



**For immediate release**

## **Business Leaders Respond to Line 5 Rulings**

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Today Ingham County Circuit Court Judge James Jamo ruled to extend the temporary restraining order that has closed the Enbridge Line 5 pipelines in the Straits of Mackinac, though he did allow temporary re-opening of the less-damaged west line for testing purposes. Enbridge will need to provide test results to the State of Michigan before it can fully reopen the line. Jamo's ruling came as a result of a request from Michigan Attorney General Dana Nessel as part of a lawsuit that is challenging the operation of the pipeline in the Straits on the grounds that Enbridge's poor operating record proves it is violating the terms of its 1953 easement with the state.

The ruling seems to at least temporarily reject one of Enbridge's central claims, that Michigan has no authority to oversee the pipeline, and Judge Jamo clearly highlights the concerns raised by the attorney general about the operation of the pipeline.

Larry Bell, co-chair of the Great Lakes Business Network and founder of Bell's Brewery said, "It's encouraging that the judge recognized Michigan's authority by upholding the public trust in the Great Lakes and continuing the restraining order as recommended by our attorney general. I appreciate her strong leadership in protecting our Great Lakes, and continue to call on Governor Gretchen Whitmer to join the attorney general and strengthen Michigan's legal case."

Juliette King McAvoy of King Orchards, co-chair of the Great Lakes Business Network, says, "Clean, fresh water is essential to our regional identity, and we are glad to see Judge Jamo rule in favor of safety and proper protocol to protect the Great Lakes from a spill or leak in the Line 5 pipeline. The last thing Michiganders need right now is another disaster that is costly to our environment and economy."

In filings to the court, Enbridge acknowledged that it still cannot determine the cause of the damage to a two-year-old support on the east leg of the twin pipelines, damage that went undetected for as long as a year. The company believes the damage was caused by a ship dragging its anchor. An even more shocking revelation was that Enbridge also discovered a separate and independent strike to the west leg of the pipeline, possibly from a vessel dragging

a cable. Enbridge was unaware of both strikes, and acknowledged discovering the damage while repairing missing protective coating caused by a separate new pipeline support. Both strikes to the pipeline are assumed to have occurred within 26 months of an anchor strike from a tugboat. In the company's arguments to the judge, Enbridge suggested it has a "coordinated system" for preventing anchor strikes, but the company was unable to answer why it has failed at least three times to immediately detect or prevent a vessel's anchor or cable from striking the pipeline.

According to Dick Dinon of Wineguys, "This decision to partially shut down Line 5 is a win for communities and businesses throughout the Great Lakes region that benefit from the spectacular water views and unique coastal charm that draws guests from near and far. Until Line 5 is permanently decommissioned, our communities will continue to operate under the threat of oil contamination in the Great Lakes, a risk we cannot afford to bear."

In questioning, Judge Jamo also probed the close relationship between Enbridge and the Pipeline Hazardous Materials Safety Administration (PHMSA), the federal regulatory body which Enbridge asserts has sole authority to oversee pipeline safety and ensure the company is operating with "due care." The judge found there was no supporting material to show that PHMSA had carried out a sufficient review prior to giving Enbridge approval for a partial restart. Instead, it appears that PHMSA merely said that it had "no objection" to Enbridge's request to restart the pipeline.

Beryl Skrocki, owner of Sleeping Bear Surf and Kayak reacted to this news: "It is encouraging to see this action to protect our most precious Great Lakes from an oil spill. I, like so many other business owners, have built my career around the pristine backdrop of our fresh waters, and I call on Governor Whitmer to take every action to defend our way of life from Line 5 oil pollution."

Northern Michigan outdoor photographer Beth Price echoed this sentiment: "The Great Lakes provide immeasurable value to our businesses and communities, and we are heartened by this decision to protect our waters from a Line 5 oil disaster. We call on Governor Whitmer to uphold her elected duty and remove the threat of Line 5 permanently to protect the waters that give us life.

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