



15 December 2014

To: All Companies Under the National Energy Board's Jurisdiction

Re.: *NEB Event Reporting Guidelines and Single-Window Reporting of Reportable Events in the regulations made under the National Energy Board Act, the Canada Oil and Gas Operations Act and Hazardous Occurrences under the Canada Labor Code, Part II.*

The National Energy Board (NEB) has developed a web-based Online Event Reporting System (OERS) that regulated companies are required to use to report events under the various regulations administered by the Board. In addition to this system, the attached document entitled *NEB Event Reporting Guidelines* (the Guidelines) provides companies with greater clarity regarding the Board's requirements with respect to event reporting under its various regulations. With the exception of "significant incidents" (see section 11 of the Guidelines), OERS replaces the requirement for companies to report events relating to NEB-regulated facilities to the Transportation Safety Board (TSB) reporting hotline (as established by the "Single-Window Reporting Letter" issued by the NEB dated 25 August 1999).

The events that are reportable using the online reporting system are:

- incidents under the *National Energy Board Onshore Pipeline Regulations (OPR)*, *National Energy Board Processing Plant Regulations (PPR)*, and *Canada Oil and Gas Drilling and Production Regulations (DPR)/Oil and Gas Drilling Regulations*;
- unauthorized activities under the *National Energy Board Pipeline Crossing Regulations Part II*;
- emergency burning or flaring under the PPR;
- hazard identification under the PPR;
- suspension of operations under the PPR;
- near-misses under the DPR;
- serious accidents or incidents under the *Canada Oil and Gas Geophysical Operations Regulations/Oil and Gas Geophysical Operations Regulations*;
- emergencies or accidents under the *Canada Oil and Gas Installation Regulations/Oil and Gas Installation Regulations*; and

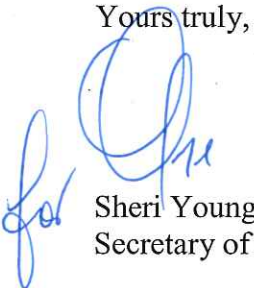
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- accidents, illnesses, and incidents under the *Canada Oil and Gas Diving Regulations/Oil and Gas Diving Regulations*.

Effective **1 January 2015**, regulated companies are directed to follow the *NEB Event Reporting Guidelines* and report the events listed above to OERS located at the following web address:
<https://apps.neb-one.gc.ca/ers>

In the event that OERS is unavailable, companies are directed to report events to the TSB Reporting Hotline at **819-997-7887** (collect calls accepted). Companies are reminded to revise their Emergency Response Manuals and other emergency notification procedures to reflect the new event reporting model.

Yours truly,



Sheri Young
Secretary of the Board

National Energy
Board



Office national
de l'énergie

National Energy Board

Event Reporting Guidelines

December 2014

National Energy Board Act:
Onshore Pipelines Regulations
Processing Plant Regulations
Pipeline Crossings Regulations Part I
Pipeline Crossings Regulations Part II

Canada Oil and Gas Operations Act:
Drilling and Production Regulations
Installations Regulations
Geophysical Operations Regulations
Diving Regulations

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1.0 Goal

The goal of this document is to provide National Energy Board (NEB, the Board) regulated companies with greater clarity regarding the Board's expectations for event reporting (e.g., incidents, occurrences, etc.) under its regulations. This will (a) provide companies with the information necessary to clearly understand the Board's expectations with respect to event reporting; and (b) require companies to provide the NEB with the information necessary for the NEB to conduct the appropriate follow-up.

2.0 Background

This document sets out the events that are reportable under the regulations administered by the Board and provides examples of such events. It also explains the Board's expectations as to the timing of reporting and the information required when reporting events.

All companies regulated by the NEB under the *National Energy Board Act* (NEB Act) and the *Canada Oil and Gas Operations Act* (COGOA, as it applies to the Norman Wells proven area and offshore) are responsible to follow the reporting requirements set out in this document. In addition, companies that are regulated by the Board under the *Northwest Territories Oil and Gas Operations Act* (OGO) in the Inuvialuit Settlement Region are required to report events in accordance with these guidelines.¹ Companies may have additional reporting requirements under other legislation such as the *Canada Labour Code* (CLC) and are responsible for reporting to the appropriate government departments or agencies.

