From: Sandoval, Joni
To: Livingston, Peggy; Newell, Duane; Dhieux, Joyel
Cc: McCarthy, Julia; Inman, DonnaK; Chambus, Francisca
Subject: Re: TC Energy ND Pipeline Spill NRC# 1262553
Date: Tuesday, November 5, 2019 5:27:19 PM

I did not bc we demobilized and it seemed moot. Since I'm in Chicago this week, Duane or Joyel should be able to update you on the site. Thanks.

> On Nov 5, 2019, at 4:46 PM, Livingston, Peggy <Livingston.Peggy@epa.gov> wrote:
>
> Attorney-Client Privileged
> I understand from Joni Sandoval that there is a nationwide permit for the cleanup. I don't have any more details on that permit, however. Joni: Did you happen to obtain a copy from the person you spoke with in the Corps?
> Thank you.
> Peggy Livingston
> Senior Assistant Regional Counsel
> Regulatory Enforcement Section
> Region 8, U.S. EPA
> 1595 Wynkoop Street
> Denver, CO 80202
> 303-312-6858 (phone)
>
> ---
>
> **From:** McCarthy, Julia <McCarthy.Julia@epa.gov>
> **Sent:** Tuesday, November 5, 2019 3:45 PM
> **To:** Inman, DonnaK <Inman.DonnaK@epa.gov>; Livingston, Peggy <Livingston.Peggy@epa.gov>
> **Cc:** Chambus, Francisca <Chambus.Francisca@epa.gov>
> **Subject:** RE: TC Energy ND Pipeline Spill NRC# 1262553
> Donna,
> I can take a look at this information and provide my perspective. Do you know if the Corps has been contacted about whether any jurisdictional determinations have been conducted in this water or nearby waters?
> Thanks,
> Julia
>
> ---
>
> **From:** Inman, DonnaK <Inman.DonnaK@epa.gov>
> **Sent:** Tuesday, November 5, 2019 3:09 PM
> **To:** McCarthy, Julia <McCarthy.Julia@epa.gov>; Livingston, Peggy <Livingston.Peggy@epa.gov>
> **Cc:** Chambus, Francisca <Chambus.Francisca@epa.gov>
> **Subject:** TC Energy ND Pipeline Spill NRC# 1262553
> Julia,
> On October 30, 2019, TC Energy had a pipeline 9,120 barrel crude oil spill near

Edinburg, ND. The spill collected in a wetland. Looking at various maps I think this may be a jurisdictional wetland. With the limited information I have I know the spill reached the wetland area along the road south of the facility. I am not sure how much flowed under the road through the culvert.
ND stated in the press that the spill hit a wetland area.
EPA's OSC stated, "The oil is contained within a lowlying area where water naturally accumulates and there is currently no threat to navigable water of the U.S."
I forwarded the Pollution Report to you and here are the second NRC Report and some maps I pulled.
Is this a jurisdictional wetland?
Donna K. Inman
USEPA, 8ENF-RO-O
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 303-312-6201
e-mail: inman.donnak@epa.gov