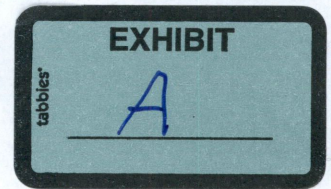


PSC Hearing regarding the ETP, LP Dakota Access Pipeline Pumping Station  
in Emmons County, ND  
Emmons County Courthouse  
November 13, 2019



I come to the PSC Hearing with a strong sense of moral responsibility to express my concern for the health and safety of those who live and work here. ETP's proposed Pumping Station placement will allow 1.1-million barrels of Bakken Crude per day to be pumped through Emmons County from its source, through rest of southern North Dakota, and through those states south of us along the DAPL corridor. It should be noted that according to the latest production record released August 2019, 1,480,000 barrels of Bakken crude oil was being extracted daily. Energy Transfer, LP (limited partnership) hopes to transport nearly 75% of that volume daily through its pipeline.

I pray the words I speak will be guided towards greater understanding between those who whole heartedly promote & support the DAPL expansion and those of us who retain serious concerns about how the finite resources of this land - upon which many of us rely for our daily sustenance and livelihood - are being summarily sold to the highest bidder to be monetized without regard for impact on our quality of life or safety here in North Dakota, and for those beyond our borders along the DAPL in consideration for the near future and for the years to come should there be a serious spill.

Our Petition to Intervene against fast-tracking the construction of the proposed Emmons County DAPL pumping station in order to make possible this increased volume of crude oil from 570,000 bpd to 1,100,000 bpd was denied. Apparently my husband Charles & I failed to hire an attorney to guide us through correct **Petition to Intervene** protocol. We were also denied based on it being '*unclear*' that we '*own land in Beaver Creek Valley*'. Any casual look at a plat book or a Google Earth search for our address should have clarified this last point upon which we were denied a formal voice in this process.

We are permanent, year round residents of Emmons County, North Dakota who have lived and paid property taxes in Emmons County for 22-years on our deeded acreage immediately adjacent to USACE flood plain along Beaver Creek. The previous owner of this property lost all of the bottom land he owned on both sides of Beaver Creek to the Army Corps when Oahe Dam was built 150 miles south in Pierre, SD. We own two Sections immediately adjacent to the Beaver Creek USACE 'take' which defines two miles of our land in Beaver Creek Valley.

**Following are my concerns involving the DAPL pumping station intended to allow a doubled volume of crude oil to be pumped through the 1,172 mile long pipeline.**

We have NOT seen an official declaration of liability, or a published plan or protocol addressing a major pipeline failure which has the potential of contaminating soil, waterways, ground water and private water wells in Emmons County.

When we describe 1,100,000 barrels of oil per day, we are describing 46,200,000 gallons per day.

It is our understanding that Energy Transfer's electronic monitoring for possible pipeline failure does not register oil pressure reduction of less than 5% total volume passing through the pipeline. That would be as much as 5,500 barrels or 231,000 gallons of spill per day without detection. Nearly every oil or brine spill (salt water waste) has been discovered by someone passing by on the ground. Emmons County's population is less than 3500 persons or approximately 2.4 persons per square mile.

The proposed Emmons County, ND site for a pumping station, is less than 1/2 mile from where the pipeline crosses under the Beaver Creek waterway, and only 3.8 miles upstream on Beaver Creek from our farmland holdings in Beaver Creek Valley.

During the construction of the DAPL, we passed by what is now the newly proposed pumping station site several times a week. I noted in 2016 when trenching began for laying pipe, a sharp angle in the pipeline trench just prior to it being drilled on the north approach under the creek bed. That sharp angle remained with the pipe laid and welded into the trench.

I mentioned my observation about that particular angle to the land owner who leased DAPL right-of-way on the south side of Beaver Creek. At the time, he also expressed concern over the angle of the pipeline and commented that another such angle was trenched on the south side of Beaver Creek as the pipeline emerged and took a sharp ascent up the fairly high embankment.

As near as I can figure from official Dakota Access, LLC (limited liability corporation) maps found on the PSC docket relative to anticipated approval of the DAPL pumping station permit here in Emmons County, I see three

angles in the pipeline within 1/4 to 1/2 mile of the pumping station site which give me cause for concern.

<https://psc.nd.gov/database/documents/19-0204/015-020.pdf>

1.)The first angle occurs on the exact spot where the DAPL pumping station would be constructed. That bend measures at a 125 degree angle.

