

United States House of Representatives
Committee on Transportation and Infrastructure

Hearing on:
Impact of the July 25, 2010 Enbridge Pipeline Oil Spill
In Marshall, Michigan

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On Sunday, July 25, 2010, a pipeline owned by Enbridge broke and over 840,000 gallons of heavy crude oil began spilling, first into a swamp area, then into a small country creek, known as Talmage Creek, and continued into the Kalamazoo River and flowed some thirty miles downstream through Marshall Township, Ceresco, Battle Creek and Augusta. This spill has not only changed our lives and the lives of our neighbors and friends, but has changed the look and feel of our quaint village community of approximately 70 homes, and it has changed our beloved Kalamazoo River for years to come- maybe forever. The impact of this spill has been monumental... from individuals who had no thoughts of selling their homes, but now have been forced to do so because their properties are contaminated, those who had to temporarily leave their homes because of mandatory or advised evacuations or those who left for health reasons, those of us who stayed but suffered constant headaches, diarrhea, burning eyes and throats for weeks - and often still do from the intense smell of oil, and those of us living within 200 feet of the river remain under a water advisory and must use bottled water for drinking and cooking. Businesses were disrupted or in our case, could not open due to the smell and cleanup work. And of course, the devastating impact on our river, a river that many enjoy for fishing, swimming, canoeing and hunting and are now not able to, the recovery efforts of the wildlife, including fish, geese, blue herons, turtles, beavers and more -all of which were covered in oil, was extensive and heart wrenching. We do not know at the present time what the long range impact will be on the river, our property and property value, our well water or even our health.

My husband, Ken and I own two properties in Ceresco. Our home, which we purchased thirty one years ago, is located just below the dam on 12 Mile Road, and is downstream approximately 300 feet on the south side of the river with approximately 680 feet of river frontage. This property was Ken's home as a teenager and when it went on the market, he was thrilled to provide our young daughters the same experiences of living in Ceresco along the Kalamazoo River as he grew up with. Many of the same families he grew up with were still living in the Village and over the last decade, many second generation families have come

back to purchase homes in Ceresco as well, all with stories of growing up swimming and fishing in the river with the purpose to share similar activities with their children.

Our other property is our business, Miller's Carpet, a floor covering and installation business located at 134 Marshall St., immediately above the Ceresco Dam on the north side of the river with approximately 200 feet of river frontage. We have owned this property for twenty one years, operating for the first nine years as a community convenience and ice cream store and the last eleven as a the carpet store, a transition determined when Ken's long time employer closed his business. At that time Ken had installed carpet for approximately twenty years and the idea of owning his own store offered a long term opportunity that he could retire from.

On Monday morning, July 26, I left for work at 7:25a.m. Pulling out of my driveway and traveling over the Ceresco Bridge, I noticed a foul smell but couldn't figure what it was. Four homes north of the bridge, I noticed the neighbors were installing a new roof and I remember thinking –what in the world we're they using that stunk so bad, could it be tar? Honestly, I didn't think too much more about.

Ken opened the carpet store at 10:00 a.m. and also noticed a smell when he opened the sliding glass door to go out onto our back deck which overlooks the Kalamazoo River. As he has done six days a week for the last 21 years, Ken drank his coffee and watched the fish swim just under the surface of the water along our river bank. A customer came in so he closed the door, turned on the air conditioner and went about his day of work. Ken left at 3:30pm to run errands for the store. After I got out of work, we met for dinner and returned to Ceresco about 7:15p.m. As we came into the village, the smell hit you like a brick wall. Neither of us had heard any news so we were surprised when we came across the bridge and saw a sea of spectators on the bridge watching the flow of something coming over the dam. It was black! And so was the river above and below the dam!

We knew instantly by the smell and the color of the river that something had happened and whatever it was- it was huge. We drove across the bridge and turned into the driveway, I grabbed my camera out of my purse and walked to the bridge. Almost instantly, our eyes and throats were burning. Once at the bridge, we learned from spectators and other neighbors that the radio and TV were reporting an oil spill of approximately 850,000 gallons from a broken pipeline in Marshall. I quickly snapped several photos of the black crude coming over the dam as well as what was collecting in the spillways below the dam and along our riverbank at the house. In hindsight, I sincerely wish I had captured with photos the shock and despair on my neighbor's faces...because words alone cannot describe the smell or the sense of loss we were witnessing.

