
	On-Site Activity Permit Application and Technical Guidelines	Document ID:	DPP-PRG-01-PDR-02
		Version #:	02
		Issue Date:	2020-08-19
	Owner: Manager, Engineering & Operations	Review Date:	2022

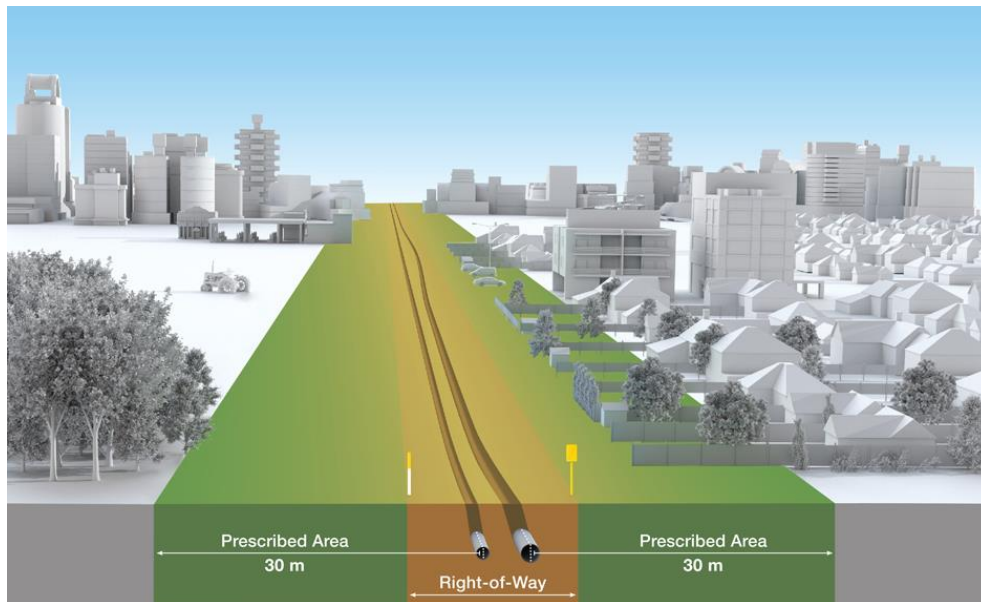
REVISION HISTORY

Version #	Issue Date	Brief Description of the Change
01	2018-10-04	New document
02	2020-08-19	Updated from National Energy Board references and <i>NEB Act</i> clauses to Canada Energy Regulator and <i>CER Act</i> clauses.

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OVERVIEW

Emera Brunswick Pipeline Company (“EBPC” or “the Company”) is regulated by the Canada Energy Regulator (CER). The intent of these guidelines (the “Guidelines”) is to provide the technical guidelines and other necessary information to individuals, companies, stakeholders and other entities planning potential construction activities in EBPC’s Brunswick Pipeline prescribed area or in areas in close proximity to the EBPC pipeline that may cause a ground disturbance in the prescribed area (for example: blasting near the EBPC right-of-way). The Prescribed Area is a strip of land measured 30 metres perpendicularly on each side from the centreline of the pipe.



In these Guidelines, the word “pipeline” means the Company’s buried facilities and associated surface facilities.


Any work (or planned work) in the prescribed area which could create safety concerns for EBPC and the public and/or pipeline integrity concerns is prohibited without an **On-Site Activity Permit** (EBPC’s written consent) issued by the Company.

Please note, these Guidelines are general in nature and any proposed activity by external parties, whether addressed in these Guidelines or not, requires consultation with the Company and its prior written approval.

The general prohibition on activities in and around the pipeline and its right-of-way (ROW) is found in Section 335(1) of the *CER Act*. Section 335(1) of the *CER Act* states:

Prohibition — construction or ground disturbance

335 (1) It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is

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authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.

Prohibition — vehicles and mobile equipment

- (2) It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless
 - (a) that operation is authorized by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or
 - (b) the vehicle or mobile equipment is operated within the travelled portion of a highway or public road.

These Guidelines have been developed pursuant to Section 335(1) of the *CER Act* as well as to meet the *CER Pipeline Damage Prevention Regulations – Authorizations (SOR/2016-124)*. Links to CER resources can be found on the CER website (<https://www.cer-rec.gc.ca/>).

For any questions regarding the information provided in these Guidelines, please contact Brunswick Pipeline:

Emera Brunswick Pipeline Company
 1 Germain Street, Suite 1102
 Saint John, NB E2L 4V1
 Telephone: (506) 693-4214
 Fax: (506) 658-0199
 Email: brunswickpipeline@emera.com



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1. ACTIVITIES REQUIRING AN ON-SITE ACTIVITY PERMIT

The following Permit Activities, if undertaken in the prescribed area, or in an area that may cause a ground disturbance in the prescribed area, require an On-Site Activity Permit:

- **Facility Construction and Crossings** (The construction a facility across, on, along or under the pipeline)
 - Surface facilities (e.g. buildings, parking lots, monuments)
 - Excavations (e.g. trenches, foundations, directional drilling, boreholes, open pits)
 - Subsurface facilities not crossing the pipeline (e.g. cables, utility pipes, tanks)
 - Overhead facilities (e.g. powerlines, towers)
 - Abandonment of facilities
 - Crossing
 - Surface crossing (e.g. roads, driveways/access roads, sidewalks, railway)
 - Subsurface crossing (e.g. cables, utility pipes, transmission/distribution pipelines)
- **Ground Disturbance Activities¹** (Any activity that causes a ground disturbance within the Prescribed Area). See the following examples, without limitation (there may be others that may create a ground disturbance within EBPC’s prescribed area):
 - Blasting
 - Seismic Activity
- **Operation of Vehicles/Mobile Equipment across the Brunswick Pipeline**

Note: The activities listed above as requiring a Permit is not a complete list. Any person considering an activity in the prescribed area or in the proximity of EBPC’s pipeline right-of-way, whether listed in these Guidelines or not, is required to contact the Company prior to commencing the activity to determine if the activity requires the Company’s approval as well as any mitigation measures to protect the public, the environment, the Permit Applicant, and/or the Company’s employees and its facilities.