The NEB and the Transportation Safety Board of Canada (TSB) have adopted a single window reporting approach. However, in some areas, the TSB reporting requirements are somewhat different than the NEB requirements. For additional details on the TSB reporting requirements, companies should refer to the TSB website (<http://www.tsb.gc.ca/eng/incidents-occurrence/pipeline/index.asp>).

2.2 Precautionary Approach

The Board's top priorities are the safety and security of people, and the protection of the environment and property. Accordingly, it is the Board's expectation that each company take a precautionary approach to the reporting of events. This means that even if there is some doubt as to whether an event should be reported, the company must report the event. In other words, companies should adopt a "when in doubt, report" approach. This approach to event reporting is consistent with NEB-regulated companies' responsibility for anticipating, preventing, mitigating and managing incidents of any size or duration.

In cases where an event was reported and subsequent evidence indicates that it was not reportable, the NEB records will reflect this and the event will not be included on the company's compliance record.

¹ On 1 April 2014, the Government of the Northwest Territories assumed responsibility for the regulation of onshore oil and activities in most areas in the NWT. However, the NEB continues to be the regulator for projects in the Inuvialuit Settlement Region regulated under OGO.

2.3 NEB Oversight of Event Reporting

In accordance with section 12 of the NEB Act, the NEB reviews all events that are reported in order to assess whether companies have taken the appropriate corrective actions and to identify trends that may exist in regard to events. The NEB implements enforcement actions where necessary if any non-compliance is identified during the course of review.

In addition, the NEB may, on its own or working with other government bodies (e.g., the TSB), open a formal investigation of an event.

3.0 NEB Act - Onshore Pipelines Regulations

3.1 Definition of "Incident"

Section 52 of the OPR requires companies to notify the Board of all incidents relating to the construction, operation, or abandonment of their pipelines.

An "incident" is defined in section 1 of the OPR as:

an occurrence that results in

- (a) the death of or serious injury to a person;
- (b) a significant adverse effect on the environment;
- (c) an unintended fire or explosion;
- (d) an unintended or uncontained release of low-vapour pressure (LVP) hydrocarbons in excess of 1.5 m³;
- (e) an unintended or uncontrolled release of gas or high-vapour pressure (HVP) hydrocarbons;
- (f) the operation of a pipeline beyond its design limits as determined under CSA Z662 or CSA Z276 or any operating limits imposed by the Board.

Paragraphs (a), (b) and (f) have been identified as requiring additional guidance and are clarified below.

3.1.1 "The death of or serious injury to a person"

Companies are required to report a death or serious injury to a person only where the death or injury is a result of an occurrence that relates to the construction, operation, or abandonment of a pipeline². Whether a death or injury is related to the construction, operation, or abandonment of a pipeline will depend on whether the person who was killed or injured was working at the time of the incident and/or whether the work was a cause or contributing factor to the incident. It is important to note that, unlike

² As that term is defined in the NEB Act.

the CLC, the OPR does not differentiate between different types of “persons”. Therefore, companies must report all deaths or serious injuries to *any person* that occur relating to pipeline construction, operation, or abandonment regardless of whether that person was directly employed by the company.

Where it is unclear whether a death or serious injury relates to the construction, operation, or abandonment of a pipeline (e.g., a suspected heart attack), the Board expects that companies will employ the precautionary approach and report such deaths. Companies will have the opportunity to demonstrate, as part of their detailed reports (see section 10), that the occurrence that resulted in a death or serious injury did not qualify as an incident (e.g., that it resulted from a pre-existing health condition unrelated to the work that the person was doing). In these cases, the NEB will change the status of the occurrence from reportable (i.e., an incident) to not reportable.

The definition of “serious injury” in the OPR is not exhaustive and contains multiple injuries that qualify as serious, including “the fracture of a major bone”. The NEB uses the following definition of “major bone”: skull, mandible, spine, scapula, pelvis, femur, humerus, fibula, tibia, radius, and ulna.

It is possible that a single occurrence may result in multiple serious injuries (e.g., an occurrence that results in both the loss of sight in one or both eyes, as well unconsciousness). Companies must report all serious injuries that qualify as incidents, even if all injuries result from a single occurrence. If multiple serious injuries or deaths occur as a result of a single incident at the same location or if multiple serious injuries occur to the same person in a single event, companies are expected to report those occurrences under a single incident report. Conversely, if multiple serious injuries occur at different locations companies are expected to file separate reports for each occurrence. Companies should refer to section 10 for additional information on reporting information requirements.

