



As you view the next few slides,  
**please ask why you may want to  
make your voice heard in the  
approval process for the next new  
pipeline in Illinois.**

Think about your desired level of participation.  
Level 1: Quick and easy – can be completed today  
Level 2: Slightly more involved – one or two hours  
Level 3: All In





These slides are available at  
[350Kishwaukee.org](http://350Kishwaukee.org)  
(with links to source documents)

On the Learn Menu Item  
Slide Shows and Other Presentations  
“Pipeline Intervenor Slides 2/19/2019”



# Who is Save Our Illinois Land (SOIL) ?

- All Volunteers including landowners and other ordinary citizens
- Members represent a wide variety of organizations
- We believe in being prepared.
- We believe ordinary citizens should have a voice in the approval process for new pipelines.
- **We have found that Illinoisans dislike a private foreign corporation using eminent domain to gain land rights from Illinois citizens for pipelines, especially when the pipeline is used, at least in part, for export.**
- We believe landowners deserve fair treatment.
- We are concerned about safety and protection of land, water and air.
- More about us in the brochure

# Canada and US Tar Sands Export Plans

- ▶ “[O]ur government is committed to ensuring that Canada has the infrastructure necessary to move our energy resources to [world] markets.” - [Former Prime Minister Stephen Harper in a 2012 speech in China - cbc.ca](#)
- ▶ “[I]t is essential that we be able to export American energy to our allies...” - [U.S. Senator John Barrasso on Senate floor January 27, 2016 - Barrasso website](#)

