

Application to Participate form

Proposed Project and Hearing Information

Company: Enbridge Pipelines Inc. (Enbridge)	Project Name: Line 9B Reversal and Line 9 Capacity Expansion Project
NEB File Number: File OF-Fac-Oil-E101-2012-10 02	Hearing Order: OH-002-2013

The Project to be assessed in this hearing is defined as:

- the additions and modifications at the Project sites and resulting necessary changes to related procedures and commitments required to reverse a 639 km segment of pipeline to enable crude oil to flow between North Westover, Ontario and Montréal, Québec;
- the additions and modifications at the Project sites and resulting necessary changes to related procedures and commitments to enable an increase in capacity from 240,000 barrels per day (bpd) to approximately 300,000 bpd from Sarnia, Ontario to Montréal, Québec; and
- the revision to the Line 9 Rules and Regulations Tariff to allow for the transportation of heavy crude.

Step 1 - Important Information and Instructions

This form must be used to request participation in the OH-002-2013 hearing and must be filed appropriately with the National Energy Board (Board) and served on Enbridge, by **noon on 19 April 2013**, to be considered. A PDF copy of this form is available for download on the Board's website at www.neb-one.gc.ca under *Major Applications and Projects: Enbridge Pipelines Inc. – Line 9B Reversal and Line 9 Capacity Expansion Project*.

The Board will use the information you provide to make a decision as to whether you will be allowed to participate in the hearing. Previously-submitted information will not be considered. For more information, the *Guidance Document on Section 55.2 and Participation in a Facilities Hearing* is attached to the Hearing Order OH-002-2013 as Appendix VI, and again in Procedural Update No.1 for OH-002-2013 as Appendix III.

You must provide all required information in order for your application to be considered. If you do not provide sufficient information on this form, your Application to Participate will be denied.

Once you have completed this form, you must file it with the Board, and serve it on Enbridge. See paragraphs 28-33 of OH-002-2013 for directions on how to do so. It can be:

- sent by fax, mail or courier, or
- submitting it through the Board's electronic filing system once you have created a PDF version of your completed form. Instructions are provided at paragraph 12 of Hearing Order OH-0002-2013.

Please read the instructions for each section carefully. NOTE: You are not limited to the space or box provided in each section. The boxes are provided for your convenience and to indicate where information is required. If necessary, you may attach a separate sheet.

If you need support to fill out this form, please contact the Process Advisor, Michael Benson, by calling 403-299-1992 or toll free 1-800-899-1265. His contact information is in paragraph 65 of the Hearing Order for this proceeding. The Process Advisor cannot tell you what content you should provide on the form. It is your responsibility to demonstrate that you should be allowed to participate. You must provide an explanation to support your answers.

Step 2 - Your Application to Participate

Applicant for Participation - Contact Information

Date: April 19, 2013	
Name: Steven Guilbeault	Address: 50 Ste.Catherine W, #340
Title: Deputy Director	City: Montreal
Organization (only if you are representing an organization) Équiterre	Province: Qc
Telephone: 514-522-2000, ext. 292 1-877-272-6656	Postal Code: H2X 3V4
Facsimile: 514-522-1227	E-mail: sguilbeault@equiterre.org
Address for Courier/Personal Service: (if different from mailing address)	
Address:	Telephone:

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Only check this box and provide information below if this is applicable to you.

☒ I have permission to speak on behalf of others and to identify those persons and their interests on this Application to Participate.

NOTE: If the persons you are representing are applying to participate and listing you as their authorized representative, you do not need to complete this form or request to participate separately.

List the persons you are representing (only if applicable):

Équiterre, Environmental Defense, ENvironnement JEUnesse, Association québécoise de lutte contre la pollution atmosphérique, Climate Justice Montreal, Sierra Club – Quebec chapter, Nature Québec.

Only check this box and provide information below if this is applicable to you.

