

Elson Advocacy

January 15, 2021

BY EMAIL AND RESS

Ms. Christine Long
Board Secretary
Ontario Energy Board
2300 Yonge Street, Suite 2700, P.O. Box 2319
Toronto, Ontario M4P 1E4

Dear Ms. Long:

Re: EB-2020-0065 – Enbridge Gas Inc. – Branchton Relocation Project

Enclosed please find the interrogatories of Environmental Defence in the above matter.

Please do not hesitate to contact me if anything further is required.

Yours truly,

A handwritten signature in blue ink, appearing to read 'K. Elson', with a stylized flourish at the end.

Kent Elson

EB-2020-0065 – Branchton Relocation Application

Interrogatories of Environmental Defence To Enbridge

Interrogatory 1

Reference: Exhibit A, Tab 2, Schedule 1, Page 1

Preamble:

“This relocation is required in order for Enbridge Gas to comply with the class designation requirements of Canadian Standards Association Code Z662 (“CSA Z662”) because surrounding land use has changed the pipe’s class location designation from 1 to 3.”

Questions:

- (a) Please file a copy of CSA Z662.
- (b) How many kms of Enbridge’s pipelines in Ontario do not comply with the class designation requirements of CSA Z662 because surrounding land use has changed the pipe’s class location designation? Please provide an estimate on a best-efforts basis.
- (c) How many kms of Enbridge’s pipelines in Ontario do not comply with the class designation requirements of CSA Z662 because surrounding land use has changed the pipe’s class location designation specifically from a 1 to 3? Please provide an estimate on a best-efforts basis.
- (d) Please provide a map of all Enbridge pipelines in Ontario that do not comply with the class designation requirements of CSA Z662 because surrounding land use has changed the pipe’s class location designation?
- (e) If Enbridge replaced all of the pipelines it owns in Ontario where the surrounding land use has changed the pipe’s class location designation specifically from a 1 to 3, what would that cost? Please provide a rough estimate or range on a best-efforts basis.
- (f) Please list all of the factors that make the pipe non-complaint in a table (e.g. depth of cover, etc.).
- (g) Could some of the aspects of non-compliance be addressed without replacing the pipe (e.g. adding to the depth of cover)? Please explain.

Interrogatory 2

Reference: Exhibit B, Tab 1, Schedule 1, Page 2

Preamble:

“The TSSA has been made aware that the existing facilities are out of compliance with the Class Location Designation.”

Questions:

- (a) Is Enbridge required to notify the TSSA when a facility becomes out of compliance with the class location designation? If yes, please provide the document from which this obligation arises.
- (b) Is the pipeline unsafe? Please explain in detail and explain each factor in detail.
- (c) Is the TSSA requiring Enbridge to remove the pipeline? If yes, please provide any correspondence to that effect.
- (d) How long have the existing facilities been out of compliance with the Class Location Designation? Please provide as specific of a date as possible.
- (e) How long has Enbridge known that the existing facilities are out of compliance with the Class Location Designation? Please provide as specific of a date as possible.
- (f) On what date did Enbridge make the TSSA aware that the existing facilities were out of compliance with the Class Location Designation?

Interrogatory 3

Reference: Exhibit B, Tab 1, Schedule 1, Page 3

Preamble:

“The Project is a like-for-like replacement.”

Questions:

- (a) Has Enbridge examined whether a larger or smaller pipeline might be more appropriate? If yes, please provide all such analysis, including all comparisons of forecast demand and supply.
- (b) What is the capacity of this portion of pipeline (m³/d and GJ/d)?
- (c) What is the forecast design day demand on this portion of pipeline (m³/d and gj/d) for each of the next 5 years (or 10 years if that information is readily available)?
- (d) Please provide the peak day demand on this portion of pipeline for each year over the past 5 years (or 10 years if that information is readily available).
- (e) Please compare the forecast supply and capacity on this pipeline.
- (f) What is the capacity of a pipeline of one size smaller (m³/d and GJ/d)?

Interrogatory 4

Reference: Exhibit B, Tab 1, Schedule 1, Page 4

Preamble:

“Enbridge Gas considered two other alternatives (1) increasing the size of this section of pipe, and (2) leaving the pipeline in the existing easement. ... The second option was not selected because it would leave the pipeline in close proximity to future development.”

Questions:

- (a) Please provide a table comparing the price of the proposed project with the option of leaving the pipeline in the existing easement.
- (b) Please explain why the pipe should not be in proximity to future development seeing as many pipelines are in proximity to future development.
- (c) Please provide any mapping of potential future development in the area with an overlay of the existing and proposed pipelines (e.g. a map showing the zoning, a map showing any approved site plans, etc.).
- (d) Please confirm that the second option (existing easement) would avoid the need to cross two wetlands.
- (e) Exhibit C, Tab 1, Schedule 1 states that “There are two wetlands associated with the Project that will be crossed using the horizontal directional drill method (“HDD”).” Please describe this method and provide drawings or figures to aid in that description.

