

National Energy
Board



Office national
de l'énergie

File OF-Fac-Oil-E101-2014-11 02
1 December 2016

Mr. Robert Bourne
Senior Regulatory Counsel
Enbridge Pipelines Inc.
3000, 425 First Street SW
Calgary, AB T3P 3L8
Facsimile 403-767-3863

Dear Mr. Bourne:

**Enbridge Pipelines Inc. (Enbridge)
Application for the Line 3 Replacement Program
Certificate OC-063**

Following the National Energy Board's Report OH-002-2015, the National Energy Board attaches, for your records, a copy of Certificate OC-063, in both official languages, which was approved by Governor in Council on 25 November 2016, pursuant to Order in Council P.C. 2016-1048.

The Board has issued Order XO-E101-004-2016 under section 58 of the *National Energy Board Act* (NEB Act) and granted Enbridge exemption from paragraphs 30(1)(b), 31(c), 31(d) and sections 33 and 47 of the NEB Act.

The Board has also issued Order MO-008-2016 pursuant to subsection 45.1 of the *National Energy Board Onshore Pipeline Regulations*, for the decommissioning of a portion of the existing Line 3 Pipeline, forming part of the Line 3 Replacement Program.

Yours truly,

Original signed by

Sheri Young
Secretary of the Board

Attachments



CERTIFICATE OC-063

IN THE MATTER OF the *National Energy Board Act* (NEB Act) and the regulations made thereunder; and

IN THE MATTER OF an application dated 5 November 2014 under section 52 of the NEB Act by Enbridge Pipelines Inc. (Enbridge), for a Certificate of Public Convenience and Necessity authorizing the construction and operation of a pipeline, forming part of the Line 3 Replacement Program (Project), filed with the National Energy Board (NEB or Board) under File OF-Fac-Oil-E101-2014-11 02.

BEFORE the Board on 19 April 2016.

WHEREAS the Project includes the decommissioning of approximately 1,067 km of existing Line 3 pipeline (Existing Line 3 Pipeline) and the construction and operation of approximately 1,096 km of new pipeline and related facilities (Section 52 Pipeline and related Facilities), in addition to 18 new pump stations, nine sending and receiving trap facilities, and expansion work at the Hardisty Terminal in Alberta encompassing three new storage tanks with associated facilities (Section 58 Facilities);

AND WHEREAS the Section 52 Pipeline and related Facilities are fully described in the attached Schedule A;

AND WHEREAS the Project has an estimated total cost of approximately \$4.8273 billion;

AND WHEREAS the Board reviewed Enbridge's application and all subsequent submissions made by Enbridge and the participants in the proceeding, and conducted an environmental assessment of the Project;

AND WHEREAS the Board held a public hearing in respect of the Project pursuant to Hearing Order OH-002-2015, as amended, during which the Board heard from Enbridge and the participants in the proceeding;

AND WHEREAS the Board had regard to all considerations that were directly related to the Project and were relevant, pursuant to Part III of the NEB Act;

.../2

AND WHEREAS the Board prepared and submitted to the Minister of Natural Resources the *National Energy Board Report for Enbridge Pipeline Inc.'s Line 3 Replacement Program* (Report) setting out the Board's recommendations for the Project;

AND WHEREAS the Board concluded that with the implementation of Enbridge's environmental protection measures and mitigation and the NEB's recommendations and conditions, the Project is not likely to cause significant adverse environmental effects;

AND WHEREAS the Board recommended that a Certificate of Public Convenience and Necessity be issued for the construction and operation of the Section 52 Pipeline and related Facilities;

AND WHEREAS the Board has issued Order XO-E101-004-2016 pursuant to section 58 of the NEB Act authorizing the construction and operation of the Section 58 Facilities, and Order MO-008-2016 pursuant to section 45.1 of the *National Energy Board Onshore Pipeline Regulations* (OPR) approving the decommissioning of the Existing Line 3 Pipeline;

AND WHEREAS the Governor in Council has decided, taking into account the implementation of mitigation measures specified in the Report with respect to the environmental assessment, that the designated Project is not likely to cause significant adverse environmental effects;

AND WHEREAS the Governor in Council by Order in Council No. P.C. 2016-1048 dated 25 November 2016, directed the Board to issue Certificate of Public Convenience and Necessity OC-063 for the Section 52 Pipeline and related Facilities, subject to the terms and conditions contained in Appendix III of the Report;

NOW THEREFORE, pursuant to section 54 of the NEB Act, the Board hereby issues this Certificate in respect of the Section 52 Pipeline and related Facilities.