☐ **I have an authorized representative who may speak on my behalf.**

Authorized Representative – Contact Information

(If you do not have an authorized representative, please leave blank)

Name:	Address:
Title:	City:
Organization (if applicable)	Province:
Telephone:	Postal Code:
Facsimile:	E-mail:
Address for Courier/Personal Service: (if different from mailing address)	
Address:	Telephone:

Step 3 - Your Interest or Expertise

Before you continue with this form, refer to the Board's Guidance Document on Section 55.2 and Participation in a Facilities Hearing attached to the Hearing Order OH-002-2013 as Appendix VI, and again as Appendix III of Procedural Update No.1 for OH-002-2013.

I consider myself or the persons I am representing (select only one of the following):

- **directly affected** by the proposed Project
- having **relevant information or expertise**
- **both**

Having relevant information or expertise

If you checked “**directly affected**” or “**both,**” provide the following information in the box below:

- a) Describe your specific and detailed interest in the proposed Project. Note that mere opposition to or support for the proposed Project will not be enough.
- b) Describe how an approval or denial of the proposed Project causes a direct effect on your interest.
- c) Include information about: the degree of connection between the proposed Project and your interest; the likelihood and severity of harm you may be exposed to; and the frequency and duration of your use of the area near the proposed Project.

If you checked “**relevant information or expertise**” or “**both**”, check all sources of knowledge that apply and explain or outline your knowledge source in the box below.

The source of my knowledge is

- ☐ Academic
- ☒ Local (regional) knowledge
- ☐ Aboriginal knowledge
- ☐ Traditional knowledge
- ☒ Professional/Technical/Commercial
- ☒ Other

If available, please provide documentation with your application that supports your qualifications or describes the source of your relevant information (for example, a curriculum vitae, reference letter, description of your relevant experience, etc.).

Our relevant information and expertise will be drawn from the work of our energy and pipelines economic expert and our pipeline safety expert. We have engaged both experts in our past work. [The response to our intervenor funding application is pending.] In addition, we have significant organizational knowledge and expertise (as set out below) on issues of water, land, and air quality protection as well as energy and pipeline issues (among others) developed over a number of years by a number of our coalition groups. Members of our coalition, as mentioned below, have extensive experience in environmental public participation. Our coalition has particular experience in collaborative awareness work. Groups in the coalition are actively collaborating with dozens of citizen and community groups that are focusing on educating themselves and the general public about the implications of the Line 9B application across Ontario and Quebec.

Ecojustice, which will be representing the Coalition, has represented organizations in the regulatory process with the NEB for several pipeline projects across Canada. Équiterre and Environmental Defence, represented by Ecojustice, participated in all aspects of the review process for the Enbridge Line 9, phase 1 reversal in 2012.

Équiterre is currently part of an advisory committee to the Quebec environment minister on the elaboration of the 2020 plan to reduce greenhouse gas emissions. Équiterre has participated in the regulatory process of the Quebec energy board. Steven Guilbeault, lead on the project for Equiterre, has chaired (for the Quebec natural resources minister) a special task force on emerging renewables.

Environmental Defence has been a leading organization working to protect natural areas and water in southern Ontario, including extensive involvement in the Ontario Greenbelt, *Endangered Species Act*, *Clean Water Act* and *Green Energy Act*. Environmental Defence has also been involved in the regulatory process with various Ontario boards, including as an intervener in the 2012 NEB hearings into Enbridge’s application to reverse Line 9a.

ENJEU has since 2005 developed expertise on energy and climate issues, particularly through youth delegations at UNFCCC meetings. The organization has also developed workshops and student

programs across Quebec on climate change and energy. It has participated in various governmental consultations on energy issues.

Association québécoise de lutte contre la pollution atmosphérique (AQLPA) has for the past 30 years been a leading organization working against atmospheric pollution. Over this period, the AQLPA team has developed solid expertise on air quality issues and climate change, among others, through research, publications and many delegations at UNFCCC meetings. The organization has developed numerous effective programs to fight climate change, reduce atmospheric pollution, and to promote the use of clean energy across Quebec. It has also participated in various governmental consultations on energy issues. The AQLPA staff has many years of experience in environmental sciences to document the potential environmental and health impacts induced by the proposed pipeline reversal.

