

File OF-Fac-NOMA 01 01 17 July 2015

To: All Oil and Gas Companies under the Jurisdiction of the National Energy Board (Board) and Interested Persons

Operations and Maintenance Activities on Pipelines under the *National Energy Board Act* 

The purpose of this letter is to inform you of important updates related to *Operations and Maintenance Activities on Pipelines Regulated under the National Energy Board Act: Requirements and Guidance* Notes (O&M Guidelines).

Effective 17 August 2015, companies are directed to file O&M Notifications through the Online Event Reporting System (OERS). This replaces the requirement for companies to file documents electronically through the Board's electronic repository. Companies will no longer be required to file a hard copy of the notification. Information on how to use the OERS can be found in Appendix B.

Prior to filing an O&M Notification, companies should review the O&M Guidelines to ensure all required information is provided, as set-out in Appendix A of this letter. Companies are reminded they must still fulfill their regulatory obligations to other federal, territorial and provincial agencies for O&M activities. Additional information pertaining to the Board's responsibilities as they relate to fish and fish habitat and navigation for notifications of O&M activities can also be found in the O&M Guidelines.

For further information, please do not hesitate to contact Meghan Ruholl, Director, Audit, Compliance Support and Enforcement (403-299-2795 or 1-800-899-1265).

Yours truly,

Original signed by S. Young

Sheri Young Secretary of the Board

Attachments



Telephone/Téléphone: 403-292-4800 Facsimile/Télécopieur: 403-292-5503 http://www.neb-one.gc.ca

Telephone/Téléphone: 1-800-899-1265 Facsimile/Télécopieur: 1-877-288-8803

# **APPENDIX A**

# **Operations and Maintenance Activities on**

**Pipelines Regulated Under the** 

National Energy Board Act:

**Requirements and Guidance Notes** 

January 2013

**Updated to – July 2015** 

**O&M Guidelines** 

# **Table of Contents**

1.0	Goa	ıl	. 3
2.0	Bac	kground	. 3
3.0	Def	initions	. 3
3	8.1	Eligible Activities	. 3
3	3.2	Restrictions on Eligible Activities	
3	3.3	Ineligible Activities	. 4
4.0	Req	uirements	. 5
4	.1.	Notification to the National Energy Board	. 5
4	.2.	Unplanned Operations and Maintenance Activities	
4	.3.	Public Consultation	
4	.4.	Record Maintenance	. 9
4	.5.	Other Regulatory Obligations	10
5.0	Oth	er Issues	11
5	5.1.	Toll Considerations & Commercial Third Parties	11
6.0	Con	ntinual Improvement	11
7.0	Con	stacting the Board	11
8.0	Ad	ditional Information Requirements for Operations and Maintenance Activity	
	No	tifications - Fish and Fish Habitat, and Navigation and Navigation Safety	12

## **O&M** Guidelines

#### 1.0 Goal

The goal of the *Operations and Maintenance Activities on Pipelines Regulated Under the National Energy Board Act: Requirements and Guidance Notes* (O&M Guidelines) is to provide all parties with greater clarity about how operations and maintenance (O&M) activities on pipelines (including processing plants) under the *National Energy Board Act* (NEB Act) will be regulated, while promoting safety, security, environmental protection, economic efficiency, and respect for the rights of those that may be affected.

## 2.0 Background

Routine O&M activities are evaluated by the National Energy Board (Board) as part of the original application for the construction and operation of a pipeline<sup>1</sup>; therefore, companies are not required to apply for additional approval to undertake most O&M activities. The Board continues to regulate O&M activities and to fulfill its mandate through its inspection and audit programs.

The requirements for O&M activities contained in this document apply to all pipelines regulated under the NEB Act that occur on lands owned by the applicant company or where there is an agreement in place between the company and the landowner(s) that covers the construction, operation and maintenance of a pipeline, including:

- company-owned land;
- land rights held under easement, leased, or licensed land; and
- temporary workspace.

Where permanent new lands are required to carry out O&M activities companies are reminded that they must fulfill the requirements of sections 86 and 87 of the NEB Act.

#### 3.0 Definitions

## 3.1 Eligible Activities

Operations and maintenance activities include:

1. all activities necessary to safely operate an existing pipeline;

<sup>&</sup>lt;sup>1</sup> "Pipeline" is defined in the NEB Act as "a line that is used or to be used for the transmission of oil, gas, or any other commodity... and includes all branches, extensions, tanks, reservoirs, storage facilities, pumps, racks, compressors, loading facilities, interstation systems of communication by telephone, telegraph or radio and real and personal property, or immovable and movable, and works connected to them, but does not include a sewer or water pipeline that is used or proposed to be used solely for municipal purposes."

- 2. maintenance activities, upgrades or repairs to an existing pipeline or part of a pipeline that do not increase the approved maximum operating pressure (MOP), the stress level<sup>2</sup> or diameter of the pipeline; or
- 3. physically removing an existing section of pipe up to 5 km in length, and putting a new section of pipe in its place, as long as this replacement does not increase the approved MOP, stress level or diameter of the pipeline.

# 3.2 Restrictions on Eligible Activities

Where any of the following restrictions exist, the company must apply to the Board in accordance with the NEB Act and the related Regulations and <u>may not carry out the proposed activity until approval from the Board has been obtained</u>. The restrictions apply where:

- 1. the work includes welding on an in-service pipeline by a pipeline company that has not previously performed in-service welding in accordance with the requirements of CSA Z662-15, Clause 7.17, 'Welding on In-Service Piping', or the equivalent clause in the most recent edition of CSA Z662; or
- 2. the work involves the construction of an aerial crossing, excluding work on company owned or leased land relating to facilities (e.g., terminal stations, processing plants, compressor/pump stations).

Subject to section 3.3, O&M activities that fall within the types of activities listed in 3.1 above, and to which none of the restrictions in 3.2 apply, do not require an application to the Board under the NEB Act. Companies will be required to notify the Board prior to undertaking the O&M activities. (See Schedule A and Section 4.1).

## 3.3 Ineligible Activities

## O&M activities **do not include**:

- 1. upgrades that result in increases above previously approved and specified levels to:
  - a) the MOP,
  - b) stress levels,
  - c) the diameter of the pipeline, and/or
  - d) airborne emissions or noise levels<sup>3</sup>.
- 2. "looping" (i.e., adding pipe parallel or adjacent to, and interconnected with, an existing pipeline for the general purpose of increasing capacity);
- 3. construction of a new pipeline; or
- 4. deactivation (for longer than 12 months), reactivation (where a pipeline has been deactivated for more than 12 months), decommissioning, or abandonment.

<sup>&</sup>lt;sup>2</sup> "Stress level" in this context means the percent of the specified minimum yield strength for the design operating stress.

<sup>&</sup>lt;sup>3</sup> This refers to permanent increase in air and noise emissions and not to temporary increases in air and noise emissions during construction.

All of the preceding activities require an application under the NEB Act, the *National Energy Board Onshore Pipeline Regulations* (OPR) or the *National Energy Board Processing Plant Regulations* (PPR) (see Schedule A).