This Certificate is subject to the terms and conditions listed below.

In this Certificate, the terms or expressions (in bold) have the following meanings:

Application - Enbridge's application dated 5 November 2014, pursuant to sections 52 and 58 of the *National Energy Board Act* (NEB Act) and section 45.1 of the *National Energy Board Onshore Pipeline Regulations* (OPR).

Certificate – Certificate of Public Convenience and Necessity authorizing the construction and operation of the Section 52 Pipeline and related Facilities, pursuant to section 54 of the NEB Act.

Commencing construction – the clearing of vegetation, ground-breaking and other forms of right-of-way (RoW) preparation that may have an impact on the environment (activities associated with normal surveying do not constitute commencing construction).

Enbridge – Enbridge Pipelines Inc.

for approval - When a condition requires a filing for NEB approval, Enbridge must not commence the indicated activity until the Board issues its written approval of that filing.

including – Use of this term, or any variant of it, is not intended to limit the elements to just those listed. Rather, it implies minimum requirements with the potential for augmentation, as appropriate.

NEB or Board – National Energy Board

Project – The Line 3 Replacement Program, and all of its applied-for components.

Section 52 Pipeline and related Facilities – The proposed pipeline and related facilities, forming part of the Project, for which Enbridge requests a Certificate pursuant to section 52 of the NEB Act. Specifically, the Section 52 Pipeline and related Facilities are two new 914 mm (NPS 36) replacement pipeline segments with a total Pipeline length of approximately 1,096 km. The proposed pipeline would transport heavy, medium and light crude oil at a maximum operating pressure (MOP) of 9,930 kPa.

General

1. Condition Compliance

Enbridge shall comply with all of the conditions contained in this Certificate, unless the Board otherwise directs.

2. Section 52 Pipeline and Related Facilities Design, Location, Construction, and Operation

Enbridge shall cause the Section 52 Pipeline and related Facilities to be designed, located, constructed, installed and operated in accordance with the specifications, standards, commitments made and other information included in or referred to in its Application or in its related submissions.

3. Environmental Protection

Enbridge 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.

4. Certificate Expiration (Sunset Clause)

Unless the Board otherwise directs prior to 1 December 2019 this Certificate shall expire on 1 December 2019 unless construction in respect of the Section 52 Pipeline and related Facilities has commenced by that date.

Prior to and During Construction

5. Security Management

Enbridge shall file with the Board, in accordance with the timelines below, confirmation, signed by an officer of the company:

- a) **at least 90 days prior to commencing construction**, that it has developed a Security Management Plan for construction of the Section 52 Pipeline and related Facilities; and
- b) **at least 90 days prior to commencing operations**, that it has amended its corporate Security Management Program to include operation of the Section 52 Pipeline and related Facilities, pursuant to the OPR and CSA Z246.1 (as amended from time to time).

Each filing shall include a statement confirming that the signatory to the filing is an officer of Enbridge.

6. Pipeline Environmental Protection Plan

Enbridge shall file with the Board for approval, **at least 90 days prior to commencing construction**, an updated Pipeline Environmental Protection Plan (Pipeline EPP) specific to the Section 52 Pipeline and related Facilities. The Pipeline EPP shall describe all environmental protection commitments, procedures, and mitigation and monitoring commitments, as set out in the Application, Enbridge's subsequent filings, or as otherwise agreed to in Enbridge's related submissions.

