

National Energy
Board



Office national
de l'énergie



EXCAVATION and CONSTRUCTION Near Pipelines



National Energy
Board



Office national
de l'énergie

Excavation and Construction

Near Pipelines

January 2002
www.neb-one.gc.ca
1-800-899-1265

Warning Note

Each excavation or construction activity is unique and this guide cannot deal with all cases. Its purpose is to help you determine whether you must obtain approval, where to obtain it and how to obtain it. This guide should be regarded as a guide only and in any case of discrepancy between this guide and the *National Energy Board Act*, and the Regulations made thereunder, the Act and the Regulations shall take precedence.

This booklet also contains an office consolidation of the:

National Energy Board Pipeline Crossing Regulations, Part I SOR/88-528
as amended by SOR/93-239, SOR 94-704, SOR 97-128 and SOR/2000-39

National Energy Board Pipeline Crossing Regulations, Part II SOR/88-529
as amended by SOR/93-239, SOR/95-534, SOR/2000-58 and SOR/2000-384

Users of this office consolidation are reminded that it is prepared for convenience of reference only.

For more information, please contact the pipeline company or the National Energy Board staff listed in this booklet on page 9.

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Introduction

Pipelines are the safest method to transport products, such as natural gas, oil or other commodities, across the country. However, if these pipelines are damaged the result could be serious to the environment, or public safety. You have an important role to play to ensure safety. Please, call before you dig.

The *National Energy Board Pipeline Crossing Regulations*

Experience has shown that many accidents involving pipelines are caused by contractors or others working near the pipeline. Unsafe construction and excavation practices can damage a pipeline and the environment, sometimes resulting in injury or death to construction company workers and bystanders. Such damage can lead to expensive repairs as well as a loss of revenue and essential services.

The National Energy Board (the NEB) is concerned about ensuring the safety of the pipelines under its jurisdiction and pursuant to section 112 of the *National Energy Board Act* (NEB Act) developed the *National Energy Board Pipeline Crossing Regulations, Part I and Part II* (the Regulations). Following these regulations will reduce the likelihood of damage to pipeline company facilities and will expedite your project by allowing you to obtain permission to build or excavate near the pipeline right of way directly from the pipeline company.

A copy of section 112 of the NEB Act, the definition of *pipeline* found in section 2 of the NEB Act, and the regulations have been included in the appendices of this guide for your information.

Who is Affected by the Regulations?

The regulations apply to anyone who will be excavating using power-operated equipment or explosives within 30 metres (100 feet) of the limits of the right of way (defined as the *30 metre safety zone* - see section 112 (1) of the NEB Act on page 22) or who will be constructing a facility across, on, along, upon or under a right of way that is regulated by the NEB. Exceptions to these regulations include the pipeline company itself or its agents and anyone who is disturbing the ground to a depth of less than 0.3 metres (1 foot), not reducing the total cover over the pipe and not constructing or installing a facility.

What is a Facility?

In general, a facility includes (but is not limited to):

- a structure (anything built or installed), for example: a fence, a concrete conduit structure, a swimming pool, a retaining wall;
- a highway, private road, lane, parking lot, walkway;
- a railway;
- a drainage or irrigation system, including dykes, ditches and culverts;
- a buried telecommunication line or power line; and
- a pipe, for example: a water main, a sewer, a gas line, an oil line.

Which Pipelines are under NEB Jurisdiction?

The pipeline companies regulated by the NEB are listed in the appendices of this booklet (page 10 - 20). In general, the NEB regulates natural gas, oil, and commodity pipelines which extend beyond the limits of a province.

If you have any questions about these regulations, or whether a particular pipeline is regulated by the NEB, call the pipeline company. Contact Information for the NEB and for the pipeline companies regulated by the NEB have been included in the appendices of this guide.

What Do the Regulations Provide?

Part I of the regulations explains the conditions under which excavation and construction activities near the right of way can be conducted safely. If you cannot obtain permission from the pipeline company, or you cannot meet all the requirements of the regulations and/or the conditions of the pipeline company, you can apply to the NEB.

Part II of the regulations states the responsibilities of the pipeline company to you and the NEB.

Unauthorized construction or excavation across, on, along or under a right of way or excavation using power-operated equipment or explosives within the 30 metre (100 foot) safety zone is illegal.

What Activities Require Permission from the Pipeline Company?

Permission from the pipeline company is required for:

- Construction of a facility across, on, along, upon or under an existing right of way;
- Excavation using explosives or power-operated equipment over the right of way;
- Operation of a vehicle or mobile equipment across a right of way, outside the travelled portion of a highway or public road; or
- Excavation using explosives or power-operated equipment within the 30 metre (100 foot) safety zone (see section 112, *National Energy Board Act*, page 22).

What Activities Do Not Require Permission?

Under the regulations, you do not require written permission from the pipeline company or approval of the NEB to install overhead lines or to excavate to maintain an existing facility, **if you meet certain conditions.**

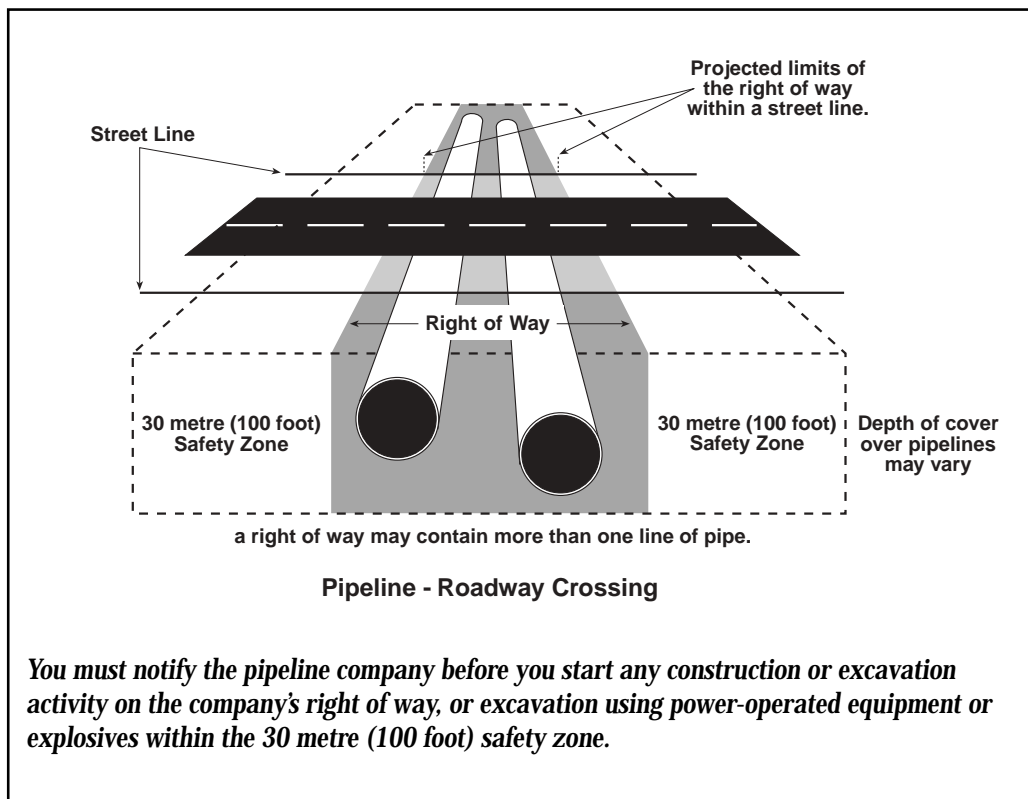
a) Overhead Lines

Overhead lines must meet the Canadian Standards Association standards for clearances for overhead systems. Installing poles, guy wires or anything else within the pipeline company's right of way or its projected limits is prohibited unless permission is obtained from the pipeline company. (see the *National Energy Board Pipeline Crossing Regulations, Part I, sec. 5* on page 26)

b) Maintenance to an Existing Facility

When conducting excavation required for the maintenance of an existing facility, conditions outlined later in this guide must be adhered to. (See the *National Energy Board Pipeline Crossing Regulations, Part I, sec.7* on page 28)

If you have any doubts, please call the applicable pipeline company or the NEB.