3.1.2 “Significant adverse effect on the environment”

For the purposes of notification under section 52 of the OPR, the Board employs the following definition for significant adverse effect on the environment:

a release of any chemical or physical substance at a concentration or volume sufficient to cause an irreversible, long-term, or continuous change to the ambient environment in a manner that causes harm to human life, wildlife, or vegetation.

Events that fall under this definition include, but are not limited to:

- release of a toxic substance (as defined in the OPR) into a sensitive environment (e.g., watercourse or wetland) or into a designated national/provincial area (e.g., national park, provincial park, wildlife refuge);
- “frac outs” released directly into a watercourse during horizontal directional drilling operations;
- the release of a toxic substance in an area where there is a pathway to a receptor nearby (e.g., the groundwater or surface water is used for drinking water, irrigation water, and/or is consumed by livestock); and

- the destruction of critical habitat, as that term is defined in the *Species at Risk Act*.

Companies are expected to apply the precautionary approach and report all occurrences that may result in a significant adverse effect on the environment. Companies will have the opportunity to demonstrate, as part of their detailed reports (see section 10), that the occurrence did not have a significant adverse effect on the environment. In these cases, the status of the occurrence can be changed from reportable (i.e., an incident) to not reportable.

It should be noted that, if adverse effects are caused by residual contamination from a historical event, it should be reported through the Secretary of the Board as a Notification of Contamination. This process is further described in the *NEB Remediation Process Guide*.

3.1.3 “Operation of pipeline beyond its design limits...”

For the purposes of notification under section 52 of the OPR, the Board employs the following definition for an “operation beyond design limits”:

any operation of the pipeline beyond the criteria for which the pipeline was designed and/or the operation of the pipeline beyond criteria imposed to mitigate a condition on the pipeline. This includes conditions that have been demonstrated by an engineering assessment to provide continued fitness for service of the pipeline (e.g., pressure restrictions).

Events that fall under this definition include, but are not limited to:

- operation of a pipeline at pressures above the design overpressure protection limit given in Z662
- operation of a pipeline at pressures outside of Board imposed criteria;
- operation of a pipeline at a temperature outside of design criteria or Board imposed criteria;
- exposure of the pipeline to conditions where significant vibration or excess stress can occur;
- slope movements that affect a pipeline;
- exposures of pipelines in waterbodies (e.g. rivers, wetlands) ; and
- the introduction of an inappropriate product into the pipeline (e.g., sour product in a line or facility designed for sweet product).

Companies are expected to apply the precautionary approach and report all occurrences that may have resulted in an operation beyond design limits. Companies will have the opportunity to demonstrate, using an engineering assessment completed pursuant to Canadian Standards Association (CSA) Z662, that the occurrence did not result in operation of the pipeline beyond its design limit. In these cases, the status of the occurrence can be changed from reportable (i.e., an incident) to not reportable.

3.2 Reporting Timelines

Section 52 of the OPR requires companies to immediately notify the Board of any incident. Companies should refer to section 11 of this document for guidance regarding timing of this notification.

Section 52 of the OPR also requires the submission of a PIR and a DIR “as soon as is practicable”. Generally, companies’ initial notification of an incident will satisfy the PIR requirements. The information required for a DIR must be submitted within 12 weeks of reporting an incident. For complex incidents, companies may request an extension for submission of a DIR.

4.0 NEB Act - Processing Plant Regulations

There are several relevant reporting sections in the PPR, including reporting of incidents, emergency flaring, hazards, and emergency shutdowns. The following sections will outline the Board’s expectation with respect to each of the reporting requirements.

4.1 Definition of “Incident”

Incident reporting requirements are located in section 46 of the PPR. “Incident” is defined in section 1 of the PPR as an occurrence that results or could result in a significant adverse effect on property, the environment, or the safety of persons.

