

National Energy
Board



Office national
de l'énergie

File OF-Fac-Oil-E101-2015-09-02
14 October 2016

To: All Participants in Hearing OH-001-2016

Hearing Order OH-001-2016
Enbridge Pipelines Inc. (Enbridge)
Line 10 Replacement Program (Project)
Draft Conditions

The National Energy Board (Board or NEB) is continuing its examination of Enbridge's Project Application dated 4 December 2015. If the Board issues any authorizations under the *National Energy Board Act* (NEB Act) or the *National Energy Board Onshore Pipeline Regulations* (OPR), they may be subject to conditions that must be met prior to and during the construction and operation of the Project.

In keeping with the Board's usual practice, attached are some of the conditions that the Board may include in any approvals under section 58 of the NEB Act and any approval under section 45.1 of the OPR. Enbridge and Intervenor may comment on all the draft conditions in final argument in the OH-001-2016 proceeding. The draft conditions may be revised and further conditions may be considered after additional submissions are received.

These possible conditions should not be taken to imply that the Board has formed any opinion on whether the Board should approve or deny the section 58 application relating to the Project.

Should you have questions about the Board's regulatory oversight or about the hearing process for the Project, please contact Matt Groza, Process Advisor, either by phone at 1-800-899-1265 (toll-free), or by email at L10RP.ProcessHelp@neb-one.gc.ca.

Yours truly,

Original signed by

Sheri Young
Secretary of the Board

Attachment

**Enbridge Pipelines Inc. (Enbridge)
Application for pursuant to section 58 of the
National Energy Board Act (Application)
For the Enbridge Line 10 Westover Segment
Replacement Project (Project)**

**File Number OF-Fac-Oil-E101-2015-09-02
Hearing Order OH-001-2016
Filed 4 December 2016**

Draft Conditions for the Section 58 Order, if Granted

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Section 58 Order Conditions

In the following conditions, the terms and expressions below (in bold) have the following meaning:

Application – Enbridge’s application dated 4 December 2015, pursuant to section 58 of the *National Energy Board Act* (NEB Act) and section 45.1 of the *National Energy Board Onshore Pipeline Regulations* (OPR).

Commencing construction – the clearing of vegetation, ground-breaking and other forms of right-of-way (ROW) preparation that may have an impact on the environment (activities associated with normal surveying do not constitute commencing construction).

Enbridge – Enbridge Pipelines Inc.

For approval – When a condition requires a filing for NEB approval, Enbridge must not commence the indicated activity until the Board issues its written approval of that filing.

Including – Use of this term, or any variant of it, is not intended to limit the elements to just those listed. Rather, it implies minimum requirements with the potential for augmentation, as appropriate.

NEB or Board – National Energy Board

Project – Is defined as:

- The replacement of approximately 32 km of the existing 323.9 millimeter (“mm”) O.D. (NPS 12) pipe with 508 mm O.D. (NPS 20) pipe;
- The addition of 4 remotely operated sectionalizing valves (“RSV”) along the replacement Line 10 pipeline; and
- The addition of one new pig launching trap and one associated leak detection meter; and
- Associated facilities.

General Conditions

1. Condition Compliance

Enbridge must comply with all of the conditions contained in this Order, unless the Board otherwise directs.

2. Project Design, Location, Construction, and Operation

Enbridge must cause the Project to be designed, located, constructed, installed, and operated in accordance with the specifications, standards and other information referred to in its Application or as otherwise agreed to during the hearing or in its related submissions.

3. Environmental Protection

Enbridge must implement or cause to be implemented all of the policies, practices, programs, mitigation measures, recommendations and procedures for the protection of the environment included in or referred to in its Application or as otherwise agreed to during the hearing or in its related submissions.

4. Conditions Compliance by a Company Officer

Within 30 days after the date that the approved Project is placed in service [or of the date that the last Order was issued for leave to open], Enbridge must file with the Board a confirmation, by an officer of the company, that the approved Project was completed and constructed in compliance [and decommissioned] with all applicable conditions in this Order. If compliance with any of these conditions cannot be confirmed, an accountable officer must file with the Board details as to why compliance cannot be confirmed. The filing required by this condition must include a statement confirming that the signatory to the filing is accountable officer.

