

Feb 28, 2018

BY RESS & Courier

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

Dear Ms. Walli:

Re: Union Gas Limited ("Union")
2016 Sudbury Replacement Project
Board File # EB-2016-0122

Pursuant to Condition 6. (a) iv. of the Board's Conditions of Approval for the above-noted project, attached please find Union's Post Construction Report.

Sincerely,

[original signed by]

Shelley Bechard Administrative Analyst, Regulatory Projects

cc: Z. Crnojacki N. Marconi

Regulatory Library

2016 SUDBURY REPLACEMENT PROJECT POST CONSTRUCTION REPORT EB-2016-0122

Prepared by: Union Gas Limited Environmental Planning February 2018

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1.0 INTRODUCTION

This Post Construction Report is provided in compliance with the Ontario Energy Board ("Board") Order EB-2016-0122 granting Union Gas Limited ("Union") "Leave to Construct" approximately 850 metres of NPS 12 inch diameter natural gas pipeline to replace and upsize two short sections of the existing NPS 10 inch Sudbury Lateral Line in the City of Greater Sudbury.

Sudbury Lateral was predominantly constructed in 1958. Union replaced and upsize two short sections of the Sudbury lateral to address class location changes, integrity issues and some future growth requirements.

The requirements for and details of this report are outlined in the specific conditions issued by the Board in its Order dated July 7, 2016 as listed below. The Conditions of Approval can be found in Appendix B.

Accordingly, the purpose of this Post Construction Report is to fulfill these conditions.

- 1.0 Union Gas Limited (Union) shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in this proceeding and these Conditions of Approval.
- 3.0 Union shall implement all the recommendations of the Environmental Report filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.
- 4.0 Union Gas shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Union shall not make 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.

- 6.0 Both during and after construction, Union Gas shall monitor the impacts of construction, and shall file with the Board 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. described any impact or outstanding concerns identified during construction;
 - iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of the 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 rational 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.

2.0 BACKGROUND

Union was granted approval to construct the 2016 Sudbury Replacement Project on July 7, 2016. Construction began on Section 1 on September 19, 2016 which consisted of 700 metres of NPS 12 located near Falconbridge Road and Maley Drive in the City of Sudbury and completed on October 28, 2016. Construction was initiated near Falconbridge Rd. and progressed in a northerly direction to the end point south of Maley Drive with the following order of operations: stringing, welding, joint coating, trenching, directional drilling, lowering-in, tie-ins, backfilling, testing and clean-up.

Construction began on Section 2 October 16, 2017 which consisted of 150 metres of NPS 12 located at Frood Road in the City of Sudbury and completed on December 5, 2017. Construction

commenced east of Frood Rd. and progressed in a westerly direction with the following order of operations: stringing, welding, joint coating, trenching, lowering-in, tie-ins, backfilling, testing and clean-up.

Union returned to the Section 1 right-of-way in spring 2017 to complete the following activities: repair any subsidence on the right-of-way, perform a general overview of the right-of-way and complete any additional clean-up that was required. Union will return to the Section 2 right-of-way in spring 2018 to perform the same general tasks.

3.0 POTENTIAL IMPACTS AND MITIGATION

3.1 **Condition 1.0**

Union Gas Limited (Union) shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in this proceeding and these Conditions of Approval.

With exception to the changes indicated in Condition 4.0, Union has complied with all conditions imposed by the Board during construction of the pipeline and has restored the land according to the evidence in support of its application.

3.2 *Condition 3.0*

Union shall implement all the recommendations of the Environmental Report filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.

Union has implemented all recommendations and mitigation measures outlined in the Environmental Report (ER) along with all directives identified by the OPCC.

3.3 Condition 4.0

Union Gas shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Union shall not make 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.

Union Gas forwarded letters to the OEB on three (3) separate occasions with "Requests to Vary" for the project. The changes included;

- In a letter dated July 12, 2016, Union Gas submitted a "Change Request" to the OEB. In order to facilitate construction of the proposed facilities Union proposed to obtain additional temporary lands at the Western Terminus of Section One of the Project. These lands are owned by the Hydro Electric Power Commission of Ontario. Union met with this organization and they agreed to grant Union the temporary rights necessary for Union to use the property. The OEB response letter dated October 3, 2016 can be found in Appendix C.
- 2) In a letter dated September 22, 2016, Union Gas submitted a "Change Request" to the OEB. In order to facilitate more efficient construction of the Proposed Facilities in the area of Junction Creek, Union proposed a minor change to the route of the pipeline on the City of Greater Sudbury property at the eastern end of Section One. Union had originally planned to open-cut and drill this section of pipeline. Union's proposal was to directionally drill the entire area where the route will be changed. The OEB response letter dated October 3, 2016 can be found in Appendix C.
- 3) In a letter dated December 16, 2016, Union Gas submitted a "Change Request" to the OEB. The Sudbury 2016 Replacement Project consisted of two sections of NPS 12 pipeline replacements. Union completed the 700 metre western section and placed this section in-service in November of 2016. Due to the late finish of the western section Union proposed to complete the 150 metre eastern section crossing Frood Road in 2017. The OEB response letter dated October 3, 2016 can be found in Appendix C.