For the purposes of incident reporting in the PPR, events that fall under this definition include, but are not limited to:

- the death of or serious injury to a person (for additional guidance on this term, please see section 3.1.1);
- a significant adverse effect on the environment (for additional guidance on this term, please see section 3.1.2);
- an unintended fire or explosion that results in or has the potential to result in damage to company, public/crown or personal property (for additional guidance on the role of flaring, please see section 4.3);
- an unintended or uncontained release of LVP liquids in excess of 1.5 m³;
- an unintended or uncontrolled release of gas, HVP hydrocarbons, hydrogen sulfide or other poisonous gas; or
- The operation of a plant beyond its design limits or any limits imposed by the Board.

4.1.1 Reporting Timelines

Section 46 of the PPR requires companies to immediately notify the Board of any incident. Companies should refer to section 11 of this document for guidance regarding timing of this notification.

Section 46 of the PPR also requires the submission of a PIR and a DIR “as soon as practicable”. Generally, companies’ initial notification of an incident will satisfy the PIR requirements. The information required for a DIR must be submitted within 12 weeks of reporting an incident. For complex incidents, companies may request an extension for submission of a DIR.

4.2 Hazard that Renders the Plant Unsafe to Operate

Under section 47 of the PPR, a company is required to immediately notify the Board of any hazard that renders or may render its processing plant unsafe to operate.

For the purposes of reporting under this section, events that fall under this definition include, but are not limited to, natural hazards such as earthquakes, landslides, or floods, as well as protests or other types of civil unrest that may affect operations in this way.

Companies should refer to section 10 of this document for additional information on reporting information requirements.

4.2.1 Reporting Timelines

Paragraph 47(a) of the PPR requires companies to immediately notify the Board of any hazard that renders the plant unsafe to operate. Companies should refer to section 11 of this document for guidance regarding timing of this notification.

In addition to immediate notification, paragraph 48(b) of the PPR requires companies to provide a report to the Board “as soon as practicable”. The information required to be contained in the report is qualitatively similar to that required for a DIR required under the PPR (see section 10) and, therefore, the Board expects this report to be submitted within 12 weeks of notification.

4.3 Emergency Burning or Flaring

Section 48 of the PPR requires companies to report to the Board any burning of either:

- hydrocarbon gas; or
- a by-product of the processing of hydrocarbon gas;

that occurs as a result of an emergency condition.

Any flaring that is a result of a severe plant upset, including full or partial shut down, must be reported. Companies are not required to report routine flaring, such as that resulting from pigging or regular/required maintenance.

If a flaring event, as a result of routine maintenance or upset conditions, has or may have a significant adverse effect on property, the environment, or the safety of persons, that event is also reportable under section 46 of the PPR as an incident (see section 4.1).

Companies should refer to section 10 of this document for additional information on reporting information requirements.

4.3.1 Reporting Timelines

The PPR do not contain explicit timing requirements for reporting of emergency burning or flaring under section 48. The Board expects that a company will report such events within one week of occurrence.

4.4 Suspension of Operations

Section 49 of the PPR sets out the notification and reporting requirements for the suspension of operations at processing plants.

Companies should refer to section 10 of this document for additional information on reporting information requirements.

4.4.1 Reporting Timelines

Subsection 49(1.1) of the PPR requires that companies notify the Board of suspensions under section 49 as soon as practicable. The Board expects that companies will provide such notification to the Board within 24 hours of:

- the suspension of an entire plant for a period exceeding 24 hours; or
- the suspension of part of a plant for a period exceeding seven days.

For the purposes of the detailed report required under subsection 49(2), the Board expects that companies will provide this information within one week of notification.

5.0 NEB Act – Pipeline Crossings Regulations Part II

Subsection 13.1(1) of the PCR Part II requires companies to immediately report to the Board:

- (a) every contravention of the [National Energy Board Pipeline Crossing Regulations, Part I](#) (PCR Part I) and Part II;
- (b) all damage to its pipe caused or observed during the construction or installation of a facility or during an excavation or during the operation, maintenance or removal of a facility; and
- (c) any activity of the facility owner or excavator that the pipeline company considers to be potentially hazardous to a pipe

(collectively, Unauthorized Activities).

