



**NOVA Chemicals (Canada) Ltd.**

1086 Modeland Road  
Building 1040, Suite 201  
Sarnia, Ontario, Canada N7S 6L2

Mailing: P.O. Box 3060  
Sarnia, Ontario, Canada N7T 8C7

tel: 519.346.3286

fax: 519.481.2823

August 14, 2015

By RESS

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
Suite 2700, 2300 Yonge Street  
Toronto, Ontario  
M4P 1E4

**RE: NOVA Chemicals Canada Ltd. (NOVA Chemicals)  
Kimball Pipeline Replacement Project  
Ontario Energy Board File Number: EB-2015-0212**

Dear Ms. Walli:

Please find attached a copy of my Affidavit of Service concerning completion of the activities set out in the Board's Letter of Direction dated August 6, 2015. The original, including complete Exhibits, is being couriered to the Board office.

Sincerely,

NOVA Chemicals (Canada Ltd).

A handwritten signature in cursive script, appearing to read 'Fred S. Maxim'.

Per: Fred S. Maxim  
Senior Corporate Counsel

Encl.

## ONTARIO ENERGY BOARD

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B, and in particular, s.90 thereof;

**AND IN THE MATTER OF** an Application by NOVA Chemicals (Canada) Ltd. for an Order granting leave to construct a hydrocarbon pipeline and ancillary facilities in the Township of St. Clair, County of Lambton. (Ontario Energy Board File Number: EB-2015-0212)

### AFFIDAVIT OF SERVICE

I, **Fred S. Maxim**, of County of Lambton, in the province of Ontario,

#### MAKE OATH AND SAY:

1. That I am an employee of NOVA Chemicals (Canada) Ltd. and, as such, have knowledge of the matters herein deposed to.
2. On August 5, 2015, a search of title was completed to determine the current registered property owners and encumbrancers with lands or interest in the lands directly affected by the proposed pipeline and related facilities.
3. On August 10, 2015, I initiated service of a copy of the Notice and the Application which are attached hereto as Exhibit "A" to the following by courier:
  - a. all property owners and encumbrancers with lands or interest in lands identified in the search of title referred to in paragraph 2 above;
  - b. the clerks of the affected municipalities;
  - c. all Aboriginal communities that have been consulted or with lands or interest in the lands directly affected by the proposed pipeline and related facilities;
  - d. the Métis Nations of Ontario;
  - e. all affected utilities and railway companies; and
  - f. members of the Ontario Pipeline Coordinating Committee.

Confirmations of courier delivery are attached hereto as Exhibit "B".

4. On August 13, 2015, a copy of the Notice, the Application and the evidence was posted in a prominent place on the website of NOVA Chemicals (Canada) Ltd.

5. On August 13, 2015, a copy of the Notice, the Application and the evidence was made available for public review at the following offices of NOVA Chemicals (Canada) Ltd.:

- 1) 785 Petrolia Line, Corunna Ontario N0N 1G0
- 2) 1086 Modeland Road, Building 1040, Suite 101, Sarnia, Ontario N7S 6L2.

6. I make this Affidavit in good faith and for no improper purpose.

SWORN BEFORE ME,  
at the City of Sarnia, )  
County of Lambton, )  
in the Province of Ontario, )  
this 13th day of August, 2015. )

**[Original signed by]**  
Fred S. Maxim

**[Original signed by]**  
Bruce F. Davies  
Notary Public

**EXHIBIT A TO THE AFFIDAVIT OF FRED S MAXIM DATED AUGUST 13, 2015  
COPIES OF NOTICE AND APPLICATION**

August 10, 2015

**RE: NOVA Chemicals Canada Ltd. (NOVA Chemicals)  
Kimball Pipeline Replacement Project  
Ontario Energy Board File Number: EB-2015-0212**

NOVA Chemicals has filed an Application with the Ontario Energy Board for approval to construct its Kimball Pipeline Replacement Project, which consists of approximately 4 km of NPS 12 pipeline in the Township of St. Clair.