¹ Ground disturbance activities within 200 metres of the pipeline, even though outside of the prescribed area, still require an On-Site Activity Permit.

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2. ON-SITE ACTIVITY PERMIT APPLICATION PROCESS

An On-Site Activity Permit is required between the Company and anyone seeking to undertake the activities outlined above ("Permit Activities") in the prescribed area or in areas that may cause a ground disturbance within the prescribed area.

The party entering into the On-Site Activity Permit ("Permit Holder") with the Company (and those working for them or on their behalf) shall adhere to the terms and conditions of the Permit, the requirements of these Guidelines and the CER Regulations.

Parties seeking to carry out any activity within the prescribed area or in areas that may cause a ground disturbance within the prescribed area shall make a written application for an On-Site Activity Permit to the Company a minimum of 10 working days prior to commencing the activity. Parties are encouraged, in particular for complex activities and applications, to consult with the Company prior to filing their applications to ensure they file the necessary information with their applications so that the application is considered complete and allows EBPC to effectively assess the impact of the activity on its pipeline.


Working day means a day other than Saturday, Sunday, or a federal, provincial, or civic holiday within the Province of New Brunswick.

2.1. Application for a Permit

The application for an On-Site Activity Permit may be made to the Company through EBPC's Notification Service (One-Call System) at 1-888-410-2220 or www.clickbeforeyoudig.com, or via email (brunswickpipeline@emera.com; attention: On-Site Activity Permit).

A complete application for an On-Site Activity Permit must be submitted to the Company a minimum of 10 working days prior to commencing any activities in the prescribed area or in an area that may cause a ground disturbance within the prescribed area. Parties are encouraged to consult with the Company to ensure their application is complete prior to the submission of their application.

Note: The On-Site Activity Permit application (or EBPC's approval or issuance of an On-Site Activity Permit) is not a substitute for, nor does it remove the requirement for the applicant or the Permit Holder to make a locate request to the Notification Service. Third Parties seeking consent for a Permit Activity must obtain an On-Site Activity Permit from the Company for the proposed activity and also make a locate request via EBPC's Notification Service prior to undertaking any Company approved field activities. **A locate request must be made via the Notification Service (1-888-410-2220 or www.clickbeforeyoudig.com) a minimum of 3 working days in advance of the Company approved planned activity.** See Section 4 of these Guidelines for more information about Locate Requests. Note also, a Locate Request does not remove the requirement to apply for an On-Site Activity Permit for activities within the prescribed area or in an area which may cause a ground disturbance within the prescribed area.

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2.2. Permit Application - Required Information

The Company will determine the supporting information required to be submitted for review and approval by the Company in support of Permit Applications. The following is the general information the Company requires at a minimum to be submitted for an On-Site Activity Permit. Complex activities may require more information and detail to be submitted with the application:

- Applicant contact information;
- A detailed scope and description of Applicant’s project and associated activities and facilities;
- Proposed equipment to be used;
- If requested by the Company, an Emergency Response Plan to respond to emergencies that includes notification to EBPC;
- If requested by the Company, all design standards mandated by federal, provincial, and/or local government agencies;
- If requested by the Company, a letter shall be submitted to the Company stating that all appropriate federal, provincial, and/or local design standards, permits, authorizations and/or approvals have been met, granted or obtained for the subject project;
- Excavation Plan, if applicable; and
- Issued for Construction (IFC) Drawings (see Appendix 1 for IFC Drawing requirements).

The Company will not consider incomplete Permit Applications. If the Applicant has any questions with respect to the required information and detail to be submitted with their On-Site Activity Permit application, they are encouraged to contact EBPC prior to submitting their application.


2.3. Permit Application - Assessment

Upon receipt of a complete Permit Application, the Company will inform the Permit Applicant within ten (10) working days whether or not approval is granted.

It should be noted that all activities and approvals are unique, and the Permit Applicant is encouraged to discuss its project, the project activities and the required Company information and details, approvals/permits well in advance of submitting their application for an On-Site Activity Permit. Incomplete applications, without the required level of information or detail to allow the Company to fully assess the impact of the activity on EBPC’s pipeline and operations will not be accepted. If the Company does not accept the application as submitted, Permit Applicants will be required to submit a new application with the required level of information and details.

