

EB-2011-0076
EB-2011-0077
EB-2011-0078
EB-2011-0285

Tribute Resources Inc.

And Bayfield Resources Inc. as General Partner for Huron Bayfield Limited Partnership and
Bayfield Pipeline Corp "Tribute"
Answer to Interrogatories from
Municipality of Bluewater

Reference: Issue 1.2, EB-2011-0077

Evidence: Binder 3 A2-A Schedule B-2, Binder I B3-B2

Question 1:

- a) The Municipality of Bluewater owns and operates a sewage treatment facility (the "Bayfield STF") in the immediate vicinity of the Bayfield Pool. The access lane to the Bayfield STF, also owned by the Municipality of Bluewater, is on the lands proposed to be designated as the Bayfield Pool (Binder I, B3-B2, *inter alia*).
 - (i) What is Tribute's evidence that the tract of land to be designated is appropriately bounded and sized to provide for the safe operation of the storage pool, in particular with regard to:
 - a) the proximity of the Bayfield STF and the safe operation of the Bayfield STF, and a future expanded Bayfield STF;
 - b) the location of the pool below the access lane to the Bayfield STF.
 - (ii) Can Tribute guarantee that a catastrophic failure at the proposed Bayfield Pool will not cause a failure of the Bayfield STF, including contamination from the Bayfield STF of the nearby Bayfield River?

Answer:

- 1 The Bayfield pool facilities will be closer to Mill Road and well away from the existing Bayfield STF. The Metering Station facilities will be next to the access road close to Mill Road, with pipelines from there to the I/W wells. The Metering Station will be located off the access road to the Bayfield STF facilities and will not obstruct access. All I/W wells and Observation wells will be in the landowner's field and away from the access road. All utility lines will be located as part of the pipeline installation for the pool. During this locate process, all Bayfield STF sewage lines will be located and avoided during construction.

- 2 Yes. Nothing in the construction or operation of the storage pool will affect the Bayfield STF or the Bayfield River.

Question: June 20, 2012

Answer: July 03, 2012

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Reference: Issue 2.5, EB-2011-0076, EB-2011-0077, EB-2011-0078

Evidence: Applications, Binder I D3, Binder I B3-B2

Question 2:

- a) The Municipality of Bluewater owns and operates the Bayfield STF in the immediate vicinity of the Bayfield Pool. The access lane to the Bayfield STF, also owned by the Municipality of Bluewater, is on the lands proposed to be designated as the Bayfield Pool (Binder I, B3-B2, *inter alia*).
- (i) How does Tribute propose to be accountable to Bluewater for losses or damages caused by Tribute's activities in relation to the Bayfield STF and any future expanded Bayfield STF?
 - (ii) In the event of a catastrophic failure at the proposed Bayfield Pool, and in the event such a failure causes damages to the Bayfield STF, including contamination from the Bayfield STF to the nearby Bayfield River, how does Tribute propose to be accountable to Bluewater, the Ministry of the Environment, other Agencies, and the affected public (both from contamination, and from being deprived of sewage treatment facilities and the need for emergency sewage treatment facilities)?
 - (iii) In respect of the matters raised in 2(a)(i) and (ii), what are the potential losses to Bluewater and its residents?
 - (iv) In respect of the matters raised in 2(a)(i) and (ii), is insurance coverage available, and if so, will Tribute agree to maintain such insurance coverage? If insurance is not available, what does Tribute propose?

Answer:

As long as the Bayfield STF will not eventually expand down to Mill Road, the Bayfield gas storage facilities and wells will not adversely affect any of the facilities. Tribute and its affiliates carry insurance to cover losses, and will have certificates of insurance in place once the operation is commissioned.

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Reference: Issue 3.4, EB-2011-0077, EB-2011-0078

Evidence: Applications, Binder 3 D2-I Application for Well License, Binder 1 B3-B2

Question 3:

- a) The Municipality of Bluewater owns and operates the Bayfield STF in the immediate vicinity of the Bayfield Pool. The access lane to the Bayfield STF, also owned by the Municipality of Bluewater, is on the lands proposed to be designated as the Bayfield Pool (Binder 1, B3-B2, *inter alia*).
- (i) What impact will the proposed wells have on the Bayfield STF?
 - (ii) What impact will the proposed wells have on the access to the Bayfield STF?
 - (iii) How will Tribute ensure that there are no environmental impacts from the wells on the Bayfield STF and the access to the Bayfield STF?
 - (iv) How will Tribute address any other impacts of the wells on the Bayfield STF and the access to the Bayfield STF?

