



Hamilton

Planning and Economic
Development Department

City of Hamilton
71 Main St. W., 6th Floor
Hamilton, Ontario,
Canada L8P 4Y5
www.hamilton.ca
P.905-546-2424, ext. 5807

Facsimile

Date: May 13, 2013

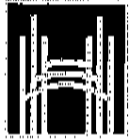
To: Ontario Energy Board
Attention: Ms. Kirsten Walli, Board Secretary

From: Guy Paparella, Director of Growth Planning
Growth Management Division

Fax Number: 416-440-7656 **Number of Pages:** 4
(Including Cover Page)

Subject: Ontario Energy Board ("Board") File No. EB-2013-0074 – Union
Gas Limited ("Applicant") – Brantford to Kirkwall Proposed
Pipeline Project – Letter of Comment from City of Hamilton

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City Hall, 71 Main Street West
Hamilton, Ontario,
Canada L8P 4Y5
www.hamilton.ca

Guy Paparella, Director of Growth Planning
Planning and Economic Development Department
Growth Management Division
71 Main Street West, 6th Floor, Hamilton, ON L8P 4Y5
Phone: 905.546.2424 Ext.5807 Fax: 905.540-5611
Email: guy.paparella@hamilton.ca

Hamilton

May 13, 2013

SENT VIA FACSIMILE: 416-440-7656

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge St.
Toronto, ON M4P 1E4

Attention: Kirsten Walli, Board Secretary

**RE: Ontario Energy Board ("Board") File No. EB-2013-0074 – Union Gas Limited ("Applicant") –
Brantford to Kirkwall Proposed Pipeline Project – Letter of Comment from City of Hamilton**

On behalf of the City of Hamilton, I am submitting the following comments with respect to the above-noted application. The proposed project passes directly through the City of Hamilton, as such, we request that the Board address the following concerns as part of the Board's examination and assessment, and consider these issues as part of any appropriate conditions that may be imposed upon the Applicant.

Hamilton Fire Department:

- A comprehensive site-specific emergency response plan that addresses how a major pipeline incident along the route within our municipality will be responded to shall be provided to the Hamilton Fire Department, including (but not limited to):
 - Identify the personnel (including level of training) and resources available for a response and the anticipated time of the arrival of these assets after an incident is discovered.
 - Response plans for a number of potential scenarios including but not limited to: an explosion, a fire and a leak.
 - Information on the potential impact radius in the event of a worst case occurrence for each of the scenarios mentioned previously.
 - Detailed and comprehensive procedures for responding to a large-scale emergency such as a transmission line break, including a defined command structure that clearly assigns a single point of leadership and allocates specific duties to staff and other involved agencies.
 - Realistic metrics concerning the pipeline operator's ability to detect a problem. This would include a drop in pressure (SCADA) and then the time to react to a problem (close valves; notify emergency response staff – corporate and municipal).
 - A commitment from the system operator that ensures that their control room operators immediately and directly notify the 911 emergency call center(s) for the communities and jurisdictions in which those pipelines are located when a possible rupture of any pipeline is indicated.
 - Given the geology of the area, provide information on the possibility/probability of product from a small undetected leak migrating through the soil or bedrock into the basement of a structure or other confined area.
 - Whether the product in the pipeline is odorized at this point. If the product is not odorized, Union Gas should supply natural gas detectors to properties along the right-of-way that could potentially be affected by a leak.