Interrogatory 5

Reference: Exhibit C, Tab 2, Schedule 1, Page 12

Preamble:

“The following are recommendations to address potential impacts to wetlands, wildlife and wildlife habitat:

- All vegetation clearing should be completed between September 1 and April 1 to avoid the primary breeding (nesting) period for birds. If vegetation removal cannot be avoided during the breeding bird period, areas to be cleared must be marked and a qualified biologist should conduct nest surveys. If nests are found, clearing of the area should cease until the young have naturally fledged.
- Further to the timing window for birds, no tree clearing should occur when bat species at risk may be roosting in the trees; between April 1 and October 31. This must be applied to trees that have been identified as candidate bat maternity colony trees in Appendix B. If tree clearing during this window cannot be avoided, exit surveys should be conducted to confirm usage of the candidate bat trees prior to removal. To limit potential impacts to bats, the amount of tree clearing should be kept to a minimum, and efforts should be made to retain candidate bat trees identified at the edge of the construction limit to the extent possible.
- To reduce the potential for spread of the Emerald Ash Borer any ash trees cut should be disposed of on site (either through spreading of wood chips or trees cut and sawed into logs). This approach is derived from the guidelines presented by the Canadian Food Inspection Agency.
- Tree removal should be in compliance with the appropriate municipal by-law.

- In natural areas 7, 14, and 21 (Appendix B – Figure C, Attachment B), construction limits should be demarked to avoid accident encroachment beyond the work area. Tree clearing should be minimized to the extent possible.
- Silt fencing should be placed adjacent to natural areas and any portion of the Construction Limits within 30 m of the PSW.
- Directional drilling will take place as per measures outlined in Appendix C; equipment and pits should be a minimum of 10 m from the edge of wetlands (Appendix B – Features 8a and 9a, Figure C, Attachment B).
- Prior to drilling, sediment control fencing should be installed at the edges of work areas.

In addition, to reduce the impact of potential spills, it is recommended that the contractor develop and implement a spill management and response protocol. The protocol would include that refueling of equipment should be undertaken 30 m from natural vegetation communities. If a 30 m refueling distance is not possible, under approval from Enbridge environmental personnel, special refueling procedures for sensitive areas would be undertaken that include, at a minimum, using a two-person refueling system with one worker at each end of the hose.”

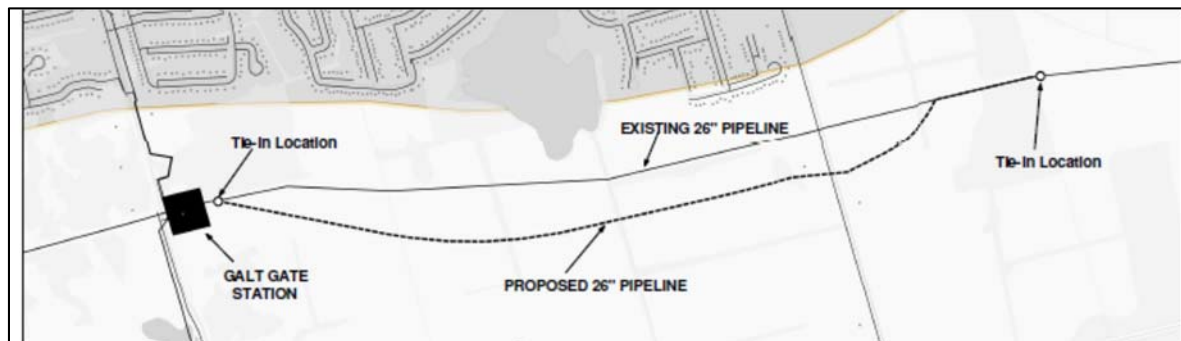
Question:

- (a) Does Enbridge undertake to implement all of those recommendation? If not, please explain which ones it will and will not implement and explain why.

Interrogatory 6

Reference: Exhibit A, Tab 2, Schedule 1, Attachment – Map

Preamble:



Questions:

- (a) Does any of the pipeline to the east or west of the proposed project area fail to comply with the class designation requirements of CSA Z662 because surrounding land use has

changed the pipe's class location designation? If yes, please fully describe the situation, including a list of the segments in question and the length of each.

- (b) Please provide a map of the North Dumfries and Cambridge area showing Enbridge's distribution pipelines in relation to residential development. Please indicate on the map any pipeline segments that fail to comply with the class designation requirements of CSA Z662 because surrounding land use has changed the pipe's class location designation. Please also provide a narrative description of each segment.
- (c) Please provide a map of the North Dumfries and Cambridge area showing Enbridge's distribution pipelines in relation to planned residential development (e.g. areas where a site plan has been approved). Please indicate on the map any pipeline segments that will fail to comply with the class designation requirements of CSA Z662 because surrounding land use will have changed the pipe's class location designation when the development is built. Please also provide a narrative description of each segment.
- (d) Exhibit B, Tab 1, Schedule 1, page 2 refers to "potential future residential development southward on both sides of Branchton Road." What stage is this future development at? Why does Enbridge believe this land will be developed?
- (e) Is it likely that additional lengths of this pipeline will be replaced for similar reasons as the ones driving this project? Please explain the answer in detail.