To guide Permit Applicants in the development of their On-Site Activity Permit application, EBPC may consider, in addition to the minimum requirements set out in Section 2.2 for all On-Site Permit applications, based on the scale and complexity of the application, the following in deciding on whether an Applicant’s application is complete and whether to issue an On-Site Activity Permit:

- (i) Activity/Project timing and scheduling of activity/project elements;
- (ii) Applicant’s execution plan;
- (iii) Applicant’s emergency plan;

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- (iv) Applicant’s safety plan;
- (v) Applicant’s environmental plan;
- (vi) Applicant’s security plan;
- (vii) Applicant’s insurance coverage;
- (viii) Any other information requested by the Company to help it assess the activity/project and its impact on: the health and safety of EBPC’s employees, contractors, consultants and the public; the security of the public, EBPC’s employees, consultants, contractors and EBPC’s pipeline and operations; the security and protection of the environment.

2.3.1. Activity Approval

The Permit Applicant, if approval is received, will be required to provide the Company with a duly executed On-Site Activity Permit as provided by the Company. The On-Site Activity Permit outlines the Company’s requirements and conditions for the approved activity.

The On-Site Activity Permit must be completed, executed by both parties and returned to the Company prior to initiating any work. A copy of the On-Site Activity Permit must be present on site at all times during construction activities.


The Permit Holder shall inform all persons working on their behalf, including employees, contractors and subcontractors, of their obligations under the On-Site Activity Permit including its terms and conditions and any exhibits, appendices or attachments to the Permit, the On-Site Activity Permit and Technical Guidelines, and the CER *Pipeline Damage Prevention Regulations – Authorizations*.

Within 45 days of the completion of the activity, the Permit Holder shall provide the Company all as-built drawings of all installations identifying their location in relation to the pipeline.

2.3.2. Permit Application Rejection

If the Permit application is refused by the Company, the unsuccessful Permit Applicant will be provided with the reasons for refusal. The unsuccessful Permit Applicant has the right to appeal the refusal to the CER and request an authorization pursuant to the CER *Damage Prevention Regulations – Authorizations, Section 14*.

If the Permit Applicant files an application for authorization with the CER, pursuant to Section 14(2) of the CER *Damage Prevention Regulations – Authorizations*, that Applicant must serve a copy of the application on EBPC.

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3. TECHNICAL GUIDELINES FOR PERMIT ACTIVITIES

3.1. Facility Construction

3.1.1. Surface facilities (e.g. buildings, parking lots, monuments)

3.1.1.1. Fencing

Any fences are to cross the pipeline ROW at or near as possible to right angles. Fencing must be easily removed and replaced, if necessary, and contain a 3.7-metre (12-foot) wide gate for access at each location where the fence intersects the ROW. This would include fencing of any type or kind including, but not limited to, wire type, chain-link, snow-fencing, PVC, wood, stockade, and decorative type fencing.

The location of fence posts in the prescribed area shall be approved by the Company. The Company will not allow any type of fence to be erected parallel to the Company's pipeline within the pipeline ROW.

3.1.1.2. New Facilities within the prescribed area but not crossing the Company's pipeline


Test pits may be required, at the discretion of the Company, in areas where equipment/vehicle crossings and/or Permit Applicant facility crossings are proposed.

Based on assessments undertaken by the Company at the Permit Holder's expense, if the Company deems that the installation of casing pipe and/or other alterations are necessary to protect the pipeline, the Permit Holder shall be required to pay to the Company the estimated cost of such alterations prior to the Company beginning the work. At the completion of the work and when the actual costs have been incurred and tabulated by the Company, any additional costs incurred above the estimate shall be paid by the Permit Holder to the Company and any savings shall be remitted to the Permit Holder.

The Company will furnish applicable as-built pipeline location information upon request by the Permit Applicant seeking to construct facilities within the prescribed area of the Company's pipeline. In this context "facilities" means, without limitation, any utilities, buildings, fencing, structures (permanent or temporary) or other obstructions (including trees, shrubs, bushes, plants and landscaping) proposed to be erected or placed within, above or below the prescribed area.

3.1.1.3. Landscaping

The only circumstance where the Company will allow the planting of trees on the pipeline ROW is if it has been negotiated and defined in a written agreement between the landowner and the Company. It is the landowner's responsibility to maintain trees adjacent to the ROW, to eliminate obstruction of the ROW visibility from ground or air, however, the Company reserves the right to prune or cut trees that overhang the Company's ROW.

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Planting of shrubs, bushes or other plants on the Company’s ROW is subject to the Company’s prior written approval.

Landscaping grades and drainage swales will comply with the following requirements:

- No drainage swales or reduction in grade will be allowed on the Company’s ROW. With prior written approval from the Company, predetermined and approved limited additional fill over the existing grade may be deposited on the ROW.
- Proposed landscaping grades will not exceed the Company’s maximum allowable slope of 4:1 longitudinal with the pipeline and/or 8:1 cross slope, and have a minimum coverage as per the most recent version of CSA Z662 - Oil and Gas Pipeline Systems. The maximum cover will be determined by the Company, taking into account pipeline specifications and local conditions.
- Proposed grades will not cause the ponding of surface water, or redirect the flow of water or generate any amount of erosion on or near the Company’s ROW. The Permit Holder may be required to install erosion and control measures upstream to limit the amount of surface runoff across the ROW.
- Company access to the pipeline ROW shall not be restricted by the proposed grades.
- The Company reserves the right at any time, without notice or approval, to modify all cover/grade requirements.


3.1.2. Excavations (e.g. trenches, foundations, boreholes, directional drilling, backfilling, open pits)

Excavation operations shall be performed in accordance with the Guidelines set forth below.

