

March 16, 2009

The Honorable Dave Heinemann  
Office of the Governor  
P.O. Box 94848  
Lincoln, NE 68509-4848  
Fax: 402-471-6031

Dear Governor Heinemann:

On behalf of the Landowners for Fairness, I am writing to ask your help in protecting residents of Nebraska from unfair risks of oil spills from a special exemption of U.S. safety laws being asked by TransCanada for its proposed Keystone XL pipeline.

TransCanada has applied for a special permit under regulations of the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA). The special permit would allow TransCanada to operate the Keystone XL pipeline at a higher percentage of the pipe's maximum operating pressure (MOP) than any existing oil pipeline. In effect, the special permit would allow TransCanada to use thinner, cheaper steel.

It is particularly upsetting that TransCanada is not seeking to use this cheaper pipe everywhere, but does want to use it for most of its route through Nebraska. TransCanada will still use thicker, safer steel in what are known in the PHMSA rules as "High Consequence Areas," or "HCA's". High Consequence Areas include railroad crossings, highways, river crossings, and "High Population Areas" – which, of course, do not include the rural areas of Nebraska through which the Keystone XL pipeline will run.

We are offended at the implication that Nebraska is a "Low Consequence Area," and that our farms, ranches, and recreation areas are not worthy of the same level of protection as a more densely populated area at the end of the pipeline on Texas' Gulf Coast. We believe that Nebraskans have just as much right to safety standards designed to prevent oil spills and contamination of our land and water as the residents of Houston or New York City.

We are a group of Nebraska landowners who are subject to condemnation to put this pipeline across our property, so that tarsands oil can flow from Alberta, Canada to refineries on the Gulf Coast in Texas. We do not believe it is fair that we should bear extra risk of oil leaks, ruptures, or spills in order to save TransCanada the cost of using the safest materials and methods of construction available.

Our membership consists of land owners located in the 14 Nebraska Counties that the Keystone XL pipeline goes through, from Keya Paha County in North Central Nebraska to Jefferson County in South East Nebraska. Our goal is to educate ourselves and others that will be affected by the pipeline. Our hope is that every aspect of the project

beginning with licensing through the construction phase and finally the operation of the completed pipeline receives the scrutiny a project like this deserves. The only other project in the United States that has received a waiver for the thinner walled pipe for crude oil to date is the Keystone I project that is now under construction in Eastern Nebraska. I understand that waiver was given by The U. S. Department of Transportation and that Nebraskans may have had very little knowledge or input in that decision.

Most of the area that the Keystone XL pipeline covers in Nebraska goes right over the top of our most precious resource, other than our land, "WATER" in the Ogallala aquifer. To us our water is more precious than gold. How can we in good conscience risk these cherished assets on pipe that does not meet industry standards in the United States? Please help us protect our natural resources of land and water, so our children will not have to deal with environmental problems caused by leaky pipes.

We respectfully request your help in insuring that the farmers, ranchers, and rural communities along the proposed route of the Keystone XL pipeline are not treated as second class citizens when it comes to our safety, health and property.

We ask your help in opposing issuance of a special permit for the Keystone XL Pipeline, and insure that TransCanada uses the safest available materials and practices in constructing, operating, and monitoring the pipeline, in rural and populated areas alike.

Sincerely,

Member  
Landowners for Fairness

Press Release  
March 17, 2009  
Landowners for Fairness  
TransCanada's Special Permit application to reduce pipe strength

My name is Dan Kramer. I am a life time resident of Holt County Nebraska. I am a third generation land owner and some day wish to pass that legacy on to my children. My concern is the protection of the land and water that lies beneath.

I am a member of "Landowners for Fairness" who has membership from Keya Paha County in North Central Nebraska through Jefferson County in South East Nebraska. Our goal is to educate ourselves as to the effects of the Keystone XL Pipeline on our property and participate in the process of development. Our hope is that every aspect of the project beginning with licensing through the construction phase and finally into the operation of the completed pipeline receives the scrutiny a project like this deserves.

The issue today is that TransCanada has asked that the standards of the steel pipe used in the construction of the Keystone XL pipeline be lowered to save money on the cost of pipe. No crude oil pipeline uses the proposed thinner walled pipe in the US today. The only other project in the United States that has received a waiver for the thinner walled pipe for crude oil to date is the Keystone I project that is now under construction in Eastern Nebraska. I understand that waiver was given by the US Department of transportation and that Nebraska may have had very little knowledge or input in that decision.

Most of the area covered by the Keystone XL Pipeline in Nebraska is right on top of our most precious resource, other than our land, "WATER" in the Ogallala Aquifer. To us our water is as precious as gold. How can we in good conscience risk these cherished assets on pipe that does not meet industry standards in the United States?

I have contacted Nebraska Governor Dave Heinemann for his help in opposing this issue. And have asked for his support in maintaining the highest standards of construction and management of the Keystone XL project.