How To Obtain Permission from the Pipeline Company?

Ask the pipeline company for a copy of their technical crossing guidelines. These guidelines set out the information you need to include in your application to the pipeline company. Prepare your request for permission following those guidelines.

If you have any questions pertaining to your project, we suggest you contact the pipeline company **before** you submit your request for permission. This will allow the company to discuss your project with you and, if necessary, provide assistance.

Within ten working days of receiving your request, the pipeline company must give you its permission or provide reasons for denying or delaying its permission. **If permission is denied or delayed, you may apply to the NEB for a review of your request.**

If you decide to change the design, location, or type of facilities to be installed **after** the pipeline company gives its permission, the pipeline company must agree to the changes **before** you start your work.

Is There a Time Limit?

In general, the pipeline company's permission will lapse if all work is not completed within two years of the date that permission was given. However, this time limit may be changed if you and the pipeline company agree.

As well, the pipeline company or the NEB may suspend the permission given by the pipeline company if unsafe construction practices are used.

When Do You Require Approval from the NEB?

As stated earlier, if you cannot obtain the pipeline company's permission or you cannot comply with all the conditions in the Regulations, you must obtain the NEB's approval before starting any construction work on the right of way or excavation within the 30-metre (100 foot) safety zone.

You will also have to ask the NEB for its approval if:

- You believe a condition required by the pipeline company is inappropriate or excessive and you cannot accept it;
- The pipeline company has suspended and not reinstated its permission for your proposed activity; or
- The excavation or construction is in an offshore area (i.e. in an underwater area off the coast of Canada).

Information about how to apply to the NEB is on page 21 of this booklet.

Your Field Responsibilities

Once the pipeline company has given its permission, there are four steps you must follow to comply with the regulations.

1. Notify the Company

You must give the pipeline company three working-days notice before starting any work (except in the case of emergencies) and 24 hours notice before backfilling over the pipe.

Any contact with the pipe or its coating must be reported to the pipeline company immediately. Even incidents which seem minor at the time – small dents and scratches on the pipe or any damage to the coating – could lead to serious problems such as corrosion which could eventually cause the pipe to rupture.

2. Observe the Temporary Restricted Area

The temporary restricted area may be established by a pipeline company field representative. During the three day period that the restricted area is in existence, no mechanical excavation in the restricted area is permitted without the prior consent and supervision of an authorized company field representative. Before you start work be certain that you have confirmed with the representative that all the company's pipes in the construction area have been staked by the representative and that you understand the meaning of the various stakes. A misunderstanding could cause you to damage a pipe, endangering your own life and that of others.

The temporary restricted area differs from and should not be confused with the permanent 30 metre (100 foot) safety zone located on either side of the right of way.

3. Follow the Rules for Excavation Within Three Metres of the Pipe

Excavation using power-operated equipment is not permitted within three metres (10 feet) of the pipe unless:

- (i) the pipe has been exposed by hand at the point of crossing or,
 - (a) where the excavation runs parallel to the pipe, the pipe has been exposed at sufficient intervals to confirm its location or,
 - (b) the pipeline company has informed the excavator that it has confirmed the location of the pipe by probing.
- (ii) where the excavation crosses a pipe, the pipeline company has informed the excavator that it has confirmed the location of the pipe by probing and the pipe is at least six tenths of a metre (2 feet) deeper than the proposed excavation.

- (iii) where ground conditions render exposure of the pipe by hand impractical, the pipeline company has agreed that the excavation may be performed safely to within one metre (3 feet) of the pipe under the direct supervision of the pipeline company.

When boring directionally or using explosives, you must meet the pipeline company's conditions regarding such activities.

At no time are you allowed to move or alter the pipe or its fittings, or in any other way interfere with the pipe without the written consent of the pipeline company, and then only if the work is done under its direct supervision.

4. Comply with the Pipeline Company's Conditions

The pipeline company may have made its permission conditional on meeting certain requirements. If you accept the company's conditions, you must comply with them, as well as with the instructions of any authorized pipeline company field representative regarding procedures when working near the right of way.

Your Responsibilities After Construction

If you are the owner of the facility, you must maintain the installation in good condition so that it will not endanger the pipeline. This remains your responsibility until you can show that someone else has taken over the facility, or until it has been removed or abandoned and the site restored to the satisfaction of the pipeline company.

If you decide to remove or abandon the facility, you must notify the pipeline company in writing before doing so. You must also remove your installation if requested by the NEB. When removing your facility, any excavation required would have to be approved as described earlier in this guide. If you are abandoning your facility, the pipeline company may require that you take precautions to ensure that deterioration of the facility does not pose a threat to the pipe.

Reminders

If you have any questions about this guide or the *National Energy Board Pipeline Crossing Regulations, Part I and Part II*, please do not hesitate to contact the NEB at 1-800-899-1265.

You can find a copy of this document on the NEB website located at www.neb-one.gc.ca.

10 Step Safety Checklist

1. **Plan your activity** — Identify the precise location of your work; check records for evidence of pipeline easements or other buried utilities.
2. **Visit the site** and look for signs of a nearby pipeline or other buried utilities.
3. **Call the pipeline company and seek their approval** for your plans.
4. **Obtain a copy** of the Company's detailed crossing guidelines.
5. **Call your provincial One-Call System** where applicable.
6. **Be on site** when the pipeline is located and know the meaning of the pipeline markers.
7. **Hand expose the pipeline** prior to mechanical excavation within three metres (10 feet) of the pipe.
8. **Notify the pipeline company** one working day before backfilling over the pipe.
9. **IMMEDIATELY NOTIFY THE COMPANY IF YOU HAVE COME INTO CONTACT WITH THE PIPE OR ITS COATING.**
10. **ALWAYS** follow the instructions of a company representative.



Appendix 1 – Contact Lists

- A) National Energy Board Pipeline Crossing Staff** (page 9)
- B) Pipeline Companies under NEB Jurisdiction** (page 10 - 20)
- C) Provincial One Call Centres** (page 21)

National Energy Board

For Information Concerning Pipeline Crossings






Mailing Address

National Energy Board
444 Seventh Avenue S.W.
Calgary, AB T2P 0X8
1-800-899-1265
Facsimile: (403) 292-5503
www.neb-one.gc.ca

A) National Energy Board Pipeline Crossing Staff

Mike Sullivan (bilingual)	(403) 299-2776	E-mail inquiries: msullivan@neb-one.gc.ca
Steve Berthelet	(403) 299-3707	E-mail inquiries: sberthelet@neb-one.gc.ca
Kent Rowden	(403) 299-2775	E-mail inquiries: krowden@neb-one.gc.ca



B) Pipeline Companies under NEB Jurisdiction



Pipeline Company	Address	Contact
 Alberta AEC Suffield Gas Pipeline Inc.	3900, 421-7th Avenue S.W. Calgary, AB T2P 4K9	Senior Landman Tel.: (403) 691-5971 FAX: (403) 266-9772
 BC Alberta Natural Gas Company Ltd.	c/o TransCanada PipeLines Ltd. Community and Aboriginal Relations TransCanada West Tower Box 2535, Station M Calgary, AB T2P 3H5	NEB Senior Crossing Specialist Tel.: (403) 261-8256 FAX: (403) 290-5957
 Alberta BC Alliance Pipeline Limited	400, 605-5th Avenue S.W. Calgary, AB T2P 2N6	Land Administrator Tel.: (403) 517-6416 FAX: (403) 266-1604 E-mail: huggardd@alliance-pipeline.com or pearson@alliance-pipeline.com
Aurora Pipe Line Company	c/o BP Canada Energy Resources Company P.O. Box 1240 Pincher Creek, AB T0K 1W0	Area Foreman, Supply and Transportation Tel.: (403) 627-3324 FAX: (403) 627-3610
 Alberta BP Canada Petroleum Company Ltd.	c/o Kaiser Energy Ltd. 1000, 700-4th Avenue S.W. Calgary, AB T2P 3J0	Engineering Tel.: (403) 262-2244 FAX: (403) 265-1792
 Alberta BP Canada Energy Resources Company	c/o Amoco Canada Petroleum Company Ltd. P.O. Box 200, Station M Calgary, AB T2P 2H8	Supervisor, Surface Rights Tel.: (403) 233-1677 FAX: (403) 233-1195
Barrington Petroleum Ltd. (formerly Cube Energy)	c/o Barrington Petroleum A subsidiary of Sunoma Energy Corp. Suite 2200, 400-3rd Avenue S.W. Calgary, AB T2P 4H2	Surface Land Tel.: (403) 750-4482 FAX: (403) 266-5032
Burlington Resources Canada Ltd. (formerly Poco Petroleum's Ltd.) (John Lake Pipeline)	3500, 250-6th Avenue S.W. Calgary, AB T2P 3H7	Manager, Surface Land Tel.: (403) 260-8000 FAX: (403) 263-4098

