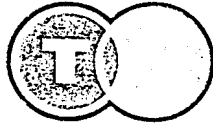


Trans-Northern Pipelines Inc. Information

Pamphlets and Guidelines



Trans-Northern Pipelines Inc.

45 VOGELL ROAD, SUITE 310
RICHMOND HILL, ONTARIO L4B 3P6
TEL: (905) 770-3353 FAX: (905) 770-8675

wwatt@tnpi.ca

2008-06-20

Mr. Daniel J. Anderson
Sunset Lakes Development Corporation
6598 Pebble Trail Way
Greely, Ontario K4P 0B6

Dear Mr. Anderson:

Building Restrictions and Setbacks
West Beach Subdivision
Pt. Lots 3 & 4, Concession 4, Osgoode
TNPI Ref.: OL-16, R/W-5, -6

As promised, I enclose additional copies of Trans-Northern's *Pipeline Crossing Guidelines* for your use.

Trans-Northern's concern is to maintain access to and along the right-of-way for maintenance, monitoring and emergency response. The 10-metre setback from the pipeline right-of-way was recommended for houses and occupied buildings, in part for safety and in part for the mutual convenience of landowners and Trans-Northern in the event of construction. The setback zone may be used for garden sheds and swimming pools, as long as excavation and construction observe safety requirements of the NEB Act, s. 112 (see pamphlets enclosed). Use of the right-of-way itself would have to be consistent with the enclosed *Guidelines*, as determined on application.

Hope this helps. Please be in touch if I may be of any assistance.

Yours very truly,

Walter H. Watt
Property Administrator

WHW/ww

info: Mr. S. Korpai, Crossings Coordinator, TNPI



TRANS-NORTHERN PIPELINES INC.
PIPELINE CROSSING GUIDELINES

TRANS-NORTHERN PIPELINES INC.

C O N T E N T S

Preamble

1. Legal Requirements
2. Trans-Northern's Right-of-Way No-Encroachment Policy
3. Management/Control of land Use Activity in Pipeline Right of Way and Easement
4. How to Apply for Trans-Northern Permission
5. When to Apply for National Energy Board Approval
6. Notification of Permission / Consent or Rejection
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8. Costs
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APPENDICES

- A. Pipeline Crossing Regulations, Part I
- B. Section 112, National Energy Board Act
- C. Technical and Drawing Requirements
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- F. Listing of Acceptable and Unacceptable Use of Pipeline ROW

National Energy Board Publication: Living and Working Near Pipelines, Landowner Guide
Supplementary Brochures

Preamble:

Please be advised that the pipeline contains refined petroleum products being transmitted under high pressure. Any damage sustained by the pipeline could result in *injury or death, as well as environmental contamination*. We caution you that in the event of any work taking place within 100 ft (30 m) of the pipeline easement, our office must be notified *in advance*. The pipeline(s) must be located in the field before commencement of any work and *an inspector must be present during construction* as required by Section 112 of the National Energy Board Act. These regulations are contained in the National Energy Board publication "Excavation and Construction Near Pipelines" and are provided in order to ensure that any activity near a pipeline is carried out in the safest possible manner.

The following publications are available for your use:

- TNPI "Contractor's Guidelines"
- TNPI "There is a Pipeline Nearby"
- NEB "Excavation and Construction Near Pipelines"
- NEB "Living and Working Near Pipelines, Landowner Guide"
- TNPI Subsurface (Tile) Drainage Crossing Guide
- TNPI Farm Activity and Pipeline Safety
- TNPI Protect Our Pipeline from Construction Damage
- TNPI Protecting People, Property and the Environment
- TNPI Pipeline Route Maps
- TNPI Pipeline Crossing Drawings.

1. LEGAL REQUIREMENTS

Trans-Northern Pipelines operates under the terms and conditions of the National Energy Board Act. Under Section 112 of the Act, the National Energy Board has issued Pipeline Crossing Regulations which apply to all construction activities affecting Trans-Northern's pipelines. As stipulated in these Regulations, the authority responsible for the construction or installation of facilities and any excavation across the pipeline or its right-of-way must obtain prior written permission from Trans-Northern and accept the conditions set out in such permission.

Trans-Northern has also obtained certain rights by grant of easement, to strips of land within which its pipelines are located. The terms and conditions of these agreements also prohibit any construction or excavation within the pipeline right-of-way without the Company's consent. As such, the rights acquired by an easement recognize that the operation and maintenance of the pipeline is the prime function.

To ensure both compliance with the aforementioned regulations and safe crossings of the pipelines, Trans-Northern issues written permission for all construction activities affecting its pipelines and easements. Not all activities are approved (see Clause 4).

2. TRANS-NORTHERN'S RIGHT-OF-WAY NO-ENCROACHMENT POLICY

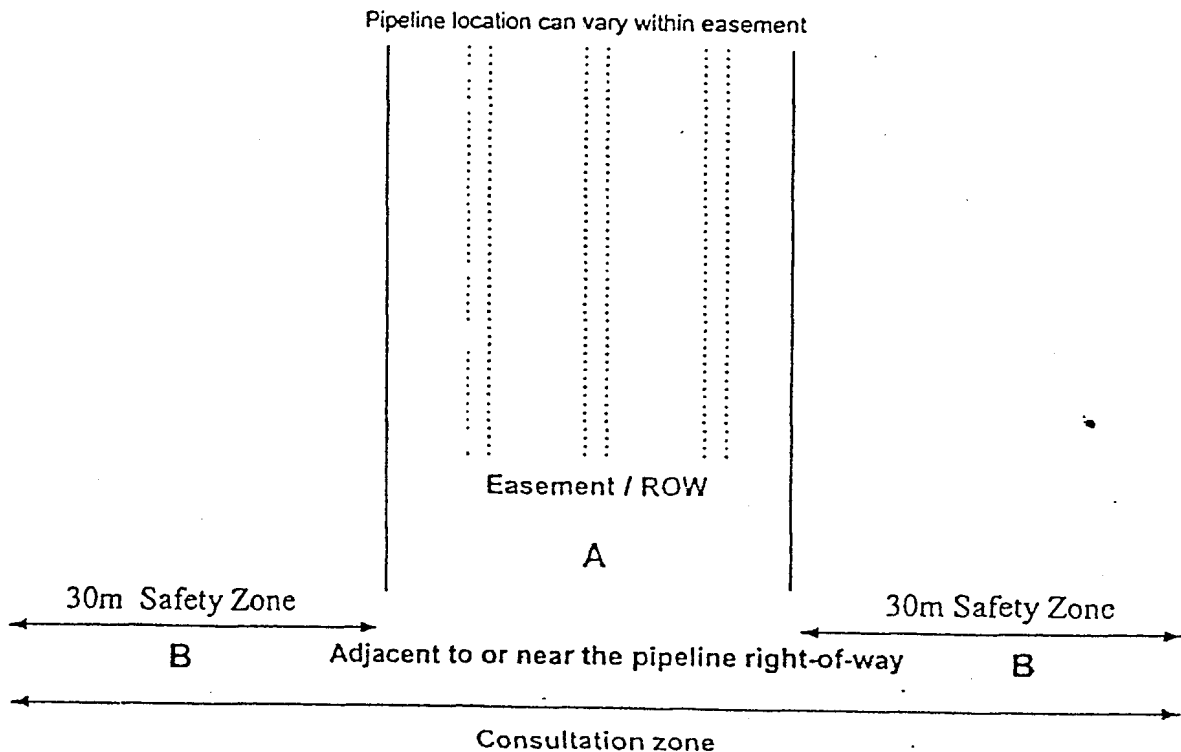
A right-of-way (ROW) is a defined strip of land on which Trans-Northern has the rights to construct, operate, and/or maintain a pipeline. Trans-Northern might own the ROW land outright or have acquired an easement from a landowner for specific use of the land. An easement is an acquired privilege or right, such as a right-of-way, afforded a person or company to make limited use of another person's or company's real property.

The pipeline right-of-way includes a specific width of surface area directly above the pipeline. The right-of-way should be wide enough to permit the pipeline operator reasonable access to maintain the pipeline.

Encroachment is used to describe a land use or activity that intrudes upon the rights of Trans-Northern as defined in the easement agreement. This usually entails an activity within the easement boundaries.

The figure below illustrates the areas in proximity to Trans-Northern's pipelines. The area marked as "A" is within the pipeline right-of-way. The areas marked as "B" are areas off the right-of-way

close enough to either host an activity which could be a threat to pipeline safety or be threatened by a pipeline failure (also called the 30m safety zone). The two areas together constitute the consultation zone (the zone in which it is advisable to involve Trans-Northern in land use decisions).



A typical right-of-way agreement or easement between Trans-Northern and a landowner can prohibit certain activities or developments outright or require permission of Trans-Northern. There are two primary reasons for restricting certain activities and development on rights-of-way:

1. To limit ground disturbances within pipeline rights-of-way; and
2. To ensure the right-of-way is clear of obstructions which might interfere with pipeline construction, maintenance or emergency response and to allow for above ground integrity surveys and surveillance.

For reasons of pipeline integrity, security, public safety and environmental protection, Trans-Northern limits the land use in its pipeline easements and restricts the change of depth of cover over the pipeline. It is Trans-Northern's policy not to allow encroachments on the right-of-way.

Examples of encroachments are:

- buildings, either temporary or permanent (including any overhang);
- fences parallel to the pipeline;
- retaining walls;
- paved parking lots;
- lighting poles / standards;
- golf course greens, tee boxes, sandtraps, parallel cart paths and sprinkler heads;
- patios, concrete slabs or decks;
- playground equipment, goal posts, tennis courts and swimming pools;
- storage of any kind;
- addition of fill or debris;
- agricultural tile drainage (except for headers at the limits of the easement) ;
- extensive landscaping, tall growth tree plantings, including canopy (more than 1.8 metres high).

(Please see Appendix F for a complete listing of acceptable and unacceptable activities on Trans-Northern's easement and ROW)

Installations which are allowed are confined to those which cross the pipeline at an angle of more than forty-five degrees (45°) and some surface works. Included are:

- utility crossings, open cut or bored;

- utility up-sizing by pipe bursting insertion;
- tile drainage headers and single tile crossings;
- open drainage ditches;
- ditch culverts;
- fences;
- roads, driveways and laneways;
- landscaping (non-extensive).

These installations must conform to the technical requirements of Section "C" of the Appendix to these guidelines

3 MANAGEMENT/CONTROL OF LAND USE ACTIVITY IN PIPELINE RIGHT OF WAY AND EASEMENT

Trans-Northern operates an inter-provincial pipeline system, and use of its rights-of-way must comply with the NEB Act and applicable regulation. Land uses which may be otherwise consistent with local planning or zoning by-laws must nevertheless be authorized in accordance with federal requirements and the applicable easement / ROW agreement.

Trans-Northern monitors compliance through regular air and ground patrols, and through periodic communication with groups most likely to engage in or observe activities on the right of way. Messages regarding the easement, its restrictions and related information are often conveyed as a part of information about the "Ontario One Call (On1 Call)" and "Info-Excavation" underground utility locating services. Target recipients include landowners, excavation/blasting contractors, developers, local governments, emergency responders, utilities, and irrigation contractors.

Trans-Northern may seek relief through the courts (if attempts to resolve encroachment issues are unsuccessful) to eliminate an encroachment or to halt an activity that interferes with its easement rights, or endangers the safety, security and protection of the pipeline, public and environment.

4. HOW TO APPLY FOR TRANS-NORTHERN PERMISSION

To obtain permission, the applicant must submit a written request to Trans-Northern's Engineering department. The request must be accompanied by three copies of a complete drawing of the proposed work(s). The drawing must be prepared in accordance with the minimum standards as listed in the accompanying Technical and Drawing Requirements. Trans-Northern may request complete contract drawings for proposals affecting an area of the pipeline. Such proposals would include but not be limited to subdivisions, grade separations and controlled access highways.