The Sierra Club has staff and available resources with many years of experience in climate change science, environmental and energy economics, the multitude of environmental impacts of the hydrocarbons industry, and the renewable and sustainable alternatives that exist today to diminish and eventually replace our dependence on a carbon-intensive economy. The Club's former National Director, Elizabeth May, is currently Leader of the Green Party of Canada.

Climate Justice Montreal (CJM) has established relationships with communities directly affected by climate change impacts and fossil fuel energy development issues. CJM is active with support work that empowers affected communities. CJM works for the well-being of affected communities and future generations.

Founded in 1981, **Nature Québec** has adopted the objectives of the World Conservation Union (IUCN): preserve biodiversity and maintain healthy ecosystems. Nature Québec has always maintained a two-pronged approach in its interventions: it has insisted on the basic objective of maintaining healthy ecosystems and their biodiversity, while maintaining consistent involvement in efforts to improve development strategies in sectors having major impacts on the land, whether these be in forestry, water, agriculture or energy. Over the years, Nature Québec developed several projects in relation to climate changes and actively participated in several coalitions addressing energy issues such as shale gas and offshore oil.

Step 4 - List of Issues

Appendix I of Procedural Update No.1 for OH-002-2013 sets out the List of Issues (Issues) that the Board will consider for this hearing. These Issues are all listed below for your convenience.

Refer to page 1 of this form and paragraphs of the Hearing Order for this proceeding for a description of the application before the Board and the project being assessed.

Check off the Issues you wish to speak to, and include for each:

- an explanation of the information you will be providing related to that Issue;
- how you will provide that information (i.e. format of the information); and
- an explanation of why your information is relevant.

If you check off an Issue you must indicate in the space below what you plan to submit.

NOTE: The Board will not consider the environmental and socio-economic effects associated with upstream activities, the development of oil sands, or the downstream use of the oil transported by the pipeline.

<input type="checkbox"/>	1. The need for the proposed Project.
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The information I will provide:

The coalition intends to hire (partly dependent on funding) a technical expert focused on pipeline safety and integrity as well as an economic expert with in-depth knowledge of issues relating to the economics of pipeline development on a North American basis. Each of these experts have been identified and relevant issues canvassed and reviewed. They are available to assist us in this hearing both in the investigatory process leading to the hearing and in presenting evidence to the Board by way of reports, memos or other documentary evidence.

The information of these experts will be provided to the Board by way of reports. These experts will also help inform requests to Enbridge on the need for the project, including need based on demand as set out in the Enbridge application. Our intervention will also seek to bring more transparency to the economics underlying the Enbridge application – and whether this justifies the need for the project. In this way we intend to assist the Board in its ‘public interest’ determination and the ‘need’ for the project.

Enbridge asserts that ‘the supply of lower-priced Canadian oil to Canadian refineries benefits the Canadian economy overall, including the economies of Ontario and Quebec.’ In addition, Enbridge states that the reversal is based on ‘customers’ requests for access to Western Canadian crude.’ Our economic expert will assist the Board in assessing the likely impact of the pipeline reversal on the price of supply since this assertion appears to underly some of the asserted socio-economic benefits, and perhaps customer demands for Western crude. What will be the impact on the Quebec refining market, identified by Enbridge, if the price of the oil is not lower? This matter goes both to the issue

of the ‘need or the proposed project’ as well as commercial and socio-economic issues outlined in issues 2 and 4 below.¹

<input type="checkbox"/>	2. The potential commercial impacts of the proposed Project.
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The information I will provide:

The Enbridge Application claims that the Project has substantial benefits in terms of allowing refineries in Québec to access lower cost crude supplies, resulting in increased competitiveness and sizable cost savings for these refineries.² However, the Application provides little (if any) documentation for these claims.³ Thus, in order to evaluate the need for the Project, and its commercial impacts, it will be necessary to seek the basis of the Enbridge claims regarding refinery cost saving via Information Requests (IRs). Our expert evidence will assist us in both posing questions to Enbridge’s assertions, and then analyzing this information for its reliability.