LEGEND



Symbol represents member of provincial One Call centre

Compagnie pipelinière	Adresse postale	Contact
Canadian Hunter Exploration Ltd. Burlington Resources	2800, 605-5th Avenue S.W. Calgary, AB T2P 3H5	Operations Projects/ Projects Coordinator Tel: (403) 260-1102 FAX: (403) 260-1059
 Canadian-Montana Pipe Line Company	40 East Broadway Butte, Montana, USA 59701-9394	Mr Tom Vivian, Superintendent, Gas Operations Tel.: (406) 497-4109 FAX: (406) 497-3002
 Canadian Natural Resources Limited	P.O. Box 20004 Calgary, AB T2P 3H2	Bill Clapperton, Vice President, Production Operations Tel.: (403) 517-6784 FAX: (403) 517-7367
 Canor Energy Ltd.	c/o AltaGas Services Inc. P.O. Box 20005 RPO Calgary Place Calgary, AB T2P 4S2	Lands Manager Tel.: (403) 691-7506 Fax: (403) 691-7576 E-mail: patty_foulkes@altagas.ca
Centra Transmission Holdings Inc.	P.O. Box 1180 Dresden, ON P1B 8K7	Gord Phipps, Pipeline Manager, Transmission Tel.: (519) 598-3566 FAX: (519) 598-3864
Champion Pipe Line Corporation Limited	c/o Gaz Métropolitain, inc. 1717 rue du Havre Montréal, QC H2K 2X3	Supervisor, Rights of Way Tel.: (514) 598-3566 FAX: (514) 598-3864
 Chief Mountain Gas Co-op Ltd.	190-1st Street, East P.O. Box 38 Cardston, AB T0K 0K0	Mr. Gerald Beazer, Manager Tel.: (403) 653-3011 Fax: (403) 653-1395
 Cochin Pipe Lines Ltd. (Eastern Canada)	c/o BP Canada Energy Resources Company Box 216, 1182 Plank Road Sarnia, ON N7T 7H9	Area Scheduler, NGL Department Tel.: (519) 336-4270 FAX: (519) 336-6011 Alternates: Area Foreman, or Senior Area Foreman, NGL Department
 Cochin Pipe Lines Ltd. (Western Canada)	c/o BP Canada Energy Resources Company P.O. Box 200, Station M Calgary, AB T2P 2H8	Manager, Surface Rights Tel.: (403) 509-8376 FAX: (403) 233-1195 Alternate: Plant Superintendent Tel.: (403) 992-2737

Compagnie pipelinière	Adresse postale	Contact	
 Alberta	Conoco Canada Ltd. (formerly Petroleum Transmission Company)	Box 32036 Regina, SK S4N 7L2	Crossings Coordinator Tel: (306) 352-2844
	Consumers' Gas (Canada) Ltd.	c/o Enbridge Consumers Gas 500 Elgin Mills Road East Richmond Hill, ON L4C 5G1	Manager Special Projects Tel.: (905) 883-2679 FAX: (905) 883-2615
	Cube Energy Corp. (owned by Barrington Petroleum Ltd)	c/o Barrington Petroleum Ltd. A Subsidiary of Sunoma Energy Corp. 2200, 400-3rd Avenue S.W. Calgary, AB T2P 2M2	Operations Engineer Tel.: (403) 750-4400 FAX: (403) 266-5032
	Devon Energy Corp (formerly 167496 Canada Ltd.)	c/o Northstar Energy Corp 3000, 400 3rd Ave S.W. Calgary AB T2P 4H2	Engineer, Mr. Don Snowden Tel.: (403) 213-7924 FAX: (403) 213-7900
 Alberta	Dome Kerrobert Pipeline Ltd. and PanCanadian Kerrobert Pipeline	c/o BP Canada Energy Resources Company P.O. Box 200, Station M Calgary, AB T2P 2H8	Manager, Surface Rights Tel.: (403) 509-8376 FAX: (403) 233-1195 Alternate: Plant Manager, Tel.: (403) 838-3733
	Dome NGL Pipeline Ltd.	c/o BP Canada Energy Resources Company P.O. Box 216, 1182 Plank Road Sarnia, ON N7T 7H9	Area Scheduler, NGL Department Tel.: (519) 336-4270 FAX: (519) 336-6011 Alternates: Area Foreman or Senior Area Foreman, NGL Department
	Dome NGL Pipeline Ltd. and BP Canada Energy Resources Company	c/o BP Canada Energy Resources Company Box 216, 1182 Plank Road Sarnia, ON N7T 7H9	Area Scheduler, NGL Department Tel.: (519) 336-4270 FAX: (519) 336-6011 Alternates: Area Foreman or Senior Area Foreman, NGL Department
	Dominion Energy Canada Ltd. (formerly Remington Energy Ltd.)	2000, 400-3rd Avenue S.W. Calgary, AB T2P 4H2	Operations Supervisor Tel.: (403) 266-5522 FAX: (403) 269-5592
	ELAN Energy Inc.	c/o Canadian Natural Resources Ltd. 2800, 855 2nd St. S.W. Calgary, AB T2P 4J8	Ms. Elaine Coreman Supervisor Surface Lands Administrator Tel.: (403) 517-7223 FAX: (403) 517-7367

**Compagnie pipelinière**

Enbridge Pipelines Inc.
(formerly Interprovincial
Pipe Line Inc.)

Adresse postale

P.O. Box 398
10201 Jasper Avenue
Edmonton, AB T5J 2J9

Contact

Right of Way and Crossings,
Operations Services
Tel.: (780) 420-5381 or
(780) 420-5123
FAX: (403) 420-8648
E-mail:
warren.loper@cnpl.enbridge.com
or mark.bradley@cnpl.enbridge.com

Enbridge Pipelines Inc. (NW)
(formerly Interprovincial
Pipe Line (NW) Ltd.)

P.O. Box 398
10201 Jasper Avenue
Edmonton, AB T5J 2J9

Right of Way and Crossings,
Operations Services
Tel.: (780) 420-5381
or (780) 420-5123
FAX: (403) 420-8648
E-mail:
warren.loper@cnpl.enbridge.com
or mark.bradley@cnpl.enbridge.com

Enbridge Pipelines
(Westpur) Inc.

402 Kensington Avenue
P.O. Box 1400
Estevan, SK S4A 2K9

Coordinator, Lands Services
Tel.: (306) 634-2681
FAX: (306) 636-7227



Express Pipeline Ltd.