I started walking back to the house and saw Cheryl Vosburg, Environmental Program Coordinator for the City of Marshall. Cheryl and I had served on the Relay for Life/American Cancer Society steering committee for several years. Cheryl confirmed the spill and mentioned there were estimates that the spill may have been as much as a million gallons. She told me she had been in meetings with several agencies throughout the afternoon and I mentioned the Ceresco Neighborhood Watch was planning a neighborhood picnic at 6:30p.m. on Tuesday night. As a Ceresco Neighborhood Watch block captain, I asked Cheryl if she thought we could get someone to come out and talk to the residents about the spill and considering the intensity of the smell, maybe they could talk to us about potential health concerns. I told her I was sure residents would have concerns about their wells as well; I knew our well at the store was probably about twenty feet from the river and a shallow well. Cheryl said she would try to get someone to come out and talk to us. I left her and stopped at my neighbor's home, an 85 year-old woman who is essentially homebound with compromised health issues. I explained to Dorothy what was going on, and confirmed she had our phone number and my cell number in case she needed us. She was very concerned about all the people in the village, so I suggested she not answer her door unless she knew who it was, but to call me and I would come over right away. I promised that I would check on her in the morning before I went to work.

Tuesday morning, July 27th, several pumper trucks and workers had arrived and they had started pumping oil from the south bank above and below the dam. A fire truck and the Sherriff's department were arriving on site. Enbridge marked vehicles were blocking the end of our driveway and a barrage of various contractor's vehicles were parked all along the road- in every possible space. A double tanker was parked on our home property near the road and it took almost 15 minutes to get out of the driveway as I left for work.

Ken opened the carpet store at 10:00a.m. The store was completely permeated with the smell of oil. A customer had pulled in as Ken arrived, but left immediately after she entered the building. She said the odor was just too much for her. Ken apologized and quickly explained there had been an oil spill and tried to give her a business card- but she said "I couldn't put any of this carpet in my house- it smells awful in here" and left. Within those few minutes, Ken's and our twelve year old grandson, Austin's, eyes and throat were burning, so Ken checked the phone for any messages, locked up and went home. Although we were having the same symptoms at our home, we have central air there and the store does not, and the smell was intolerable, making it impossible to keep the store open for business. Additionally, the store sits approximately twenty feet from the river and the oil was collecting in the alcove directly behind the store above the dam.

Midday on Tuesday, July 27, Teri Larson from Enbridge called me to confirm a Vice President from Enbridge would attend the Ceresco picnic/meeting as well as representatives from the Calhoun County Health Department and Sherriff's Department.

Although we had over 60 RSVP's from village residents for the picnic, only 33 neighbors attended. We would learn later that many had left for hotels or were staying with family members. Enbridge arrived late- having been tied up at a briefing- so Cheryl Vosburg, Marshall Environmental Coordinator and Paul Makoski, Calhoun County Health Department started the meeting. Cheryl reported 849,000 gallons had spilled from a pipeline break at Talmage Creek in a field/swamp near Division Drive in Marshall. A unified command center had been set up in Marshall to facilitate the clean-up. The agencies included the EPA, DNRE,

Calhoun County Health Department, Fish and Wildlife and many other agencies, and of course, Enbridge. Paul Makoski, of the health department stated they would be conducting water samplings from houses along the river and when asked about the possibility of wells being contaminated, predicted that they would be doing water testing for a very long time after the clean-up, possibly years. Paul advised that the health department and the unified command center were considering a water ban for residents living within 200 feet of the river, but had not issued that ban yet. He stated that although the smell from the oil was a nuisance, it was not a health concern. The benzene readings from the monitors at the dam and other locations along the Kalamazoo River in Ceresco were very low and well within the safe range for short term exposure. I asked Paul to define short term and he stated- two weeks. I asked about the long term effects of the benzene, a cancer causing agent, for those of us living on the river and was told again that the levels were low and although a nuisance, not a health concern. I informed Paul that I was a cancer patient currently taking oral chemotherapy, living within 200 feet of the river and asked him if he still thought it was safe and he said yes. He stated again, that although the intense smell was a nuisance, and although it may affect individuals differently, it was not a health concern. Many neighbors complained about headaches, diarrhea, sore throats and burning eyes and were told by the health department to call their personal doctors. We were promised that Enbridge would be taking care of any medical bills for residents in the impacted area.

