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Ontario Energy Board
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22 April 2015

Dear Peter,

Re: Ontario Energy Board Energy East Consultation

Thank you for the opportunity to provide comments on the Ontario Energy Board Energy East Consultation. I am writing to you today on behalf of the Canadian Energy Pipeline Association (CEPA). Our members transport 97% of Canada's daily natural gas and onshore crude oil production from producing regions to markets throughout Canada and the United States. Pipelines that are owned and operated by CEPA members are regulated by the National Energy Board (NEB) or by the appropriate provincial regulator, such as the Ontario Energy Board (OEB). A critical component of our mandate is to share unbiased, credible, transparent and factual information about the pipeline industry with Canadians. This has never been more important than it is now, as the industry is under public scrutiny for safety and environmental impacts around existing pipelines and proposed projects.

All aspects of the lifecycle of a pipeline – from design and construction to operation and retirement– are subject to strict oversight from regulatory agencies and government departments. In addition, industry's commitment to continuous improvement has led to the adoption of a number of best practices that exceed regulatory requirements. The CEPA Integrity First® program, whose goal is to reach zero incidents, is a deliberate approach to enhancing the collective performance of our industry. Specific initiatives with respect to watercourse crossings, pipeline safety and emergency response are discussed in further detail below.

1. CEPA Integrity First®

CEPA and its members' commitment to meeting public expectations for superb safety and environmental performance are evident through the development and adoption of the CEPA Integrity First® program. The industry-driven management system initiative provides CEPA members the opportunity to strengthen the pipeline industry's performance, communication and engagement by jointly developing and individually applying common practices and messages. CEPA Integrity First® is not a response to current regulatory expectations but a formal approach to the future of our industry. Enhancing our reputation and credibility with Canadians depends on our ability to continuously improve and engage with stakeholders proactively and transparently.

Included in the program are guidance documents that outline best practices and requirements for all aspects of the lifecycle of a pipeline. Member companies worked together to create these guidance



documents and will use them to evaluate their current systems and identify areas for improvement. The first guidance documents approved by CEPA's Board of Directors (May 2014), outline industry best practices around pipeline integrity and emergency management. Recently, CEPA members have developed a guidance document regarding control room management. The focus for the remainder of the 2015 calendar year will be on water impacts and damage prevention. Further information on CEPA's Integrity First[®] Program can be found on the [CEPA website](#).

2. Pipeline Safety

Commitment to safety is applied throughout the full lifecycle of pipelines (design, construction, operations, maintenance and retirement). Our member companies work diligently to ensure their pipeline systems are safe and reliable, and that they are operated in a sustainable manner. This focus on safety led our members to collectively invest more than 1.4 billion dollars to ensure the safety of their pipelines in 2013.

One example of how this money is invested is through the development and implementation of comprehensive pipeline integrity management programs, such as the [Stress Corrosions Cracking \(SCC\) Recommended Practices, 2nd edition](#). This document incorporates the advancements to date in the understanding of transgranular SCC and the practices with which a pipeline operator can manage transgranular SCC.

CEPA and its members also work with, governments, regulators and other stakeholders to ensure that our industry remains the safest and most reliable means of transporting energy across long distances. One example of this collaborative effort is the pipeline industry's support for the Canadian Standard Association (CSA) and our participation in developing nationwide standards. Many of the industry practices we support are designed to complement, or become, standards, beginning as official recommended practices through bodies such as the CSA. CEPA believes that the CSA is the appropriate technical organization to engage in establishing world-leading standards that incorporate the best available technologies for spill prevention, preparedness and response. The CSA is recognized worldwide for their balance, technical superiority, and ability to meet the needs of industry, regulators, and the public. The importance of standards to an effective regulatory regime is recognized and CEPA is working with CSA and other stakeholders, on the development of CSA Z246.2 as a national standard for emergency response.

