

Bridger Pipeline LLC

455 NORTH POPLAR
CASPER, WYOMING 82601

Mailing Address:
P.O. BOX 2360
CASPER, WY 82602
307-237-9301
307-237-3146 FAX

February 26, 2015

Jenny Chambers
Remediation Division Administrator
Montana Department of Environmental Quality
Remediation Division
Cogswell Building
1400 Broadway
P.O. Box 200901
Helena, MT 59602-090161

**RE: Notice of Potential Liability – CECRA and WQA
Poplar Discharge
Glendive, Montana**

Dear Ms. Chambers:

Bridger Pipeline LLC (BPL) is in receipt of the “Notice of Potential Liability (NOPL) under the Comprehensive Environmental Cleanup and Responsibility Act (CECRA), Sections 75-10-701, et seq., MCA, and the Water Quality Act (WQA), Section 75-5-101, et seq., MCA” dated February 12, 2015.

Pursuant to this NOPL, BPL will commit to promptly undertake the following actions, as outlined in Attachment A, which accompanied the NOPL:

1. Comply with State of Montana requirements at all places where contamination has come to be located and/or at which alteration of state waters has or may have occurred from the Poplar Discharge.
2. Prepare a mass balance and product weathering analysis. A mass balance accounting of oil recovered will be completed by **March 20, 2015**, in accordance with the requirements in the NOPL. If any additional recovery of oil in appreciable quantities is made after

March 20, 2015, a revised Mass Balance will be provided to MDEQ as part of the final report. A weathering analysis is presently being performed by representatives with the Woods Hole Oceanographic Institute to describe the properties of the oil which may be released during the ice break up. This analysis will be summarized by **March 20, 2015**, as requested in the NOPL.

3. Conduct an assessment of potential sediment and surface water impacts. This assessment was initiated on January 19, 2015 and presently continues following plans prepared for this response and approved by Unified Command (UC). The assessment will incorporate measures to determine qualitative and quantitative impacts to sediments and surface water of the Yellowstone River between the source and the city of Glendive drinking water intake. Sediment samples will be collected proximal to all Public Water Intakes along the response area and other locations (i.e., irrigation intakes) upstream of the Glendive water intake as requested by UC. Due to safety considerations and ice conditions, sediment sampling activities will be completed during Phase III response efforts. Amendments to previously prepared sampling and analysis plans to further address MDEQ concerns will be prepared as needed, and directed by UC and will be preliminarily available by **March 6, 2015** as requested.
4. Conduct a groundwater assessment. This assessment was initiated on February 11, 2015, as part of the UC-approved Phase II and Phase III Response Plan, and completed on February 12, 2015. This assessment focused on groundwater wells which are shallow (i.e., less than 50 feet in depth), within ¼-mi of each bank, and located between the source and the Glendive drinking water intake. Per the UC-approved Phase II and Phase III Response Plan, wells were sampled for constituents consistent with crude oil specifically discharged as part of this incident. In accordance with item number 9 of this response, analytical data from this assessment was compared to Circular DEQ-7 Montana Numeric Water Quality Standards (October 2012), and Risk-Based Screening Levels (RBSLs) identified in RBCA (September 2009). For the initial groundwater assessment, no constituents of crude oil were detected at their respective method detection limits in any of the drinking water wells sampled. There were very low level detections of six polynuclear hydrocarbon (PAH) constituents from one irrigation well; however, the results were below levels which would pose a concern.
5. Evaluate potential soil impacts. As needed and directed by UC, BPL will commit to evaluate potential soil impacts related to this event.
6. Prepare and submit a work plan and schedule for reclamation and re-vegetation of the areas that have already been disturbed as a result of recovery actions from this event by **March 27, 2015**. BPL will coordinate with MDEQ and submit additional, appropriate plans for reclamation and re-vegetation for any additional areas of disturbance created during the remaining assessments and recovery work.
7. Consider the use of Monitored Natural Attenuation (MNA), on a case-by-case basis where the net environmental benefit determines that additional recovery of oil may lead to “more harm than good”. BPL will coordinate with MDEQ for this activity and submit

additional, appropriate plans for the implementation of these, as needed and directed by the NOPL.

8. Continue to coordinate work plan activities with appropriate regulatory agencies, (e.g., U.S. Army Corps of Engineers and Dawson County Conservation District), as necessary.
9. Complete a data review and comparative assessment of appropriate media-specific screening levels as applicable and directed in the NOPL.
10. Prepare and submit work plans consistent with a level of detail previously provided in UC-approved work plans to ensure that quality data is being collected according to MDEQ's requirements and all applicable or relevant local, state, or federal environmental requirements, criteria or limitations (ERCLs).
11. Submit final reports to MDEQ summarizing the precipitating event and subsequent response and recovery actions conducted to assess and mitigate potential impacts arising from the event, including monitoring and analytical data, disposal records, and pertinent documentation related to the emergency response. In lieu of one large comprehensive report, BPL proposes to prepare and submit individual reports on the following tasks:
 - General Emergency Response Efforts;
 - Public Water Supply Sampling Results;
 - Surface Water/Sediment Sampling Results;
 - Ground Water Sampling Results;
 - Mass Balance/Weathering Analysis Results;
 - Air Monitoring Sampling Results; and,
 - Reclamation Results.

Task reports will be provided to MDEQ for review and approval within sixty (60) days of final receipt of all respective media analyses or task completion.

Respectfully Submitted,
Bridger Pipeline LLC



H.A. Tad True 139
Vice-President