The Pipeline EPP shall include the following:

- a) environmental procedures, criteria for implementing these procedures, mitigation measures, and monitoring applicable to all phases and activities of the Section 52 Pipeline and related Facilities;
- b) any updates to contingency plans and management plans;
- c) updated environmental alignment sheets; and
- d) a reclamation plan for each of the different land use types traversed (for example, wetland, hayland, native prairie, cultivated, riparian), including a description of the condition to which Enbridge intends to reclaim and maintain the right-of-way once construction has been completed, and a description of measurable goals for reclamation.

7. Strain Based Design

Enbridge shall file with the Board, **at least 90 days prior to commencing construction**, the following information related to strain based design for the Section 52 Pipeline and related Facilities:

- a) A summary of the analysis completed to determine if strain based design is required; and
- b) If strain based design is determined to be required at some locations,
 - i. the location(s) and rationale for selecting strain based design at each of those locations;
 - ii. a report summarizing the adequacy of the strain based design for various loading scenarios during construction and operation for each location provided in i); and

- iii. a list of standards and specifications, including testing procedures, that are used in the strain based design.

8. *Finalized Watercourse Crossing Inventory and Design*

Enbridge shall file with the Board, **at least 90 days prior to commencing construction of any watercourse crossings**, the following:

- a) An updated inventory of all watercourses to be crossed, including, for each crossing:
 - i. the name of the watercourse being crossed and an identifier for the crossing;
 - ii. the location of the crossing;
 - iii. the primary and contingency crossing methods;
 - iv. planned construction timing;
 - v. information on the presence of fish and fish habitat;
 - vi. the fisheries timing window of least risk; and
 - vii. an indication of whether any of Fisheries and Oceans Canada's applicable *Measures to Avoid Causing Harm to Fish and Fish Habitat* will not be implemented.
- b) Detailed generic design drawings of trenchless, dry open-cut, frozen open-cut and isolation crossings of various watercourse types.
- c) For each watercourse crossing where any of Fisheries and Oceans Canada's applicable *Measures to Avoid Causing Harm to Fish and Fish Habitat* will not be implemented, for the primary watercourse construction methods, provide:
 - i. detailed crossing-specific design drawings;
 - ii. photographs of the crossing location, as well as upstream and downstream;
 - iii. a description of the fish species and habitat that is present at the crossing location, and if fish spawning is likely to occur within the immediate area;
 - iv. the site-specific mitigation and habitat enhancement measures to be used to minimize impacts;
 - v. any potential residual effects;
 - vi. proposed reclamation measures; and
 - vii. a discussion of the potential impacts to local fisheries resources within the immediate area as a result of the crossing construction.

9. *Construction Emergency Preparedness and Response Planning*

Enbridge shall file with the Board, **at least 60 days prior to commencing construction**, the Emergency Response Plan, specific to the Section 52 Pipeline and related Facilities, that will be implemented during the construction phase of the Section 52 Pipeline and related Facilities. The plan shall include spill contingency measures that Enbridge will employ in response to accidental spills attributable to construction activities, 24-hour medical evacuation, fire response, and security.

10. *Outstanding Traditional Land Use Investigations*

Enbridge shall file with the Board for approval and serve a copy on all participating Aboriginal groups, **at least 60 days prior to commencing construction**, a plan to address outstanding

Traditional Land Use (TLU) investigations for the Section 52 Pipeline and related Facilities. The plan shall include:

- a) a summary of the status of TLU investigations undertaken for the Section 52 Pipeline and related Facilities, including Aboriginal group-specific TLU studies and any supplementary pre-construction field investigation or reconnaissance activities relevant to potentially affected Aboriginal groups;
- b) a summary of the effects of the Section 52 Pipeline and related Facilities on the current use of lands and resources for traditional purposes identified in the investigations;
- c) a summary of the mitigation measures proposed by Enbridge and/or by affected Aboriginal groups to address the effects of the Section 52 Pipeline and related Facilities identified in the investigations;
- d) a description of how Enbridge has incorporated any additional mitigation measures into its Pipeline EPP;
- e) a description of any outstanding concerns raised by potentially affected Aboriginal groups regarding potential effects of the Section 52 Pipeline and related Facilities on the current use of lands and resources for traditional purposes, including a description of how these concerns have been or will be addressed by Enbridge; and
- f) a summary of any outstanding TLU investigations or follow-up activities that will not be completed prior to commencing construction, including an explanation as to why these will not be completed prior to commencing construction, and an estimated completion date, if applicable.

