

Ms. Christine Long  
Board Registrar  
Ontario Energy Board  
P.O. Box 2319, 27th Floor  
2300 Yonge Street  
Toronto, ON M4P 1E4

January 15, 2021

**Re: EB-2020-0065 – Enbridge Branchton Relocation Leave to Construct  
Pollution Probe Interrogatories**

Dear Ms. Long:

Please find attached Pollution Probe's Interrogatories for the above noted proceeding.

Respectfully submitted on behalf of Pollution Probe.



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All Parties (via email)  
Richard Carlson, Pollution Probe (via email)

**ONTARIO ENERGY BOARD**

**Enbridge Branchton Relocation Leave to Construct**

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**POLLUTION PROBE INTERROGATORIES**

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January 15, 2021

**Submitted by: Michael Brophy**  
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**Consultant for Pollution Probe**

Pollution Probe #1

[Ex. A, T2, Sch. 1]

Reference: “Enbridge Gas is seeking approval of the Ontario Energy Board (“Board”) to relocate approximately 2 kilometers of NPS 26 hydrocarbon natural gas pipeline in the Township of North Dumfries within the Regional Municipality of Waterloo (“Project”). 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.”

- a) Please provide the specific CSA Z662 wording that Enbridge believes requires the current pipeline section to be relocated. Please explain how the specific wording related to the existing 2 km section of NPS 26 pipeline.
- b) Please describe the ‘surrounding land use’ at the time of construction for the existing NPS 26 pipeline in that location and what the ‘surrounding land use is now’.
- c) Please provide details on the year/date that the ‘surrounding land use’ changed, thereby making this location class 3 instead of class 1.
- d) Please provide the set of CSA Z662 class definitions and indicate how the original pipeline aligned with class 1 and the current conditions align with class 3.
- e) Please confirm that Enbridge could install a higher grade or thickness of pipe in the existing location today. If not, why not.
- f) If the potential conflict with CSA Z662 (i.e. change in class) did not exist, is there any other reason for Enbridge to proceed with this relocation project? If yes, please provide details.
- g) Please confirm that CSA Z662 indicates “The requirements of this Standard are applicable to the operation, maintenance, and upgrading of existing installations. It is not intended that such requirements be applied retroactively to existing installations...”.
- h) Please explain why the existing pipeline is not considered ‘grand-fathered’ under CSA Z662.

Pollution Probe #2

[Ex. A, T2, Sch. 1]

Reference: “The Project is a like-for-like replacement”

- a) Please provide a copy of all analysis, reports or other materials that led Enbridge to conclude that a ‘like for like’ replacement was prudent.
- b) Please provide any cost-benefit or other financial analysis conducted to compare the proposed Project to other options.
- c) Please confirm if any IRP analysis or screening was done for this project. If yes, please provide a copy.

Pollution Probe #3

[Ex. A, T2, Sch. 1]

Reference: “the landowners granting such additional lands by way of private easement are the same landowners that granted the current private easements for the existing hydrocarbon pipeline being removed and relocated. As a result, no new landowners will be directly affected by the Project or this application.”

- a) Please confirm that status of the new private easement agreements required and the estimated date for execution.
- b) Often, easements or options for an easement are obtained prior to filing for a Leave to Construct to ensure easements will not be a barrier for OEB approvals and/or potential project construction. Please indicate why Enbridge decided not to secure easement confirmation prior to filing for OEB approval.
- c) Please confirm if the landowners impacted by the proposed pipeline are government entities, businesses or private landowners.
- d) In the event that easements are not granted, will Enbridge require additional OEB approvals? If yes, please summarize what would be required.

Pollution Probe #4

[Ex. B, T1, Sch.1 ]

- a) Please provide a summary of the importance of the existing NPS 26 pipeline to the Enbridge system and why this pipeline section is required.
- b) Please provide a map showing the catchment of gas supply provided by the existing pipeline.
- c) Please confirm if the existing NPS 26 pipeline only serves Ontario gas customers, or if it provides capacity to other customers or pipelines. If it provides other capacity, please provide details.

Pollution Probe #5

[Ex. B, T1, Sch. 1]

Reference: “The existing encroachment of residential land use has changed the appropriate classification for a segment of the Trafalgar Line (“Existing Facilities”) from a Class Location Designation of 1 to a Class Location Designation of 3. The TSSA has been made aware that the existing facilities are out of compliance with the Class Location Designation.”

- a) Please provide a copy of all correspondence with TSSA regarding the existing pipeline.
- b) Please provide any materials from TSSA directing Enbridge to relocate the 2km section of NPS 26 pipeline.
- c) Has the TSSA reviewed and approved the proposed new NPS 26 pipeline design and location. If yes, please provide a copy of that correspondence.

Pollution Probe #6

[Ex. B, T1, Sch. 1]

Reference: “On June 5, 2020 Enbridge Gas submitted an application to the TSSA requesting it review the proposed project. On June 17, 2020 the TSSA requested the following additional information, an environmental report, a high consequence area analysis and details on the grade of pipe. On November 5, 2020 Enbridge Gas provided this information to the TSSA. Enbridge Gas is awaiting review from the TSSA and will not start construction until the TSSA has completed it’s review.”

- a) Please provide a copy of the letter and any materials sent to the TSSA on June 5, 2020.
- b) Please confirm that the TSSA questions noted above were related to the proposed new pipeline and not the existing NPS 26 pipelines. If not correct, please specify the specific questions, answers and wording related to the existing NPS 26 pipeline.
- c) Please confirm that the environmental report provided relates to the proposed new pipeline and not the existing NPS 26 pipeline. If incorrect, please provide the specific wording related to the existing NPS 26 pipeline.