The drawings submitted must also indicate the location of the pipeline and right-of-way. This information may be obtained from Trans-Northern's Engineering Department by writing to:

Trans-Northern Pipelines Inc.
45 Vogell Road - Suite 310
Richmond Hill, Ontario
L4B 3P6

Attention: Co-ordinator, Crossings & Facilities

or by calling 905-770-3353, Ext. 211, Fax 905-770-8675.

A drawing, indicating the details pertaining to the pipeline location and right-of-way limits will be forwarded, if one is available. If the required pipeline information is not available, then a field survey may be required. In such instances, Trans-Northern will locate and excavate the pipeline for the applicant's surveyor. Prior to any pipeline excavation, all utilities in the area must be staked-out or cleared. This activity takes approximately four (4) weeks to complete. For this reason, Trans-Northern should be approached at the earliest possible date.

5. WHEN TO APPLY FOR NATIONAL ENERGY BOARD APPROVAL

The Applicant may petition the National Energy Board for leave to carry out construction activities if:

- 1) if the company refused to grant approval to the applicant for reasons of pipeline integrity, public safety or company policy;
- 2) the applicant feels that the conditions are excessive; or
- 3) the applicant cannot comply with the conditions set out in the company's permit.

An application must be filed with the National Energy Board by writing to:

Secretary
National Energy Board
444-Seventh Avenue S.W
Calgary, Alberta
T2P 0X8

Tel: (403) 299-2776, Fax (403) 292-5503

Leave of the Board is also required in cases where Trans-Northern suspends its permission and refuses to reinstate it.

6. NOTIFICATION OF PERMISSION / CONSENT OR REJECTION

Upon receipt of a written request for permission, Trans-Northern will issue a decision within ten business days.

Facilities not in compliance with these Guidelines or TNPI Encroachment Policy will be rejected.

Trans-Northern will return incomplete submissions and drawings together with an explanation of the required alterations or additions.

The Company's written permission shall remain in effect for a two-year period from the date of issue, and is in the form of a permit. After that period, an extension must be applied for within two (2) months if the work has not been completed, otherwise the permit will expire.

A copy of the company's permit and the approved drawing(s) must be kept on site by the applicant, during the course of construction.

A copy of "TNPI's Contractor's Guidelines" will accompany the Company's permit.

7. NOTIFICATION OF COMMENCEMENT OF CONSTRUCTION

The exact location of the pipeline(s) and easement limits must be marked in the field by a Trans-Northern inspector before any construction commences. To schedule an inspection, call the Maintenance office specified in the company's permit at least three business days before the start of construction and refer to the company's permit number.

Prior to any construction near the Company's pipeline(s), the Company inspector will insist that all other utility locates have been completed or cleared.

8. COSTS

Notwithstanding existing agreements, all work consisting of realigning, raising or lowering of Trans-Northern's pipeline or the addition of casing or other appurtenances thereto, shall be performed by Trans-Northern and all costs and expenses of such work including any justifiable economic losses resulting from any shutdown of the pipeline or any other consequential loss directly attributable to such work shall be borne and paid for by the Applicant upon receipt of an invoice from Trans-Northern, showing in reasonable detail the particulars of such costs, losses and expenses.

Trans-Northern may also elect to recover the amount of the wages and expenses of its inspector from the Applicant upon submitting an invoice showing in reasonable detail the particulars of such wages and expenses. In addition, Trans-Northern may require a cathodic protection test station (for metallic utility crossings only) to mitigate against corrosion. In such cases, Trans-Northern will invoice the Applicant for such works (see reference drawing CP-1005 in Appendix "E").

There are no fees associated with the assessment and processing of crossing applications.

9 UNAUTHORIZED CROSSINGS/CONSTRUCTION ACTIVITY AND ENCROACHMENTS

Crossings, construction activities and encroachments which require Trans-Northern's prior consent and/or approval, carried out without Trans-Northern's knowledge and approval, or crossings/activities and encroachments which are not permitted by Trans-Northern are considered unauthorized.

All unauthorized crossings/activities and encroachments are reported to the National Energy Board pursuant to Part II, Section 13 of the National Energy Board Act, and those taking place in Ontario may also be reported to the Technical Standards and Safety Authority for further investigation. Technical Standards and Safety Authority may lay charges on those parties involved in unauthorized pipeline crossings/activities.

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9/11/88 Canada Gazette Part II, Vol. 122, No. 23

Gazette du Canada Partie II, Vol. 122, N° 23 SOR/DORS/88-528

Registration
SOR/88-528 18 October, 1988

Enregistrement
DORS/88-528 18 octobre 1988

NATIONAL ENERGY BOARD ACT

LOI SUR L'OFFICE NATIONAL DE L'ÉNERGIE

National Energy Board Pipeline Crossing
Regulations, Part I

Règlement de l'Office national de l'énergie sur le
croisement de pipe-lines, partie I

The National Energy Board, pursuant to subsection 77(2)* of the National Energy Board Act, hereby makes the annexed Regulations respecting leave for crossings of pipelines.

En vertu du paragraphe 77(2)* de la Loi sur l'Office national de l'énergie, l'Office national de l'énergie prend le Règlement concernant le croisement de pipe-lines, ci-après.

Ottawa, October 17, 1988

Ottawa, le 17 octobre 1988

REGULATIONS RESPECTING LEAVE FOR CROSS-
INGS OF PIPELINES

RÈGLEMENT CONCERNANT LE CROISEMENT DE
PIPE-LINES

Short Title

Titre abrégé

1. These Regulations may be cited as the *National Energy Board Pipeline Crossing Regulations, Part I*.

1. Règlement de l'Office national de l'énergie sur le croisement de pipe-lines, partie I.

Interpretation

Définitions

2. In these Regulations,

2. Les définitions qui suivent s'appliquent au présent règlement.

"Act" means the *National Energy Board Act*; (*Loi*)

"autorisation" Selon le cas, le consentement de l'Office en vertu du paragraphe 77(1) ou l'autorisation de l'Office en vertu du paragraphe 77(1.1) de la Loi; (*leave*)

"emergency" means an unexpected situation that could endanger life or cause substantial property or environmental damage and that requires immediate action; (*urgence*)

"conduite" Une conduite et tous ses accessoires qui sont la propriété d'une compagnie pipelinère et qui servent à la transmission des hydrocarbures par un pipe-line; (*pipe*)

"excavation" means any disturbance of the ground in the vicinity of a pipe; (*travaux d'excavation*)

"endroit au large des côtes" Toute zone sous-marine adjacente à la côte canadienne; (*offshore area*)

"excavator" means the person who performs an excavation and includes the corporation or other legal entity and every agent, affiliate and subcontractor of the corporation or other legal entity, that has direct control over the person performing the excavation; (*exécutant de travaux d'excavation*)

"exécutant de travaux d'excavation" Personne qui effectue des travaux d'excavation, y compris la société ou toute autre personne morale ou tout agent, affilié ou sous-traitant de celle-ci qui exerce un contrôle direct sur la personne effectuant les travaux d'excavation; (*excavator*)

"facility" means

"installation"

(a) any structure that is constructed or placed on the right-of-way of a pipeline; and

a) Structure construite ou placée sur l'emprise d'un pipe-line;

(b) any highway, private road, railway, irrigation ditch, drain, drainage system, sewer, dike, telegraph, telephone line or line for the transmission of hydrocarbons, power or any other substance that is or is to be carried across, along, upon or under any pipeline; (*installation*)

b) voie publique, chemin privé, chemin de fer, fossé d'irrigation, drain ou fossé d'écoulement, système de drainage, égout, digue, ligne télégraphique ou téléphonique ou ligne ou canalisation pour la transmission d'hydrocarbures, de force motrice ou de quelque autre substance, qui traverse ou est censé traverser un pipe-line ou qui se trouve ou est censé se trouver sur ou sous un pipe-line ou le long de celui-ci; (*facility*)

"facility owner" means a person, firm, public agency, corporation or any combination thereof that owns a facility or that undertakes or has control over one or more of the activities related to construction, installation, operation, maintenance or removal of a facility; (*propriétaire d'installation*)

"ligne aérienne" Ligne téléphonique ou télégraphique ou ligne de télécommunications ou de transport d'énergie électrique installée au-dessus du sol ou toute combinaison de ces lignes; (*overhead line*)

"leave" means the leave of the Board referred to in subsections 77(1) or (1.1) of the Act; (*autorisation*)

"Loi" La Loi sur l'Office national de l'énergie; (*Act*)

"offshore area" means the submarine areas adjacent to the coast of Canada; (*endroit au large des côtes*)

"overhead line" means an above-ground telephone, telegraph, telecommunication or electric power line or any combination thereof; (*ligne aérienne*)

* S.C. 1960-11-42-43, c. 116, s. 21

* S.C. 1960-11-11-41, c. 114, s. 21

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"permission" means the consent given by a pipeline company to a facility owner or excavator to construct or install a facility or to excavate; (*permission*)

"pipe" means the pipe and all related appurtenances that belong to a pipeline company and that are used in the transmission of hydrocarbons through a pipeline; (*conduite*)

"restricted area" means an area situated in the vicinity of any proposed construction, installation or excavation, independent of the pipeline right-of-way, that has been temporarily designated by the pipeline company pursuant to paragraph 9(1)(b) of the National Energy Board Pipeline Crossing Regulations, Part II as an area within which no excavation may be performed until the pipeline company's pipes in that area have been located and properly staked. (*zone interdite*)

"permission" Le consentement accordé par une compagnie pipelinière au propriétaire d'installation ou à l'exécutant de travaux d'excavation pour procéder à la construction ou à l'aménagement d'une installation ou à l'exécution de travaux d'excavation. (*permission*)

"propriétaire d'installation" Personne, entreprise, organisme public ou société, ou tout groupement de ceux-ci, qui possède une installation ou qui entreprend ou contrôle une ou plusieurs des activités liées à la construction, à l'aménagement, à l'exploitation, à l'entretien ou à l'enlèvement d'une installation. (*facility owner*)

"travaux d'excavation" Tout déplacement du sol à proximité d'une conduite. (*excavation*)

"urgence" Toute situation imprévue qui pourrait mettre la vie en danger ou causer des dommages importants à des biens ou à l'environnement et qui nécessite une intervention immédiate. (*emergency*)

"zone interdite" Zone située à proximité du lieu d'exécution des travaux d'excavation, de construction ou d'aménagement proposés, sans égard à l'emprise du pipe-line et que la compagnie pipelinière a désignée provisoirement en application de l'alinéa 9(1)b) du Règlement de l'Office national de l'énergie sur le croisement de pipe-lines, partie II comme zone où les travaux d'excavation sont interdits jusqu'à ce que ses conduites aient été repérées et dûment jalonnées. (*restricted area*)

Application

3. These Regulations do not apply to an excavation caused by

- (a) a pipeline company or its agents; or
- (b) activities, other than the construction or installation of a facility, that disturb less than three tenths of a metre of ground below the initial grade and do not reduce the total cover over the pipe.

Conditions and Circumstances Under Which Leave of the Board Is not Required

4. Unless otherwise ordered by the Board, leave of the Board is not required for any construction or installation of a facility, other than the installation of an overhead line referred to in section 5, if

- (a) the construction or installation of the facility takes place in an area other than an offshore area;
- (b) the facility owner obtains written permission from the pipeline company prior to the construction or installation of the facility and accepts any conditions set out in the permission;
- (c) the facility owner ensures that the work is carried out in accordance with the technical details that are set out in its request for permission that have been accepted by the pipeline company;
- (d) the facility owner ensures that the work is completed within two years after the date the permission referred to in paragraph (b) is granted or within a period otherwise agreed on by the pipeline company and the facility owner;

Application

3. Sont exclus de l'application du présent règlement :

- a) les travaux d'excavation entrepris par une compagnie pipelinière ou ses agents;
- b) les travaux d'excavation découlant d'activités, autres que la construction ou l'aménagement d'une installation, qui occasionnent un déplacement de sol inférieur à 0,3 m au-dessous du niveau initial du sol et qui ne réduisent pas le remblayage total au-dessus de la conduite.

