

BY E-MAIL

July 22, 2020

Ms. Christine E. Long
Board Secretary and Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
BoardSec@oeb.ca

Dear Ms. Long:

**Re: Enbridge Gas Inc.
Low Carbon Energy Project
OEB Staff Interrogatories to Technical Standards and Safety Authority
OEB File No. EB-2019-0294**

In accordance with Procedural Order No. 3, please find attached the OEB staff interrogatories to the Technical Standards and Safety Authority (TSSA) on evidence it filed in this proceeding. This document has been sent to the TSSA, Enbridge Gas Inc. and all intervenors.

The TSSA is reminded that its responses to the interrogatories are due by August 7, 2020.

Yours truly,

Original signed by

Ritchie Murray
Project Advisor

c. TSSA, Enbridge Gas Inc. and all intervenors

Encl.

**ENBRIDGE GAS INC.
LOW CARBON ENERGY PROJECT
EB-2019-0294**

OEB STAFF INTERROGATORIES TO TSSA

OEB staff No. 1

Ref.: TSSA evidence, page 1

Applicant's response to OEB staff interrogatory No. 16

Applicant's response to CCC interrogatory No. 7

Applicant's response to SEC interrogatory No. 1

Preamble

The TSSA explained that its mandate and authority in respect of the Project arise from:

- the *Technical Standards and Safety Act, 2000*
- Ontario Regulation 210/01
- FS-238-18, through which it adopted the CSA Z662

The TSSA explained that it licenses and audits gas distributors, reviews all leave to construct applications filed with the OEB, and can issue orders for non-compliance.

The TSSA's explanation appears to be limited to its Fuels Safety mandate. However, it is OEB staff understanding that the TSSA also has mandate and authority over other matters including pressure vessels and Operating Engineers.

Enbridge Gas stated that approvals from the TSSA will be required as part of hydrogen station fabrication and commissioning.

Enbridge Gas explained that when there is a fuel related installation (e.g., new technology) that is not specifically covered by existing codes, a Field Development Project (or project-specific review by the TSSA) may be required.

Enbridge Gas provided a copy of a slide deck on the Project that was presented to its executive management. On one slide, Enbridge Gas noted that a variance from the TSSA would be required if any pipe and fittings were used for the Project that are not already approved for general use by Enbridge Gas.

Question

- a) Please confirm that the TSSA has mandate and authority over pressure vessels and Operating Engineers. If so, please explain how that mandate and authority may relate to the Project.
- b) Please confirm that the TSSA has mandate and authority over the hydrogen station fabrication and commissioning. If so, please explain the nature and extent of that mandate and authority.
- c) Please confirm that the Project is a Field Development Project and will receive (or has received) a project-specific review by the TSSA. If so, please explain what is involved in this type of review and the TSSA's key findings. If not, please explain why not.
- d) Under what circumstances is a variance required? How might the variance process be applied in respect of the Project? Please include in the response whether Enbridge Gas has applied to the TSSA for any variances for the Project, and whether the TSSA has issued Enbridge Gas any variances to date for the Project (and if so for what?).
- e) Does the TSSA have mandate and authority over any other activities that may relate to the Project? Please explain.

OEB staff No. 2

Ref.: TSSA evidence, page 1
EB-2019-0294, Exhibit D, Tab 1, Schedule 1, Page 12

Preamble

The TSSA currently audits gas distributors once every five years. The TSSA is in the process of adopting a risk-based approach to rating the performance of the gas distributors. The ratings may be used to change the audit process and the audit interval. The TSSA may implement changes to its audit process and intervals by the end of 2020.

Enbridge Gas is planning to begin construction of the Project in April 2021 in order to meet an August 2021 in-service date.

Question

If, by the TSSA's new rating criteria, Enbridge Gas is rated as a low risk distributor, could the frequency with which it is audited be decreased? Please include in the response an explanation of whether the Project could attract less attention from the TSSA than it otherwise might have and whether that could have an impact on the technical safety related aspects of the Project.

OEB staff No. 3

Ref.: TSSA Safety Value Chain (<https://www.tssa.org/en/about-tssa/about-tssa.aspx>)

Question

Please comment on whether the TSSA is currently, or may in future be, engaged in each of the following activities as they relate to the Project and/or the distribution of blended gas in Ontario:

- Development/amendment of regulations, codes and standards
- Informing and educating end-users and industry participants
- Influencing training institutions
- Reviewing the design of new technology, new installations, changes to existing equipment and plants for compliance to codes and regulations
- Inspection and auditing of trades people, contractors, plants, equipment and sites
- Taking regulatory action to resolve non-compliance situations or actions before or after safety incidents
- Investigating safety incidents or near-misses

OEB Staff No. 4

Ref.: TSSA evidence, page 3

Preamble

The TSSA states that it will audit and inspect Enbridge Gas to ensure compliance with applicable technical and safety standards for construction and operation of the Project.

Questions

- a) Will the TSSA be performing field or office audits, or both? Please explain.
- b) Will the TSSA use its existing tools (e.g., inspection checklists) to perform the audits, or will it develop Project specific audit and inspection tools? Please explain.
- c) Has (or will) the TSSA required Enbridge Gas to develop an emergency response plan for the Project or to amend an existing plan to include the blended gas system and the BGA? If so, is the TSSA satisfied with the plan?

OEB staff No. 5

Ref.: Exhibit B, Tab 1, Schedule 1, Attachment 1
Applicant's response to H2GO interrogatory No. 1
Applicant's response to OEB staff interrogatory No. 10
TSSA evidence, pages 2-3

Preamble

Enbridge Gas filed summaries of the findings of its technical review and reports from consultants. Enbridge Gas believes that there is sufficient information on the record related to the safety and technical aspects of the Project. Enbridge Gas is not prepared to file into evidence copies of any engineering assessments, consultant reports, working papers and datasets.

In March 2020, Enbridge Gas filed an Application for Review of Pipeline Project with the TSSA, which is a standard requirement for any pipeline project. In April 2020, the TSSA provided a number of technical questions to Enbridge Gas, which the Company is in the process of answering.

The TSSA requested from Enbridge Gas computational fluid dynamics (CFD) modelling for indoor leaks, dispersion modelling for outdoor leaks, fault tree analysis on end-user equipment, and an overall risk assessment. At the time the TSSA filed its evidence, this information had not been received from Enbridge Gas.

Enbridge expressed concerns that the risk report is proprietary. However, the TSSA states that the TSSA Act s. 24(1) protects the document and the TSSA may only be required to share the results of its review of the document.

Notwithstanding that it has yet to review certain risk related information, the TSSA states that, in general, it "is in support of this project."

Questions

- a) Has the TSSA now received the requested documents? If so, please provide a summary of the results of the TSSA's review of the documents. Please indicate in the response whether the TSSA's support for the Project has changed and if so, in what way and why.
- b) Does the TSSA believe it is necessary for it to review the requested information prior to the OEB issuing a decision in this proceeding? If not, please explain.
- c) Does the TSSA support a condition of approval that Enbridge Gas must obtain from the TSSA and file with the OEB prior to beginning construction a letter that states that Enbridge Gas' risk assessment work to date is satisfactory to the TSSA?