11. Aboriginal Consultation Reports

Enbridge shall file with the Board, **at least 30 days prior to commencing construction**, and at the end of every second month thereafter until completing construction, a report summarizing Enbridge's consultations with all potentially affected Aboriginal groups identified. These reports shall include:

- a) a summary of the concerns raised by Aboriginal groups
- b) a description of how Enbridge has addressed or will address the concerns raised;
- c) a description of any outstanding concerns; and
- d) a description of how Enbridge intends to address any outstanding concerns, or an explanation as to why no further steps will be taken.

12. Aboriginal Monitoring Plan

Enbridge shall file with the Board, and serve a copy on those Aboriginal groups identified in a), **at least 30 days prior to commencing construction**, a plan describing participation by Aboriginal groups in monitoring during construction. The plan shall include:

- a) a list of the Aboriginal groups consulted concerning participation in monitoring during construction;
- b) a list of those Aboriginal groups, if any, who have reached agreement with Enbridge to participate as monitors during construction;
- c) a description of the scope, methodology, and measures for monitoring activities to be undertaken by each participating Aboriginal group identified in b), including:
 - i. a summary of consultations undertaken with participating Aboriginal groups to determine the proposed scope, methodology, and measures for monitoring;

- ii. those elements of construction and geographic locations that will involve Aboriginal monitoring;
 - iii. a description of how information gathered through the participation of Aboriginal monitors will be used by Enbridge; and
 - iv. a description of how information gathered through the participation of Aboriginal monitors will be provided to participating Aboriginal groups; and
- d) for those Aboriginal groups who have not reached agreement with Enbridge to participate as monitors during construction, an explanation as to why.

13. Programs and Manuals - Safety

Enbridge shall file with the Board, **at least 30 days prior to commencing construction**, Construction Safety Manuals (project-specific Safety Plans) for the Section 52 Pipeline and related Facilities.

14. Commitments Tracking Table

Enbridge shall:

- a) file with the Board and post on its Project website, **within 90 days from the date of this Certificate and at least 30 days prior to commencing construction**, a Commitments Tracking Table (CTT) listing all commitments made by Enbridge in its Application or in its related submissions applicable to the Section 52 Pipeline and related Facilities, including reference to:
 - i. the documentation in which the commitment appears (for example, the Application, responses to information requests, hearing transcripts, permit requirements, condition filings, or other);
 - ii. the accountable lead for implementing each commitment; and
 - iii. the estimated timelines associated with the fulfillment of each commitment;
- b) update the status of the commitments in a) on its Project website and file these updates with the Board on:
 - i. a monthly basis until commencing operations; and
 - ii. a quarterly basis until the end of the fifth year following the commencement of operations; and
- c) maintain at its construction office(s):
 - i. the CTT listing all regulatory commitments and their completion status, including those commitments resulting from Enbridge's Application and subsequent filings and conditions from permits, authorizations and approvals;
 - ii. copies of any permits, approvals or authorizations issued by federal, provincial or other permitting authorities, which include environmental conditions or site-specific mitigation or monitoring measures; and
 - iii. any subsequent variances to permits, approvals or authorizations referred to in c) ii.

15. Watercourse Trenchless Crossings

Enbridge shall file with the Board, **at least 30 days prior to commencing watercourse trenchless crossings**, Enbridge's watercourse trenchless crossings execution plan.

16. *Depth of Cover at Water Crossings*

At water crossings, where the potential depth of scour exceeds 1.2 m, Enbridge shall bury the pipeline at a sufficient depth to prevent pipeline exposure during a 100-year flood event.

Enbridge shall file with the Board, **at least 15 days prior to commencing crossing work**, written notification including the following:

- a) the location of the crossing;
- b) the depth of cover to which the pipeline will be buried at the crossing; and
- c) a description of any additional measure, other than depth of cover, that will be implemented at the crossing to minimize the scour depth and/or the pipeline exposure.