Circumstances et conditions selon lesquelles l'autorisation de l'Office n'est pas nécessaire

4. À moins d'ordonnance contraire de l'Office, l'autorisation de celui-ci n'est pas nécessaire pour la construction ou l'aménagement d'une installation, sauf l'installation d'une ligne aérienne visée à l'article 5, lorsque :

- a) l'installation est construite ou installée ailleurs que dans un endroit au large des côtes;
- b) le propriétaire de l'installation obtient au préalable la permission écrite de la compagnie pipelinière et accepte de respecter les conditions qui y sont énoncées;
- c) il s'assure que les travaux sont effectués conformément aux modalités techniques énoncées dans la demande de permission et acceptées par la compagnie pipelinière;
- d) il s'assure que les travaux sont achevés dans les deux ans suivant la date de l'octroi de la permission visée à l'alinéa b) ou dans le délai dont lui et la compagnie pipelinière conviennent;
- e) il interrompt les travaux si la permission est suspendue par la compagnie pipelinière en application du paragraphe

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- (e) where permission is suspended by the pipeline company in accordance with subsection 14(1) of the *National Energy Board Pipeline Crossing Regulations, Part II*, the facility owner ceases work;
- (f) unless otherwise agreed on by the pipeline company and the facility owner and except in cases of emergency, three working days notice is given by the facility owner to the pipeline company prior to commencement of construction or installation of the facility;
- (g) in the case of an emergency, as much prior notice as is practicable is given by the facility owner to the pipeline company prior to commencement of construction or installation of the facility;
- (h) the facility owner undertakes and complies with all practices stipulated by the pipeline company to the facility owner to lessen any detrimental effect that the facility may have on a pipe;
- (i) prior to the construction or installation of the facility, the facility owner
- (i) confirms with the pipeline company that all the pipeline company's pipes in the vicinity have been staked, and
 - (ii) ensures that the pipeline company has explained, to the satisfaction of the facility owner, the significance of the stakes that identify the location of the pipeline company's pipes;
- (j) the facility owner complies with the instructions of an authorized field representative of the pipeline company regarding the procedures to be followed while working in the vicinity of a pipe;
- (k) where interference with or alteration of a pipe is necessary, the facility owner obtains prior written consent of the pipeline company;
- (l) where the facility owner receives the consent referred to in paragraph (k), the work is carried out under the supervision of the pipeline company;
- (m) the facility owner immediately notifies the pipeline company of any contact with a pipeline company's pipe or its coating;
- (n) the facility owner maintains the facility in a state of good repair compatible with the safety of the pipeline and immediately corrects any deterioration in the facility on being informed in writing by the pipeline company pursuant to subsection 15(1) of the *National Energy Board Pipeline Crossing Regulations, Part II*, except where, unless otherwise ordered by the Board,
- (i) the facility owner provides the pipeline company with a written undertaking executed by a third party whereby the third party agrees to assume the responsibility for maintaining the facility, or
 - (ii) the facility has been removed or abandoned and the site restored to the satisfaction of the pipeline company;
- (o) the facility owner notifies the pipeline company, in writing, of the proposed abandonment or removal of any facility affecting a pipe or right-of-way of the pipeline; and
- (p) the facility owner removes or alters any facility that, in the opinion of the Board, could impede the safe and efficient operation of the pipeline, or that the Board for other reasons considers should be removed or altered.

14(1) du *Règlement de l'Office national de l'énergie sur le croisement de pipe-lines, partie II*;

f) il donne à la compagnie pipelinière un préavis de trois jours ouvrables avant le début des travaux de construction ou d'aménagement, sauf dans les cas où lui et la compagnie en conviennent autrement et dans les cas d'urgence;

g) dans les cas d'urgence, il donne à la compagnie pipelinière le plus long préavis possible avant le début des travaux de construction ou d'aménagement;

h) il prend toutes les mesures spécifiées par la compagnie pipelinière pour atténuer les conséquences néfastes que l'installation pourrait avoir sur la conduite;

i) avant le début des travaux de construction ou d'aménagement :

- (i) il obtient de la compagnie pipelinière la confirmation que toutes les conduites de celle-ci se trouvant à proximité du lieu des travaux sont jalonnées;

- (ii) il s'assure que la compagnie pipelinière lui explique, d'une manière qu'il juge satisfaisante, la signification des jalons servant à indiquer l'emplacement des conduites de celle-ci;

j) il observe les instructions données par le représentant autorisé de la compagnie pipelinière sur le chantier en ce qui concerne les procédures à suivre pendant l'exécution de travaux à proximité d'une conduite;

k) il obtient au préalable le consentement écrit de la compagnie pipelinière dans les cas où les travaux de construction ou d'aménagement ne peuvent se faire sans que la conduite soit perturbée ou modifiée;

l) les travaux pour lesquels il obtient le consentement visé à l'alinéa k) se font sous la surveillance de la compagnie pipelinière;

m) en cas de contact, au cours des travaux, avec une conduite de la compagnie pipelinière ou avec son revêtement, il en avise immédiatement la compagnie pipelinière;

n) il maintient l'installation en bon état de manière à ne pas compromettre la sécurité du pipe-line et remédie immédiatement à toute détérioration de l'installation dès qu'il en est avisé par écrit par la compagnie pipelinière conformément au paragraphe 15(1) du *Règlement de l'Office national de l'énergie sur le croisement de pipe-lines, partie II*, sauf dans les cas où, à moins d'ordonnance contraire de l'Office :

- (i) il remet à la compagnie pipelinière la promesse écrite d'un tiers qui s'engage à assumer la responsabilité de l'entretien de l'installation, ou

- (ii) l'installation est calvée ou abandonnée et les lieux sont remis en état à la satisfaction de la compagnie pipelinière;

o) il avise par écrit la compagnie pipelinière de tout projet d'abandon ou d'enlèvement d'une installation touchant une conduite ou l'emprise du pipe-line;

p) il calève ou modifie toute installation qui, de l'avis de l'Office, pourrait nuire à l'exploitation sûre et efficace du pipe-line, ou qui, d'après l'Office, doit être calvée ou modifiée pour d'autres raisons.

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5. Leave of the Board is not required for the installation of an overhead line across a pipeline if

- (a) unless otherwise agreed on by the pipeline company and the facility owner and except in cases of emergency, three working days notice is given by the facility owner to the pipeline company prior to commencement of installation;
- (b) in the case of an emergency, as much prior notice as is practicable is given by the facility owner to the pipeline company prior to commencement of installation;
- (c) the overhead line is installed in accordance with the minimum ground-to-wire clearance established by the Canadian Standards Association Standard CAN/CSA-C22.3 No. 1-M87, *Overhead Systems*, April 1987;
- (d) where the pipeline is patrolled by aircraft, aerial warning devices are installed and properly maintained by the facility owner at the request of the pipeline company; and
- (e) no poles, pylons, towers, guys, anchors or supporting structures of any kind are constructed or placed on the right-of-way of the pipeline or within its projected limits.

6. Leave of the Board is not required for an excavation, other than an excavation referred to in section 7, if

- (a) the excavation takes place in an area other than an offshore area;
- (b) the excavator obtains written permission from the pipeline company prior to the excavation and accepts any conditions set out in the permission;
- (c) the excavator ensures that the work is carried out in accordance with the technical details that are set out in its request for permission that have been accepted by the pipeline company;
- (d) the excavator ensures that the work is completed within two years after the date the permission referred to in paragraph (b) is granted or within a period otherwise agreed on by the pipeline company and the excavator;
- (e) where permission is suspended by the pipeline company in accordance with subsection 14(1) of the *National Energy Board Pipeline Crossing Regulations, Part II*, the excavator ceases work;
- (f) unless otherwise agreed on by the pipeline company and the excavator and except in cases of emergency, three working days notice is given by the excavator to the pipeline company prior to commencement of the excavation;
- (g) in the case of an emergency, as much prior notice as is practicable is given by the excavator to the pipeline company prior to commencement of the excavation;
- (h) prior to commencement of the excavation, the excavator
 - (i) confirms with the pipeline company that all the pipeline company's pipes in the vicinity have been staked, and
 - (ii) ensures that the pipeline company explains, to the satisfaction of the excavator, the significance of the stakes that identify the location of the pipeline company's pipes;
- (i) the excavator does not excavate mechanically within a restricted area;

5. L'autorisation de l'Office n'est pas nécessaire pour l'installation d'une ligne aérienne au-dessus d'un pipe-line lorsque :

- a) le propriétaire d'installation donne un préavis de trois jours ouvrables à la compagnie pipelinrière avant le début des travaux d'installation; sauf dans les cas où la compagnie pipelinrière et le propriétaire de l'installation en conviennent autrement et dans les cas d'urgence;
- b) dans les cas d'urgence, le propriétaire d'installation donne à la compagnie pipelinrière le plus long préavis possible avant le début des travaux d'installation;
- c) la ligne aérienne est installée conformément aux exigences minimales de hauteur libre entre le sol et les fils que stipule la norme CAN/CSA-C22.3 n° 1-M87 de l'Association canadienne de normalisation, intitulée «Overhead Systems», en date d'avril 1987;
- d) lorsque le pipe-line fait l'objet d'une patrouille aérienne, des balises aériennes sont installées et adéquatement entretenues par le propriétaire d'installation à la demande de la compagnie pipelinrière;
- e) aucun poteau, pylône, tour, hauban, ancrage ou structure de soutien de quelque type que ce soit n'est construit ni placé à l'intérieur de l'emprise du pipe-line ou à l'intérieur du prolongement de ses limites.

6. L'autorisation de l'Office n'est pas nécessaire pour l'exécution de travaux d'excavation, autres que ceux visés à l'article 7, lorsque :

- a) les travaux d'excavation sont effectués ailleurs que dans un endroit situé au large des côtes;
- b) l'exécutant de travaux d'excavation obtient au préalable la permission écrite de la compagnie pipelinrière et accepte de respecter les conditions qui y sont énoncées;
- c) il s'assure que les travaux sont effectués conformément aux modalités techniques énoncées dans la demande de permission et acceptées par la compagnie pipelinrière;
- d) il s'assure que les travaux sont achevés dans les deux ans suivant la date d'octroi de la permission visée à l'alinéa b) ou dans le délai dont lui et la compagnie pipelinrière conviennent;
- e) il interrompt les travaux si la permission est suspendue par la compagnie pipelinrière en application du paragraphe 14(1) du *Règlement de l'Office national de l'énergie sur le croisement de pipe-lines, partie II*;
- f) il donne à la compagnie pipelinrière un préavis de trois jours ouvrables, avant le début des travaux d'excavation, sauf dans les cas où lui et la compagnie pipelinrière en conviennent autrement et dans les cas d'urgence;
- g) dans les cas d'urgence, il donne à la compagnie pipelinrière le plus long préavis possible avant le début des travaux d'excavation;
- h) avant le début des travaux d'excavation, il :
 - (i) obtient de la compagnie pipelinrière la confirmation que toutes les conduites de celle-ci se trouvant à proximité du lieu des travaux sont jalonnées;
 - (ii) s'assure que la compagnie pipelinrière lui explique, d'une manière qu'il juge satisfaisante, la signification des jalons servant à indiquer l'emplacement des conduites de celle-ci;

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(j) the excavator does not excavate mechanically within three metres of a pipe unless

(i) the pipe has been exposed by hand at the point of crossing or where the excavation runs parallel to the pipe, at sufficient intervals to confirm the location of the pipe,

(ii) where the excavation crosses a pipe, the pipeline company has informed the excavator that it has confirmed the location of the pipe by probing and the pipe is at least six tenths of a metre deeper than the proposed excavation,

(iii) where the excavation runs parallel to the pipe, the pipeline company has informed the excavator that it has confirmed the location of the pipe by probing, or

(iv) where ground conditions render exposure of the pipe by hand impractical, the pipeline company has agreed that the excavation may be performed safely to within one metre of the pipe and the pipeline company directly supervises the excavation;

(k) when boring directionally or using explosives, unless otherwise authorized by the Board, the excavator complies with the conditions imposed by the pipeline company respecting directional boring or the use of explosives;

(l) the excavator complies with the instructions of an authorized field representative of the pipeline company regarding the procedures to be followed while working in the vicinity of a pipe;

(m) where interference with or alteration of a pipe is necessary, the excavator obtains prior written consent of the pipeline company;

(n) where the excavator receives the consent referred to in paragraph (m), the work is carried out under the supervision of the pipeline company;

(o) the excavator immediately notifies the pipeline company of any contact with the pipeline company's pipe or its coating; and

(p) unless otherwise agreed on by the pipeline company and the excavator, the excavator notifies the pipeline company at least 24 hours prior to backfilling over the pipe.