Suite 2500 Bow Valley Square
255-5th Avenue S.W.
Calgary, AB T2P 2B7

Manager, Operations
and Engineering
Tel.: (403) 691-6014
FAX: (403) 691-6060

Express Pipeline Ltd.
c/o AEC Pipeline
P.O. Box 3319
2260 Broodmoor Blvd
Sherwood Park, AB T8A 2A6

Alternate: Supervisor, Land
(AEC pipelines)
Tel.: (780) 449-2234
FAX: (780) 449-2267



Federated Pipe Lines
(Northern) Ltd.

c/o Pembina North Ltd.
Partnership, P.O. Box 1948
707-8th Avenue S.W.
Calgary, AB T2P 1H5

Land Department
Tel.: (403) 231-7500
FAX: (403) 237-0254

Fletcher Challenge Oil
and Gas Inc.
(Cosine West Pipeline)

2300, 300-5th Ave S.W.
Calgary, AB T2P 3C4

David Calvert, Manager Surface
Land, Environment, Safety
Tel.: (403) 531-8100
FAX: (403) 531-6448

	Compagnie pipelinière	Adresse postale	Contact
	Foothills Pipe Lines (Alta.) Ltd. Foothills Pipe Lines (Sask.) Ltd. Foothills Pipe Lines (South BC) Ltd.	c/o Foothills Pipe Lines Ltd. 3100, 707-8th Avenue S.W. Calgary, AB T2P 3W8	Operations Coordinator, Operations Tel.: (403) 294-4413 FAX: (403) 294-4173 E-mail: grant.currie@foothillspipe.com
	Forty Mile Gas Co-op	Forty Mile Gas Co-op P.O. Box 205 Dunmore, AB T0J 1A0	Gary Turner, Manager Tel.: (403) 526-7718 FAX: (403) 529-2489
	Gazoduc TQM	6200 Taschereau Blvd 2nd Floor Brossard, QC J4W 3J8	Marylène Jeannotte Tel: (450) 654-5356 FAX: (450) 462-5388 E-mail: mjeannotte@gazoductqm.com
	Genesis Pipeline Canada Ltd.	c/o Novacor Chemicals (Canada) Ltd. 201 North Front Street P.O. Box 3054 Sarnia, ON N7T 7V1	Pipeline Coordinator, Material Flows Tel.: (519) 464-5717 FAX: (519) 464-5703 E-mail: leej@novachem.com
	Huntingdon International Pipeline Corporation	c/o BC Gas 1111 West Georgia St. Vancouver, BC V6E 4M4	Director of Planning and Project Development Tel.: (604) 443-6862 FAX: (604) 443-6476
	Husky Oil Operations Ltd.	707-8th Avenue S.W. Box 6525, Station D Calgary, AB T2P 3G7	Pipeline Manager, Midstream Business Tel.: (403) 298-6862 Fax: (403) 298-6410 E-mail: barrywworbets@husky-oil.com
	Husky Oil Operations Ltd. (Husky Border Pipeline, formerly Joint Ventures of the Bi-Provincial Upgrader)	c/o Husky Oil Operations Ltd. 707-8th Avenue S.W. P.O. Box 6525, Station D Calgary, AB T2P 3G7	T.E. Kutryk, General Manager Midstream Assets and New Ventures Husky BPU Operations Tel.: (403) 298-6735 FAX: (403) 298-6410
	Imperial Oil Resources Limited	P.O. Box 2000 Fort St. John, BC V1J 6K3	Senior Foreman, Boundary Lake Field Tel.: (250) 781-3315 FAX: (250) 781-3344 (Boundary Lake, B.C.)

Compagnie pipelinière	Adresse postale	Contact
ISH Energy Ltd.	2450, 400-3rd Avenue S.W. Calgary, AB T2P 4H2	Operations Manager Tel.: (403) 262-2244 FAX: (403) 265-1792 E-mail: ish@cadvision.com
Interenergy Sheffield Processing Company	c/o Bearpaw Energy Inc. PO Box 87 Lignite, ND 58752	Jim Solberg, Safety Manager Tel.: (888) 754-6059 FAX: (701) 933-2800 24 HR Emergency No.: 1-800-778-7834
Many Islands Pipe Lines (Canada) Limited Mid-Continent Pipelines Limited	c/o TransGas Limited 1945 Hamilton Street Regina, SK S4P 2C7	Crossing Administration, Pipeline Engineering Tel.: (306) 777-9610 FAX: (306) 525-1088
Maritimes and Northeast Pipeline (New Brunswick)	Fredricton Operations Centre 26 Alison Boulevard Fredricton, NB E3C 2N3	Field, Lands and Environment, Agent Tel.: (902) 462-4800 FAX: (902) 462-4811
Maritimes and Northeast Pipeline (Nova Scotia)	Stellarton Operations Centre 4 Beaufort Street Stellarton, NS B0K 1S0	Field, Lands and Environment, Agent Tel.: (506) 755-1945 FAX: (506) 755-3330
Minell Pipeline Ltd.	c/o Centra Gas Manitoba Inc. 1610 Rosser Avenue Brandon, MB R7A 5Z1	Rick Felstead, Divisional Manager Rural Operations Tel.: (204) 727-1486 FAX: (204) 727-0016
 Montreal Pipe Line Limited	10803 Sherbrooke St. E. Montreal East, QC H1B 1B3	Director of Operations Tel.: (514) 645-2946 FAX: (514) 645-7663 E-mail: guy.robaille@pipeline-mtl.com
 Morgan Hydrocarbons Inc. (formerly Stampeder Explorations Ltd.)	c/o Gulf Canada Resources Limited P.O. Box 130 401-9th Avenue S.W. Calgary, AB T2P 2H7	Field Supervisor Tel.: (306) 825-8808 FAX: (306) 825-8882 Surface Lands Tel: (403) 205-7606
Morrison Petroleum's Ltd.	c/o Northstar Energy Corporation 3000, 400-3rd Avenue S.W. Calgary, AB T2P 4H2	Mr. Don Snowden Surface Landman Tel.: (403) 213-7924 FAX: (403) 213-7900

**Compagnie pipelinière**

Murphy Oil Company Ltd.
(Bodo, Milk River, Wascana
and Fort Pitt Pipelines)

Adresse postale

2100, 555-4th Avenue S.W.
P.O. Box 2721
Calgary, AB T2P 3Y3

Contact

Manager,
Pipeline Operations
Tel.: (403) 294-8087
FAX: (403) 294-8834
E-mail:
michel-charland@murphyoilcorp.com

Nexen Marketing
(formerly CXY
Energy Marketing)

Nexen Marketing
Suite 1700, 801 7th Avenue S.W.
Calgary, AB T2P 3P7

Mr. Ken Nicholls
Tel.: (403) 260-4998
FAX: (403) 232-1664
E-mail: ken_nicholls@nexeninc.com

Niagara Gas
Transmission Limited
(Eastern Ontario)

c/o Enbridge Consumers Gas
500 Elgin Mills Road East
Richmond Hill, ON L4C 5G1

Manager Special Projects
Tel.: (905) 883-2679
FAX: (905) 883-2615

Niagara Gas
Transmission Limited
(Southwestern Ontario)

Enbridge Consumers Gas
3595 Tecumseh Road
Mooretown, ON N0N 1M0

G. Robert Simpson, Manager
Storage, Operations & Construction
Tel.: (519) 862-1473
FAX: (519) 862-1168
E-mail: bob.simpson@cgc.enbridge.com



Northstar Energy
Corporation

3000, 400 3rd Avenue S.W.
Calgary, AB T2P 4H2

Engineer, Mr Don Snowden
Tel.: (403) 213-7924
FAX: (403) 213-7900

Novacor Chemicals
(Canada) Ltd.

P.O. Box 3060
Sarnia, ON N7T 7M1

Pipeline Coordinator
Material Flows
Tel.: (519) 862-2911 Ext. 2625
FAX: (519) 481-2701



Novagas Canada
Pipelines Ltd. Partnership

3400, 237 4th Avenue S.W.
Calgary, AB T2P 3V3

Lands Department
Tel.: (403) 213-3179
FAX: (403) 213-3896

177293 Canada Ltd.
(formerly Amerada Hess
Canada Ltd.)


c/o Petro Canada Oil and Gas
150-6th Avenue S.W.
P.O. Box 2844
Calgary, AB T2P 3E3

Kelly Craig
Surface Administrator
Tel.: (403) 296-6346
FAX: (403) 296-3032

Omers Resources Ltd.
(Formerly Barrington
Petroleum Ltd.)

