

City of Mississauga
Legal Services
300 City Centre Drive
MISSISSAUGA, ON L5B 3C1

Patrick M. Murphy MBA LL.B
Tel. 905.615.3200 ext. 8710
Fax: 905.615-3252
patrick.murphy@mississauga.ca

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Delivered by Courier (electronic copy sent via Web Portal)

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319, 2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

Re: Imperial Oil Limited – Waterdown to Finch Project Application, OEB File No. EB-2019-0007, Procedural Order No. 5

On October 10, 2019 the City of Toronto filed a Notice of Motion pursuant to Rule 27.03 of the OEB's Rules of Practice and Procedure requesting that the OEB order the disclosure of the following information from the Applicant (Imperial Oil Limited):

1. The complete results of all audits, whether internal or external, conducted of Imperial's Safety and Loss Management System program, including Imperial's response to these audits.
2. A copy of Imperial's Integrity Management Program as required by CSA Z662-15 Clause 3.1.2 (final v) and Clause 3.2, and complete details of all audits, whether internal or external, conducted of this Program including Imperial's response.
3. The complete risk analysis performed on the existing line, and on the proposed replacement line indicating where consequence levels may have changed between the existing and proposed pipelines.

In connection with the above, the Region of Peel has filed a letter supporting the City of Toronto's motion.

The City of Mississauga supports the City of Toronto's motion for disclosure of the subject information from the Applicant for the following reasons:

1. We understand that Imperial Oil's approach to risk management emphasizes loss prevention and risk retention. When losses occur, Imperial Oil finances the cost from its own internal resources which is known as "risk retention". Imperial Oil purchases insurance to protect against "catastrophic" loss which are loss incidents that would have a significant impact on Imperial's financial well-being.

In order to have an effective risk management program, Imperial undertakes periodic risk assessments in virtually all its business activities including the distribution of product by pipelines. Risk identification and assessment is the cornerstone of Imperial's Operations Integrity Program. With the new pipeline crossing through several municipalities including 16.52 km through the City of Mississauga often in close proximity to residents, business and municipal infrastructure; it is of paramount importance that municipal officials have a full understanding of the risks. From our perspective, as supported by the other municipalities full disclosure of the risks is in the public interest.

2. Imperial Oil admitted in its response to Interrogatories that spills have occurred.¹ Since these spills, Imperial has undertaken measures to improve cathodic protection (which was in place at the time of the Flamborough release in the late 1980s), utilize better grade pipe and pipe coatings along with improvements in the welding technology.² Given Imperial has made the corporate decision to replace a 50-60 year old pipeline, it is in the public interest and in the interests of municipal officials to have an understanding of the risks so that proper steps can be taken to have plans in place to deal with an emergency situation.
3. The Sarnia Products Pipeline transports refined petroleum products including jet fuel which if impacted could cause a catastrophic event. Municipal officials and the public need to have an understanding of these risks especially when some of these risks may be outside the direct control of the Applicant. Historically, there have been a number of catastrophic events particularly in the petroleum industry where damage could have been reduced if the public had a better understanding of the risks.

¹ Proponent's Response to Information Requests on the Waterdown to Finch Pipeline Application, page 13 of 168, para. 10.4

² IBID, page 14 of 168, para. 10.4 d. and e.

For the reasons outlined above, the City of Mississauga supports the City of Toronto in its motion for disclosure of the Applicant's information prepared in-house and by outside consultants relating risk assessment of the pipeline.

Yours truly,



Patrick M. Murphy
Legal Counsel, Environmental

cc: Jessie Malone - Environmental and Regulatory Advisor, Imperial Oil Limited (jessie.m.malone@esso.ca)
Ian Laing - Counsel for Imperial Oil Limited (ian.r.laing@esso.ca)
Richard King - Counsel for Imperial Oil Limited (rking@osler.com)
Patrick Welsh - Counsel for Imperial Oil Limited (pwelsh@osler.com)
Andra Maxwell - City Solicitor, City of Mississauga (andra.maxwell@mississauga.ca)
Auryn Soares - Storm Drainage Coordinator, City of Mississauga (auryn.soares@mississauga.ca)
Lincoln Kan - Manager, Environmental Services, City of Mississauga (lincoln.kan@mississauga.ca)
Annie Thuan - Deputy City Solicitor, City of Mississauga (annie.thuan@mississauga.ca)
Graham Walsh - Deputy City Solicitor, City of Mississauga (graham.walsh@mississauga.ca)
Nicholas Rolfe - City of Toronto (nicholas.rolfe@toronto.ca)
Katherine Frankl - City of Toronto (kfrankl@toronto.ca)
Rachel Godley - Regional Municipality of Peel (rachel.godley@peelregion.ca)
Meredith Baker - Regional Municipality of Halton (meredith.baker@halton.ca)