



March 8, 2017

Bradley F. Shamla  
Vice President, U.S. Operations  
Enbridge Energy Limited Partnership  
Enbridge Pipelines (Lakehead) LLC  
7701 Francis Avenue South, Suite 600  
Edina, MN 55435

Re: Request for Information, Line 5 Dual Pipelines at the Straits of  
Mackinac

Dear Mr. Shamla:

We write to you requesting that Enbridge provide the State of Michigan certain additional information regarding the Line 5 dual pipelines at the Straits of Mackinac. Specifically, as outlined below, we are requesting detailed documentation and clarification of Enbridge's statements concerning "holidays" in the external coating of the pipelines.

### **Background**

As you know, the design specifications for the dual pipelines contained in the 1953 Pipeline Easement granted by the State to Enbridge's predecessor include two types of protections against potential external corrosion of the pipelines: physical protections on the outside of the pipes (asphalt coating and two layers of fiberglass wrap) and cathodic protection. See Easement Conditions A (8) and (9).

In response to previous information requests by the State, Enbridge has stated that every two years it conducts underwater inspections of the exterior of the pipelines, using remotely operated underwater vehicles and divers. Enbridge has provided videos recorded during the inspections conducted in 2012 and 2014.

The November, 2014 underwater inspection report prepared by Enbridge's contractor, Ballard Marine Construction, noted:

The exposed portions of the pipelines are heavily covered in zebra mussel growth, making a detailed analysis of the coating and actual pipe condition difficult. However a few instance [sic] of a small amount of coating delamination was observed.

The report concluded, among other things, that “the pipeline currently appears to be in stable condition with minimal coating delamination.”<sup>1</sup>

The proposed Consent Decree in *United States v Enbridge Energy Limited Partnership, et al.* (W.D. Mich No 1:16-cv-914) requires Enbridge to, among other things, conduct a Biota Investigation:

Enbridge shall conduct an investigation to assess whether any of the biota found on the pipeline, including but not limited to mussels, impacts the integrity of the Dual Pipelines. Specifically, Enbridge shall assess whether the accumulation of mussels and other biota have impacted the integrity of the pipelines’ coating of the underlying metal, including *areas where there are openings or “holidays” in the pipeline coating.* (Paragraph 69.a.) [Emphasis added.]

In response to that requirement, Enbridge prepared a Biota Investigation Work Plan dated September 27, 2016.<sup>2</sup> The Plan states that it was prepared, in part, by “assessing video photography of the Dual Pipelines from 2014 and 2016 [underwater inspections]. (Plan, p. 3.)

While the primary focus of the Plan is the presence and potential impacts of aquatic biota such as mussels on the integrity of the pipelines, it also proposes to examine “holidays” in the external pipeline coating:

This Plan proposes to provide visual surveys and collection of biotic samples from locations representative of each zone of the Dual Pipelines, while also correlating those sampling locations with the limited numbers of *areas of the pipeline where there is a loss of coating around the pipe (“holidays”).* (Plan, p. 4.) [Emphasis added.]

Figures 4 and 5 of the Plan show sampling zones and sites for the east and west pipelines, respectively. The legend in each of those figures uses a star-shaped symbol to depict “Holiday Location.” That symbol appears at a total of 19 specific locations on Figures 4 and 5, and in each instance is accompanied by a notation “Coating Delamination.”

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<sup>1</sup> 2014 Straits of Mackinaw Pipeline Inspections and Maintenance Project  
Enbridge Energy Superior, WI Date: 11/13/2014  
Ballard Marine Construction, p. 9

<sup>2</sup> Accessed at:

[http://www.enbridge.com/~media/Enb/Documents/Projects/line5/20160927\\_Redacted%20Line%205%20Biota%20Investigation%20Work%20Plan.pdf?la=en](http://www.enbridge.com/~media/Enb/Documents/Projects/line5/20160927_Redacted%20Line%205%20Biota%20Investigation%20Work%20Plan.pdf?la=en)

Section 3.3.3.2 of the Plan, labeled “Holidays,” states, in part:

While there are only a few discrete locations with potential delaminated coatings, these areas will be targeted for the investigation. At all sampling locations where there is a potential holiday, biotic samples will be collected.

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Results of the holiday area sampling will provide insight as to whether the accumulation of mussels or other biota have impacted the integrity of the pipeline.

In addition, the Plan indicates that “[i]f delaminated pipe coatings are found lying along the lake floor,” the location will be surveyed and samples will be collected for analysis. Further, the Plan states that “[a]t each of the holiday areas where bare metal is exposed, instantaneous readings of the level of cathodic protection that is being provided to the metal pipe sections of the pipeline will be recorded,” using specialized equipment that requires a metal contact to obtain a reading. (Plan, pp 11-12.)

In response to recent, publicly expressed concerns about the existence and potential effects of the areas described as “holidays” in the Plan, and related media inquiries, Enbridge representatives have been quoted as saying that the “holidays” were merely “hypothetical.”<sup>3</sup> Such a suggestion is, at a minimum, confusing in light of the terms of the Plan itself. As noted above, the Plan refers to “areas of the pipeline where there is a loss of coating around the pipe.” And the Plan identifies 19 specific “Holiday Location[s]” in the attached figures, which according to the Plan, were apparently based upon Enbridge’s review of videos of 2104 and 2016 underwater inspections.