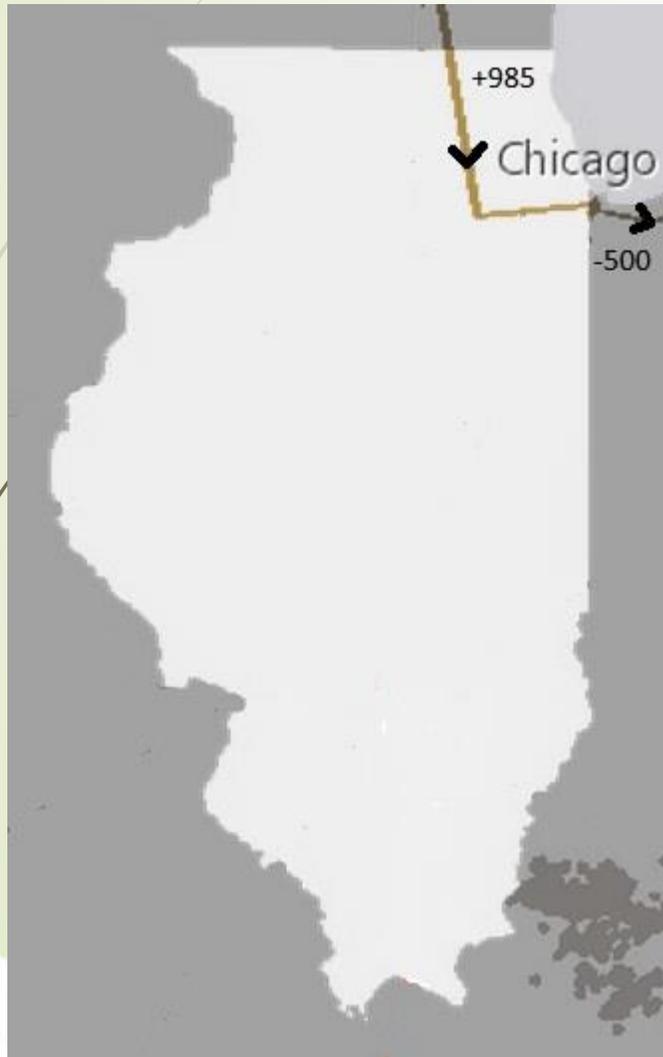


# Source of Tar Sands pumped through Illinois Boreal Forest, Alberta, Canada



# Crude Oil Export Plan-Remove the Bottleneck

## 1998 Enbridge Overview

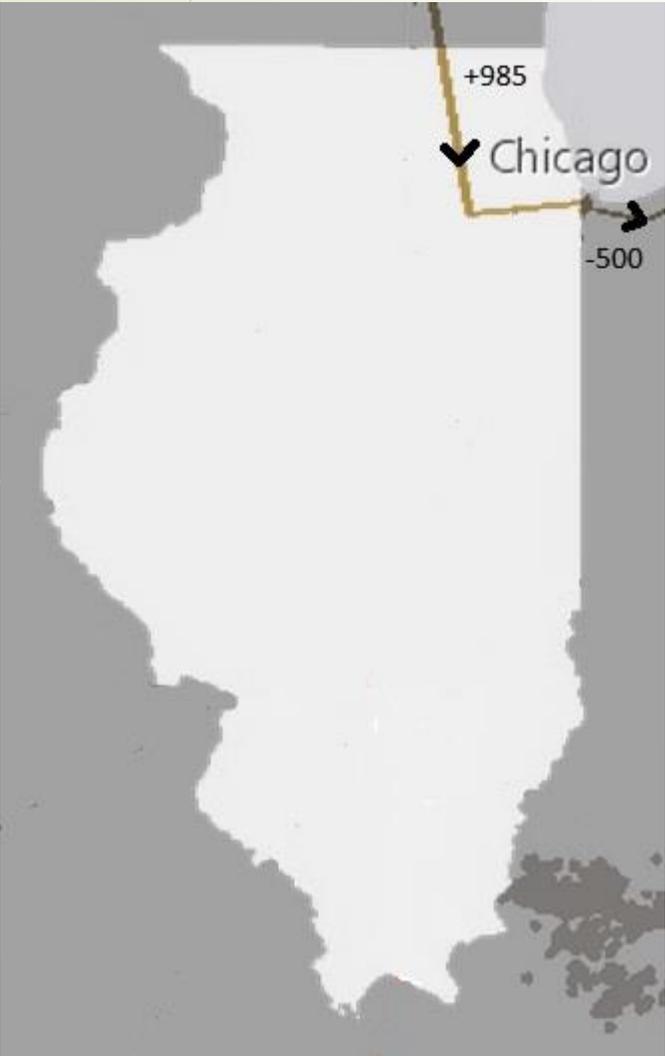


- ▶ A brief history of the Canadian company, Enbridge, in Illinois
- ▶ Numbers are pipeline capacity figures published by the foreign pipeline company Enbridge [Source](#)
- ▶ Numbers signify barrels per day in thousands with + indicating into Illinois and - indicating out

