

NEW BRUNSWICK ENERGY AND UTILITIES BOARD

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PROVINCE OF NEW BRUNSWICK
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COMMISSION DE L'ÉNERGIE ET DES SERVICES PUBLICS N.-B.

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June 3, 2011

Lorraine Légère
Secretary of the Board
New Brunswick Energy & Utilities Board
15 Market Square
Suite 1400
Saint John, NB, E2L4Y9

Dear Ms. Légère:

Re: Enbridge Application for a Permit to Construct Pipelines in Dorchester, NB
EUB File No. 210-08-19

The Pipeline Coordinating Committee (PCC) comprised of representatives from the following governmental departments has completed their review of the subject application;

1. Environment
2. Archaeology Services, Department of Wellness Culture and Sport
3. Transportation
4. Agriculture and Aquaculture
5. Business New Brunswick
6. Local Government
7. Dept. of Natural Resources
8. Dept. of Energy
9. Tourism and Parks
10. Dept. Of Public Safety (Technical Inspection Services)
11. New Brunswick Emergency Measures Organization
12. Pipeline Safety Division, Energy and Utilities Board

All departments have agreed to the issuance of a construction permit based on the technical information presented in the application and with the conditions as outlined in the final report of the committee's review (attached).

Yours truly,

A handwritten signature in black ink, appearing to read 'Todd W. McQuinn'.

Todd W. McQuinn, P. Eng.
Chair, Pipeline Coordinating Committee

**Enbridge Gas New Brunswick – Natural Gas Pipeline Application – Dorchester, NB:
Final Report of the Review by the Pipeline Coordinating Committee**

Brief Description of Project:

Enbridge Gas New Brunswick (EGNB) proposes to construct a 13.6 km pipeline from Sackville to Dorchester, NB. The proposed route is shown in Figure 1.0 and extends for 7100 meters along King Street from Salem Street (Route 940) to Woodlawn Avenue, southwest 5600 meters along Woodlawn Avenue from King Street to Main Street, north 900 meters along Main Street from Woodlawn Avenue to Penitentiary Road. The 13.6 kilometers of pipe will be nominal pipe size (“NPS”) 4 high pressure steel. Outside of Dorchester, the pipe is expected to be installed in the New Brunswick Department of Transportation (“NBDOT”) highway right of way (“RoW”), two meters from the edge of RoW limits. Within Dorchester, mains will typically be located within the streets RoW, avoiding any existing utilities and infrastructure. Depth of cover will be a minimum of 1.2 meters below ground surface outside the Village and 0.9 meters within the Village of Dorchester.

EGNB is also requesting that its permit extend to all infill pipelines required to service customers along the 2011 pipeline route and in the Village of Dorchester. Infill work will be constructed as demand necessitates, starting in 2012.

Determinations of Committee:

After a review of the technical parameters of this project it is a recommendation by this committee that this project proceed with the following conditions;

1. Subject to Condition (3), Enbridge Gas New Brunswick (EGNB) shall comply with all undertakings made by its counsel and witnesses, and shall construct the facilities and shall restore the land according to the evidence of its witnesses at this hearing and in accordance with the Gas Distribution Act, 1999, the Pipeline Act, 2005 or any other applicable legislation.
2. EGNB shall comply with all written commitments and clarifications made during review by the Pipeline Coordinating Committee (PCC).
3. The Board's designated representative for the purpose of these conditions shall be the Director of Safety, or in his/her absences the Board's secretary. EGNB shall advise the Board's designated representative of any proposed significant change in construction or restoration procedures, and except in an emergency, EGNB shall not make such change without prior approval of the Board or its designated representative. In the event of an emergency, the Board shall be informed forthwith.
4. EGNB shall furnish the Board's designated representative with every reasonable facility for ascertaining whether the work has been, and is being, performed in accordance with the Board's Order.
5. EGNB shall notify the Board's designated representative of the date on which any installed high and extra-high pressure pipeline is proposed to be pressure tested at least 72 hours prior to the start of the test.
6. Both during and after construction, EGNB shall monitor the effects upon the land and the environment.