Pollution Probe #7

[Ex. B, T1, Sch. 1]

Reference: “In addition, the Region of Waterloo (“Region”) intends to construct a road (“South Boundary Road”) south of the residential subdivision noted. The construction of South Boundary Road would require road crossings for the Existing Facilities in three locations”

- a) Has the Region of Waterloo requested a pipeline relocation in order to accommodate the future road crossings? If yes, please provide a copy of all relevant correspondence.
- b) Would the proposed Region of Waterloo project provide sufficient rationale (by itself) to justify the pipeline relocation? Please explain.

Pollution Probe #8

[Ex. B, T1, Sch. 1]

Reference: “On placing the Project in-service, Enbridge Gas will abandon and remove the Existing Facilities, except for a small section as noted below, and restore affected lands to the appropriate state.”

- a) Please confirm that “the Project” as define in the application is the construction of 1926m of new NPS 26 pipeline with a wall thickness of 9.5 mm and grade 448 MPa. If not correct, please provide a clear definition of “the Project” as it related to OEB approvals in this proceeding.
- b) Please confirm that Enbridge does not require specific OEB approvals in order to abandon the existing pipeline section.
- c) Please confirm that Enbridge is not requesting any OEB approvals related to abandonment of the existing pipeline in this application. If not correct, please provide details.
- d) Please provide details on whether Enbridge intends to remove the existing pipeline segment or abandon in place.
- e) If applicable, has Enbridge received confirmation from the road authority that it will accept abandonment in place for portions of the pipeline? If so, please provide a copy of such approval.

Pollution Probe #9

[Ex. B, T1, Sch. 1]

Reference: “Enbridge Gas considered two other alternatives (1) increasing the size of this section of pipe, and (2) leaving the pipeline in the existing easement.”

- a) Please provide all materials related to the cost-benefit analysis of the options.

Pollution Probe #10

[Ex. C, T1, Sch. 1]

Reference: “There are two wetlands associated with the Project that will be crossed using the horizontal directional drill method (“HDD”). The necessary permits have been obtained from the Grand River Conservation Authority.”

- a) Please provide a copy of the permits and approvals received from the Grand River Conservation Authority.
- b) Please identify what other permits/approvals are required in relation to the two wetlands and whether they have been obtained.

Pollution Probe #11

[Ex. C, T1, Sch. 1]

Reference: “A qualified Enbridge Gas Environmental Inspector will be available to assist the Project Manager in ensuring that any mitigation measures identified in the ER, permitting requirements and environmental conditions attached to the Board’s approval for the Project are followed, and that commitments made to the public, landowners and agencies are honoured”

- a) Please explain what is meant by “will be available” and how this would differ from an Environmental Inspector on-site for the duration of the project.
- b) If the Environmental Inspector is not on-site regularly, please indicate the procedure (including who) for calling them out to the site during construction.
- c) Please confirm whether the Environmental Inspector is an internal or external person.
- d) Please provide the process Enbridge would use to ensure that the Environmental Inspector is qualified for such a large diameter pipeline crossing environmentally sensitive features.
- e) Has Enbridge done a potable well survey adjacent to the proposed pipeline? If yes, please provide a copy.

- f) Please confirm that Enbridge will implement all recommendations included in the Stantec Environmental Report.
- g) Please indicate why detailed mitigation plans/maps were not filed in this application and if they are available. Please file if available.

Pollution Probe #12

[Ex. C, T2, Sch. 2]

- a) Please file any OPCC or related permit authority correspondence received in addition to what has already been filed.
- b) Please provide a table of all OPCC and related permit authorities consulted and indicate which have provided positive confirmation and approval for the proposed Project. For those where approvals have not been granted, please estimate when those are expected to be received.
- c) For the TTSA project review form contained in Exhibit C, Tab 2, Schedule 2, Page 12 of 25, please provide any updated versions of the completed form.

Pollution Probe #13

[Ex. D, T1, Sch. 1]

- a) The proposed schedule indicates that all permits would be received by December 2020. Please confirm if this has occurred and provide a full list.
- b) If the project is behind, please provide updated dates for those activities and the proposed in-service date.
- c) Please provide a detailed schedule for obtaining all required approvals/permits and major tasks through to the November 2021 proposed in-service date.

Pollution Probe #14

[Ex. D, T1, Sch. 3]

- a) Please provide details on the proposed source of water for the hydrostatic test.
- b) Please indicate what permits are required to take water or discharge water for the hydrostatic test.
- c) Please confirm that the Environmental Inspector will be on site for the hydrostatic test activities listed above.

Pollution Probe #15

[Ex. D, T2, Sch. 1]

- a) Please provide a summary of the economic analysis done for the proposed project and explain how it complies with requirements, including EBO 188 and EBO 134 OEB.
- b) Please explain why project costs have been broken into 2020 and 2021 amounts (i.e. is Enbridge proposing to capitalize any amount prior to full project commissioning)?
- c) Please confirm if Enbridge would proceed with this project if it does not receive rate recovery approval from the OEB.
- d) What OEB process and timing is Enbridge intending to use to request rate recovery for this project?
- e) Is Enbridge proposing ICM treatment for this project?
- f) Please confirm that Enbridge is not requesting OEB approval to include this project into rates as part of the Leave to Construct application.

Pollution Probe #16

[Ex. F, T2, Sch. 2, Page 17 of 107]

- a) The report to the Ministry of Energy indicates that the reason for the project is that Enbridge has been ordered by the municipality to move the existing pipeline. Please provide a copy of that order.