Once Enbridge representatives arrived, they recapped the information previously shared and assured the residents that Enbridge would be there until the river was totally cleaned-up, in some cases much cleaner than before the spill. They stated they were receiving thousands of calls to the 1-800 number and they were somewhat overwhelmed and backlogged but that they would continue to call individuals back as quickly as possible. They admitted there were many calls relating to wildlife. They asked residents not to collect any of the oil covered animals as it was dangerous for the animals and also for the individual- if anyone had concerns to please call the 1-800 number, yes the same one that they just said was backlogged.

Leaving the meeting, I attempted to go home and was stopped by the Sherriff's department, stating that I couldn't go south across the bridge. I realized the Sherriff's department was also stationed on the south end of the bridge –so I would not be able to get in from that direction either. I informed the deputy we had not been informed that we needed to evacuate- in fact we had not been contacted in regards to our residence at all. After several minutes of discussion, I assured him that I could certainly appreciate the safety concerns with the pumper trucks and transfer trucks moving about be my driveway, and I didn't want to impede the clean up, but as the only residents affected other than my neighbor who doesn't even own a vehicle- we needed to be able to access our home. I suggested that we may have two options. 1) He could immediately build us a helipad and fly us in and out, or 2) he could call an Enbridge representative to determine how I might best access my personal property. The Enbridge supervisor on site acknowledged our predicament and stated we would be allowed to access our property from now on. Although the attempt to accommodate us was noble, my husband and I would be delayed and even stopped many times over the next several weeks. We often needed to request another intervention by an Enbridge supervisor. Twice, the Sherriff's Department refused to call an Enbridge supervisor for Ken and the conversation got pretty heated- one deputy said he was just doing his job as directed by Enbridge and did Ken think this was fun for him? – Ken informed him he was at least being compensated in the form a paycheck- we were just trying to survive and access our property. A call to Lt. Saxton resolved the issue- until we had another incident a few days later. The communication between the deputies, Enbridge and the contracted workers at the Ceresco Dam clean up site appeared to be non-existent and while their argument is the number of sheriff and contractors working the site made it impossible to inform them all - we were the only residents, besides my neighbor who doesn't drive, who had no other options for accessing our home, the work site was at my driveway and directly across the street from it- a pass or something issued by authorities could have easily solved a situation that repeated itself many times.

On Wednesday, July 28, I stopped on my way home from work to check on my neighbor. There was a water advisory notice from the Calhoun County Health Department on her door stating that residents living within 200 feet of the river should not use well water for drinking or cooking. They advised that a water distribution location would be provided at the Ceresco Baptist Church and water would be available on Friday, July 30. I shared this information with Dorothy and assured her Ken and I would be bringing her water. As her immediate neighbor, and living on the same river bank- there was not a notice on our door. To date, we have not received any contact, either a flyer or someone knocking on our door from the Calhoun County Health Department about the water ban or voluntary evacuation for our residence, or our business property, even though residents who do not live on the river water received water ban notices. Although I did not have the required notification form, I was able to receive water from the distribution site... Art Wood and I solicited and coordinated volunteers for five weeks with friends, neighbors and members of the church providing the staffing for this distribution site. On Monday, August 23, I called Enbridge and told them we had coordinated this for more than four weeks, with Art opening the church every day, meeting every shift of volunteers- often working shifts himself- and then closing the church at the end of the day, and I felt it was time they provided a person to distribute the water. On Tuesday, August 24, the pastor of Ceresco Baptist Church was informed by Enbridge that although the water ban had not been lifted, Ceresco Baptist Church would be dropped as a distribution site, effective at the end of the week. Considering the number of cases of water that were distributed, one might be hard pressed to believe this was a coincidence of timing. Residents needing water were told, by a sign Art and the pastor posted, they would need to go to Marshall or Battle Creek to receive their bottled water- an issue for me considering I was never provided an advisory notice for either of our two properties. Two calls to the health department have not resulted in a form to date. The water ban remains in effect as of Monday, September 13.

