



Administrative Monetary Penalty / Sanction administrative pécuniaire

NOTICE OF VIOLATION / AVIS D'INFRACTION

REFERENCE NUMBER / N° DE REFERENCE: AMP-008-2015

Information for Pipeline Company / Third Party / Individual:

Information pour la société pipelière / une tierce partie / un particulier :

Name / Nom :	Westcoast Energy Inc. (Spectra Energy Transmission)	TOTAL PENALTY AMOUNT / MONTANT TOTAL DES PÉNALITÉS:
Contact / Contactez:	Mark Fiedorek	\$ 6,300
Title / Titre:	President	
Address / Adresse:	Fifth Avenue Place, East Tower 425 - 1st Street SW Suite 2600 T2P 3L8	Date of Notice / Date de l'Avis:
		17 April 2015
City / Ville:	Calgary	Regulatory Instrument # / Nº de l'instrument réglementaire:
Province / State / État	Alberta	n/a
Telephone / Téléphone:	[REDACTED]	
Fax / Télécopieur:	[REDACTED]	
E-mail / Courriel:	[REDACTED]	

On / Le 20 March 2015

Westcoast Energy Inc., carrying on business as Spectra Energy Transmission

was observed to be in violation of a NEB regulatory requirement. This violation is subject to an administrative monetary penalty, as outlined below.

a commis une infraction aux exigences réglementaires de l'ONÉ, sujet à la sanction administrative pécuniaire ci-dessous.

1. VIOLATION DETAILS / RENSEIGNEMENTS SUR L'INFRACTION

Date of Violation / Date d'infraction :	(from / du): 20 March 2015	(to / au): 20 March 2015	Has compliance been achieved? La situation est-elle rétablie?
Total Number of Days / Nombre total de jours:	1	<input checked="" type="radio"/> Yes / Oui <input type="radio"/> No / Non	If no, a subsequent NoV may be issued. Si non, un autre avis d'infraction pourrait être envoyé.
Location of Violation / Lieu de l'infraction:			
e.g. Facility/plant/head office or nearest geographical point or lat/long / ie: usine/siege central/lieu géographique			Pine River Gas Plant, Chetwynd, British Columbia
Short Form Description of Violation / Description abrégée de l'infraction (Refer to Schedule 1 of the AMP Regulations) / (Voir l'annexe 1 du Règlement)		Provision and Short-form Description / Disposition et Sommaire	
NEB Processing Plant Regulations / Règlement de l'Office national de l'énergie sur les usines de traitement			
49(1.1) Failure to notify as prescribed (Type A) / Omission d'aviser tel qu'exigé (Type A)			

<input type="checkbox"/>	Contravention of an Order or Decision made under the Act (ss. 2(2) of the AMP Regulations) / Dérogation à une ordonnance ou à une décision rendue sous le régime de la Loi (paragraphe 2(2) du Règlement sur les sanctions administratives pécuniaires)
<input type="checkbox"/>	Failure to comply with a term or condition of any certificate, licence, permit, leave or exemption granted under the Act (ss. 2(3) of the AMP Regulations) / Manquement à une condition d'un certificat, d'une licence, d'un permis, d'une autorisation ou d'une exemption accordé sous le régime de la Loi (paragraphe 2(3) du Règlement sur les sanctions administratives pécuniaires)

2. RELEVANT FACTS / FAITS SAILLANTS

Briefly describe reasonable grounds to believe a violation has occurred / Décrire brièvement les motifs raisonnables de croire qu'une infraction a été commise
<p>1. The National Energy Board Processing Plant Regulations (PPR) 49 (1.1) (b) states: (1.1) A company shall, as soon as practicable, notify the Board and the appropriate authorities of the province in which its processing plant is located of any decision made by the company to suspend the operation of any portion of the plant for a period exceeding seven days.</p> <p>2. On 9 March, Westcoast Energy Inc., carrying on business as Spectra Energy Transmission (Westcoast) began a scheduled partial suspension of the Pine River Gas Plant to complete a maintenance repair of Condenser Number 4 associated with Train 3 (854532). Westcoast indicated the initial planned suspension of Train 3 was six days.</p> <p>3. On 20 March 2015, the NEB received a phone call from Westcoast to enquire about a suspension of operations at the Pine River Gas Plant (RDIMS 854404). Westcoast indicated the suspension of operations had extended beyond the original six day window and inquired whether Westcoast was required to file a notification through the NEB's Event Reporting System (ERS) system. The NEB advised Westcoast of the reporting requirement outlined in PPR 49(1.1)(b).</p> <p>4. On 20 March 2015 at approximately 18:00 Mountain Time, Westcoast filed a report of the ongoing suspension in the ERS (RDIMS 854532). In this report, Westcoast indicated the suspension was expected to last for approximately 17 days.</p>