#### **Guidance Notes:**

O&M activities do <u>not</u> include the addition of a parallel piece of pipe without removal of the existing pipe that has permanently ceased operation. If the company plans to leave an existing section of pipe in place, it must apply to the Board: (i) for an exemption under section 58 of the NEB Act, for the construction and operation of the new section of pipeline; and (ii) to decommission the existing section of pipe under the OPR.

Companies are required to apply to the Board for the installation of any length of pipe that is greater than 5 km.

In general, permissible "upgrades" do <u>not</u> include additions of components to a pipeline or processing facility that were not specifically contemplated in the original Certificate or Order. However, the definition of upgrade includes the addition of cathodic protection systems, as these are typically contemplated during the assessment of the original pipeline. Therefore, the addition of a cathodic protection system is considered an O&M activity.

Upgrades include improvements in technology. For example, if a company were proposing to install solar panels as a power source in place of an existing source of fuel oil, the proposed installation would be considered a permissible upgrade under the O&M Guidelines. This is analogous to removing an existing section of pipe and putting a new section in its place, since the function of the installation would not change from what was originally approved.

Upgrades do <u>not</u> include adding new connections, including tie-ins or hot taps, and associated piping and metering facilities for the purposes of sale or receipt of oil or gas. These installations still require an exemption Order under section 58 of the NEB Act but may be captured within the section 58 Streamlining Order. Metering or regulating facilities installed for the sole purposes of measurement or monitoring are considered O&M activities.

Companies are encouraged to contact the Board for additional clarification related to specific O&M activities they are planning (see Section 7.0 for contact information).

## 4.0 Requirements

# 4.1. Notification to the National Energy Board

## Goal:

The Board is provided with sufficient information to make a decision as to whether to inspect O&M activities that could result in safety consequences to landowners or the public, environmental consequences, or a negative impact on normal third-party use of the right-of-way (RoW) or adjacent property.

## **Requirements:**

In <u>any of the following circumstances</u>, the Board requires companies to provide **notification** to the Board of O&M activities at least **21 working days**<sup>4</sup> prior to starting work:

- there are unresolved 3<sup>rd</sup> party concerns (i.e., landowners, Aboriginal groups, shippers, federal and provincial departments, or other parties who may be affected by the O&M activities) and these concerns relate specifically to the proposed O&M activity<sup>5</sup>;
- new permanent land is to be acquired;
- exposure of the pipe surface for the purposes of integrity assessments, repairs or removing an existing section of pipe and putting a new section in its place in areas where there are residences, or where there is a school, hospital, prison, or other institution where people routinely congregate in large groups (more than 50 people), within the emergency planning zone or within 200 m of the proposed activity (whichever is greater);
- removing an existing section of pipe and putting a new section in its place where the replacement is greater than 100 m (but less than 5 km) in length;
- pressure testing of line pipe performed by means other than hydrostatic testing<sup>6</sup>; and
- ground disturbance using power-operated equipment within 30 m of a wetland<sup>7</sup> or a water body<sup>8</sup>, or within 30 m of the substrate of a wetland or water body<sup>9</sup>.

For any of the above-noted circumstances, companies are required to submit the following information when notifying the Board:

- a description of the planned activity or project;
- a rationale for the activity or project;
- the location of the activity (e.g., legal land description, kilometre post);
- where applicable, the location of any residences, or schools, hospitals, prisons, or other institution where people routinely congregate in large groups (more than 50 people), within the emergency planning zone or within 200 m of the proposed activity (whichever is greater);
- timing and duration of the activity (e.g., day, week, month);
- reference to applicable section(s) of relevant company manuals or environmental protection plan;
- a contact person with the company, with whom the Board could follow-up;
- regarding consultation:

\_\_\_\_

<sup>&</sup>lt;sup>4</sup> "working days" do not include Saturdays, Sundays, or statutory holidays.

<sup>&</sup>lt;sup>5</sup> The Board offers Appropriate Dispute Resolution (ADR) services to assist in resolving unresolved concerns. The Board's ADR services include informal discussions, facilitated meetings and mediation.

<sup>&</sup>lt;sup>6</sup> As per section 23 of the OPR, the Board may require a company to submit the details of its pressure testing program prior to starting pressure testing.

<sup>&</sup>lt;sup>7</sup> Wetland means a swamp, marsh, bog, fen or other land that is covered by shallow water seasonally or permanently, including land where the water table is located at or close to the surface.

<sup>&</sup>lt;sup>8</sup> Water body means a river, a lake, a creek, a stream, a canal, a reservoir, an ocean, up to the high-water mark, but does not include a sewage or waste treatment lagoon or a mine tailings pond.

<sup>&</sup>lt;sup>9</sup> Additional information on requirements relating to fish and fish habitat and navigation can be found in Section 8.0.

- o where there are no unresolved 3<sup>rd</sup> party concerns related specifically to the O&M activity, a <u>summary</u> or overview of consultation that has been undertaken with potentially affected 3<sup>rd</sup> parties; or justification why consultation was not carried out; and
- o where there are remaining unresolved 3<sup>rd</sup> party concerns related specifically to the O&M activity, a <u>complete record</u> or table of consultation that has been undertaken with those parties; or justification why consultation was not carried out; and
- where new permanent land is to be acquired for an O&M activity:
  - o whether fee simple landowner is in agreement (if private land);
  - o confirmation that company will comply with the requirements under sections 86 and 87 of the NEB Act; and
  - o the amount of new permanent land to be acquired.

## **Guidance Notes:**

For notification, the Board requires sufficient information to understand the nature and scope of the O&M activities. The information required for notification to the Board should be concise, but it should provide the Board with sufficient detail to determine whether Board follow-up is warranted. With respect to Board inspections of O&M activities, the Board will rely on the information outlined in the company's O&M Manual, its Environmental Protection Program, and information resulting from public consultation activities when verifying compliance of O&M activities.

Companies are required to file notifications using the Online Event Reporting System (OERS) at <a href="http://apps.neb-one.gc.ca/ers">http://apps.neb-one.gc.ca/ers</a>. Further guidance on how to use the OERS can be found on the website at <a href="http://www.neb-one.gc.ca">www.neb-one.gc.ca</a>, under Operations and Maintenance Activities.

Section 8.0 outlines the additional information that the Board requires companies to provide with their notification of O&M activities involving ground disturbance using power-operated equipment within 30 m of a wetland or a water body, or within 30 m of a substrate of a wetland or water body, made pursuant to these guidelines. Further details of the requirements can also be found in the OERS user guide.

Secretary National Energy Board 517 Tenth Avenue SW Calgary, AB T2R 0A8

To view notifications on the Board's Internet site at <a href="www.neb-one.gc.ca">www.neb-one.gc.ca</a>, select "View Regulatory Documents" under the "Regulatory Documents" heading. Once in the "Regulatory Documents Index", under the "Facilities" column heading, select the facility's commodity type (e.g., oil, gas). In the next screen, select the company of interest. The notifications will be filed in a sub-folder called "Notifications of Operations and Maintenance Activities" at the top of the page.

