

Testimony of Evan Whiteford, LIUNA Member and Pipeline Marketing Representative

1 **Q: Please state your name, affiliation, and address.**

2 A: My name is Evan Whiteford. I am a member of LIUNA Local 563 which is affiliated with
3 both the Laborers District Council of Minnesota and North Dakota and the Laborers
4 International Union of North America (LIUNA). I currently live in Ray, North Dakota.

5 **Q: What is the purpose of your testimony?**

6 A: I am giving my testimony in this case to in order to explain what skilled union pipeliners do,
7 how we work to protect public safety and the environment, what it's like to work on an Enbridge
8 project, what approval of the Line 3 Replacement Project would mean to skilled local pipeline
9 workers and their families, and specifically to respond to testimony provided by Ms. Kate
10 O'Connell and Mr. Chris Joseph.

11 **Q: Ms. O'Connell argues in her testimony that Enbridge has not shown a need for the Line
12 3 replacement because Line 3 is still operating and Enbridge has not provided a date when
13 the existing line will be taken out of service. Do you agree?**

14 That doesn't make any sense to me. As I understand it, Enbridge plans to take the existing Line 3
15 out of service as soon as the proposed Replacement pipeline is operational. I've never heard of a
16 pipeline company committing to shut down a pipeline that's operating safely before requesting a
17 permit to build a replacement.

18 When you're talking about fixing a problem with a piece of critical infrastructure that's used
19 daily, you figure out how you're going to solve it, and how long it will take, before you commit
20 to shutting it down. If we had a section of a major highway that had seasonal flooding problems,
21 we wouldn't tell MnDOT to shut it down first and build the replacement later unless there was an
22 immediate safety hazard, and that's not the case here.

23 The state's criteria define need based on a showing that the "probable result of denial would
24 adversely affect the future adequacy, reliability, or efficiency of energy supply," and Enbridge
25 has shown that all three are at risk if the Line 3 Replacement isn't approved because of the
26 deteriorated state of existing Line and customer demand. There's nothing in the criteria that
27 requires Enbridge to shut down an operating pipeline to prove the point that it's not up to the job.

28 **Q: Why do you believe that Enbridge has made the case for the need to replace Line 3?**

29 A: In my opinion, it comes down to safety and reducing the risk and consequences of
30 environmental incidents. Enbridge has provided evidence that replacing Line 3 would make their
31 system more efficient and help better meet the need of customers, and the project would also
32 help with jobs and economic development in Northern Minnesota, but to my organization the
33 most important consideration is pipeline safety.

34 In our opinion, pipeline safety failures represent a direct threat to the well-being of our members.
35 We have many members who work in the pipeline industry, and these failiures threaten their
36 livelihood by eroding public confidence and fueling opposition to needed projects. We also we

Testimony of Evan Whiteford, LIUNA Member and Pipeline Marketing Representative

37 represent many members who live, work, and recreate in communities that are crossed by
38 pipelines like Line 3, and as an organization that knows something about pipelines, we believe
39 it's our job to help make sure they operate safely. Our organization has gained a reputation for
40 our aggressive advocacy for better regulation and greater accountability in the pipeline industry,
41 which led the Fargo Forum to describe us as an "environmental watchdog".

42 Ms. Kennett's testimony shows that the existing Line 3 is more vulnerable to integrity problems
43 than any other pipeline in the Enbridge system, not only because it's old, but also because it was
44 built with outdated technologies such as flash-welded pipe and tape coating that haven't been
45 used for decades. We don't have to take the company's word for it, because we have members
46 with thousands of hours of hands-on experience inspecting and repairing Line 3 and the rest of
47 the Enbridge system. We know that these problems will only grow over time, as Ms. Kennett's
48 testimony indicates, and that you can't always predict how quickly pipelines will deteriorate as
49 they near or pass the end of their useful life.