7. Leave of the Board is not required for an excavation required for the maintenance of an existing facility if the circumstances and conditions set out in paragraphs 6(f) to (p) are met.

N.B. The Regulatory Impact Analysis Statement for these Regulations, appears at p. 4410, following SOR/88-529.

f) il ne procède pas à des travaux d'excavation mécaniques dans une zone interdite;

f) il ne procède pas à des travaux d'excavation mécaniques en deçà de trois mètres d'une conduite, sauf si, selon le cas :

(i) la conduite a été mise à nu manuellement au point de croisement ou, si les travaux d'excavation se font sur un plan parallèle à la conduite, à des intervalles suffisants pour permettre la vérification de son emplacement,

(ii) lorsque les travaux d'excavation se font en travers de la conduite, la compagnie pipelinière l'a informé qu'elle a repéré la conduite par sondage et que celle-ci est enfouie à au moins 0,6 m au-dessous du niveau du sol jusqu'où les travaux d'excavation seront effectués,

(iii) si les travaux d'excavation sont effectués sur un plan parallèle à une conduite, la compagnie pipelinière l'a informé qu'elle a vérifié l'emplacement de la conduite par sondage,

(iv) lorsque les conditions du sol ne permettent pas que la conduite soit mise à nu manuellement, la compagnie pipelinière a convenu que les travaux peuvent être effectués en toute sécurité jusqu'à 1 m de la conduite, sous la surveillance directe de la compagnie pipelinière;

k) à moins d'autorisation contraire de l'Office, lorsque l'exécutant de travaux d'excavation effectue un forage directionnel ou utilise des explosifs, il respecte les conditions imposées par la compagnie pipelinière à cet égard;

l) il observe les instructions données par le représentant autorisé de la compagnie pipelinière sur le chantier en ce qui concerne les procédures à suivre pendant l'exécution de travaux à proximité de la conduite;

m) il obtient au préalable le consentement écrit de la compagnie pipelinière, dans les cas où les travaux d'excavation ne peuvent se faire sans que la conduite soit perturbée ou modifiée;

n) les travaux pour lesquels il obtient le consentement visé à l'alinéa m) se font sous la surveillance de la compagnie pipelinière;

o) en cas de contact, au cours des travaux, avec une conduite de la compagnie pipelinière ou avec son revêtement, il en avise immédiatement la compagnie pipelinière;

p) il donne à la compagnie pipelinière un préavis d'au moins 24 heures avant de remblayer la conduite, sauf dans les cas où lui et la compagnie pipelinière en conviennent autrement.

7. L'autorisation de l'Office n'est pas nécessaire pour l'exécution de travaux d'excavation qu'exige l'entretien d'une installation existante lorsque les conditions visées aux paragraphes 6f) à p) sont respectées.

N.B. Le résumé de l'étude d'impact de la réglementation de ce règlement se trouve à la page 4410, suite au DORS/88-529.

30/11/94 Supplement to the Canada Gazette Part II, Vol. 128, No. 24

Supplément à la Gazette du Canada Partie II, Vol. 128, N° 24 SOR/DORS/94-704

Registration
SOR/94-704 7 November, 1994

Enregistrement
DORS/94-704 7 novembre 1994

NATIONAL ENERGY BOARD ACT

LOI SUR L'OFFICE NATIONAL DE L'ÉNERGIE

National Energy Board Pipeline Crossing
Regulations, Part I, amendment

Règlement de l'Office national de l'énergie sur
le croisement de pipe-lines, partie I—
Modification

The National Energy Board, pursuant to subsection 112(5)* of the National Energy Board Act, hereby amends the National Energy Board Pipeline Crossing Regulations, Part I, made on October 17, 1988**, in accordance with the schedule hereto.

En vertu du paragraphe 112(5)* de la Loi sur l'Office national de l'énergie, l'Office national de l'énergie modifie, conformément à l'annexe ci-après, le Règlement de l'Office national de l'énergie sur le croisement de pipe-lines, partie I, pris le 17 octobre 1988**.

Calgary, Alberta, October 6, 1994

Calgary (Alberta), le 6 octobre 1994

SCHEDULE

1. Section 9¹ of the *National Energy Board Pipeline Crossing Regulations, Part I* is repealed.

ANNEXE

1. L'article 9¹ du *Règlement de l'Office national de l'énergie sur le croisement de pipe-lines, partie I* est abrogé.

* S.C. 1990, c. 7, s. 28

** SOR/88-528, 1988 *Canada Gazette* Part II, p. 4400

¹ SOR/93-239, 1993 *Canada Gazette* Part II, p. 2470

* L.C. 1990, ch. 7, art. 28

** DORS/88-528, *Gazette du Canada* Partie II, 1988, p. 4400

¹ DORS/93-239, *Gazette du Canada* Partie II, 1993, p. 2470

19/3/97 *Canada Gazette Part II, Vol. 131, No. 6**Gazette du Canada Partie II, Vol. 131, N° 6* SOR/DORS/97-128Registration
SOR/97-128 26 February, 1997Enregistrement
DORS/97-128 26 février 1997

NATIONAL ENERGY BOARD ACT

LOI SUR L'OFFICE NATIONAL DE L'ÉNERGIE

Regulations Amending the National Energy Board
Pipeline Crossing Regulations, Part IRèglement modifiant le Règlement de l'Office
national de l'énergie sur le croisement de pipe-
lines, partie I

The National Energy Board, pursuant to subsection 112(5)¹ of the *National Energy Board Act*, hereby makes the annexed *Regulations Amending the National Energy Board Pipeline Crossing Regulations, Part I*.

Calgary, Alberta, February 21, 1997

En vertu du paragraphe 112(5)¹ de la *Loi sur l'Office national de l'énergie*, l'Office national de l'énergie prend le *Règlement modifiant le Règlement de l'Office national de l'énergie sur le croisement de pipe-lines, partie I*, ci-après.

Calgary (Alberta), le 21 février 1997

REGULATIONS AMENDING THE NATIONAL ENERGY
BOARD PIPELINE CROSSING REGULATIONS, PART IRÈGLEMENT MODIFIANT LE RÈGLEMENT DE
L'OFFICE NATIONAL DE L'ÉNERGIE SUR LE
CROISEMENT DE PIPE-LINES, PARTIE I

AMENDMENT

MODIFICATION

1. The portion of section 4 of the *National Energy Board Pipeline Crossing Regulations, Part I*¹ before paragraph (a) is replaced by the following:

1. Le passage de l'article 4 précédant l'alinéa a) du *Règlement de l'Office national de l'énergie sur le croisement de pipe-lines, partie I*¹ est remplacé par ce qui suit :

4. Leave of the Board is not required for any construction or installation of a facility, other than the installation of an overhead line referred to in section 5, if

4. L'autorisation de l'Office n'est pas nécessaire pour la construction ou l'aménagement d'une installation, sauf l'installation d'une ligne aérienne visée à l'article 5, lorsque :

COMING INTO FORCE

ENTRÉE EN VIGUEUR

2. These Regulations come into force on February 26, 1997.

2. Le présent règlement entre en vigueur le 26 février 1997.

REGULATORY IMPACT
ANALYSIS STATEMENTRÉSUMÉ DE L'ÉTUDE D'IMPACT
DE LA RÉGLEMENTATION

(This statement is not part of the Regulations.)

(Ce résumé ne fait pas partie du règlement.)

Description

Description

The amendment to these Regulations correct non-substantive problems identified by the Standing Joint Committee for the Scrutiny of Regulations:

La modification du règlement corrige des problèmes de forme relevés par le Comité mixte permanent d'examen de la réglementation :

—section 4 of the *National Energy Board Pipeline Crossing Regulations, Part I* has the effect of converting a legislative discretion into an administrative power.

—l'article 4 du *Règlement de l'Office national de l'énergie sur le croisement de pipe-lines, partie I* a pour effet de transformer une autonomie législative en pouvoir administratif.

It is expected that these changes will have little impact on Canadians. The miscellaneous amendments regulations were developed to streamline the regulatory process as well as to reduce costs.

La modification devrait avoir un impact minimal sur les Canadiens. Le Règlement correctif a été élaboré pour simplifier le processus de réglementation et réduire les coûts.

¹ S.C. 1990, c. 7, s. 28
¹ SOR/88-328

¹ L.C. 1990, ch. 7, art. 28
¹ DORS/88-328

19/3/97 *Canada Gazette Part II, Vol. 131, No. 6**Gazette du Canada Partie II, Vol. 131, N° 6* SOR/DORS/97-128**Contact**

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2000-02-02 Canada Gazette Part II, Vol. 134, No. 3

Gazette du Canada Partie II, Vol. 134, n° 3 SOR/DORS/2000-39

Registration
SOR/2000-39 18 January, 2000

Enregistrement
DORS/2000-39 18 janvier 2000

NATIONAL ENERGY BOARD ACT

LOI SUR L'OFFICE NATIONAL DE L'ÉNERGIE

Regulations Amending the National Energy Board
Pipeline Crossing Regulations, Part I
(Miscellaneous Program)

Règlement correctif visant le Règlement de l'Office
national de l'énergie sur le croisement de pipe-
lines, partie I

The National Energy Board, pursuant to subsections 112(5)^a
and (5.1)^b of the *National Energy Board Act*, hereby makes the
annexed *Regulations Amending the National Energy Board Pipe-
line Crossing Regulations, Part I (Miscellaneous Program)*.

En vertu des paragraphes 112(5)^a et (5.1)^b de la *Loi sur l'Office
national de l'énergie*, l'Office national de l'énergie prend le *Rè-
glement correctif visant le Règlement de l'Office national de
l'énergie sur le croisement de pipe-lines, partie I*, ci-après.

Calgary, Alberta, January 17, 2000

Calgary (Alberta), le 17 janvier 2000

REGULATIONS AMENDING THE NATIONAL ENERGY
BOARD PIPELINE CROSSING REGULATIONS, PART I
(MISCELLANEOUS PROGRAM)

RÈGLEMENT CORRECTIF VISANT LE RÈGLEMENT
DE L'OFFICE NATIONAL DE L'ÉNERGIE SUR LE
CROISEMENT DE PIPE-LINES, PARTIE I

AMENDMENTS

MODIFICATIONS

1. The definitions "leave" and "restricted area" in section 2
of the *National Energy Board Pipeline Crossing Regulations*,
Part I, are replaced by the following:

1. Les définitions de « autorisation » et « zone interdite », à
l'article 2 du *Règlement de l'Office national de l'énergie sur le
croisement de pipe-lines, partie I*, sont respectivement rempla-
cées par ce qui suit :

"leave" means the leave of the Board, referred to in subsec-
tion 112(1) of the Act; (autorisation)

« autorisation » Autorisation de l'Office visée au para-
graphe 112(1) de la Loi. (leave)

"restricted area" means an area designated under section 9. (zone
interdite)

« zone interdite » Zone désignée en application de l'article 9.
(restricted area)

2. The Regulations are amended by adding the following af-
ter section 8:

2. Le même règlement est modifié par adjonction, après
l'article 8, de ce qui suit :

9. When a pipeline company receives a request from a facility
owner or an excavator to locate its pipes, the pipeline company
may designate an area situated in the vicinity of the proposed
facility or excavation, which may extend beyond 30 m from the
pipeline, as a restricted area in which no excavation may be per-
formed until the pipes are located and marked by the pipeline
company or the expiry of three working days after the date of the
request, whichever occurs first, unless the pipeline company and
the facility owner or excavator have agreed on an extension of
time for the pipeline company to locate and mark the pipes.

