



STATE OF IOWA

KIM REYNOLDS
GOVERNOR

June 11, 2025

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit House File 639, an Act relating to hazardous liquid pipelines, including common carrier requirements, proceedings under the Iowa utilities commission, including commission member attendance at hearings and informational meetings, including allowing certain persons to intervene in such proceedings, including sanctions on intervenors in contested cases, and permit, permit renewal, and operation limitations, and including effective date and applicability provisions.

Reasonable people can—and do—disagree about when government, or a private company acting with government approval, should be allowed to take private land. That debate is as old as the Republic. At its core, it asks how we protect individual property rights while still building the infrastructure—roads, utilities, pipelines—that modern life depends on.

I respect both sides of that debate. I've consistently said that if eminent domain is used, it must be rare, fair, and a last resort.

But HF 639 isn't just about eminent domain. It goes much further—and in doing so, sets a troubling precedent that threatens Iowa's energy reliability, economy, and reputation as a place where businesses can invest with confidence.

For example, the bill would block a major pipeline project that uses only voluntary easements. Southwest Iowa Renewable Energy (SIRE) is in the final stages of connecting to a CO₂ pipeline with not a single acre condemned. Yet new insurance mandates and an arbitrary 25-year limit that HF 639 places on CO₂ pipelines would effectively kill the project—despite the millions that have already been spent on its development. There is

no clear or logical basis for that time limit—and it would make it difficult for companies like SIRE to justify the additional investment.

I understand this was not the intent. Those who crafted the bill said they don't want to stop CO₂ pipelines that rely entirely on voluntary agreements. But that is exactly what the bill does. For that reason alone, I cannot sign it.

Proponents of the bill have also voiced safety concerns about CO₂ pipelines. I raised those same concerns with the Trump Administration's Pipeline and Hazardous Materials Safety Administration (PHMSA) under the Department of Transportation, which "oversees the safety of roughly 5,300 miles of CO₂ pipelines that have been in operation for decades." PHMSA assured me that CO₂ pipelines are subject to "robust regulations" and "have an excellent safety performance record." In the last 20 years, there has only been "one serious incident and no fatalities," and the "one serious incident was the result of third party damage and was not related to pipeline operations." (PHMSA letter enclosed).

But more broadly, the bill affects more than just CO₂ infrastructure. It applies to all "hazardous liquid pipelines," changing permitting rules across the board and injecting uncertainty into critical energy projects. That includes oil, gas, and fertilizer pipelines — the very systems that heat Iowa homes and power Iowa farms.

While I share the bill's goal of protecting landowners, good policy should draw clear, careful lines. This bill doesn't. It combines valid concerns with vague legal standards and sweeping mandates that reach far beyond their intended targets.

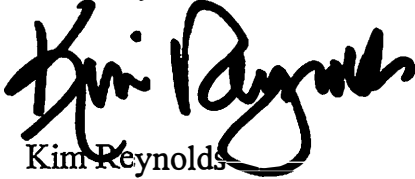
Iowa leads the nation in biofuels. We are at the forefront of turning corn into low-carbon energy— a leadership position we risk losing if we block the infrastructure that makes it possible. Other Midwestern states, like Nebraska, Illinois, and North Dakota are already moving forward with carbon-capture projects that would put Iowa at a competitive disadvantage if this bill became law.

That said, this debate has highlighted areas where real progress is possible. I agree we can do more to limit the use of eminent domain, promote transparency, and ensure responsible land restoration. While HF 639 includes a few helpful provisions, the legislature debated—and ultimately declined—to adopt others that would have delivered meaningful reform.

We can do better. And I'm committed to working with the legislature to strengthen landowner protections, modernize permitting, and respect private property. In the meantime, though, I will ask the Iowa Utilities Commission to implement two important improvements immediately: requiring all commissioners to be present for live testimony, and ensuring that at least one commissioner attends every informational meeting. These changes—drawn from HF 639—will improve oversight and transparency now, without the need for new legislation.

For these reasons, I must respectfully disapprove House File 639 in its entirety.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Reynolds", written in a cursive, flowing style.

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

June 9, 2025

The Honorable Kim Reynolds
Governor of Iowa
Iowa State Capitol
1007 East Grand Avenue
Des Moines, IA 50319

Dear Governor Reynolds:

Thank you for your letter regarding carbon dioxide (CO₂) pipeline safety. I appreciate your interest in this important topic and your concern for Iowans.

The Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) administers a national regulatory safety program for the approximately 3.3 million miles of pipelines in the United States, including CO₂ pipelines. The Pipeline Safety Act authorizes PHMSA to regulate the transportation of gas, hazardous liquids, and CO₂ by pipeline. PHMSA regulations govern design, construction, operation, maintenance, emergency response, personnel qualifications, public awareness, reporting, and many other functions related to the safe operation of pipelines.

The pipeline projects proposed in Iowa would transport CO₂ in a supercritical state, which means a fluid phase consisting of more than 90 percent compressed CO₂ molecules. Title 49 Part 195 of the Code of Federal Regulations contains robust regulations for such pipelines. The CO₂ pipelines proposed in Iowa would be governed by the full set of PHMSA safety regulations contained in Part 195 and subject to Federal safety inspections and oversight.

PHMSA currently oversees the safety of roughly 5,300 miles of CO₂ pipelines that have been in operation for decades. These pipelines have an excellent safety performance record. PHMSA's CO₂ accident data indicate one serious incident and no fatalities in the last 20 years. PHMSA considers a serious incident as one that results in fatality or injury requiring in-patient hospitalization. The one serious incident was the result of third party damage and was not related to pipeline operations.

The Honorable Kim Reynolds

Page 2

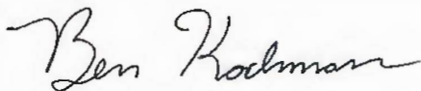
Your letter addressed a CO₂ pipeline release that occurred on February 22, 2020 near Satartia, Mississippi. PHMSA's investigation found this event was due to an unusual combination of factors. The rupture was caused by land movement at a steep embankment following heavy rains. Weather conditions and unique topography prevented the CO₂ vapor from rapidly dispersing as it would ordinarily, and poor communication between the pipeline operator and local responders complicated the emergency response. Although numerous individuals were taken to the hospital, only one was admitted and for reasons unrelated to the pipeline failure.

PHMSA's investigation also found that the pipeline operator violated several regulations. As part of a Consent Agreement and Order, the operator paid \$2,868,100 in civil penalties and agreed to take numerous corrective actions. PHMSA subsequently issued an advisory bulletin to all pipeline operators reminding them of their responsibilities to monitor for, and address, earth movement and other geological hazards in proximity to their facilities.

CO₂ pipelines have an overall robust safety track record. Over the last five years, CO₂ pipelines have had an average reportable accident per thousand-mile rate of 0.88, lower than the general hazardous liquid pipeline reportable accident rate of 1.46.

Thank you for taking the time to contact PHMSA about this important topic. Please let me know if you require additional information, or have your staff contact Emily Wong, Director of Governmental, International, and Public Affairs, by phone at 202-366-4831 or by e-mail at emily.wong@dot.gov.

Sincerely,

A handwritten signature in black ink that reads "Ben Kochman". The signature is fluid and cursive, with the first name "Ben" being more prominent than the last name "Kochman".

Ben Kochman
Acting Administrator