7. EGNB shall give the Board's designated representative and the Chairman of the PCC ten days written notice, in advance of the commencement of construction, unless said construction is to commence within ten days of receipt and in such an event shall be as soon as possible.
8. In the case of infill, EGNB shall file written notification in the approved format to the Board's designated representative of the pending construction of high and extra high-pressure steel and high-pressure polyethylene pipelines.
9. EGNB shall designate one of its employees as project manager who will be responsible for the fulfillment of undertakings on the construction site and shall provide the name of the project manager to the Board's designated representative.
10. Where properties or structures exist within 200 metres of the pipeline and blasting is necessary, EGNB shall:
 - i. Use restricted blasting techniques by ensuring that all charged areas are covered with blasting mats to eliminate fly rocks;
 - ii. Have the vibrations from blasting operations monitored and measured by a vibration measurement specialist;
 - iii. Notify all property owners within 200 metres of the proposed blasting in writing at least 24 hours prior to the blasting and confirmation (if necessary) of the actual day or days on which blasting will occur;
 - iv. Have buildings within 200 metres of the blasting checked by an independent examiner before and after operations to check for problem areas.
11. A proposal for a Site-Specific Baseline Water Quality Survey must be submitted to the Department of Environment for private wells within 500 m of blasting activities and 200 m of excavation or ground disturbing activities. The proposed Survey must be approved by DENV and implemented prior to the start of any construction activities related to the project.
12. EGNB must immediately notify the Manager of the Water Sciences Section (506 457-4844) of any complaints received regarding water quantity or quality problems.
13. In the event that domestic wells are impacted, EGNB shall provide a water supply to the homeowners until the problem is resolved. This includes, but is not limited to, the provision of potable water and the remediation or replacement of any impacted domestic wells. If an agreement as to the cause of the water problems cannot be reached between EGNB and the resident(s), Department of Environment and Local Government will provide third party arbitration.
14. No fuelling of vehicles or storage of petroleum products shall occur within 30 m of any domestic wells.
15. Any abandoned wells found during this project will be reported to the Moncton Regional Water Planning Officer.
16. EGNB shall assess all pipeline construction routes with respect to environmental requirements and develop Site Specific Environmental Protection Plans (SSEPP) as required, including for wetlands. EGNB shall obtain all required environmental permits.
17. EGNB shall monitor Total Suspended Solids (TSS) and take appropriate corrective action where appropriate.
18. EGNB shall take immediate corrective action upon being notified of deficiencies in environmental protection measures by an environmental inspector (from any agency).

19. EGNB shall conduct appropriate surveys for species of special status unless it is clear that the method of construction will have no potential impact on the critical habitat for these species.
20. In the event of construction through identified wetlands, EGNB shall ensure monitoring of wetland mitigation is conducted as part of the Environmental Effects Monitoring (EEM) program that includes at least one year of monitoring post-construction unless additional follow-up monitoring is required. The EEM program for wetlands shall not be limited to TSS monitoring.
21. Unless the Board otherwise directs, EGNB shall maintain at its Fredericton office, copies of any permits, approvals or authorizations for the applied-for facilities issued by federal, provincial and other permitting agencies, which include environmental conditions or site-specific mitigative, monitoring and restorative measures. In addition, EGNB shall maintain at its Fredericton office, an information file(s) that would include any subsequent variation to any permits, approvals or authorizations obtained prior to, or following, the commencement of construction.
22. Unless the Board otherwise directs, EGNB shall maintain for audit purposes, at its Fredericton office, a copy of the joining procedures and non-destructive testing procedures used on the project, together with all supporting documentation.
23. In areas of acid rock, EGNB shall comply with the Acid Road Drainage Mitigation Program developed by EGNB.
24. As the preferred crossing option at all crossings, EGNB shall avoid in-stream work. Any departure from this approach will require the provision of an adequate rationale to the Department of Environment.
25. Unless the Board otherwise directs, EGNB shall submit semi-monthly construction reports during the construction season for systems to be constructed under this permit and such other reports as requested by the Department of Energy from time to time.
26. EGNB shall submit its Emergency Procedures Manual to the Emergency Measures Organization for review prior to filing an application for a License to Operate the proposed facilities.
27. EGNB shall submit the construction details of the custody transfer station to the Board prior to the start of construction.
28. EGNB shall submit design details and specifications for any boiler and pressure vessels to the Manager, Gas Inspections of the Technical Inspection Services branch of Public Safety for review prior to construction.
29. EGNB shall ensure that the pipeline alignment remains within 1 – 2 metres of the Right-of-Way of Woodlawn Avenue and King Street outside the municipal limits of the Village of Dorchester and Town of Sackville.
30. EGNB shall file with the Board the executed Municipal Operating Agreement prior to the start of any construction within the municipal limits of the Village of Dorchester.
31. Within six months of the in-service date, EGNB shall file with the Board a written Post Construction Financial Report. The Report shall indicate actual capital costs of the project and shall explain all significant variances from the estimates adduced in the hearing.

It should be noted that EGNB did not agree completely with Condition 11 above. In previous permits issued by the Board this condition read as follows:

Where blasting is required, the well location and water quality of all wells within 200 metres of the pipeline shall be tested before and after blasting operations.

This condition was modified by the PCC to reflect the requirements for water well testing found in Environmental Impact Assessment determinations used in the Province of New Brunswick. EGNB has agreed to complete a water well survey for private wells within 500 metres of blasting activities, but did not agree with the requirement for testing of water wells within 200 metres of excavation activities.

Respectfully submitted,



Todd McQuinn, P.Eng.
Chair, Pipeline Coordinating Committee.

Figure 1.0