The following activities qualify as Unauthorized Activities under subsection 13.1(1):

- Ground disturbance (paragraphs 13.1(1.1)(b) and (c)) - excavation using power-operated equipment or explosives within the 30 metre (100 foot) safety zone as measured from the edge of the right-of-way.
- Encroachment (13.1(1.1)(c)) - unauthorized construction or installation across, on, along, or under a right-of-way. This category includes activities such as construction of structures/facilities (e.g., swimming pools, skating rinks, sheds) on a right-of-way as well as stockpiling of materials such as sand or soil.
- Vehicle Crossings (paragraph 13.1(1.1)(c)) unauthorized operation of a vehicle or mobile equipment across or on a right-of-way. Occurrences that fall into this category include operation of heavy equipment or trucks across the right-of-way, with the exception of any vehicle operating across the right-of-way on the travelled portion of a highway or a public road.

Companies are expected to apply the precautionary approach and report all occurrences that may have resulted in an Unauthorized Activity. Companies will have the opportunity to demonstrate, as part of their reports (see section 10), that the occurrence did not result in an Unauthorized Activity. In these cases, the status of the occurrence can be changed from reportable (i.e., an Unauthorized Activity) to not reportable.

5.1 Reporting Timelines

A report of an Unauthorized Activity is required to be submitted to the Board immediately. Companies should refer to section 11 of this document for guidance regarding timing of this report.

The NEB is aware that all of the required information may not be available within the reporting timeframe of “immediately” (see section 11 of this document). Where this is the case, companies must still report immediately and provide as much information as possible. If the information is not complete, companies must provide the remainder of the information within 30 days of the initial report. For information on reporting information requirements please see section 10 of this document.

6.0 OGOA and COGOA - Drilling and Production Regulations

The applicable reporting requirements found in sections 75 of the DPR and the OGOA DPR include both “incidents” and “near-misses”. The following sections will provide guidance on both of these requirements.

6.1 Incident Reporting

Under subsections 1(1) of the DPR and the OGOA DPR, “incident” is defined as:

- (a) any event that causes

- (i) a lost or restricted workday injury (as defined in the DPR),
 - (ii) death,
 - (iii) fire or explosion,
 - (iv) a loss of containment of any fluid from a well,
 - (v) an imminent threat to the safety of a person, installation or support craft, or
 - (vi) pollution;
- (b) any event that results in a missing person; or
- (c) any event that causes
- (i) the impairment of any structure, facility, equipment or system critical to the safety of persons, an installation or support craft, or
 - (ii) the impairment of any structure, facility, equipment or system critical to environmental protection.

Subparagraphs (a)(iv), (a)(v), and (a)(vi) have been identified as requiring additional guidance and are clarified below.

6.1.1 “A loss of containment of any fluid from a well”

A “loss of containment” is an event that allows any fluid in the well bore to bypass well barriers and reach the surface or potentially adversely impact a downhole hydrocarbon-bearing reservoir. This includes a formation kick or a blow-out, or lost circulation into a hydrocarbon bearing reservoir. It does not include lost circulation into a non-hydrocarbon bearing zone below the surface casing depth.

Lost circulation of any fluid in the well above the surface casing depth may qualify as an incident under this definition if it has potential to result in any adverse impact to the environment (e.g., contamination of soil or surface or groundwater).

6.1.2 “Imminent threat to the safety of a person, installation or support craft”

An imminent threat to safety means that a person, installation, or support craft will be harmed in the near future unless the threat can be avoided, additional control measures are put in place to prevent the threat, or emergency response procedures are implemented.³

Imminent threats include events such as:

- overdue contact with a vehicle, vessel or aircraft transporting operations personnel;

³ “Support craft” is defined in subsections 1(1) of the DPR and OGOA DPR. “Installation” is defined in subsections 2(1) of the IR and OGOA IR.

- person overboard at an offshore installation or a support craft;
- unauthorized vessel entering the safety zone of an installation or a vessel that is unable to be reached by radio or for which a support craft is sent to intercept;
- precautionary evacuation in whole or in part (for example, removal of non-essential personnel);
- securing the well or depressurization of flow lines;
- emergency landings of helicopters;
- alert to search and rescue resources; and
- deployment of search and rescue helicopter or requesting emergency response standby for landing in response to in-flight issues with a helicopter.

6.1.3 “Pollution” and significant pollution

Subsections 1(1) of the DPR and the OGOA DPR define “pollution” as the introduction into the natural environment of any substance or form of energy outside the limits applicable to the activity that is subject to an authorization, including spills.