2.)The bend we observed during the trenching on the south side of Hwy 13 prior to the pipeline crossing under Beaver Creek waterway, and after the pipe was layed into it, measures at an 80 degree angle. This particular angle is worrisome to us.

3.)The third bend in the pipeline above the south bank of the Beaver Creek channel measures 115 degrees.

A more simplified view of these angles can be found at this PSC link:

<https://psc.nd.gov/database/documents/19-0204/001-050.pdf>

Our hay and pasture land is situated in Beaver Creek Valley, only 3.8 miles downstream from the DAPL crossing. A rupture in the pipeline at Beaver Creek crossing or under farmland south of its crossing has the potential of contaminating soil, abundant wetlands, lakes, and aquifers which flow west in the Missouri River watershed from which our four water wells are drawn. We are fully reliant on our wells for personal use and for our livestock.

A spill contaminating Beaver Creek has the potential to compromise water habitat impacting fish, waterfowl, and furbearers dependent on viable waterways all the way to the Missouri River. Beaver Creek Valley bottom land and adjacent ravines are thickly wooded making this Public Land managed by the Corps of Engineers and ND Fish & Game prime, and increasingly popular hunting for game birds, fur trapping, coyotes, and white tail & mule deer.

#### **What is the expected usable lifespan projected to be for DAPL?**

A Christian Science Monitor article dated August 9, 2006 observed the condition of the then 30-year old Alaska Pipeline system: "In some places pipeline walls have lost as much as 80 percent of their thickness as a result of corrosion, industry officials say.

...at a news conference... in Anchorage, Alaska, BP officials acknowledged that the company's method of testing the thickness of Prudhoe Bay transit pipelines connecting to the trans-Alaska system had proved inadequate.

"Clearly, we are already in the process of adjusting considerably our corrosion program," said Steve Marshall, president of BP Exploration (Alaska)."

Further down, the article states:

In recent years, about 500 oil spills have occurred in the Prudhoe Bay oil fields and along the 800-mile (trans-alaska) pipeline each year, according to the Alaska Department of Environmental Conservation, even though the daily "throughput" of oil has declined from about 2 million barrels a day in 1987 to less than half that today." <https://www.csmonitor.com/2006/0809/p02s01-usgn.html>

Let me note here: The outside circumference of trans-alaska pipe is 48". DAPL pipe has a 30" circumference. The trans-alaska pipe wall is approximately 1/2 inch thick, similar to DAPL.

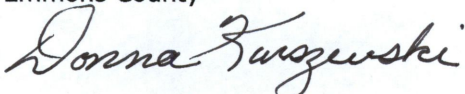
The working pressure to move the approximate 1-million barrels a day through trans-alaska in 2006 was 1,180 psi (pounds per square inch)

The working pressure for DAPL is reported to be 1,440 psi currently, and projected to remain at that pressure with double the volume of oil being moved daily over the 1,172 mile pipeline to Patoka, Illinois.

Our concern about the volume of crude oil increase from 570,000 barrels per day to 1,100,000 barrels per day being pumped through the already existing 30-inch pipeline is for - not only the increased potential of a catastrophic spill - but equally or more concerning - the absence of a publicly declared and understood **Emergency Response Plan** from **Energy Transfer LP**, from our **North Dakota** local & state **Elected Representatives**, or from **appointed regulators and emergency response authorities**.

Such officials bear the implicit responsibility to insure safety and quality of life for those of us living on the land now, as well as for future generations who may live here.

Donna Kurszewski  
210 81<sup>st</sup> St SW  
Linton, ND 58552  
Emmons County



Dakota  
Access, LLC

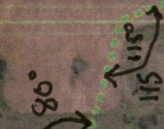
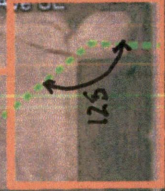


