



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

December 3, 2024

**EB-2024-0200 St. Laurent Project Leave to Construct
Pollution Probe Request for Undertaking Document**

Dear Ms. Marconi:

Pollution Probe is writing to request that Enbridge file the document requested during the Technical Conference and noted as Undertaking JT2.23¹ which is the original draft version of the “St. Laurent Pipeline – Risk Review” provided by DNV Canada Ltd. (“DNV”) to Enbridge on February 10, 2023. Enbridge declined to provide this document in response to JT2.23. If Enbridge believes that this document meets the standard for confidential treatment, Enbridge is free to request such treatment from the OEB.

In the absence of Enbridge filing this document in a timely manner, Pollution Probe requests that the OEB require Enbridge to file this document. The relevance of this document to the proceeding is provided below. This document is required to validate the credibility of the third-party review of Enbridge’s integrity assessment for the St. Laurent Pipeline.

Exhibit I.1-PP-24 outlines the process Enbridge used to retain DNV for the review of the Enbridge Quantitative Risk Assessment (QRA) filed with the OEB in support of Enbridge’s Application. This report is meant to be a third-party review of the QRA undertaken by Enbridge. Through the Interrogatory process it came to light that DNV produced other relevant documents which were not provided by Enbridge in this proceeding. Enbridge filed a document, the DNV final report entitled “St. Laurent Pipeline – Risk Review” dated May 11, 2023 in response to a Pollution Probe interrogatory². The engagement for all documents³ developed by DNV was conducted with Enbridge on a ‘time and material’ basis⁴ and in collaboration with Enbridge staff as outlined during the Technical Conference.

Exhibit I.1-PP-24, Attachment 6 provide what Enbridge describes as an example of written feedback to DNV during the drafting and editing process. This example was to illustrate that the Enbridge edits to the report version were not substantial. It was confirmed by Enbridge during the Technical Conference that this email is the entirety of the written feedback and that all other feedback was done verbally by Enbridge staff as DNV developed and edited draft versions of the report with Enbridge⁵. A DNV witness

¹ Requested per Final Transcript for EB-2024-0200 Technical Conference October 31 2024, Page 125 lines 7-13.

² EB-2024-0200, Exhibit I.1-PP-24, Attachment 5

³ Including the Memo filed in the Application and versions of the report.

⁴ Exhibit I.1-PP-24, Attachment 4

⁵ Final Transcript for EB-2024-0200 Technical Conference October 31 2024, page 123, line 4 to page 124, line 21.

has not been made available by Enbridge to provide specific details on their work and collaboration with Enbridge in development of this ad-hoc report and no details⁶ have been provided on the changes to the report verbally requested by Enbridge.

Enbridge confirmed that it worked with DNV during the report development and editing process which resulting in four versions of the report based on Enbridge verbal feedback from February 2024 to May 2024 (as noted below⁷).

Rev. No.	Date	Reason for Issue	Prepared by	Reviewed by	Approved by
A	February 10, 2023	Draft for Review	Cynthia Spitzenberger	Jeremy Johnson	Mark Klages
B	March 30, 2023	Draft #2	Cynthia Spitzenberger	Jeremy Johnson	Mark Klages
C	April 12, 2023	Draft #3	Cynthia Spitzenberger	Jeremy Johnson	Mark Klages
D	May 11, 2023	Final	Cynthia Spitzenberger	Jeremy Johnson	Mark Klages

The February 10, 2023 version of the “St. Laurent Pipeline – Risk Review” represents the only version of the report DNV created and provided to Enbridge prior to the verbal discussions and edit process leveraged by Enbridge. Providing a copy of this version will provide transparency on the DNV’s initial findings prior to Enbridge revisions and is required to bring credibility to the QRA conducted by Enbridge. Once the document is provided on the record, the OEB can decide what weight to place on the document in comparison to the fourth (final) report version provided by Enbridge⁸.

Respectfully submitted on behalf of Pollution Probe.



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

⁶ E.g. meeting notes or employee notes from DNV staff.

⁷ EB-2024-0200, Exhibit I.1-PP-24, Attachment 5, Page 2.

⁸ EB-2024-0200, Exhibit I.1-PP-24, Attachment 5.