50 Having worked on many old and new pipelines, I can attest that the technology and construction
51 techniques used to build modern pipelines is much safer and more reliable than the technology
52 used to build the existing Line 3. The steel is stronger, the seam welds are stronger and more
53 durable, and the pipe is inspected more carefully and with better tools. Welding processes are
54 more reliable and there are higher performance standards and tighter inspections of welds
55 including use of X-ray technology to evaluate every single weld. Modern coating materials are
56 more reliable, the application of coating is better regulated, the workforce is better trained, and
57 the coating is thoroughly inspected using a device that detects even minor imperfections. Pipe
58 handling is emphasized through training and more carefully monitored at every stage, from
59 transport and stringing to placement of fill in the trench. As a result, we can confidently say that
60 the average pipeline built today is much safer, more durable, and more resilient than a 50 year-
61 old pipeline, even before accounting for the effects of aging.

62 Beyond the need to replace an outdated line, the potential consequences of an environmental
63 incident are greater along the existing Line 3 corridor than the company's proposed route. We
64 know this, because the Final Environmental Impact Statement (FEIS) shows that the proposed
65 route is estimated to expose fewer than half as many acres of High-Consequence Areas (12,318
66 vs. 27,528) and roughly 25-percent fewer acres of harvested wild rice lakes (182 vs. 242) to
67 potential spills, in addition to virtually eliminating exposure for Tribal reservations.

68 Further, the 50,000-foot analysis from the FEIS significantly underestimates the environmental
69 advantages of the proposed replacement because the new right-of-way will be engineered, and
70 the line built, with greater care for environmental consequences than the old Line 3 right-of-way.
71 If you talk to retired pipeliners, as I've done, you would know that when Line 3 was originally
72 built, the main job of the pipeline engineers was to get from Point A to Point B as quickly and
73 cheaply as possible. There was little understanding of environmental impacts and few rules
74 forcing pipeline builders to address environmental concerns along the route.

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Testimony of Evan Whiteford, LIUNA Member and Pipeline Marketing Representative

76 Today the process is completely different. Environmental issues are front-and-center from the
77 first stages of route evaluation to the staking of the right-of-way to final reclamation when the
78 right-of-way is put back together and seeded. If you took a 50 year-old right-of-way and a new
79 right-of-way side by side, anyone who knows pipelines could show you environmental shortfalls
80 of the old right-of-way that would never be allowed today. As a simple example, 50 years ago it
81 was customary for a pipeline to cut through wetland rather than boring underneath, which is the
82 industry practice today. This means that wetlands along a 50 year-old right-of-way are more
83 vulnerable to spills than wetlands along a new right-of-way.

84 **Q: If you contend that Line 3 needs to be replaced, at least in part, to reduce the risk of**
85 **environmental incidents, then do you agree with Ms. O’Connell that Enbridge should shut**
86 **Line 3 down in the absence of a replacement plan due to the “high environmental risks”**
87 **that she alleges the pipeline poses to Minnesota**

88 A: No. I find it difficult to understand Ms. O’Connell’s argument because she seems to believe
89 that existing Line 3 is too dangerous to operate but not dangerous enough to replace, and I don’t
90 think either claim is true or supported by her testimony.

91 I believe, and my organization believes, that Enbridge can and will operate Line 3 safely for the
92 foreseeable future for two reasons. First, many of our members, including myself, have first-
93 hand experience working for Enbridge on the maintenance of the company’s pipelines in
94 Minnesota, and we have seen the company’s commitment to identifying flaws in the system and
95 fixing them long before they turn into immediate spill risks.

96 Our members perform work all over the country for a wide variety of pipeline owners, and we’ve
97 found Enbridge to be one of the most responsible and safety-conscious pipeline operators out
98 there. We think it’s part of the reason Minnesota’s pipeline safety track record is so much better
99 than the country as a whole, which is one of the findings of the Final Environmental Impact
100 Statement. Between Enbridge, which operates the most pipelines, and our local skilled
101 workforce, Minnesota’s in good hands.