17. *Contingency Watercourse Crossing Method*

- a) For any watercourse crossing where Enbridge will employ a contingency crossing method instead of its proposed primary method, and where all of Fisheries and Oceans Canada's applicable *Measures to Avoid Causing Harm to Fish and Fish Habitat* will be implemented, Enbridge shall file with the Board a notification to this effect, **at least 15 days prior to commencing the contingency crossing**. In the notification, Enbridge shall explain why the contingency method is being employed and provide a summary of the differences between the primary and contingency watercourse crossing methods.
- b) For any watercourse crossing where Enbridge will employ a contingency crossing method instead of its proposed primary method, and where any of Fisheries and Oceans Canada's applicable *Measures to Avoid Causing Harm to Fish and Fish Habitat* will not be implemented, Enbridge shall file with the Board **at least 30 days prior to commencing construction of the contingency watercourse crossing**:
 - i. confirmation of the contingency watercourse crossing method that will be employed, the rationale for employing that method, and a summary of the differences between the primary and contingency watercourse crossing methods; and
 - ii. the following site-specific information:
 - a. detailed crossing-specific design drawings;
 - b. photographs of the crossing location, as well as upstream and downstream;
 - c. a description of the fish species and habitat that is present at the crossing location, and if fish spawning is likely to occur within the immediate area;
 - d. the site-specific mitigation and habitat enhancement measures to be used to minimize impacts;
 - e. any potential residual effects;
 - f. proposed reclamation measures; and
 - g. a discussion of the potential impacts to local fisheries resources within the immediate area as a result of the crossing's construction.

18. *Heritage Resources*

Enbridge shall file with the Board, **at least 14 days prior to commencing construction**, confirmation, signed by an officer of the company, that:

- a) it has obtained or will obtain all of the required archaeological and heritage resource permits and clearances from Alberta Culture and Tourism; Saskatchewan Parks, Culture and Sport; and Manitoba Culture, Heritage and Tourism;
- b) it will meet any conditions and respond to any comments and recommendations contained in the permits and clearances referred to in a); and
- c) it has incorporated or will incorporate any additional mitigation measures into its Pipeline EPP as a result of any conditions or recommendations contained in the permits or clearances referred to in a).

19. *Construction Schedule*

Enbridge shall file with the Board, **at least 14 days prior to commencing construction**, a detailed construction schedule(s) identifying major construction activities, and shall notify the Board in writing of any modifications to the schedule(s) as they occur.

20. *Slope and Bank Failures*

Enbridge shall file with the Board, **at least 14 days prior to commencing geo-technical work**, a report that includes a detailed description and scope of the mitigation necessary to protect the Section 52 Pipeline and related Facilities and right-of-way, from future bank or slope failures.

21. *Field Joining Program*

Enbridge shall file with the Board, **at least 14 days prior to commencing joining activity**, the Field Joining Program

22. *Pressure Testing Program*

Enbridge shall file with the Board, **at least 14 days prior to commencing pressure testing**, the Pressure Testing Program that demonstrates compliance with applicable codes, standards, and regulatory requirements.

23. *Authorizations under paragraph 35(2)(b) of the Fisheries Act*

For those watercourse crossings that will require Authorization under paragraph 35(2)(b) of the *Fisheries Act*, Enbridge shall file with the Board, **at least 10 days prior to commencing construction of each of the watercourse crossings**, a copy of the Authorization under paragraph 35(2)(b) of the *Fisheries Act*.

24. *Welding and Non-Destructive Examination Procedures*

Enbridge shall, during welding activities, maintain at each construction site:

- a) a copy of the applicable welding procedures;
- b) a copy of the applicable non-destructive examination (NDE) and testing procedures used on the Section 52 Pipeline and related Facilities;
- c) all supporting documentation related to NDE and testing.

Enbridge shall include, in the applicable NDE and testing procedures referred to in b) and c) above, a requirement to delay NDE of final tie-in welds and any repairs to them for 48 hours following completion of welding.