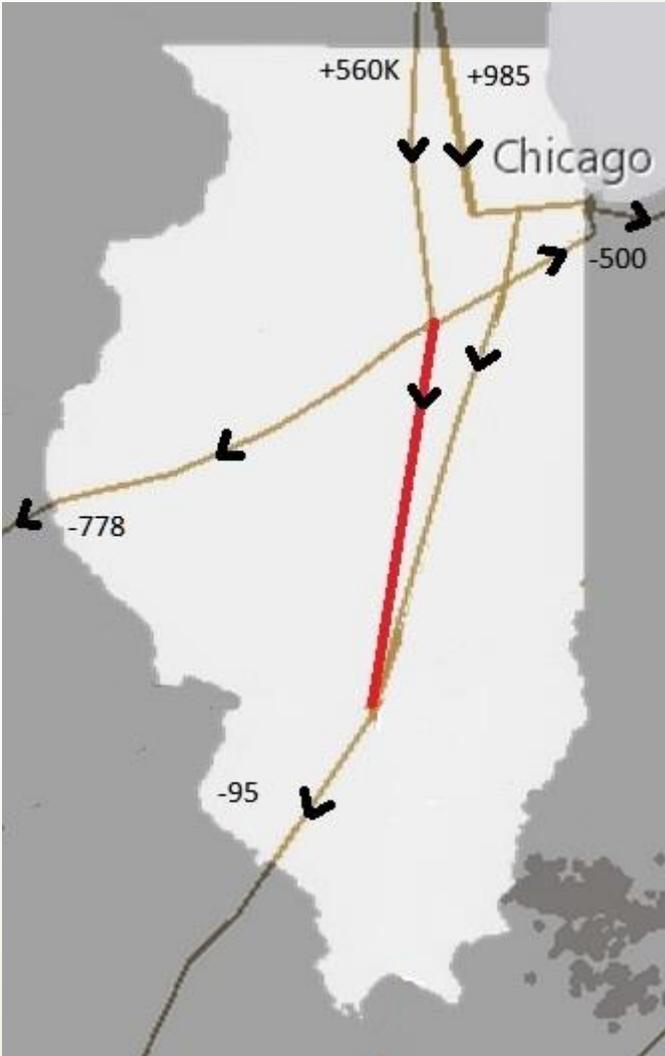


# Crude Oil Export Plan-Remove the Bottleneck

1998 Enbridge Overview

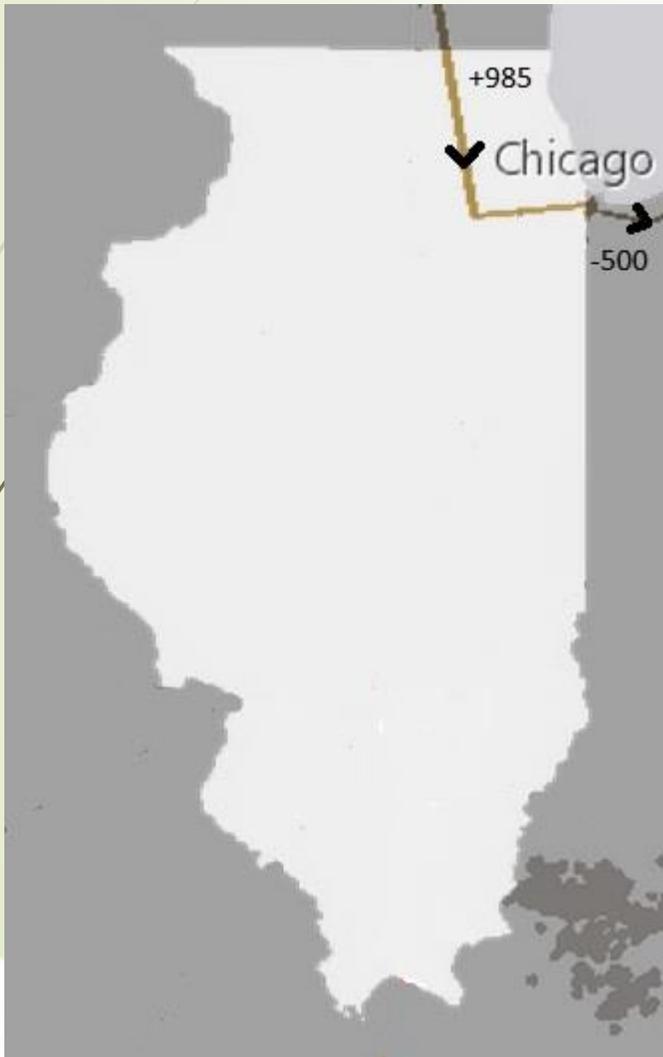


Pre DAPL Overview

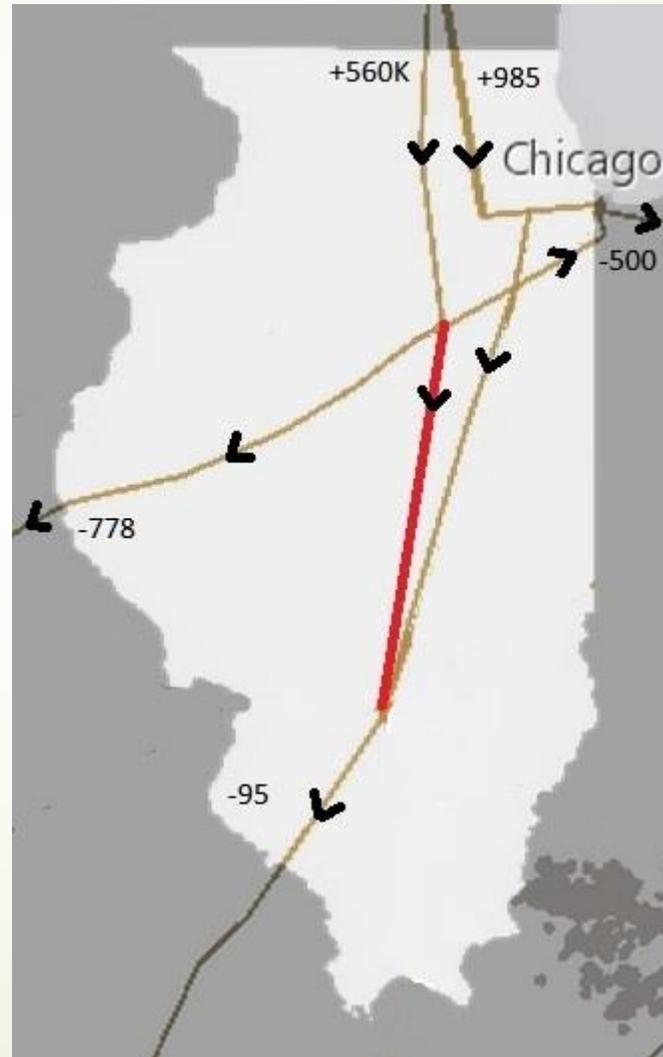


# Crude Oil Export Plan-Remove the Bottleneck

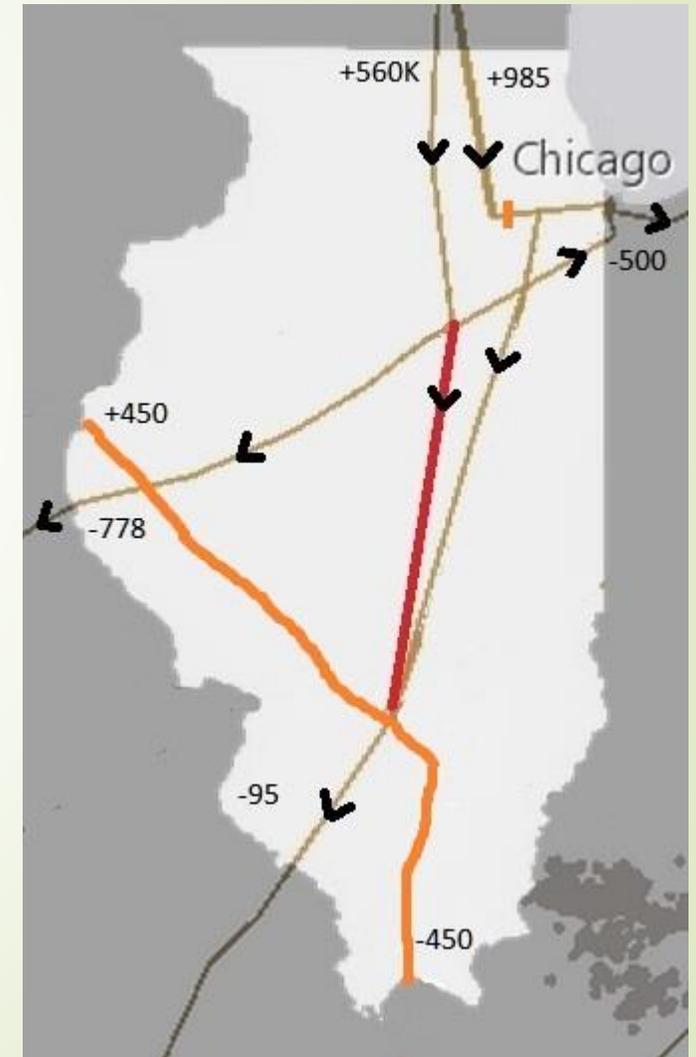
1998 Enbridge Overview



Pre DAPL Overview



Current View



# Who is Enbridge?

- Enbridge Headquarters Calgary, Alberta [Source](#)
- 17,511 miles of hazardous liquids pipelines [Source](#)
- Acquires Spectra Energy [Source](#)
- 9,423,708 gallons in 1276 major spills 1996-2014 [Source](#)
- Kalamazoo: Largest inland spill in US history [Source](#)
- Romeoville: 256,000 gallons in storm system [Source](#)
- Buys 27.6 % of Bakken Pipeline System (Dakota Access) [Source](#)
- Largest North American energy infrastructure company [Source](#)

## ENBRIDGE'S LEAKY PIPES

# Enbridge Greatest Hits

July 25, 2010, Line 6B spills dilbit for 17 hours into the Kalamazoo River near Marshall, Mich.

Feb. 16, 2012, Sterling, Mich, Enbridge Line 5 spill. Crews detected the leak in the pipeline by observing oil in the soil.

