

2025 HOUSE ENERGY AND NATURAL RESOURCES

HCR 3016

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HCR 3016

2/13/2025

Recognizing the benefits of enhanced oil recovery and encouraging the State of North Dakota and federal government to maintain favorable policies that support the development of carbon capture technology and utilization of carbon dioxide as a commodity for advancing energy security.

9:18 a.m. Chairman Porter opened the hearing.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chairwoman Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, M. Ruby, Conmy, Foss

Discussion Topics:

- Co2 Pipelines
- Enhanced Oil Recovery

9:19 a.m. Representative Novak introduced the bill and submitted testimony, #37582.

9:21 a.m. Ron Ness, President, ND Petroleum Council, testified in favor.

9:28 a.m. Jonathan Fortner, Vice President of Government Relations, Lignite Energy Council, testified in favor and submitted testimony, #37421.

9:30 a.m. Zach Smith, ND Rural Association Electric Cooperative, testified in favor.

9:30 a.m. Jeff Simon, Executive Director, Western Dakota Energy Association, testified in favor.

9:32 a.m. Zachary Cassidy, Organizer, Dakota Resource Council, testified in opposition and submitted testimony, #37200.

9:37 a.m. Gerald Gohrick, Chairman, District 2, testified in opposition.

9:40 a.m. Chairman Porter closed the hearing.

Joseph Reed, Committee Clerk for Leah Kuball, Committee Clerk

Zachary Cassidy

Organizer

Dakota Resource Council

Greetings Mr Chairman and Committee Members,

I am Zach Cassidy of Dakota Resource Council, writing to express our opposition to HCR 3016. This resolution would urge the federal government to develop policies that favor Carbon Dioxide use. The use of carbon for EOR is new technology, and at the very least we should wait until we know more before we create resolutions that ask for investment in technology we don't know the impacts of.

The need for EOR in North Dakota is many years away, giving us time to learn more about its impacts. While we understand that North Dakota seeks to be a leader in energy production, we have time to wait to better understand this technology. The ability of the industry to transport CO2 safely is currently under question, including by engineers, geologists, and other professionals. As we seek to be an energy leader, let's also make sure we are also a state that prioritizes the safety of our communities.

As such, we recommend DO NOT PASS on this bill.



February 13, 2025

Chairman Porter and members of the House Energy and Natural Resources Committee,

Thank you for the opportunity to testify on behalf of the Lignite Energy Council in strong support of House Concurrent Resolution 3016. North Dakota's coal industry plays a critical role in both the production of reliable electricity and in the future of enhanced oil recovery (EOR) through carbon capture utilization. Coal-fired power plants already provide affordable and stable electricity that helps power North Dakota's oil production today, and with advancements in carbon capture, coal will be instrumental in unlocking billions of dollars in future oil revenues through EOR.

North Dakota's vast lignite resources are uniquely positioned to support the long-term viability of the Bakken oil fields. By capturing CO₂ from coal-based power and gasification facilities, we can provide a valuable commodity for EOR, increasing oil recovery rates and extending the productive life of the Bakken for decades. This not only enhances energy security but also ensures that North Dakota's oil production remains strong, generating billions in tax revenues that fund essential services such as schools, infrastructure, and public safety.

Supporting policies that promote carbon capture and CO₂ utilization will allow coal to continue playing a key role in both electricity generation and resource development. As oil recovery becomes more dependent on advanced EOR techniques, the integration of coal-based carbon capture will be critical in maintaining North Dakota's position as a leader in energy production.

House Concurrent Resolution 3016 affirms the importance of these industries working together to secure the state's economic future, and we urge the committee to support this resolution to reinforce North Dakota's commitment to responsible energy development.

Thank you for your consideration,

Jonathan Fortner
VP of Government Relations
Lignite Energy Council



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Anna Novak

District 33
1139 Elbowoods Drive
Hazen, ND 58545-4923
anovak@ndlegis.gov

COMMITTEES:

Education
Energy and Natural Resources (Vice Chair)

February 13, 2025

Good morning, Mr. Chairman and members of the committee. For the record, my name is Anna Novak, representative from district 33.

House Concurrent Resolution 3016 recognizes the significant benefits of enhanced oil recovery, also known as EOR, and emphasizes the importance of maintaining favorable policies to support the development of carbon capture technology and the utilization of carbon dioxide (CO₂) as a valuable commodity to advance our energy security.

North Dakota's Bakken Formation is a world-class energy resource, currently producing approximately 1.2 million barrels of oil per day. Despite this impressive output, current recovery methods extract only a small portion of the Bakken's estimated oil in place. Implementing EOR techniques, particularly those utilizing CO₂, has the potential to unlock several billion additional barrels of oil, thereby extending the productive life of the Bakken by several decades. This not only promises to bolster our state's economy but also enhances national energy security.