25. *Breeding Bird Survey*

In the event of clearing, construction or reclamation activities for the Section 52 Pipeline and related Facilities within restricted activity periods for non-migratory birds protected under provincial jurisdiction and for migratory birds, Enbridge shall retain a qualified avian biologist to carry out a survey prior to these activities, in accordance with current Environment and Climate Change Canada guidance, to identify any birds and active nests in areas immediately surrounding the site. Enbridge shall file the results with the Board **every 15 days when surveys are active during the breeding bird restricted activity period.**

The results shall include:

- a) documentation or information to confirm that the appropriate provincial and federal government authorities were consulted prior to the activity, on the proposed methodology for the survey, the mitigation and monitoring to be used, and a description of any outstanding concerns they may have; and
- b) if active nests were found:
 - i. mitigation that was or will be implemented, including monitoring, which was developed in consultation with Environment and Climate Change Canada and the appropriate provincial government authorities, to protect any identified migratory and non-migratory birds and their nests; and
 - ii. mitigation that was or will be implemented including monitoring, developed in consultation with Environment and Climate Change Canada to protect any birds listed under the *Species at Risk Act*, and their nests.

26. *Protection of the Environment – Pressure Testing*

Enbridge shall file with the Board, **at least 60 days prior to commencing pressure testing of the Section 52 Pipeline and related Facilities**, a plan for the protection of the environment as a result of pressure testing activities. The plan shall include:

- a) aerial photographs or environmental alignment sheets showing the locations of all water withdrawal and discharge sites and any temporary workspace requirements to access those sites;
- b) a discussion of any clearing requirements and temporary access road construction activities that are required, to allow for the transportation of the hydrostatic test water;
- c) water withdrawal rates and volume to be withdrawn at each site;
- d) the site-specific environmental protection measures to be implemented at the water withdrawal and discharge sites and at temporary access sites;
- e) the circumstances under which hydrostatic test water would be reused; and
- f) whether any chemical additives would be used.

27. *Construction Progress Reports*

Enbridge shall file with the Board, **by the 15th day and the end of each month during construction**, construction progress reports. The reports shall include information on the activities carried out during the reporting period; any environmental, socio-economic, safety and security issues and issues of non-compliance; and the measures undertaken for the resolution of each issue and non-compliance.

Post-Construction and Operations

28. *Geotechnical Report on Slope Stability*

Enbridge shall file with the Board, **within 90 days after the completion of construction**, a geotechnical report on slope stability that includes:

- a) the geotechnical observations;
- b) the field recommendations;
- c) how Enbridge implemented the field recommendations during construction of the Section 52 Pipeline and related Facilities;
- d) the location of trench breakers, drainage and erosion control measures;
- e) all of the slope stabilization techniques implemented;
- f) its recommendations with respect to follow up monitoring;
- g) a plan to follow up on the recommendations made in f); and
- h) a rationale for circumstances where field or other recommendations have not been implemented.

29. *Operational Consultation Plan for Aboriginal Groups*

Enbridge shall file with the Board for approval, and serve a copy on all potentially affected Aboriginal groups, **at least 60 days prior to commencing operations**, a plan for consultation with Aboriginal groups during the operational phase of the Section 52 Pipeline and related Facilities. The plan shall include:

- a) a summary of how Aboriginal groups were consulted on the development of the plan, including:
 - i. a list of the Aboriginal groups consulted;
 - ii. a description of the design of and activities undertaken during the consultation;
 - iii. a summary of the results of the consultation in terms of input received from Aboriginal groups; and
 - iv. a description of how input received from Aboriginal groups has informed the design of the plan;
- b) a discussion of how implementation of the plan will be coordinated with regulatory requirements that may involve consultation with Aboriginal groups, such as the communication of information relating to safety, security and protection of the environment pursuant to paragraph 6.5(1)(m) of the *National Energy Board Onshore Pipeline Regulations*;
- c) a description of:
 - i. the consultation methods and tools to be used to implement the plan;

- ii. how information gathered through the implementation of the plan will be used by Enbridge; and
- iii. how information gathered through the implementation of the plan will be provided to participating Aboriginal groups; and
- d) a description of how the plan will be regularly evaluated and adapted as appropriate.

