

## No Way Can Heineman Approve Keystone XL Now

**Greg Awtry Publisher**

**July 17, 2012**

Last week, on July 10, 2012, the National Transportation and Safety Board released its findings on the tar-sand oil pipeline spill in Michigan, when more than 800,000 gallons of diluted bitumen poured from a ruptured pipe two years ago, ending up in the Kalamazoo River where cleanup continues even now.

Here's what happened. Corrosion fatigue cracks were discovered in a section of pipe in 2005.

"(For) five years, they (Enbridge) did nothing to address the corrosion or cracking at the rupture site - and the problem festered," said Deborah A.P. Hersman, the chairwoman of the NTSB.

Then, in July 2010 the huge pipe ruptured under the intense pressure of a tar-sand pipeline and what followed was like a scene from the Keystone Cops, Hersman said.

While Enbridge's control center in Canada was indicating pipe failures, employees didn't believe their own monitoring systems and in excess of 800,000 gallons of toxic oil gushed into a local creek and the Kalamazoo River. It was a catastrophe.

The Michigan Department of Health "identified 320 of 550 individuals with adverse health effects from four community surveys along the impacted waterways, identified one small worksite symptomatic employees, and tracked 41 calls that were placed to the poison center by the public. Headache, nausea, and respiratory symptoms were the predominant symptoms reported by exposed individuals in all reporting systems."

And now, TransCanada wants to put yet another one of these oversized high-pressure chemically laced 36-inch pipelines directly over Nebraska's Ogallala Aquifer and across our rivers, so they can transport another country's oil to the gulf of Mexico where much of it will be exported.

According to the NTSB the disaster was caused by three main factors; negligence on repairing known corrosion fatigue cracks in the pipe, human error in recognizing the leak from the control room, and finally, the U.S. government's own Pipeline and Hazardous Materials Safety Administration not having procedures and policies in place to regulate the transportation of this toxic brew.

If you are not afraid of this pipeline, you should be. If you think a spill like this, or worse, can't happen in Nebraska, you are wrong.

If you are willing to jeopardize Nebraska's water, then you need to reconsider. In any venture there are risks and benefits and in TransCanada's Keystone XL case, the risk/benefit factor isn't even close.

The fact is the NTSB report said the pipe failed, employees failed and the government failed. The report also cited many factors that are not yet in place to prevent disasters like this from occurring.

In other words, we in the United States are not yet ready for tar-sand pipelines from a regulatory perspective, so why would we even consider the Keystone XL until all the safeguards are in place and thoroughly tested? For instance, according to the NTSB:

- There must be a process in place to ensure defects are reported, repaired and verified. There isn't.
- Operators of pipelines need a verifiable procedure to notify potentially affected communities of the basic information such as pipe diameter, operating pressure, product transported and potential impact radius. There isn't.
- Companies need to have qualification requirements, subject to U.S. Federal Regulations, for all control center staff involved in hazardous liquid transmission operations. They don't.
- There need to be federal spill response preparedness standards stating specific pipeline response planning guidance for a worst-case discharge. There aren't.

There are many more warnings and precautions that need to be established into law and regulatory agencies before we take one step closer to allowing another tar-sands oil pipeline into Nebraska.

There is so much more to this issue than sandhills and aquifers. If Nebraska doesn't take a stand to protect our own water, nobody else will. And we'll end up on the other end of a CEO's apology, like Enbridge CEO Patrick Daniel, "We have created a real mess in Michigan and I have apologized for that many times."

Daniel also said Enbridge's safety record was better than most and that failure to detect the massive leak was, in his words, "an honest misunderstanding."

Canadian tar-sand oil transporters may be able to hide the dangers behind promises of jobs and tax revenue in other states, and to waive off disasters as "honest misunderstandings," but not here. Not in Nebraska.

In light of the NTSB report, there is no way Gov. Heineman or the Nebraska Department of Environmental Quality can possibly sign off on Keystone XL. Not now, not over our water and not until each of the 19 NTSB recommendations have been implemented into law and thoroughly tested. To approve it now, in light of the

Michigan findings, would be an act of insubordination by neglecting known dangers and known recommendations to improve the safety of our own natural resources and most importantly the safety of our own Nebraskan citizens.