July 27, 2012, Grand Marsh, Wis.: Enbridge Line 14 breaks spilling 50,000 gallons of oil. The DNR says 45,000 tons of soil will be removed, treated and end up in a landfill.

Jan. 1, 2007, Atwood, Wis.: 63,000 gallons leaked onto farm ground and a drainage ditch from Enbridge Line 14 that inexplicably cracked.

March 3, 2012, New Lenox, IL: Two vehicles crashed into Enbridge Line 14/64 causing an explosion and fireball. Three killed including a firefighter.

Sept 9, 2010, Romeoville, IL: 270,000 gallons spill into the streets from Line 6A. A lawsuit remains unsettled in August of 2016.

August 11, 2015 Shelbina, Missouri. Enbridge shuts down the 193,000 barrels per day Spearhead (Line 55) pipeline after a spill in Northern Missouri. Enbridge also shut down the parallel Flanagan South (Line 59) pipeline.



# Enbridge In the Midwest



# Enbridge to the East – Lake Michigan

- Enbridge Line 5 buried in 1953 [Source](#)
- Two 20" pipes under Straits of Mackinac [id](#)
- Light and synthetic crude, nat. gas liquids-currently [Source](#)
- Problems-26% pipe wall gone, ... [Source](#)
- Tunnel ?? [Source](#), [Source](#)



