



INSPECTION OFFICER ORDER NO. DRA - 1 - 2015

IN THE MATTER OF THE *NATIONAL ENERGY BOARD ACT*, AN ORDER UNDER SECTION 51.1

Full name of the recipient

is employed by NOVA Gas Transmission Ltd. (NGTL), and/or is a person conducting

Company Name

an excavation or construction on or near a facility located at 460118.18 E, 6355403.14 N.

On 19 November 2015, the undersigned *National Energy Board* Inspection Officer was

Date / time

providing routine oversight of the construction at:

NPS 20 McDermott Extension Athabasca River Horizontal Directional Drill (HDD) crossing.

Location on R.O.W., compressor, pump or meter station

The Inspection Officer has noted the following:

NGTL experienced and reported four incidents related to drilling fluid releases into the Athabasca River. Specifically, one release along the western channel on 23 October 2015 and three releases at the same location along the eastern channel on 1, 7 and 9 November 2015. NGTL ceased drilling operations following the 9 November 2015 incident. On 12 November 2015 the NEB Inspection Officer (IO) requested Material Safety Data Sheets (MSDS) for the released drilling fluid additives. On 13 November 2015 the MSDS information was received by the NEB IO. Following review of the information contained in the MSDS, the NEB IO notes that the toxicity of the drilling fluid has not been clearly established.

These observations represent non-compliance with Section 48 on the Onshore Pipeline Regulations, Condition 3 of Order XG-N081-013-2015 and Section 7.1 of the Environmental Protection Plan (EPP) for the McDermott Extension, Calumet River Sales and Calumet River No.2 Sales Meter Stations Project.

Section 48 of the OPR requires:

ENVIRONMENTAL PROTECTION PROGRAM

48. A company shall develop, implement and maintain an environmental protection program that anticipates, prevents, manages and mitigates conditions that could adversely affect the environment.

Condition 3 of Order XG-N081-013-2015 states:

3. NGTL shall implement or cause to be implemented all of the policies, practices, programs, mitigation measures, recommendations, procedures and its commitments for the protection of the environment included in or referred to in its application or in its related submissions.



Section 7.1.4 of the EPP states:

Ensure that drilling mud composition is limited to bentonite mud drilling systems, fresh water and, if warranted, other inert additives. No toxic additives will be allowed. Provide Material Safety Data Sheets (MSDS) to the Company upon request.

the inspection officer shall describe the grounds for making the order

Based on the above mentioned, the inspection officer has reasonable grounds to believe that a hazard to the safety or security of the public, or employees of a company or a detriment to property or the environment is being or will be caused by the construction, operation, maintenance or abandonment of the pipeline, or excavation activity or construction of a facility as per 49(2)(a).

Therefore, _____ is HEREBY ORDERED,

Full name of the recipient

pursuant to sections 51.1 and 51.1(2) of the *National Energy Board Act*, to

take measures specified below for guarding the safety or security of the public or employees or protecting property or the environment

Suspend work until the hazard or detrimental situation has been remedied to the satisfaction of the inspection officer; or the order is stayed or rescinded by the Board

Specified Measures: NGTL shall;

1. Cease drilling operations at the NPS 20 McDermott Extension Athabasca River Horizontal Directional Drill (HDD) crossing.
2. Provide for the approval of the Inspection Officer, an amended HDD Continuance Plan which includes:
 - a. Drilling fluid composition information, including complete toxicological and ecological information on all mud and sealant components.
 - b. The specific concentrations of additives used in the drilling fluid mixture.
 - c. An integrated contingency plan for fluid releases to the Athabasca River in both frozen and unfrozen conditions.

National Energy Board



Office national de l'énergie

3.

Inspection Officer	2365	
	IO Designation #	
	19 November 2015	
	Date	
517 10th Avenue SW Calgary AB T2R 0A8		