Companies are expected to report an introduction of substance or form of energy as pollution if it exceeds a limit of discharge outlined in an environmental protection plan prepared in relation to an authorization (sections 6 and 9 of the DPR and the OGOA DPR). In the absence of such a limit, companies must report any release of that substance or form of energy into the natural environment.

Subparagraphs 75(2)(b)(vi) of the DPR and the OGOA DPR address, among other things, reporting requirements for incidents of significant pollution. Events that constitute significant pollution include:

- spills of hydrocarbons, well or formation fluids outside of secondary containment; and
- discharge of substances that result in an exceedance of relevant quality criteria such as Canadian Council for Ministers of the Environment Canadian Environmental Quality Guidelines.

For example, if the limit of discharge for natural gas to a flare that cannot be feasibly conserved is a gas flow rate of $100 \times 10^3 \text{ m}^3/\text{d}$, a flow rate of $150 \times 10^3 \text{ m}^3/\text{d}$ exceeds the discharge limit and is pollution. If the discharge also exceeds quality criteria or standards, such as the National Ambient Air Quality Objectives or the Northwest Territories Ambient Air Quality Standards, it is considered to be significant pollution.

6.2 “Near-miss”

“Near-miss” is defined in subsections 1(1) of the DPR and the OGOA DPR as an event that would likely cause an event set out in paragraph (a) of the definition of “incident”, but does not, due to particular circumstances.

Sections 75 of the DPR and the OGOA DPR do not differentiate between the information requirements for near-misses and incidents. As such, companies must provide equivalent reports for both types of events to the Board.

6.3 Reporting Timelines

Paragraphs 75(1)(a) of the DPR and the OGOA DPR state that the operator must ensure that the Board is notified of any incident or near-miss “as soon as the circumstances permit”. In this context, this phrase is substantively the same as “immediately”; therefore the notification period is the same as the notification periods that is expected where the term “immediately” appears. Companies should refer to section 11 of this document for guidance regarding timing of this notification.

Paragraphs 75(1)(b) of the DPR and the OGOA DPR require that the Board be notified at least 24 hours in advance of any press release or press conference held by the operator concerning any incident or near-miss, except in an emergency situation, in which case the Board shall be notified without delay before the press release or press conference.

In these cases, companies must call the NEB Incident Phone line at (403) 807-9473 and indicate the subject of the press release or conference, the date and time of occurrence, and the relevant company personnel’s contact information.

In addition to notification, paragraphs 75(2)(b) of the DPR and the OGOA DPR require companies to submit an investigation report identifying the root cause, causal factors, and corrective action taken to the Board no later than 21 days after the day on which the incident or near-miss occurred for the following incidents or near-misses:

- a lost or restricted workday injury;
- death;
- fire or explosion;
- a loss of containment of any fluid from a well;
- an imminent threat to the safety of a person, installation or support craft; and
- a significant pollution event.

Companies should refer to section 10 for additional information on reporting information requirements.

7.0 OGOA and COGOA - Geophysical Operations Regulations

7.1 Serious accident or incident reporting

Section 39 of the OGOA GOR and section 40 of the GOR require the notification for any serious accident or incident that occurs during a geophysical operation and that:

- causes injury to or loss of life of any person;
- causes damage to property; or
- that constitutes a threat to the environment.

“Damage to property” and “threat to the environment” have been identified as requiring additional guidance and are clarified below.

7.1.1 “Property”

Property includes, but is not limited to:

- land;
- buildings;
- vehicles;
- equipment owned by the operator;
- equipment such as hunting/trapping/fishing gear owned by a third party.

7.1.2 “Threat to the environment”

Threats to the environment include, but are not limited to:

- fuel spills outside of lined containment;
- blocking of game trails with windrows;
- explosive charges that misfire;
- cratered holes that are susceptible to erosion; or
- natural gas or water flowing from a shot hole.

7.2 Reporting timelines

Section 39 of the OGOA GOR and section 40 of the COGOA GOR require every operator to inform the Chief Conservation Officer and the Chief Safety Officer immediately, by the most rapid and practical means, of any serious accident or incident. Notification via the online reporting system or through the TSB incident hotline meets the requirements of informing the Chief Conservation and Safety Officers.