2000 ft

Approximately 2850 feet  
north of Pump Station  
property line

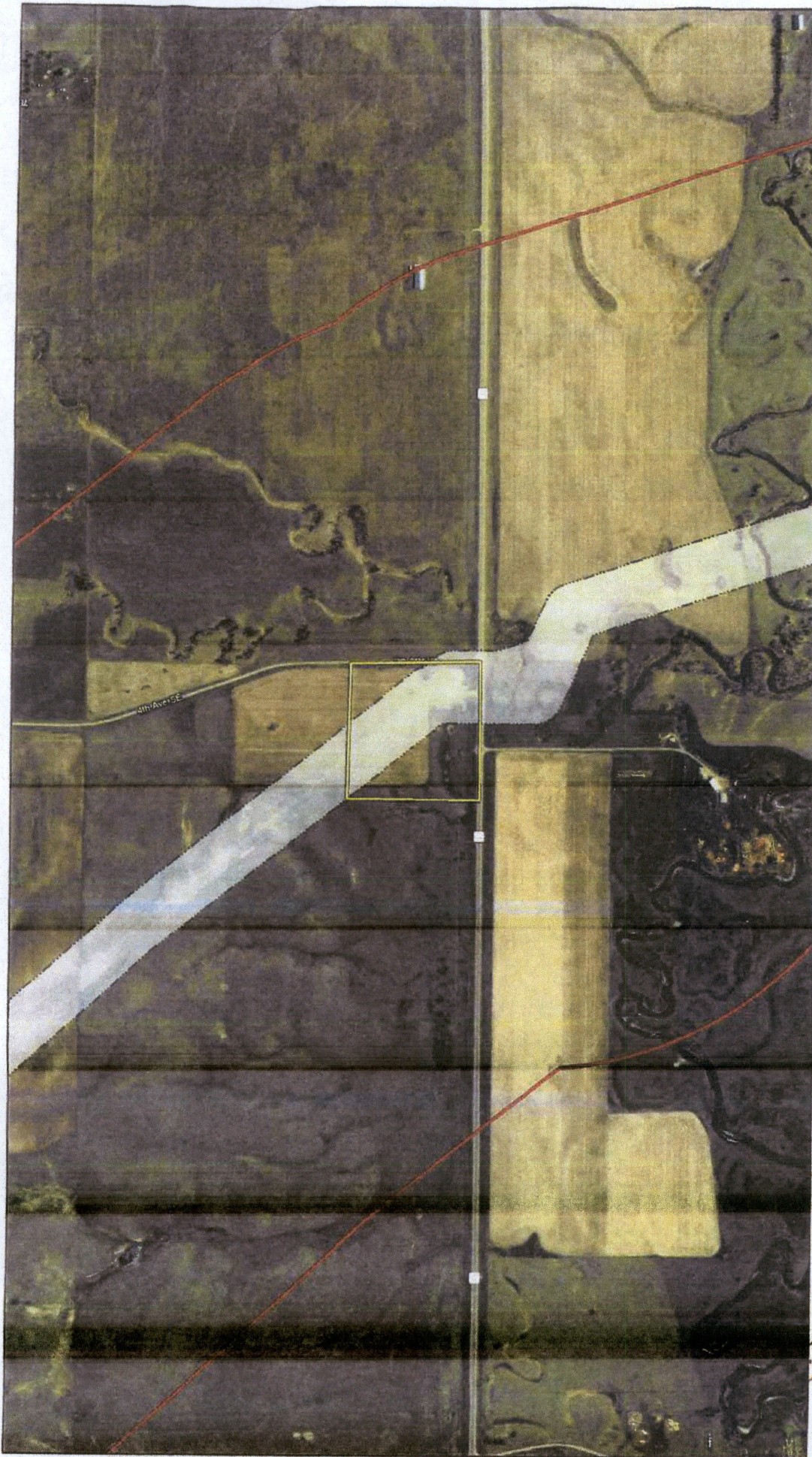
4th Ave SE

13  
79th St SE



Approximately 1580 feet  
south of Pump Station  
property line

DAPL Optimization Map  
Emmons County Pump Station Area



**Optimization Property Boundary**

**DAPL 400 ft Environmental Survey Corridor**

**DAPL 1 Mile Study Area**

DAKOTA ACCESS, LLC

**Exhibit C**

**Dakota Access Optimization**  
**Dakota Access, LLC**  
**Emmons County, North Dakota**

0 1,000 2,000 Feet

Page 1 of 1

Scale: 1:12,000

Document Path: P:\GIS\Clients\ETC\_Energy\Transfer\DakotaAccess\_DAPL\Maps\ENV\20180612\_PSC\_Exhibits\MXD\2\_Aerial.mxd

NAD83 ND South 3302 Ft

Date: June 2019

Author: AB