Answer:

(i)The proposed wells will have no adverse impact on the Bayfield STF.

(ii)The proposed wells will have no adverse impact on the access to the Bayfield STF.

(iii)Tribute conducts its own construction monitoring programs to ensure that there will be no impacts from the wells on the Bluewater facilities.

(iv)Tribute will continue to work closely with Bluewater prior to the construction of the project to ensure that its concerns with the Bayfield STF and access are satisfied and if there were ever to be any issues, which are not expected, they would be remedied and mitigated in an appropriate and timely manner.

A Road Users Agreement will be entered into between Bayfield Pipeline Corp and the Municipality of Bluewater. This Road Users Agreement will detail the pipeline running line location relative to other utilities located in municipality road allowances, depth of burial, profile drawings for critical

areas along the right-of-way and for all road crossings, construction methods and traffic control, and any compensation due. A draft Road Users Agreement has been drafted by Bayfield pipeline Corp for discussion purposes.

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Reference: Issue 4.5, EB-2011-0076, EB-2011-0077, EB-2011-0078

Evidence: Applications, Binder 1

Question 4:

- a) What are the impacts, if any, of Industrial Wind Turbine Projects and the associated infrastructure on Tribute's project?
- b) What are the impacts, if any, of Tribute's project on Industrial Wind Turbine Projects?

Answer:

Please refer to Tribute Responses to Interrogatory # 4.5 and 4.5 – 1 a and 4.5 – 1 b of the Huron County Federation of Agriculture.

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Reference: Issue 4.6, EB-2011-0077, EB-2011-0078

Evidence:

Applications, Binder J B3-B2, Binder 3 in general, and in particular Binder 3 C2, Binder 3 D1, Binder 3 D2-1, Binder 3 D3, Binder 3 D7, Binder 3 E4, Binder 3 E8, Binder 4 in general, and in particular Binder 4 B1, Binder 4 B2, Binder 4 B6, Binder 4 C1, Binder 4 D4, Binder 4 E1

Question 5:

- a) The Municipality of Bluewater owns and operates the Bayfield STF in the immediate vicinity of the Bayfield Pool. The access lane to the Bayfield STF, also owned by the Municipality of Bluewater, is on the lands proposed to be designated as the Bayfield Pool (Binder 1, B3-B2, *inter alia*).
- (i) Can Tribute ensure that there will be no impact of these Applications (and in particular the Development of the Bayfield Pool (EB-2011-0077) and the Construction of a Natural Gas Pipeline (EB-2011-0078)) on the existing and future operations of the Bayfield STF, including but not limited to:
 - i) the efficient functioning of the existing or future Bayfield STF,
 - ii) access to the existing or future Bayfield STF, and
 - iii) the safe inflow and outflow of sewage to and from the existing or future Bayfield STF?
- (ii) What actions will Tribute take to ensure that there is no impact of these Applications (and in particular the Development of the Bayfield Pool (EB-2011-0077) and the Construction of a Natural Gas Pipeline (EB-2011-0078)) on the existing and future operations of the Bayfield STF, including but not limited to:
 - a) efficient functioning of the existing or future Bayfield STF,
 - b) access to the existing or future Bayfield STF, and
 - c) the safe inflow and outflow of sewage to and from the existing or future Bayfield STF?
- (iii) If there is an impact of these Applications on existing and future operations of the Bayfield STF, how will Tribute mitigate these impacts?

Answer:

(i)Yes. Tribute will ensure that there will be no impact of these applications from construction of the wells, gathering lines, and connecting pipeline.

(ii)Tribute and its affiliates and consultants will take all the necessary care and due diligence during the planning of the development to ensure the safe and continued access and ongoing operation of the Bayfield STF. Tribute understands the critical nature of continued operation of such an important public facility and will work with Bluewater to ensure continued smooth operation of the facility.