5. Order Expiration (Sunset Clause)

Unless the Board otherwise directs prior to [one year upon issuing this Order], this Order expires on [one year upon issuing this Order], unless construction in respect of the Project has commenced by that date.

Prior to Construction Conditions

6. Emergency Response Plans for Construction

Enbridge must file with the Board, at least 60 days prior to commencing construction, an Emergency Response Plan that is specific to the Project and that will be implemented during the construction phase of the Project. The plan must include spill contingency measures that Enbridge will employ in response to accidental spills attributable to construction activities, 24-hour medical evacuation, fire response, and security.

7. Finalized Watercourse Crossing Inventory and Design

Enbridge must file with the Board, at least 60 days prior to commencing any watercourse crossing construction activities, the following:

- a) an updated inventory of all watercourses to be crossed, including, for each crossing:
 - i) the name of the watercourse being crossed and an identifier for the crossing;
 - ii) the location of the crossing;
 - iii) the primary and contingency crossing methods;
 - iv) planned construction timing;
 - v) information on the presence of fish and fish habitat;
 - vi) the restricted activity period;
 - vii) an indication of whether any of Fisheries and Oceans Canada's applicable "Measures to Avoid Causing Harm to Fish and Fish Habitat" cannot be implemented;
- b) detailed generic design drawings of trenchless, dry open-cut, frozen open-cut, and isolation crossings of various watercourse types;
- c) site-specific information for each watercourse crossing where any of Fisheries and Oceans Canada's applicable "Measures to Avoid Causing Harm to Fish and Fish Habitat" cannot be implemented for the primary watercourse construction method:
 - i) detailed crossing-specific engineered design drawings;
 - ii) photographs up-stream, down-stream, and at the crossing location;
 - iii) a description of the fish species and habitat that is present at the crossing location, and if fish spawning is likely to occur within the immediate area;
 - iv) a description of the composition of the riparian habitat at the crossing location and an indication if the riparian habitat has a limiting effect on the productive capacity of the watercourse, and if its removal or disturbance represents a potential influence on fish communities;
 - v) the site-specific mitigation and habitat enhancement measures to be used to

- minimize impacts;
- vi) any potential residual effects;
- vii) proposed reclamation measures; and
- viii) a discussion of the potential impacts to local fisheries resources within the immediate area as a result of the crossing's construction.

8. Environmental Protection Plan (EPP)

Enbridge must file with the Board for approval, at least 45 days prior to commencing construction, a final and updated project-specific EPP. The EPP must describe all environmental protection procedures, and mitigation and monitoring commitments, as set out in the Application or as otherwise agreed to during the hearing or in its related submissions. The EPP must include:

- a) any environmental mitigation or monitoring committed to under conditions of permits issued by or agreements made with the Ontario Ministry of Natural Resources and Forestry, the Municipality of Hamilton and the following Conservation Authorities: Grand River, Hamilton, and the Niagara Peninsula;
- b) site-specific mitigation for migratory birds;
- c) site-specific mitigation for provincially and federally listed species at risk;
- d) updated Environmental Alignment Sheets; and
- e) current drawings of typical construction practices.

9. Contingency Watercourse Crossings

Enbridge must file with the Board a notification that it proposes to employ a contingency watercourse crossing method at any watercourse crossing instead of its proposed primary crossing method.

- a) Enbridge must file the notification with the Board at least 15 days prior to commencing a contingency watercourse crossing method if Enbridge will implement all of Fisheries and Oceans Canada's applicable "Measures to Avoid Causing Harm to Fish and Fish Habitat". The notification must include the following information for the crossing location:
 - i) an explanation as to why the contingency watercourse crossing method is being employed; and
 - ii) a summary of the differences between the primary and contingency watercourse crossing methods for that crossing location.
- b) Enbridge must file the notification with the Board, at least 30 days prior to commencing construction of a contingency watercourse crossing method if Enbridge cannot implement all of Fisheries and Oceans Canada's applicable "Measures to Avoid Causing Harm to Fish and Fish Habitat". The notification must include the

following information:

- i) confirmation of the contingency watercourse crossing method that will be employed, the rationale for employing that method, and a summary of the differences between the primary and contingency watercourse crossing methods; and
- ii) the following site-specific information:
 - 1. detailed crossing-specific engineered design drawings;
 - 2. photographs upstream, downstream, and at the crossing location;
 - 3. a description of the fish species and habitat that is present at the crossing location, and if fish spawning is likely to occur within the immediate area;
 - 4. a description the composition of the riparian habitat at the crossing location and an indication if the riparian habitat has a limiting effect on the productive capacity of the watercourse, and if its removal or disturbance represents a potential influence on fish communities;
 - 5. the site-specific mitigation and habitat enhancement measures to be used to minimize impacts;
 - 6. any potential residual effects;
 - 7. proposed reclamation measures; and
 - 8. a discussion of the potential impacts to local fisheries resources within the immediate area as a result of the crossing's construction.
- c) Enbridge must file with the Board, within 30 days after commencing operations, confirmation that:
 - i) any contingency watercourse crossing(s) identified to the Board pursuant to conditions 9 a) and b) were the only contingency watercourse crossing(s) implemented for the construction of the pipeline; or
 - ii) no contingency crossings were implemented during construction of the pipeline.

10. Fisheries Act Authorizations

For any instream activities that will require Authorization under paragraph 35(2)(b) of the *Fisheries Act*, Enbridge must:

- a) file with the Board, at least 10 days prior to commencing the respective instream activities, a copy of the Authorization; and
- b) confirm, within 30 days after commencing operations, that any required *Fisheries Act* Authorizations were obtained from Fisheries and Oceans Canada and filed with the NEB pursuant to a), or notify the Board if no Authorizations were required.

11. Commitments Tracking Table

- a) Enbridge must file with the Board, at least 30 days prior to commencing construction, a Commitments Tracking Table that lists all commitments made by Enbridge the Application or in its related submissions, or during the OH-001-2016 proceeding in relation to the Project, including reference to:
 - i) the documentation in which reference to the commitment is made (for example: the Application and subsequent filings; response to information requests; the transcript reference; any permit, authorization or approval requirements; condition filings);
 - ii) the accountability for implementing each commitment; and
 - iii) the timelines associated with the fulfillment of each commitment.
- b) Enbridge must update the status of the commitments in paragraph a) on its Project website. If the status of any commitment changes, Enbridge must advise the Board in writing of such updates as follows:
 - i) Monthly basis until the commencement of operation; and
 - ii) Quarterly basis until such time that all commitments have been fulfilled.

12. Aboriginal Monitoring Plan

Enbridge must file with the Board, at least 30 days prior to the commencement of construction activities, a plan describing participation by Aboriginal groups in monitoring activities during construction for archaeological resources. The plan must include:

- a) a summary of engagement activities undertaken with Aboriginal groups to determine opportunities for their participation in monitoring activities;
- b) a list of potentially affected Aboriginal groups, if any, that have reached agreement with Enbridge to participate in monitoring activities;
- c) the scope, methodology, and justification for monitoring activities to be undertaken by Enbridge and each participating Aboriginal group identified in b), including those elements of construction and geographic locations that will involve Aboriginal monitor(s);
- d) a description of how Enbridge will use the information gathered through the participation of Aboriginal monitor(s); and
- e) a description of how Enbridge will provide the information gathered through the participation of Aboriginal monitor(s) to the participating Aboriginal group. Enbridge must provide a copy of the report to each potentially affected group identified in condition 12 b) at the same time that it is filed with the Board.

13. Heritage Resources

Enbridge must file with the Board, at least 30 days prior to commencing construction:

- a) confirmation that Enbridge has obtained all of the required archaeological and heritage resource clearances and authorizations from the Ontario Ministry of Tourism, Culture and Sport;
- b) a description of how Enbridge will meet conditions and respond to comments and recommendations contained in the clearances and authorizations referred to in a); and
- c) a description of how Enbridge has incorporated additional mitigation measures as applicable, into its Environmental Protection Plans as a result of conditions or recommendations referred to in condition 13 b).

14. Field Geotechnical Program – Detailed Assessments and Specifications

Enbridge must file with the Board at least 30 days prior to commencing construction, the results of its Detailed Feasibility Assessments, as committed to in Enbridge's evidence, for each crossing where Enbridge intends to employ Horizontal Directional Drills or Horizontal Directional Bore methods. The results must include, but not be limited to the following:

- a) the selected primary crossing method and its rationale;
- b) detailed crossing-specific design drawings; and
- c) pipe specifications.