# 4.2. Unplanned Operations and Maintenance Activities

#### Goal:

Companies undertake all O&M activities that are required to safely operate a pipeline and to protect the environment.

## **Requirement:**

For O&M activities that are unplanned (i.e., the company only becomes aware these activities are necessary shortly before starting the work), but which would normally require advance notification (see list of activities requiring notification in Section 4.1), companies are required to notify the Board as soon as they determine the activity must be carried out, following the same notification process outlined in Section 4.1.

## **Guidance Notes:**

Notifying the Board of unplanned O&M activities does not substitute for a company's obligation to report incidents under the OPR, PPR, the *National Energy Board Pipeline Crossing Regulations*, the *Transportation Safety Board Act*, the *Canada Labour Code*, and/or under other relevant legislation. Such reporting is also required.

#### 4.3. Public Consultation

#### Goal:

Companies conduct effective public consultation related to O&M activities.

## **Requirements:**

The Board requires companies to engage parties whose rights or interests may be affected by O&M, prior to undertaking those activities. Companies must document all consultation activities and maintain documentation and must provide this documentation as outlined in Section 4.1, or upon request from the Board.

## **Guidance Notes:**

"Public consultation" refers to the range of activities a company can undertake to share information with members of the public who may be affected by O&M activities, and to identify and resolve issues or concerns related to these activities. Examples of potentially-affected members of the public include landowners, tenants, residents, Aboriginal communities, government agencies, non-governmental organizations, trappers, guides, outfitters, recreational users, other land or resource users (e.g., forestry, mining), and commercial third parties.

The Board recognizes that effective public consultation goes beyond simply informing

potentially-affected members of the public, and includes involving them in decisions or plans that may affect their lives. Companies must carry out public consultation activities that are reasonable for the scope and nature of the planned activity, and must justify the extent of public consultation carried out, particularly if no consultation is undertaken.

Although not an exhaustive list, the following sources provide companies with guidance on effective public consultation, which should be considered when planning O&M activities:

- The Board's *Filing Manual*, Chapter 3
- CSA Z764-96, A Guide to Public Involvement
- Canadian Association of Petroleum Producers (CAPP), *Guide for Effective Public Involvement*
- International Association for Public Participation (IAP2) website, www.iap2.org.

The Board expects companies to maintain records of public consultation activities related to O&M activities. At a minimum, the Board expects companies to document and retain the following information related to public consultation activities:

- Who was involved?
- When did public consultation occur and what methods were used?
- What issues were raised?
- How were the issues addressed?
- What issues were not resolved?
- What follow-up was undertaken or is planned to address unresolved issues?

When consultation includes Aboriginal communities, companies should consider establishing a consultation protocol with these communities that takes into consideration their rights, interests, and cultural elements.

#### 4.4. Record Maintenance

#### Goal:

Companies maintain documentation for O&M activities.

## **Requirement:**

Companies are required to keep a record of all O&M activities undertaken in accordance with the current version of CSA Z662.

## **Guidance Notes:**

Companies are expected to keep a record of all O&M activities that are carried out. Companies are also expected to maintain documentation of the O&M activities for which notification to the Board is required. The information listed for notification purposes in Section 4.1 is the minimum requirement for documentation purposes.

# 4.5. Other Regulatory Obligations

#### Goal:

Companies must fulfill their regulatory obligations to other federal, territorial, and provincial agencies for O&M activities.

## **Requirements:**

Depending on the type and/or location of the O&M activity, companies may have regulatory obligations under other federal, territorial or provincial legislation or under other parts of the NEB Act, the OPR, PPR or other regulations pursuant to the NEB Act.

## **Guidance Notes:**

Companies are reminded of the following:

- Additional approvals under other legislation, such as the federal *Fisheries Act* or the *Migratory Birds Regulations* may be required.
- Companies have obligations under the *Migratory Birds Convention Act* and the *Species at Risk Act*. The Board recommends that companies check with regional offices for federal, territorial and provincial agencies to ensure they are meeting all of their regulatory obligations.
- Companies have obligations under federal, provincial and territorial legislation for identifying and protecting heritage resources. The Board expects companies to ensure they are meeting all of their regulatory obligations.
- Certain activities may require an application or notification under other parts of the NEB Act, the OPR, the PPR, or other regulations pursuant to the NEB Act.

#### 5.0 Other Issues

#### *5.1*. **Toll Considerations & Commercial Third Parties**

#### Goal:

Companies are aware that a decision pursuant to section 52 or section 58 of the NEB Act does not constitute an approval of the costs associated with O&M activities for inclusion in the cost of service and/or rate base.

## **Requirements:**

None.

## **Guidance Notes:**

Since O&M activities do not require an application under section 58 or section 52 of the NEB Act, companies may wish to consider other methods to communicate certain capital additions to shippers.

# **6.0 Continual Improvement**

The Board encourages parties to submit ideas on improving these requirements, the notification process, or other aspects of the regulation of O&M activities in writing to:

Secretary

National Energy Board 517 Tenth Avenue SW Calgary, AB T2R 0A8 Facsimile 403-292-5503 Email secretary@neb-one.gc.ca

The Board anticipates it will review feedback received at regular intervals after implementation to determine whether process improvements can be made.

## 7.0 Contacting the Board

Where a project or activity does not appear to be addressed by these requirements, companies are expected to contact the Board for clarification, prior to undertaking the activity: The Board's Toll-free Number is 1-800-899-1265.

Additional Information Requirements for Operations and Maintenance Activity Notifications – Fish and Fish Habitat, and Navigation and Navigation Safety

#### Fish and Fish Habitat

Note: You must answer 1 and 2 below, and if required, 3.

- 1. Access Will there be ground disturbance using power-operated equipment within 30 m of a wetland or a water body, or within 30 m of the substrate of a wetland or water body, while accessing the site? If yes, proceed to 1(a), (b) and (c), below. If no, no further access information is required.
  - a. How many new temporary and/or permanent vehicle crossings will be required when accessing the activity site?
  - b. Will all applicable DFO measures to avoid and mitigate harm to fish and fish habitat<sup>10</sup> be followed? **If no, provide the detailed information listed in 3.**
  - c. Are there species present which are listed on Schedule 1 of the *Species at Risk Act*? **If yes, provide the detailed information listed in 3.**
- 2. Activity Site Will there ground disturbance using power-operated equipment within 30 m of a wetland or water body, or within 30 m of the substrate of a wetland or water body at the activity site? If yes, proceed to 2(a), (b), (c) and (d) below. If no, no further activity information is required.
  - a. Is the wetland or water body fish bearing? If no, no further activity information is required.
  - b. Will there be work carried out instream? If no, no further activity information is required.
  - c. Will all applicable DFO measures to avoid and mitigate harm to fish and fish habitat be followed? **If no, provide the detailed information listed in 3.**
  - d. Are there species present which are listed on Schedule 1 of the *Species at Risk Act*? If yes, provide the detailed information listed in 3.

