

BOARD STAFF INTERROGATORY #2

INTERROGATORY

Reference: EB-2016-0378 Application

Preamble:

Enbridge applied for a well drilling licence under section 40(1) of the OEB Act. Should the OEB find the application is in the public interest it would issue a favorable report to the Minister of Natural Resources and Forestry (Report) recommending issuance of well licence.

Question:

Please comment on the attached OEB staff proposed draft conditions of approval. Please note that these conditions are a draft version subject to additions or changes, and are different than the conditions of approval in EB-2015-0303.

**Enbridge Gas Distribution Inc.
EB-2016 0378
OEB Staff Proposed Conditions of Approval
Well Drilling Licence Application**

1. Enbridge Gas Distribution Inc. (Enbridge) shall rely on the evidence filed with the OEB in EB-2016-0378 proceeding and comply with applicable laws, regulations and codes pertaining to the construction of the proposed wells.
2. Authorization for the issuance of the drilling licence is limited to twelve months from the date of the OEB's Report to the Ministry of Natural Resources and Forestry.
3. The authority granted under this Order to Enbridge is not transferable to another party without leave of the OEB. For the purpose of this condition another party is any party except Enbridge Gas Distribution Inc.

Witness: K. McConnell

4. Enbridge shall construct the facilities and restore the land in accordance with its Application and evidence given to the OEB, except as modified by this Order and these Conditions of Approval.
5. Enbridge shall ensure that the movement of equipment is carried out in compliance with all procedures filed with the OEB, and as follows:
 - i) Enbridge shall make reasonable efforts to keep the affected landowner as well as adjacent landowners and their respective tenant farmers, or their designated representatives, informed of its plans and construction activities; and
 - ii) the installation of facilities and construction shall be coordinated so as to minimize disruption of agricultural land and agricultural activities.
6. Enbridge shall, subject to the recommendation by an independent tile contractor and subject to the landowners approval, construct upstream and downstream drainage headers adjacent to the drilling area and access roads that cross existing systematic drainage tiles, prior to the delivery of heavy equipment, so that continual drainage will be maintained.
7. Both during and after construction, Enbridge shall monitor the impacts of construction and shall file with the OEB one paper copy and one electronic (searchable PDF) version of each of the following reports:
 - a) a post construction report, within three months of the in-service date, which shall:
 - i. provide a certification, by a senior executive of the company, of Enbridge's adherence to Condition 1.1;
 - ii. describe any impacts and outstanding concerns identified during construction;
 - iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction;

Witness: K. McConnell

- iv. include a log of all complaints received by Enbridge, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions; and
 - v. provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project.
- b) a final monitoring report, no later than fifteen months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
- i. provide a certification, by a senior executive of the company, of Enbridge's adherence to Condition 1.1;
 - ii. describe the condition of any rehabilitated land;
 - iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts construction;
 - iv. include the results of analyses and monitoring programs and any recommendations arising therefrom; and
 - v. include a log of all complaints received by Enbridge, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions.
8. For the purposes of these conditions, conformity of Enbridge with CSA Z341 shall be to the satisfaction of the Ministry of Natural Resources and Forestry.

Witness: K. McConnell

RESPONSE

Enbridge has reviewed the draft conditions and has the following comments.

- a) Enbridge would suggest that Condition 6 be deleted. As noted in the evidence, the surface work has already taken place with the drilling of TC 9H1 and there will be no change to the above grade footprint with the work contemplated by this application. The items contemplated by Condition 6 really pertain to work that would have preceded the work that was already completed in the drilling of TC 9H1. Enbridge will continue to monitor the tile and surface drainage around the construction area. Enbridge will repair any damage to the tile drainage system caused by Enbridge's activities. Any work in this regard can be identified in the post construction report or final monitoring report.
- b) There appears to be a typographical error in conditions 7(a)(i) and 7(b)(i) which both refer back to "Condition 1.1." which Enbridge presumes is intended to be "Condition 1".