3.4 Condition 6.0

Both during and after construction, Union Gas shall monitor the impacts of construction, and shall file with the Board one paper copy and one electronic (searchable PDF) version of each of the following reports:

- 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;

One paper copy and one electronic (searchable PDF) version of this Post Construction Report is provided to the Board. This report is certified by Paul Rietdyk, Vice President of Engineering, Construction and STO, confirming that Union has constructed the facilities and restored the land in accordance with the Board's Decision and the Conditions of Approval in Order EB-2016-0122. The letter of certification can be found in Appendix D.

- ii. described any impact or outstanding concerns identified during construction
- iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of the construction;

Table 1 summarizes the construction effects and general mitigation measures carried out during construction. All mitigation techniques used throughout construction will also be implemented during cleanup activities as required.

3.4.1 Monitoring Programs

3.4.1.1 <u>Archaeological Assessment</u>

Union retained the services of Woodland Heritage Services to conduct a Stage 1 and Stage 2 archaeological assessment study along the entire pipeline route. Based on the

Stage 1 assessment it was determined that there was archaeological potential in the study area and therefore a Stage 2 assessment would be necessary. The Stage 2 assessment was conducted on May 17, 2016 and resulted in no discoveries of archaeological resources. No artifacts were discovered during construction.

3.4.1.2 <u>Watercourse Monitoring</u>

In Section 1 it was necessary to cross one (1) watercourse regulated by the Conservation Sudbury as part of the project. The water crossing was performed using the horizontal directional drill (HDD) method under the conditions of a permit acquired from Conservation Sudbury.

The watercourse was protected prior to, during and following construction by installing sediment fencing, and erosion control matting. Disturbed areas adjacent to the watercourse was seeded immediately following the installation of the pipeline.

The watercourse was susceptible to erosion and checked after excessive rainfall to verify the effectiveness of the sediment control devices. The watercourse was reviewed for stability and vegetation re-establishment in the spring of 2017 and found to be rehabilitated..

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 rational for taking such actions and:

Union's Complaint Tracking System which identifies the current status of landowner complaints received as a result of pipeline construction, was in effect. A complaint is identified as a concern raised by a landowner that has not been resolved to the landowner's satisfaction within three (3) working days.

During construction, a few concerns were raised to Union and their Contractor.

These issues were minor in nature and were dealt with by Union and the

Contractor in an expeditious manner. Union will continue to monitor the state of the land and environment and will address any additional landowner concerns if they should arise.

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.

Paul Rietdyk, Vice President of Engineering Construction and STO, has certified that the company has obtained all other approvals, permits, licences, and certificates required to obstruct, operate and maintain the project and is confirmed by their signed letter of approval found in Appendix D.

Union Gas obtained the following environmental approvals for construction:

***** Conservation Sudbury - Watercourse Crossings

- For Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Ontario Regulation 148/06.
- Letter of Clearance Dated April6, 2016

Ministry of Tourism, Culture and Sport

- Letter of Compliance File Number 0004819
- 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, 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 and identified impacts of construction.

- iv. include the results of any 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 rational for taking such actions and:

A final monitoring report will be prepared to evaluate the success of the monitoring programs and if necessary outline areas in need of additional restoration as well as any outstanding issues if they should arise.