30. *Operational Consultation Plan for Landowners*

Enbridge shall file with the Board for approval, and provide notice to all landowners and a copy upon request, **at least 60 days prior to commencing operations**, a plan for consultation with landowners during the operational phase of the Section 52 Pipeline and related Facilities.

The plan shall include:

- a) a summary of how landowners were consulted on the development of the plan, including:
 - i. a description of the design of and activities undertaken during the consultation;
 - ii. a summary of the results of the consultation in terms of input received from landowners; and
 - iii. a description of how input received from landowners has informed the design of the plan;
- b) a discussion of how implementation of the plan will be coordinated with regulatory requirements that may involve consultation with landowners, such as the communication of information relating to safety, security and protection of the environment pursuant to paragraph 6.5(1)(m) of the *National Energy Board Onshore Pipeline Regulations*;
- c) a description of:
 - i. the consultation methods and tools to be used to implement the plan;
 - ii. how information gathered through the implementation of the plan will be used by Enbridge; and
 - iii. how information gathered through the implementation of the plan will be provided to participating landowners; and
- d) a description of how the plan will be regularly evaluated and adapted as appropriate.

31. *Operation and Maintenance Manual*

Enbridge shall file with the Board, **at least 14 days prior to commencing operations**, its Operation and Maintenance Manual.

32. *Condition Compliance by the Accountable Officer*

Within 30 days after commencing operations, Enbridge shall file with the Board a written confirmation, by its accountable officer, as defined in the *National Energy Board Onshore Pipeline Regulations*, that the Section 52 Pipeline and related Facilities were completed and constructed in compliance with all applicable conditions in this Certificate. If compliance with any of these conditions cannot be confirmed, the accountable officer shall file with the Board details as to why compliance cannot be confirmed. The filing required by this condition shall include a statement confirming that the signatory to the filing is Enbridge's accountable officer.

33. *Landowners Issues Resolution Tracking*

Enbridge shall file with the Board, **within 30 days after commencing operations**, a written confirmation that it created and will maintain records to chronologically track landowner issues resolution related to the Section 52 Pipeline and related Facilities. The landowner issues resolution records shall include:

- a) the date the issue was raised with Enbridge;
- b) how the issue was raised with Enbridge (that is, telephone, mail, email);
- c) subsequent dates of all telephone calls, correspondence, site monitoring/inspections, follow up reports and other documentation related to the issue and issue resolution;
- d) updated contact information for all persons involved in the issue resolution;
- e) the date the issue was resolved; and
- f) if the issue was not resolved, any further actions to be taken or a rationale for not taking further action.

34. *Pipeline Geographic Information System (GIS) Data*

Enbridge shall file with the Board, **within one year after commencing operations**, GIS data in the form of an Esri® shape file that contains pipeline segment centre lines, where each segment has a unique outside diameter, wall thickness, maximum operating pressure (MOP), external coating, field-applied girth weld coating, and pipe manufacturing specification. If the above values of the pipeline change at any point along the length of the pipeline, the pipeline should be segmented at that point. The datum shall be NAD83 and projection shall be geographic (latitudes and longitudes).

35. *Emergency Response Exercise*

Within 18 months after commencing operations, Enbridge shall:

- a) conduct one full-scale and two table-top emergency response exercises. Of the three exercises, one shall be conducted in every province in which the Section 52 Pipeline and related Facilities operate (those are, Alberta, Saskatchewan, and Manitoba). The objective of the emergency response exercises shall be to test the effectiveness and adequacy of the:
 - i. Emergency Procedures Manual;
 - ii. training of company personnel;
 - iii. communications systems;
 - iv. coordination of emergency response activities with responders, mutual aid partners and other agencies;
 - v. response equipment;
 - vi. safety procedures; and
 - vii. exercise debrief process;
- b) Provide the Board in writing, **at least 45 days prior to the date of each emergency response exercise referred to in a)**, the following:
 - i. location of the exercise;
 - ii. exercise coordinator;
 - iii. date of the exercise;
 - iv. duration of the exercise;