In accordance with a Letter of Direction as issued by the Ontario Energy Board on August 6, 2015, NOVA Chemicals has been instructed to serve you with a copy of the completed Notice of Application and a copy of NOVA Chemicals' Application. Those documents are enclosed for your review.

Sincerely,

NOVA Chemicals (Canada Ltd).

*[Original signed by]*

Per: Fred S. Maxim  
Senior Corporate Counsel

Encl.

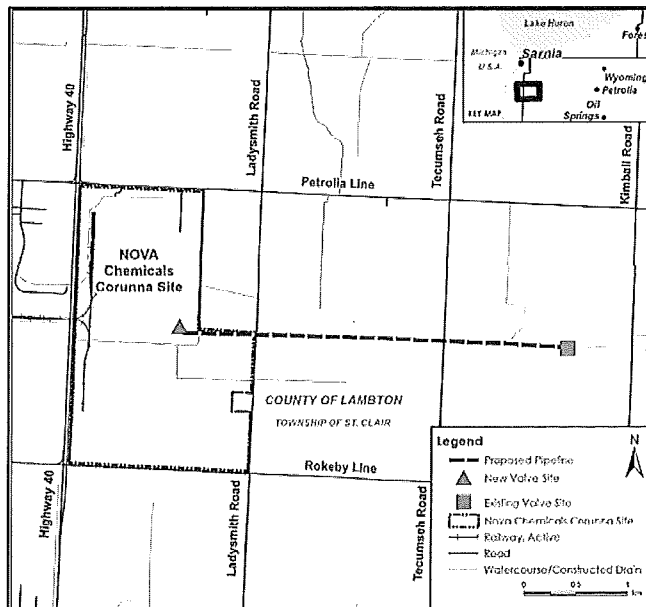
# ONTARIO ENERGY BOARD NOTICE

**NOVA Chemicals (Canada) Ltd. has applied for approval to construct a pipeline in the Township of St. Clair in Lambton County.**

**Learn more. Have your say.**

NOVA Chemicals (Canada) Ltd. has applied to the Ontario Energy Board for approval to construct a natural gas liquids pipeline and ancillary facilities to connect its Corunna petrochemical facility to the existing natural gas liquids pipeline network.

A map of the proposed pipeline project is provided below.



## THE ONTARIO ENERGY BOARD IS HOLDING A PUBLIC HEARING

The Ontario Energy Board (OEB) will hold a public hearing to consider the application filed by NOVA Chemicals. During the hearing, we will question NOVA Chemicals on the case. We will also hear questions and arguments from individuals, municipalities and others whose interests would be affected. At the end of this hearing, the OEB will decide whether to approve the application.

The OEB is an independent and impartial public agency. We make decisions that serve the public interest. Our goal is to promote a financially viable and efficient energy sector that provides you with reliable energy services at a reasonable cost.

## BE INFORMED AND HAVE YOUR SAY

You have the right to information regarding this application and to be involved in the process:

- You can review the application filed by NOVA Chemicals on the OEB's website now.
- You can file a letter with your comments, which will be considered during the hearing.
- You can become an active participant (called an intervenor). Apply by **August 24, 2015** or the hearing will go ahead without you and you will not receive any further notice of the proceeding.
- At the end of the process, you can review the OEB's decision and its reasons on our website.

## LEARN MORE

Our file number for this case is **EB-2015-0212**. To learn more about this hearing, find instructions on how to file letters or become an intervenor, or to access any document related to this case, please select the file number **EB-2015-0212** from the list on the OEB website: [www.ontarioenergyboard.ca/noticelc](http://www.ontarioenergyboard.ca/noticelc). You can also phone our Consumer Relations Centre at 1-877-632-2727 with any questions.