4.0 **SUMMARY**

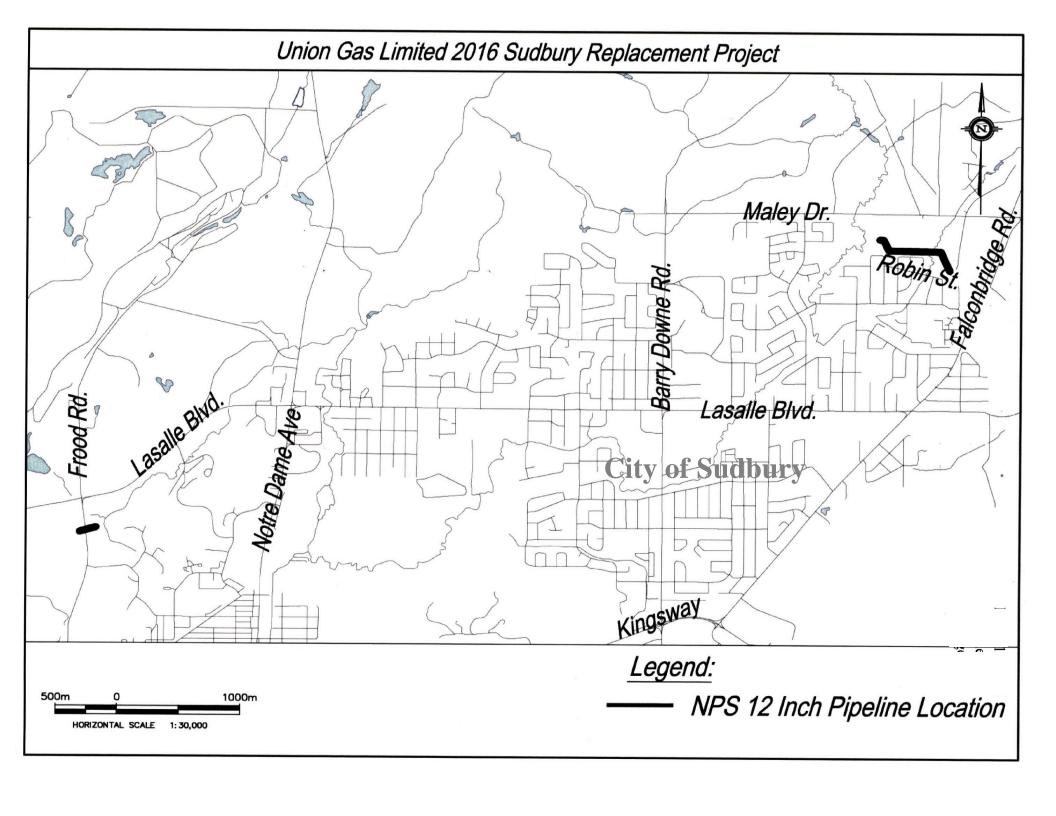
This Post Monitoring Report has been prepared as per conditions in the Board Order EB-2016-0122. The report provides an outline of Unions' compliance with the commitments of its witnesses, the measures implemented during construction to minimize disturbance to the environment and a description of Unions' monitoring programs. It is anticipated that these measures will effectively eliminate any long-term impacts to the environment.

"Table 1"

Potential Impacts and Mitigation Measures

		GATION SUMMARY Proposed Mitigation	
Issue	Potential Impact	Proposed Mitigation	
a) Archaeology	Disturbance to cultural heritage resources.	• Following a Stage 1 and Stage 2 assessment, it was determined the area had a low archaeological potential No artifacts were found during construction.	
c) Landowner Concerns	Disruption to landowners and tenants	 Union provided the landowners/ area residents with the telephone numbers of Company personnel. A Landowner Relations Program was established to track complaints during construction. To date there have been no complaints entered into the complaint tracking system. 	
d) Watercourses	Water quality concerns	 Union adhered to Company specifications for watercourse crossings. Union obtained permits from Conservation Sudbury 	
g) Public Safety	Public safety concerns	 Company inspectors ensured public safety on construction site. Ensured proper signage and flag persons if required. 	
h) Construction Equipment	Disruption to landowners	Equipment was stored in a nearby yard when not in use.	
i) Construction Noise	Disturbance to landowners and tenants	 Construction was carried out during daylight hours whenever possible. Ensured equipment was properly muffled. 	
j) Traffic	Disruption to local citizens	 At least one lane of traffic was maintained at all times. Flag persons and warning devices were used to notify traffic of the construction zone in accordance with Ministry of Transportation standards. 	
k) Fuel Storage and Handling	Improper fuel storage and handling may cause spillage and possible contamination of soil.	 Fuel was not stored near watercourses (i.e. Within 100 metres) Spill clean-up materials were stored on site and available in the event of a spill. Spills or leakage were to be reported to the appropriate authority immediately (Ministry of the Environment Spills Action Centre at 1-800-268-6060) No reportable spills were recorded during construction. 	

Appendix A Location Map



Appendix BConditions of Approval

Leave to Construct Conditions of Approval Application under Section 90 of the OEB Act

Union Gas Limited EB-2016-0122

- Union Gas Limited (Union) shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in this proceeding and these Conditions of Approval.
- 2. (a) Authorization for leave to construct shall terminate 12 months after this Decision and Order 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
 - of the in-service date, no later than 10 days after the facilities go into service.
- Union shall implement all the recommendations of the Environmental Report 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.
- 5. Union shall file, in the proceeding where the actual capital costs of the project are proposed to be included in rate base, a Post Construction Financial Report, which shall indicate the actual capital costs of the project and shall provide an explanation for any significant variances from the cost estimates filed in this proceeding.

