

February 22, 2023

To the North Dakota Public Service Commission:

Thank you for considering our petition. My land which is affected by Case No. PU-22-391 is located: Section 17 Township 129N, Range 61W and Section 27 Township 129N, Range 63W in Dickey County.

On October 17th, 2022, SCS Transport LLC submitted an application with the ND PSC for a route permit and certificate of corridor compatibility. As a part of this application— the applicant was required to submit proposed maps to the commission. Upon reviewing the maps submitted by the applicant— you will find that my land is either in the route or corridor for the proposed project such that I am a landowner affected by Case No. PU-22-391. Additionally, the applicant has sought survey access on the property and the applicant has sought an easement across the property for 99 years.

I am glad to be able to share several concerns I have about this CO2 pipeline project with the ND Public Service Commission. As someone who's lived on and worked this land my whole life, I am deeply concerned for my community's safety and the potential for an unprecedented take away of my private property rights.

Summit Carbon Solutions has always said they are seeking 100% voluntary easements- it's clear this statement is simply not true. I was forced to retain legal counsel very early in the process because of continued badgering from this company's representatives. After a year and a half, they still have not accepted my declination and demand for a reroute.

Given the controversial nature of this project, it's difficult to understand how eminent domain could even be considered. Summit Carbon Solutions is a company of private investors, some foreign, who will benefit from billions of dollars in 45Q tax credits. It's also unsettling that Summit can sell these easements to whomever they chose. We suspect this CO2 will eventually be used for Enhanced Oil Recovery in the western oil fields. Furthermore, CO2 pipeline safety is a huge concern. Forcibly taking my property to install an environmental hazard is unthinkable.

Most of our friends and neighbors question if CO2 sequestration, especially in this fashion, is even necessary. Our crops sequester an enormous amount of CO2 every growing season. One acre of corn (200 bushel/acre) absorbs 8 ton of CO2. Just because the state of California requires ethanol plants to have a reduced carbon footprint (bureaucratic language/fabricated rules; the actual chemical composition of ethanol does not change), it does not mean Summit has the right to put a dangerous pipeline across my land. Our landscape is breathtaking in the summer months; lush green corn goes on for miles. When it comes to the so-called "climate change", ND landowners and farmers are not the problem. Seriously, if this whole push was truly about the reduction of greenhouse gas emissions, air travel restrictions would have been implemented years ago.

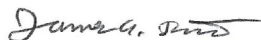
SCS brings a very appealing, rehearsed narrative. I have been to many meetings when their representatives were present. Unfortunately, they lack transparency and frequently downplay the negatives of the situation. It's common for them to give verbal assurances (especially on safety) but we know that a verbal promise holds little water. I will list some more of my concerns:

- SCS likes to remind us of the millions of miles of existing pipeline in the United States and will tout their impeccable safety record. In all actuality, we know that a very small percentage of these pipelines are used for highly pressurized CO₂. Given the relatively low number of CO₂ pipelines in operation, specific failure data must be very limited. SCS always downplays the magnitude of the incident in Satarita, MS.
- SCS fails to acknowledge the consequences of accidental release and I know they have the knowledge to understand there will be incidents. Who pays for accidents (injury, death or more crop damage)? My insurance company says having a CO₂ pipeline running through the property subjects me to significant uninsurable exposure.
- Who pays for the removal of the pipeline when it becomes obsolete?
- Since CO₂ + H₂O = carbonic acid, what happens to the ground water when a breach occurs? This question was posed about a year ago in Ashley, ND. No follow-up was provided.
- A minimum depth of 4 feet pressurized to 2200 PSI in our area of the country seems terribly inadequate. The frost line in the Dakotas is known to be greater than 6 feet.
- During wet seasons, farm equipment stuck in the mud could easily sink beyond 4 feet in depth.
- Future tiling on this land would be extremely difficult. Deer hunting would most likely be prohibited on land with above ground pump stations.
- My land value will decrease.
- Creates another national security risk.
- Summit's material says a safe pipeline route is carefully selected; one of the bullet points being data on "High-population-density areas". People in rural communities are generally very good, hardworking folks and are just as important as those in "highly populated" areas.

In conclusion, I can't stress enough how important it is for the PSC to protect our property and constitutional rights against eminent domain abuse. I feel there are too many risks at this time and will hold fast to my right to say "no".

Please let me know if you require any additional information. Thank you for your attention.

Sincerely,



James A. Tiegs