No excavation, backfilling or construction operations in the prescribed area of the Company’s pipeline shall be performed unless the authorized Company representative is on site. The Company representative shall have the authority to stop work or an activity at any time should the Company representative deem the work or activity unsafe or a danger to the public, the environment, the Permit Holder, the Company’s employees and/or its facilities.

When ground disturbance activities involve horizontal or directional boring or drilling in the approximate location within 1 m horizontally or vertically of underground infrastructure, excavation shall expose underground infrastructure in a safe manner, such as hand digging or vacuum excavation, to visually verify its location and depth at each location where the drill or bore path will cross such underground infrastructure and at reasonable intervals when paralleling that underground infrastructure.

When existing underground infrastructure is known to be present, but cannot be visually identified as a result of the local conditions, the owner and the Permit Holder, in consultation with the owner of the infrastructure, shall agree on methods to safely proceed with the ground disturbance.

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The following conditions shall be met by the Permit Holder for boring or directional drilling across and in parallel to existing underground infrastructure:


- It shall be ensured that one or more holes identify and confirm that the bore is maintained at the required separation between the existing underground infrastructure and the new underground infrastructure being installed.
- The progress of the bore shall be continuously monitored, and it shall be confirmed that the drill head is at the expected depth and location.
- If the bore is not at the expected depth and location, the bore shall be stopped and reassessed.
- It shall be confirmed that there are no hazards prior to recommencing the bore.


Test pits within the prescribed area employing mechanical excavation can be scheduled during the period of April 15-November 01 by contacting the Company at least 10 working days in advance and submitting at that time an Excavation Plan (as described in this Section below). Excavation of test pits may be performed provided a Company representative is present. The Company will make reasonable efforts to accommodate the requested schedule but such scheduling will be subject to, among other things, availability of appropriate Company personnel as determined by the Company, weather, or field operating conditions.

Excavation of test pits within the prescribed area by means of mechanical equipment is not allowed during the period of November 01-April 15. During this time period, pipeline elevations may be obtained with the Company’s consent, depending on field conditions, by hand digging or soft digging equipment. The Company must be contacted at least 10 working days in advance to coordinate these activities, and an Excavation Plan must be submitted (as described below) at that time.

Once an Excavation Plan has been reviewed and approved by the Company, excavation may proceed in accordance with the approved Plan. The Excavation Plan shall be a written document approved by the authorized Company representative. When developing an Excavation Plan, the following should be considered as well as any other relevant considerations:

- Contact lists including emergency contacts
- Worksite access control measures
- Backhoe/excavator set-up position in relationship to the pipeline;
- Need for benching to level backhoe;
- Required excavation depth and length;
- Sloping and shoring requirements;
- Proper support around all existing underground infrastructure;
- Ingress/egress ramp locations;
- Minimum clearance requirements for mechanical equipment;
- Use of a spotter;
- Pipeline location and depth;
- Verify bar has been welded onto backhoe teeth and side cutters have been removed;
- Spoil pile location; and
- Compliance with Canada Occupational Health and Safety regulations.

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The authorized Company representative will direct the Permit Holder in their use of mechanical equipment within the CER prescribed area associated with the Company’s facilities (see Section 2 of the CER *Pipeline Damage Prevention Regulations – Authorizations* for the definition of “prescribed area”). Upon visually confirming the location of the Company’s pipeline through daylighting, excavations by the third party using mechanical equipment will comply with the Company’s no-mechanical-digging zone of 5 metres from the centreline of the pipeline. Hand tools or soft dig equipment shall be used to complete the final excavation of the pipeline inside the 5 metre “restricted” mechanical equipment limits of the excavation.

In the case of a trenchless excavation method within the CER prescribed area, a plan shall be submitted to the Company for its approval that indicates the minimum radial clearance required by applicable standards between the new facility and the Company’s pipeline(s). Note: This clause refers to trenchless excavation within the 30-metre CER prescribed area only; crossing the pipeline requires further approvals.


In the case the Company’s pipeline is exposed, the Company will be complying with Federal regulations that require the pipeline to be inspected by the Company. In order to ensure the safety of the authorized Company’s representative and others in the field, Canada Occupational Health and Safety regulations that pertain to excavations must be adhered to. A minimum 24-hour written notice to the Company is required to perform the relevant inspections prior to proceeding with backfill operations.

Permit Holder Excavation & Backfill Activities:

- Bucket teeth shall be barred and side cutters removed.
- The excavator shall be positioned parallel to the Company’s pipeline to safely excavate near the pipeline.
- A line locator and/or probe bar shall be used to maintain the minimum 5-metre clearance to the pipeline.
- Soft digging equipment shall be required at the Permit Holder’s expense for excavating within 5 metres of the Company’s pipeline.
- The Permit Holder shall continue to locate the pipe using industry best practices (such as line locator, daylighting, or probe bar) during the excavation process to ensure no unidentified works or infrastructure is damaged until the final ditch grade is achieved.
- A minimum 24 hours’ written notice shall be provided to the Company in order to allow the authorized Company representative to perform relevant inspections prior to proceeding with backfill operations.
- A Company representative is available during normal business hours (Monday to Friday, excluding holidays, 8:30 am– 4:30 pm AT). Permit Holder bears all costs and expenses (as determined by the Company) for the supply of a Company representative outside normal business hours.

3.1.3. Subsurface facilities not crossing the pipeline (e.g. cables, utility pipes, tanks)

To the fullest extent possible, all foreign lines, roads, electrical cables and other utilities shall cross the Company’s pipeline right-of-way at an angle at or near right angles.