- 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 inservice date, which shall:
 - 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 of 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.

Appendix C

Letters to the OEB – Change to Construction

Ontario Energy Board P.O. Box 2319 27th. Floor 2300 Yonge Street Toronto ON M4P 1E4 Telephone: 416- 481-1967 Facsimile: 416- 440-7656

Toll free: 1-888-632-6273

Commission de l'énergie de l'Ontario C.P. 2319 27e étage 2300, rue Yonge Toronto ON M4P 1E4 Téléphone: 416-481-1967 Télécopieur: 416- 440-7656 Numéro sans frais: 1-888-632-6273



BY E-MAIL

October 3, 2016

W.T. Wachsmuth Union Gas Limited Senior Administrator, Regulatory Projects P.O. Box 2001, 50 Keil Drive North Chatham, ON N7M 5M1

Dear Mr. Wachsmuth

Re: 2016 Sudbury Replacement Project – EB-2016-0122 Request to Vary - Change Request No. 1

The Ontario Energy Board (OEB) is in receipt of the letter dated July 12, 2016 and letter dated October 3, 2016 from Union Gas Limited (Union) advising the OEB of a change to the 2016 Sudbury Replacement Project (Change Request No. 1).

The change relates to Union's use of additional temporary lands from Hydro Electric Power Commission of Ontario at the Western Terminus of Section One of the Project. Union needs the lands for temporary use as a marshalling and storage area. The lands would be returned to its current condition upon construction completion and no new environmental mitigation measures would be needed as result of the proposed change. On October 3, 2016 Union informed the OEB that it now obtained necessary temporary land rights and that construction has started at the east end and is advancing in a westerly direction. Union estimated a cost increase due to the proposed change of about \$4,000.

As the Manager, Application Policy and Climate Change, I have been delegated the authority of the OEB under Section 6 of the *Ontario Energy Board Act, 1998* to determine whether Union's proposal will result in material changes to the leave to construct granted by the OEB in the EB-2016-0122 proceeding. I have been further granted the authority to approve any changes that I have concluded are not material.

I note that the estimated incremental costs presented therein can be covered by the contingencies contained in the EB-2016-0122 proceeding. I also note that the actual costs of the project will be reported to the OEB in the Post-Construction Financial Report.

Based on my review of the information provided, I find that the described changes do not materially impact the leave granted by the OEB to construct the pipeline. I hereby approve the proposed change in temporary use of lands during construction.

Yours truly,

Original signed by

Pascale Duguay Manager, Application Policy and Climate Change Ontario Energy
Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656

Commission de l'énergie de l'Ontario C.P. 2319 27e étage 2300, rue Yonge Toronto ON M4P 1E4 Téléphone: 416-481-1967 Télécopieur: 416- 440-7656 Numéro sans frais: 1-888-632-6273



BY E-MAIL

September 26, 2016

Toll free: 1-888-632-6273

W.T. Wachsmuth Union Gas Limited Senior Administrator, Regulatory Projects P.O. Box 2001, 50 Keil Drive North Chatham, ON N7M 5M1

Dear Mr. Wachsmuth

Re: 2016 Sudbury Replacement Project – EB-2016-0122

Request to Vary

Change Request No. 2

The Ontario Energy Board (OEB) is in receipt of the letter dated September 22, 2016 from Union Gas Limited (Union) advising the OEB of a change to the 2016 Sudbury Replacement Project (Change Request No. 2).

The change relates to Union's proposed modification of the construction method in the area of Junction Creek and a minor change to the pipeline route on the City of Greater Sudbury's land. The route adjustment is required to accommodate the change in the construction method. Union plans to apply directional drilling method instead of a combination of originally planned open cut and directional drilling. Union estimated that this change will increase the costs of the project by about \$9,000.

As the Manager, Application Policy and Climate Change, I have been delegated the authority of the OEB under Section 6 of the *Ontario Energy Board Act, 1998* to determine whether Union's proposal will result in material changes to the leave to construct granted by the OEB in the EB-2016-0122 proceeding. I have been further granted the authority to approve any changes that I have concluded are not material.

I note that Union met with the City of Greater Sudbury regarding the proposed change. No concerns with the modified construction method and minor route adjustment were

expressed to Union. I also note that the estimated incremental costs presented therein can be covered by the contingencies contained in the EB-2016-0122 proceeding. I finally note that the actual costs of the project will be reported to the OEB in the Post-Construction Financial Report.