3. Emergency Response

Individual companies have active spill prevention programs which are mandated by federal or provincial legislation. Transmission pipeline companies are subject to strict regulations regarding incident preparedness, response and restoration, training level requirements of employees as well as emergency exercise and testing requirements. These regulations address response timelines, equipment and personnel that are expected during emergencies. Regulatory requirements are also in place for auditing of emergency response plans specific to the transportation corridors to ensure the effectiveness of proposed response tactics and strategies.



The pipeline industry has a long history of assisting one another in the event of an emergency, in order to respond as quickly and effectively as possible. However, these good intentions were occasionally hampered by issues of liability, process, and lack of structure. CEPA members have signed the [Mutual Emergency Assistance Agreement](#) (MEAA) that demonstrates our industry's eagerness to improve and collaborate by removing these obstacles and formalizing assistance support.

The MEAA gives CEPA members a framework which allows them to call upon each other to help in emergency response situations. Assistance can take many forms, such as personnel, equipment, tools or specialized response advice, depending on the circumstances. In the event of a situation, all CEPA members follow the Incident Command System (ICS) protocols in order to be able to collaborate efficiently and effectively. The ICS provides a scalable, common approach and language to incident response that allows for multiple organizations to be part of the incident response in an effective and coordinated way. Essentially, it outlines how various groups of responders communicate with one another, which avoids wasted time as a result of miscommunication or ambiguities in command structure.

In order to ensure the reliability and effectiveness of the agreement CEPA conducted a joint emergency management exercise involving its members. The exercise tested the ability of participants to follow the procedure, put a call out for assistance and execute the MEAA in real-time. It also tested the ability of member companies to work together using the principles of the ICS. More information on this joint exercise and other examples of the pipeline industry's commitment to pipeline safety and emergency management can be found on our [website](#).

4. Watercourse Crossings

When pipelines cross sensitive areas, such as rivers and streams, special care is taken throughout the pipeline lifecycle to protect the environment in those areas. This is why CEPA and its members have developed the *Pipeline Associated Watercourse Crossings* (PAWC) and the *Pipeline Watercourse Management Recommended Practices* (PWMRP). These documents support the pipeline industry's high standards regarding protection of the environment and the public.

The PAWC, is a reference manual allowing CEPA members to take a science-based, consistent approach to new pipeline and temporary vehicle crossings of watercourses in all parts of Canada. The guidance and recommended practices contained in the PAWC meet the new requirements of the Department of Fisheries and Oceans Canada (DFO) to protect fisheries.

In keeping with our commitment to keep abreast with advancements in science and engineering, and to reflect the changes in the *Fisheries Act* (November 2013), work is underway to update the PAWC guidelines. As part of the process, an extensive consultation with scientists, experts, conservation groups and other stakeholders will take place to ensure the validity of the information contained in the guideline. The 5th edition is expected to be released by the fall of 2015.

Construction of a watercourse crossing can be done by using a trenchless construction method such as horizontal directional drilling, or by a trenched or open cut method. The decision on which method to use at a specific site is made after an assessment of the watercourse flow, the presence of fish and/or



fish habitat and the soil and geotechnical attributes. In many cases, horizontal directional drilling is appropriate. It is a trenchless construction method that involves drilling a tunnel underneath a river or other surface feature and pulling the pipeline through the tunnel. As the only surface disturbances that occur are at the entry and exit points of the crossing, there is no disturbance to the watercourse. Trenched crossings are also made successfully, and with appropriate mitigation, leave no impact on the environment.

Conclusion

CEPA is supportive of the consultation that the OEB is undertaking and believes that the areas they are addressing are appropriately addressed by CEPA and our member companies through the various initiatives and actions outlined above.

As an active partner with the Government of Ontario and local Ontario stakeholder groups we look forward to the continued dialogue to demonstrate our industry's commitment to pipeline safety through initiatives such as Integrity First® and our commitment to positive stakeholder relations. CEPA appreciates the opportunity to comment on the Ontario Energy Board Energy East Consultation. We look forward to the results of your consultation process. In the meantime, if you have any questions regarding the transmission pipeline industry feel free to contact the undersigned by email at bkenny@cepa.com or by phone at 403.221.8777.

Yours sincerely,

Brenda Kenny
President and CEO