Our Information Requests will also address:

- The impacts of discontinuance of westbound Line 9 service from Montréal to North Westover Terminal, thus eliminating supply of crude oil from the east (notably through the Port of Portland) to Nanticoke’s refinery complex.
- Implication for dependence of Ontario and Quebec refineries upon crude supply from the west (notably from mid-continent and western Canadian sources).

<input type="checkbox"/>	3. The appropriateness of the proposed Rules and Regulation Tariff and tolling methodology.
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The information I will provide:

The current NEB-approved Line 9 Rules and Regulations Tariff do not allow transport of heavy crude -- only light and medium crudes with defined densities and viscosities can be transported.⁴ As

¹ Enbridge website, online at: <http://www.enbridge.com/ECRAI/Line9BReversalProject.aspx>

² Enbridge Application (Filing A3D711, p. 25):

The Project allows refineries in Quebec to access lower cost crude oil supplies from western Canada and the U.S. Bakken region, increasing the competitiveness of these refineries. Over the next 30 years, refinery cost savings of approximately \$23 B are expected as a result of the Project.

³ The Enbridge Application (Filing A3D711, pp. 24-25) does present some comparisons of light crude costs in 2011-2012 for western Canadian (Par @ Edmonton) and U.S. Bakken (Bloomberg Clearfield MN spot), vs. Atlantic Basin (Dated Brent Sullom Voe). But these historical comparisons of crude costs (at pricing locations near the wellhead) do not explain how Enbridge estimated refinery cost savings of approximately \$23 B over the next 30 years. The methodology to estimate potential future refinery cost savings would typically be based on future crude costs delivered to Québec refineries, comparing the cost of crudes that would be supplied by the Project, vs. alternative crude supply assumed to be relied upon absent the Project. The underlying data and assumptions necessary to estimate future refinery costs savings are not provided in the Enbridge Application.

⁴ In its decision authorizing reversal of Line 9A to flow west to east, the NEB determined that the current NEB-approved tariff for Line 9 does not allow transport of heavy crude on Line 9 and that Enbridge would need to apply to the Board for a change to allow transport of heavy crude ([Letter Decision OH-005-2011](#), p. 27):

part of the proposed Project, Enbridge has applied to revise the Line 9 Rules and Regulations Tariff to allow for the transportation of heavy crude, in addition to the light and medium crudes that have previously been allowed for transportation in this pipeline.

The type of crude being transported could potentially affect all of the issues that the NEB will consider in this proceeding (Procedural Update No. 1 Appendix I, Filing [A3G6J4](#), Adobe p. 11). We will be focusing on need for Project and commercial impacts (within Issues 1 and 2), so our analysis will target how the type of crude affects or impacts on these issues.

In addition, since Enbridge states that the demand identified in its open season focuses on light crude, therefore based on the work of our economic expert and responses to our information requests, we will attempt to elucidate arguments and information relating to the need for a tariff change to heavy crude.⁵

Also, what are the economic effects of a change in supply to heavy crude on Quebec refineries, given any issues relating to their capacity to refine heavy oil. How does such a change in supply affect the overall benefit of a lower price for Western crude ? This is an additional question that we will address, and that also plays into issue 4.

<input type="checkbox"/>	<p>4. The potential environmental and socio-economic effects of the proposed Project, including the potential effects of malfunctions or accidents that may occur, and any cumulative environmental effects that are likely to result from the proposed Project.</p>
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The information I will provide:

The Enbridge Application estimates that the Project has substantial socio-economic benefits.⁶ However, the Application does not provide a strong rationale for these estimates and assertions.⁷ Thus, in order to evaluate the potential socio-economic effects of the Project, it will be necessary to seek the basis of the Enbridge estimates via IRs, supported and informed by advice from our economic expert.