9. Si une compagnie pipelinère reçoit du propriétaire
d'installation ou de l'exécutant de travaux d'excavation une de-
mande en vue d'indiquer l'emplacement de ses conduites, elle
peut désigner une zone interdite située à proximité du lieu propo-
sé de l'installation ou des travaux d'excavation, pouvant
s'étendre au-delà de 30 m du pipe-line, à l'intérieur de laquelle
les travaux d'excavation sont interdits jusqu'à ce qu'elle ait indi-
qué et marqué l'emplacement de ses conduites ou jusqu'à
l'expiration d'un délai de trois jours ouvrables suivant la date de
la demande, selon le premier de ces événements à survenir, à
moins qu'elle ne convienne avec le propriétaire ou l'exécutant, un
délai plus long pour indiquer et marquer l'emplacement de ses
conduites.

COMING INTO FORCE

ENTRÉE EN VIGUEUR

3. These Regulations come into force on the day on which
they are registered.

3. Le présent règlement entre en vigueur à la date de son
enregistrement.

^a S.C. 1990, c. 7, s. 25
^b S.C. 1999, c. 31, s. 167
SOR/98-528

^a L.C. 1990, ch. 7, art. 25
^b L.C. 1999, ch. 31, art. 167
DORS/98-528

2000-02-02 *Canada Gazette Part II, Vol. 134, No. 3* *Gazette du Canada Partie II, Vol. 134, n° 3* SOR/DORS/2000-39REGULATORY IMPACT
ANALYSIS STATEMENT

(This statement is not part of the Regulations.)

Description

The amendment to these Regulations correct non-substantive problems identified by the National Energy Board:

- The Board notes that a cross-reference in the definition of "restricted area" will cease to be accurate following an amendment to the *National Energy Board Pipeline Crossing Regulations, Part II*. Accordingly, the Board has made this amendment to ensure that the correct reference is included in the regulatory text.

It is expected that these changes will have little impact on Canadians. The miscellaneous amendments regulations were developed to streamline the regulatory process as well as to reduce costs.

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RÉSUMÉ DE L'ÉTUDE D'IMPACT
DE LA RÉGLEMENTATION

(Ce résumé ne fait pas partie du règlement.)

Description

Les modifications apportées au règlement viennent corriger des problèmes, autres que des problèmes de fond, qui ont été soulevés par l'Office national de l'énergie :

- L'Office constate que le renvoi contenu dans la définition du terme « zone interdite » ne sera plus exact après que le *Règlement de l'Office national de l'énergie sur le croisement des pipe-lines, partie II* aura été modifié. Par conséquent, l'Office a modifié le règlement pour qu'il indique le bon renvoi.

On s'attend à ce que ces modifications aient peu d'incidences sur les Canadiens. Les règlements correctifs ont été créés dans le but de simplifier le processus de réglementation et de réduire les coûts.

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Section 112

National Energy Board Act

Construction of facilities across pipelines within	112(1) Subject to subsection (5), no person shall, unless leave is first obtained from the Board, construct a facility across, on, along, or under a pipeline or excavate using power-operated equipment or explosives thirty metres of a pipeline.
Use of vehicles mobile and mobile equipment traveled	(2) Subject to subsection (5), no person shall operate a vehicle or equipment across a pipeline unless leave is first obtained from the company or the vehicle or mobile equipment is operated within the portion of a highway or public road.
Terms and section conditions	(3) The Board may, on granting an application for leave under this impose such terms and conditions as it considers proper.
Directions the to	(4) The Board may direct the owner of a facility constructed across, on, along or under a pipeline in contravention of this Act or the Board's orders or regulations to do such things as the Board considers necessary for the safety of the pipeline and may, where the Board considers that facility may impair the safe operation of the pipeline, direct the owner reconstruct, alter or remove the facility.
Exception	(5) The Board may make orders or regulations governing <ul style="list-style-type: none">(a) the design, construction, operation and abandonment of facilities constructed across, on, along or under pipelines;(b) the measures to be taken by any person in relation to<ul style="list-style-type: none">(i) the construction of facilities across, on, along or under pipelines;(ii) the construction of pipelines across, on, along, or under facilities, other than railways; and(iii) excavations within thirty metres of a pipeline; and(c) the circumstances in which or conditions under which leave under this section is not necessary.

(5.1) Without limiting the generality of paragraph (5) (c), orders or regulations made under that paragraph may provide for the prohibiting of excavations in an area situated in the vicinity of a pipeline, which area may extend beyond thirty metres of the pipeline, during the period starts when a request is made to a pipeline company to locate its pipeline and ends

- (a) at the end of the third working day after the day on which the request is made; or
- (b) at any later time that is agreed to between the pipeline company and the person making the request.

Exemptions
that the
application

(6) The Board may, by order made on any terms and conditions Board considers appropriate, exempt any person from the of an order or regulation made under subsection (5).

Inspection
officers
officers
regulations

(7) The provisions of section 49 to 51.3 relating to inspection apply for the purpose of ensuring compliance with orders and made under subsection (5).

1. UTILITIES

- Utilities should cross the pipeline at an angle of more than forty five degrees (45°) and be constructed reasonably level across the pipeline easement.
- Minimum clearance of 30 cm must be maintained between utility and pipeline. Minimum clearance of 30 cm must be maintained when pipe bursting method is used to replace an existing concrete or cast iron utility which crosses the pipeline.
- No joints may be made over or under any Company facilities.
- For utilities operating under pressure, any pressure testing required must first take place prior to installation across the pipeline right-of way.
- In the case of buried communication cables, no joints, splices or other connections shall be made within the pipeline right-of-way.
- Electrical power cables must be placed in a concrete or rigid conduit for the entire width of the pipeline right-of-way.
- Concrete patio slabs shall be installed above gas service and electrical power cable (conduit) overcrossings (see reference drawing SK-1791 in Appendix "E").
- Appurtenances such as catch basins, manholes, valves and other fittings must be located beyond the right-of-way limits.
- Metallic installations must be wrapped with a non-conductive insulating material for a distance of 8 m on each side of the pipeline(s) to mitigate interference with the pipeline's cathodic protection.
- Some metallic installations require connection through leads to a Trans-Northern test post in accordance with company standards. If necessary, Trans-Northern will install a test post at the Applicant's expense (see reference drawing CP-1005 in Appendix "E").
- Concrete duct structures that cross above the pipeline(s) must be reinforced to the extent that it will be self supporting when exposed across a 3 m span.

- For an overhead power line the current type (A.C. or D.C.) and voltage shall be specified.
- The vertical distance between the lowest wire of an overhead line catenary and the ground surface within the pipeline right-of-way shall not be less than the minimum vertical clearance distance set out in the Canadian Electrical Code Part III, known as CSA Standard C22.3, "Overhead Systems and Underground Systems", as amended from time-to-time.
- The poles, pylons, towers, guys, anchors and any other supports of an overhead line shall be located outside the pipeline right-of-way and not within 10 m of any Company pipeline.

2. ROADS, RAMPS AND DRIVEWAYS

Minimum clearances:

- 120 cm between lowest portion of travelled surface and pipeline.
- 75 cm between bottom of road ditches and pipeline.
- 30 cm between subdrains and pipeline.

3. LANDSCAPING

- Minimum 100 cm clearance maintained between final grade and pipeline.
- Location of all proposed installations associated with the landscaping (fences, walkways, services, etc.) to be shown on drawings.
- Fence posts on property boundaries or crossing the pipeline, are to be kept 1.5 metres away from the centre line of the pipeline(s).

Note: TNPI requires that all landscaping and fences across the pipeline right-of-way enable an unobstructed view along the length of the right-of-way. (i.e., paywood and wood board fences, and extensive vegetation are not desirable).

- Fences at the immediate crossing of the pipeline(s) are to be "chain link" style, maximum height of 1.8 metres (6 feet) over a distance of 1.5 metres (5 feet) away from the centre of the pipeline(s).
- Planting details to be provided with landscaping drawings. Pipeline

right-of-way is to be kept clear of trees and berms. Shrubbery is permitted subject to the following restrictions:

- Maximum height of 1 metre (3 feet) directly over and within 3 metres (10 feet) of the pipeline(s).
- Maximum height of 1.8 metres (6 feet), including canopy, on right-of-way areas not within 3 metres (10 feet) of the pipeline(s).

4. AGRICULTURAL DRAIN TILES, OPEN DRAINS, DITCHES, SWALES

- Minimum 5 cm clearance required between small diameter (<4") plastic drain tiles and pipeline.
- Drain tiles crossing the right-of-way are to be kept to a minimum by installing headers along the right-of-way boundaries.
- Secondary headers may be installed within the right-of-way if absolutely necessary but not closer than 5 m to the pipeline.
- Minimum 75 cm clearance required between bottom of open channel and pipeline.
- Minimum 30 cm clearance required between culvert and pipeline.

Also see Subsurface (Tile) Drainage Crossing Guide (if applicable)

5. RAILWAYS

Required Minimum Clearances:

- 200 cm between base of tracks and uncased pipelines.
- 120 cm between base of tracks and cased pipelines.
- 75 cm between bottom of ditches and pipeline.

Conditions under which uncased crossings may be installed are addressed under Section 4.8.3 of the Canadian Standards Association CSA-Z662-03 Oil & Gas Pipeline Systems, and the National Transportation Agency General Order No. E-10, Regulations Respecting Pipe Crossings Under Railways.

GENERAL DESIGN REQUIREMENTS

Drawings submitted with the application must show the location of all surface and buried installations associated with the crossing (curbs, guard rails, fencing, subdrains, sewers, cables, etc).

Pipeline right-of-way must be kept clear of structures such as:

- buildings;
- retaining walls;
- patios, concrete slabs, decks;
- playground equipment;
- swimming pools;
- sheds, garages
- parallel fences;
- paved parking lots;
- catch basins;
- maintenance access holes;
- valve chambers
- utility fittings (i.e., fire hydrants);
- lighting poles / standards;
- transformers;
- extensive landscaping, berms , tall growth trees, canopy more than 1.8 metres high.

Design must allow for controlled access to the unaffected portions of the pipeline right-of-way.

Clean fill must be used over the pipeline and right-of-way. Fill must be free of rocks and boulders.

Noise attenuation barriers crossing the pipeline must include a removable section to allow access to the pipeline right-of-way.

For fences crossing the pipeline(s), posts are to be kept 1.5 meters away from the center line of the pipeline(s). Where possible, floating fence construction should be considered.