15. Pipeline Construction Parallel to Overhead Power Lines - Corrosion Control Studies

Enbridge must file with the Board at least 30 days prior to commencing construction, the results of the additional studies required due to the pipeline's parallel construction along overhead power lines, in accordance with CSA Z662-15 *Oil and gas pipeline systems*, CAN/CSA-C22.3 /No.6 L3 *Principles and practices of electrical coordination between pipelines and electric supply lines*, and Enbridge Response to Hydro One Networks Inc. information requests No 1.

The results must include, but not be limited to the following:

- a) a description of the detailed engineering and survey deliverables for this Project to determine necessary offsets between power lines and the pipeline segment, taking into account the safety of people and the integrity of both the pipeline and the power line system;
- b) the details and mitigation measures for situations where recommended minimum separation cannot be maintained between the pipeline and power lines;

- c) any other selected measures to mitigate potential negative impacts of these overhead power lines on the pipeline segment's corrosion control system; and
- d) any program Enbridge will implement to monitor potential long term effects of the pipeline segment's overall integrity.

16. Construction Schedule

Enbridge must file with the Board, at least 14 days prior to commencing construction, a detailed construction schedule that identifies major construction activities. Enbridge must notify the Board of any modifications to the schedule(s) as modifications occur.

17. Manuals and Programs

Enbridge must file with the Board, within the time specified for each manual, plan and program, the following:

- a) Construction Safety Manual – 14 days prior to commencing construction; and
- b) confirmation that a Security Management Plan for the construction of the Section 58 Facilities, pursuant to the National Energy Board Onshore Pipeline Regulations and CSA Z246.1 has been developed – 14 days prior to commencing construction.

During Construction Conditions

18. Technical Specifications Update

Enbridge must file with the Board, as part of the Leave To Open Application, all technical specification updates (i.e. as-built information) for Project pipeline and facilities. These updates must include, but not be limited to: pipeline length, diameter, pipe material grade, sectionalizing valves and locations, coating, seam weld type, main point-specific maximum operating pressures with their locations and wall thicknesses.

19. Construction Progress Reports

Enbridge must file construction progress reports with the Board, on a monthly basis during construction. The reports must include, but not be limited to, information on:

- a) the activities carried out during the reporting period;
- b) the summary of any environmental, socio-economic, safety and security issues and non-compliance; and
- c) the measures undertaken for the resolution of each issue and non-compliance.

20. Leak Detection System Manual

Enbridge must file with the Board, at least 60 days prior to applying for Leave To Open, the Leak Detection System (LDS) manual for the Project. The LDS manual must include, but not be limited to, the following:

- a) senior management policy and commitment to leak detection;
- b) the roles, responsibilities, and authorities of personnel in the event of a suspected leak;
- c) the theory and rationale for each LDS design and application. Enbridge LDS design must meet or exceed the expectation of CSA Z662-15 Annex E in regard with all class location designations along the Project pipeline;
- d) the methodology and instrument requirements;
- e) performance indicators such as the accuracy, reliability, and sensitivity of the LDS;
- f) leak alarms and diagnostic messaging as well as related procedures;
- g) any information to be provided by the LDS to assist in operating the LDS and responding to any potential leak;
- h) the estimated maximum amount of product released before a leak is detected;
- i) the process to be followed with respect to the continuous improvement, non-conformity, audits and corrective protocols;
- j) the procedures for training;
- k) the procedures for LDS record keeping;
- l) the procedures for LDS performance evaluation; and
- m) the plan for maintenance, testing methods (i.e., simulated signal, fluid withdrawal, etc.), and frequency of testing.

21. Pressure Testing Program

Enbridge must file with the Board its hydrostatic pressure testing program, pursuant to section 23 of the *National Energy Board Onshore Pipeline Regulations*, at least 30 days prior to the commencement of hydrostatic pressure testing.

22. Joining Program

Enbridge must file with the Board its joining program, pursuant to section 16 of the *National Energy Board Onshore Pipeline Regulations*, at least 30 days prior to the commencement of pipes and components joining.