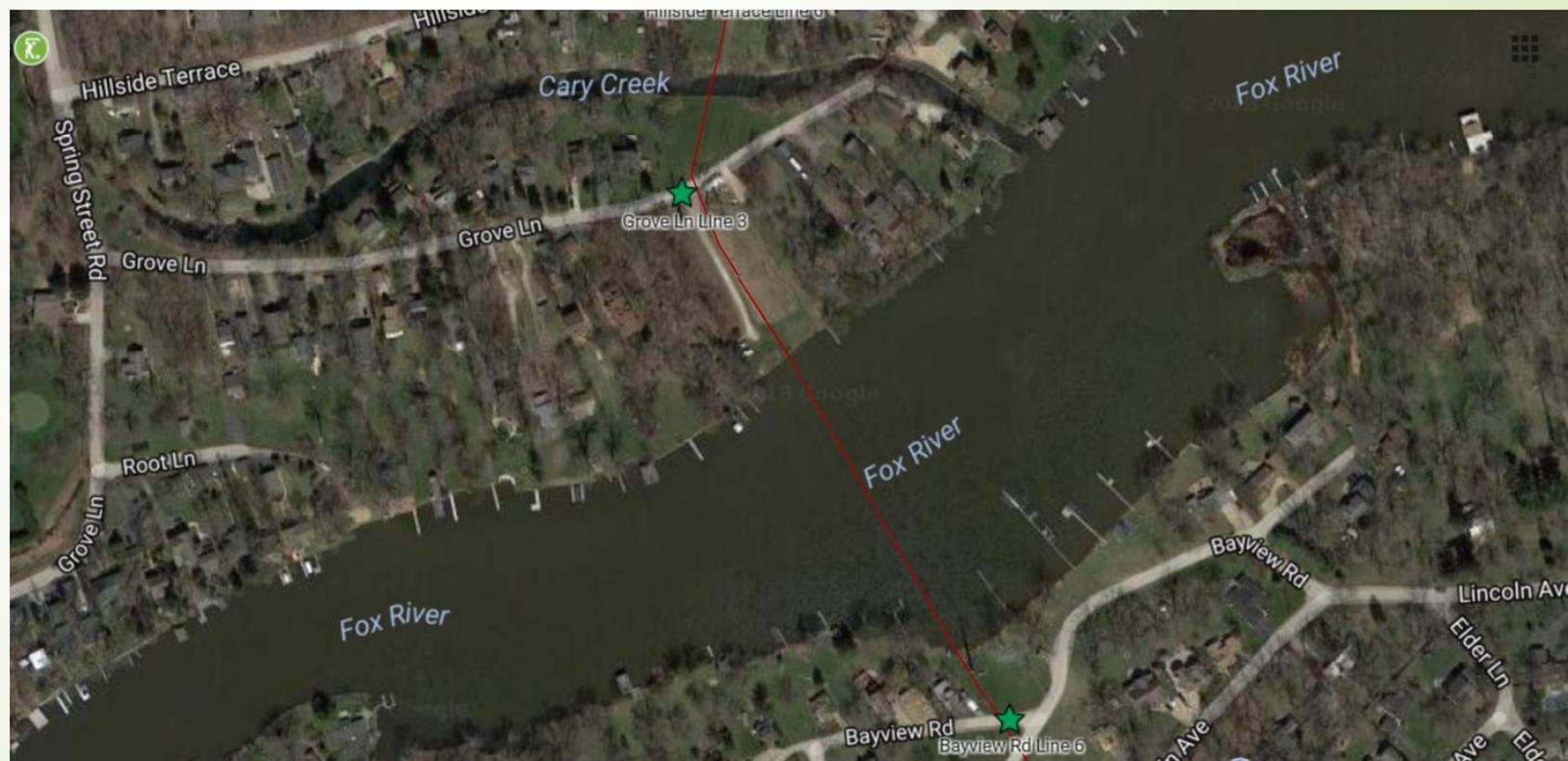


# Enbridge to the West – Line 6A (Now named Line 6)

- Enbridge Line 6A completed in 1969

[Source](#)

- 34" 467 miles Superior, WI to Griffith, IN [id](#)
- Connects Alberta Boreal Forest to Eastern Canada via Illinois [id](#)



# Line 6 Disasters

- July 25, 2010 – Kalamazoo River Disaster Line 6B: Estimated 1.1 million gallons of diluted bitumen [source](#), [source](#)
  - Seven Years and Counting: The Kalamazoo River Oil Spill Disaster [video](#)
- Sept 9, 2010 - Romeoville Disaster Line 6A: 256,000 gallons in storm system [Source](#)
  - Court documents (available on request) show Enbridge knew of the problem well before the spill.
  - Yet Enbridge sued the Village of Romeoville. The Village of Romeoville [wins the suit](#).
  - However, a jury finds in favor of Enbridge over the private property owner, Northfield Block Company, in the amount of \$45,491,625.00. Case on appeal as of 2/20/2019. Search [Will County Records](#) for Case Number 11 L 727.
- If time permits, ask about the Old Town Township lawsuit. [source](#)

# What's largest capacity tar sands pipeline in the U.S.?

- Is it the proposed Keystone Pipeline (KXL)?
- 830,000 barrels per day (bpd)

