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March 17, 2011

Terry P. Duhon
Chevron Pipe Line Co.
4800 Fournace Place
Bellaire, TX 77401

Dear Mr. Duhon:

Subject: Chevron Pipeline Block Valve Release
Response to Notice of Violation and Order Docket No. I10-05

The Division of Water Quality (DWQ) has completed review of the Chevron Pipe Line Company (CPL) response to the subject Notice of Violation (NOV) dated February 18, 2011. This NOV and response pertain to the Red Butte Oil Spill on December 1, 2010.

The Order Docket required an Incident Response and Clean up Action Report be submitted within 30 days of the NOV issuance. CPL has responded to the Order and provided documentation for Order Items #1 through #4.

The following comments are organized according to the "Order" portion of the notice of violation:

1. **Initiate all action required to come into compliance ...** - DWQ concurs that Chevron has taken appropriate actions to date to come into compliance with all applicable provisions of the Utah Water Quality Act and Water Quality rules. DWQ considers the field emergency response and site cleanup for the December 1, 2010 pipeline release to be complete based on information submitted to date.
2. **Immediately cease and desist all unpermitted discharges** - DWQ concurs that CPL has taken appropriate actions to cease and desist all unpermitted discharges.
3. **Submit an Incident Response and Clean-up Action Report** – DWQ concurs that CPL has provided the subject response, with this exception: Order Item #3c Attachment B did include detailed laboratory analysis but not include chromatograms of the recovered crude oil samples as indicated in the text. Please include the chromatograms in the Final Report.

4. ***Within 30 days of final closure of the spill site, submit a Final Clean-up Report***

The CPL response states” *final closure of the spill site has not yet been granted. CPL understands that DWQ will issue a No Further Action Letter for the site indicating that established clean up goals have been met when the spill site is considered closed. CPL will endeavor to provide a clean-up report within 30 days of the final closure of the spill site.*” There is a misunderstanding of closure nomenclature here. DWQ was referring to cessation of field clean-up activities. DWQ will issue a No Further Action letter for the Red Butte Gardens site after we have reviewed and approved your Final Clean up Report. The Final Report should contain appendices with documentation that has been collected but not yet provided, such as confirmation soil sample laboratory analytical results sheets. Most of the report information has been submitted in the subject response. However, DWQ needs to review all supporting documentation that CPL intends to submit before site closure is granted. Please assemble all data and submit your final report as soon as it is ready. Submit one hard copy, and one copy on CD in a PDF format.

The subject CPL response report and other reporting to date is quite succinct. Because of the nature of the spill, its sensitive location, and general public interest, DWQ recommends that in Chevron’s final report, the description of clean up actions more fully describe the variety and magnitude of field actions that have occurred.

If you have any questions about final report requirements, please contact Ed Hickey at (801) 536-4357.

Sincerely,



John J. Whitehead
Acting Executive Secretary

JJW/EH/fb

cc: Jeff Niermeyer , Salt Lake City
Royale Delegee, Salt Lake Valley Health Dept.
John Isanhart, U.S. Fish & Wildlife
Michele Johnson, University of Utah
Craig Galli, Holland & Hart LLP
Denise Chancellor, Utah Attorney General’s office
Brad Rosewood, Chevron Pipeline Company

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