23. Horizontal Directional Drill and Horizontal Directional Bore Contingency Plans

For any unsuccessful Horizontal Directional Drill (HDD) or Horizontal Directional Bore (HDB) crossing where Enbridge will employ a contingency construction instead of its proposed primary plan, Enbridge must file with the Board at least 15 days prior to commencing the contingency construction:

- a) confirmation of the HDD or HDB contingency installation plan that will be employed, the rationale for employing that plan, and a summary of the differences between the primary and contingency plans;
- b) the following site-specific information:
 - i) updated detailed crossing-specific design drawings; and
 - ii) the new pipe specifications (if changed).

24. Issues Tracking

Enbridge must create and maintain records that chronologically track complaints by Aboriginal groups and landowners, including municipal and regional governments, relating to the Project beginning with the commencement of construction and continuing for five years following the commencement of operations. The records must be retained for five years following the commencement of operations. The complaint tracking records must include:

- a) the date the complaint was received;
- b) the form in which the complaint was received (for example, telephone, mail, email, or other communication methods that may evolve over time);
- c) the date and summary of all subsequent telephone calls, visits, correspondence, site monitoring/inspections, follow-up reports and other related documentation;
- d) updated contact information for all persons involved in the complaint;
- e) a detailed description of the complaint; and
- f) any further actions to be taken or an explanation why no further action is required.

Post-Construction and Operation Conditions

25. Leak Detection System (LDS) Test Results

Enbridge must file with the Board the following information within 6 months after commencing operations:

- a) the results of its detailed engineering of the Line 10 LDSs; and
- b) the results of associated studies to validate the actual sensitivity, accuracy and reliability performance of the Line 10 LDSs (i.e. the computational monitoring systems and other

methods) under normal, abnormal, or degraded operating conditions.

26. Pressure Surge and Overpressure Protection

Enbridge must conduct a hydraulic analysis of the Project and file with the Board the following information within 6 months after commencing operation:

- a) The pressure control and overpressure protection systems that Enbridge implemented for the Project in accordance with Clause 4.18 of CSA Z662-15;
- b) An actual surge pressure test report that considers all potential surge pressure scenarios (including, but not limited to, overpressure entering the line, and closure or malfunction of valves) for the proposed operating conditions;
 - i) For each scenario identified in the report requested in b), specify each location along the pipeline and equipment where the surge pressure exceeds the MOP by more than 10% or 35 kPa, whichever is greater.
- c) The corrective measures that Enbridge would implement to prevent any potential overpressures identified in b(i) above.

27. Emergency Response Exercises

Within 18 months after commencing operations, Enbridge must :

- a) conduct one full-scale emergency response exercises along the Project. The objective of the emergency response exercises must be to test the effectiveness and adequacy of the:
 - i) Emergency Procedures Manual;
 - ii) training of company personnel;
 - iii) communications systems;
 - iv) coordination of emergency response activities with responders, mutual aid partners and other agencies;
 - v) response equipment;
 - vi) safety procedures; and
 - vii) exercise debrief process.
- b) notify the Board in writing, at least 45 days prior to the date of each emergency response exercise referred to in a), of the following:
 - i) location of the exercise;
 - ii) exercise coordinator;
 - iii) date of the exercise;
 - iv) duration of the exercise;
 - v) the name and organization of each individual invited to participate in the

- exercise;
 - vi) type of exercise (that is, tabletop, or full scale); and
 - vii) goals (for example, focus of exercise, scope, scale, extent of play, format, evaluation method), and how success is measured.
- c) file with the Board, within 90 days of completion of the emergency response exercise referred to in a), a report that documents the results of the exercise including:
- i) how the exercise achieved the stated objectives;
 - ii) Participant feedback and areas for improvement; and
 - iii) a corrective action plan to address the findings from the exercise.

28. Geographic Information System (GIS)

Enbridge must file with the Board, within one year after commencing operations, GIS data in the form of an Esri® shape file that contains pipeline segment centre lines, where each segment has a unique outside diameter, wall thickness, maximum operating pressure (MOP), external coating, field-applied girth weld coating, and pipe manufacturing specification. If the above values of the pipeline change at any point along the length of the pipeline, the pipeline must be segmented at that point. The datum must be NAD83 and projection must be geographic (latitudes and longitudes).