## ORAL VS. WRITTEN HEARINGS

There are two types of OEB hearings – oral and written. NOVA has applied for a written hearing. The OEB is considering this request. If you think an oral hearing is needed, you can write to the OEB to explain why by **August 24, 2015**.

## PRIVACY

*If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. However, your personal telephone number, home address and e-mail address will be removed. If you are a business, all your information will remain public. If you apply to become an intervenor, all information will be public.*

*This hearing will be held under section 90(1) of the Ontario Energy Board Act, 1998, S.O. 1998 c.15 (Schedule B).*



**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B, and in particular, s.90 thereof;

**AND IN THE MATTER OF** an Application by NOVA Chemicals (Canada) Ltd. for an Order granting leave to construct a hydrocarbon pipeline and ancillary facilities in the Township of St. Clair, County of Lambton.

**APPLICATION FOR LEAVE TO CONSTRUCT**

1. NOVA Chemicals (Canada) Ltd. ("NOVA Chemicals") hereby applies to the Ontario Energy Board (the "OEB"), pursuant to Section 90(1)(c) of the *Ontario Energy Board Act, 1998* ("OEB Act") for an Order granting leave to construct approximately 4.0 kilometres ("km") of nominal pipe size ("NPS") 12 inch hydrocarbon (natural gas liquids, or "NGLs") pipeline with an operating pressure of more than 2,000 kilopascals ("Proposed Pipeline").
2. Attached hereto as Schedule "A" is a map showing the general location of the Proposed Pipeline. The Proposed Pipeline is to be located entirely within the Township of St. Clair in Lambton County, within an existing right of way ("RoW") which is comprised of a series of easements registered in favour of NOVA Chemicals. The existing RoW currently contains a dormant NPS 4 hydrocarbon line and a portion of a dormant NPS 8 hydrocarbon line, both owned and previously operated by NOVA Chemicals. The portions of the NPS 4 and NPS 8 pipelines located in the RoW will be removed as part of the Proposed Pipeline project.
3. The Proposed Pipeline will connect to the Windsor-Sarnia Pipeline owned and operated by Plains Midstream Canada ULC ("Plains"), at Plains' existing NOVA valve site, and will terminate at a new valve site to be constructed on the Corunna petrochemicals facility owned and operated by NOVA Chemicals at 785 Petrolia Line, Corunna, Ontario (the "Corunna Facility").

4. NOVA Chemicals owns and operates three petrochemical facilities in the Sarnia, Ontario area. The largest of these is the Corunna Facility. The Corunna Facility produces approximately 2.5 billion pounds of petrochemicals annually, including 1.8 billion pounds of ethylene which is used as feedstock at NOVA Chemicals' other petrochemical facilities in the Sarnia region and is also sold to third parties in the Sarnia region.
5. The Proposed Pipeline will provide a second NGL pipeline to the Corunna Facility, complementing an existing connection of the Corunna Facility to the Sunoco Logistics Mariner West pipeline. The Proposed Pipeline will provide greater NGL supply capacity and reliability to support NOVA Chemicals' current operations and possible future expansion of the Corunna Facility.
6. Construction of the Proposed Project is planned to commence on or about June, 2017 with a planned in-service date on or about November, 2017. NOVA Chemicals requests a term of thirty six (36) months for the applied for approval. The requested term for the approval would allow some flexibility should construction be delayed as a result of external events, such as delays in upstream projects connected with the new NGL transportation path from the supply basin to the Proposed Pipeline, and would provide some flexibility for NOVA Chemicals to retain its seasonal construction preference for summer, if appropriate.
7. NOVA Chemicals requests that this application be dealt with by way of a written hearing in accordance with Section 32 of the Board's *Rules of Practice and Procedure*.