Enbridge's current NEB-approved tariff for Line 9 (as it currently operates in an east to west direction from Montreal, Québec to Nanticoke, Sarnia and the International Border near Chippewa, Ontario) does not allow it to transport heavy crude oil. Under the tariff, Enbridge can only ship and impose a toll for the transportation of light and medium petroleum products with defined densities and viscosities. In the future, if Enbridge wishes to transport heavy crude oil on Line 9, it will need to apply to the Board for this change under Part IV of the NEB Act.

⁵ The Enbridge website relating to the application states: "The open season confirmed additional demand to ship crude oil—mainly light crude oil—on the reversed pipeline from what had been originally anticipated." Online at : <http://www.enbridge.com/ECRAI/Line9BReversalProject.aspx>

⁶ Enbridge Application (Filing [A3D711](#), p. 25):

- Over a 30 year period (2013 – 2043), the Project is expected to result in socio-economic benefits, such as:
- an impact on Canadian Gross Domestic Product ("GDP") of approximately \$25 B, taking into account the Project's total multiplied impact;
 - labour income increase of nearly \$350 MM, mostly in the provinces of Ontario and Quebec; and
 - employment increases of approximately 5,500 person years, mostly in the provinces of Ontario and Quebec.

⁷ The socio-economic benefits estimated by Enbridge may (at least in part) be based on the other project benefits claimed by Enbridge in terms of lower cost crude supply and refinery cost savings . In any event, the Enbridge Application does not explain the relationship (if any) between the estimated socio-economic benefits and other project benefits claimed by Enbridge in terms of lower cost crude supply and refinery cost savings.

In addition, our economic expert will assist in assessing local economic impacts from a change to importing Western Canada crude, including the impact on local fuel prices and local economic development. Our economic expert will also look at the potential cost of a spill from the pipeline.

More specifically, we will document and assess:

- impacts related to potential tankers moving oil from Montreal to Quebec City area on the Saint-Lawrence river, as well as impacts from transport by rail, between Montreal and Quebec City area should be considered;
- assessing whether there is an evidentiary basis for the socio-economic benefits asserted by Enbridge;
- estimating the costs of a pipeline spill on the local region;
- examining potential socio-economic impacts identified from recent pipeline oil spills in Marshall, Michigan and Mayflower, Arkansas; We will submit and review information from the official NTSB report on the incident and from PHMSA & EPA reports.
- reviewing the identified ‘significant threats’ for municipal drinking water intakes in the Greater Toronto Area, relying on evidence found in the CTC Sourcewater Protection Plan modeling published in 2012;⁸
- reviewing impacts of a potential shift in oil supply (increased raw bitumen) and its impact on air and water quality in Ontario and Quebec.



5. The engineering design and integrity of the proposed Project.

The information I will provide:

The type of crude could also potentially affect and interact with many aspects of pipeline design and operations, including integrity, safety, security, and contingency and emergency response planning (issues 4, 5, 6, and possibly 9). This broad set of potential interactions could be quite significant, and members of the public and communities proximate to Line 9 have indicated significant interest and concern regarding the proposed Project.⁹ We intend to assist the Board by assessing these risks based on expert evidence (reports, memos, or other documentary evidence) and by testing Enbridge assertions by way of information requests. Given the importance and prominence of these matters, we will also focus on Enbridge’s application for a tariff revision to allow for transportation of heavy crude as a major area of inquiry in our IRs and written evidence.

Issues including pipeline safety, spills, and emergency response are especially relevant in the context of the proposed Project. With the proposed Project, the capacity of Line 9 would be substantially increased, and the volumes of crude being transported will be much higher than historic volumes.¹⁰

⁸ [http://www.ctcswp.ca/files/Map%204_1%20Lake%20Ontario%20-%20Intake%20Protection%20Zone\(1\).pdf](http://www.ctcswp.ca/files/Map%204_1%20Lake%20Ontario%20-%20Intake%20Protection%20Zone(1).pdf)

⁹ Comments on the List of Issues in this proceeding were received from numerous groups and individuals (Procedural Update No. 1, Filing A3G6J4, Adobe pp. 2-8; [List of Issues](#)).