\_

<sup>&</sup>lt;sup>10</sup> The DFO measures to avoid and mitigate harm to fish and fish habitat can be found at <a href="http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/measures-mesures-eng.html">http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/measures-mesures-eng.html</a>

- **3.** Detailed Information Requirements when required by I(b), I(c), I(c)
  - a. Start and end dates for the activity;
  - b. Start and end dates for any restricted activity periods for the wetland or water body;
  - c. Details of any instream work;
  - d. Design drawing;
  - e. Fish and fish habitat study;
  - f. Discussion on potential impacts to fish and fish habitat;
  - g. Details of site-specific measures that will be implemented to avoid serious harm to fish and fish habitat;
  - h. Project planning;
  - i. Photos; and
  - j. Details of any other permits that may be required (e.g. provincial water permits).

# **Navigation and Navigation Safety**

- **4.** Navigation and Navigation Safety Will a navigable water body be crossed while accessing the site or will there be ground disturbance or activity within or across a navigable water body's wetted perimeter? If yes, proceed to 4(a) and (b) below. **If no, no further navigation information is required.** 
  - a. Will the activity, including all in-stream restoration and removal of construction debris, be carried out while the navigable water body is frozen or seasonally dry?
  - b. Will all activities with the potential to impact navigation and navigation safety meet the criteria of Transport Canada's Minor Works Order<sup>11</sup>, as amended? **If no, provide the detailed information listed in 5.**
- **5.** Detailed Information Requirements when required  $\overline{by 4(b)}$ :
  - a. A listing of navigable waterways that may be affected by the activity;
  - b. The waterway characteristics for each navigable waterway that may be affected by the activity;

<sup>&</sup>lt;sup>11</sup> The Minor Works Order can be found within the following link: <a href="http://www.gazette.gc.ca/rp-pr/p1/2014/2014-04-19/html/notice-avis-eng.php">http://www.gazette.gc.ca/rp-pr/p1/2014/2014-04-19/html/notice-avis-eng.php</a>

- c. Description of the activities and crossings that may affect navigation;
- d. Description of potential waterway use and any consultation conducted with waterway users and Aboriginal groups regarding navigational use;
- e. Description of project effects on navigation and navigation safety; and
- f. Details of site-specific mitigation measures that will be implemented to address these effects.

# APPENDIX B

# Online Event Reporting System (OERS) Operations and Maintenance (O&M) Notification USER GUIDE

# **Table of Contents**

Introduction	16
Contacts	16
Getting Started	17
Welcome	17
Contact	18
Email Confirmation	19
Event Types	20
Company	21
Circumstances	22
Circumstances Continued (Unresolved Third Party Concerns)	24
Circumstances Continued (New Permanent Land)	
Circumstances Continued (Near Residence)	
Circumstances Continued (Pipe Removal and Replacement)	
Circumstances Continued (Pressure Test)	
Circumstances Continued (Work Near Water Body or Wetland)	
Activity Plan	28
Location	31
Water Body	32
Navigation	33
Fish Habitat	35
Documents	36
Final Submission	38
Future Updates to Notifications	41

# Introduction

The Online Event Reporting System (OERS) enables companies to efficiently notify the National Energy Board (Board) of Operation and Maintenance (O&M) activities, when notification is required.

This guide provides step by step instructions that will help users access the ERS and create new O&M Notifications. For further information regarding O&M notification requirements, please consult the Amendment to Regulation of Operations and Maintenance Activities on Pipeline Regulated Under the National Energy Board Act: Requirements and Guidance Notes. For additional information pertaining to the Board's responsibilities as they relate to fish and fish habitat and navigation for notifications of O&M activities can be found, please consult the Additional Information Requirements Relating to Fish and Fish Habitat and Navigation for Notification of Operations and Maintenance (O&M) Activities letter.

All sections with a red asterisk (\*) are mandatory.

# **Contacts**

If you have questions or issues regarding the online O&M Notification system or the OERS, contact:

National Energy Board Operations Compliance Officer <u>dlerssupport@neb-one.gc.ca</u> 1-800-899-1265

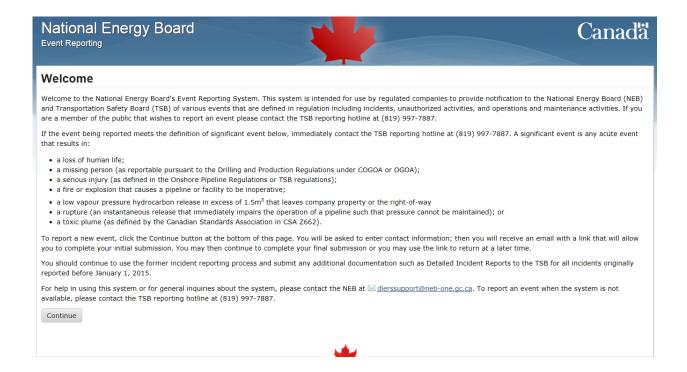
If you have any technical issues with the ERS, you can also send an email to:

dlerssupport@neb-one.gc.ca

# **Getting Started**

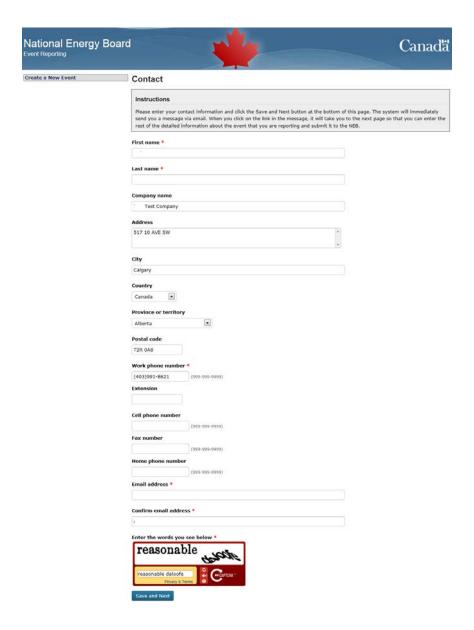
To file a new O&M Notification go to the "Welcome" page of the OERS by going to <a href="https://apps.neb-one.gc.ca/ers">https://apps.neb-one.gc.ca/ers</a>; click the <<Continue>> button at the bottom of this page.

## Welcome



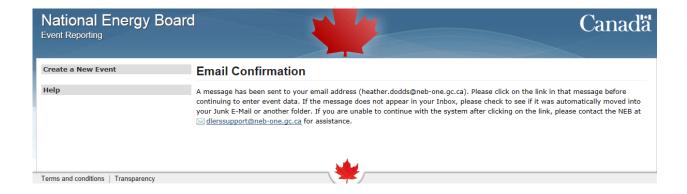
# **Contact**

Every time you file a new O&M Notification, you will be asked to provide some pertinent information, including an email address, phone number and name. The email address will be used to allow the system to send you a link to access the full Event Reporting System (OERS) portal. Once complete, click <<Save and Next>>.



# **Email Confirmation**

A message with the link to the OERS portal will be sent to the email address that you provided. If the message does not appear in your Inbox, please check to see if it was automatically moved into your Junk E-Mail or another folder.