The Ceresco Neighborhood Watch block captains determined that because of all the clean up activity – which appeared to be increasing daily, the increase of resident's health concerns and basic concerns about the true impact of the river-

another community meeting would be beneficial and after confirming the availability of the church, Sunday, July 30 at 4:00p.m. was selected. I contacted Teri Lawson, the Enbridge representative and asked if Enbridge and other agencies would be available. They were very receptive, in fact Teri called me back a few days later and asked to keep a confidence- Pat Daniel, Enbridge's CEO was interested in attending and she wondered if I thought the attendees would be hospitable, she didn't want to send him in to a bad situation. I stated that although I couldn't speak for the actions of my neighbors, I assumed it would fine, but that I was sure he would get some pretty direct questions and that, as CEO, if he couldn't handle that, he ought not be CEO. As it turned out, Mr. Daniel was busy with another matter and unable to attend the meeting. Mr. Steve Wouri, Vice President and several others represented Enbridge. Well over 100 people filled the church including Ceresco residents and others impacted by the spill. We started the meeting and I introduced Steve. He gave an update on the status of the cleanup, and although they were responsible for the cleanup, the EPA was overseeing the efforts. Enbridge stated they had submitted a cleanup plan to EPA as ordered and we waiting for approval- we would later learn from the EPA this plan was declined and Enbridge had to submit another proposal. For approximately two and half hours residents asked questions and were assured by Enbridge, again, the river and its banks would be cleaned up, and they would take care of any medical bills for impacted residents, they were the responsible party and would be paying the bills, including the reimbursement to local municipals for police and fire department assistance. Questions about property values and Ceresco being perceived as an oil spill/cleanup site were basically dismissed by Enbridge as they felt the river would be better than before the spill. Enbridge said they would be bringing in more workers and were working round the clock to clean the river. To the surprise and disbelief of many, we learned at this meeting, Enbridge anticipated to be done with cleanup, at least phase one and two, by late September. 840,000 gallons of oil had spilled into a river, swollen due to the seven inches of rain that had fallen days before the spill, with thirty miles of riverbanks, floodplains, and marshes covered in oil –with a wildlife recovery operation still being formed- it seemed like a monumental project to say it would be cleaned in eight weeks, regardless of how many workers they brought in.

All health related concerns and well water concerns were directed to the health department representative who continued to say the air readings were safe in our area, wells had been tested and to date everything was fine, in spite of residents needing to go to the hospital in some cases, or a med service in others. He reiterated that although the smell was a nuisance – it was not a health concern. Residents asked for the specific air readings and water sample outcomes and were told they would be posted on the EPA's website as soon as possible. They reported there were thousands of calls to the 1-800 number, and they were filtering through the calls, but if you had any questions, please call.

On Monday, August 2, the EPA held an informational meeting in Marshall at the high school. The format was a brief presentation to include comments from the EPA, DNRE, NTSB, Fish & Wildlife, and the health department. No public comments or questions were allowed- those would be addressed in the cafeteria area, one-on-one with whichever agency you had questions for. Enbridge was setup in a tent area outside if you had any questions for them. After the presentation, I waited for almost a half hour to ask an EPA representative if he knew when the pooled oil on the north side of the dam, behind the store, would be vacuumed as they had been doing on the south side of the dam for a week. As a business, we could not open because of the smell and removing the oil from that alcove may help. He took my business card and said he would check into it.

Wednesday, August 4, I received a call from Dan Fuller, an Enbridge right of way agent, to inform me that they would begin vacuuming the north side of the river in the next few days, from the road. I asked if they wouldn't need to access the river between our store and pole barn/warehouse and his response was, the propane tanks located near the store may be an issue, so they were planning to pump from the road, dropping the hose on the far west portion of our property- a 3 or 4 foot wide parcel which connects to the top of the dam. He didn't see need for much access, only that from the road. On Thursday, August 6, caution tape was placed, blocking off the entire area in front of our pole barn and the parking area on the west side of the store. On Friday, the vacuum truck arrived and began pumping as described by Dan. Midday, the supply trucks arrived and an assembly line of workers emptied the trucks onto the taped off area. By Saturday morning,

