

# Clean Wisconsin: Calls on appeals court to order immediate Line 5 shut down, citing imminent risk of rupture

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Clean Wisconsin has filed a [brief](#) with the U.S. Court of Appeals for the Seventh Circuit calling for an immediate injunction against operation of Enbridge's Line 5 oil pipeline, which runs across the Bad River Band of Lake Superior Chippewa's reservation near Lake Superior, saying a catastrophic rupture is imminent.

Flooding along the Bad River last spring eroded large portions of riverbank, leaving the pipeline dangerously close to rushing river waters. A break could come as soon as the next moderate flooding event.

"We cannot ignore the magnitude of environmental and economic harm a rupture would cause. Oil from the pipeline would almost certainly make its way down the full length of the Bad River into Lake Superior," says Clean Wisconsin attorney Brett Korte.

In June, a District Court judge ruled that continued operation of the 70-year-old pipeline is a public nuisance because of the substantial, near-term risk of rupture. Pipeline owner Enbridge was also found to be trespassing on the Bad River Band's land. But the Court stopped short of ordering immediate action, and instead ordered Enbridge to shut the pipeline down in 2026.

"The court properly found that a rupture is imminent and would devastate the Bad River and Lake Superior watersheds. But its decision to delay relief for three years contradicts that finding and the urgent need for an immediate shutdown," Korte says. "The ecosystems threatened by a rupture of Line 5 are irreplaceable. Lake Superior is the guardian of 10% of the world's freshwater. It would be a tragedy if

this national treasure was decimated by a foreseeable oil spill.”

Enbridge is challenging the District Court’s findings of trespass and public nuisance and the June 2026 shutdown order. The Bad River Band is defending the trespass and nuisance findings but is appealing the June 2026 shutdown order. Clean Wisconsin filed an amicus brief to support the Tribe’s appeal.