Click the link in the email confirmation to access the full OERS portal, where you will be asked to enter further information.

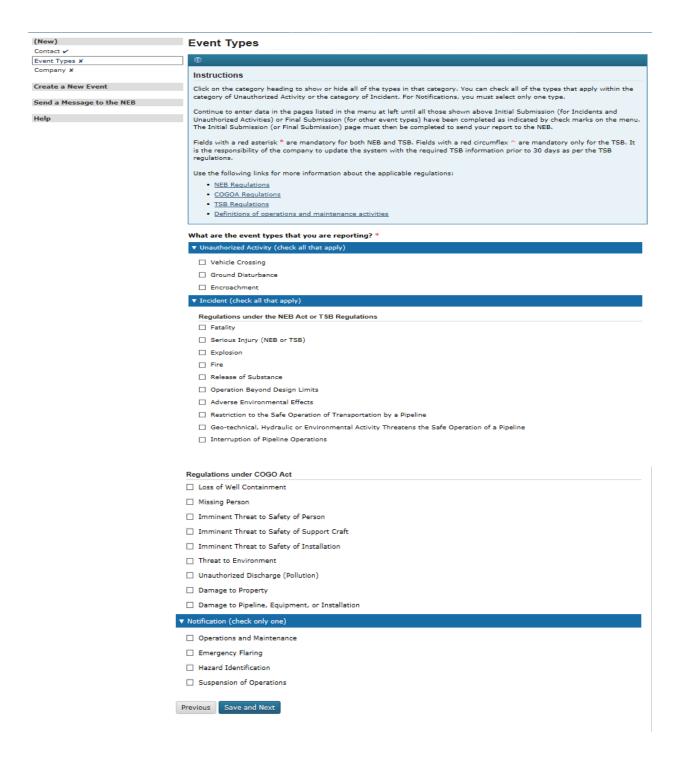
Thank you for using the National Energy Board's Event Reporting System. This message confirms that you have started to enter information to report a new event but have not completed all fields required to submit the information to the NEB. If you lose your connection to the NEB, you can click the link below at any time to return to the data entry screen for this event in the NEB's Event Reporting System.

https://apps.neb-one.gc.ca/ERS/Home/Index/4c54a468-7bf1-4e72-bd8c-a6d739e5a5f2

This is an automated email sent from the National Energy Board (NEB). If clicking on a link in this message does not work, copy the complete link text and paste it into the address line of your browser. Do not reply directly to this message as it comes from an account which is not monitored. If you encounter problems of any kind in using this system, please contact the NEB at <a href="mailto:dlerssupport@neb-one.gc.ca">dlerssupport@neb-one.gc.ca</a> for assistance.

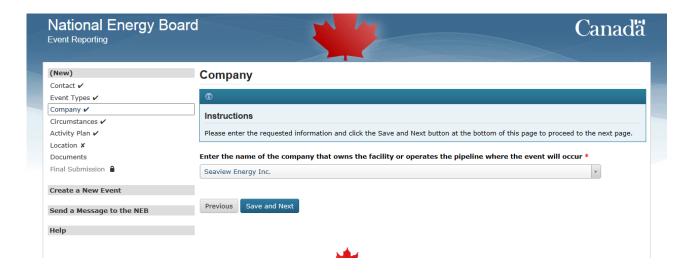
# **Event Types**

This screen requires you to scroll to the **Notification** area at the bottom of the page and select "Operations and Maintenance." Then click on <<Save and Next>>.



# **Company**

The next screen asks about the company responsible for the O&M Activity. Select the company by using the drop-down list. Alternately, you can also start typing the name of the company in order to facilitate this process. If the company is not listed, select --Not Listed-- and enter the full legal name of the company.

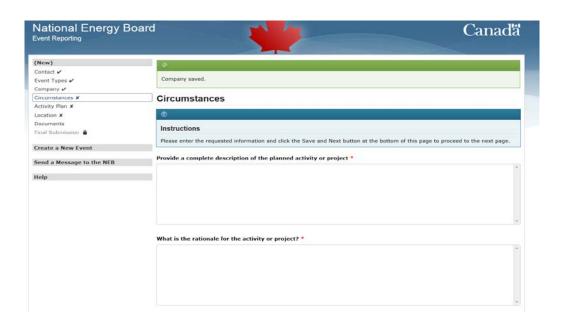


Note: as you progress through the system, check marks on the left hand side of the screen indicate which screens have been populated and saved for the event being reported.

Once complete, click <<Save and Next>>.

# **Circumstances**

The first two sections of the next screen require you to enter more information about the activity. You are required to enter a complete description of the activity as well as a rationale.



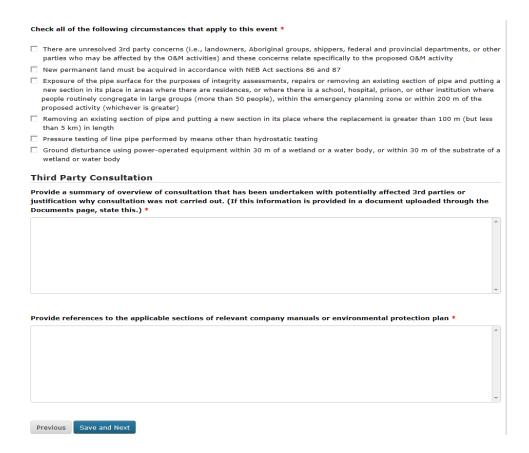
In order to keep any information that has been entered, click <<Save>> at the bottom of the page.



Once complete, continue to scroll down the "Circumstances" page.

# **Circumstances Continued**

The next section lists six circumstances for which the Board requires notification. Select all circumstances (i.e. the reason for notifying the Board of the activity) that apply to the notification. You must select at least one.



The Circumstances page also requires you to provide a summary of overview of Third Party Consultation and details of manuals that will be applicable to the activity. Once complete, click <<Save and Next>>.

# Circumstances Continued (Unresolved Third Party Concerns)

If you select the first circumstance, Unresolved Third Party Concerns, the text box modifies slightly to require complete record or table of consultation.

Check all of the following circumstances that apply to this event *
There are unresolved 3rd party concerns (i.e., landowners, Aboriginal groups, shippers, federal and provincial departments, or other parties who may be affected by the O&M activities) and these concerns relate specifically to the proposed O&M activity
Third Party Consultation
Provide a complete record or table of consultation that has been undertaken with 3rd parties or justification why consultation was not carried out. (If this information is provided in a document uploaded through the Documents page, state this.) *
_
Circumstances Continued (New Permanent Land)
If you select the second circumstance, New Permanent Land, a new section, Acquiring New
Land, is activated.
New permanent land must be acquired in accordance with NEB Act sections 86 and 87
Acquiring New Land
How much permanent (hectares) will be acquired? *
Is it private land? *
Select▼
Will the company comply with the requirements under sections 86 and 87 of the NEB Act? *
Select 🗹

# Circumstances Continued (Near Residence)

If you select the third circumstance, Exposure of pipe surface near a residence or where people routinely congregate, a new section, Pipe Surface Exposure, is activated.

