

Imperial Oil Limited
Waterdown to Finch Project
EB-2020-0219

Motion to Review and Vary Decision

OEB STAFF INTERROGATORIES FOR IMPERIAL OIL

Responses to interrogatories, including supporting documentation, must not include personal information unless filed in accordance with rule 9A of the OEB's *Rules of Practice and Procedure*

1. Ref: Imperial Oil, Additional Evidence, Motion to Review and Vary Decision, EB-2020-0219, September 18, 2020, Need and Alternatives

Preamble:

Imperial Oil stated that the realignment of the OEB-approved Route is needed to comply with the request of the Ministry of Transportation (MTO) to move the pipeline outside of its right of way to allow future highway expansion, as well as the requirement of Hydro One Networks Inc. (HONI) to accommodate future expansion of a substation. Imperial Oil considered two alternatives to the proposed realignment: i) the OEB approved Route within the MTO lands, which was rejected as no longer feasible due to routing constraints ii) a route located on the east side of Hwy 401, which was rejected because it results in increased impacts on residential landowners. The proposed realignment, located on the west side of the HONI substation, results in less impact on residential landowners and avoids the MTO's and HONI's constraints.

Questions:

- a) Please show the location of the rejected alternative route on the east side of Hwy 401 and location of HONI's substation using the photo map attached to the Notice of Motion and PO No. 1.
- b) Please provide an update of Imperial Oil's construction schedule for the proposed Route Realignment. Include in the schedule the start, duration and completion of main construction and restoration activities associated with this segment of the Project.
- c) Please provide an updated construction schedule for the entire Project. Explain the impact of the proposed Route Realignment on the overall Project schedule for the Project.

2. Ref: Imperial Oil, Additional Evidence, Motion to Review and Vary Decision, EB-2020-0219, September 18, 2020, Environmental Matters

Preamble:

Imperial Oil completed additional surveys of the route realignment area, including easement and temporary workspace on June 4, 2020. These surveys included tree inventory, wildlife habitat, vegetation, aquatic features and ecological land classification. The survey results did not identify any new potential environmental impacts except the need for removal of 28 additional trees, which have been included in the Arborist Report and Tree Removal Plan submitted to the City of Toronto.

Regarding archaeological potential, portions of the route realignment will require Stage 2 Archeological Assessment (Stage 2 AA). Imperial Oil stated that Stage 2 AA of the 1.71 hectares of land with the archaeological potential is planned to be completed in September/October 2020.

Questions:

- a) Please provide any updates on the process of review of the Arborist Report and Tree Removal Plan submitted to the City of Toronto.
 - b) What is the status of Stage 2 AA planned to be conducted and completed in September/October 2020?
3. Ref: Imperial Oil, Additional Evidence, Motion to Review and Vary Decision, EB-2020-0219, September 18, 2020, Land Related Matters

Preamble:

The Route Realignment affects directly 23 parcels of land and 16 landowners including: i) private landowners and businesses ii) HONI iii) the City of Toronto iv) Ministry of Transportation. According to Imperial Oil's evidence all of these landowners were notified about the proposed change of the OEB-approved Route.

Questions:

- a) For each of the 16 landowners listed in the table on page 3 of the Additional Evidence filed on September 18, 2020 please provide in a tabular format:
 - i) an updated chronology of the communication regarding the Route Realignment

- ii) description of communication including the issues and concerns raised by each of the landowners directly impacted by the Route Realignment and how will Imperial Oil address the issues and concerns

4. Ref: Imperial Oil, Additional Evidence, Motion to Review and Vary Decision, EB-2020-0219, September 18, 2020, New Easement Requirements

Preamble:

Imperial Oil included on pages 5 and 6 of the Additional Evidence filed on September 18, 2020, a table with information on each parcel of land and landowner affected by the proposed Route Realignment including type of agreement needed, permanent easement area, temporary workspace and road occupations area. Imperial Oil stated that negotiations with the landowners are in progress and will be continuing.

Question:

- a) Please expand the table referenced above by adding a column to describe the status of negotiations, immediate next steps and anticipated timeline of acquiring each of the required agreements and permits.
5. Ref: Evidence by 1112308 Ontario Inc. and 2394561 Ontario Inc. (Abell Properties), dated October 29, 2020, Overview of Evidence, pages 1- 2

Preamble:

Abell Properties raises the issue of “unique safety risks...associated with additional pipeline infrastructure...” on its property. Abell Properties indicates that specialized fire safety plans and emergency response plans need to be in place because of the storage, processing and chemical management activities on the properties by a tenant, Gardex Chemicals Ltd. Abell Properties’ evidence notes that the fire safety plans are to be completed in accordance with provincial and national requirements and standards.

Questions:

- a) Has Imperial Oil encountered similar hazardous materials safety matters on properties within its pipelines right-of-way elsewhere? If so, please describe how the specialized fire safety plans and hazardous materials risks have been managed in those cases.
- b) Please provide an overview of communication between Imperial Oil and Abell Properties on this matter, including the prospect of resolving the issue.

- c) Please describe if Imperial Oil's communication with Abell Properties included discussions of conditions that Abell Properties would like Imperial Oil to implement. If negotiations on conditions and accommodations have taken place, what is the status of the negotiations? What are the prospects of the parties reaching an agreement?