5. On 25 March 2015, the NEB requested Westcoast provide written confirmation once Train 3 was fully returned to service (RDIMS 858124).									
6. On 9 April 2015, the NEB confirmed Train 3 was restarted on 3 April 2015 (RDIMS 858124).									
7. Based on requirements outlined in PPR 49 (1.1) (b), the NEB should have been notified of the work exceeding the seven day period on 16 March 2015. The NEB did not receive notification the shutdown was ongoing until 20 March 2015, four full working days after notification of the partial shutdown should have been received. The NEB expects regulated companies to be aware of and trained in mandatory reporting requirements intended to ensure the safety of people and environment such as the one outlined above.									
3. PENALTY CALCULATION / CALCUL DES SANCTIONS									
(a) BASELINE PENALTY (Gravity Value = 0) / PÉNALITÉ DE BASE (côte de gravité = 0)									
<table> <thead> <tr> <th style="width: 30%;">Category / Catégorie</th> <th style="width: 30%;">Individual / Personne physique</th> <th style="width: 30%;">Any Other Person / Autre Personne</th> </tr> </thead> <tbody> <tr> <td>(Type A)</td> <td><input type="checkbox"/> \$1,365</td> <td><input checked="" type="checkbox"/> \$5,025</td> </tr> <tr> <td>(Type B)</td> <td><input type="checkbox"/> \$10,000</td> <td><input type="checkbox"/> \$40,000</td> </tr> </tbody> </table> <p>[Refer to <i>AMP Regulations</i>, Subsection 4(1) / Voir le <i>Règlement</i>, paragraphe 4(1)]</p>	Category / Catégorie	Individual / Personne physique	Any Other Person / Autre Personne	(Type A)	<input type="checkbox"/> \$1,365	<input checked="" type="checkbox"/> \$5,025	(Type B)	<input type="checkbox"/> \$10,000	<input type="checkbox"/> \$40,000
Category / Catégorie	Individual / Personne physique	Any Other Person / Autre Personne							
(Type A)	<input type="checkbox"/> \$1,365	<input checked="" type="checkbox"/> \$5,025							
(Type B)	<input type="checkbox"/> \$10,000	<input type="checkbox"/> \$40,000							
(b) APPLICABLE GRAVITY VALUE / COTE DE GRAVITE GLOBALE APPLICABLES									
[Refer to <i>AMP Regulations</i> , Subsection 4(2) / Voir le <i>Règlement</i> , paragraphe 4(2)]									

Mitigating / Atténuer	Aggravating / Aggravantes
-2	-1
0	+1
+2	+3

<input checked="" type="checkbox"/> Other violations in previous seven (7) years / Autres infractions au cours des sept (7) années précédentes	--	--	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--
On 22 January 2015, Westcoast received a Notice of Violation totalling \$88,000 for failure to ensure that the company's processing plant is designed, constructed, operated or abandoned as prescribed, as outlined in the PPR 4(1). On 18 February 2015, Westcoast paid the penalty in full.						
<input type="checkbox"/> Any competitive or economic benefit from violation / Avantages concurrentiels ou économiques découlant de l'infraction	--	--	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	--
n/a						
<input type="checkbox"/> Reasonable efforts to mitigate / reverse violation's effect / Efforts raisonnables déployés pour atténuer ou annuler les effets de l'infraction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	--
n/a						
<input checked="" type="checkbox"/> Negligence on part of person who committed violation / Négligence de la part de la personne ayant commis l'infraction	--	--	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--
Westcoast did not take all reasonable steps to prevent the violation. This included not having a thorough knowledge of mandatory reporting requirements under the Processing Plant Regulations.						
<input checked="" type="checkbox"/> Reasonable assistance to Board with respect to violation / Collaboration raisonnable avec l'Office en ce qui a trait à l'infraction	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	--
Once Westcoast was reminded of the mandatory reporting requirements under the PPR, a notification was promptly submitted through the ERS.						
<input type="checkbox"/> Promptly reported violation to Board / Infraction signalée sans délai à l'Office	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	--
n/a						