Omers Resources Ltd.
2500, 605 5th Avenue S.W.
Calgary, AB T2P 3H5

Tel.: (403) 294-1336

Compagnie pipelinière	Adresse postale	Contact
Peace River Transmission Company Limited	c/o PNG 1208-100th Avenue Dawson Creek, BC V1G 2C4	Pipeline Operations, Right-of-Way Manager Tel.: (250) 782-1032 FAX: (250) 782-5411 Alternate: Pipeline Operations Tel.: (604) 576-7004
Penn West Petroleum	Suite 800, 111-5th Avenue S.W. Calgary, AB T2P 3T6	Production Superintendent Tel.: (780) 831-4122 or (780) 513-2801 FAX: (780) 531-2803 E-mail: pwgpjk@telusplanet.net
Petro-Canada Oil and Gas Pioneer Natural Resources Canada Inc. (formerly Chauvco	P.O. Box 2844 Calgary, AB T2P 3E3 2900, 255-5th Avenue S.W. Calgary, AB T2P 3G6	Tel.: (403) 296-6346 FAX: (403) 296-3032 Crossing Technician Tel.: (403) 231-3202 FAX: (403) 269-9497
Petroleum's (TRI) Ltd.)		
Portal Municipal Gas Company Canada, Inc.	Box 204 Portal, North Dakota 58772	Technician Tel.: (701) 926-2911 FAX: (701) 926-4731
 Pouce Coupé Pipe Line Ltd.	c/o Pembina North Ltd. Partnership P.O. Box 1984 2700, 707-8th Avenue S.W. Calgary, AB T2P 1H5	Land Department Tel.: (403) 231-7500 FAX: (403) 273-0254
Renaissance Energy Ltd. (formerly Koch Explorations)	P.O. Box 1120 Station M Calgary, AB T2P 2K9	Manager, Surface Land Tel.: (403) 750-1472 FAX: (403) 750-1666
Rick's Nova Scotia Company	440 2nd Avenue S.W. Calgary, AB T2P 5E9	Mr. Blair Longdo Tel.: (403) 262-3907 FAX: (403) 269-4232
 Rigel Oil and Gas Ltd.	c/o Talisman Energy Inc. 2400, 855-2nd Street S.W. Calgary, AB T2P 4J9	Manager, Surface Land Tel.: (403) 237-1234 FAX: (403) 237-1484 Lands: (403) 237-1373 FAX: (403) 237-1049
SCL Quebec Pipeline Inc.	c/o Montreal Pipe Line Limited 10803 Sherbrooke St. E Montreal East, QC H1B 1B3	Director of Operations Tel.: (514) 645-8797 FAX: (514) 645-7663

Compagnie pipelinière**Adresse postale****Contact**

SCL Pipeline Inc.





Shell Canada Products Ltd.
Sarnia Manufacturing Centre
Box 2000
Corunna, ON N0N 1G0J. W. Wilson
Operations Coordinator
Tel.: (519) 481-1254
FAX: (519) 481-1396661151 Alberta Ltd.
(formerly Morrison
Petroleum's)c/o Encal Energy Ltd.
1800, 421-7th Avenue S.W.
Calgary, AB T2P 4K9Bob Padgett
Manager of Production
Tel.: (403) 750-5404
FAX: (403) 262-8579St. Clair Pipelines Ltd.
(1996)c/o P.O.Box 1180
Dresden, ON N0P 1M0Gord Phipps, Transmission
Pipeline Manager
Tel.: (519) 683-4468
FAX: (519) 683-3429
Alternate: Gary Alexander, General
Manager Storage/Trans Ops
Tel.: (519) 683-4301
FAX: (519) 683-3429Suncor Inc. Resources
GroupP.O. Box 38
112-4th Avenue S.W.
Calgary, AB T2P 2V5
c/o Sun-Canadian Pipe Line
Company Limited
P.O. Box 470
Waterdown, ON L0R 2H0Engineer
Tel.: (403) 269-8150
Fax: (403) 269-6205
Manager Engineering
Tel.: (905) 689-6641
FAX: (905) 689-1233

Sun Pipe Line Company



Talisman Energy Inc.

2400, 855-2nd Street S.W.
Calgary, AB T2P 4J9Operations Engineer
Tel.: (403) 237-1234
FAX: (403) 237-1484
Lands: (403) 237-1373
FAX: (403) 237-1049Taurus Exploration Ltd.
(formerly Petrorep
Resources Ltd.)Suite 1000,
630-6th Avenue S.W.
Calgary, AB T2P 0S8Crossings Coordinator
Tel.: (403) 750-5125
FAX: (403) 265-2340TransCanada PipeLines
Ltd.450 1st Street S.W.
Calgary, AB T2P 5H1
P.O. Box 1000, Station M
Calgary, AB T2P 4K5Technician,
Right of Way
Department
Tel.: (403) 261-8256
FAX: (403) 290-5957
Email: elio-ramos@transcanada.comTrans Mountain Pipe Line
Company Ltd.7815 Shellmont Street
Burnaby, B.C., V5A 4S9Crossing Technologist,
Tel.: (604) 268-3000
FAX: (604) 268-3001

	Compagnie pipelinière	Adresse postale	Contact
 Ontario Québec	Trans-Northern Pipelines Inc.	45 Vogell Road Suite 310 Richmond Hill, ON L4B 3P6	Coordinator Crossing and Facilities Tel.: (905) 770-3353, Ext. 211 FAX: (905) 770-8675
	Union Gas Limited	P.O. Box 1180 Dresden, ON NOP 1M0	Gord Phipps, Transmission Pipeline Manager Tel.: (905) 352-3100 FAX: (905) 436-4566
	Vector Pipeline	10201 Jasper Avenue Edmonton, AB T5J 3N7 P.O. Box 398 Edmonton, AB T5J 2J9	Right of Way and Crossings Tel.: (780) 420-5381 FAX: (780) 420-8648
 Alberta	Wascana Energy Inc.	2900, 240-4th Avenue S.W. Calgary, AB T2P 4H4	Senior Landman Tel.: (403) 260-3400 FAX: (403) 262-3921
 Alberta	Wascana Pipe Line System	c/o Murphy Oil Company Ltd. P.O. Box 2721 2100, 555-4th Avenue S.W. Calgary, AB T2P 3Y3	Manager, Pipeline Operations Tel.: (403) 294-8087 FAX: (403) 294-8834 Email: michel-charland@murphyoilcorp.com
 Alberta BC	Westcoast Energy Inc. (Duke Energy)	1333 West Georgia St. Vancouver, BC V6E 3K9	Team Leader, Lands Department Tel.: (604) 691-5792 FAX: (604) 691-5877 E-mail: gmetz@wei.org Alternate: Lands and Crossings Administrator Tel.: (604) 691-5640 FAX: (604) 691-5877 E-mail: athough@wei.org

Commodity Pipelines

Compagnie pipelinière	Adresse postale	Contact
Abitibi - Consolidated (Stones Consolidated Corp.)	800 René Levesque Blvd West Montréal, QC H3B 1Y9	Tel.: (514) 875-2160
Domtar Inc.	P.O. Box 600, Station B Hull, QC J8X 3Y7	Technical Manager & Environment Supervisor Tel.: (613) 783-1317 or (613) 782-2600 Ext. 344 FAX: (613) 782-2591 or (613) 782-2515 Email: twilson@domtar.com or gonzalo.milet@domtar.com
Fraser Papers Inc.	27 Rice Street Edmunston, NB E3V 1S9	Manager of Pulp Production & Technical Services Tel.: (506) 737-2537 FAX: (506) 737-2137
Genesis Pipeline Canada Ltd.	c/o Novacor Chemicals (Canada) Ltd. 201 North Front Street P.O. Box 3054 Sarnia, ON N7T 7V1	Energy Futures Trading Specialist Tel.: (519) 464-5769 FAX: (519) 464-5703
Penn West Petroleum Ltd.	Suite 800, 111-5th Avenue S.W. Calgary, AB T2P 3Y6	Surface Lands Coordinator Tel.: (403) 777-2544 FAX: (403) 777-2609
Souris Valley Pipeline Company	Hwy 39, Box 70 Halbrite, SK S0C 1H0	James Cameron SVP Representative Tel.: (306) 861-7798 FAX: (306) 458-2283 Cell: (306) 458-2206

C) Provincial One Call Centres

Presently in Canada, One Call centres exist in four provinces. Although not a requirement, many pipeline companies under NEB jurisdiction are members. Being a member of a provincial one call system is an effective method of reducing unauthorized activity and adds depth to a company's public awareness and a damage prevention program.