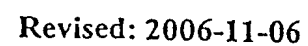
MINIMUM DRAWING REQUIREMENTS FOR THIRD PARTY CROSSINGS

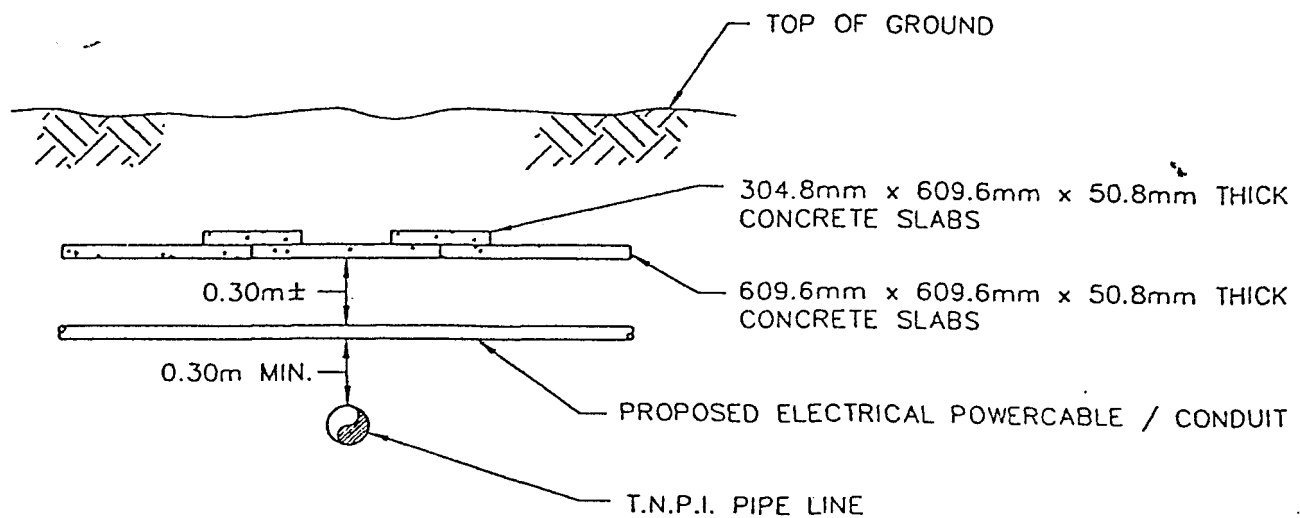
An approved crossing drawing is a condition of Trans-Northern's permission. Additional information may be required in some cases. For this reason, Trans-Northern should be contacted at an early date. Minimum drawing information requirements are:

1. A warning on the drawing stating: "Danger, high pressure pipeline".
2. Drawing number and revision number, if applicable.
3. Drawing date and revision date, if applicable.
4. Dimensions in metric or imperial units.
5. A plan view showing:
 - a) North arrow.
 - b) Land description (Property Identification Number, Lot, Concession, R-Plan, Municipality, Township, etc.).
 - c) Pipeline(s) location and diameter.
 - d) Pipeline right-of-way boundaries and dimensions.
 - e) Location of crossing and dimension between crossing and nearest property line intersecting the pipeline.
 - f) Dimensions of surface installations.
 - g) Angle between crossing and pipeline (normally 45° to 90°).
6. A profile view showing:
 - a) For surface installations (e.g. roads, driveways, railways, ditches, landscaping, etc.): A view along the pipeline(s).
 - b) For buried installations: A view along the installation.
 - c) Pipeline depth before and after construction.
 - d) Depth of buried installations.
 - e) Distance between installation(s) and pipeline(s).
 - f) Pipeline right-of-way boundaries and dimensions.
7. Description of Installation:
 - a) For surface installations: Surface and subgrade materials, maximum anticipated wheel loading.
 - b) For buried installations: Type of material, all dimensions.

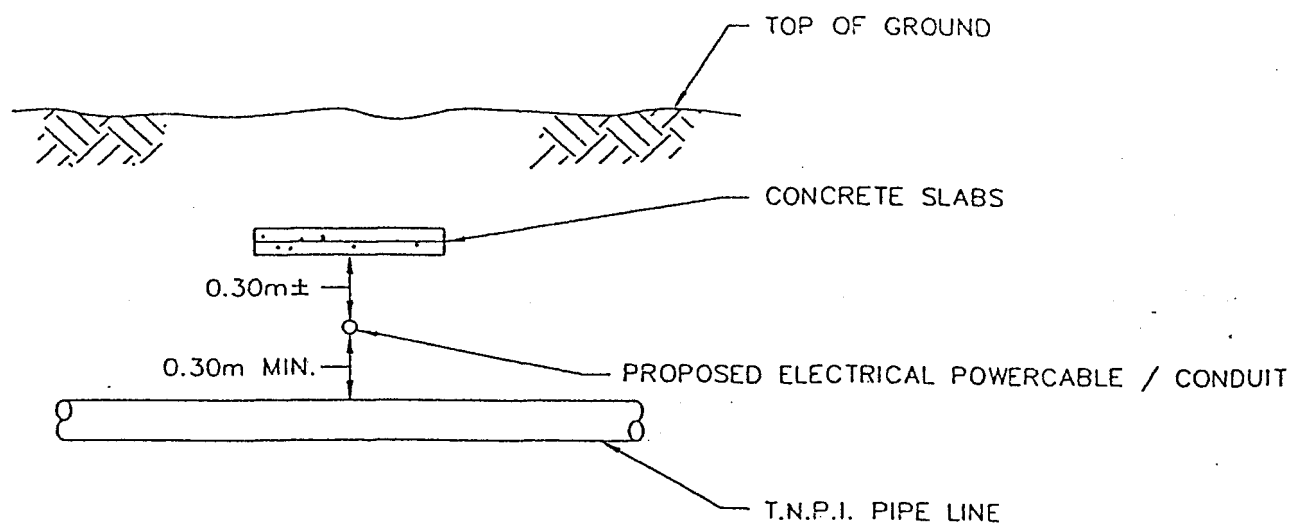
- c) Details of any protective devices required by Trans-Northern (e.g. casings, reinforced slabs, special wrappings, etc.).

Note: For reference, a typical drawing of these minimum requirements is attached.





PROFILE ALONG PROPOSED UTILITY



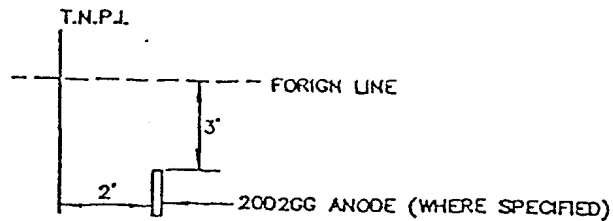
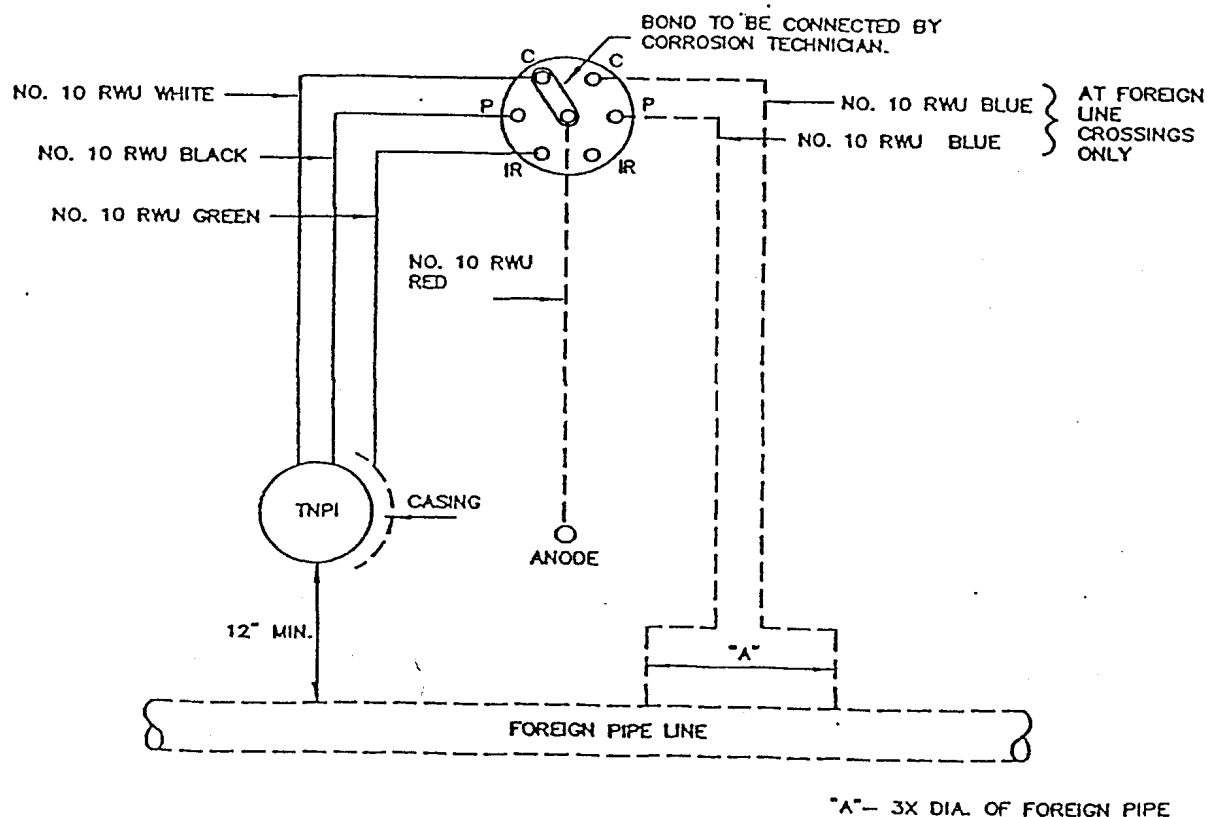
PROFILE ALONG PIPE LINE

revision			drawn: BWL	TRANS-NORTHERN PIPELINES INC. Toronto, Ontario
no.	date	initials	scale: N.T.S	
1	00/01/07	B.J.T.	date: 87/02/20	MECHANICAL PROTECTION FOR DIRECT BURIED CABLES / FLEXIBLE CONDUITS
			checked: <i>BW</i>	
			approved: <i>PZ</i>	dwg. no. SK-1791 sheet 1 of 1 rev. 0

NOTE TO INSTALLER:

PLS LEAVE NOTE INSIDE OF TEST POST
INDICATING CHAINAGE OF T.N.P.I. AT CROSSING
DIA. OF FOREIGN LINE
FOREIGN LINE COATED OR BARE
DISTANCE T.N.P.I. ABOVE OR BELOW
FOREIGN LINE.

COMPANIES CROSSING T.N.P.I. SHALL CONNECT
TEST LEADS TO THEIR
OWN STRUCTURE. USE EXISTING
TEST POST WHERE POSSIBLE.

PLAN AT FOREIGN PIPELINE CROSSINGTEST POST WIRING DETAIL

NOTES:

1. ALL WIRES ARE STRANDED.
2. I.R. DROP LEADS TO BE NO. 8 RWU WIRE.
(LEADS ARE TO BE SPACED 4x THE WEIGHT OF ONE FOOT OF PIPE)
3. IF CASING EXISTS, USE NO. 10 RWU GREEN WIRE.

REVISIONS			DRAWN BY: MDE		TRANS-NORTHERN PIPELINES CO. Toronto, Ontario
NO.	DATE	INITIALS	SCALE:	N.T.S	
6	87-03-16	MDE	DATE:	85-04-12	DETAILS OF STANDARD TEST POST INSTALLATION
7	00-08-16	S.K	CHECKED:	BW	
			APPROVED	PL	dwg. no. CP-1005 sheet 1 of 1 rev. 7

Listing of Acceptable and Unacceptable Use of Pipeline ROW

Use / Activity	Acceptable	Remarks / Requirements
A		
Agriculture	Yes Consent may be required.	Activities related to the growing of crops or the raising of animals need no consent, provided the activity does not involve installation of permanent structures or an increase or decrease in the cover over the pipeline. Trans-Northern should be consulted before deep cultivation or subsoiling (>45cm). Facilities such as underground and overhead irrigation systems (drain tiles) must be reviewed and approved.
Airports - Private	Yes Consent required.	Permission to use the right of way for a flight strip may be granted, provided it is for the private use of the property owner, and does not involve any increase or decrease in the cover over the pipeline or the installation of any permanent structures, including paving, on the right of way.
Airports – Public	No	
All Terrain Vehicle Use (ATV and Snowmobile)	No	Casual use of the right of way for recreational ATV and snowmobile driving does not require permission from Trans-Northern. However, care should be taken to avoid formal or informal designation of the right of way as an ATV or a snowmobile trail. Physical barricades and visual screening of the right of way at access points should be utilized as necessary to discourage such use.
Automobile Wrecking Yards	No	
B		
Boats		See Marinas
Blasting	Yes Consent Required	All blasting within 30m of the pipeline easement requires approval. No blasting is permitted within 5m of the pipeline. Also see Contractor's Guidelines, "Appendix C" for Vibration Control Procedures.
Buildings	No	No type of permanent or temporary structure permitted. See also "Structures".