Our state's coal industry has been at the forefront of developing technologies to capture CO₂ from power and gasification facilities. The captured CO₂ is not merely a byproduct but a valuable commodity essential for the full deployment of EOR in both shale formations and conventional reservoirs. By fostering the development of carbon capture, utilization, and storage technologies, we can simultaneously advance our oil and coal industries, ensuring a prosperous and energy-secure future for North Dakota.

The Dakota Gasification Synfuels plant by Beulah, ND, which is in district 33, has been sending carbon dioxide to an oilfield in Saskatchewan, Canada, for enhanced oil recovery for the past 25 years - without incident. That lease of the carbon dioxide pipeline going to the Weyburn oilfield will be up in 2026, which may present opportunities for North Dakota's enhanced oil recovery efforts.

I urge the committee to support this resolution, encouraging both state and federal governments to maintain and implement policies that incentivize the utilization of CO₂ for EOR. Such policies will not only maximize the potential of our natural resources but also position North Dakota as a leader in innovative energy solutions.

Thank you, Mr. Chairman and members of the committee. With that, I'll stand for any questions.

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HCR 3016

2/13/2025

Recognizing the benefits of enhanced oil recovery and encouraging the State of North Dakota and federal government to maintain favorable policies that support the development of carbon capture technology and utilization of carbon dioxide as a commodity for advancing energy security.

9:51 a.m. Chairman Porter opened the hearing.

Members Present: Chairman Porter, Vice Chairman D. Anderson, Vice Chairwoman Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, J. Olson, Ruby, Conmy, Foss

Discussion Topics:

- Committee Action

9:51 a.m. Vice Chairwoman Novak moved a Do Pass.

9:51 a.m. Representative Hagert seconded the motion.

9:53 a.m. Voice vote - Motion passed

9:53 a.m. Representative Hagert will carry the bill.

9:53 a.m. Chairman Porter closed the hearing.

Joseph Reed, Committee Clerk for Leah Kuball, Committee Clerk

REPORT OF STANDING COMMITTEE
HCR 3016 ([25.3082.01000](#))

Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HCR 3016 was placed on the Eleventh order on the calendar.

2025 SENATE ENERGY AND NATURAL RESOURCES

HCR 3016

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HCR 3016
3/6/2025

A concurrent resolution recognizing the benefits of enhanced oil recovery and encouraging the State of North Dakota and federal government to maintain favorable policies that support the development of carbon capture technology.

10:01 a.m. Chairman Patten opened the hearing.

Members present: Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Support for Enhanced Oil Recovery
- Federal Government Involvement
- Future Changes
- Candada Contract End Meaning
- Endangerment Clause Lifting
- Bowman County Oil Field Success
- EPA Rules in Coal Industry for Carbon Capture

10:01 a.m. Representative Novak, District 33, introduced the bill and testified in favor.

10:05 a.m. Jonathan Fortner, VP of Government Relations of Lignite Energy Council, testified in favor and submitted testimony #38841.

10:07 a.m. Ron Ness, President, ND Petroleum Council, testified in favor.

10:32 a.m. Andrea Pfennig, Greater ND Chamber VP of Government Affairs, testified in favor.

10:32 a.m. Lanny D. Kenner testified in opposition and submitted testimony #39144.

10:37 a.m. Zach Cassidy, ND Resource Council, testified in opposition.

Additional Written Testimony:

Julia Stramer, Kertzman Farm Trust, submitted testimony in opposition #38584.

Julie Hess submitted testimony in opposition #38708.

Sandra Rupp submitted testimony in opposition #38884.

Gordon Greenstein submitted testimony in opposition #38955.

Steve Rupp submitted testimony in opposition #39017.

Doug Pearson submitted testimony in opposition #39119.

10:38 a.m. Chairman Patten closed the hearing.

Elizabeth Reiten for Kendra McCann, Committee Clerk

From Julia Stramer, Landowner
Emmons County North Dakota

March 3, 2025

My family owns cropland in Emmons County. A proposed CO2 pipeline route cuts through our land and runs near our 4th generation farmyard.

CO2 pipelines bring no services or needed utility to any persons; it is a solution to a problem that doesn't exist.

We continue to stand our ground and have not agreed to allow a private company to steal our land, only to make millions of dollars on the backs of ND taxpayers. My great-grandfather, grandmother and father could not have dreamed that their land could be taken by others for private gain.