Québec

Info-Excavation: 1-800-663-9228 www.info-ex.com

Ontario

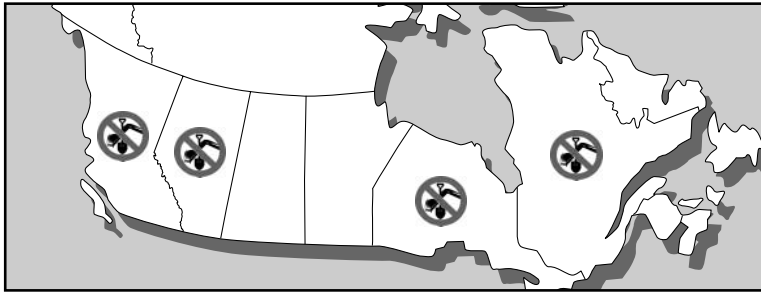
Ontario One Call System: 1-800-400-2255 www.on1.call.com

Alberta

Alberta One Call Corporation: 1-800-242-3447 info@alberta1call.com

British Columbia

BC One Call: 1-800-474-6886 info@bconecall.bc.ca



Appendix 2

How to Apply Directly to the National Energy Board

To apply to the NEB, send us a letter which includes the location and full details of the proposed activity. You should emphasize the reasons why you are applying to the NEB rather than seeking the permission from the pipeline company.

Mail your application to:
Secretary
National Energy Board
444 Seventh Avenue S.W.
Calgary, AB T2P 0X8

A copy of your application must be forwarded to the pipeline company so that it can review the information and forward any comments it may have to the NEB.

If you have any questions, do not hesitate to contact us.

Pipeline crossing staff contact numbers are on page 9 of this booklet.

Appendix 3

Section 112 (formerly section 77) of the *National Energy Board Act*

Construction of facilities across pipelines

112. (1) Subject to subsection (5), no person shall, unless leave is first obtained from the Board, construct a facility across, on, along or under a pipeline or excavate using power-operated equipment or explosives within thirty metres of a pipeline.

Use of vehicles and mobile equipment

(2) Subject to subsection (5), no person shall operate a vehicle or mobile equipment across a pipeline unless leave is first obtained from the company or the vehicle or mobile equipment is operated within the travelled portion of a highway or public road.

Terms and conditions

(3) The Board may, on granting an application for leave under this section, impose such terms and conditions as it considers proper.

Directions

(4) The Board may direct the owner of a facility constructed across, on, along or under a pipeline in contravention of this Act or the Board's orders or regulations to do such things as the Board considers necessary for the safety of the pipeline and may, where the Board considers that the facility may impair the safe operation of the pipeline, direct the owner to reconstruct, alter or remove the facility.

Exception

- (5) The Board may make orders or regulations governing
- (a) the design, construction, operation and abandonment of facilities constructed across, on, along or under pipelines;
 - (b) the measures to be taken by any person in relation to
 - (i) the construction of facilities across, on, along or under pipelines,
 - (ii) the construction of pipelines across, on, along or under facilities, other than railways, and
 - (iii) excavations within thirty metres of a pipeline; and
 - (c) the circumstances in which or conditions under which leave under this section is not necessary.
- (5.1) Without limiting the generality of paragraph (5)(c), orders or regulations made under that paragraph may provide for the prohibiting of excavations in an area situated in the vicinity of a pipeline, which area may extend beyond thirty metres of the pipeline, during the period that starts when a request is made to a pipeline company to locate its pipeline and ends:
- (a) at the end of the third working day after the day on which the request is made; or

- (b) at any later time that is agreed to between the pipeline company and the person making the request.

Exemptions

- (6) The Board may, by order on any terms and conditions that the Board considers appropriate, exempt any person from the application of an order or regulation made under subsection (5).

Inspection Officers

- (7) The provisions of sections 49 to 51.3 relating to inspection officers apply for the purpose of ensuring compliance with orders and regulations made under subsection (5).

R.S., 1985, c. N-7, s. 112; 1990, c.7, s.28; 1994, c. 10, s. 26.

"pipeline" in section 2 of the NEB Act is defined as follows:

"pipeline" means a line that is used or to be used for the transmission of oil or gas, alone or with any other commodity, and that connects a province with any other province or provinces or extends beyond the limits of a province or the offshore area as defined in section 123, and includes all branches, extensions, tanks, reservoirs, storage facilities, pumps, racks, compressors, loading facilities, interstation systems of communications by telephone, telegraph or radio and real and personal property and works connected therewith.

Appendix 4

National Energy Board Pipeline Crossing Regulations, Part I

Registration

SOR/88-528 18 October, 1988

as amended by SOR/93-239 11 May, 1993; SOR/94-704 7 November, 1994;

SOR/97-128 26 February, 1997; and SOR/2000-39 18 January, 2000

Short Title

1. These Regulations may be cited as the *National Energy Board Pipeline Crossing Regulations, Part I* (as amended)

Interpretation

2. In these Regulations,

"Act" means the National Energy Board Act; (*Loi*)

"emergency" means an unexpected situation that could endanger life or cause substantial property or environmental damage and that requires immediate action; (*urgence*)

"excavator" means the person who performs an excavation and includes the corporation or other legal entity and every agent, affiliate and subcontractor of the corporation or other legal entity, that has direct control over the person performing the excavation; (*exécutant de travaux d'excavation*)

"facility" means

- (a) any structure that is constructed or placed on the right-of-way of a pipeline, and
- (b) any highway, private road, railway, irrigation ditch, drain, drainage system, sewer, dike, telegraph, telephone line or line for the transmission of hydrocarbons, power or any other substance that is or is to be carried across, along, upon or under any pipeline; (*installation*)

"facility owner" means a person, firm, public agency, corporation or any combination thereof that owns a facility or that undertakes or has control over one or more of the activities related to construction, installation, operation, maintenance or removal of a facility; (*propriétaire d'installation*)

"leave" means the leave of the Board referred to in subsections 112(1) or (2) of the Act; (*autorisation*)

"offshore area" means the submarine areas adjacent to the coast of Canada; (*endroit au large des côtes*)

"overhead line" means an above-ground telephone, telegraph, telecommunication or electric power line or any combination thereof; (*ligne aérienne*)

"permission" means the consent given by a pipeline company to a facility owner or excavator to construct or install a facility or to excavate; (*permission*)

"pipe" means the pipe and all related appurtenances that belong to a pipeline company and that are used in the transmission of hydrocarbons through a pipeline; (*conduite*)

"restricted area" means an area situated in the vicinity of any proposed construction, installation or excavation, independent of the pipeline right of way, that has been temporarily designated by the pipeline company pursuant to paragraph 9(1)(b) of the *National Energy Board Pipeline Crossing Regulations, Part II* as an area within which no excavation may be performed until the pipeline company's pipes in that area have been located and properly staked. (*zone interdite*)

Application

3. These Regulations do not apply to an excavation caused by
 - (a) a pipeline company or its agents; or
 - (b) activities, other than the construction or installation of a facility, that disturb less than three tenths of a metre of ground below the initial grade and do not reduce the total cover over the pipe.