C		
Canals	Yes Consent required	Canals or ditches may be built across the pipeline easement/ROW provided that the required cover over the pipeline is met or adequate precautions are taken to protect the pipeline.
Cathodic Protection Devices	Yes	Cathodic protection facilities may be installed provided they are coordinated with other utilities and all interference problems are eliminated.
Campsites	No	
Canopies	No	
Carports	No	
Catch Basins	No	
Christmas Trees		See Tree Farms.
Concrete Slabs	No	Except where they may be installed to provide for pipeline protection or as part of a leak detection system. Consent required.
Conduits/Fiber Optics		See Utilities.
Construction Equipment	Yes Consent required	Trans-Northern's approval and supervision is required. Hand dig trenches within 1m of pipeline. Give 48 hours prior notice before performing work. Contact On1Call for utility locating. Crossing of the pipeline with heavy construction equipment requires approval and sufficient cover over the pipeline. A ramp may be required if cover is insufficient.
Cross Streets		See Roads.
Culverts	Yes Consent required	Provided that the necessary clearance is provided between the pipeline and the culvert above the pipeline.
Curbs and Gutters		See Roads

Cuts and Fills	Yes Consent required	Some cutting and filling may be permitted over pipeline provided: 1) Cover is not reduced below 1m. 2) Cover is not increased to the point where pipe exceeds acceptable stress levels.
D		
Dams	No	
Ditches		See Canals
Docks		See Marinas
Driveways	Yes Consent required	A driveway may be built across pipeline ROW, provided: 1) It is for use of property owner only, and does not provide access for another parcel of property. 2) Clearances are maintained as in Cuts and Fills. 3) Written permission is obtained. 4) Driveway width does not exceed 6m.
Drain Tiles	Yes Consent required	Provided minimum of 5mm maintained separation between drain tile and pipeline. Drain tiles paralleling pipeline on pipeline ROW are to be avoided.
Ducts		See Pipelines
Dumps	No	
E		
Electric Lines		See Power Lines
Equipment		See Construction Equipment
Erosion Control	Yes Consent required	Structures or materials to prevent soil erosion due to wind or water may be located on the pipeline easement/ ROW provided that:

Erosion Control cont'd.		1) They do not interfere with the installation, operation or maintenance of the pipeline. 2) The design has been approved 3) The facilities have taken into account the effect on the environment.
Exploration – Geologic, Geophysical and Hydrogeological	Yes Consent required	Subject to proper indemnification and site cleanup. Also see Blasting and Wells.
F		
Fences	Yes Consent required	Provided adequate access to and around facilities is maintained. Fence across the pipeline must be no more than 1.8m tall and chain-link type for a distance of 1.5m away from the centre of pipeline. A gate may be required. Fence posts must also be at least 1.5m away from pipeline. Posts for fences paralleling pipeline on pipeline ROW must be maintained at a minimum distance of 1.5m from pipeline. Fences which are to be closer than 1.5m to the pipelines are to be floating type. Written permission required. Also see Appendix C.
Fiber Optic Cable		See Utilities.
Flammable Material	No	
Flood Control	Yes Consent required	See Erosion Control, Canals, Dams.
Flooding	No	If there is a possibility of periodic flooding, buoyancy of pipeline must be considered.
G		
Golf Courses	Yes Consent required	Greens, tee boxes, sandtraps, parallel cart paths and sprinkler heads must be situated outside pipeline ROW. Also see landscaping.
Grazing		See Agriculture.
Greenbelts		See Landscaping.

Ground Clearance		See Cuts and Fills
Ground Cover		.See Cuts and Fills.
Guy Wires	No	
H		
Highways	Yes Consent required	Consent may be granted for highway construction provided Trans-Northern is reimbursed for cost of protecting, upgrading or relocating pipeline so that it complies with all applicable regulations and requirements. Cost will be allocated according to applicable easements, crossing agreements or regulatory orders.
Hiking Trails	Yes	Provided reasonable access to facilities is maintained. See also Landscaping and Cuts and Fills.
Horseback Riding Trails	Yes	Provided reasonable access to facilities is maintained. See also Landscaping and Cuts and Fills.
Horticulture	Yes	See Agriculture.
I		
Incinerators	No	
Irrigation Lines		See Drain Tiles.
J		
Junk Yards	No	
L		
Lakes	No	Also See Ponds and Dams.
Landscaping	Yes Consent required	Provided reasonable access to facilities is maintained, and all trees and deep-rooted shrubs which may grow taller than 1 m in height are kept at least 3m from the pipeline. Also see Appendix C.

Launching Ramps	No	See Marinas.
Lawns	Yes	See Cuts and Fills and Sprinkler Systems.
Leach Fields	No	Leach field would be subject to damage by passage of heavy equipment. Piping leading to leach field may cross the pipeline ROW (see Pipelines). Entire leach field must be outside of ROW. Before granting permit for piping, owner must show proof that installation will meet all local water quality requirements.
Loading Ramps	No	
M		
Mains		See Pipelines.
Marinas	No	Marinas may not be installed on pipeline ROW at river crossings.
Masonry Work	No	
Mining	No	See Quarries
Mini Golf Courses	No	May be allowed if no permanent structures are placed on ROW.
Mobile Homes	No	
Mobile Home Parks	No	No mobile home park facilities may be installed on pipeline ROW. Roads and utilities crossings subject to specific approval.
N		
Non-Flammable Materials		See Storage.

O		
Orchards	Yes Consent required	Trees may not be planted within 3m of pipeline.
P		
Parks	Yes Consent required	ROW may be used as part of park area, but permanent structures may not be located on ROW. Detailed plan review required.
Parking	Yes Consent required	It is preferred private property owners did not park vehicles directly over the pipeline. Use of the ROW as a commercial or other publicly used parking lot, whether paved or unpaved, is discouraged, and cannot be allowed without Trans-Northern's review and conditional approval. If the parking lot is paved, it is required that a 3m wide strip over the pipeline is left as green space or interlocked in order to reduce its impact on Trans-Northern's leak detection capability. If paving over the pipeline is unavoidable, monitoring wells and/or concrete slabs are required as part of the leak detection system. All costs are to be borne by the applicant/owner. Trans-Northern shall not accept liability for damages to the parking facility caused by the exercise of its rights under the easement agreement, and shall reserve the right to prohibit vehicular parking on its easement at any time.
Patios	No	Patios with Interlocking bricks or removable concrete slabs may be allowed except over pipelines. Detailed plan review required.
Pipelines	Yes Consent required	Permits will be granted for other pipelines to cross pipeline ROW, provided: <ol style="list-style-type: none"> 1) Crossing is kept as close to a right angle as possible. 2) Pipeline maintains at least 30cm clearance above or below Trans-Northern's pipeline. 3) Installation makes provisions for future use of pipeline ROW. 4) Precautions are taken to protect both facilities from interference problems due to cathodic protection.

Pipelines cont'd.		5) Parallel encroachments are not allowed. (See "Utilities Parallel")
Play Equipment	Yes Consent required	No permanent structures are to be installed on the pipeline ROW. Play equipment without embedded footings or foundations may be allowed.
Pool (in-ground or aboveground)		See swimming Pool.
Ponds	No	
Porches	No	
Power Lines	Yes Consent required	Power lines may be installed across the pipeline ROW provided: 1) Poles or towers are not located on the ROW. 2) Wires have adequate clearance to permit working on pipeline. 3) Parallel encroachments of above or below ground power lines are not allowed (See "Utilities Parallel"). 4) Buried power lines meet Trans-Northern's standards (also see Appendix C).
Private Land Owner Facility Crossing	Yes Consent required	Where a private landowner wishes to cross the pipeline with a buried facility, a permit is required; the applicable minimum clearance must be maintained across the entire easement/ ROW.
Pumps	No	
Q		
Quarries	No	For all off ROW quarrying activities in proximity to the ROW, Trans-Northern must be notified to review and assess the potential impacts to the integrity of the pipeline and the ROW.
R		
Railroads	Yes Consent required	Railroad crossings may be permitted if suitably designed in accordance with applicable codes and provided railroad agrees to pay the cost to

Railroads cont'd.		upgrade or protect pipeline. Clearances shall be provided as shown in Appendix D.
Recreation Areas (other than camping)	Yes Consent required	Pipeline right of way may be used for general recreation that does not require the use of any structures or facilities. Approval required.
Recreational Trails (Snowmobile and ATV Trails)		See All Terrain Vehicle Use or Trails
Reservoirs		See ponds.
Retaining Walls	Yes Consent required	Provided adequate access to the pipeline is maintained as well as Cuts and Fills criteria are met. Approval required.
Road - Parallel	Yes Consent required	Parallel roads on pipeline ROW are discouraged. Trans-Northern should be involved in the planning stages of residential or commercial developments to avoid such encroachments. If paving over the pipeline is unavoidable, installation of a leak detection system (monitoring wells and/or concrete slabs) is required at the expense of applicant/owner.
Road Crossings - Private	Yes Consent required	Consent may be granted for private roads across The pipeline ROW provided: 1) Assurance is given road will remain a private road. It must be so marked and signs must be maintained. 2) Road must not be given a paved surface. 3) Minimum of 1.2m cover over the pipeline is required 4) Cut and Fill requirements must be maintained. 5) Owner must agree to pay cost of protecting or upgrading pipeline if road should be paved or status is changed to a public road.
Road Crossings - Public	Yes Consent required	Consent will be granted for a public road or street across the pipeline ROW: 1) Developer pays for cost of protecting, upgrading or relocating pipeline. 2) Company retains prior rights on roads dedicated to the municipality or city 3) Minimum of 1.2m cover over the pipeline is required.

S		
Septic Tanks	No	
Service Stations	No	
Sewer Lines		See Utilities, Septic Tanks and Leach Fields.
Side Walks		See Roads.
Signs	No	Signs, except pipeline markers, shall not be permitted on pipeline ROW.
Snowmobile Trail		See All Terrain Vehicle Use or Trails
Spoil		See Cuts and Fills.
Sprinkler System (underground)	Yes Consent required	Crossings of pipeline shall be kept to a minimum. Sprinkler heads must be situated outside the pipeline ROW.
Stock Piles	No	
Storage	No	The pipeline right of way shall not be designated as storage area.
Storm Drains		See Utilities, Culverts and Catch Basins.
Streets		See Roads.
Structures	No	Permanent structures (i.e., any facility or structure, the foundation or any other portion of which lies below the ground surface, or is otherwise not readily moveable) are not allowed (e.g. sheds, swimming pools, decks, etc.).

