

UNION GAS LIMITED

**Application for approval
to drill natural gas storage wells and to construct a natural gas pipeline in
the Bickford Pool in the Township of St. Clair in Lambton County
(2018 Storage Enhancement Project)**

EB-2017-0363

OEB STAFF INTERROGATORIES

Environmental Impacts

Interrogatory 1

Ref: Evidence, pages 14-15 and Schedule 13: “ Environmental Protection Plan”

Preamble:

The Environmental Protection Plan (EPP) which covers all facilities in the 2018 Storage Enhancement Project (including wells and pipelines) was submitted to the Ontario Pipeline Coordinating Committee (OPCC) for a review in November, 2017.

Question:

Please file an up to date summary table of all comments received in the OPCC review. Include any other comments received from landowners or other parties.

Indigenous Consultation

Interrogatory 2

Ref: Evidence, pages 11-13 “Indigenous Consultation” and Schedule 14 “Indigenous Consultation Report”, Schedule 15 “MOE’s Review and Confirmation”

Preamble:

Union filed the Indigenous Consultation Report (ICR) as required by the OEB Environmental Guidelines. The delegation letter from the Ministry of Energy (MOE) which identified Indigenous communities to be consulted is included in Union’s evidence. According to the ICR, the Indigenous communities did not raise issues or

concerns with the 2018 Project. However, at this time, the MOE's letter confirming its review of the ICR and assessing the adequacy of Indigenous consultation has not been filed on the record.

Question:

What is the anticipated timeline for receiving the MOE's letter confirming its review of the ICR and assessing the adequacy of Indigenous consultation?

Application for Well Licences

Interrogatory 3

Ref: Evidence, page 5-6 "MNRF Review"

Preamble:

Union applied to the OEB for licences to drill 3 Injection/Withdrawal (I/W) wells in the Bickford pool. The MNRF is the provincial authority that ensures all of the relevant requirements of the CSA Z341.1-14 for drilling and operation of these wells is satisfied. Union stated that it filed all necessary studies with the MNRF for a review and it expects the MNRF's comments as part of written submissions as the MNRF is an intervenor in this proceeding. It would be procedurally more efficient if Union provides evidence on the record confirming that the MNRF has reviewed and is satisfied with Union's compliance with the CSA Z341.1-14 and the studies provided.

Question:

Did Union discuss with the MNRF the option of obtaining their comments prior to the date for written submissions in this proceeding? If not, please explain. If so, what are the anticipated timelines for obtaining the comments and filing them on the record with the OEB?

Pipeline Facilities

Interrogatory 4

Ref: Evidence, pages 8-9, paragraphs 43-4

Preamble

Union specified that the proposed pipeline will be located primarily on Class 1 location but that Union proposes to design the pipeline to meet or exceed Class 2 location requirements.

Question:

What is the basis for Union's decision to design the pipeline to meet or exceed Class 2 location requirements?

Conditions of Approval – Leave to Construct PipelinesInterrogatory 5

Ref: Application EB-2017-0363

Preamble:

Union applied for an OEB order granting leave to construct facilities under section 90(1) of the OEB Act.

Question:

Please comment on the attached OEB staff proposed draft conditions of approval. Please note that these conditions are draft and subject to additions or changes.

**Leave to Construct Conditions of
Approval Application under Section 90 of
the OEB Act Union Gas Limited
EB-2017-363**

1. Union Gas Limited (Union) shall construct the facilities and restore the land in accordance with the Board's Decision and Order in EB-2017-0363 and these Conditions of Approval.

2. (a) Authorization for leave to construct shall terminate 12 months after the decision is issued, unless construction has commenced prior to that date.

(b) Union shall give the OEB notice in writing:
 - i. of the commencement of construction, at least ten days prior to the date construction commences;
 - ii. of the planned in-service date, at least ten days prior to the date the facilities go into service;
 - iii. of the date on which construction was completed, no later than 10 days following the completion of construction; and
 - iv. of the in-service date, no later than 10 days after the facilities go into service.
3. Union shall implement all the recommendations of the Environmental Protection Plan filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.
4. Union shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Union shall not make any such change without prior notice to and written approval of the OEB. In the event of an emergency, the OEB shall be informed immediately after the fact.
6. Both during and after construction, Union shall monitor the impacts of construction, and shall file with the OEB one paper copy and one electronic (searchable PDF) version of each of the following reports:
 - (a) a post construction report, within three months of the in-service date, which shall:
 - i. provide a certification, by a senior executive of the company, of Union's adherence to Condition 1;
 - ii. describe any impacts and outstanding concerns identified during construction;

- iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction;
 - iv. include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions; and
 - v. provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project.
- b) a final monitoring report, no later than fifteen months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
- i. provide a certification, by a senior executive of the company, of Union's adherence to Condition 3;
 - ii. describe the condition of any rehabilitated land;
 - iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts construction;
 - iv. include the results of analyses and monitoring programs and any recommendations arising therefrom; and
 - v. include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions.

Conditions of Approval – Well LicenceInterrogatory 6

Ref: Application EB-2017-0363

Preamble:

Union applied for well drilling licences under section 40(1) of the OEB Act. Should the OEB find the applications in the public interest it would issue a favourable report to the Minister of Natural Resources and Forestry recommending issuance of well licences and certain conditions

Question:

Please comment on the attached OEB staff proposed conditions of approval. Please note that these conditions are draft and subject to additions or changes.

Union Gas Limited
EB-2017-0363
Conditions of Licence - Well Drilling and
Operation

1. Union Gas Limited (Union) shall rely on the evidence filed with the OEB in EB-2017-0363 proceeding and comply with applicable laws, regulations and codes pertaining to the construction of the proposed wells.
2. The authority granted under this licence to Union is not transferable to another party without leave of the OEB. For the purpose of this condition another party is any party except Union Gas Limited.
3. Union shall construct the facilities and restore the land in accordance with its Application and evidence given to the OEB, except as modified by this licence and these Conditions.
4. Union shall ensure that the movement of equipment is carried out in compliance with all procedures filed with the OEB, and as follows:

- i) Union shall make reasonable efforts to keep the affected landowner as well as adjacent landowners and their respective tenant farmers, or their designated representatives, informed of its plans and construction activities; and
 - ii) the installation of facilities and construction shall be coordinated so as to minimize disruption of agricultural land and agricultural activities.
5. Union shall, subject to the recommendation by an independent tile contractor and subject to the landowners approval, construct upstream and downstream drainage headers adjacent to the drilling area and access roads that cross existing systematic drainage tiles, prior to the delivery of heavy equipment, so that continual drainage will be maintained.
6. Both during and after construction, Union shall monitor the impacts of construction, and shall file with the OEB one paper copy and one electronic (searchable PDF) version of each of the following reports:
 - a) a post construction report, within three months of the in-service date, which shall:
 - i. provide a certification, by a senior executive of the company, of Union's adherence to Condition 1;
 - ii. describe any impacts and outstanding concerns identified during construction;
 - iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction;
 - iv. include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions; and
 - v. provide a certification, by a senior executive of the company, that the company has obtained all

other approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project.

- b) a final monitoring report, no later than fifteen months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
- i. provide a certification, by a senior executive of the company, of Union's adherence to Condition 1;
 - ii. describe the condition of any rehabilitated land;
 - iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts construction;
 - iv. include the results of analyses and monitoring programs and any recommendations arising therefrom; and
 - v. include a log of all complaints received by Union, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions.
7. For the purposes of these conditions, conformity of Union with CSA Z341 shall be to the satisfaction of the Ministry of Natural Resources and Forestry.