



Protecting the Common Waters of the Great Lakes Basin
Through Public Trust Solutions

**NEW STUDY ANSWERS “NO” TO THE QUESTION: DO WE NEED LINE 5 IN THE STRAITS?
EXPERTS TAKE COMPREHENSIVE LOOK AT ENBRIDGE’S RISKY PIPELINES AND OUR
ENERGY INFRASTRUCTURE**

EXECUTIVE SUMMARY

December 14, 2015

Governor Rick Snyder’s Executive Order 2015-12 created and directed the Michigan Pipeline Safety Advisory Board (“Advisory Board”) to implement the recommendations of the Michigan Petroleum Pipeline Task Force Report (“Task Force”) on the future of oil transport through the Line 5 pipeline in the Straits of Mackinac and pipelines throughout the State of Michigan.

The July 2015 Task Force Report concludes that Line 5 in the Straits presented the “most acute potential threat” of a catastrophic oil spill given the location if this 62-year old pipeline resting on Great Lakes bottomlands. The Task Force Report accordingly calls for an independent alternatives analysis, including as an alternative the decommissioning of Line 5 in the Straits for oil transport. Other reports, including FLOW’s (For Love of Water) September 2015 Expert Report, have substantiated that the transport of oil through Line 5 in the Straits constitutes an unacceptable high-level risk and imminent harm to our waters for drinking, recreation, commerce, navigation, tourism, and our *Pure Michigan* way of life. Immediate action therefore is necessary, including the orderly completion of the alternatives and risk analyses and interim actions to eliminate imminent harm.

FLOW now submits this report titled, *Eliminating the Line 5 Oil Pipelines’ Unacceptable Risk to the Great Lakes through a Comprehensive Alternatives Analysis and Systems Approach*, to the Advisory Board to assist in implementing a comprehensive alternatives analysis to Line 5 in the Straits per the recommendations of the Task Force Report. This report and attached technical reports also are intended to help the public better understand the nature and scope of a proper alternatives analysis and to demonstrate that decommissioning of Line 5 in the Straits is a viable option given the existing capacity and supply-and-demand needs of the overall pipeline system around the Great Lakes. A preliminary review of the existing pipeline capacity and regional refinery demands affirms that Line 5 in the Straits is not vital energy infrastructure to Michigan’s economy and energy security. This report makes the following conclusions:

- 1. All alternative options must be considered. A comprehensive and full range of options is needed to comply with the Michigan Petroleum Pipeline Task Force recommendations and the Governor’s Executive Order establishing the Michigan Pipeline Safety Advisory Board.** Alternatives explored must not

be limited solely to options for transporting liquid petroleum currently carried by Line 5 in the Straits. A comprehensive alternatives analysis should review the transport of crude oil through the lens of the entire Great Lakes region's system of oil pipelines, routes, capacity and ability to deliver liquid petroleum currently carried by Line 5 in the Straits. Without a comprehensive pipeline systems view, state and federal decision-makers are unable to identify and evaluate the best alternative to Enbridge's Line 5 twin pipelines in the Straits of Mackinac.

2. **Preliminary findings in the FLOW report show that Line 5 through the Straits of Mackinac is not vital energy infrastructure to Michigan's economy. The overall pipeline system is flexible enough to meet existing demand if Line 5 through the Straits were decommissioned.** Realistic alternatives to Line 5 in the Straits could be met without disrupting distribution of natural gas liquids, including propane, to Michigan's Upper Peninsula. Alternatives to the Line 5 segment in the Straits would eliminate unacceptable harm to the Great Lakes and Michigan communities while still meeting our energy needs.
3. **Decommissioning Line 5 in the Straits is the best option.** FLOW's report concludes that decommissioning Line 5 in the Straits is the best option because it would eliminate or avoid the unacceptable and imminent harm and high risk to the Straits and Great Lakes. Moreover, the dynamic pipeline system serving Michigan, the Great Lakes region, and elsewhere meets the purposes of the larger regional system of petroleum distribution and Enbridge could continue transporting substantial volumes of crude oil.
4. **Segment-by-segment, Enbridge has effectively built its own version of the now rejected "Keystone XL Pipeline" through the center of the Great Lakes and across Michigan without public, state, and federal consideration and evaluation of the full range of existing alternatives.** In Michigan, following its 2010 Kalamazoo oil spill disaster, Enbridge applied for "maintenance and integrity" measures for Line 6B before the Michigan Public Service Commission, when in fact, it built a brand new Line 6B that more than doubled its capacity to as much as 800,000 bpd. Had Enbridge disclosed its larger project intentions, a more properly scoped alternative analysis would have evaluated Line 5, Line 6B, other pipelines, needs of users, and the pipeline system as a whole, and the imminent and unacceptable harm to the Straits could and would have been addressed.
5. **Immediate interim measures should be imposed on Enbridge, including the shutoff of oil through Line 5 in the Straits given the imminent harm and risk and the stated inability of Enbridge and the U.S. Coast Guard to clean up a catastrophic oil spill in the open waters of the Great Lakes.**