¹⁰ The proposed Project would increase the capacity of the entire Line 9 from 240,000 to approximately 300,000 bpd (Hearing Order OH-002-2013, Filing A50521, Adobe pp. 1, 5; Enbridge Application, Filing A3D7I1, p. 18). During much of its life, Line 9 throughput was substantially below capacity, and Enbridge expressed concerns that this low rate of utilization could compromise physical integrity and increase maintenance requirements (Description and History of Line 9, December 16, 2009, Filing A1R0U9, pp. 7, 15; Enbridge Application, Pipeline Engineering Assessment, Filing A3D7J4, pp. 15, 51; Enbridge Application, Facilities Engineering Assessment, Filing A3D7JZ, pp. 15-18).

Increased flow volumes, and the mechanisms used to achieve these higher flows, can have important implications for safety and the potential for leaks.¹¹ Moreover, while to date Line 9 has only been used to transport light and medium crudes, the proposed Project would allow transport of heavy crudes, notably from Western Canada which we understand may include diluted bitumen.¹²

<input type="checkbox"/>	6. The safety, security, and contingency planning associated with the construction and operation of the proposed Project, including emergency response planning and third-party damage prevention.
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The information I will provide:

Issues including pipeline safety, spills, and emergency response are also especially relevant in the context of Line 9. This pipeline was constructed in the 1970s, and is now almost 40 years old.¹³ Line 9 traverses highly sensitive areas, notable in terms of high proximity to population, water crossings, and major water bodies. There is particular concern regarding Line 9B, which is in various ways atypical or unique for a Canadian crude oil pipeline. Line 9B extends through both of Canada's two largest metropolitan areas (Toronto and Montréal), and has especially close proximity to both human activity and water.

Line 9's close proximity to both human activity and water is an even greater concern given the manner in which this pipeline has been designed and operated. As indicated by Enbridge's response to an NEB information request, for a Canadian crude oil pipeline such as Line 9, Class Location (proximity to human activity) is not typically a factor in determining the pipe wall thickness required for a given MAOP (Maximum Allowable Operating Pressure).¹⁴ A simple reading of Enbridge's response indicates that, despite Line 9's high proximity to human activity, Enbridge:

¹¹ Documents relating to the proposed Project have typically characterized that this increase in capacity relates to the use of drag reducing agent (DRA) (e.g., Enbridge Line 9B Reversal Pre-Application Information, Filing [A3C2H4](#), p. 2). But the proposed Project also includes very substantial additions to mainline pumping capacity at all existing stations other than Terrebonne (Enbridge Application, Filing [A3D7I1](#), pp. 18, 20-21; Enbridge Application Documents of Understanding, Filing [A3D7I2](#)). Thus, TGG will need to undertake further investigation (notably via IRs) to determine to what extent the increase in throughput capacity is due to added pumping, rather than DRA. Likewise, TGG will need to investigate to what extent these substantial additions to pumping capacity relate to transport of heavy crude (which requires more pumping than lighter crudes). Finally, we will need to investigate further how DRA and added pumping will interact with various aspects of pipeline design and operations, including integrity, safety, security, and contingency and emergency response planning (within Issues 4, 5, 6, and possibly 9). The Enbridge application does acknowledge that DRA (and the resulting higher flow velocity) will increase risk owing to higher spill volumes, but characterizes the impact as small (Enbridge Application, Pipeline Engineering Assessment Appendix B, Filing [A3D7I6](#), pp. 4, 8, 11-12).

¹² Enbridge Response to NEB IR 1.5b (Filing [A3G4R8](#), p. 8):

In terms of any heavy crude transported on Line 9, we envision that the majority if not all of this crude will be sourced from Western Canada.