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Buried facilities shall be installed below the Company’s pipeline. The Company requires a minimum clearance as indicated in the proposed crossing drawing. This clearance may need to be increased in some circumstances, as determined by the Company in its discretion.

The Company will not be responsible for any loss, damage or required repairs to a Permit Holder’s facilities which are caused by the Company’s operating and maintenance activities (or otherwise). All such loss, damage and repairs shall be at the sole risk, cost and expense of the Permit Holder.

Acceptable backfill must be free of rocks, organic material, impacted soils, refuse and any foreign material. Acceptable backfill will be placed between the Permit Holder’s facility and the Company’s pipeline

Installation of fiber optic cables upon the Company’s pipeline prescribed area will be considered by the Company on a case-by-case basis and will be subject to the On-Site Activity Permit terms as specified by the Company.

Installation of all electrical cables within the Company’s prescribed area will require the Permit Applicant to provide the information listed below to the Company for its review and approval prior to any such installation:

- Number, spacing and voltage of cables
- Line loading and phase relationship of cables
- Grounding system
- Position of cables and load facilities relative to pipeline

Specific installation requirements for cables carrying less than 600 volts shall be determined by the Company on a case-by-case basis.

Installation of buried electrical cables carrying 600 volts or more upon the Company’s pipeline prescribed area will be considered by the Company on a case-by-case basis and will be subject to the On-Site Activity Permit terms as specified by the Company.


The Company’s pipeline is designed with a cathodic protection system which includes AC mitigation. Any crossing will require an assessment of this system at the cost, risk and responsibility of the Permit Applicant. Any additions or modifications that result from the assessment to the Company’s system will be the responsibility of the Permit Holder.

For metallic line installations two No. 10 THWN black insulated copper wires for the use of test leads will be installed and attached at the point of crossing for corrosion control monitoring at the discretion of the authorized Company representative. The test wires will be routed underground and terminated at a point specified by the Company.

3.1.4. Overhead facilities (e.g. powerlines, towers)

Overhead power lines, telephone lines and telecommunication installations are authorized by the Company provided the Third Party intending to construct the overhead line complies with the following requirements as set out in the CER *Damage Prevention Regulations - Authorizations*:

- The Third Party makes a locate request per these Guidelines and confirms with EBPC that all EBPC pipelines in the vicinity of the construction have been marked.

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- Third Party follows EBPC’s safety practices and pipeline markings while working in the vicinity of its pipeline and, in case of a ground disturbance, within the Prescribed Area.
- Construct the overhead line in accordance with any applicable local, provincial and federal law, regulation, bylaw, or ordinance.
- Install and maintain aerial warning devices on an overhead line for the protection of the Company’s personnel and equipment conducting aerial patrols.
- Do not construct or place any kind of pole, pylon, tower, guy, anchor or supporting structure across, on, along or under the pipeline.
- The Third Party shall provide a mitigation design in accordance with CSA Standard C22.3 (most recent version or its replacement), “Principles and Practices of Electrical Coordination Between Pipelines and Electric Supply Lines” whenever there is a determination of electrical interference between its facilities and the Company’s pipeline. This solution will be presented prior to construction. The vertical distance between the lowest wire of an overhead line catenary and the surface of the ground within the pipeline easement shall not be less than the minimum vertical clearance distance set out in that part of the Canadian Electrical Code Part III (CSA Standard C22.3, “Overhead Systems and Underground Systems”). Overhead lines shall be installed with the minimum clearance as required by CSA and other applicable local/provincial/federal regulations above the grade of the Company’s pipeline right-of-way.

Crossing of the Company’s surface facilities with power lines will not be permitted.

3.1.5. Abandonment of facilities

When abandoning facilities within the prescribed area of the Company’s pipeline, a separate On-Site Activity Permit is required.


The abandonment (including means and methods) of existing facilities must be approved by the Company. As a precondition to obtaining the Company’s approval for the abandonment of existing facilities, all federal, provincial, and/or local government laws, regulations, by-laws, permits, authorizations, rules, procedures and mandated requirements must be obtained and adhered to by the Permit Holder.

Once all applicable federal, provincial, and/or local permits, authorizations and/or approvals are granted, a letter certifying same, if requested by the Company, shall be submitted to the Company by the Permit Holder prior to the commencement of any facility abandonment activities.

3.1.6. Crossing

3.1.6.1. Surface crossing (e.g. roads, driveways/access roads, sidewalks, railway)

Access Road - Maximum and minimum depths of cover for all areas of equipment/vehicular travel (e.g., highways, roads, railroads, construction access, driveways, parking lots, etc.) will be determined by the Company and local, provincial, and federal requirements. For this purpose, cover can be defined as the distance from the top of the pipe to the finished grade. Mitigative

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methods where the cover is insufficient will be determined on a case-by-case basis by the Company.

Test pits may be required, at the discretion of the Company, in areas where equipment/vehicle crossings and/or Permit Applicant facility crossings are proposed.

When planning parking areas, the pipeline ROW location is to be taken into account so as to avoid covering the ROW.

3.1.6.2. Subsurface crossing (e.g. cables, utility pipes, transmission/distribution pipelines)

Installation of fiber optic cables upon the Company’s pipeline prescribed area will be considered by the Company on a case-by-case basis and will be subject to the On-Site Activity Permit terms as specified by the Company.