For our future generations and the betterment of our state, please **DO NOT PASS HCR3016.**

SENATE

Senate Energy and Natural Resources Committee-

South Dakota land owners should be proud as their governing officials truly care about constitutional rights and both senate and house have passed a bill to prevent eminent domain, just needs governor's signature. Also, they have passed a bill that would block carbon pipelines until new federal safety rules are finalized. I'm ashamed of ND! Sadly, there are many of our governing officials are ignoring us, the taxpayers, and landowners, even though they are being paid to represent us with our tax dollars!! They don't care about our safety or our constitutional rights being violated with eminent domain. It's all about the almighty

dollar and no safety concerns if a rupture in the pipeline occurs and all the people in Bismarck and surrounding areas die in a matter of a couple minutes! It seems our government is bought and paid for by Blackrock and all the entities behind Summit, including foreign countries! We have no guarantee or assurances of safety, eminent domain, how it could pollute our water or anything. I'm a 4th generation land owner and my ancestors would be shocked and ashamed of what is going on here in our state and it is all at the taxpayers expense!

I STRONGLY ENCOURAGE you to vote NO on HCR 3016. We need to think of future generations and protect our health, land, water, and our constitutional rights!



March 6, 2025

Chairman Patten and members of the Senate Energy and Natural Resources Committee,

Thank you for the opportunity to testify on behalf of the Lignite Energy Council in strong support of House Concurrent Resolution 3016. North Dakota's coal industry plays a critical role in both the production of reliable electricity and in the future of enhanced oil recovery (EOR) through carbon capture utilization. Coal-fired power plants already provide affordable and stable electricity that helps power North Dakota's oil production today, and with advancements in carbon capture, coal will be instrumental in unlocking billions of dollars in future oil revenues through EOR.

North Dakota's vast lignite resources are uniquely positioned to support the long-term viability of the Bakken oil fields. By capturing CO₂ from coal-based power and gasification facilities, we can provide a valuable commodity for EOR, increasing oil recovery rates and extending the productive life of the Bakken for decades. This not only enhances energy security but also ensures that North Dakota's oil production remains strong, generating billions in tax revenues that fund essential services such as schools, infrastructure, and public safety.

Supporting policies that promote carbon capture and CO₂ utilization will allow coal to continue playing a key role in both electricity generation and resource development. As oil recovery becomes more dependent on advanced EOR techniques, the integration of coal-based carbon capture will be critical in maintaining North Dakota's position as a leader in energy production.

House Concurrent Resolution 3016 affirms the importance of these industries working together to secure the state's economic future, and we urge the committee to support this resolution to reinforce North Dakota's commitment to responsible energy development.

Thank you for your consideration,

Jonathan Fortner
VP of Government Relations
Lignite Energy Council

Energy & Natural Resources Committee Members,

I am a landowner expressing opposition to HCR 3016. My concern is the safety of CO2. The reality of death is significant if any portion of this transmission line would breach. We all know the force of mother nature and should make the safety of human life a top priority. The CO2 pipeline that ruptured near Satartia, Mississippi, in February 2020 had people collapsing as far away as 16 miles from the pipeline rupture. This break was caused due to ground movement due to a lot of rain. That pipeline had only 1402 psi.

<https://pstrust.org/about/>

<https://www.youtube.com/watch?v=llcwrKDJR00>

Committee Chair and members, respectfully I realize your time is valuable, however if you could just review the links submitted in this testimony, perhaps it would help you understand not only my concern, but the concerns of many other land owners, residents in North Dakota

Recommend DO NOT PASS on this bill

Sandra Rupp
District 28
Edgeley, ND

HCR 3016

Senate Energy and Natural Resources

Chairman Patten and Committee Members

I am not a paid lobbyist, but I am a very concerned citizen that HCR 3016 should be defeated.

There are grave concerns about the continued use of CO₂ because of its harmful effects on the environment. Other common EOR techniques include pumping steam into the well in order to heat the oil and make it less viscous. Similar outcomes can be achieved through so-called "fire flooding," which involves lighting a fire around the periphery of the oil reservoir in order to drive the remaining oil close to the well.

Unfortunately, EOR techniques can produce negative environmental side effects, such as causing harmful chemicals to leak into the groundwater. There is a recent technique that might help reduce these environmental risks, it is called Plasma Pulsing. Developed in Russia, plasma pulsing technology involves radiating oil fields with low-energy emissions, thereby lowering their viscosity much like conventional EOR techniques.

Because plasma pulsing does not require injecting gases into the ground like CO₂ which was declared a weapon of mass destruction by the Defense Department, chemicals, or heat into the ground, plasma pulsing may prove to be less environmentally harmful than the other current methods of recovery. I urge a Do Not Pass on HCR 3016.