29. Post-Construction Monitoring Reports

Enbridge must file with the Board, on or before 31 January after each of the first, third and fifth complete growing seasons following completion of final cleanup of the Project, a post-construction environmental monitoring report that:

- a) describes the methodology used for monitoring, the criteria established for evaluating success and the results found;
- b) identifies the issues to be monitored, including but not limited to unexpected issues that arose during construction, and their locations (for example, on a map or diagram, or in a table);
- c) describes the current status of the issues (resolved or unresolved), any deviations from plans and corrective actions undertaken;
- d) assesses the effectiveness of the mitigation (planned and corrective) measures applied against the criteria for success;
- e) provides proposed measures and the schedule that Enbridge would implement to address ongoing issues or concerns.

30. Leak Detection System (LDS) Methods

Enbridge is required to:

- a) operate Line 10 using a LDS that meets or exceeds the minimum requirements set in Annex E of the Standard CSA Z662-15 *Oil and Pipeline Systems* (Annex E);
- b) conduct the following actions:
 - i) shut down the operation of the pipeline anytime when Enbridge identifies that a component or method of the LDS might be degraded in a manner that potential leaks, within normal or published detection thresholds of the LDS, may no longer be timely detected; and
 - ii) report to the Board the details of any event as described in condition b(i) within the first three years after commencing operation of the pipeline; and
- c) Enbridge must not use alternative leak detection methods such as Tank Gauge Measurement as primary leak detection means to mitigate any failure of its continuous computational pipeline monitoring systems, if these alternative methods cannot provide equivalent sensitivity and accuracy in complying with Annex E, Table E.1.

Decommissioning Order Conditions

In the following conditions, the terms and expressions below (in bold) have the following meaning:

Application – Enbridge’s application dated 4 December 2015, pursuant to section 58 of the National Energy Board Act (NEB Act) and section 45.1 of the National Energy Board Onshore Pipeline Regulations (OPR).

Decommissioned Period – the period of time from when the Existing Line 10 Pipeline has been decommissioned (that is, the treatments have been applied) until leave to abandon the Existing Line 10 Pipeline is granted by the Board pursuant to paragraph 74(1)(d) of the NEB Act.

Decommissioning Activities – the treatment measures that will be applied to the Existing Line 10 Pipeline by Enbridge to decommission the Existing Line 10 Pipeline, including cleaning of the pipeline, isolation, segmentation, and work at railroad crossings, but not including buoyancy control measures.

Enbridge – Enbridge Pipelines Inc.

Existing Line 10 Pipeline – the portion of the existing Line 10 pipeline that forms the part of the Project which Enbridge has requested an Order pursuant to section 45.1 of the OPR.

For approval – when a condition requires a filing for NEB approval, Enbridge must not commence the indicated activity until the Board issues its written approval of that filing.

Including – use of this term, or any variant of it, is not intended to limit the elements to just those listed. Rather, it implies minimum requirements with the potential for augmentation, as appropriate.

NEB or Board – National Energy Board

Order – Board Order authorizing the decommissioning of the Existing Line 10 Pipeline pursuant to section 45.1 of the OPR.

Project – The decommissioning of approximately 32 km of the existing NPS 12 Line 10 Westover Replacement pipeline.

General Decommissioning Conditions

1. Condition Compliance

Enbridge must comply with all of the conditions contained in this Order, unless the Board otherwise directs.

2. Project Design, Location, Construction, and Operation

Enbridge must decommission and maintain the Existing Line 10 Pipeline in accordance with the specifications, standards, and other information referred to in its application or as otherwise agreed to during the hearing or in its related submissions.

3. Environmental Protection

Enbridge must implement or cause to be implemented all of the policies, practices, programs, mitigation measures, recommendations and procedures for the protection of the environment included in or referred to in the Application or as otherwise agreed to during the hearing or in its related submissions.

4. Timing of Decommissioning Activities

Unless the Board otherwise directs, Enbridge must complete the Decommissioning Activities within two years after the date that the section 58 pipeline commences operations.

5. Order Expiration (Sunset Clause)

Unless the Board otherwise directs prior to [one years upon issuing this Order], this

Order expires [one year after the date that the section 58 pipeline commences operations], unless Decommissioning Activities have commenced by that date.