8. NOVA Chemicals requests that copies of all documents filed with the Board in connection with this proceeding be served on it and on its counsel as follows:

NOVA CHEMICALS (CANADA) LTD.  
P.O. Box 3060  
Sarnia, Ontario  
N7T 8C1

Attention: Fred Maxim, Senior Corporate Counsel

Phone: (519) 346-3286  
Fax: (519) 481-2823  
E-mail: fred.maxim@novachem.com

- and -

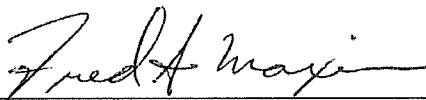
GOWLING LAFLEUR HENDERSON LLP  
1 First Canadian Place, Suite 1600  
Toronto, Ontario  
M5X 1G5

Attention: Ian A. Mondrow, Partner

Phone: (416) 369-4670  
Fax: (416) 462-7661  
E-mail: ian.mondrow@gowlings.com

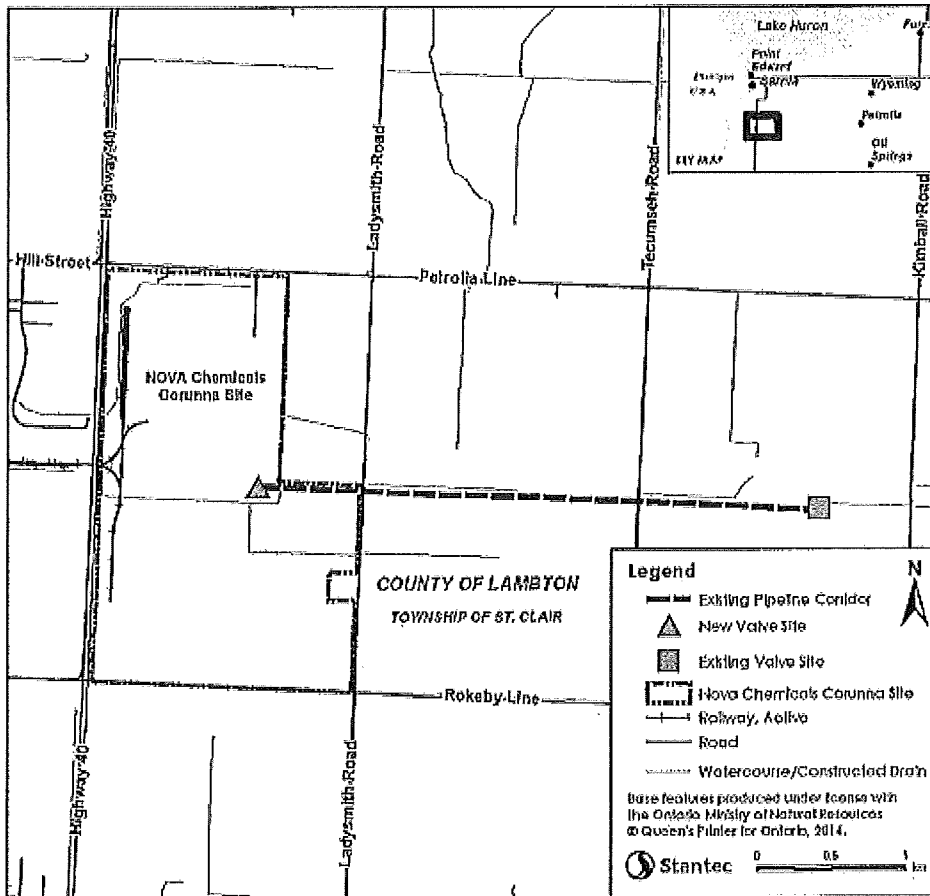
DATED June 26, 2015 at Sarnia, Ontario.

**NOVA CHEMICALS (CANADA) LTD.**

Per:   
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Fred Maxim  
Senior Corporate Counsel



**SCHEDULE "A"**



**EXHIBIT B TO THE AFFIDAVIT OF FRED S MAXIM DATED AUGUST 13, 2015  
COPIES OF CONFIRMATIONS OF COURIER DELIVERY**

PAPER COPY SENT TO THE BOARD SECRETARY