Thank You, Gordon Greenstein

US Navy (Veteran)

US Army-NDNG (Retired)

I am asking you members of the Energy and Natural Resources Committee to please take under consideration the concerns of us ND citizens and landowners. We are amazed that the testimony of some can claim that the carbon sequestration pipeline is totally safe. We know of a breach of a pipeline in Mississippi that injured and scarred people for the remainder of their lives. They will live on oxygen due to the damage to their respiratory systems. I for one do not want myself or my family living in the "Kill Zone". I have researched the facts, and pressurized carbon remains a gas but flows like an oil and becomes very corrosive. So this tells me that it is not a matter of IF, but when, that we as a state have to deal with a potentially deadly situation. Emergency crews would not be able to enter the leak area because automobiles will not run, due to the lack of oxygen. They would also only be able to survive with oxygen tanks and masks. PLEASE VOTE for a DO NOT PASS on this resolution. Our state can offer citizens and tourists a beautiful place to live and visit. Let's not turn it into a dangerous industrial area.

Sincerely,
Steve Rupp
District 28

Senate Energy and Natural Resources Committee

I am asking for a NO vote on HCR3016. We keep hearing from the so-called experts that CO2 is necessary for enhanced oil recovery. Other experts say that the Bakken has shale formations and the CO2 wont work. So which one is it, I believe it's about carbon credit scores and 45Q tax credits. We keep hearing it will be good for economies and create thousands of jobs at what cost, bringing a CO2 supercritical 24 inch pipeline east and north of the Bismarck Mandan area is not worth the risk and this will be just the beginning for many more. I don't believe the citizens of ND want to be a dumping ground for this green new deal agenda. Please vote NO.

Thankyou Doug Pearson

Lanny Kenner
District 7

Senator Patten and committee members,

I urge NO votes on HCR 3016 for the following reasons:

1. Enhanced oil recovery (EOR) using CO₂, according to the EERC is not possible at this time in the Bakken formation.
2. ND and the federal government has already given millions of dollars to the EERC mainly to find a way to use CO₂ for EOR in the Bakken formation.
3. The ND Industrial Commission has given away \$300,000 dollars to an engineering firm to use for propaganda trying to convince the public on how good Carbon capture is for ND. If it is so good, why do they have to try to convince us?
4. ND already has an abundance of natural gas that could be used for EOR so there is no need pipe in CO₂.
5. Basin's Electric's contract for the CO₂ pipeline going from their Coal Gasification plant to Weyburn Saskatchewan will be up in 2026. If they can use that CO₂ in the Bakken formation the contract should not be renewed. Plus Canada may be putting tariffs on everything sold to Canada from the US so they may not want to sign again.
6. There would be a significant drain on our power grid to pump CO₂ over great distances at pressures like Summits CO₂ pipeline would take plus all the Data mining, data centers and AI centers being planned for ND will be leaving us citizens literally in the dark from blackouts and brownouts.
7. Safety for high pressure CO₂ lines have not been figured out yet although with the broken line in Mississippi in 2020 and the broken valve in Louisiana last spring we have some idea how unsafe it can be. If the Summit line broke North of Bismarck anywhere close to the Missouri river with north winds there would be many casualties with people who live close to the river because CO₂ is 1.5 times heavier than air, invisible and orderless. It would come down the river valley and suffocate people and animals! At least it would be a peaceful death for some but some would not die and have recurring lifelong health problems!
8. The citizens of ND do not want it!
9. Without the 45Q tax credits we wouldn't be discussing this!

10. CO₂ is life. Without it our living plants would not have Photosynthesis and we would not have oxygen! Don't mess with God! You will not like the outcome!

Please vote NO on HCR 3016.

Thank you, Lanny Kenner

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HCR 3016
3/13/2025

A concurrent resolution recognizing the benefits of enhanced oil recovery and encouraging the State of North Dakota and federal government to maintain favorable policies that support the development of carbon capture technology.

10:43 a.m. Chairman Patten opened the hearing.

Members present:

Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- CO2 utilization in energy production
- Committee action

10:44 a.m. Chairman Patten led committee discussion on the oil and gas industry, the terminal decline in the oil field and the value this bill would have.

10:49 a.m. Senator Kessel moved a Do Pass.

10:50 a.m. Senator Enget seconded the motion.

Senators	Vote
Senator Dale Patten	Y
Senator Greg Kessel	Y
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Mark Enget	Y
Senator Justin Gerhardt	Y
Senator Desiree Van Oosting	N

Motion Passed 6-1-0.

10:50 a.m. Senator Enget will carry the bill.

10:51 a.m. Chairman Patten closed the hearing.

Kendra McCann, Committee Clerk

REPORT OF STANDING COMMITTEE
HCR 3016 ([25.3082.01000](#))

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT OR EXCUSED AND NOT VOTING). HCR 3016 was placed on the Fourteenth order on the calendar. This resolution does not affect workforce development.