Based on my review of the information provided, I find that the described changes do not materially impact the leave granted by the OEB to construct the pipeline. I hereby approve the proposed change in the construction method and minor route adjustment required to complete directional drilling.

Yours truly,

Original signed by

Pascale Duguay Manager, Application Policy and Climate Change Ontario Energy Board P.O. Box 2319 2300 Yonge Street 27th Floor Toronto ON M4P 1E4 Telephone: 416-481-1967

Telephone: 416-481-1967 Facsimile: 416-440-7656 Toll free: 1-888-632-6273 Commission de l'énergie de l'Ontario C.P. 2319 2300, rue Yonge 27° étage Toronto ON M4P 1E4 Téléphone: 416-481-1967 Télécopieur: 416-440-7656

Numéro sans frais: 1-888-632-6273



BY E-MAIL

December 19, 2016

W.T. Wachsmuth Union Gas Limited Senior Administrator, Regulatory Projects P.O. Box 2001, 50 Keil Drive North Chatham ON N7M 5M1

Dear Mr. Wachsmuth

Re: 2016 Sudbury Replacement Project – EB-2016-0122

Request to Vary Change Request No. 4

The Ontario Energy Board (OEB) is in receipt of the letter dated December 16, 2016 from Union Gas Limited (Union) advising the OEB of a change to the 2016 Sudbury Replacement Project (Change Request No. 4).

The change relates to a delay of construction of the 150 metre eastern section of the pipeline crossing Frood Road, which is proposed to be completed in 2017 instead in 2016 as it was planned. According to Union, the delay is due to the late completion of the 700 metre western section of the 2016 Sudbury Replacement Project. Union estimated a cost increase of about \$15,000 due to the proposed change.

As the Manager, Application Policy and Climate Change, I have been delegated the authority of the OEB under Section 6 of the *Ontario Energy Board Act, 1998* to determine whether Union's proposal will result in material changes to the leave to construct granted by the OEB in the EB-2016-0122 proceeding. I have been further granted the authority to approve any changes that I have concluded are not material.

I note that the delay in construction will not cause any changes in land requirements, or in construction and environmental practices identified in Union's evidence. I also note that the estimated incremental costs presented therein can be covered by the contingencies contained in the EB-2016-0122 proceeding. Finally, the actual costs of

the project will be reported to the OEB in the Post-Construction Financial Report in the proceeding where the capital costs of this project are proposed to be included in rate base.

Based on my review of the information provided, I find that the described changes do not materially impact the leave granted by the OEB to construct the pipeline. I hereby approve the proposed change of construction schedule.

Yours truly,

Original signed by

Pascale Duguay Manager, Application Policy and Climate Change

Appendix D Executive Certification



SUDBURY REPLACEMENT PROJECT EB-2016-0122

I hereby certify Union Gas Limited has complied the Decision and Order, Schedule B, EB-2016-0122, Section 6 (a) (i).

Paul Rietdyk

Date

Vice President – Engineering, Construction, Storage and Transmission Operations

Condition 6 a) i.

- 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;

Condition 1

Union Gas Limited (Union) shall construct the facilities and restore the land in accordance with the Board's Decision and Order in EB-2016-0122 and these Conditions of Approval.



SUDBURY REPLACEMENT PROJECT EB-2016-0122

I hereby certify Union Gas Limited has complied the Decision and Order, Appendix B, EB-2016-0122 Section 6 (a) (v).

Paul Rietdyk

01800006

Date

Vice President – Engineering, Construction, Storage and Transmission Operations

Condition 6 (a) (v).

- a) a post construction report, within three months of the in-service date, which shall:
- v. Provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licenses, and certificates required to construct, operate and maintain the proposed project.

Appendix E Photo Inventory



A portion of Section 1 construction was located between the fence of a Hydro One facility and private properties.



Safety fencing was installed along private yards that were open to the construction easement.



In areas of wet or unstable soils, large wooded mats are places together to create a stable access with little disturbance to the soils.



Due to the proximity of the Ontario Hydro Station, caution signs were installed along the pipeline easement



Due to the possibility of encountering rock and the confined work space, an excavator was used to dig the trench.



Care was taken to respect landowner's property. In this case a retaining wall and shed was within the easement. As it was not directly in conflict with the route of the pipeline, Union allowed it to remain.



Once two sections of pipe have been welded together, the joints are sand blasted to remove any impurities and rust and then an epoxy coating applied to protect the pipe.



Following backfill operations, the site is graded to as close to the original as possible.