Companies should refer to section 11 of this document for guidance regarding timing of this notification.

8.0 OGOA and COGOA - *Installation Regulations*

8.1 *Emergency or accident reporting*

Subsections 71(1) of the IR and the OGOA IR require every operator to inform the Chief Conservation Officer and Chief Safety Officer of any situation or event involving any danger or accident to a person or property and lists events that qualify as such.

8.2 *Reporting timelines*

Subsection 71(1) requires every operator to inform the Chief Conservation Officer and the Chief Safety Officer immediately, by the most rapid and practical means. Notification via the online reporting system or through the TSB incident hotline meets the requirements of informing the Chief Conservation and Safety Officers. Companies should refer to section 11 of this document for guidance regarding timing of this notification.

Section 71 also requires the submission of a “full written report” to the Chief Officers. These reports described are qualitatively the same as a DIR; therefore, companies must submit such reports within 12 weeks of the initial notification. See section 10 of this document for additional guidance on contents of this report.

9.0 OGOA and COGOA - *Diving Regulations*

9.1 *Accident, illness, and incident reporting*

Paragraphs 6(1)(i) and 6(1)(j) of the DR and the OGOA DR contain the reporting requirements in respect of accidents and serious illnesses involving members of diving crews involved in diving programs, as well incidents in connection with diving programs.

Companies should refer to section 10 for additional information on reporting information requirements.

9.2 *Reporting timelines*

Paragraphs 6(1)(i) and 6(1)(j) of the DR and OGOA DR require that accidents, as well as serious illnesses and incidents be reported “by the most rapid and practicable means” and “as soon as possible”, respectively. In this context, these phrases are substantively the same as “immediately”; therefore the notification periods for paragraphs 6(1)(i) and 6(1)(j) of the DR and OGOA DR are the same as the notification periods that are expected where the term “immediately” appears. Companies should refer to section 3 of this document for guidance regarding timing of this notification.

Paragraphs 6(1)(i) and 6(1)(j) of the DR and OGOA DR also require companies to submit prescribed reports pertaining to accidents, serious injuries, and incidents. These reports described are qualitatively the same as a DIR; therefore, companies must submit such reports within 12 weeks of the initial notification. See section 10 of this document for additional guidance on contents of this report.

10.0 Information Requirements

10.1 Incident Reporting

This section applies to the following events (collectively known as incidents):

- incidents (PPR, OPR, DPR);
- accidents, serious illnesses, and incidents (DR and OGOA DR);
- emergencies or accidents (IR and OGOA IR); and
- serious accidents, or incidents (GOR and OGOA GOR).

The information requirements for incident reporting are generally aligned with Annex H of Canadian Standards Association (CSA) Z662-11 (CSA Annex H). However, in addition to the technical details outlined in CSA Annex H, companies must provide to the Board the root cause of the incident, as well as details regarding any corrective action that was taken to prevent future occurrence.

Other reporting requirements (e.g., hazard identification under the PPR) and any additional supporting information (e.g., metallurgical analysis reports) may be uploaded directly to the online reporting system for the event in question.

10.1.1 Notification and Preliminary Incident Report

For initial notifications for all incidents and PIRs (for incidents under the OPR and PPR), companies must provide, via the online reporting system, the following information:

- company contact information;
- date and time of occurrence and/or discovery;
- how the incident was discovered (e.g., routine patrol, landowner/public reported);
- type of incident being reported (e.g. death, release of substance, fire/explosion);
- type of substance released and initial release volume estimate, if applicable;
- qualitative details of incident type (e.g., broken bone if serious injury, exposure of a pipeline in a water body if operation beyond design limits, etc.);
- nearest populated center;
- facility name/pipeline name;

- narrative that includes a description of the events leading up to the occurrence or discovery and any immediate actions taken to protect the safety of the public, the company's employees, and/or the environment (e.g., evacuation, containment of product);
- initial narrative information on the component that failed, if applicable; and
- affected lands (e.g., restricted to company owned land, right-of-way, private land, crown land).