(iii)If there is an impact on the STF facility which is caused by Tribute's operations, Tribute and its affiliates will work to remedy the situation immediately.

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Answer: July 03, 2012

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Reference: Issue 4.7, EB-2011-0077, EB-2011-0078

Evidence:

Applications, Binder 3 in general, and in particular Binder 3 C2, Binder 3 DI, Binder 3 D2-1, Binder 3 D3, Binder 3 D7, Binder 3 E4, Binder 3 E8, Binder 4 in general, and in particular Binder 4 B 1, Binder 4 B2, Binder 4 B6, Binder 4 C1, Binder 4 D4, Binder 4 E1

Question 6:

- a) The Municipality of Bluewater owns and operates the Bayfield STF in the immediate vicinity of the Bayfield Pool. The access lane to the Bayfield STF, also owned by the Municipality of Bluewater, is on the lands proposed to be designated as the Bayfield Pool (Binder 1, 83-B2, *inter alia*).
 - (i) Can, and if so how can Tribute ensure that any use of the Municipality of Bluewater's lands in the vicinity of the Bayfield STF is safe?
 - (ii) Can, and if so how can Tribute ensure that the Applications will have no impact on the Municipality of Bluewater's existing and possible future use of its lands, and in particular as they relate to the existing or future Bayfield STF?

Answer:

- (i) When developing projects, Tribute and its affiliates and consultants always engage the services of an independent safety expert to assist with construction conditions and compliance. Bluewater is welcome to work with Tribute and its expert to ensure the continued safe operation of its sewage system and the lands surrounding it.
- (ii) Please refer to Tribute's answers to Bluewater Interrogatory 5.

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Reference: Issue 4.8

Evidence: Binder 4 generally, Binder 4 B1 page 4, Binder 4 04-4, pages 1-3

Question 7:

- a) The Municipality of Bluewater owns the Road Allowance for a substantial portion of the proposed pipeline route (and the lands accessing the Bayfield STF, and the Bayfield STF lands).
 - (i) When and how will Tribute satisfactorily address the several issues raised in the Municipality of Bluewater's correspondence dated 9th of October 2009 (Binder 4, D4-4), which we understand from the evidence to be all acceptable to Tribute and BPC (Binder 4, D1, page 1), and specifically:
 - (a) The conflicts with power lines and other utilities;
 - (b) There are several trees that may be disturbed or be removed. How will Tribute restore or compensate for this loss of trees?
 - (c) How will Tribute ensure there is no interference with the cemetery on Bronson Line north of Rogerville Road, and if there is interference, how will Tribute mitigate this interference?
 - (d) Will Tribute confirm that no additional archeology work is required, and if such work is required, to undertake the work?
 - (e) How will Tribute accommodate that the depth of the pipeline may need to be adjusted at the crest of hills, areas of future municipal reconstruction, and at stream/drain crossings?
 - (f) When will Tribute provide pipeline details to the satisfaction of the Municipality of Bluewater, to include but not be limited to plan and profile drawings of sufficient grades/elevations for all surface and subsurface features, minimum cover, road crossing and culvert crossing details, pipeline depths for the entire route, pipe materials, construction methods and boring methods, and archeology results?
 - (g) In addition to the information contained at Binder 4, B6, when will Tribute provide details of the construction methods for the pipeline?
 - (h) When will Tribute provide the Municipality of Bluewater with confirmation in writing that approval has been obtained from all other bodies having an interest in the project?
 - (i) When will Tribute seek approval from the Municipality of Bluewater for its works?

- (j) When will Tribute enter into an agreement with the Municipality of Bluewater for the maintenance and upkeep for those sections of the pipeline located on the Municipality's property which shall address responsibility for all work related to the project, future relocation costs, liability, insurances, as-built drawings, restoration, duration, and removal?
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Answer:

All of the items referenced in this interrogatory are important (i)(a) – (j) and will be dealt with in the Road Users Agreement and specific schedules to be negotiated in detail, then followed to Bluewater's satisfaction during the project development cycle. Tribute and its consultants are committed to a detailed review of precisely these types of items when Tribute meets with Bluewater during the coming weeks and months to complete the Road Users Agreement, and expects that any agreement(s) related to these topics will be updated and reviewed closer to the period of construction in 2015 or 2016.

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