Prior to and During Decommissioning Conditions

6. Decommissioning Progress Reports

Enbridge must file with the Board decommissioning progress reports, on a monthly basis during Decommissioning Activities. The reports must include, but not be limited to, the following information:

- a) the activities carried out during the reporting period;
- b) any environmental, socio-economic, safety and security issues and issues of non-compliance; and
- c) the measures undertaken for the resolution of each issue and non-compliance.

7. Decommissioning Plans

Enbridge must file with the Board for approval at least 120 days prior to applying for Leave To Open for the section 58 pipeline, a detailed Decommissioning Plan, as committed in Enbridge's evidence. The Decommissioning Plan must include site-specific land use information and related mitigations measures.

8. Decommissioning Environmental Protection Plan

Enbridge must file with the Board for approval, at least 60 days prior to commencing decommissioning of the existing pipeline segment, a project-specific Environmental Protection Plan (EPP).

The EPP must include environmental procedures including plans, criteria for implementation of those procedures, mitigation measures and parameters that will be monitored during the Decommissioned Period, including:

- a) soil handling procedures;
- b) weed management procedures;
- c) water quality and quantity protection measures;
- d) fish and fish habitat protection measures and riparian habitat management procedures;
- e) erosion control measures;
- f) any survey procedures for species at risk to be undertaken prior to the decommissioning;
- g) contingency plans and mitigation should species at risk, rare plants or rare ecological communities be discovered prior to or during the activities;

- h) waste and spill management plans; and
- i) a reclamation plan for each land use type affected (for example, cultivated land, wetlands, riparian) including a description of the condition to which Enbridge intends to reclaim and maintain the right-of-way once the activities have been completed, and a description of the measurable goals for reclamation.

9. Decommissioning Commitments Tracking Table

- a) Enbridge must file with the Board, at least 30 days prior to commencing decommissioning of the existing pipeline segment, a Decommissioning Commitments Tracking Table that lists all commitments made by Enbridge in its application, in its related submissions and during the OH-001-2016 proceeding in relation to the Project, including reference to:
 - i) the documentation in which reference to the commitment is made (for example: the application and subsequent filings; response to information requests; the transcript reference; any permit, authorization or approval requirements; condition filings);
 - ii) the accountability for implementing each commitment; and
 - iii) the timelines associated with the fulfillment of each commitment.
- b) Enbridge must update the status of the commitments in paragraph a) on its Project website. If the status of any commitment changes, Enbridge must advise the Board in writing of such updates on a monthly basis until the end of decommissioning of the existing pipeline segment.

10. Decommissioning Schedule

Enbridge must file with the Board, at least 30 days prior to commencing decommissioning of the existing pipeline segment, a detailed construction schedule(s) that identifies major construction activities. Enbridge must notify the Board of any modifications to the schedule(s) as modifications occur.

Post-Decommissioning Conditions

11. Decommissioning Work Results

Enbridge must file with the Board within 60 days after completing the decommissioning of the existing pipeline segment the following information:

- a) relevant activities of the Decommissioning Plan, as committed to in the Application, that were not conducted as planned (if any);
- b) the results of Enbridge's field trials to evaluate the minimally invasive procedure to segment the pipeline, including installation of the containment bulkheads (plugs) by uncovering small sections of the pipeline and drilling or cutting the pipe. Specify if

there have been any unsuccessful work and portions that were completed using conventional excavation, and cut and plate methods.

- c) the results of the use of nitrogen as propellant for displacement and cleaning activities during the decommissioning.
- d) specify if these trials have met Enbridge expectations in comparison with traditional methods.

12. Issues Tracking

Enbridge must create and maintain records that chronologically track complaints by Aboriginal groups and landowners, including municipal and regional governments, relating to the Project for five years following the completion of the Decommissioning Activities of the existing pipeline. Enbridge must retain the records until Enbridge files its abandonment application. The complaint tracking records must include:

- a) the date the complaint was received;
- b) the form in which the complaint was received (for example, telephone, mail, email, or other communication methods that may evolve over time);
- c) the date and summary of all subsequent telephone calls, visits, correspondence, site monitoring/inspections, follow-up reports and other related documentation;
- d) updated contact information for all persons involve in the complaint;
- e) a detailed description of the complaint; and
- f) any further actions to be taken or an explanation why no further action is required.