Subdivisions	Yes Consent required	The area over the pipeline right of way may be subdivided, provided: 1)) Subdivider shall submit approved subdivision plans for review and approval. 2). ROW should be incorporated into open space wherever possible 3) Lot lines should be co-incident with ROW limits. 4) No structures may be located on pipeline right of way. 5) Streets or roads are laid out to cross pipeline at close to a right angle. Parallel encroachments are discouraged. 6) Subdivider must meet requirements for Road Crossings, either private or public. 7) Pipeline ROW is not used for utility corridor.
Swimming Pool (in-ground or aboveground)	No	
T		
Tanks (underground or aboveground)	No	
Telephone Cables		See Utilities.
Tennis Courts	No	
Trails (Snowmobiles or ATV's)	Yes Consent required	Provided they are not hard surface and adequate precautions are taken to prevent erosion. Also see All Terrain Vehicle Use.
Trash Burners	No	
Tree Farms	Yes Consent required	Must provide access to the pipeline and facilities. No planting within 3m of the pipeline. TNPI to be given notice of any planting, removal or other digging.
Trees, Shrubs	Yes, Consent required	See Landscaping.

TV Cable		See Utilities.
U		
Utilities - Parallel	No	Parallel encroachment of any utilities, either overhead or underground may be allowed in some cases for short distances. In general, parallel encroachments are to be strongly discouraged.
Utilities - Crossing	Yes Consent required	Consent to common use will be granted for crossings of overhead or underground utilities provided: 1) Overhead lines must provide adequate clearance for working on pipeline. Poles, anchors or supports may not be located on pipeline ROW. 2) All underground lines must be installed with minimum 30cm clearance between pipeline and utility and must be at same depth completely across ROW. Underground electric lines and all buried telephone lines, must be encased in a rigid conduit across the entire width of the right of way. 3) Utility crossings must be designed to meet Trans-Northern's "Technical Requirements" outlined in Appendix C.
Underground Structure	No	
V		
Vaults	No	
Vehicles		See Parking.
W		
Wading Pools	No	
Water Pipelines		See Utilities or Agriculture or Drain Tiles
Weighing Stations	No	

Wells	No	
Wrecking Yards	No	

Trans-Northern Pipelines Inc.

&

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PAMPHLETS

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Living and Working Near Pipelines

Landowner Guide

Pipelines are the safest method to transport products, such as natural gas, oil, or other commodities, across the country. If these pipelines are damaged the results could be very serious. You have an important role to play to ensure safety. Please, call before you dig.

Call Before You Dig:

You must call and obtain written approval from the pipeline company before mechanically excavating and constructing within the right of way or mechanically excavating within 30 metres (100 feet) of the right of way. If you are unable to reach an agreement with the pipeline company, contact the National Energy Board at 1-800-899-1265.

Did You Know? :

- ❖ Unauthorized construction, installation of a facility or excavation over or near a pipeline is illegal.
- ❖ The pipeline company must inform you within 10 business days whether permission for your project has been granted or refused. If permission has been refused, the pipeline company must inform you of the reasons.
- ❖ The pipeline company has three business days to respond to a request to locate its pipeline.

Pipeline signs and marker posts do not indicate the exact location of a pipeline or right of way. ALWAYS call before you dig.

The Pipeline Right of Way:

A pipeline is installed with a strip of land referred to as a right of way. The pipeline company has acquired rights to use this land for construction, operation and



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maintenance of its pipelines; however, the ownership of the land remains with the landowner.

All activities within the right of way are governed by the *NEB Act*, the *NEB Pipeline Crossing Regulations Parts I and II*, and easement agreements negotiated between the landowner and the pipeline company.

To ensure safety, you will need to contact the company to get written approval for a number of different activities on the right of way. These activities include, but are not limited to:

- ❖ Operating vehicles or mobile equipment over the right of way where a roadway does not exist
- ❖ Reducing the depth of the soil covering the pipeline,
- ❖ Ploughing below 30 cm (1 foot)
- ❖ Ground levelling
- ❖ Installing drainage systems
- ❖ Auguring
- ❖ Fencing

The Safety Zone:

The Safety Zone extends 30 metres (100 feet) on either side of the right of way. To ensure safety, excavation using mechanical equipment or explosives within this zone requires approval from the pipeline company. However, the existence of the safety zone does not preclude development of the land.

When a pipeline company receives a request to locate its pipes, the company may designate a restricted area. The restricted area is situated in the vicinity of the proposed project and may extend beyond the 30 metre safety zone. No excavation may be performed in the area until the pipes are located and marked by the pipeline company or until the expiry of three working days after the date of the request, whichever occurs first. This period of time may be extended if both you and the pipeline company agree.

Safety Checklist:

1. Plan your activity - Identify the precise location of your work; check records for evidence of pipeline easements or other buried facilities.
2. Visit the site and look for pipeline warning signs or pipeline marker posts.
3. Contact the pipeline company and obtain a copy of the pipeline company's guidelines for ground disturbances.



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4. Obtain the pipeline company's written approval for the crossing.
5. Make a locate request (by calling the one-call centre where a one-call centre exists or by calling the pipeline company where there is no one-call centre) to have the pipeline located.
6. Be on site when the pipe is located and know the meaning of the pipeline markers.
7. Give 3 working days notice to the pipeline company prior to the commencement of the approved activity unless otherwise agreed on by the pipeline company and the applicant.
8. Hand expose the pipe prior to any ground disturbance within 3 metres of the pipe.
9. IMMEDIATELY NOTIFY THE PIPELINE COMPANY IF YOU COME IN CONTACT WITH THE PIPE.
10. Always follow the instructions of a pipeline company representative.

NEB Regulated Pipelines:

The main pipelines regulated by the NEB are operated by:

Alberta Natural Gas Company Ltd. (ANG) (TransCanada)

Alliance Pipeline Ltd.

Cochin Pipelines Ltd. c/o BP Canada Energy Company

ConocoPhillips Canada limited

Duke Energy Gas Transmission (DEGT)

Enbridge Pipelines Inc.

Foothills Pipe Lines Ltd. (TransCanada)

Maritimes and Northeast Pipeline Management Ltd. (M&NP)

Montreal Pipe Line (MPL)

Terasen Pipelines

TransCanada Pipelines Limited (TCPL)



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Trans-Northern Pipelines Inc. (TNPI)

Trans Québec & Maritimes Pipeline Inc.

Westcoast Energy Inc. (WEI)

Provincial One-Call Centres:

Québec: Info-Excavation
1-800-663-9228
www.info-ex.com

Ontario: Ontario One Call
1-800-400-2255
www.on1call.com

Saskatchewan: Sask First Call
1-866-828-4888
www.sask1stcall.com

Alberta Alberta One-Call Corporation
1-800-242-3447
www.alberta1call.com

British Columbia BC One Call
1-800-474-6886
www.bconecall.bc.ca

About the National Energy Board (NEB):

The National Energy Board promotes safety, environmental protection and economic efficiency in the Canadian public interest within the mandate set by Parliament in the regulation of pipelines, energy development and trade.

The NEB regulates activities on or adjacent to rights of way under Board jurisdiction in the interests of the protection of property, the environment, and the safety of the public and of the pipeline company's employees. NEB staff regularly performs audits and inspections of pipeline companies to ensure their compliance.



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Contact the NEB:

Each excavation or construction activity is unique, and this guide cannot deal with all cases. If you need further assistance with any excavation or construction activity near a federally regulated pipeline, please call us at 1-800-899-1265 and ask for the Operations Inspector responsible for pipeline crossings, or email info@neb-one.gc.ca.

The *National Energy Board Act*, the *National Energy Board Pipeline Crossing Regulations Parts I and II*, *Excavation and Construction Near Pipelines* and other NEB publications are available from:

Publications Office
444 Seventh Avenue SW
Calgary, Alberta
Canada T2P 0X8
Phone: 1-800-899-1265
Fax: 403-292-5503
Email: publications@neb-one.gc.ca

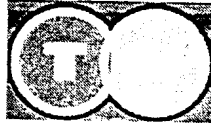
Our publications are also available on our website: www.neb-one.gc.ca



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Dig Safe, Dig Smart

...for your safety and those around you.

Keep Locates on-Site:

Keep copies of all locates on site at all times. Be sure to share this information with your crew, contractors and heavy equipment operators.

TNPI will use coloured flags or paint to identify its facilities. Observe any paint marks, flags and wood stakes on the ground. Preserve these marks to the extent possible. If your work changes in any way, or if the markers are destroyed or lost, call On1Call for a re-locate.

Colour Codes

For Marking Underground Utility Lines

White→	Proposed excavation
Pink→	Temporary survey markings
Red→	Electric power lines, cables, conduit, and lighting
Yellow→	Gas, oil, steam, petroleum, or gaseous materials
Orange→	Communication, alarm, or signal lines, cables or conduit
Blue→	Potable water
Purple→	Reclaimed water, irrigation and slurry lines
Green→	Sewers and drain lines.

Working Near Our Pipeline:

If you are considering any work near our pipeline, contact us through On1Call immediately to determine if any prior approvals may be required, or, if there are any restrictions you need to know about. TNPI will locate its facilities within three business days.



To safeguard the integrity of our pipeline and ensure worker safety, a TPNI On-Site Inspector must be present during any activity on or excavation of our right-of-way.

- Do not assume the location or depth of any utility service or pipeline until it has been fully exposed.
- Hand digging or vacuum excavation is the safest means of exposing underground services and pipelines.
- Any utility crossing our pipeline must maintain a minimum clearance of 0.3 m (12").
- Dumping or stockpiling of materials on our right-of-way is strictly prohibited.
- Installing any structure such as a building, a shed, a pool, or a patio on our right-of-way is strictly prohibited.
- If the pipeline's coating is damaged in any way, alert the On-Site Inspector immediately.
- Ensure any pipeline damage is properly repaired before backfilling.
- To avoid damaging the pipeline while backfilling, clear the fill material of any rocks or debris, or pad the pipeline with sand or fine granular material.

Emergency Preparedness:

Be ready for the unexpected. Before starting any activity or excavation, compile a list of all utility and pipeline contact numbers,

If a pipeline is struck, stop all work and contact the On-Site Inspector immediately. If there is no On-Site Inspector, call

TNPI'S 24 HOUR EMERGENCY HOTLINE

1-800-361-0608

IMMEDIATELY.

A History of Safety:

Trans-Northern Pipelines Inc. (TNPI) operates a petroleum product pipeline that spans 800km across southern Ontario and Québec.

Obey the Law:

All activities on or near our pipeline right-of-way are regulated by the *National Energy Board Act*. Under this act, anyone planning to undertake any construction or



Excavation on or near our right-of-way must first obtain written approval from TNPI. Permits are required for:

- Underground utility cabling/piping or pole installations/replacements.
- Fencing
- Blasting
- Soil removal and excavation
- Crossing the right-of-way with heavy equipment (backhoes, graders, tractors, dump trucks).

For More Information:

For tips on how to plan work and excavate safely, contact:

Ontario Regional Common Ground Alliance (ORCGA)

Website: www.orcga.com

Phone: 1-866-446-4493

If you are considering any work near our pipeline, contact us through:

On1Call – Call Before You Dig

Phone: 1-800-400-2255

For more information about applicable regulations, crossing guidelines, detailed mapping, or to obtain one of our Safety videos or arrange a Pipeline Safety Seminar, contact us at:

Trans-Northern Pipelines Inc.

45 Vogell Road, Suite 310

Richmond Hill, ON L4B 3P6

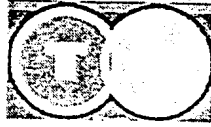
Website: www.tnpi.ca

Phone: 905-770-3353

Fax: 905-770-8675



Trans-Northern Pipelines Inc.



PUBLIC SAFETY & ENVIRONMENTAL PROTECTION

Being a Good Neighbour...

We are committed to conducting all our business affairs in a manner that protects people, property and the environment.

... A Shared Responsibility

If you observe any of the following within 30 metres (100 feet) of our pipeline:

- Construction activity
- Excavation work
- Gasoline-like odour
- Dead or discoloured vegetation
- Rainbow or sheen on surface water

Call 1-800-361-0608 Toll Free.

And please remember, Call Before You Dig 1-613-347-2463

