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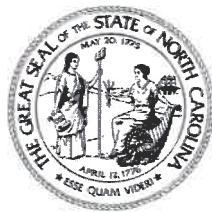
Governor

ELIZABETH S. BISER

Secretary

MICHAEL SCOTT

Director



NORTH CAROLINA  
*Environmental Quality*

October 19, 2021

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Colonial Pipeline Company  
Attn: John Wyatt  
4295 Cromwell Road, #311  
Chattanooga, Tennessee 37421

Re: Notice of Continuing Violation  
N.C. Gen. Stat. § 143-214.1  
15A NCAC 02L .0202

**Colonial Pipeline SR2448**  
SR 2488/Pipeline ROW  
Huntersville, NC  
Incident: **95827**  
Risk Classification: High

Dear Mr. Wyatt:

On September 25, 2020, the Underground Storage Tank Section (UST Section), Division of Waste Management (DWM), of the Department of Environmental Quality (the Department) sent you a Notice of Violation (NOV) for the discharge of petroleum at the above referenced location. Information provided by Colonial Pipeline to the Department showed petroleum concentrations above the groundwater quality standards established pursuant to N.C. Gen. Stat. § 143-241.1 and codified in Title 15A of the North Carolina Administrative Code (NCAC), Subchapter 02L .0202.

**REQUIRED CORRECTIVE ACTIONS:**

Colonial Pipeline must restore groundwater quality to the level of the aforementioned standards, or as closely thereto as is economically and technologically feasible for protection of human health and the environment pursuant to 15A NCAC 02L .0106.

The September 25, 2020 NOV outlined the steps that Colonial Pipeline must take to restore the groundwater quality to the level of the aforementioned standards, to sample and protect water supply wells and surface water, and to determine the horizontal and vertical extent of petroleum contamination through the plume. The UST Section received a Comprehensive Site Assessment (CSA) from you on January 20, 2021. Upon review, the UST Section determined the CSA to be deficient in several areas. On February 24, 2021, the UST Section sent a Notice of Continuing Violation (NOCV) to you. The NOCV outlined the CSA's deficiencies and directed you to submit a revised CSA correcting those deficiencies by April 26, 2021. Colonial Pipeline submitted a portion of the information required by the NOCV on April 26, 2021 and requested an extension for items 6, 14, and 18 until August 31, 2021. On



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200

May 5, 2021, the UST Section sent a NOCV to you outlining the continuing CSA deficiencies and directed you to submit a revised CSA by June 25, 2021. On May 7, 2021, again Colonial Pipeline requested an extension until August 31, 2021. Colonial Pipeline submitted a portion of the information required by the May 5, 2021 NOCV on June 25, 2021 and August 31, 2021 and requested an extension for submittal of the vertical extent of groundwater contamination throughout the plume of contamination. However, Colonial Pipeline did not request an extension for submittal of detailed information regarding predictive calculations for the estimation of product volume released.

Colonial asserted in the May 28, 2021 submittal to DEQ and in subsequent conversations that additional data collection would be needed under non-pumping conditions which would require shutting the product recovery system down. Colonial contended that this approach would delay free product removal if it was utilized and that Colonial's effort to provide NC DEQ with a revised volume estimate would be ongoing. Colonial has informed DEQ that free product recovery volumes now exceed Colonial's estimate of 1.2 million gallons. As required by, among other things, 15A NCAC 2L .0106, please immediately submit updated detailed information regarding predictive calculations for the estimation of the extent of product volume released based on information currently available to Colonial Pipeline. Please also provide to DEQ all currently available information relevant to your product volume estimation. As previously communicated to you by DEQ, the volume of the petroleum release is vital to understanding the magnitude of contaminant impact, improving the accuracy of projected remediation timeframes, and tracking changes in contaminant mass and/or mass discharge over time while also providing important metrics for assessing remediation progress. Finally, please immediately provide the vertical extent of groundwater contamination throughout the plume of contamination as specified in the NOCV dated May 5, 2021 and as required by 15A NCAC 2L .0106.

Colonial Pipeline remains in violation of requirements contained in the September 25, 2020 NOV, the February 24, 2021 NOCV, the April 26, 2021 NOCV, and the May 5, 2021 NOCV. Penalties may be assessed for the violations described within this Notice of Violation. Your prompt attention to the items described herein is required. Failure to comply with the State's rules, in the manner and time specified, may result in the assessment of civil penalties and/or the use of other enforcement mechanisms available to the State. Each day that a violation continues may be considered a separate violation.

If you have any questions regarding the actions that must be taken or the rules mentioned in this letter, please contact me at 919-707-8200.

Sincerely,



Michael E. Scott

Director

Division of Waste Management, NCDEQ

cc: Jeff Morrison, Colonial Pipeline  
John Wyatt, Colonial Pipeline  
Robert Hughes, Colonial Pipeline  
Michael Scott, NCDEQ  
Vance Jackson, NCDEQ  
Scott Bullock, NCDEQ  
Wayne Randolph, NCDEQ  
Ron Taraban, NCDEQ  
Laura Leonard, NCDEQ



Dan Bowser, NCDEQ  
Blair Murray, NCDEQ  
Bobby Williams, Town of Huntersville  
Shawna Caldwell, LUESA- Mecklenburg County Health Department



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