- The pipeline operator shall be willing to participate in periodic training sessions to demonstrate that the emergency response plan meets all of the goals for which it was designed.
- Whether the line has automatic or remote control shut offs, the location and how quickly will they react should be appropriately determined. The amount of residual product remaining after they are closed and how long is it anticipated that the residual product would continue to leak or burn after the valves are closed should be addressed.
- During the construction phase of the line, if there will be workers operating within confined spaces and, in the event of a mishap whether a response from the municipal fire department is required should be determined and communicated.
- Section 10.2.5 of the Environmental Report prepared by Stantec, January 2009 – addresses "Accidental Spills" during the construction of the line. A portion of this section states;
A Spills Response Plan should be developed by the Contractor, reviewed with staff, and posted in site trailers. Appropriate spill containment apparatus and absorbent materials should be available on-site, especially near water or sensitive wells. Staff should be trained in the use of spill containment equipment and materials.
 - The operator should fulfill all of the recommendations that are qualified by the word "should" that precedes each of them.
- Section 7.1.2 of that same report also identifies the potential need for blasting during the construction phase.
 - Adequate measures should be in place to control any airborne debris from the operation.
 - Since blasting operations can be a potential source of stray carbon-based gases (specifically carbon monoxide and carbon dioxide) measures should be in place to ensure structures in the vicinity of any blasting operations are not impacted negatively.
- The Environmental Report indicates that the line will undergo pressure testing after construction to check on its integrity. Since corrosion has been a major factor in pipeline failures in the past, the operator during the operating period of the line is to assess the integrity of their line (pressure testing, in-line inspections, direct assessments or other technology) to provide a comprehensive understanding of the pipe condition during its usage:

Archaeology

- The proposed pipeline affects properties that meet the criteria used by the City of Hamilton and Ministry of Culture for determining archaeological potential.
- A Stage 2 Archaeological Assessment shall be completed along the preferred route.
- The City of Hamilton requires that copies of all archaeological assessments be submitted to the satisfaction of the City.

Built Heritage

- The preferred route transects the property municipally known as 1965 Cooper/Safari Road (the Cooper House), which is designated under Part IV of the Ontario Heritage Act. This property should be referenced and evaluated in the Environmental Report.
 - The proposed route should be evaluated to identify any adverse impacts on the heritage attributes of the designated property and, if applicable, how any adverse impacts will be mitigated.
 - Any alterations or additions to or demolition on the subject property that affects the Reasons for Designation (stone cottage) will require a Heritage Permit under the Ontario Heritage Act.
- All land owners impacted by the construction and operation of the pipeline should be appropriately notified and compensated for use or acquisition of their property.

Natural Heritage

- The preferred route is located entirely within the Greenbelt Plan Protected Countryside and portions are within the Greenbelt Plan Natural Heritage System.
- The preferred route crosses a number of Core Areas in the City of Hamilton's Natural Heritage System, including Provincially Significant Wetlands (PSWs), Environmentally Significant Areas (ESAs), streams, and Significant Woodlands. There is also habitat of species at risk known in the study area.
 - In accordance with the City of Hamilton Rural Official Plan, any proposed land use changes within or adjacent to identified Core Areas requires the completion of an Environmental Impact Statement (EIS) which demonstrates, to the satisfaction of City staff, and Conservation Authority staff, the proposed works will not have a negative impact on the existing natural heritage features and their ecological functions.
 - Field Studies (completed within the appropriate field seasons and according to accepted field protocols) should be completed within the portion of the Environmental Significant Areas which may be impacted by the proposed works, to determine whether any of the identified species at risk exist within the proposed right-of-way.
 - The EIS should demonstrate that there will be no negative impacts. If impacts are unavoidable, appropriate mitigation measures (if applicable) to the satisfaction of the Ministry of Natural Resources, City of Hamilton and Conservation Authority Staff must be identified.
 - For the tree replacement program, the use of native trees, similar to those found within the Environmental Significant Areas, should be planted to allow for natural regeneration within the disturbed areas.

Should you have any questions with respect to the above, or require clarification regarding these comments, please contact the undersigned at 905-546-2424, ext. 5807.

Thank you.

Yours truly,



Guy Paparella
Director of Growth Planning

cc: Union Gas Limited
P.O. Box 650
50 Keil Drive North
Chatham, ON N7M 5M1
Attention: Karen Hockin, Manager, Regulatory Initiatives
Fax: 519-436-4671

Torys LLP
Suite 300, Maritime Life Tower
Toronto Dominion Centre
Toronto, ON M5K 1N2
Attention: Crawford Smith
Fax: 416-865-7380