102 Second, our members, including myself, are very familiar with the techniques and technologies
103 that are used to identify flaws repair legacy pipelines, and we’ve found them to be highly and
104 increasingly reliable. We’ve seen incredible advances in the technology that’s used to detect
105 operational problems and find anomalies in the pipe wall, including so-called “smart pigs” and
106 other remote sensing tools, even in the decade or so since I started being working in the industry.
107 These tools have become very accurate, and we know that because we see relatively few false
108 negatives, where we show up for a dig and there’s nothing wrong with the pipe, or false
109 positives, where a problem comes out of nowhere that was missed earlier.

110 Once the problem has been identified, Enbridge and other pipeline operators have well-
111 developed procedures for uncovering the problem pipe segment or valve without damaging the
112 line or any nearby lines, inspecting the problem, and restoring or replacing the problem piece as
113 needed. In some cases it’s as simple as sandblasting and re-coating an area where the coating has
114 been compromised and the pipe has begun to corrode or is at risk of corrosion. In other cases, a
115 segment of pipe or a valve needs to be replaced, or the pipe needs to be “sleeved”, which is a

Testimony of Evan Whiteford, LIUNA Member and Pipeline Marketing Representative

116 process that basically involves a second pipe around a compromised pipe segment, and is a
117 technique that we have to use more frequently when we work on Line 3 due to the problems
118 outlined in Ms. Kennett’s testimony.

119 On the other hand, I think it would be irresponsible to kick the can down the road knowing that
120 the alternative is a safer pipeline that runs along a safer, better-engineered route. There are
121 pipeline owners out there that we believe are harming the environment and the reputation of the
122 pipeline industry by failing to make needed investments in maintenance and replacement of
123 aging pipeline infrastructure. When we have a pipeline operator willing to step forward and
124 invest billions of dollars in the solution, we should welcome that with open arms.

125 **Q: Do you agree with Ms. O’Connell’s conclusion that the proposed Line 3 Replacement**
126 **would create “risks to high-quality water resources” and “disproportionate and adverse**
127 **impacts to tribal communities”?**

128 A: I don’t believe that conclusion accurately represents her own testimony or is consistent with
129 the findings of the FEIS. Ms. O’Connell and the FEIS both find that there are potential risks and
130 impacts to the environment and tribal communities involved in the proposed project and all of
131 the proposed alternatives including the alternative routes, use of truck or rail, and the “no action”
132 alternative, which I would call kicking the can down the road.

133 Saying that the project will have risks and impacts is no more useful than me saying I run a risk
134 every time I step out of the door and I run a risk when I stay home. What matters is which
135 option offers the lowest risk and the greatest rewards, and the evidence shows that the proposed
136 replacement is the least risky option on the table that also happens to meet a need for more
137 pipeline capacity and create thousands of high-quality construction jobs.

138 **Q: Ms. O’Connell among her key findings that there “may be increased traffic congestion**
139 **in places along with effects on cropland.” Do you agree that there may be impacts, and**
140 **would you expect them to significant?**

141 A: In my experience, those impacts are minimal and don’t even deserve mention. I’ve worked on
142 dozens of pipeline projects all over the United States, observed hundreds more, and had quite a
143 few go through the area where I currently live. In that time, I only saw one project have a
144 significant impact on traffic, which was the Dakota Access Pipeline, and there it wasn’t the
145 construction work that tied the roads up, it was the protesters.

146 On every pipeline project where I’ve been employed, we have bent over backward to make sure
147 that we didn’t inconvenience locals by tying up the roads. Our pipeline owners and contractors
148 make it a point to stay in regular communication with local residents and officials and plan our
149 work to minimize impacts on traffic.

150 I can’t tell you how many times we held off moving equipment or took other steps to work
151 around a single farmer so he could get his tractor where it needed to go. I’m pretty sure I’ve
152 spent more time delayed by your average road construction project than the delays caused by all
153 the projects I’ve worked put together.

Testimony of Evan Whiteford, LIUNA Member and Pipeline Marketing Representative

154 **Q: Ms. O’Connell recommends that any Line 3 replacement be built using three-quarter-**
155 **inch thick pipe across Minnesota to “mitigate risks of harm”. Do you agree?**

156 A: No. Three-quarter-inch is appropriate for areas where you’re boring under streams or
157 wetlands or road crossings where you need the additional strength and wall thickness to handle
158 the stress that’s put pipe during installation and the load it carries as a result of being buried
159 deeper underground or under a road. But I’ve never seen an entire pipeline built with three-
160 quarter-inch pipe. In my opinion, it would be overkill. I don’t believe that the pipeline would be
161 any safer, and there could be unintended consequences that would cancel out any safety benefits
162 while exacerbating safety hazards and environmental impacts.

