



FOR IMMEDIATE RELEASE
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COALITION SUPPORTS LITIGATION TO KEEP ENERGY FLOWING

WASHINGTON, DC – On February 1, a coalition of energy product transporters and manufacturers joined to support litigation to keep open a major pipeline serving Michigan, surrounding states and Canada. Coalition partners represent residential propane suppliers, propane and crude oil pipeline operators, and gasoline, diesel, jet fuel and industrial raw materials manufacturers. The coalition filed an amicus brief in federal district court in support of litigation to block the State of Michigan’s attempt to shut down the Line 5 pipeline.

“Attempts by Michigan’s Governor to shut down the Line 5 pipeline not only will lead to major energy shortages in the region and severe economic consequences for Michigan, neighboring states and Canada, but it is unlawful and a violation of federal law,” said Andy Black, President and CEO of the Association of Oil Pipe Lines.

“Line 5’s continued operation is crucial to reliably heating homes in Michigan and surrounding states. The environmental benefits and relative affordability of propane—recognized by the EPA as a clean, alternative fuel—perfectly positions it to accelerate decarbonization and ensure equitable access to clean energy,” said Stephen Kaminski, President and CEO of the National Propane Gas Association.

“Energy infrastructure like Line 5 continues to provide much needed propane and other fuels to Americans across the country during long winters, along with millions of private investment and tax dollars and thousands of jobs. API is proud to join a broad coalition of energy organizations in support of Line 5, highlighting the numerous benefits it provides daily to the Midwest region and urging its continued safe and environmentally responsible operation,” said API Vice President of Midstream Policy Robin Rorick.

Federal law under the Pipeline Safety Act at 49 USC 60100 governs the safety regulation of interstate pipelines through the U.S. Pipeline and Hazardous Materials Safety Administration. A state, including the State of Michigan, cannot unilaterally override federal law and its federal regulatory safety programs. However, the State of Michigan attempted to do just that through a state order to shut down the Line 5 pipeline. The pipeline operator was forced to request a federal court order declaring the State action unlawful and permitting the continued operation of the pipeline. The amicus brief reiterates federal law through the Pipeline Safety Act expressly preempts the State of Michigan’s attempts to shut down an interstate pipeline because Congress granted the federal government exclusive authority to regulate interstate pipeline safety.

In addition to violating federal law, the State of Michigan’s attempts to shut down Line 5 would deprive the entire region of much needed energy to stay warm, make products and fuel transportation. Energy pipelines play a fundamental and irreplaceable role in satisfying American energy and other needs. The vast volumes they transport cannot be easily or feasibly moved by other transportation modes. It would take a line of tanker trucks, about 750 per day, loading up and moving out every two minutes, 24 hours a day, 7 days a week, to move the volume of even one modest-sized pipeline. The railroad-equivalent of that same modest-sized pipeline would be a train of 225 28,000- gallon tank rail cars every day.

No other infrastructure, let alone safe facilities, exists to readily displace volumes transported by Line 5. Line 5 transports more than 540,000 barrels of petroleum products per day, which are crucial to satisfying state and national energy needs. For example, 55 percent of Michigan’s annual propane supply—used mostly to provide home heating for countless Michigan families—comes from natural gas liquids that are transported on Line 5.

Line 5 has an outstanding safety record, supported by regular inspections and testing. In nearly 7 decades of operation there never has been a single release of product from Line 5 where it crosses under the Straits. On this record, there is no basis to conclude that the Straits Pipelines fail to meet federal pipeline safety standards or requirements, are unusually susceptible to anchor strikes, or pose an unreasonable or unacceptable risk of a release incident.

The Association of Oil Pipe Lines (“AOPL”) is a nonprofit national trade association that represents the interests of oil pipeline owners and operators. AOPL’s members operate pipelines carrying nearly 97 percent of the crude oil and petroleum products moved by pipeline throughout the United States, extending over 225,000 miles in total length. These pipelines safely, efficiently, and reliably deliver more than 22 billion barrels of crude oil and petroleum product each year, consistent with safety regulations implemented by PHMSA.

The National Propane Gas Association (NPGA) is the national trade association representing the U.S. propane industry. Its membership includes approximately 2,500 businesses across all 50 states, including retail marketers who deliver the fuel to end users, producers and wholesalers of propane, manufacturers and distributors of propane gas appliances, equipment, and trucks, fabricators of propane cylinders and tanks, transporters, and service providers of all types.

API represents all segments of America’s natural gas and oil industry, which supports more than 11 million U.S. jobs and is backed by a growing grassroots movement of millions of Americans. Our nearly 600 members produce, process and distribute the majority of the nation’s energy, and participate in **API Energy Excellence®**, which is accelerating environmental and safety progress by fostering new technologies and transparent reporting. API was formed in 1919 as a standards-setting organization and has developed more than 700 standards to enhance operational and environmental safety, efficiency and sustainability.

The National Association of Manufacturers is the largest manufacturing association in the United States, representing small and large manufacturers in every industrial sector and in all 50 states. Manufacturing employs more than 12.8 million men and women, contributes \$2.38 trillion to the U.S. economy annually, has the largest economic multiplier of any major sector and accounts for 64% of private-sector research and development. The NAM is the powerful voice of the manufacturing community and the leading advocate for a policy agenda that helps manufacturers compete in the global economy and create jobs across the United States.

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