they had a staging area, complete with dining tents for the workers, and every possible parking space, both on our property and that of some of our neighbors, were utilized. On Sunday they had moved in another pumper onto the same area I had asked Dan about- between the store and pole barn- and were pumping there as well. To explain the degree of cleanup impact at this point, there are now two trucks vacuuming from the store property- which is the north side of the dam, a campsite and stock of supplies for the area workers is sprawled over our property in front of the pole barn, there are two trucks vacuuming from above the dam on the south side of the dam, one truck vacuuming from below the dam on the south side and two trucks vacuuming from a property immediately west of the bridge. 12 Mile Road and it's bridge is closed to through traffic and the Sherriff's Department is posted at both ends, the road in front of the store, although not posted as closed, is blocked by worker's vehicles that are parked wherever they can, including the bus and vans that transport workers, dumpsters have been brought in and now line Marshall Street, a fire truck is stationed at one vacuuming site, and the ambulance is parked at the north end of the bridge. At least four units of generator spotlights have been placed along the bridge. Several trucks containing the booms have arrived and workers are in hazmat outfits, some working the banks of the river, some working out of boats laying out the booms and some are cleaning the riverbanks, the oil transfer trucks are coming and going with great frequency, relieving the vacuum trucks of the oil and water they have collected... all of this within a few hundred feet. Our store and home property are also within that same few hundred feet. My neighbor's front lawn has a large sign -C1- an indentifying mark for the helicopters flying overhead- some times as many as fifty plus times a day.

Over the next few days, I learned, from a neighbor, that Enbridge was trying to get signed access agreements from property owners. A few residents had been contacted, including the property across from the store who gave them permission to park vehicles on a portion of her property. We were never contacted for this agreement, either for the business and home property, even though Dan Fuller had my cell phone and had called me previously.

Wednesday, August 5, Enbridge left a “door hanger” with a contact number for Scott Nordman. I placed that call on Thursday. Scott was wondering if we had any immediate needs. I said it would be nice to know when we might be able to re-open our business, he commented that although he was sure that was something they would compensate me for down the road- he was inquiring about things like air purifiers, hotel and food receipts and the like. I told him, considering the business was closed-I didn’t know if we needed one right now. He didn’t have any information on the house property, but was sure someone would be contacting us regarding the same questions. They did not.

Tuesday, August 10, the EPA held another public informational meeting, this time in Battle Creek, at the Kellogg Arena. They used the same format, other than attendees were invited by volunteers to fill out a questionnaire that would be given to the presenters to answer at the end of the program. After the program, I spoke with Jim Rutherford, Calhoun County Health Department Supervisor and expressed my concerns about the business property and fears of our well becoming contaminated, the property itself being contaminated because of what appeared to be an oil saturated sludge now exposed from draining so much of the river behind our building. I told him my concerns for myself as a cancer patient, and that of my husband who works a majority of our business hours and the welfare of our customers. He commented that, as a cancer patient, I probably should not be at the store. Acknowledging the store was currently closed due to the cleanup efforts, I assured him I had no reason to be there.

Wednesday evening, August 11, I went to the Enbridge community center complete with a notebook of more than 50- 8x10 color photos of our impacted business property. My concerns were that the business was closed and I was looking for some options. They requested addresses for both the house and the store and Goggled them, after several attempts, were finally able to produce the correct aerial maps of both properties. Jeff was quick to say the house qualified for the home buyout program, and I told him I was here to speak about the business property which had now been closed for three weeks...with no income, but unfortunately we still had bills to pay out including utilities. He told me Enbridge was not prepared to discuss business loss or process and compensation

at this time. In total disbelief, I said he had to be kidding me. He excused himself and left returning with Shelly LLiff, assistant right-of-way agent who stated what Jeff had told me was correct, personal properties were a priority and was I interested in filling out a form for the home buyout program. I assured her I was not at the moment, but I was interested in hearing how three weeks after the spill, the company responsible for closing my business for three weeks, didn't have any answers for me...and it was not a priority! I promised her it certainly was a priority for Ken, whose livelihood had been impacted. To appease me, Jeff and Shelly looked through the photos I had brought. Shelly assured me she would bring up our situation at the management team meeting in the morning. As I was escorted out by Jeff, he shared that the company was currently working on a program to compensate property owners for access, which might be an option for us considering Enbridge was currently utilizing our property. I asked him if personal properties were a priority here as well, and like the previous 45 minutes, he had no answer.

