



September 1, 2011

Richard Opper, Director
Montana Department of Environmental Quality
Lee Metcalf Building
1520 E. Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901

Dear Director Opper,

I am writing on behalf of the Northern Plains Pipeline Landowners Group (NPPLG). NPPLG is a group of Montana landowners whose property will be crossed by the proposed Keystone XL pipeline, and who have organized to negotiate with the company for an equitable contract which protects the landowners and public safety.

We recently received a copy of a letter Senator Jon Tester sent Secretary Clinton regarding the Keystone XL pipeline (attached). In his letter, Senator Tester expresses concern about the pipeline and urges Secretary Clinton to incorporate the following requirements for the Keystone XL pipeline. The Final Environmental Impact Statement (FEIS), issued by the Department of State on August 26, 2011, fails to incorporate many of these requirements, as outlined in the following paragraphs.

Senator Tester asks that Secretary Clinton require a publicly available Oil Spill Response Plan for rural communities before pipeline operations begin. The FEIS does not contain an Emergency Response Plan.

Senator Tester acknowledges that the 57 “additional” considerations TransCanada has taken for the Keystone XL pipeline should be minimum requirements. In addition, he notes that most of these same 57 oversight measures were undertaken on both the Bison and Keystone I pipelines; the Bison pipeline has since exploded and the Keystone I pipeline has leaked numerous times. More safety precautions are obviously needed to prevent travesties like these on the Keystone XL pipeline. The FEIS does not include any additional requirements to protect Montanans or our farms, ranches, land and water from adverse impacts of this pipeline.

Senator Tester urges Secretary Clinton to require consistent thickness and quality of steel for the entire pipeline, not just “high consequence areas”. The FEIS does not require this, and claims that they are not releasing which sections of the pipeline are “low consequence” and high consequence for fear of giving too much information to terrorists.. In short, DOS flatly rejects Senator Tester’s request to increase safety for Montanans.

Director Opper, your issuance of the Major Facility Siting Act certificate for the Keystone XL pipeline is our last hope. Please help us to assure that our land, water, and Montana as we know it is protected from irresponsible development by incorporating NPPLG's requested conditions into your Major Facility Siting Act certificate.

We also want to reiterate our previous request that the Montana DEQ refrain from issuing your Major Facility Siting Act certificate until you have attending the upcoming hearing on the National Interest Determination in Glendive, Montana on September 27 and reviewed all public comments on the issue, due October 9. Thank you.

Sincerely yours,

Northern Plains Pipeline Landowners Group members
Northern Plains Resource Council
220 South 27th Street, Suite A
Billings, Montana 59101

cc: Tom Ring, Montana Department of Environmental Quality
Secretary Hillary Clinton, United States Department of State
Alexander Yuan, United States Department of State

Sandy Barnick	Norman C. Anderson	Don & Mrs. Brown
Timothy D. Hess	Rory Miller	Tom & Blaine
Jerry W. Bond	RD Welch	Roy J. Sturken
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Timber Dempsey	Rick Knechtamp	
Cristena Fornall	Margaret Chara	
Scott Fornall	Brandy Rees	
Dave Barrick	Chuck & Peggy Nennel	