

News Release

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FOR IMMEDIATE RELEASE

Monday, Nov. 27, 2017

New agreement requires increased safeguards for Michigan waters, sets final schedule for decision on future of Enbridge's Line 5 petroleum pipeline

LANSING — Gov. Rick Snyder today signed an agreement requiring immediate steps be taken to improve environmental protection for the Great Lakes and other state waterways through a binding agreement with the owners of Line 5.

"Business as usual by Enbridge is not acceptable and we are going to ensure the highest level of environmental safety standards are implemented to protect one of Michigan's most valuable natural resources," said Gov. Rick Snyder. "The items required in this agreement are good strides forward. The state is evaluating the entire span of Enbridge's Line 5 pipeline and its future, but we cannot wait for the analyses to be completed before taking action to defend our waterways."

Line 5 is a 645-mile pipeline that begins in Superior, Wisconsin, and terminates in Sarnia, Ontario, Canada. Line 5 transports up to 540,000 barrels a day of light crude oil and natural gas liquids

Congressman Fred Upton, chair of the Subcommittee on Energy in the U.S. House of Representatives, has been working closely with the state on addressing concerns he has about Enbridge operations.

"This issue is not going away until it gets fixed," Upton said. "Zero tolerance for error is the only

thing we will accept along with the highest safety standards in place to ensure the Great Lakes will not be at risk. I look forward to continuing to work with Governor Snyder and the state of Michigan in coordinating a state and federal response. We will stay on the case through completion."

Under stipulations detailed in the agreement announced today, the state is requiring Enbridge to:

- **Replace the portion of Line 5 that crosses beneath the St. Clair River with a new pipe in a tunnel under the river**, a site where similar pipeline construction for Line 6B was successfully accomplished a few years ago. The St. Clair River is an important source of drinking water and an environmentally sensitive location along the pipeline. The underground replacement line will significantly lower the risk that oil could reach the river or the Great Lakes.
- **Undertake a study, in conjunction with the state, on the placement of a new pipeline or the existing dual pipelines in a tunnel beneath the Straits of Mackinac.** The state's alternative analysis identified tunneling as an alternative to the current pipelines. This study will examine several possible techniques and allow a much more detailed examination on the technical feasibility of such a tunnel.
- **Temporarily shut down operation of Line 5 in the straits during periods of sustained adverse weather conditions**, because those conditions do not allow effective response to potential oil spills. "Sustained adverse weather conditions" are defined in an appendix of the agreement.
- **Assess the possible installation of underwater technologies, including cameras, to better monitor the pipeline beneath the Straits of Mackinac.**
- **Implement technologies that improve the safety of Line 5 in the straits by allowing faster detection and a more immediate response in the event of a spill.**
- **Implement measures to mitigate a potential vessel anchor strike on Line 5 beneath the straits.** A vessel anchor strike was identified in the final alternatives analysis as one of the most serious threats to Line 5 safety in the straits.
- In partnership with the state, **implement additional measures to minimize the likelihood of an oil spill at every Line 5 water crossing in Michigan.**
- **Increase transparency by:**
 - providing the opportunity for the state to fully participate in each of the evaluations required under the agreement;
 - providing all information requested by the state about the operation of Line 5 in Michigan; and
 - meet regularly with the state to assess and discuss any changes to the pipeline's operation.

"This agreement is necessary to ensure increased oversight, transparency and accountability on

the part of Enbridge,” said DNR Director Keith Creagh. “As we continue to evaluate the pipeline at the straits, we must make sure appropriate safeguards for natural resources are in place along the full length of Line 5 in Michigan.”

The agreement includes deadlines for each action. The state will hire its own experts to monitor Enbridge’s actions and review and verify the company’s data. The agreement requires the company to cooperatively identify and make available to the state relevant information regarding the operation of Line 5. The full agreement can be found on [the Pipeline Safety Advisory Board website](#).

“Tunneling under the St. Clair River and shutting down Line 5 during adverse weather are promising first steps in safeguarding our waterways,” said Valerie Brader, executive director of the Michigan Agency for Energy. “The assessment of all the options in the agreement should be done thoroughly, but quickly, so that we can move forward with additional concrete actions all along the pipeline.”

Today’s agreement does not represent a final decision by the state regarding Line 5, but instead provides a clear schedule on which a decision will either be reached cooperatively with Enbridge or the state will take another path. In the meantime, the actions mandated in the agreement will improve the information available and improve safety, stewardship, and transparency.

As these measures are put in place, the evaluation of Line 5 called for by the Michigan Petroleum Pipeline Task Force Report will continue. That evaluation is being conducted by the Michigan Agency for Energy (MAE), the Michigan Department of Environmental Quality (DEQ) and the Michigan Department of Natural Resources (DNR), with advice from the Pipeline Safety Advisory Board.

On Nov. 20, the state released a final alternatives analysis report. The state will be accepting public feedback [online](#) and [at public meetings in December](#) on what should be done regarding Line 5 in the long term.

“The Line 5 crossing at the Straits of Mackinac continues to be of utmost concern to the DEQ,” said C. Heidi Grether, director of DEQ. “Our charge is to protect the Great Lakes as demonstrated in this agreement. It is, however, time we start reviewing the potential impact of Line 5 in its entirety throughout Michigan. The stipulations presented in this agreement are steps in the right direction to not only protect the Great Lakes, but to protect all of Michigan’s pristine waterways and environment.”

A contract for a separate independent risk analysis – led by top researchers at Michigan Technological University – is being finalized. These analyses, along with public input and the new agreement, will shape a final recommendation from the state on the future of Line 5.

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- [Line 5 infographic final.pdf](#)

- [Enbridge+Agreement+11-27-17.pdf](#)

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