[Source](#) / [Source](#)



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[Source](#) / [Source](#)
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[Source](#)



# How long will it take for the new DAPL pipeline to spill?

- March 3, 2017 Watford City, ND: spill where two sections of the pipeline connect. [Source](#), [Source](#)
- March 5, 2017 Mercer County, ND: spill from above-ground valve malfunction. [Id](#)
- April 4, 2017 Crandon, SD: pump station spill [Id](#)
- July 11, 2017 Fire and Spill at the Extraction Source [Source](#)



[Reuters](#)

# Where does DAPL end?

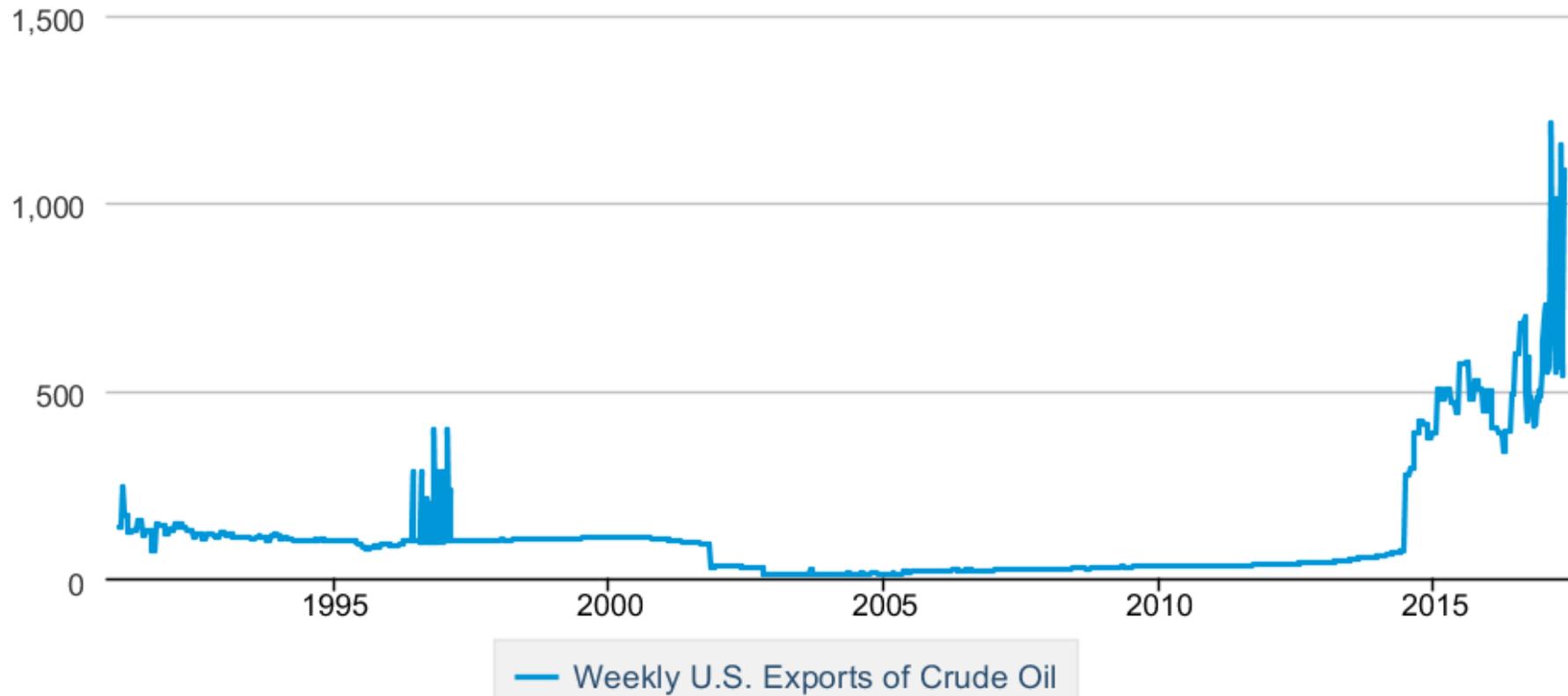
- Enbridge buys 27.6 % of DAPL and ETCOP [Source](#)
- New Name: Bakken Pipeline System
- “Offers customers competitive tolls between the Bakken and USGC” [Source p37](#)
- Longstanding Ban on Crude Oil Export Lifted [source](#)



# What happened when we lifted the 2015 crude oil export ban?

## Weekly U.S. Exports of Crude Oil

Thousand Barrels per Day



[Source](#)

# What's largest capacity tar sands pipeline in the U.S.

- Hint: It is about 1/2 mile from Belvidere city limits and from the NIU campus in DeKalb
- Hint: It's capacity is 1,200,000 bpd  $\approx$  KXL + DAPL.
- Hint: In January 2017, it's owner advertised a proposed twin, making a potential future flow of 2,400,000 bpd (archive available on request).
- Hint: In December, it's owner advertised a proposed reversal of its existing companion pipeline adding 150,000 bpd. [Source](#)
- Who is the owner?