Installation of all electrical cables within the Company’s prescribed area will require the Permit Applicant to provide the information listed below to the Company for its review and approval prior to any such installation:

- Number, spacing and voltage of cables
- Line loading and phase relationship of cables
- Grounding system
- Position of cables and load facilities relative to pipeline

Specific installation requirements for cables carrying less than 600 volts shall be determined by the Company on a case-by-case basis.

Installation of buried electrical cables carrying 600 volts or more upon the Company’s pipeline prescribed area will be considered by the Company on a case-by-case basis and will be subject to the On-Site Activity Permit terms as specified by the Company.


The Company’s pipeline is designed with a cathodic protection system which includes AC mitigation. Any crossing will require an assessment of this system at the cost, risk and responsibility of the Permit Applicant. Any additions or modifications that result from the assessment to the Company’s system will be the responsibility of the Permit Holder.

For metallic line installations two No. 10 THWN black insulated copper wires for the use of test leads will be installed and attached at the point of crossing for corrosion control monitoring at the discretion of the authorized Company representative. The test wires will be routed underground and terminated at a point specified by the Company.

3.1.7. Additional Measures – Facility Construction

In addition to the foregoing technical requirements for facility construction, the Permit Holder shall comply with the following measures:

- Ensure that the construction is carried out in accordance with the technical details that are set out in the person’s application for an On-Site Activity Permit and that have been accepted by EBPC, as well as with the conditions set out in the On-Site Activity Permit;

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- Ensure that the construction is completed within two years after the day on which the On-Site Activity Permit was obtained, unless EBPC and the Permit Holder agree on another time period that is set out in the On-Site Activity Permit;
- Comply with the instructions of EBPC’s authorized field representative regarding the procedures that are to be followed while carrying out the construction in the vicinity of EBPC’s pipeline and that relate to the pipeline’s safety and security;
- If interference with or alteration of a pipe becomes necessary, obtain EBPC’s On-Site Activity Permit to interfere with or alter the pipe;
- Carry out any construction that involves the interference with or alteration of a pipe under EBPC’s supervision; and
- Immediately notify EBPC of any contact with a pipe or its coating during the construction.

Once a facility has been constructed, Permit Holders shall comply with the following requirements:

- Maintain the facility in a state of good repair compatible with EBPC’s pipeline’s safety and security.
- Immediately correct any deterioration in the facility on being so notified in writing by EBPC
- Notify EBPC, in writing, of any proposed abandonment or removal of the facility; and
- Remove or alter the facility or part of the facility that could adversely affect the pipeline’s safe and efficient operation or that could jeopardize property and the environment and the safety and security of the public and of the Company’s employees.

3.2. Ground Disturbance Activities

Any ground disturbance activity within the prescribed area shall not be performed unless the authorized Company representative is on site. The Company representative shall have the authority to stop work or an activity at any time should it deem the work or activity unsafe or a danger to the public, the environment, the Permit Holder, and/or the Company’s employees and/or its facilities.


Third Party shall follow EBPC’s safety practices and pipeline markings while working in the vicinity of its pipeline and, in case of a ground disturbance, within the Prescribed Area.

3.2.1. Blasting

Ground disturbance activities within 200 metres of the pipeline, even though outside of the prescribed area, still require an On-Site Activity Permit.

Blasting operations, in addition to applicable federal, provincial and local laws, regulations, by-laws and codes, shall comply with the guidelines set forth below.

Under no circumstances shall blasting occur within the Company’s pipeline ROW, and no blasting shall occur outside the Company’s pipeline right-of-way if the Company determines that such blasting may be detrimental to its facilities. For any blasting proposed within 200 m (656 ft) of the pipeline ROW, the Company shall be advised in writing 90 calendar days prior to commencement of the blasting. A Blasting Proposal outlining the scope and location of work must accompany the notice.

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The Company requires all applicable blasting codes, by-laws, regulations and laws to be strictly followed in all cases. In addition, the Company reserves the right to require the Permit Applicant who will be undertaking blasting activity to furnish a certified Blasting Plan (including estimated peak particle velocities at the closest pipeline location and a proposed monitoring plan), incorporating the Company’s requirements based on the Blasting Proposal, a minimum of ten (10) working days prior to the commencement of blasting work. This shall provide the Company time to evaluate and to arrange for a Company representative to witness the blasting operation, including blast-hole drilling and loading activities.

The Company will require blast reports, including monitoring, within 24 hours of a blast for review.


3.2.2. Seismic Activity

The Company’s written permission is required prior to commencing seismic activity within 60 metres of the Company’s pipeline ROW.