In any event, it is important that the State and the public as a whole have clear, accurate, and complete information regarding the present condition of the dual pipelines, including the areas described as “holidays” in pipeline coating. We understand and appreciate that you have agreed to offer a presentation on this subject at the next scheduled meeting of the Michigan Pipeline Safety Advisory Board. Hopefully, Enbridge will use that opportunity to clarify both the available facts and its public communications on this matter.

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<sup>3</sup> See, e.g., <http://www.detroitnews.com/story/news/local/michigan/2017/02/20/enbridge-coating-problem-mackinac-pipeline/98172706/>

**Request for Information**




But to evaluate Enbridge's compliance with the terms of the 1953 Easement and to ensure that the State's contractors conducting the on-going Independent Risk Analysis and Independent Alternatives Analysis have clear and complete information relevant to their work, we are requesting that Enbridge provide us with the detailed information outlined in the attached Request for Information, together with supporting documentation.

Section A of the Request identifies information currently available to Enbridge, including information specifically related to the areas described as "holidays." Please provide that requested information as soon as possible, and in any event, within 21 days after the date of this letter. Additionally, if any source of information that is provided that has not already been provided to the State or its contractors, please specify which information is new in a cover letter to these materials.

Section B of the Request identifies information that is anticipated to become available to Enbridge in the future, including matters specifically related to the Biota Investigation Work Plan and the areas described as "holidays" in the pipeline coating. It also includes, on a going-forward basis, information relating to anticipated future inspections and tests of the pipelines' condition and integrity.

Thank you for your attention to this matter and anticipated cooperation.

Sincerely,

		
Bill Schuette Attorney General State of Michigan	Keith Creagh Director, Department of Natural Resources	C. Heidi Grether Director, Department of Environmental Quality <b>Acting</b>

Enclosures

cc: Valerie Brader, Executive Director of MAE

## **Request for Information**

### **A. Information currently available to Enbridge**

1. **Underwater Inspections**- Please provide copies of all information available to Enbridge, including, without limitation, documents, reports, photographs, and video recordings, relating to any and all underwater inspections of the dual pipelines conducted after the completion of 2014 inspections performed by Ballard Marine Construction. This includes, but is not limited to, the 2016 underwater inspections referenced in the Plan.
2. **Clarification and Documentation of Conditions referred to in the Plan**-  
Please:
  - a. List and explain the criteria used by Enbridge to identify the “holiday” areas referred to in the Plan.
  - b. For each such identified “holiday” area or “locations with potential delaminated coatings” referred to in the Plan, including, but not limited to those designated in Figures 4 and 5,
    - i. Provide Enbridge’s best estimate of the size of the “holiday” area
    - ii. Indicate whether, and to what extent, bare metal is exposed
    - iii. Describe the “delamination” or other condition that has been observed, e.g., whether and to what extent one or more layer of pipeline wrap and/or coating is missing

- iv. Indicate whether, and to what extent, “delaminated pipeline coatings” referred to in the Plan have been observed on the lake floor
  - v. Identify the time or other frame markings on the 2014 and 2016 underwater video recordings that Enbridge used to identify the holiday area, and if photographs of that specific area are available, provide them.
  - vi. Provide any document(s), graphs, or figures correlating the visual observations of that area with the results of previous in-line inspections of the same area.
- c. Indicate whether, in addition to the areas referred to in the Plan and covered in item 2.b., above, Enbridge or its contractors have observed any other areas on the dual pipelines where the external pipeline coating is damaged or absent. If any such other areas have been observed, for each such area, provide the information listed in 2.b. (i.)- (vi.)
3. Any Other Pipeline Inspection Results or Reports Not Previously Provided to the State- To the extent, if any, that Enbridge has available to it the results or reports of any other inspections of the dual pipelines, including, but not limited to any in-line inspections, conducted after 2013, that have not previously been provided to the State please provide copies of any such inspection results or reports.

## **B. Information Available to Enbridge in the Future**

Please provide as soon as possible, and in any event, not later than ten (10) days after the date that each becomes available to Enbridge:

1. The Final, EPA-Approved Work Plan for the Biota Investigation required under Paragraph 69.b. of the proposed Consent Decree.
2. The Final Report of the Biota Investigation and, if applicable, the proposed work plan to address actual or threatened impairments to the dual pipelines required under Paragraph 69.c. of the proposed Consent Decree.
3. Underwater Inspections- Please provide copies of all information that becomes available to Enbridge, including, without limitation, documents, reports, photographs, and video recordings, relating to any and all underwater inspections of the Dual Pipelines conducted after the completion of the 2016 inspection and not already provided in response to Item A.1., above
4. Any Other Pipeline Inspection and Test Results- Please provide copies of all information that becomes available to Enbridge regarding the results or reports of any other inspections or tests of the integrity of the Dual Pipelines, including, but not limited to any in-line inspections, hydrostatic tests, or pipeline movement investigation required under Paragraphs 70 through 73 of the proposed Consent Decree.

