



Ms. Sheri Young  
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11 October 2016

**Re: Comments on the National Energy Board's Notice of Intent to Order Pipeline Companies to Publish Emergency Management Program Information**

Dear Ms. Young,

The Canadian Energy Pipeline Association (CEPA) respectfully submits this letter of comment on the *Notice of Intent to Order Pipeline Companies to Publish Emergency Management Program Information* (Notice of Intent) and draft Order issued by the National Energy Board (NEB) on 8 September 2016. CEPA member companies operate 119,000 kilometers of transmission pipelines in Canada, 66,600 of which fall under the jurisdiction of the NEB. Our members transport 97 per cent of Canada's daily natural gas and onshore crude oil production from producing regions to markets throughout Canada and the United States in a manner that emphasizes safety, pipeline integrity, and social and environmental stewardship.

CEPA and its member companies support initiatives to improve public confidence and transparency in the pipeline industry. Our industry is committed to working with governments, regulators and other stakeholders to meet their expectations in order to maintain public confidence. As such, we are supportive of the objective articulated in the Notice of Intent.

CEPA members appreciate the opportunity to provide comments on the draft Order. Our comments have been divided into two broad themes: (1) Content, and (2) Implementation and Compliance.

#### **CONTENT**

The NEB indicates that Canadians have expressed an interest in information related to a pipeline company's overall Emergency Management (EM) Program, for example, the processes used to develop emergency preparedness and response procedures. In response, the NEB has issued referenced Notice of Intent and draft Order. In Appendix A to the draft Order, the NEB has provided guidance regarding the information that should be published, which aligns with the topics and elements of an expected EM Program required by regulation. Posting of emergency management program information on company websites will not only increase transparency but, will also highlight the explicit, comprehensive and proactive measures pipeline operators take to protect people, property and the environment.

As with Order MO-006-2016, the draft Order is clear that companies would not be required to publish sensitive information such as personal information and security information. CEPA agrees that a similar exemption should apply in respect of both orders.



CEPA members believe that the specific details of “what” is considered in program development should be protected, while information on “how” these elements are considered can be summarized and communicated to the public. Specifically, CEPA members agree that a summary-level narrative describing how companies consider these elements in the development of their EM Program will help inform Canadians about how pipeline companies conduct emergency response planning. Member companies also believe that transparency can be enhanced and duplication can be reduced by pointing the reader to the company’s publicly available emergency procedures manuals.

To ensure a common understanding of the considerations that should be included in the publically available EM Program information, CEPA requests that the NEB provide clarity on the terms “specific infrastructure” and “remoteness of facilities” which are included in the bulleted list on the second page of Appendix A.

### IMPLEMENTATION AND COMPLIANCE

Given the nature and extent of information to be drafted and prepared for public release, the draft Order proposes a very short timeline for publication of EM Program information on company websites. This creates a resourcing and execution challenge for member companies. In addition, the timeline to implement by 31 March 2017 coincides with a number of existing initiatives for the NEB, which includes, but is not limited to:

- 1) filing of annual Emergency Procedures Manual updates as requested by the Board by April 1 of each year,
- 2) creation and submission of the annual Pipeline Performance Measures as requested by the Board by April 1, and
- 3) creation and submission of the annual Accountable Officer Report which is required by April 30 of each year.

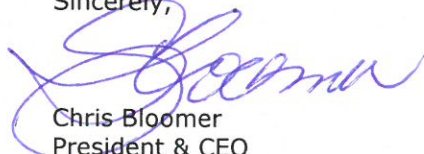
CEPA requests that the NEB extend the 31 March 2017 deadline to 30 September 2017, to allow for the preparation and posting of quality information.

### CONCLUSION

CEPA members are dedicated to continuing the development of a safe and environmentally sustainable energy pipeline industry. CEPA members also support increased transparency by providing Canadians with information about their EM Program. Canadians must have confidence in the ability of the pipeline industry to effectively respond in the event of an emergency. Member companies view posting of the EM Program information along with the Emergency Procedures Manuals (per Board Order MO-006-2016) as a step in the right direction to gain public trust and further enhance transparency.

Thank you for this opportunity to provide comments on the draft Order. CEPA and its member companies look forward to continuing our dialogue on emergency preparedness and response matters with the NEB, other stakeholders, interested persons and indigenous peoples.

Sincerely,



Chris Bloomer  
President & CEO