



U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

January 11, 2021

The Honorable Robert E. Latta  
U.S. House of Representatives  
Washington, DC 20515

Dear Congressman Latta:

Thank you for your letter of December 8, 2020, in which you express concerns related to recent actions taken by the State of Michigan that seek to terminate the easement for Enbridge Energy Limited Partnership's (Enbridge's) Line 5 pipeline. In your letter, you have asked the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) to confirm its oversight authority and its review of Line 5's fitness for service.

PHMSA's mission is to protect people and the environment by advancing the safe transportation of energy and other hazardous materials that are essential to our daily lives. PHMSA's pipeline safety program is responsible for the regulation and oversight of more than 2.8 million miles of energy pipeline systems. Enbridge's Line 5 is an interstate hazardous liquid pipeline subject to PHMSA's safety oversight as described in 49 CFR Parts 190-199. These parts include safety regulations concerning design, construction, operation, and maintenance of covered pipelines, as well as regulations related to integrity management, emergency response, facility spill response plans, drug and alcohol misuse prevention, and operator qualification.

PHMSA has the authority and responsibility to inspect pipeline facilities, documentation, and records during construction and thereafter to ensure the pipeline operator complies with the Federal pipeline safety regulations. If PHMSA inspectors identify non-compliances or safety concerns during operation or maintenance of the pipeline facility, or during investigation of an accident or release from a pipeline, PHMSA will issue compliance actions to achieve and maintain safety.

PHMSA is presently aware of no unsafe or hazardous conditions that would warrant shutdown of Line 5. PHMSA closely monitors Enbridge's compliance and integrity verification activities on Line 5, including in-line inspections. For Enbridge's Line 5 pipeline crossing through the Straits of Mackinaw, PHMSA retained an independent third-party expert to conduct a further review of the complex in-line inspection data that was furnished by the company. The results

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of that review are contained in a March 2019 report, a copy of which is attached. The report concludes that there are presently no integrity concerns based on the in-line inspection data reviewed at the time.

For further background information, I am also attaching three other pertinent documents—PHMSA's letters dated June 29, 2020, August 21, 2020, and September 4, 2020—which describe the agency's recent investigation of Line 5 following Enbridge's discovery of a displaced anchor on the east leg in June 2020. PHMSA's investigation concluded that no integrity concerns have been identified.

I have sent similar responses to the cosigners of your letter. If you require additional information or assistance, please contact Patricia Klinger, Deputy Director of Governmental, International, and Public Affairs, by phone at (202) 366-6374 or email at [Patricia.Klinger@dot.gov](mailto:Patricia.Klinger@dot.gov). I hope this information is helpful.

Sincerely,



Howard R. Elliott

Enclosures