Wednesday, August 18, seven days after I had been to the center, I received a call from Dan Fuller, an Enbridge right-a-way agent requesting a meeting to discuss our property. The soonest we could agree on an appointment time was the following Tuesday at 6:30p.m.

Ken and I met with Dan, an Enbridge employee of just a few years- but one of the first actual Enbridge employees we had met- other than VP's and the CEO. Dan asked our concerns, which at this point boiled down to the fact the store was closed and we needed some options and information. Sensing our frustration with Enbridge, Dan assured us Enbridge was a wonderful company, a sincere, forth right company that would if fact do everything they stated, they would stand behind their words to clean up the river and make every attempt to compensate those who had been legitimately impacted. He was sure we could understand the complexity of the first few days as they were setting up command centers and the logistic miracle of getting everyone in place to handle the over whelming amount of claims, sorting through many that were fraudulent, the staff were working sixteen hour days..and he had only been able to return home the previous weekend. Dan said he was proud of the fact that at the end of the day,

he could go to bed at night knowing God Dan asked if we wanted to sell the property or would we consider relocation? Considering Ken was four years from retirement, we told Dan we would need to consider if moving the entire inventory and starting over in a new location was really something we wanted to do. It certainly was not in our career plans prior to the oil spill. Dan told us he actually didn't work with that area, but would be willing to discuss this option with coworkers that could authorize it. We left the meeting with the premise that Dan would be contacting us soon with an offer for Enbridge accessing our property.

The following day, Lynn Smith left a voicemail on our home machine. Apparently Dan had been called home for an emergency and they weren't sure how long he would be out, so we would need to come back in to "retell our story". I called Lynn back and in the very few minutes I spoke with him, realized we were back to square one, either Dan had been blowing smoke to appease us or this representative was just not going to be as helpful. We set the meeting for Friday, August 27, at 3:30pm.

Thursday, August 26 I stopped on my way home from work to get water from the Church. My neighbor was so impressed and happy to share that she had received an absolutely gorgeous bouquet of flowers from Enbridge. She stated she had written Enbridge a letter acknowledging them for being such a great company and thanking them for doing such a great job in their cleanup efforts. She said they had appreciated her letter so much that they had even read it at a public meeting. I told her I was happy for her, and glad Enbridge was doing something for someone. I told her she absolutely deserved flowers everyday just for being Glennie and left. In truth, I was so frustrated that we were fighting to get even a meaningful discussion out of Enbridge- remember I had been told our business was not a priority and yet they had plenty of time to read her letter, coordinate it being read at a public meeting and then order her flowers. Apparently that department wasn't as overwhelmed as the agents working with those directly affected by the spill.

I dropped off my neighbors water, as I had been doing since the spill and told her I would keep checking on her but after today, I would need to get our water from

Marshall and my deliveries might be sporadic- it was not as convenient to get it from Marshall, but would get hers whenever I got mine, making sure she had plenty. She was very concerned about her utilities considering she was on a fixed income. So I promised her I would address that with Enbridge when we meet with them the following day..they should be able to send someone out to her house considering she did not feel she was strong enough to ride into Marshall with me.

Thursday evening, Congressman Mark Shauer held a public forum in Marshall to allow residents the opportunity to hear from the NTSB and tell our stories. Enbridge's CEO, Pat Daniel and Vice President, Steve Wouri were attendance along with Meredith Powell, their PR representative. By now, several elected officials had contacted me to offer any assistance they may be able to. Julie Camp, our county commissioner was in attendance and previously being aware of our situation, asked how things were going. I told her it wasn't, we hadn't gotten anywhere and then shared the flower story. She suggested I talk face-to-face with Pat Daniel considering he was sitting just a few rows behind me in the auditorium. I took her up on that offer and followed her. She introduced me to both Steve Wouri and Pat Daniel. Pat said hi but turned his attention to someone else and left Steve to talk to me. I shared the flower story with Steve and asked why, if they had available staff for PR, why they didn't have enough staff to work with us and why businesses were not a priority. Although I did understand and realize there may in fact be situations of fraud, as we have been told repeatedly, it was very clear to everyone except Enbridge we were impacted and had legitimate concerns. I told him we were meeting with Enbridge again the following day and he personally assured me they would work with us and they did appreciate all I had done in the early stages to facilitate the Ceresco community meetings. Meredith contacted me after the meeting to determine when and where we were meeting Enbridge on Friday and said she was planning to attend the meeting and would be there if her schedule allowed.