	Pipe Surface Exposure
	How far away (metres) from the proposed work location is the closest residence or building where people routinely congregate in large groups? *
	Provide details of the locations of the applicable residence or buildings where people congregate. (If this information is provided in a document uploaded through the Documents page, state this.) *
Circi	umstances Continued (Pipe Removal and Replacement)
f you seld	ect the fourth circumstance, Removal and Replacement of Pipe, a new section, Nevion, is activated.
f you seld Pipe Section	ect the fourth circumstance, Removal and Replacement of Pipe, a new section, New
If you seld	ect the fourth circumstance, Removal and Replacement of Pipe, a new section, N

# Circumstances Continued (Pressure Test)

If you select the fifth circumstance, Pressure Test by Other Means, a text box, Pressure Testing, is activated.

Pressure testing of line pipe performed by means other than hydrostatic testing	
Pressure Testing	
How is the pressure testing to be performed? *	
	^
	T
Provide references to the applicable sections of relevant company manuals or environmental protection plan *	
	Α.

# Circumstances Continued (Work Near Water Body or Wetland)

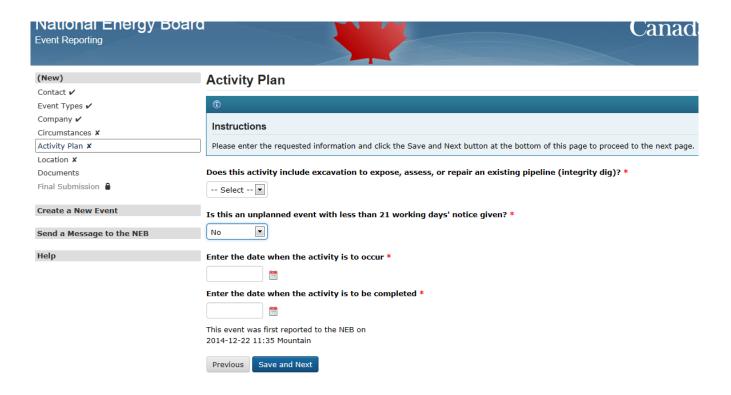
If you select the last and sixth circumstance, Ground Disturbance within 30 m of a Wetland or Waterbody, after you select <<Save and Next>>, a new page titled "Water Body" will be initiated to be completed before submitting notification.

Ground disturbance using power-ope wetland or water body	erated equipment within 30 m of a wetland or a wat	er body, or within 30 m of the substrate of a
	National Energy Board Event Reporting	
	(New)	
	Contact ✓	
	Event Types 🗸	
	Company 🗸	
	Circumstances 🗸	
	Activity Plan 🗴	
	Location x	
	Water Body 🗶	
	Documents	
	Final Submission	
	Create a New Event	
	Send a Message to the NEB	
	Help	

Once complete, click << Save and Next>>.

# **Activity Plan**

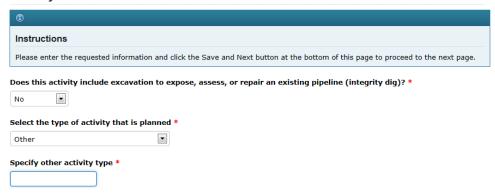
The next screen asks you to enter more information about the activity, such as dates. Once complete, click <<Save and Next>>.



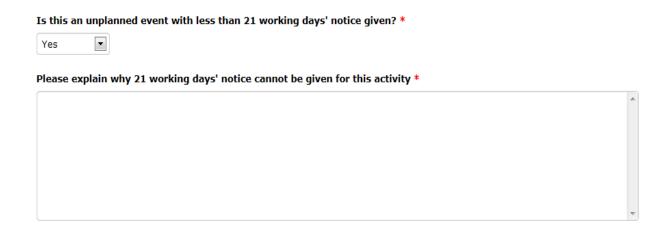
If you select <<YES>> to the first question, you are required to enter the number of integrity digs associated with the notification.

If you select<<NO>> to the first question, you will be required to enter the type of activity by choosing from the dropdown list or by selecting "Other," which will also initiate a text box where you will be required to provide a brief description on the type of activity.

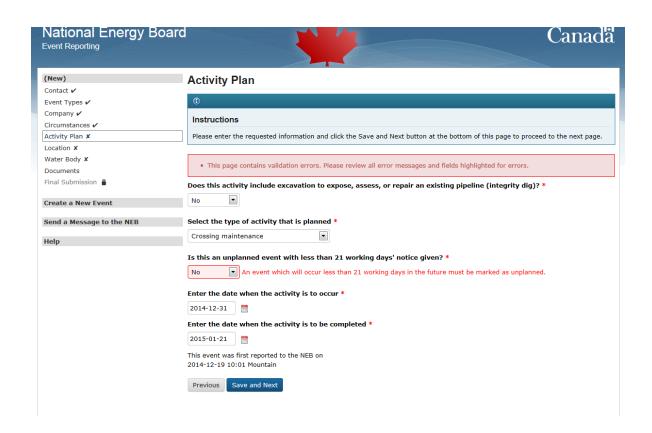
## **Activity Plan**



As per the Guidance notes, a company is required to notify the Board 21 working days in advance of an O&M activity. If you are filing an unplanned event, a text box will appear and an explanation will be required.



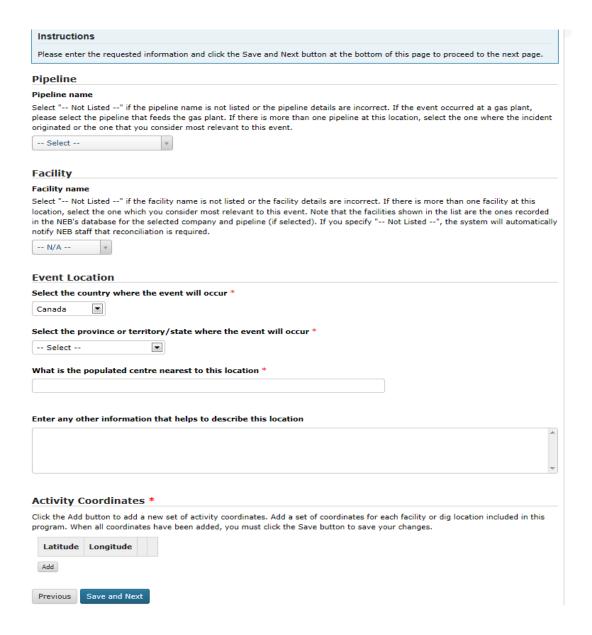
Once you have entered the start and finish dates of the activity, if you have not provided the Board with 21 days, a red box will appear at the top of the page. You will then be required to either change the dates, or click <<YES>> to unplanned activity and provide an explanation.



Once complete, click <<Save and Next>>.

# Location

The next screen asks you to enter information about the location of the event. The "Pipeline" section is mandatory. If the name of the pipeline is not listed or if the name in the list is incorrect, select --Not Listed--, and provide all required information (name of pipeline, outside diameter, pipeline length and commodity carried).

