandage on it, and then waiting two hours before calling 911? That's what happened here," Schauer said in a phone call with reporters. "It's increasingly clear that the pipe was leaking for hours before it was reported."

In a separate media call, Enbridge Inc. CEO Patrick Daniel said the company was "well within federal regulations with regard to reporting requirements."

Authorities are trying to determine what caused the failure of the 30-inch, 41-year-old pipeline, which carries about 8 million gallons of oil daily from Griffith, Ind., to Sarnia, Ontario. The [Environmental Protection Agency](#) has said the leak has spewed more than 1 million gallons into the [Kalamazoo River](#) and tributaries in Calhoun County, while the company estimates the total at 820,000 gallons.

The oil flow has been stopped and government officials say it's been contained in the stretch of the river from Marshall westward past Battle Creek.

EPA regional administrator Susan Hedman said the agency also had submitted a formal request for Enbridge documents involving the spill, events preceding it and the company's response.

Schauer, a member of the House Subcommittee on Railroads, Pipelines, and Hazardous Materials, said the panel was conducting its own investigation.

The National Transportation Safety Board believes the rupture may have occurred shortly before 6 p.m. on July 25, when Enbridge shut down the pipeline for maintenance, Schauer said. Alarms at Enbridge's control center signaled a drop in pressure then, he said. Within hours, people in the Marshall area were reporting strong gas odors to 911.

Enbridge restarted the pipeline at 4:26 a.m. the next day and repeatedly turned it on and off for the next several hours because of spikes in readings, Schauer said.

A company technician visited the site at 9:49 a.m. but found nothing amiss, he said. Enbridge confirmed the leak only after being notified by Consumers Energy at 11:16 a.m., he said.

Daniel declined to comment on Schauer's version of events, saying the timeline was part of the NTSB probe.

Enbridge officials have said they needed to gather information on the volume of oil escaping before notifying authorities and that they tried to report the leak about 1 p.m. but it took a half-hour for the call to get through.

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