Friday afternoon, August 27, Ken and I meet with Enbridge at their Marshall office. We were greeted by Jeff, the original right-of-way agent from my first meeting at the center. Eventually Lynn Smith, who we thought we were meeting with joined as and after a few minutes another gentleman joined us and walked us

to a small office. They said Meredith would be joining us, but was running late. I addressed my neighbors concerns about her utilities and considering she was housebound, asked if someone could check in with her. Four times I had to repeat her name and address.

When Meredith joined us, the feeling was intimidation, four Enbridge representatives and Ken and I. Lynn started the meeting and apparently had “found” our story, because everyone in the room seemed to be very aware of our property situation, but yet no one referenced or even acknowledged the impact we were experiencing. We learned that the relocation Dan had referenced in the previous meeting consisted of Enbridge paying to move our inventory- not any compensation for rent or purchase and although the relocation was something we could consider, it was not an offer at this point. We were told we would need to provide proper documentation from our business and it would be brought before a committee to determine if we had a legitimate claim.

My response was: wrong answer and suggested they ask the one hundred plus workers eating lunch in their “camp” on our property if we were legitimate, maybe they should ask the workers pulled from behind our business to be taken to the hospital if we were legitimate. I asked why our home, which also is within the 200 foot buyout zone, qualified but yet our business property did not. Again, we heard that businesses were a more difficult situation; the possibility of fraud was difficult and took time to review and determine. Ken stood up and said he had heard enough, they could talk to our lawyer and left the room. I stated that I was appalled and frustrated with their response. I was sure that when they laid their head on a pillow last night- even considering it may have been in a hotel- I was sure they hadn’t heard the non-stop helicopters flying overhead, they hadn’t heard the hum of the vacuum trucks running twenty-four hours a day, the beep-beep of large trucks and machines backing up, the workers- including those in buses and vans arriving for work at 6:00am, parking in an area next to our home, the buzz of conversation as they all walked down a portion of our driveway, the open headers of the fan boats on the river at 7:00am every morning, or the apparent racing of the boats all day, nor had they had to endure the smell of the oil, a spill caused by their company. I was also pretty sure that each of them had

received a paycheck within the last week or so. They could be assured Ken had not. Enbridge had effectively closed out business at least for the last several weeks, and it was questionable if and when we would be able to reopen. Did they really not understand why Ken and I were so frustrated with their lack of response? A committee at some point in time was going to determine our future? I didn't think so. We have heard the CEO, Pat Daniel and other senior management say they were sorry, well sorry doesn't pay bills nor does it make the impact of the spill any less. A few hours after we got home from the meeting, Steve Wouri, Enbridge Vice President called and asked if we would be willing to meet with him. I thanked him for calling, but I was going to take a breather, I was going to take the next day to do a day of community service for the American Cancer Society. We needed to consider what our next steps would be and once I determined that, I would call him.

On Monday, August 30, I contacted a lawyer and made an appointment for the first available appointment, Wednesday, September 1, my birthday. Through several additional conversations and meetings over the week and Labor Day weekend, he began negotiations with Enbridge. He came back with what we felt was the best offer Enbridge was going to provide.

Sunday morning, September 5, I received a call from our lawyer and he informed me that Enbridge was interested in holding another community meeting in Ceresco to update the residents on the status of the cleanup. Our lawyer wasn't sure it was in my best interest to assist with the arrangements, so I provided several contacts for Enbridge, including the pastor of Ceresco Baptist Church and two other Ceresco Neighborhood Watch block captains. They had inquired as to how we had gotten the word out about previous meetings and acknowledged it was by email, the neighborhood watch phone tree and passing out flyers door-to-door. Our lawyer called back and confirmed the meeting was to be held Tuesday, September 7, and I assured him I would be attending. Sunday afternoon, we received our very first visit at our home by Enbridge, or anyone else regarding the spill...an Enbridge representative was handing out flyers for the meeting.