10.1.2 Detailed Incident Reports

For:

- DIR under the OPR and PPR (sections 3 and 4 of this document);
- 21 day reports under paragraphs 75(2)(b) of the DPR and OGOA DPR (section 6 of this document);
- full written reports under subsections 71(1) of the IR and OGOA IR (section 8 of this document); and
- causal investigation reports under paragraphs 6(1)(i) and 6(1)(j) of the DR and OGOA DR (section 9 of this document),

companies must provide, via the online reporting system, the following information:

- any relevant updates to the information contained in the notification and/or preliminary incident reports;
- detailed information on the pipeline/facility component that failed (e.g., equipment type, such as gate valve, and the component that failed, such as the valve packing), if applicable;
- operating conditions of the pipeline/facility at the time of incident discovery (e.g. operating pressure, product type, depth of cover, etc.), if applicable;
- maintenance history of failed component (e.g., date of last inspection/maintenance, type of inspection such as visual or non-destructive examination, etc.), if applicable;
- corrective actions completed by the company to prevent reoccurrence;
- root cause analysis that includes at least one immediate cause (e.g., equipment/component failure), as well as at least one basic (root) cause (e.g., normal wear and tear); and
- supporting information (e.g., metallurgical reports), if applicable.

10.2 Near-Miss Reporting (DPR)

The information requirements for near-miss reporting are the same as incident reporting under the DPR and OGOA DPR. Therefore, companies must provide, via the online reporting system, the same level of detail for both incidents and near-misses.

10.3 Unauthorized Activity Reporting (PCR Part II)

Subsection 13.1(2) of the PCR Part II states that reports relating to the activities listed in subsection 13.1(1) must include details of any contravention of PCR Part I, or of any damage to a reporting company's pipe, including the cause and nature of the damage. To this end, the information requirements for unauthorized activity reporting are:

- contact information for company and violator (if known);
- location of event in decimal degrees to 4 decimal places;
- pipeline name that the event occurred on;
- how the event was discovered;
- a description of the events leading up to the discovery of the event;
- a description of the damage that was caused or could be caused by the event;
- a description of any actions the company has taken; and
- the reason for the violation.

10.4 Emergency Burning or Flaring (PPR)

Companies must provide, via the online reporting system, the following information to meet the requirements for emergency burning or flaring pursuant to section 48 of the PPR:

- company name;
- company contact;
- location; and
- a narrative summary of the events leading up to the emergency flaring or burning event.

10.5 Hazard Identification (PPR)

Companies must provide, via the online reporting system, the following information to meet the requirements for hazard identification pursuant to paragraph 47(b) of the PPR:

- a proposed contingency plan;

- a description of cause, duration, and potential impacts of the hazard;
- repairs to be made; and
- measures to prevent future failures.

10.6 Suspension of Operations (PPR)

Companies must provide, via the online reporting system, the following information to meet the requirements for suspension of operations pursuant to subsections 49(1.1) and (2) of the PPR:

- details of the operations to be suspended;
- reason for the suspension;
- duration of the suspension; and
- effect of the suspension on the throughput of the plant, on the safety of persons or on the environment.

11.0 Timing for Immediately Reportable Events

Where regulations require an event to be reported “immediately”⁴, companies must also consider if the event qualifies as a “significant incident”. A significant incident is an acute event that results in:

- death;
- missing person (as reportable pursuant to the DPR under COGOA or OGOA);
- a serious injury (as defined in the OPR or TSB regulations);
- a fire or explosion that causes a pipeline or facility to be inoperative;
- a LVP hydrocarbon release in excess of 1.5 m³ that leaves company property or the right of way;
- a rupture; or
- a toxic plume as defined in CSA Z662.

For the purposes of this document, a “rupture” is an instantaneous release that immediately impairs the operation of a pipeline segment such that the pressure of the segment cannot be maintained.

Where an event qualifies as a significant incident and must be reported immediately, companies are required to notify the TSB Reporting Hotline at (819) 997-7887. Subsequently, the company is required to input the details required by both the TSB (see TSB regulations) and the NEB for each significant

⁴ Or other equivalent term, as prescribed herein.

incident into the online reporting system. The phone notification and the input of information into OERS are required to occur within 3 hours of the incident being discovered. The goal of the initial phone notification is to allow the relevant agencies to mobilize a response to an incident, if required.

For all other events that must be reported immediately, companies must report within twenty-four hours of occurrence or discovery to the online reporting system.