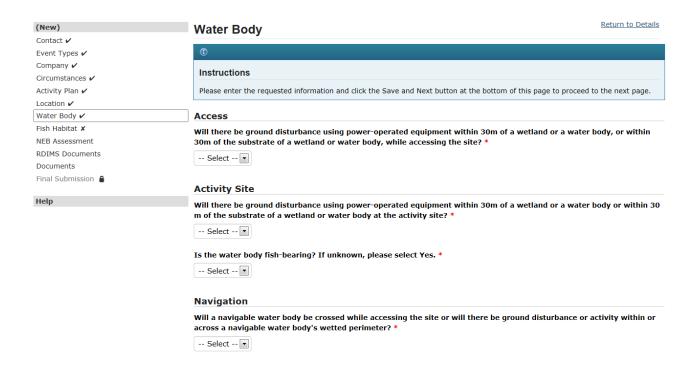


To enter the longitude and latitude of the activity, click <<Add>>. If there is more than one activity site for the notification, click <<Add>> as many times as necessary.

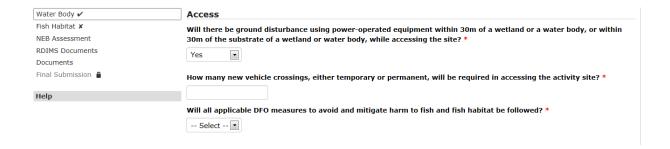
Once complete, click <<Save and Next>>.

# **Water Body**

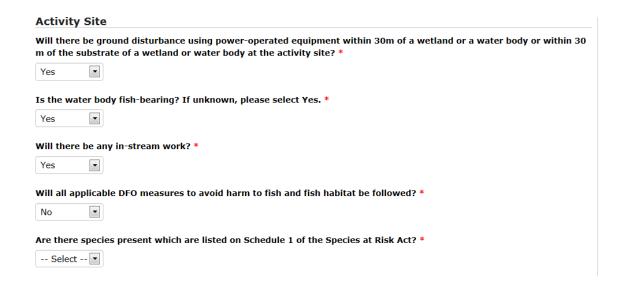
If you selected "Ground disturbance using power-operated equipment within 30 m of a wetland or water body" on the Circumstances page, you will be required to provide more information. This screen will ask for information pertaining to the Access, Activity Site and Navigation.



If you selected <<YES>> to the Access question, more information will be required.



If you selected <<YES>> to the first Activity Site question, more information will be required.

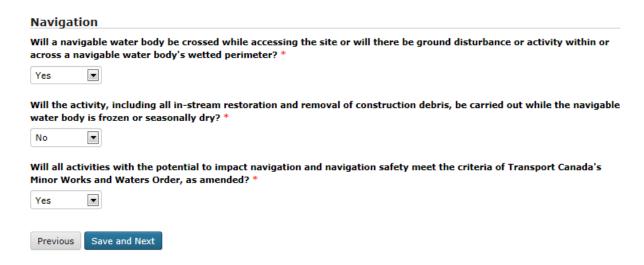


More information about Fisheries and Oceans Canada (DFO) and efforts to avoid, mitigate and/or offset harm to fish and fish habitat can be found at <a href="http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html">http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html</a>.

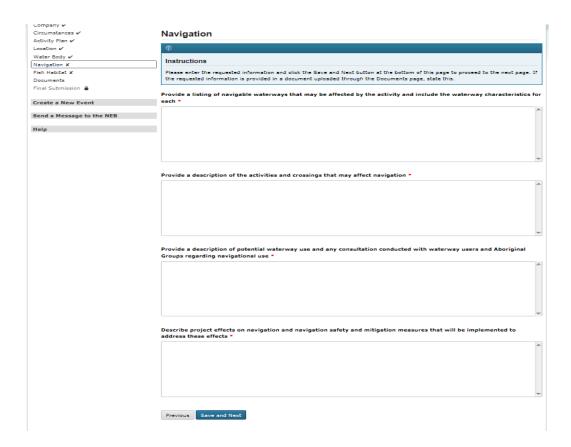
If you answer <<NO>> to following applicable DFO measures to avoid harm to fish and fish habitat, more information will be required and you will need to complete the Fish Habitat page (please see below for more information).

# **Navigation**

If you select <<YES>> to the "Navigation" question, more information will be required.



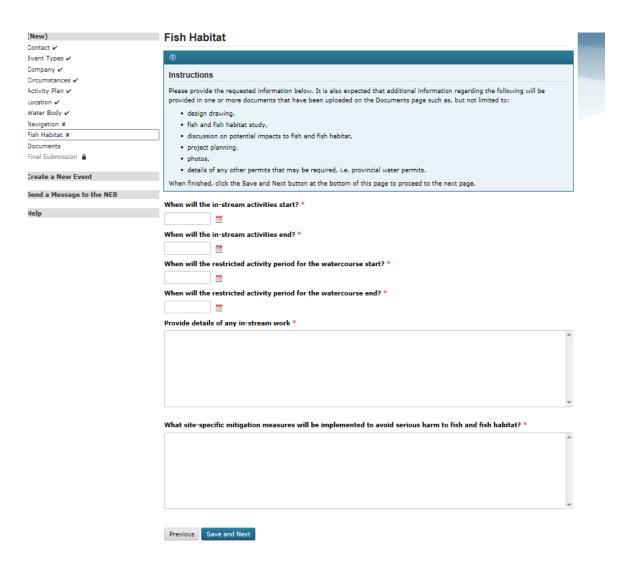
If you select <<NO>> to meeting the criteria of Transport Canada's Minor Works and Waters Order, you will be required to provide more information on a separate screen. More information on Transport Canada and the Order can be found at <a href="http://www.tc.gc.ca/eng/programs-633.html">http://www.tc.gc.ca/eng/programs-633.html</a>.



Once complete, click <<Save and Next>>.

# Fish Habitat

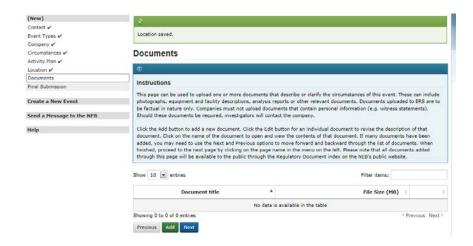
If you select <<NO>> to following DFO measures to avoid harm to fish and fish habitat at any time, you will be required to provide more information on a separate screen.



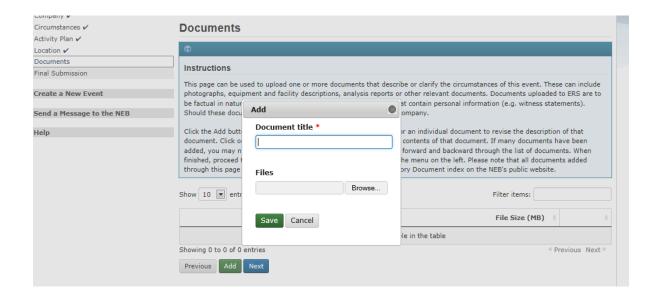
When satisfied that all information is correct, click <<Save and Next>>. You will be directed to the Documents page.