Conditions and Circumstances Under Which Leave of the Board is not Required

4. Leave of the Board is not required for any construction or installation of a facility, other than the installation of an overhead line referred to in section 5, if
 - (a) the construction or installation of the facility takes place in an area other than an offshore area;
 - (b) the facility owner obtains written permission from the pipeline company prior to the construction or installation of the facility and accepts any conditions set out in the permission;
 - (c) the facility owner ensures that the work is carried out in accordance with the technical details that are set out in its request for permission that have been accepted by the pipeline company;
 - (d) the facility owner ensures that the work is completed within two years after the date the permission referred to in paragraph (b) is granted or within a period otherwise agreed on by the pipeline company and the facility owner;
 - (e) where permission is suspended by the pipeline company or the Board in accordance with subsection 14(1) of the *National Energy Board Pipeline Crossing Regulations, Part II*, the facility owner ceases work;
 - (f) unless otherwise agreed on by the pipeline company and the facility owner and except in cases of emergency, three working days notice is given by the facility owner to the pipeline company prior to commencement of construction or installation of the facility;

- (g) in the case of an emergency, as much prior notice as is practicable is given by the facility owner to the pipeline company prior to commencement of construction or installation of the facility;
 - (h) the facility owner undertakes and complies with all practices stipulated by the pipeline company to the facility owner to lessen any detrimental effect that the facility may have on a pipe;
 - (i) prior to the construction or installation of the facility, the facility owner
 - (i) confirms with the pipeline company that all the pipeline company's pipes in the vicinity have been staked, and
 - (ii) ensures that the pipeline company has explained, to the satisfaction of the facility owner, the significance of the stakes that identify the location of the pipeline company's pipes;
 - (j) the facility owner complies with the instructions of an authorized field representative of the pipeline company regarding the procedures to be followed while working in the vicinity of a pipe;
 - (k) where interference with or alteration of a pipe is necessary, the facility owner obtains prior written consent of the pipeline company;
 - (l) where the facility owner receives the consent referred to in paragraph (k), the work is carried out under the supervision of the pipeline company;
 - (m) the facility owner immediately notifies the pipeline company of any contact with a pipeline company's pipe or its coating;
 - (n) the facility owner maintains the facility in a state of good repair compatible with the safety of the pipeline and immediately corrects any deterioration in the facility on being informed in writing by the pipeline company pursuant to subsection 15(1) of the *National Energy Board Pipeline Crossing Regulations, Part II*, except where, unless otherwise ordered by the Board,
 - (i) the facility owner provides the pipeline company with a written undertaking executed by a third party whereby the third party agrees to assume the responsibility for maintaining the facility, or
 - (ii) the facility has been removed or abandoned and the site restored to the satisfaction of the pipeline company;
 - (o) the facility owner notifies the pipeline company, in writing, of the proposed abandonment or removal of any facility affecting a pipe or right of way of the pipeline; and
 - (p) the facility owner removes or alters any facility that could impede the safe and efficient operation of the pipeline, or that the Board considers should be removed or altered for the protection of property and the environment and the safety of the public and the pipeline company's employees.
5. Leave of the Board is not required for the installation of an overhead line across a pipeline if

- (a) unless otherwise agreed on by the pipeline company and the facility owner and except in cases of emergency, three working days notice is given by the facility owner to the pipeline company prior to commencement of installation;
 - (b) in the case of an emergency, as much prior notice as is practicable is given by the facility owner to the pipeline company prior to commencement of installation;
 - (c) the overhead line is installed in accordance with the minimum ground-to-wire clearance established by the Canadian Standards Association Standard CAN/CSAC22.3 No. 1-M87, *Overhead Systems*, the English version of which is dated April 1987 and the French version of which is dated December 1989;
 - (d) where the pipeline is patrolled by aircraft, aerial warning devices are installed and properly maintained by the facility owner at the request of the pipeline company; and
 - (e) no poles, pylons, towers, guys, anchors or supporting structures of any kind are constructed or placed on the right of way of the pipeline or within its projected limits.
6. Leave of the Board is not required for an excavation, other than an excavation referred to in section 7, if
- (a) the excavation takes place in an area other than an offshore area;
 - (b) the excavator obtains written permission from the pipeline company prior to the excavation and accepts any conditions set out in the permission;
 - (c) the excavator ensures that the work is carried out in accordance with the technical details that are set out in its request for permission that have been accepted by the pipeline company;
 - (d) the excavator ensures that the work is completed within two years after the date the permission referred to in paragraph (b) is granted or within a period otherwise agreed on by the pipeline company and the excavator;
 - (e) where permission is suspended by the pipeline company in accordance with subsection 14(1) of the *National Energy Board Pipeline Crossing Regulations, Part II*, the excavator ceases work;
 - (f) unless otherwise agreed on by the pipeline company and the excavator and except in cases of emergency, three working days notice is given by the excavator to the pipeline company prior to commencement of the excavation;
 - (g) in the case of an emergency, as much prior notice as is practicable is given by the excavator to the pipeline company prior to commencement of the excavation;
 - (h) prior to commencement of the excavation, the excavator
 - (i) confirms with the pipeline company that all the pipeline company's pipes in the vicinity have been staked, and

- (ii) ensures that the pipeline company explains, to the satisfaction of the excavator, the significance of the stakes that identify the location of the pipeline company's pipes;
 - (i) the excavator does not excavate mechanically within a restricted area;
 - (j) the excavator does not excavate mechanically within three metres of a pipe unless
 - (i) the pipe has been exposed by hand at the point of crossing or where the excavation runs parallel to the pipe, at sufficient intervals to confirm the location of the pipe,
 - (ii) where the excavation crosses a pipe, the pipeline company has informed the excavator that it has confirmed the location of the pipe by probing and the pipe is at least six tenths of a metre deeper than the proposed excavation,
 - (iii) where the excavation runs parallel to the pipe, the pipeline company has informed the excavator that it has confirmed the location of the pipe by probing, or
 - (iv) where ground conditions render exposure of the pipe by hand impractical, the pipeline company has agreed that the excavation may be performed safely to within one metre of the pipe and the pipeline company directly supervises the excavation;
 - (k) when boring directionally or using explosives, unless otherwise authorized by the Board, the excavator complies with the conditions imposed by the pipeline company respecting directional boring or the use of explosives;
 - (l) the excavator complies with the instructions of an authorized field representative of the pipeline company regarding the procedures to be followed while working in the vicinity of a pipe;
 - (m) where interference with or alteration of a pipe is necessary, the excavator obtains prior written consent of the pipeline company;
 - (n) where the excavator receives the consent referred to in paragraph (m), the work is carried out under the supervision of the pipeline company;
 - (o) the excavator immediately notifies the pipeline company of any contact with the pipeline company's pipe or its coating; and
 - (p) unless otherwise agreed on by the pipeline company and the excavator, the excavator notifies the pipeline company at least 24 hours prior to backfilling over the pipe.
7. Leave of the Board is not required for an excavation required for the maintenance of an existing facility if the circumstances and conditions set out in paragraphs 6(f) to (p) are met.

8. Where leave of the Board is required, the facility owner or excavator shall file an application for leave with the Board and serve a copy of the application for leave on the pipeline company.
9. When a pipeline company receives a request from a facility owner or an excavator to locate its pipes, the pipeline company may designate an area situated in the vicinity of the proposed facility or excavation, which may extend beyond 30 m from the pipeline, as a restricted area in which no excavation may be performed until the pipes are located and marked by the pipeline company or the expiry of three working days after the date of the request, whichever occurs first, unless the pipeline company and the facility owner or excavator have agreed on an extension of time for the pipeline company to locate and mark the pipes.

National Energy Board Pipeline Crossing Regulations, Part II

Registration

SOR/88-529 18 October, 1988

as amended by SOR/93-239 11 May, 1993; SOR/95-534 7 November, 1995;

SOR/2000-58 10 February, 2000; and SOR/2000-384 2 4 October, 2000

Short Title

1. These Regulations may be cited as the *National Energy Board Pipeline Crossing Regulations, Part II* (as amended)

Interpretation

2. In these Regulations,

"Act" means the *National Energy Board Act*; (Loi)

"excavator" means the person who performs an excavation and includes the corporation or other legal entity and every agent, affiliate and subcontractor of the corporation or other legal entity, that has direct control over the person performing the excavation; (*exécutant de travaux d'excavation*)

"facility" means

- (a) any structure that is constructed or placed on the right of way of a pipeline, and
- (b) any highway, private road, railway, irrigation ditch, drain, drainage system, sewer, dike, telegraph, telephone line or line for the transmission of hydrocarbons, power or any other substance that is or is to be carried across, along, upon or under any pipeline; (*installation*)

"facility owner" means a person, firm, public agency, corporation or any combination thereof that owns a facility or that undertakes or has control over one or more of the activities related to construction, installation, operation, maintenance or removal of a facility; (*propriétaire d'installation*)

"leave" means the leave of the Board referred to in subsections 112(1) and (2) of the Act; (*autorisation*)

"permission" means the consent given by a pipeline company to a facility owner or excavator to construct or install a facility or to excavate; (*permission*)

"pipe" means the pipe and all related appurtenances that belong to a pipeline company and that are used in the transmission of hydrocarbons through a pipeline; (*conduite*)

"restricted area" means an area designated pursuant to paragraph 9(1)(b). (*zone interdite*)

Application

3. These Regulations do not apply to an excavation caused by
 - (a) a pipeline company or its agents; or
 - (b) activities, other than the construction or installation of a facility, that disturb less than three tenths of a metre of ground below the initial grade and do not reduce the total cover over the pipe.