3.2.3. Activity required for maintenance of a facility that causes a ground disturbance in the Prescribed Area

Any maintenance of an existing facility that causes a ground disturbance within the prescribed area is authorized if the Third Party engaged in the maintenance complies with the following requirements:

- Makes a locate request in accordance with these Guidelines
- Follows EBPC’s safety practices and pipeline markings while working in the vicinity of its pipeline and, in case of a ground disturbance, within the Prescribed Area.
- Does not undertake mechanical excavation that would cause a ground disturbance within the prescribed area within 5 m of a pipe, unless
 - i. if the excavation runs parallel to the pipe, the pipe has been exposed by hand at sufficient intervals to confirm the pipe’s location or EBPC has used a method that would permit it to confirm the pipe’s exact location and has informed the person of that location,
 - ii. if the excavation crosses the pipe, the pipe has been exposed by hand at the point of crossing or EBPC has used a method that would permit it to confirm the pipe’s exact location, has informed the person of that location and has confirmed that the pipe is at least 60 cm deeper than the proposed excavation, and
 - iii. if ground conditions render it impractical to locate the pipe using any of the methods set out in subparagraphs (i) and (ii), EBPC directly supervises any excavation;
- Complies with the instructions of the Company’s authorized field representative regarding the procedures that are to be followed during the activity and that relate to the pipeline’s safety and security;
- If interference with or alteration of a pipe becomes necessary, obtains an On-Site Activity Permit to interfere with or alter the pipe;
- Carries out any activity that involves the interference with or alteration of a pipe under the Company’s supervision;
- Immediately notifies EBPC of any contact with a pipe or its coating during the activity;

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- Unless otherwise agreed on by EBPC and the Permit Holder, notifies EBPC at least 24 hours before backfilling over a pipe.

3.2.4. Additional Measures – Ground Disturbance


In addition to the foregoing technical requirements for ground disturbance activities, the Permit Holder shall comply with the following measures:

- Ensure that the activity is carried out in accordance with the technical details that are set out in the person’s application for an On-Site Activity Permit and that have been accepted by EBPC, as well as with the conditions set out in the On-Site Activity Permit, including the conditions respecting directional drilling or the use of explosives;
- Ensure that the activity is completed within two years after the day on which the On-Site Activity Permit was obtained, unless EBPC and the Permit Holder agree on another time period that is set out in the On-Site Activity Permit;
- Not undertake mechanical excavation that would cause a ground disturbance within the prescribed area within 5 m of a pipe, unless
 - if the excavation runs parallel to the pipe, the pipe has been exposed by hand at sufficient intervals to confirm the pipe’s location or EBPC has used a method that would permit it to confirm the pipe’s exact location and has informed the person of that location,
 - if the excavation crosses the pipe, the pipe has been exposed by hand at the point of crossing or EBPC has used a method that would permit it to confirm the pipe’s exact location, has informed the person of that location and has confirmed that the pipe is at least 60 cm deeper than the proposed excavation, and
 - if ground conditions render it impractical to locate the pipe using any of the methods set out in subparagraphs (i) and (ii), EBPC directly supervises any excavation;
- Comply with the instructions of EBPC’S authorized field representative regarding the procedures that are to be followed during the activity and that relate to the pipeline’s safety and security;
- If interference with or alteration of a pipe becomes necessary, obtain an On-Site Activity Permit to interfere with or alter the pipe;
- Carry out any activity that involves the interference with or alteration of a pipe under EBPC’s supervision;
- Immediately notify EBPC of any contact with a pipe or its coating during the activity; and
- Unless otherwise agreed on by EBPC and the Permit Holder, notify EBPC at least 24 hours before backfilling over a pipe.

3.3. Operation of Vehicles/Mobile Equipment Crossing Brunswick Pipeline

Temporary vehicle or mobile equipment crossings at any location along the pipeline shall be performed in accordance with the guidelines set forth below:


- For the purposes of paragraph 335(2)(a) of the *CER Act*, the operation of a vehicle or mobile equipment across a pipeline is authorized if the person that intends to operate the vehicle or mobile equipment across the pipeline obtains the Company’s On-Site Activity Permit (prior written consent).
- Temporary bridging such as, but not limited to, additional cover, construction mats, or temporary structural spans shall be installed for the protection of the Company pipeline at

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any point of construction equipment crossing, unless approval to cross without protection is specifically granted in writing by the Company.

Exception: For the purposes of paragraph 335(2)(a) of the *CER Act*, the operation across the pipeline of a vehicle or mobile equipment that is used to perform an agricultural activity is authorized if the following conditions are met:

- the loaded axle weight and tire pressures of the vehicle or mobile equipment are within the manufacturer’s approved limits and operating guidelines; and
- the point of crossing has not been the subject of a notification by EBPC under the *CER Pipeline Damage Prevention Regulations – Authorizations (SOR/2016-124)*.

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4. LOCATE REQUESTS

All pipelines must be located using either Call Before You Dig: 1-888-410-2220 or Click Before You Dig: www.clickbeforeyoudig.com.

The Company will provide field locate services and mark its pipeline(s) at selected points in accordance with federal, provincial and local requirements, including providing the Permit Holder with information that clearly explains the significance of the pipeline markings.

If the Company representative requires the pipeline be located by excavation, the cost to excavate the pipeline and restore surface improvements (e.g., pavement, landscaping, and sidewalks) shall be the responsibility of the Permit Holder. Note: A Company representative must be present during any excavation to expose the pipeline. During this period, accurate survey data of the Company’s pipeline(s) shall be obtained by a qualified surveyor/engineer provided by and for the account of the Permit Holder. The surveyor shall prepare the plans, sections, and profile drawings and the Company shall be provided with a copy of the completed plans and drawings. All survey data shall be referenced using approved survey reference coordinates and datums.

In addition to complying with the above requirements, Permit Holders shall comply with the provisions of all federal, provincial and/or local laws, regulations, by-laws and permits relating to excavation and demolition work in the vicinity of underground facilities, including, but not limited to, the local one-call regulations and procedures.

