

**NOVA SCOTIA UTILITY AND REVIEW BOARD**

**IN THE MATTER OF THE PIPELINE ACT**

**- and -**

**IN THE MATTER OF AN APPLICATION** by **HERITAGE GAS LIMITED** (“Heritage”) to amend the **PERMIT TO CONSTRUCT A STEEL NATURAL GAS PIPELINE TO DELIVER NATURAL GAS IN AREAS OF** Pictou County, Nova Scotia

**WHEREAS** the Nova Scotia Utility and Review Board (“Board”) granted a Permit to Construct NSUARB-NG-HG-PC-152 dated June 11, 2013, as amended September 17, 2013 (“Permit to Construct”) to construct a steel natural gas pipeline (“proposed works”) to deliver natural gas in areas of Pictou County, Nova Scotia as indicated in the Permit to Construct;

**AND WHEREAS** the Board received a complaint regarding use of the pipeline right-of-way by third parties conducting logging operations and possible associated risk to public safety;

**AND WHEREAS** by letter dated October 29, 2013 Heritage applied to the Board for an amendment to the Permit to Construct (“Application”);

**AND WHEREAS** the application seeks approval of a design change for installation of a portion of the proposed works as indicated on Design Change No. 111301-DC08 Rev1 dated October 29, 2013 and drawing number 111301-DCSK03 Rev 3 dated October 29, 2013 which are attached hereto;

**AND WHEREAS** the Board has the authority to issue an amendment to the Permit to Construct pursuant to s. 9 of the *Pipeline Act*, R.S.N.S. 1989, c. 345, as amended;

**NOW THEREFORE**, the Board approves the design change of the proposed works as requested by Heritage and amends the Permit to Construct accordingly, subject to the following terms and conditions:

1. Heritage shall ensure that the proposed works are carried out and completed in accordance with the terms and conditions of the Permit to Construct, as amended;
2. 100% of the field welds made to the pipeline in the area from 11+350 to 11+590 shall be non-destructively inspected by Heritage’s nondestructive

testing (“NDT”) inspection service provider for 100% of their length in accordance with CSA Z662-11 clause 7.10.3 and clause 7.10.4. NDT inspection results shall be documented and forwarded to Heritage’s engineering department, who will retain the results on file for future examination by the Board’s Certifying Authority upon demand;

3. On an annual basis, Heritage shall inspect the pipeline right-of-way in the area from 11+350 to 11+590 and, if rutted, eroded, or otherwise disturbed, reinstate the protective cover over the pipeline in accordance with Drawing 111301-DCSK03. Details of inspection findings and remediation shall be reported to the Board’s Certifying Authority; and
4. Heritage shall install and maintain a sign or signs indicating the northern limit of the engineered overlay at 11+590 and thus the most northern point where it is safe for vehicles and equipment involved in logging, silviculture, farming, and related purposes to travel.

Dated at Halifax, Nova Scotia, this 6<sup>th</sup> day of November, 2013.

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Clerk of the Board