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**Commission de l'énergie
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BY E-MAIL

July 31, 2013

Ms. Ageliki Apostolakos
41 Landover Crescent
Ottawa ON K2M 2W3

Dear Ms. Apostolakos:

**Re: Enbridge Gas Distribution Inc. Ottawa Pipeline Project (EB-2012-0099)–
Concern with blasting during construction**

Thank you for your emails dated June 18, 2013, July 2, 2013 and July 24, 2013. Board staff has reviewed the evidence filed in EB-2012-0099 and the Board's Decision and Order (the "Decision") in that proceeding. In that Decision, the Board granted Enbridge Gas Distribution Inc. ("Enbridge") leave to construct the proposed pipeline. The Board's approval was made subject to the terms and conditions attached as Appendix A to the Decision (the "Conditions of Approval") and the requirements set out in the Board Findings section of the Decision.

The Board has established the *"Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario"*, 6th edition, 2011 ("Board's Environmental Guidelines") to provide applicants with direction on how to identify, manage and document environmental impacts of new natural gas pipelines. Enbridge filed with the Board the results of the routing and environmental assessment in a report entitled *"Ottawa Reinforcement Project Environmental and Cumulative Effects Assessment Final Report"*, February 2012 (the "Environmental Report") completed by Dillon Consulting Limited ("Dillon"). In granting Enbridge leave to construct, the Board noted that the route selection and environmental assessment for the proposed pipeline, as described in this Environmental Report, were completed in accordance with the Board's Environmental Guidelines.

In the Decision the Board noted that Enbridge stated that the proposed pipeline would be constructed in accordance with Enbridge's Contract Specifications, Enbridge's Construction and Maintenance Manual, and the recommendations set out in the Environmental Report.

In accordance with section 1.4 of the Conditions of Approval, Enbridge must advise the Board's designated representative of any material change in the construction plans and associated cost estimates, and Enbridge shall not make such a change without the prior approval of the Board or its designated representative.

There is no commitment or representation in the Environmental Report that blasting will not occur. Further, the Environmental Report contains a copy of the August 24, 2011 letter to Dillon from the Ministry of Environment, Eastern Region,¹ which states: "Where blasting is required, we recommend that protocols be set up and followed for on-site and receptor blast monitoring (vibration and concussion), and that 48 hour notice be given to area residents prior to blasting. Pre-blast surveys are recommended. Noise, dust and fly rock should be controlled".

Board staff also points to section 1.3 of the Conditions of Approval which states:

1.3 Enbridge shall implement all the recommendations of the Environmental Report filed in the pre-filed evidence, and all the recommendations and directives identified by the members of the Ontario Pipeline Coordinating Committee ("OPCC").

Based on these considerations, it is Board staff's view that blasting as a construction method, with the appropriate protocols recommended by the Ministry of Energy, does not constitute a material change to the construction plans.

In a communication with Board staff, via e-mail, dated July 18, 2013, Mr. Scott Stoll, Legal Counsel for Enbridge stated the following:

"...In the event mechanical excavation is not successful, Enbridge will have a prepared document, Notification of Blasting, to update homeowners. This will explain unforeseen conditions and the requirement to blast small sections to clear the trench. This communication will be hand delivered 48 hours in advance of blasting with every reasonable attempt to contact homeowners prior to the work."

It is Board staff's view that this commitment by Enbridge, the recommendations by the Ministry of Energy and section 1.3 of the Condition of Approval provide for appropriate protection and mitigation during blasting.

In addition, please note that the Conditions of Approval 3.1, 3.2 and 3.3 require Enbridge to monitor impacts of construction and report to the Board. These conditions are intended to ensure that Enbridge reports to the Board results of monitoring any impacts during construction and ensure that the impacts are mitigated and land restored. The conditions also require that landowner complaints are logged and actions to resolve complaints are taken by Enbridge.

¹ Enbridge Gas Distribution Inc. (EB-2012-0099), Ottawa Reinforcement Project, Application and Evidence, pages 297-301.

We hope that this response is helpful and it is clear that Enbridge is expected to provide means for addressing landowners concerns both during and after construction.

Please direct any questions relating to this matter to Zora Crnojacki, Project Advisor at +1 (416) 440-8104 or at zora.crnojacki@ontarioenergyboard.ca

Yours truly,

Original signed by

Zora Crnojacki

cc. Edith Chin, Enbridge
Scott Stoll, Counsel for Enbridge
Board Secretary for the EB-2012-0099 case file