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VIA HAND DELIVERY

Walter L. Baker, P.E.
Executive Secretary
DIVISION OF WATER QUALITY
Utah Department of Environmental Quality
195 North 1950 West
Salt Lake City, UT 84114

Re: *Response to Corrected Notice of Violation & Order Docket No. I10-01*

Dear Mr. Baker:

Please find attached the response of Chevron Pipe Line Company ("CPL") to the Corrected Notice of Violation & Order Docket No. I10-01 that Chevron received on July 22, 2010, pertaining to the Red Butte Oil Spill. CPL appreciates the opportunity to submit this Response to the Order while reserving its right to contest any Findings of Fact and Alleged Violations. CPL further reserves its right to submit a Request for Agency Action with the Division of Water Quality in the event that CPL is not able to amicably resolve this matter. CPL looks forward to meeting with you and your staff to provide any additional information or to address any concerns DWQ may have regarding the attached Response or the Red Butte Oil Spill.

Please do not hesitate to contact me with any questions.

Sincerely yours,

Bryan Tucker
Vice President

cc: Denise Chancellor, Attorney General Office
Stephanie Gieck, EPA Region VIII
Royal Delegge, Salt Lake Valley Health Department
Craig D. Galli, Holland & Hart LLP

**Response of Chevron Pipe Line Company to
Notice of Violation and Order
Issued by the Utah Water Quality Board
Docket No. I10-01**

Chevron Pipe Line Company (“CPL”) respectfully submits this Response to the Corrected Notice of Violation & Order Docket No. I10-01. CPL responds to information requested in the Order while reserving it right to supplement the information provided below as new or additional information becomes available.

- 1. Immediately initiate all action required to come into compliance with all applicable provisions of the Utah Water Quality Act and the Water Quality rules in the Utah Administrative Code (R317).***

CPL Response:

CPL believes that it has maintained compliance since it commenced its emergency response on June 12, 2010.

- 2. Immediately cease and desist all unpermitted discharges.***

CPL Response:

CPL believes that it has not had any additional unpermitted discharges from the Rangely pipeline into waters of the state since June 12, 2010.

- 3. Submit to the Executive Secretary, a report which includes, but is not limited to a description of the following:***

- a. The initial release incident and Chevron’s response;***

CPL Response:

On June 12, 2010, crude oil was discovered in Red Butte Creek in Salt Lake City County, Utah, that was found to have originated from a leak in a pipeline in Red Butte Canyon. At 0842 CDT on June 12, 2010, the Salt Lake City Fire Department notified CPL about the incident and the Salt Lake Crude System line was immediately shut down. CPL personnel were dispatched to the scene. A preliminary review indicates that an electrical arc created a hole in the top of the pipe. As a result, approximately 800 barrels of crude oil were released, some traveling down Red Butte Creek and collecting in Liberty Park Pond with some sheen escaping into the Jordan River. CPL selected Liberty Park Pond as the location to collect crude oil based on discussions and instructions from the Salt Lake City Department of Public Utilities. CPL established an Incident Command System (“ICS”) structure. In addition, absorbent booms were installed and a weir constructed to contain the flow.

The overall and strategic objectives of the response included:

- Ensure the Safety of Citizens and Response Personnel
- Minimize the Impact to the Environment
- Contain and Recover Spilled Material
- Manage and Coordinate Response Effort
- Conduct Assessments and Shoreline Cleanup Efforts
- Effectively Contain, Cleanup, Recover, and Dispose of Product
- Identify Threatened Species and Prepare to Recover and Rehabilitate Injured Wildlife
- Keep Stakeholders and Public Informed of Response Activities
- Safely Resume Pipeline Operations

b. An estimate of the quantity of oil released and supporting calculation;

CPL Response:

The estimated quantity of total oil released from the pipeline is approximately 800 barrels. Supporting calculations for this estimate are presented in Attachment A.

c. Chevron's cleanup activities for all waters of the state, their surrounding environments and associated conveyance systems impacted by the release;

CPL Response:

The Red Butte Creek cleanup, recovery, and restoration activities are proceeding under the oversight of the Unified Command structure which consists of multiple agencies including USEPA, Utah DEQ, Salt Lake City, Salt Lake Health Department as well as other local, state, and federal authorities. When the Unified Command decides to stand down it will transfer its responsibilities and authority to the appropriate regulatory agencies for oversight of the remediation and restoration activities.

Shoreline Cleanup Assessment Technique Teams ("SCAT") have been established to visually monitor clean-up efforts using NOAA-based guidelines. The clean-up addressed six areas affected by the spill, including: spill site, Red Butte Creek, Liberty park pond, concrete storm water drains, Jordan River, and Mt. Olivet Cemetery.

The following is an overview of the completed, current, and future cleanup activities. A more detailed, long-term cleanup plan is included as a response to NOV comment #5.

1. SPILL SITE

- Stabilized site around Rocky Mountain Power electric power equipment area to prevent storm water runoff.
- Assessed depth and extent of oil impacted soil.

- Remediation is underway. Contaminated soil is being excavated and replaced with clean soil.

