

FOR IMMEDIATE RELEASE:

April 15, 2025

Contact:

Alex Katz, Environmental Defense Center

akatz@EnvironmentalDefenseCenter.org

805-963-1622 x101

Environmental Defense Center Files Lawsuit Challenging State Waivers for Defective Oil Pipeline

SANTA BARBARA, CA — A coalition of environmental groups today filed a lawsuit challenging state waivers granted to a Texas oil company for the [restart of a defective pipeline](#) on the California Coast – the same pipeline that ruptured near Refugio Beach in 2015 and caused one of the worst oil spills in California history.

The [lawsuit filed in Santa Barbara County](#) challenges the decision by the Office of the State Fire Marshal (OSFM) to grant waivers allowing the pipeline to operate without effective protection against corrosion, which was the exact cause of the 2015 spill. The lawsuit states that OSFM approved the waivers at the end of last year without properly considering the risks of operating the corrosion-prone pipeline and without conducting an environmental review or allowing for public input as required by state and federal law.

“With the current administration undermining progress on the climate crisis, California should be leading the transition away from fossil fuels,” said **Linda Krop, Chief Counsel of the Environmental Defense Center (EDC)**. “Instead, the state Fire Marshal is allowing a dangerous project to move forward without critical safety requirements. The decision clearly conflicts with requirements under state and federal law and puts the California coast, wildlife, our communities, and local businesses in harm’s way.”

EDC, one of the nation’s longest-running nonprofit environmental law firms, filed the lawsuit on behalf of the Sierra Club, Get Oil Out! (GOO), the Santa Barbara County Action Network (SBCAN), Santa Barbara Channelkeeper, and EDC’s members.

“OSFM did not offer any cognizable public process in advance of its decision or even release key documents (like the applications themselves); did not conduct environmental review of the State Waiver applications; and did not provide any supporting analysis or justification for its decision to grant the Waivers,” the lawsuit states. “In doing so, OSFM entirely disregarded applicable pipeline safety laws, bedrock environmental laws, and its own previous commitments to state legislators and the public.”

When the pipeline ruptured near Refugio State Beach nearly 10 years ago, the resulting spill poisoned habitats; killed untold numbers of animals, including hundreds of seabirds and marine mammals; closed beaches, state parks, and fisheries for months; and spread across 150 miles of California coastline. Now, Sable Offshore Corp. is attempting to restart the same pipeline, along with three offshore drilling platforms, onshore processing sites, and other facilities that have been shut down since the spill.

In the wake of the Refugio disaster, it was discovered that the pipeline's cathodic protection system -- its foremost means of corrosion prevention -- is ineffective. The waivers allow the pipeline to return to service despite this defect, leaving it vulnerable to continued and pervasive corrosion, and creating the risk of another massive oil spill.

"Federal officials have already determined the Plains Pipeline is corroded, said **Maureen Ellenberger, Chair of Sierra Club's Santa Barbara-Ventura Chapter**. "Trying to use it now, nearly ten years after the Refugio State Beach disaster, would be incredibly irresponsible. Dozens of environmental groups asked for this process to be open to the public, but the California State Fire Marshal's office made the decision internally and briefed the public afterwards. This corroded, destructive pipeline should not be used again."

"Channelkeeper is standing with other environmental groups to challenge the Office of the State Fire Marshal's approval of Sable Offshore Corporation's State Waivers," said **Ted Morton, Executive Director of Santa Barbara Channelkeeper**. "When the state agency approved the State Waiver applications in December without public engagement or any environmental review, it ignored pipeline safety laws and important environmental laws, and put coastal waters, ecosystems, and communities at greater risk for future oil spills."

"Last week, the California Coastal Commission fined Sable \$18 million for ignoring cease-and-desist orders and doing unpermitted work on the pipeline, much of which disrupted or destroyed sensitive habitats in the Coastal Zone," said **Ken Hough, Co-Executive Director of SBCAN**. "This behavior should be disqualifying for any company. Sable has shown that it can't be trusted to operate responsibly or in compliance with critical laws and regulations."

"This pipeline runs through sensitive areas including the iconic Gaviota Coast, the Santa Ynez River, creeks and watersheds, the City of Buellton, renowned parks and ecological reserves, the Los Padres National Forest, and all the way to Kern County. A failure at any point along the line could be disastrous," said **Mike Lyons, President of GOO!**

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The Environmental Defense Center defends nature and advances environmental justice on California's Central Coast through advocacy and legal action. Since 1977, EDC has represented more than 140 nonprofit, community-based organizations to protect the Central

Coast and the Earth's climate. EDC is funded through private donations, receiving no government assistance. More at: www.EnvironmentalDefenseCenter.org.