Tuesday, September 7, at 7:00pm, Pat Daniel, the CEO of Enbridge welcomed the residents to the meeting and thanked the church for allowing them the space to meet with them. He said the cleanup of oil from the river was essentially complete, with a few exceptions, but the cleanup of the riverbanks, wetlands and marshes was in fact going to take longer than anticipated. The EPA had given them until September 27 and they felt they would be able to do that. He said they would leave the booms in the river for as long as possible, but because the booms could not withstand the winter, they would be removed and replaced in the spring. He fielded questions about property values, what they intended to do with the homes they were purchasing- to which he said Enbridge had hired a management company to maintain them- and when asked if they intended to rent them, he said no, they were not in the real estate business. They would hold them until the market could sustain the sale of the homes, but would not flood the market by putting them all up for sale at the same time. When asked about the perception of Ceresco being an oil spill community, he asked what residents felt Enbridge could do to enhance the community. Suggestions included a park, public access to the river, and repairing the bridge... which provided the opportunity for Mr. Daniel to say, that "while it might be a touchy subject", he did want to share that Enbridge had proposed to buy the dam for the purpose of utilizing it for a green power source. Most residents were interested in learning more about it, and one said she would only be interested if it was not noisy- we had had a pretty noisy summer and didn't want to live with that every day. Tongue in check, he asked the neighbors to keep the offer in this room because if the property owner got wind of it, it would drive the price up. I assured Mr. Daniel, as the owner of the property that federal agencies had previously said was needed in addition to one owning the dam proper to allow for power production, I had heard his comments and had his number. He smiled and said he was very aware of our property location. In an internet search, I found that Enbridge purchased a 20% share of a Neal Hot Springs Geothermal Power Plant Project for \$23,800,000.00 earlier in the day.

Enbridge CEO, Pat Daniel has said at many public meetings, Enbridge was anxious to work with those impacted by spill, and there was no need for anyone to obtain a lawyer. Although that may or may not be true, it was very apparent they were not equipped to handle a business claim. As mentioned earlier, we had three meetings with Enbridge representatives with no results and felt the only way we were going to be heard was through the voice of a lawyer. I sincerely wish Enbridge had been forthright, and we hadn't felt it was our only choice. Our lawyer has been in negotiations with Enbridge and as of Monday, September 13, I have signed a document providing Enbridge with limited access to our property for a specific period of time as they clean up the river and river banks near the dam. We anticipate an additional amount for a short term business interruption and acknowledge Enbridge has agreed to purchase the business property, if we decide to sell it, for a pre-determined period of time. The agreement does not in any way compensate Ken and myself for any pain, suffering, inconvenience or health related claims... nor does it guarantee a fair purchase price if we decide to sell. Did we reach an agreement with Enbridge, yes we did. My lawyer has assured me that although Enbridge was not equipped to handle our claim, when they were made aware, they were fair. I would suggest, we may have been quicker to think their offer was fair had they been equipped, in a timely manner to talk to us, and had we been spared all the stress and headaches.

I thank Chairman Oberstar for the opportunity to share how this spill has impacted us. I can only hope others truly impacted by this spill do not have to obtain a lawyer to be heard. I hope this hearing will be the lightning rod that allows Enbridge to realize some of the methods, strategies and programs they used in this spill were made in haste and were often ineffective and unsettling. I hope when Enbridge returns from these hearings and meets with other individuals with legitimate claims, they will be forthright, compassionate and fair. I know that may not be good for the stockholders or your bottom line, but as one who has been impacted, my bottom line is this; I was an innocent bystander, I was not responsible for the spill, I did not choose to breathe foul air, I did not choose to lose a summer to the hum of vacuum trucks, fan boats and helicopters, and strangers on my river banks, to not be able to utilize our pool for lack of privacy, I

did not choose to close a business, and I certainly did not chose watch geese struggle while covered in oil. Enbridge made that decision for me. May your community service efforts and gifts benefit those who were impacted, or at least the greater communities impacted rather than the individuals who made you feel good. I sincerely hope this spill will ensure you will be more responsible with the maintenance of all your pipelines, even if it means replacing them all. Whether or not Enbridge Energy was negligent in its actions on Sunday, July 25 is for the National Transportation Safety Board to determine. How Enbridge Energy responded to the victims of the crisis was determined by Enbridge Energy. I hope the legacy you leave behind in Michigan when you go back to Alberta, is one of good will.