



Files OF-Surv-Gen-T217 01 15 (Safety Order)  
OF-Surv-Inc-2010 34 06 (Incident)  
27 August 2019

Ms. Gail Sharko  
Trans-Northern Pipelines Inc.  
5305 McCall Way NE, Unit #109  
Calgary, AB T2E 7N7  
Email [REDACTED]

Dear Ms. Sharko:

**Remedial Action Plans (RAP) for Trans-Northern Pipelines Inc. (TNPI)  
Contaminated Site in Ontario at Bronte Creek (INC2010-034, REM-0091)**

The Board understands that TNPI has expressed interest in an update on the Bronte Creek site. The Board continues its consideration of the Bronte Creek RAP, filed 16 March 2017 as per Condition 6a of Amended Safety Order AO-002-SO-T217-03-2010 (ASO). As part of its consideration, the Board notes the July 2019 Implementation Assessment Meeting (CVA1920-222) and resulting Inspection Officer Order by staff.

The following is a brief summary of recent NEB-related actions regarding the Bronte Creek site, excluding attendance at annual stakeholder meetings and site visits:

- 20 March 2017 – TNPI files RAP in response to Condition 6a of the ASO.
- 6 July 2017 – TNPI request Board approval for an Excavation Plan (a component of the RAP).
- 8 August 2017 – Letter granting approval for targeting remedial excavation only, noting clear environmental benefit.
- 16 October 2017 – Due to staff questions/concerns with the RAP, Information Request No. 1 (IR No. 1) is sent.
- 7 November 2017 – TNPI's IR No. 1 Response received.
- 15 May 2018 – Due to ongoing staff questions/concerns, IR No. 2 is sent.
- 14 September 2018 – IR No. 2 Response received, including TNPI's Monitored Natural Attenuation Plan (MNA Plan).
- 13 May 2019 – Feedback is received from the provincial regulator, the Ontario Ministry of the Environment and Parks on TNPI's MNA Plan, noting concerns.

.../2

The Board is generally supportive of TNPI's overall approach for the site, and acknowledges that TNPI is progressing towards complete remediation of the site. It is noted that potentially substantive details are outstanding, specifically the information pending the Hydraulic Containment System Controlled Shutdown Final Report (Shutdown Final Report) and the Monitored Natural Attenuation Plan (MNA Plan). Board staff understands that the MNA Plan may be informed by details in the Shutdown Final Report.

The Board notes that the MNA Plan as filed in Appendix 3 of TNPI's IR No. 2 Response (RDIMS 1124533) does not contain sufficient detail to demonstrate how TNPI will meet the remedial objectives for the site. The Board has received feedback from the Ontario Ministry of Environment and Parks indicating ongoing concerns regarding TNPI's MNA Plan. Additional direction from the Board can be anticipated following review of the Shutdown Final Report, at such time as it is available.

TNPI must demonstrate a timely progression to achieve compliance on the Bronte Creek file.

The RAP as filed is not approved, and Condition 6a of the ASO remains open until the full details of the plan are confirmed, documented and supported by regulators and stakeholders.

The Board notes that its correspondence, directions and orders on the Bronte Creek file (INC2010-034, REM-0091) are separate and distinct from any other files TNPI currently has with the Board, including but not limited to the group of remediation files being handled by a Board Panel.

Yours truly,

*Original signed by*

L. George  
Secretary of the Board