# SOIL Goal: Fair Treatment of Landowners Easement Agreement

- Perpetual Agreement – Why not a lease?
- Abandon in Place
- Bury at sufficient depth at the time of construction
- Landowner liable for negligence of agents, representatives, employees, contractors, or invitees
- Enbridge can sell your Right of Way (ROW) to anyone, domestic or foreign





# SOIL Goal: Safety and Protection of our Land, Water, and Air



# What is in our Enbridge pipelines?

- Our pipelines, Line 61 and 6A, contain a cocktail of chemicals (diluent) used to allow the thick tar-like substance (bitumen) to flow through the pipe as 'dilbit'
- At one destination, the diluent is extracted and pumped back north in a pipeline (Line 13) running parallel to Line 61
- The chemicals in both Line 13 and Line 61 include:  
**Benzene**, cyclohexane, cyclopentane, i-pentane, methylcyclohexane, methylcyclopentane, n-butane, n-heptane, n-hexane, n-pentane, **toluene**, hydrogen sulfide, ethylbenzene, and xylenes



If you suspect a pipeline leak has occurred...

Source: [Pipeline Safety Trust](#)



## DO NOT!

- Touch, breathe or make contact with leaking liquids;
- Start an engine of any kind;
- Strike matches or create a flame of any kind;
- Use a telephone or cell phone (these can ignite airborne gases);
- Turn on or off any electrical switches (these also can ignite airborne gases);
- Drive into a leak or vapor cloud area.



SOIL Goal: Ordinary citizens should have a voice in the approval process for new pipelines

Question: When should ordinary citizens learn about the approval process?

- a) When the pipeline company begins construction
- b) Well before the pipeline company request approval for a new pipeline



# What about Enbridge Line 3?

- Honor the Earth Fact Sheet

[Source](#)

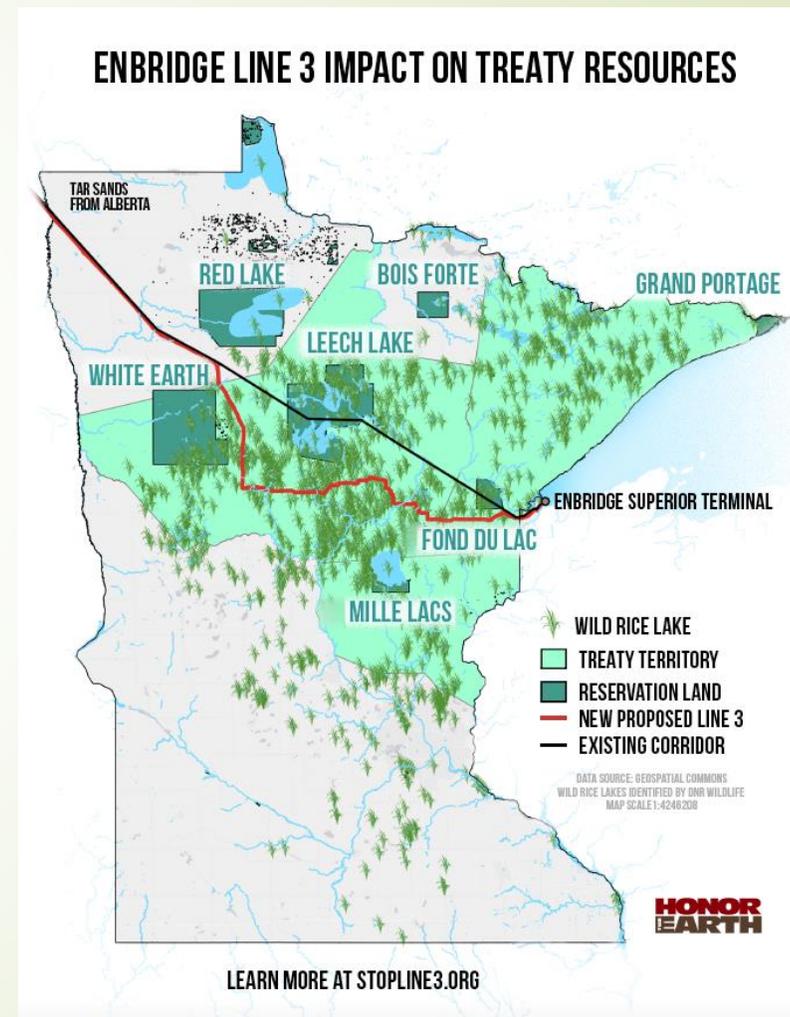
- Alberta>Superior>Illinois>Gulf

- Current Approval Process [Source](#)