163 **Q: What kind of unintended consequences would you anticipate as a result of a decision to**
164 **require any Line 3 replacement to be built with three-quarter-inch pipe?**

165 A: First, three-quarter-inch pipe is a lot heavier than half-inch pipe, and the effects of increasing
166 the weight would ripple through the whole project. A standard 36-inch pipe with a 0.515-inch
167 wall weighs almost 200 pounds per foot or 8,000 pounds per 40-foot segment. If you bump it up
168 to three-quarter inch you’re adding about 85 pounds per foot or 3,200 pounds per segment. It’s a
169 big deal because you’re talking about using more fuel for transport, more trucks to work around
170 weight restrictions, and in some cases heavier equipment to handle the pipe. If you’re concerned
171 about carbon emissions or environmental impacts like soil compaction, all of those get worse
172 when you increase the weight of the pipe by nearly half.

173 When heavy pipe segments get a lot heavier, they also become harder to work with and create
174 additional safety hazards for workers. It gets harder to safely position the pipe during stringing,
175 welding, coating, lowering in, and tie-ins, and the consequences are that much worse if
176 something goes wrong. For example, the pipe will rests on skids from stringing through coating
177 and welding to lowering-in, and it will expand and contract with temperature changes, which can
178 create instability. The heavier the pipe, the greater the risk that the skids fail and the greater the
179 risk of injury if the pipe comes off the skids. You’re looking at similar challenges every time you
180 lift the pipe during coating, welding and tie-ins, as well as when it’s being lowered in the trench:
181 heavier pipe is trickier to maneuver and does more damage when it comes loose.

182 Second, in addition to the weight problem, three-quarter-inch pipe is harder to weld and a lot
183 harder to bend than half-inch pipe. It can be done, but the more work that we have to put into
184 welding and bending the pipe, the greater the risk that something goes wrong. That’s especially
185 true for bending which is one of the more hazardous aspects of pipeline construction. When
186 you’re primarily using three-quarter-inch pipe for bores, you can engineer your way around a lot
187 of the problems that come with the added weight and bending heavier-duty pipe, but that’s not
188 really an option if you require that the whole line be built that way.

189 In my opinion, anyone who assumes that thicker pipe automatically equals a safer line doesn’t
190 understand how pipelines work or how they’re built. By making the pipeline harder to build,
191 you’re introducing risk factors that could end up outweighing any pipeline integrity benefit that
192 might come from use of heavier-duty pipe. Add the increased safety hazards and environmental
193 consequences, and now you’re talking about a project that will generate more carbon, create

Testimony of Evan Whiteford, LIUNA Member and Pipeline Marketing Representative

194 more negative impacts during construction, and put more workers at risk without any guaranteed
195 payoff when it comes to preventing spills.

196 **Q: Mr. Joseph argues that the employment benefits of Line 3 may be overstated because**
197 **Minnesota’s unemployment rate is currently low. Do you agree?**

198 A: I disagree because what a major union pipeline project offers isn’t simply a “job.” A man or
199 woman making \$10 an hour with no benefits in a fast-food restaurant has a “job”, but not one
200 that can support a family or protect against illness or guarantee a decent retirement. Among the
201 200 or so people I’ve recruited into the union pipeline industry, many had jobs but a lot of times
202 they were jobs that couldn’t support a family or offer a future, and that’s what our union provides
203 to pipeline construction workers.

204 If we help put money in the pockets of thousands of union construction workers and help
205 hundreds of Northern Minnesotans who are new to construction move from low-paid jobs to find
206 family-supporting careers, then we’ve done a lot more for workers’ lives and local economies
207 than if Wal-Mart opened dozens of new stores in the area.