# **Documents**

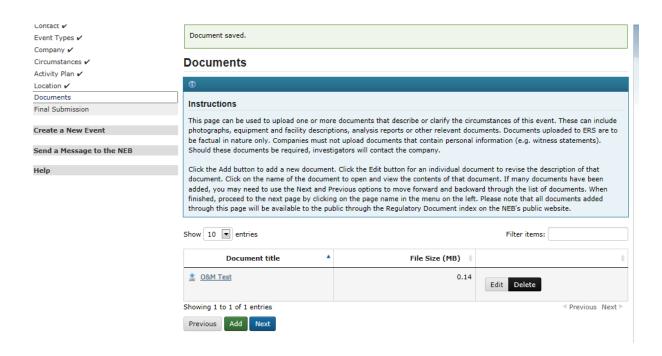
The Documents screen allows for the upload of documents relating to the event, including photographs, reports, various types of correspondence, etc.



Type the document title and then click on <<Browse>> to locate file on computer. Click <<Save>>.



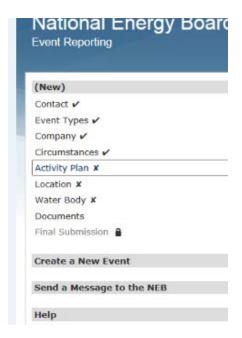
You can select << Add>> for each additional document, or you can click << Next>> when all documents have been uploaded.



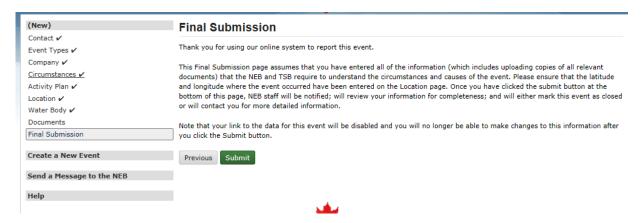
Once complete, click <<Save and Next>>. You will be directed to the final submission.

# **Final Submission**

You may receive an error message as noted below if you have any outstanding mandatory data missing from your notification. In order to rectify, simply click on the menu located on the left of the screen to navigate to the appropriate screen for the necessary corrections.



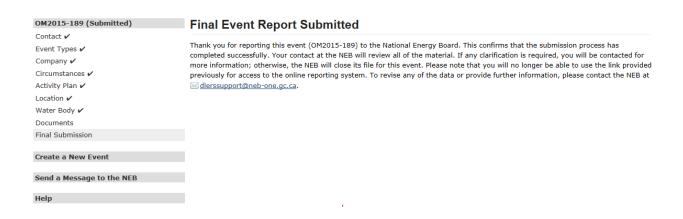
Once all fields have been populated with all required data free of errors you will be able to submit the notification.



You will be prompted to proceed with the submission. Click <<OK>> to submit or <<Cancel>> to return to the event for further editing.



After the submission has been made, a screen will indicate that the report has been successfully submitted to the NEB.



The filing now has an event number assigned to it (i.e. OM2015-189). Once the notification has been submitted an automatically generated e-mail confirmation (see below) will be sent to the e-mail address provided in the report, advising that the notification has been received and should clarification of the information be required then an NEB staff member will contact you at the e-mail or phone provided in the notification.

Thank you for reporting this event (OM2015-189) to the National Energy Board. This message confirms that you have completed your submission to the NEB of all information for this event as listed below. Your contact at the NEB will review all of the material. If any clarification is required, you will be contacted for more information; otherwise, the NEB will close its file for this event. Please note that you will no longer be able to use the link provided previously for access to the online event reporting system. To revise any of the data or provide further information, please contact the NEB at <a href="mailto:dlersupport@nebone.gc.ca">dlersupport@nebone.gc.ca</a>.

Following is a list of the data that you have provided to the NEB:

View documents in the NEB regulatory document repository

# Event Details - OM2015-189

## **Event Types**

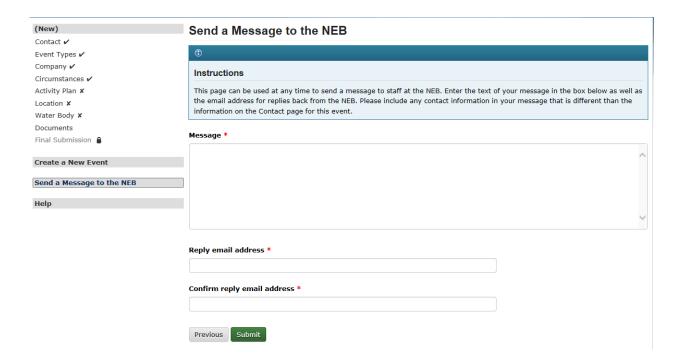
What are the event types that you are reporting? Notification (check only one)

Operations and Maintenance

#### Circumstances

By clicking on the link in the <<View documents in the NEB regulatory document repository>> link, you can view the filing in The National Energy Board's electronic regulatory document repository (Livelink). This record is simultaneously created in the Board's electronic repository. Notifications can be also viewed by going to <a href="www.neb-one.gc.ca">www.neb-one.gc.ca</a> and clicking on <<View Regulatory Documents>>. Once in the Regulatory Document Index, select the Facility type, company name, and then select "Notification of Operation and Maintenance Activities."

Once submitted, if changes are required or something was submitted in error, click on << Send a Message to the NEB>>. Any changes required after submission will have to be made by NEB staff or staff will reopen the event for editing. Ensure to include the event number in the message (i.e. OM2015-189), as well as any relevant details.



Alternatively, you can send an email to <u>dlerssupport@neb-one.gc.ca</u> with the information. Staff will contact the person on file to ensure the information is corrected.

# **Future Updates to Notifications**

Once the notification has been submitted, you will no longer be able to edit or update the information without permission from NEB staff. You can send an email to <a href="mailto:dlerssupport@neb-one.gc.ca">dlerssupport@neb-one.gc.ca</a> requesting the event be reopened for you to edit directly, or changes can be made by NEB staff. Be sure to include the event number (i.e. OM2015-189), as well as any relevant details.

In the case the notification is reopened, you will need to access the event through the original email confirmation, as described on page 5, and as shown below:

Thank you for using the National Energy Board's Event Reporting System. This message confirms that you have started to enter information to report a new event but have not completed all fields required to submit the information to the NEB. If you lose your connection to the NEB, you can click the link below at any time to return to the data entry screen for this event in the NEB's Event Reporting System.

https://apps.neb-one.gc.ca/ERS/Home/Index/4c54a468-7bf1-4e72-bd8c-a6d739e5a5f2

This is an automated email sent from the National Energy Board (NEB). If clicking on a link in this message does not work, copy the complete link text and paste it into the address line of your browser. Do not reply directly to this message as it comes from an account which is not monitored. If you encounter problems of any kind in using this system, please contact the NEB at <a href="mailto:dlerssupport@neb-one.gc.ca">dlerssupport@neb-one.gc.ca</a> for assistance.