



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

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**Analysis of Alternatives to 64-Year-Old “Line 5” Pipelines  
Riddled with Bad Assumptions, Miscalculations**

At Public Meeting in Traverse City, FLOW Lays Out Case Against  
State-Commissioned Analysis

TRAVERSE CITY – A draft report for the State by Dynamic Risk Inc. of alternatives to Enbridge’s risky twin oil pipelines crossing the lakebed at the Straits of Mackinac is so deeply flawed, according to FLOW, a Traverse City-based Great Lakes water law and policy center, that the State cannot credibly rely on its findings to decide Line 5’s future.

“The report is unreliable and should not be used,” said Liz Kirkwood, Executive Director of FLOW. “Instead, the State should protect the Great Lakes from the potential of a catastrophic oil spill and exercise its legal authority to revoke Enbridge’s permission to use the waters and lakebed that belong to the people of Michigan.”

Prepared by Dynamic Risk Assessment Systems of Calgary – a firm with business ties to Enbridge – the study is rife with biased assumptions and technical errors that skew its findings, said FLOW representatives at a public meeting on the campus of Northwestern Michigan College.

“The process of developing these now-discredited reports has cost Michigan well over a year that should have been spent crafting a thoughtful decommissioning process that protects the Great Lakes, prioritizes citizens, businesses, and tribes, and ultimately addresses Michigan’s energy needs,” said Kirkwood, “Enbridge has been granted an extension through distraction.”

Among the draft report’s flaws:

- It completely ignores the most suitable alternative to Line 5, which is existing infrastructure. The state asked consultant Dynamic Risk to analyze it. Failure to do so taints the analysis.
- The draft report assumes that the state must guarantee that Enbridge deliver 23 million gallons of oil that is now being transported daily through Line 5, rather than protecting the energy needs of its citizens. This bias results in the tunnel option appearing as a favored report alternative.
- The draft report assumes the best-case scenario for a spill, not the worst. The consultant uses assumptions of risk that are woefully inadequate and are not credible. It estimates that an average 20

miles of shoreline would be impacted by a spill. This is just 3% of the 720-mile area the [University of Michigan found vulnerable](#) to a spill in its 2016 study.

- It significantly understates the likelihood of pipeline failure at an already-alarming 1 in 60 chance by ignoring 50 years of neglect, unsupported spans, powerful currents, and gravity. Applying DOT engineering standards and adding up the failure probability on a yearly basis gives the 2017 failure probability at 46.4% and the 2053 failure probability at 72.5%, or odds of about 3-1. These figures are far different from the Alternatives Analysis estimate of 1.6% by 2053.
- It relies on flawed economic impact modeling that unreasonably concludes that a spill in the open waters of the Great Lakes would only cost \$100-200 million in damages.
- It estimates an impact to propane supply much greater than [what FLOW's independent experts have determined](#) would be necessary to provide the Upper Peninsula's Rapid River facility with an alternative supply. The flawed alternatives report finds that up to 35 railcars per week or 15 truckloads per day would be necessary to replace the Line 5 supply of natural gas liquids, while FLOW's expert studies have found it would take only one railcar or 3-4 truckloads per day. Line 5 supplies only 35-50 percent of the Upper Peninsula's propane.

“The fact is, Line 5 is not essential,” said **Rick Kane, a Michigan-based hazardous materials risk management specialist advising FLOW**. “The regional pipeline system can supply crude oil to Michigan and surrounding refineries while eliminating the risk that Line 5 poses to the Great Lakes,” Kane said. “Feasible and prudent alternatives exist to support domestic needs, as well as exports. However, pipeline company owners will not move to implement any alternatives as long as Line 5 operates and the public continues to carry the risk.”

Last month, the state cancelled a contract for an analysis of the financial risks associated with the Mackinac pipeline when it was disclosed an employee of contractor Det Norske Veritas worked on another project for Enbridge, creating a conflict of interest.

“The risk is far too high for State leaders to use this flawed report as an excuse for more delay, especially when there are obvious alternatives for Enbridge, Michigan, and Canada without Line 5 in the Straits,” said **Jim Olson, FLOW's founder and president and a renowned water rights attorney**. “Good leadership calls for interim measures now, based on the clear authority and duties imposed on the State to protect the Straits and Great Lakes. This means prohibiting the transport of crude through Line 5, pending further proceedings and final decisions.”

After the [revelation](#) last month that Enbridge for years routinely violated a legal agreement to properly anchor its dual pipelines against the swift currents in the Mackinac Straits, FLOW argued the state of Michigan now must apply the law, stop Line 5's oil flow, and hold public hearings as it considers the Canadian company's application to squeeze more life out of its decaying steel infrastructure built in 1953.

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