Pipeline Company Responsibilities

4. (1) Every pipeline company shall establish an ongoing public awareness program to inform the public of
 - (a) the presence of the pipeline; and
 - (b) the public's responsibilities regarding any construction or installation of a facility and any excavation that might affect the pipeline.
- (2) Every pipeline company shall assess the effectiveness of its public awareness program on a regular basis and shall maintain a record of the assessment.
5. (1) Every pipeline company shall develop detailed guidelines setting out the technical and other information to be included in requests for permission referred to in paragraph 4(b) or 6(b) of the *National Energy Board Pipeline Crossing Regulations, Part I*, and shall make those guidelines public.
- (2) The guidelines referred to in subsection (1) shall be submitted to the Board for approval prior to release to the public.
6. (1) Where a pipeline company receives a request for permission, pursuant to paragraph 4(b) or 6(b) of the *National Energy Board Pipeline Crossing Regulations, Part I*, in accordance with the guidelines referred to in section 5, the pipeline company shall, within ten working days after receiving the request, inform the facility owner or excavator
 - (a) whether permission has been granted; and
 - (b) where permission has been refused, of the reasons for the refusal.
- (2) Where permission is granted pursuant to subsection (1), unless the pipeline company and the facility owner or excavator agree otherwise, the permission

lapses if the construction or installation of the facility or the excavation is not completed within two years after the date the permission was granted.

7. Where a facility owner or excavator applies for leave of the Board, the pipeline company shall, within ten working days after receiving a request for information relevant to the application, give the facility owner or excavator all the information, and provide all reasonable assistance, needed to prepare the application.
8. Where a pipeline company receives a copy of an application for leave that has been filed with the Board, the pipeline company shall, within 10 working days after receiving the copy of the application, send to the Board its comments, if any, regarding the safety of the proposed facility or excavation in respect of the pipeline.
9.
 - (1) Subject to subsection (2), when a pipeline company receives a request from a facility owner or an excavator to locate its pipes, the pipeline company shall, within three working days after the date of the request, or any longer period agreed to by the pipeline company and the facility owner or excavator.
 - (a) inform the facility owner or excavator, in writing, of any special safety practices to be followed while working in the vicinity of its pipes;
 - (b) mark the location of its pipes in the vicinity of the proposed facility or excavation at maximum intervals of 10 m along each pipe using stakes that are clearly visible and distinct from any other stakes or markings that may be in the vicinity of the proposed facility or excavation; and
 - (c) explain the significance of the stakes to the satisfaction of the facility owner or excavator.
 - (2) Where ground conditions preclude the placing of the stakes referred to in subsection (1), paint or other suitable methods of marking may be substituted if the paint or marking is
 - (a) clearly visible;
 - (b) distinct from all other markings in the vicinity of the proposed facility or excavation; and
 - (c) compatible with any local standard colour codes used for marking buried pipe.
10. The pipeline company shall
 - (a) carry out such inspections as are necessary to ensure the continued safety of the pipeline during the period of excavation in the vicinity of a pipe and backfilling over a pipe;
 - (b) inspect all exposed pipe prior to backfilling to ensure that no damage to a pipe has occurred;
 - (c) in respect of the inspections referred to in paragraphs (a) and (b), maintain a record of all findings and observations; and

- (d) include in the record referred to in paragraph (c) the following information:
 - (i) the name of the person conducting the inspection,
 - (ii) the date and time of the inspection, and
 - (iii) any field observations relating to
 - (A) where a pipe was exposed during the construction or installation of a facility or during an excavation, the clearance between the pipe and the facility and the condition of the pipe at the time of backfilling over the pipe,
 - (B) whether the facility owner or excavator has met the circumstances and conditions set out in the *National Energy Board Pipeline Crossing Regulations, Part I*,
 - (C) the method of excavation, and
 - (D) any unusual events during the construction or installation of the facility or during the excavation that may have had an effect on the safety or integrity of the pipeline.
11. (1) The pipeline company shall maintain records of all construction or installation of facilities and of all excavations for the useful life of the pipeline.
- (2) The records referred to in subsection (1) shall include, for each facility or excavation, as the case may be,
- (a) the name and address of the facility owner and excavator;
 - (b) the nature and location of the facility or excavation;
 - (c) the dates of commencement and termination of the construction or installation of the facility or of the excavation;
 - (d) a description of the facility submitted, by the facility owner with the request for permission;
 - (e) a copy of the pipeline company's written permission to the facility owner or excavator or an indication that leave of the Board was granted;
 - (f) a copy of every inspection record maintained pursuant to paragraph 10(c);
 - (g) a statement whether the facility owner or excavator has met the circumstances and conditions set out in the *National Energy Board Pipeline Crossing Regulations, Part I*; and
 - (h) the details of the abandonment, removal or alteration of any facility.
12. (1) On the request of the Board, the pipeline company shall provide the Board with a list of every permission granted pursuant to the *National Energy Board Pipeline Crossing Regulations, Part I*.
- (2) The list referred to in subsection (1) shall include the information referred to in paragraphs 11(2)(a) to (c).

13. (1) The pipeline company shall immediately report to the Board
 - (a) every contravention of the National Energy Board Pipeline Crossing Regulations, Part I;
 - (b) all damage to its pipe caused or observed during the construction or installation of a facility or during an excavation or during the operation, maintenance or removal of a facility; and
 - (c) any activity of the facility owner or excavator that the pipeline company considers to be potentially hazardous to a pipe.
- (2) The report referred to in subsection (1) shall include
 - (a) details of any contravention or of any damage, including, in the case of damage, the cause and nature thereof;
 - (b) any concerns the pipeline company may have regarding the safety of the pipeline as a result of the construction or installation or of the excavation; and
 - (c) any action the pipeline company intends to take or request.
14. (1) Where the pipeline company or the Board is satisfied that unsafe construction practices have been or are being used, the pipeline company or the Board may suspend, for such period as it considers necessary, the permission given by the pipeline company to construct or install a facility or to excavate.
- (2) Where a pipeline company suspends its permission pursuant to subsection (1), the pipeline company shall immediately notify the Board of its decision giving its reasons therefor.
15. (1) The pipeline company shall make such inspections as are necessary to ensure that any deterioration of a facility that might adversely affect a pipe is detected, and shall inform the facility owner, in writing, of any deterioration that is detected.
- (2) Where an inspection made pursuant to subsection (1) reveals deterioration of a facility sufficient to warrant removal of the facility, the pipeline company shall inform the Board.
16. Every person required by these Regulations to keep records shall make the records and all other materials necessary to verify the information therein available to officers of the Board and other persons authorized by the Board for that purpose, and shall give the Board and other authorized persons every assistance necessary to inspect the records.

Appendix 5

Request to Be Included on Mailing List for Updated Information

National Energy Board
Regulatory Support Office
444 Seventh Avenue S.W.
Calgary, AB T2P 0X8

Facsimile: (403) 292-5503

Please add me to mailing list L19 to receive updated information.

Name: _____

Title: _____

Organization: _____

Mailing Address: _____

City: _____

Province/Territory: _____

Postal Code: _____ Telephone: _____