2. RED BUTTE CREEK

- Two flushes of Red Butte Creek have been completed. The first took place on June 19, 2010, and the second on July 15, 2010. This process aided in washing any residual oil from the creek banks and culverts downstream to Liberty Pond, where it was captured by booms and collected by vacuum trucks and absorbent materials at various accessible locations.
- Recovery operations took place to collect and mop up free oil.
- Sorbent booms and pads were removed and replaced as required.
- Private property and shoreline along the creek were cleaned utilizing pressure washers and sorbent pads.
- Cleared riparian stream of overhanging vegetation as well as oiled vegetation and loose debris (trash, wood, etc.) to enable access by workers.
- Manually washed rocks, sediment, and vegetation to remove oil.
- Conducted a SCAT assessment and notified property owners as appropriate targeting areas that need additional washing.

3. LIBERTY PARK POND

- Boom operations initiated at influent and filtering at effluent while creek cleaning/flushing activities occurred.
- Skimming operations conducted to collect and mop up free oil.
- Conducted shoreline cleanup.
- Work at the pond was managed to minimize interference with public events scheduled at the park and to allow public access to perimeter roads and paths as much as feasible.

4. CONCRETE STORM WATER DRAINS (covered access)

- Inspected for oily impacts.
- Contained and removed free oil.
- Currently maintaining containment, removing impacted debris, and washing and removing visible oil.

5. JORDAN RIVER

- Booms deployed and reconfigured as needed based on water currents. Booms will be maintained at current locations until upstream areas are cleaned and confirmation is obtained.
- Sheen collected and removed with sorbent pads, booms, and hand tools.

6. MT. OLIVET CEMETERY

- Cleaned oil-impacted water conveyance.
- Cleaned pond of free oil and oil-impacted vegetation and soil.
- Currently maintaining booms and change out absorbent material as necessary.
- Performed general maintenance around the pond including:
 - Assisted with pond access, remove dead vegetation around the pond which existed prior to the oil spill.
 - Completed removal of vegetation debris piles generated during cleanup operations .
- EPA water and sediment sample results from the pond were reported to be within drinking water standards. EPA required no further action on pond for irrigation use.
- Provided temporary water source for irrigation until pond can be put back into service.
- Inspected and cleaned, as necessary, all oil-impacted culverts.

d. The proper and appropriate disposal of wastes associated with the release, and supporting documentation.

CPL Response:

A waste management plan (included in IAP Reports), waste tracking spreadsheet, example manifests, and documentation from the disposal facility are presented in Attachment B.

4. Submit to the Executive Secretary a plan for establishing the extent of the area impacted by the release, to include at a minimum:

a. A report on the impact of the release;

CPL Response:

Overall impacts of the release include staining of soil and vegetation, moderate to strong hydrocarbon odor in areas of cascading water close to the spill site, impacts to wildlife, and public inconveniences.

The oil spill was largely contained in Red Butte Creek and did not spread significantly into the Jordan River or the Great Salt Lake. As stated on the UDEQ website (<http://www.deq.utah.gov/Issues/redbuttespill/index.htm>), DWQ scientists collected water samples at 14 locations on June 14, 2010. Samples were collected from the origin of the spill at Red Butte Creek to the shores of the Great Salt Lake. According to DWQ, the sampling did not detect any concentrations that were acutely harmful to human health or aquatic life. It was also reported that this toxicity has decreased substantially since the initial sampling event.

There was no impact on municipal drinking water as the affected waterways are not part of Salt Lake City's water supply.

b. Site plans and maps of the area affected by the release; and

CPL Response:

The following maps of the area affected by the release are presented in Attachment C:

- Overview map showing the areas affected by the release
- Overview of the Red Butte Creek sections
- Individual section maps of Red Butte Creek (A1 through C-2)
- Map of the pond at Liberty Park
- Overview of the Jordan River sections
- Individual section maps of the Jordan River (E-1 through F-5)

c. The proposed ongoing environmental monitoring plan for the affected area.

CPL Response:

A draft environmental sampling and monitoring plan has been submitted to the USEPA, USFWS, UDEQ/DWQ, SLVHD, and Salt Lake City for review, and is attached as Attachment D.

5. Submit to the Executive Secretary a long-term clean up plan for the impacted area that details Chevron's clean-up and remediation of impacted water bodies, including water column, sediment, and hard surfaces, such as rocks, concrete banks, culverts, ditches and ponds. The plan shall also address spill site soils clean-up, groundwater contamination, and remediation of biological impacts to fish, waterfowl, and aquatic food chain organisms.

CPL Response:

The Draft Long-Term Cleanup Plan is presented in Attachment E. CPL anticipates further discussions with regulatory agencies and stakeholders regarding any remediation or mitigation to address impacts to fish, waterfowl, and aquatic food chain organisms.

6. *All letters of response, reports, plans and submittals made in accord with this NOV/CO shall be certified by an authorized Chevron representative as follows:*

CPL Response:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations.

Executed this 23rd day of August, 2010.

Bryan Tucker
Vice President
Chevron Pipe Line Company