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Oil-Spill Risks from Bayou Bridge Pipeline Highlighted in New Legal Action as Work is Suspended

New evidence shows the Army Corps of Engineers failed to independently assess the risk of spills from a company with more than [500 spills, millions in fines and private property damage](#).

Baton Rouge, LA – Environmental groups took legal action today to address severe oil spill risks from the Energy Transfer Partners-owned Bayou Bridge pipeline in Louisiana. On behalf of Atchafalaya Basinkeeper, Louisiana Crawfish Producers Association, Waterkeeper Alliance, Gulf Restoration Network and Sierra Club, Earthjustice filed a [motion for partial summary judgement](#) in the United States District Court for the Middle District of Louisiana because the U.S. Army Corps of Engineers failed to independently analyze spill risks and the devastating impacts they would have on the Atchafalaya Basin.

Yesterday, Bayou Bridge Pipeline, LLC sought to avoid a loss in a court hearing for a separate legal challenge pending in St. Martin Parish. Energy Transfer Partners agreed to temporarily cease construction of the Bayou Bridge pipeline on private property where it failed to get the consent of all landowners and to complete the required process to condemn the property and obtain the legal right to construct the pipeline from all landowners.

In previous legal proceedings, the U.S. Army Corps of Engineers assured the court that it had taken a “hard look” at the risks and impacts of spills from the proposed Bayou Bridge pipeline. But newly released information in the court record tells a different story. While voluminous public comments raised serious concerns about the high risk of spills and the impact they would have on the particularly sensitive Atchafalaya Basin, the record shows that these comments were largely ignored by the Corps.

Remarkably, the Corps never conducted *any* independent analysis of the oil spill risk and response information submitted by Bayou Bridge Pipeline, LLC (BPP). Instead, it accepted, without question or oversight, BPP’s underestimated and incomplete spill assessment.

“The Corps allowed ETP—which has a worst-in-the-industry safety record—to write its environmental review with zero oversight or independent review,” said Jan Hasselman of

Earthjustice, lead lawyer for the plaintiff organizations. "Giving the fox the keys to the henhouse is not just wrong, its illegal - and we are going to have our day in Court to explain why."

Earlier this year, Waterkeeper Alliance co-published [a detailed report](#) showing that pipelines constructed and operated by subsidiaries of Energy Transfer Partners spilled once every 11 days on average and those spills caused millions of dollars of damage to waterways and private property across the country. Just yesterday, another Energy Transfer Partners pipeline exploded in a massive fireball in Pennsylvania.

"One of the most dangerous things about the Bayou Bridge pipeline is its spill risk. Energy Transfer Partners is a notorious serial polluter with an egregious track record of hundreds of spills, explosions, and fires," said Larissa Liebmann, staff attorney of Waterkeeper Alliance.

An oil spill in the Atchafalaya Basin would have devastating impacts on the unique ecological and economic role the Basin plays. "This spill risk is even higher in Louisiana where the Bayou Bridge pipeline will cross hundreds of waterways that the public needs for drinking water and crawfish producers rely on for their livelihoods," said Jody Meche of the Louisiana Crawfish Producers Association. This risk is compounded by the fact that detecting and responding to an oil leak in the United State's largest wetland would be particularly challenging.

The Corps had previously represented that it would rely on other agencies, such as the Pipeline and Hazardous Materials Safety Administration (PHMSA), to address the oil spill risk, but the record reveals that the Corps not only failed to consult PHMSA, but also misconstrued the agency's role in the permitting process, falsely stating that approvals were required from PHMSA prior to the operation of the pipeline.

"The fact that the Corps did almost no independent oversight of the issue that has the most potential to irreparably harm the Atchafalaya Basin is outrageous," said Atchafalaya Basinkeeper Dean Wilson. "This is an outright dereliction of duty and the U.S. Army Corps of Engineers headquarters in Washington, D.C. needs to remove people from the Louisiana office who failed to comply with federal regulations."

"Pipeline spills in the Basin often go unreported or undetected without independent observers. And when spills do happen, the spill response can be to burn the swamp. The Corps can't just ignore this issue," said Scott Eustis, Community Science Director of Gulf Restoration Network.

"It is unacceptable for construction to continue on the Bayou Bridge pipeline when we still haven't seen a full accounting of the risk of spills the pipeline would pose to the Atchafalaya Basin," said Julie Rosenzweig, director of the Sierra Club Delta Chapter. "We can't afford to just take Energy Transfer Partners' word that everything will be fine, especially given this company's track record. The people of Louisiana deserve a full, independent review of the threats this pipeline poses to our land, water, and communities."

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[Atchafalaya Basinkeeper](#) is a non-profit organization comprised of over 1,100 members dedicated to protecting and restoring the ecosystems within the Atchafalaya Basin for future generations.

[Earthjustice](#), the nation's premier nonprofit environmental law organization, wields the power of law and the strength of partnership to protect people's health, to preserve magnificent places and wildlife, to advance clean energy, and to combat climate change. Because the earth needs a good lawyer.

Founded in 1994, [Gulf Restoration Network](#) is a nonprofit focused on empowering people to protect and restore the natural resources of the Gulf of Mexico region.

[Louisiana Crawfish Producers Association West](#) fights for and protects the free use of the navigable waters and water bottoms of our Atchafalaya Basin and state. We also fight to restore our Atchafalaya basin to its natural state.

[The Sierra Club](#) is America's largest and most influential grassroots environmental organization, with more than 3.5 million members and supporters nationwide.

[Waterkeeper Alliance](#) is a global movement uniting more than 300 Waterkeeper Organizations and Affiliates around the world, focusing citizen action on issues that affect our waterways, from pollution to climate change.