- MN Gov. Walz opposes [Source](#)

- Walz: Projects like Line 3 "don't only need a building permit to forward, they also need a social permit." [Source](#)

- Young people accepted as intervenors representing themselves (*pro se*) [Source](#)



# What Do Pipeline Companies Fear Most?

Per a survey by Black and Veatch “The two factors that pipeline respondents felt were the most significant barriers associated with the construction of new pipeline capacity were delays from opposition groups, 78 percent, and regulatory uncertainty, 68 percent” - [Source](#)



# The Pipeline Approval Process - Start

- The private pipeline company files a request for a **Certificate in Good Standing** and **authority to seize private property using eminent domain** to the Illinois Commerce Commission (ICC) [220 ILCS 5/15-401](#) and [220 ILCS 5/8-509](#)
- Must show that it made ‘reasonable attempts’ to negotiate with landowners. [SAX Final Order p11 last paragraph](#)
- Must also show that, among other things, it is “fit, willing, and able” to complete the project [220 ILCS 5/15-401](#)
- Must show that there is a **public need** for the pipeline and that **public convenience and necessity** requires pipeline. [Id](#)
- Documents submitted electronically through eDocket system

# Your Participation – Level 1: e-Docket

- ▶ You can complete this step today – No cost or commitment
- ▶ Register with SOIL so we can help
  - ▶ On signup sheet at the SOIL table today
  - ▶ or at [350Kishwaukee.org/ICC](https://350Kishwaukee.org/ICC) by clicking [Register with SOIL here](#)
  - ▶ **Very Important to register** – We are already seeing ICC delays
- ▶ Complete the e-Docket form – available at the SOIL table or at [350Kishwaukee.org/ICC](https://350Kishwaukee.org/ICC)
- ▶ Notarize your signature on the e-Docket Form
- ▶ Snap a picture for your records
- ▶ Mail e-Docket Form via USPS
- ▶ Watch for acceptance verification from **ICCNotify@icc.illinois.gov**
- ▶ Change password every 90 days

# Your Participation – Level 1: Cheat Sheet

- Business Name - Can be blank
- Business Address – Your address
- Business e-Mail – Your email address
- Challenge Question – e.g. Mother’s maiden name
- Primary Business Purpose – “File case-related documents”
- Preferred User Name – Your Choice – example “janedoe”
- Notarize Signature and Mail
- Email [SaveOurIllinoisLand@gmail.com](mailto:SaveOurIllinoisLand@gmail.com) when confirmed



# Your Participation – Level 2

- Submit a Petition to Intervene
- SOIL provides a template – when approval process begins
  - Drafted with assistance of attorney
  - Including retired Admin. Law Judge (17 years with ICC)
- If you plan to continue, explain how the pipeline would affect you (i.e. establish standing).
  - ICC has set a low bar for standing by allowing *60 Plus Association, Inc.* to intervene, without challenge, because ‘supporters’ purchase energy.
  - To avoid complicated challenges to your intervention it is wise to choose a single, well-researched issue, one that fellow intervenors are not using. SOIL has a mechanism to help you with this.
  - SOIL has a growing issue list – you can choose or add to the list

# Your Participation – Level 3

- Process varies - set by the Administrative Law Judge
- SOIL prompts you and provides templates if you choose to proceed
- Testimony submitted through e-Docket
- Hearings simultaneous: Springfield, Chicago, by phone
- Build a strong case for your issue
  - Evidence worthy documents
  - Expert witnesses
  - SOIL has list – help us build it

# How will SOIL help you?

- Help confirm you have an e-Docket account
- Add you to the SOIL ICC\_Intervenors group to give you access to our intervenor data, topic list, evidence sources and templates
- Notify you when the next pipeline approval project begins
- Provide assistance throughout the intervention process
- Contact today's presenters: Sandra and Dave Davis



Please join us in this exercise in democracy

- ▶ You choose your Level of participation
  - ▶ Level 1: e-Docket sign up – Complete Today!
  - ▶ Level 2: Petition to intervene
  - ▶ Level 3: Continue to make your case
- ▶ But please remember, any level of participation you choose will help.



## Six Hot Climate Bills in Illinois

- [SB 1527](#) Stop Eminent Domain Abuse
- [HB 3386](#) Fracking Ban
- [HB 1562](#) Fracking Property Rights
- [HB 282](#) Fracking Transparency
- [HB 3383](#) Local Control
- [HB 3093](#) Environmental Externalities