As a method of reducing damages to underground infrastructure, pre-marking of the boundaries of the work area using white paint or equivalent (or alternate colour during the winter as noted on the locate request) by the excavator should be completed prior to locating.


Permit Holder, where practical, shall protect locate markings. When the mark is required for safe excavation, but is no longer visible, the Permit Holder shall stop work and contact the one-call service, where one exists, or the owner, to request a re-mark.

If a locate is found to be incomplete or inaccurate, or if any other significant discrepancies are found, the Permit Holder shall contact EBPC and cease ground disturbance activity until the locate is corrected.

Any contact with or damage to EBPC’s pipeline shall be immediately reported by the Permit Holder to EPBC. Any Permit Holder who discovers or causes damage to EBPC’s pipeline, shall immediately stop work and notify EBPC of the condition of the EBPC pipeline and request guidance on how to proceed.

4.1. Emergency Locate

In the case of emergency repairs to critical public infrastructure or for public safety, where it is not practicable to provide the standard 3 working days’ notice for a locate, the Third Party is still required to contact the Company via the One-Call System (1-888-410-2220 or www.clickbeforeyoudig.com) and obtain an emergency locate. In emergency situations, response to a request for locate information will be provided by EBPC as soon as possible, in accordance with its internal Procedures.

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5. SUSPENSION OF THE ON-SITE ACTIVITY PERMIT


EBPC may suspend the On-site Activity Permit granted to construct a facility or to engage in an activity that causes a ground disturbance within the prescribed area if the Permit Holder,

for facility construction:

- Fails to ensure that the facility construction activity is carried out in accordance with these Technical Guidelines; or
- Fails to ensure that the facility construction activity is carried out in accordance with the On-Site Activity Permit; or
- Fails to adhere to the technical details it provided to EBPC in their application and approved by EBPC with the issuance of an On-site Activity Permit; or
- Fails to comply with the instructions of EBPC’s authorized field representative regarding the procedures that are to be followed while carrying out the facility construction in the vicinity of EBPC’s pipeline and that relate to the pipeline’s safety and security; or
- The Permit Holder’s work practices might impair the pipeline’s safety or security.


for ground disturbance:

- Fails to ensure that the ground disturbance activity is carried out in accordance with these Technical Guidelines; or
- Fails to ensure that the ground disturbance activity is carried out in accordance with the On-Site Activity Permit; or
- Fails to adhere to the technical details it provided to EBPC in their application and approved by EBPC with the issuance of an On-site Activity Permit, including the conditions respecting directional drilling or the use of explosives; or
- Fails to comply with the instructions of EBPC’s authorized field representative regarding the procedures that are to be followed during the ground disturbance activity and that relate to the pipeline’s safety and security; or
- The Permit Holder’s work practices might impair the pipeline’s safety or security.

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6. RIGHT TO AMEND THE ON-SITE ACTIVITY PERMIT

The Company may in its sole and absolute discretion add to or amend the terms and conditions of the On-Site Activity Permit if it determines that additions or amendments are necessary to ensure the pipeline’s safety and security, and the safety and security of the public and the environment.

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7. APPENDICES

Appendix 1

Drawing Requirements

Issued for Construction Drawings

In order to maintain accurate records of the Brunswick Pipeline System, when applicable, the Permit Applicant is required to submit 'Issued for Construction' (IFC) drawings as part of the Permit Application that identifies all modifications and activity that could affect the pipeline. As a minimum, the Permit Applicant will be required to submit the following drawings:

Plan view with scale indicated


- clearly defines all details of the Applicant's facility;
- Accuracy to one tenth (0.1) metre or better;
- Facilities which tie dimensions to lot or survey line. Show location of Company's pipeline(s), pipeline appurtenances, markers, cathodic test facilities and right-of-way and other utilities and utility easements;
- Proposed activities (measured to the Company's pipeline easement);
- Temporary facilities used for construction purposes (examples: parking lots, storage yards, staging areas, laydown areas, etc.).

Profile/Cross Section view(s) with scales indicated

- Section view(s) along the proposed facilities that crosses the Company's pipeline or within the prescribed area.
- Depth of the Company's pipeline;
- Company pipeline right-of-way limits;
- Vertical distance of the proposed utility below grade;
- Existing and proposed grades, with reference point;
- Clearance to the Company's pipeline(s);
- Identify and state diameter of each underground facility;
- Identify coordinate system;
- Indicate vertical datum.

Notes

- All specifications for all of the proposed Applicant's facilities;
- Note referencing compliance with all applicable CSA standards and the Canada Energy Regulator Damage Prevention Regulations;
- Include a North Arrow and Scale on all drawings;
- Legal description of location of the Applicant's facility on all drawings (i.e. PID, parish, town, village, etc.);
- Name of the Applicant and the name of the engineering company who compiled the drawing (where applicable);
- Drawing number and the date of the drawing;
- Date and method of the survey;
- Signature of the Applicant and the engineering company;

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Change orders

During the course of the work, any change orders that impact the Company approved IFC scope and/or drawings will require review and approval from the Company.

As-Built Drawings

As a minimum, all information listed in regards to Issue for Construction drawings is required to be submitted in an As-Built state within 45 days of the project completion. As-built drawings submission must include:

- one (1) paper copy;
- one (1) PDF copy;
- a digital AutoCAD file using the latest edition; and
- If applicable, a record of all findings and observations generated from the excavation.

NOTE: The Permit Holder drawing(s) must be available to on site Company representative for reference during construction.