<input type="checkbox"/> Steps taken to prevent reoccurrence of violation / Mesures prises pour prévenir les récidives	<input type="checkbox"/>	--				
n/a						
<input type="checkbox"/> Violation was primarily reporting / record-keeping failure / Infraction reliée principalement à la production de rapports ou à la tenue des dossiers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	--	--	--
n/a						
Any aggravating factors in relation to risk of harm to people or <input type="checkbox"/> environment / Facteurs aggravants pouvant causer du tort au public ou à l'environnement	--	--	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n/a						
(c) TOTAL GRAVITY VALUE / COTE DE GRAVITÉ GLOBALE						+1
(d) DAILY PENALTY / SANCTIONS QUOTIDIENNES (The baseline penalty, adjusted for the final gravity level) (Pénalité de base d'après la côte de gravité)	\$					6,300
(e) NUMBER OF DAYS OF VIOLATION / DURÉE DE L'INFRACTION (If more than one day, then the justification must be provided.) (Si plus d'une journée, prière de justifier.)						1
Notes to explain decision to apply multiple daily penalties, or "Not Applicable" / Notes pour expliquer la décision d'appliquer des pénalités multiples quotidiennes, ou «sans objet»						
4. TOTAL PENALTY AMOUNT / MONTANT TOTAL DE LA PÉNALITÉ						\$ 6,300
<p>Note: The total penalty amount shown is based on the period described in Step 1 above. If compliance has not been achieved, a subsequent Notice of Violation may be issued.</p> <p>Le montant total de la pénalité est calculé d'après la période décrite à l'étape 1 ci-dessus. Si la situation n'a pas été rétablie, un autre avis d'infraction pourrait être envoyé.</p>						
5. DUE DATE (30 days from receipt of Notice of Violation)						18 May 2015
DATE LIMITÉ (30 jours à compter de la réception de l'Avis d'infraction)						

Notes

You have the right to make a request for a review of the amount of the penalty or the facts of the violation, or both, within 30 days after the Notice of Violation was received.

If you do not pay the penalty nor request a review within the prescribed period, you are considered to have committed the violation and you are liable for the penalty set out in the Notice of Violation. The penalty is due on the date indicated above.

The unpaid penalty amount is a debt due to the Crown and may be recovered by collection procedures stipulated in the *Financial Administration Act*.

The information regarding the violation may be posted on the NEB website:

- a) 30 days from the date this Notice of Violation was received or;
- b) upon issuing a decision following a Request for Review.

To Make Payment:

You may remit your fee payment by Electronic Funds Transfer (EFT) or by cheque payable to the order of Receiver General for Canada.

EFT payments can be arranged by contacting the Director of Financial Services, Monday to Friday, from 09:00 to 16:00 Mountain Time:

Telephone: 403-919-4743 / 800-899-1265
Fax: 403-292-5503 / 877-288-8803

Cheques should be made out to the "Receiver General for Canada" and mailed to:

National Energy Board
Attention: Finance
Centre 10, 517 – 10th Avenue SW
Calgary, Alberta
T2R 0A8

Your completed *Payment* form should be enclosed with your payment.

Notes

Vous disposez de 30 jours après la signification de l'Avis d'infraction pour demander une révision du montant de la pénalité, ou les faits rapportés, ou les deux.

Si les sanctions ne sont pas acquittées et qu'aucune révision n'est demandée, vous êtes considérés comme coupable de l'infraction et vous devez payer les sanctions précisées dans l'Avis d'infraction. Les sanctions sont payables à la date indiquée ci-dessus.

Un défaut de paiement constitue une créance envers l'Etat et peut être recouvré en utilisant tous les recours prévus dans la *Loi sur la gestion des finances publiques*.

L'information concernant l'infraction pourrait également être affichée sur le site Web de l'ONE:

- a) 30 jours après la date de réception de l'Avis;
- b) dès qu'une décision a été rendue à la suite d'une Demande de Révision.

Paiement:

Vous pouvez payer le montant dû par transfert électronique de fonds (TEF) ou par chèque établi à l'ordre du Receveur général du Canada.

Pour se prévaloir du service de transfert électronique, communiquer par téléphone avec le Directeur, Service des finances, du lundi au vendredi, de 9 h à 16 h, heure des Rocheuses :

Telephone: 403-919-4743/ 800-899-1265
Telec. : 403-292-5503/877-288-8803

Les chèques doivent être établis à l'ordre du Receveur général du Canada et postés à l'adresse suivante:

Office national de l'énergie
Service des finances
Centre 10, 517 – 10e Avenue S.-O.
Calgary (Alberta)
T2R 0A8

Le formulaire de *paiement* dûment rempli doit accompagner le paiement.

To Request a Review

Pursuant to the NEB Act, Section 144, you may file a request for a review of this Notice of Violation by the Board.

The date of filing is the date on which the document is received, as indicated by the date on an e-mail submission or the stamp on the document by a NEB employee.

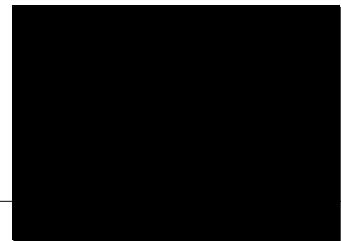
If you elect to make a request for a review, complete and submit the attached *Request for Review* form to:

Administrative Monetary Penalty - Reviews
National Energy Board
Centre 10, 517 – 10th Avenue SW
Calgary, Alberta
T2R 0A8

For more information on reviews, please see the Administrative Monetary Penalties Process Guide available on the NEB's [website](#).

If you have any questions regarding this matter, please contact the undersigned.

Sincerely,



Rdber Steedman

Designated Officer
Administrative Monetary Penalties

Fonctionnaire désigné
Sanctions administratives pécuniaires

403-299-3178