

To whom it may concern,

I am a ground disturbance training program developer, and a member of the training standards committee of the Alberta Common Ground Alliance. I would like to comment the following in regards to the proposed changes to the NEB legislation on damage prevention.

1. Generally speaking, I find the proposed changes to be positive and do seem to set a clearer and higher standard for damage prevention around facilities and pipelines the NEB regulates. No noticeable problems that strike me...other than the following question...
2. I am unclear as to the implications of the following proposed change to Part I, Sec 9. Does this imply that the facility or pipeline owner has only 3 working days to get the locating done, or be subject to penalties or procedural/legal consequences by the ground disturber if there is no agreement for an extension? Locators are hard to get sometimes. The new proposed CSA standard is proposing a minimum of 5 days' notice to get a locate done. Does this leave the ground disturber free to excavate without locates or take action on his own. I hope not. Could I have clarification on this? The change proposed below is only a wording change to clarify the previous regulation, it appears, (which should be better) but it still leaves my above question...what happens once the 3 day time period ends unsatisfactorily to both parties-does the NEB get involved and is that specifically made clear anywhere else in the legislation?

#### **TEMPORARY PROHIBITION ON EXCAVATION**

**9.** When a pipeline company receives a locate request, the pipeline company may designate an area situated in the vicinity of the proposed facility or excavation, which may extend beyond 30 m from the pipeline, as a restricted area in which excavation is not to be performed until the pipeline is located and marked by the pipeline company or the expiry of three working days after the date of the request, whichever occurs first, unless the pipeline company and the facility owner or excavator making the locate request have agreed on an extension of time for the pipeline company to locate and mark the pipeline.

I will be interested in hearing the outcome of this comment period and if there are significant changes that come out of it. Thank you for the opportunity to comment.

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