- v. confirmation that a representative from each province (that is, Alberta, Saskatchewan and Manitoba) has been invited to participate in or observe the exercise;
 - vi. the name and organization of each individual, including representatives from Aboriginal groups, invited to participate in the exercise,
 - vii. type of exercise (that is, tabletop, or full scale); and
 - viii. goals (for example, focus of exercise, scope, scale, extent of play, format, evaluation method), and how success is measured;
- c) file with the Board, **within 90 days of completion of each emergency response exercise referred to in a)**, a report that documents the results of the exercise including:
- i. how the exercise achieved the stated objectives;
 - ii. participant feedback and areas for improvement; and
 - iii. a corrective action plan to address the findings from the exercise.

36. *Post-Construction Environmental Monitoring Reports*

Enbridge shall file with the Board, **on or before 31 January following each of the first, third and fifth complete growing seasons after completing final clean-up**, a post-construction environmental monitoring report that:

- a) describes the methodology used for monitoring;
- b) identifies any modifications from the criteria established for evaluating reclamation success described in its Pipeline EPP, as approved by the Board, and the rationale for any modifications;
- c) identifies the issues to be monitored, including unexpected issues that arose during construction, and their locations (for example, on a map, diagram or table);
- d) describes the current status of the issues (resolved or unresolved), any deviations from plans, and corrective actions undertaken;
- e) assesses the effectiveness of mitigation measures (planned and corrective) against the criteria for success;
- f) includes a summary of Enbridge's consultation with appropriate government authorities, and any potentially affected Aboriginal groups and stakeholders, including any issues or concerns raised and how Enbridge has addressed or responded to them; and
- g) provides proposed measures and the schedule that Enbridge will implement to address any ongoing issues or concerns.

37. *Operational Consultation Report*

Enbridge shall file with the Board, **five years after commencing operations**, an operational consultation report. The report shall be filed with the Board on or before 31 December of the reporting year and shall include:

- a) a summary of the outcomes of the operational consultation plans for Aboriginal groups and landowners (**Conditions 29 and 30**), including activities undertaken and lessons learned;
- b) an assessment of the overall effectiveness of the operational consultation plans for Aboriginal groups and landowners; and

- c) a summary of any changes or improvements that have been made to the operational consultation plans for Aboriginal groups and landowners.

Issued at Calgary, Alberta this 1st day of December 2016.

NATIONAL ENERGY BOARD

Original signed by

Sheri Young
Secretary of the Board

**SCHEDULE A
Certificate OC-063**

**Enbridge Pipelines Inc. (Enbridge)
Application dated 5 November 2014
Pursuant to section 52 of the *National Energy Board Act***

**Line 3 Replacement Program
File OF-Fac-Oil E101-2014-11 02**

Line 3 Replacement Pipeline Specifications (Section 52 Pipeline and related Facilities)
New Construction

Specification	From Hardisty Terminal in Alberta to Cromer Terminal in Manitoba	From NW 9-9-26 WPM to Gretna Station in Manitoba
Location (endpoints)	From: Tie-in at existing Hardisty Terminal in Alberta at E ½ 19-42-13 9 W4M To: Tie-in at existing Cromer Terminal in Manitoba at NE 17-9-28 15 WPM and SE 20-9-28 WPM	From: Tie-in to Existing Line 3 Pipeline at NW 9-9-26 WPM To: Tie-in to existing Gretna Station in Manitoba at SE 8-1-1 WPM
Approximate Length	800 Km	300 Km
Outside Diameter	914.4 mm (NPS 36)	
Minimum Wall Thickness	11.8 mm	
Minimum Wall Thickness at Crossings	12.7 mm	
Pipe Material	Carbon steel	
Pipe Material Standard	CSA Z245.1 CATEGORY I	
Pipe Grade	483 MPa (X70)	
Pipe Manufacture Process – Long Seam Type	Straight	
Pipe Manufacture Process – Welding Method	Submerged Arc Welding (SAW)	
External Coating Type	Fusion bonded epoxy (FBE)	
Maximum Operating Pressure	9,930 kPa (1,440 psi)	
Product	Crude oil (low vapour pressure (LVP) non-sour service)	