¹³ The NEB approved construction and operation of Line 9 in May 1975 (OC-30), and it commenced service in June 1976 (Description and History of Line 9, December 16, 2009, Filing [A1R0U9](#), p. 7). Some of the Line 9 facilities (notably at pumping stations and the Montréal terminal) were constructed in 1974 (Enbridge Application, Facilities Engineering Assessment, Filing [A3D7I7](#), pp. 9, 12-14).

¹⁴ NEB IR 1.25 (Filing [A3G4R8](#), pp. 4243):

Preamble:

Class Location is defined by CSA Z662-11 to be "a geographical area classified according to its approximate population density and other characteristics that are considered when designing and pressure testing piping to be located in the area."

The class location of a pipeline influences design factors, and design requirements for a pipeline. In reference i) CSA Z662 specifically addresses class changes that occur due to changes in population density and location development.

- a) did not use thicker pipe when Line 9 was built in the 1970s, and
- b) does not plan to increase safety margins (such as by retrofitting thicker pipe and/or reducing MAOP) in response to additional development and increasing human proximity along Line 9.

Our expert, Accufacts (whose evidence was accepted by the Board in the Line 9A hearing) has reviewed the NTSB/PHMSA investigation of the Marshall, Michigan Line 6B rupture, particularly regarding the hydrotesting protocol in the IM approach, and will be able to provide concrete information of pipeline safety (such as pipeline cracking, pipeline defects, pressure restrictions) that must not be overlooked in order to avoid spills. Our expert will review concerns about the state of the Line 9 pipeline – and assess the potential impact of shipping heavy crude through the pipeline including an evaluation of any additional risk of leaks or spills.

Given that Issues including pipeline safety, spills, and emergency response are especially relevant in the context of the proposed Project and Line 9, we will investigate¹⁵ and consider these Issues in evaluating whether the proposed Project (and specifically the Revision to allow for transportation of heavy crude) for the purposes of the Board's Issue 6 and broader public interest determination.

<input type="checkbox"/>	7. Consultation with Aboriginal groups and the potential impacts of the proposed Project on Aboriginal interests.
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Line 9 facilities and pipelines were built in 1970s. Since that time cities and other sensitive areas (playground, recreation area, outdoor theatre, industrial installation, etc.) have grown along the pipeline RoW.

A change in the land use surrounding the pipeline could affect the class location of the existing pipeline. In reference ii), Enbridge has defined, in its design pressure calculation, a unique location factor equal to 1, suggesting that all the Project facilities are located in class

1 locations, based on CSA Z662-11 classification. This would imply that there has been no change in class location along the pipeline since the 1970s.

Request:

Please provide the following:

- a) An update of current class locations for all facilities and pipeline portions involved in this Project from Sarnia to Montréal. [...]

Response:

- a) The Line 9 system carries crude oil and so is considered a low-vapour pressure system. [...] CSA Table 4.2, Location Factor for Steel Pipe, provides a location factor (L) for a LVP system of 1 regardless of the class location. [...] The objective of designating the class location is to identify the safety factor needed when determining the pressure design for steel pipe. For the Project, there are no additional protective measures required due to location pursuant to CSA. [...] Enbridge operates and maintains all LVP systems in the same way regardless of class location, and therefore an update of current class locations for all Project facilities and pipeline portions is not required.

¹⁵ The information now available indicates that pipe with minimum thickness was used along more than 70% of the 194 km Line 9A routing, with somewhat thicker pipe along the remainder (including 6.35 mm x 140.8 km; 7.14 mm x 43.6 km; 7.92 mm x 4.3 km; all pipe diameter NPS 30 (762 mm)) (Enbridge Line 9A Application, Engineering Assessment, Filing [A2C0V6](#), p. 7). Meanwhile, pipe with minimum thickness was used along more than 50% of the 639 km Line 9B routing, with somewhat thicker pipe along the remainder (including 6.35 mm x 342.9 km; 7.14 mm x 191.5 km; 7.92 mm x 92.1 km; all pipe diameter NPS 30 (762 mm)) (Enbridge Line 9B Application, Pipeline Engineering Assessment, Filing [A3D7J4](#), p. 14). Currently approved MAOPs for Line 9B are higher in the areas directly east of the pumping stations, so thicker pipe may have been used in the portions of Line 9B where pressures would tend to be higher given the original design (notably downstream (east) of Line 9B pumping stations operating in the original west to east flow configuration). The greater prevalence of thicker pipe on Line 9B, vs. Line 9A, may in part reflect that Line 9B traverses highly developed areas with many railway and other crossings where thicker pipe may have been used. TGG will need to investigate further to what extent the proposed Project (including pipe thickness, MAOP, and other aspects) provides adequate safety margins along both Line 9A and 9B and is otherwise in the public interest.

