

National Energy
Board



Office national
de l'énergie

IN THE MATIER OF THE *NATIONAL ENERGY BOARD ACT*,
AN ORDER UNDER SECTION 51.1

On 30 May 2013, the undersigned National Energy Board inspection officer hereby
Date/time

notifies BC Hydro that the hazardous or detrimental situation
Company Representative and company name

described on Order No. A0-KAR-001 2013 has been remedied to the satisfaction of the inspection officer.
Inspection Officer Order

Therefore, work may resume, or

the measures specified in the order have been satisfied.

Summary

On 4 February 2013, BC Hydro received an Inspection Officer Order from the National Energy Board (the Board) (Order KAR-001-2013). BC Hydro requested that the Board review this Order and on 28 February 2013 the Board varied the Order (A0-1-KAR-001-2013). The amended Order required BC Hydro to provide a written confirmation which acknowledges receipt of the Order, which BC Hydro did on 1 March 2013.

The amended Order also required BC Hydro to amend its current safety and contractor oversight procedures, or develop and implement a procedure, as described below (the Procedure) to ensure that excavation or construction work near a federally-regulated pipeline is performed in accordance with the *National Energy Board Pipelines Crossing Regulations, Part I* (the Regulations). The safety procedure had to provide for the following, at a minimum:

1. BC Hydro shall provide a copy of the NEB publication *Excavation and Construction Near Pipelines* to all contractors hired by BC Hydro that excavate within 30 metres of a federally-regulated pipeline or that construct facilities above, below or along federally-regulated pipelines (hereafter referred to as the "Work").
2. BC Hydro shall require any contractor that it hires to perform Work to demonstrate to BC Hydro, prior to the commencement of the Work, that the contractor has safety procedures in place to comply with the Regulations. BC Hydro shall satisfy itself that the contractor's procedures are being implemented.

.../2


Canada


3. Prior to arrival at the site where Work is to be performed, BC Hydro or any contractor hired by BC Hydro must contact the pipeline company to obtain written permission where the Regulations so require, and, if permission is obtained, must comply with all conditions set out in the written permission.
4. In the event of a modification to the Work for which permission from the pipeline company has been obtained, BC Hydro or any contractor hired by BC Hydro must communicate the modification to the pipeline company and validate that the pipeline company's permission remains applicable to the Work, as modified.
5. BC Hydro shall make its own inspector present on all worksites where Work is being performed. BC Hydro's inspector shall make sure that the necessary written permission and safety instructions have been obtained from the pipeline company prior to the start of excavation or construction. BC Hydro's inspector shall also make sure that the contractor is complying with any conditions and instructions set out in the written permission.
6. The BC Hydro inspector present on a worksite where Work is being performed must have the requisite qualifications and authority to stop the work in situations where the contractor hired by BC Hydro:
 - a) Has not obtained the necessary written permission from the pipeline company;
or
 - b) Where written permission has been obtained, is not in compliance with the conditions set out in the written permission.
7. Where a contractor hired by BC Hydro contravenes the Regulations or the conditions of the pipeline company's written permission, BC Hydro shall consider whether there are deficiencies in the Procedure, and if so, identify and remedy such deficiencies.
8. Where a BC Hydro contractor contravenes the Regulations or the conditions of the pipeline company's written permission, and where BC Hydro identifies and remedies any deficiencies in the Procedure, BC Hydro shall verify the implementation of its Procedure to avoid future unauthorized activities.

On 8 April 2013, in response to Inspection Officer Order A0-1-KAR-001-2013, BC Hydro filed its safety procedures entitled OSH Standard 217 Work Near Interprovincial Pipelines and Safety Management Incident Procedures (Procedures).

Specified Measure C contained within Inspection Officer Order A0-1-KAR-001-2013 required BC Hydro to provide a written confirmation to the Inspection Officer, by an officer of BC Hydro, that the procedure has been implemented. This confirmation of implementation was provided by BC Hydro on 30 May 2013.

The Board's Inspection Officer has reviewed the document and the written confirmations. The Board's Inspection Officer finds that the conditions of the Order have been satisfied. Accordingly, **Inspection Officer Order A0-1- KAR-001-2013** is hereby lifted.

Signed by: _____ 

Inspection Officer: _____ 

Inspection Officer ID No. _____ **1554**

Original – Report

1 copy – Company

1 copy – Inspection Officer

Canada