

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

**NAVIGATOR HEARTLAND GREENWAY)
LLC)**

**Application pursuant to the Carbon Dioxide)
Transportation and Sequestration Act (220 ILCS)
75/1 *et seq.*) for a certificate of authority to)
construct and operate a carbon dioxide pipeline)
and when necessary to take interest in property)
as provided by the law of eminent domain.)**

Docket No. 22-0497

PETITION FOR LEAVE TO INTERVENE

NOW COMES Citizens Against Heartland Greenway Pipeline (“CAHGP”) through its attorney Joseph D. Murphy of Meyer Capel, A Professional Corporation, and respectfully petitions the Illinois Commerce Commission for leave to intervene in the above-captioned proceeding and in support thereof states as follows:

1. CAHGP’s members come from among the following Illinois counties: Adams, Brown, Christian, Fulton, Hancock, Henry, Knox, McDonough, Morgan, Pike, Sangamon, Schuyler, and Scott. CAHGP was founded with the sole purpose of opposing the Navigator Heartland Greenway (“NHG”) carbon pipeline and, if nevertheless approved, imposing conditions that would reduce its impact on CAHGP's members who are all, to varying extents, impacted by its planned construction and operation.

2. In this Docket, Navigator Heartland Greenway LLC (“Navigator”) asks the Commission, among other things, for a Certificate of Authority, pursuant to the Carbon Dioxide Transportation and Sequestration Act (“CO2 Act”) (220 ILCS 75/1 *et seq.*). Included in its request, Navigator seeks an order authorizing it to construct and operate a pipeline system in Illinois and, if and when necessary, to take and acquire

easements and interest in private property through the exercise of eminent domain, as provided in Section 75/20(i) of the CO2 Act.

3. Many of CAHGP's members own, use and/or enjoy land that is currently designated as part of or in proximity to the primary and lateral routes of Navigator's proposed carbon dioxide pipeline to be addressed in this proceeding, or will be impacted financially or in other ways described herein, if the pipeline is installed and becomes operational. This proposed pipeline raises a number of concerns for CAHGP and its members, including:

- Proximity to incorporated communities; rural residential developments and subdivisions; public lands; livestock facilities; businesses; school(s); churches; senior living facility(ies); prisons; airport(s); and other occupied buildings or structures, including those associated with farm operations.
- Threats to human health and livestock, including the potential for loss of life from ruptures of the pipeline that can spread harmful carbon-related gasses for more than a mile from the point of rupture.
- Reduced property values for land acquired for construction and operation of the pipeline.
- Reduced values for properties located up to a mile or more from the carbon pipeline that are at risk from a pipeline rupture.
- Loss of farm income due, but not limited to, reduced crop yield from mixing of soils, compacted soils, costs associated with repair to damaged infrastructure that will exceed the compensation offered by the pipeline company, and restrictions to the use of productive farmland that will occur due to the existence of the pipeline.
- Inability of first responders to adequately assist in the event of a rupture, due to, among other things, insufficient training and equipment needed to respond to a carbon pipeline rupture.
- Lack of *inter alia*: carbon dioxide monitors, alarm systems, air supply breathing equipment, and appropriate vehicles, all of which are necessary to detect, survive and escape from a pipeline rupture.
- Lack of federal regulations and oversight, as concluded by the Pipeline and Hazardous Materials Safety Administration (PHMSA) for the design,

construction, operation, and maintenance of the carbon pipeline that endangers the public.

- Increased costs to CAGHP's members, including tax increases associated with construction, operation, and preparedness for any failures of the carbon pipeline.

These concerns will negatively impact individual members of CAHGP and will have a contrary impact on the interests that CAHGP seeks to protect.

4. CAHGP therefore opposes Navigator's plan to construct a carbon pipeline across certain lands as set forth in the Petition in this proceeding.

5. CAHGP name, address and telephone number are:

Citizens Against Heartland Greenway Pipeline
c/o John Feltham
1633 Knox Highway 28
Williamsfield, IL 61489-9409
(309) 639-2740

6. That electronic service in this proceeding, as provided in Section 1050 of the Commission's Rules of Practice (83 Ill. Admin. Code § 200.1050), should be on the CAHGP's attorney listed below.

7. That, by virtue of its interests and the effect Navigator's plan may have on its interests, CAHGP and its members are interested in the subject matter of the above-referenced docket and could be affected by any Commission Order in this proceeding.

8. There is not yet a schedule in place and this intervention in this proceeding by CAHGP will not cause any undue delay.

9. Copies of all pleadings, notices, and correspondence in this Docket should be sent to the undersigned counsel for CAHGP at the following address:

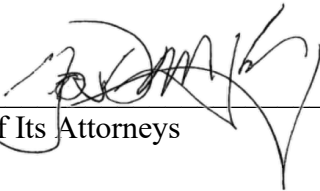
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WHEREFORE, the CAHGP prays that this Commission grant it leave to intervene and be treated as a party to this proceeding.

DATED this 18th day of August, 2022.

Respectfully submitted,

**CITIZENS AGAINST HEARTLAND
GREENWAY PIPELINE**

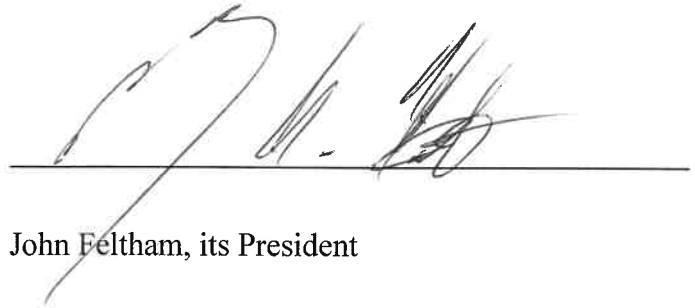
By: 
One of Its Attorneys

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Certification

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true with respect to Intervenor Citizens Against Heartland Greenway Pipeline.

Dated this 18th of August, 2022



John Feltham, its President

CERTIFICATE OF SERVICE OF ATTORNEY

The undersigned attorney, under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, certifies that the statements set forth in this instrument are true and correct and that the attached **Petition for Leave to Intervene** was submitted for electronic filing with the Illinois Commerce Commission via eDocket filing system on this 18th day of August, 2022 and certifies that a copy of the same was served upon the following persons by email this 18th day of August, 2022:

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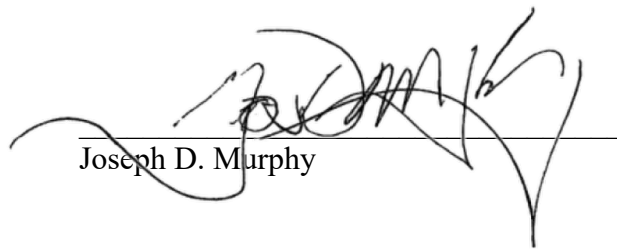
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