The information I will provide:

N/A

<input type="checkbox"/>	8. Consultation activities and potential impacts of the proposed Project on affected landowners and land use.
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The information I will provide:

N/A

<input type="checkbox"/>	9. The terms and conditions, related to the above issues, to be included in any approval the Board may issue for the proposed Project.
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The information I will provide:

We intend to provide input on 'terms and conditions' based on the information requests to Enbridge, additional Enbridge evidence, the expert and other evidence submitted for the hearing, and the information gleaned from arguments made at the hearing itself. These terms and conditions will also be based on advice obtained from our experts and based on our experience.

Step 5 - Your Method or Level of Participation

Please talk to the Process Advisor for this hearing, Michael Benson, for general information on the Board's hearing process and a description of what each method or level of participation typically involves.

- Commenters participate by submitting a Letter of Comment with the Board. Writing a Letter of Comment allows you to share your views on the Application in a letter. Commenters do not ask questions about other Participants' evidence or make a final argument at the oral portion of the hearing. This option is not eligible for the Board's Participant Funding Program.
- Being an Intervenor requires a time commitment to the hearing process. Intervenors are obligated to respond to information requests on any evidence they file. Further, Intervenors may ask information requests of other participants who filed evidence, file evidence themselves, and present final argument. They may also apply for and be granted funding through the Board's Participant Funding Program.
- Government Participants have participation rights similar to Intervenors, but may not be subject to answering questions from other Participants. They are not eligible for funding. This participation option is only available to government departments and agencies.

I wish to participate:

[As an Intervenor](#)

***** Do not attach any Letter of Comment to your application to participate.** The Board will review your application to participate first and notify you if you are allowed to participate as a Commenter before you may file a Letter of Comment. If you attach a Letter of Comment to this form, it will not be placed onto the record or considered as part of your Application to Participate. **NOTE:** The Board will not accept form letters and petitions.

Step 6 - Access, Notification, Service

If you are allowed to participate, which official language do you wish to use in correspondence with the Board and during the hearing?	English
Documents submitted electronically are available on the Board's electronic document repository, (Click "View" under "Regulatory Documents" at www.neb-one.gc.ca). If you have the capability to access the repository, the Board and other Participants in this proceeding may serve you by notifying you that a document has been filed and is available in the repository, instead of serving you with a hard copy of the <i>document</i> .	
Are you able to access the Board's electronic document repository?	Yes

Step 7 - Privacy Agreement

The Board, as a quasi-judicial tribunal, is authorized to collect and use personal information in the context of any Board Proceeding as set out in the NEB Act. The Board will collect, use and disclose that information for the purpose of the Proceeding.

Please note that, under the federal [*Personal Information Protection and Electronic Documents Act*](#) (PIPEDA), the [*Regulations Specifying Publicly Available Information*](#) state that personal information, as defined in PIPEDA, that appears in a record or document of a quasi-judicial body is publicly available provided that the collection, use and disclosure of that personal information relate directly to the purpose for which the information appears in the record or document. Personal information in a quasi-judicial record or document may therefore be considered public for the purpose of collection, use and disclosure without consent under section 7 of PIPEDA.

By submitting this form, you are acknowledging the above.

Date submitted: April 19, 2013

Print Name:

A handwritten signature in black ink, appearing to read 'Steven Guilbeault', written over a horizontal line.

Steven Guilbeault