



EB-2014-0378

Enbridge Gas Distribution Inc.

**Application to drill wells in the
Wilkesport designated storage area in the
Township of St. Clair in Lambton County**

By delegation, before: Kristi Sebalj

**VARY ORDER
November 11, 2015**

Introduction

Enbridge Gas Distribution Inc. (Enbridge) applied to the Ministry of Natural Resources and Forestry (MNRF) December 17, 2014 for two well drilling licences in the Wilkesport designated storage area. The application was referred to the Ontario Energy Board (OEB) by the MNRF on January 29, 2015, pursuant to section 40 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15 (schedule B).

Enbridge applied for licences to drill and operate the following two Injection/Withdrawal wells in the Wilkesport Pool:

- TW#15(Horiz.#1), Sombra 3-15-XIII
- TW#16(Horiz.#1) Sombra 3-15-XIII

The OEB issued its Report to the MNRF on June 4, 2015 recommending that the MNRF grant Enbridge the required licences to drill and operate the aforementioned wells subject to certain conditions of approval, including a requirement to file an Interim Monitoring Report within six months of the in-service date and a Final Monitoring Report within fifteen months of the in-service date.

Request to Vary OEB Order

By way of letter dated October 6, 2015 Enbridge provided an update on the progress of the drilling of the wells. Enbridge indicated that the TW#16H well was put into service on September 23, 2015, which, according to the existing conditions of approval, would require Enbridge to file the Interim Monitoring Report by March 23, 2016 and the Final Monitoring Report by December 23, 2016.

Due to winter and early spring conditions and in order to conduct a proper assessment of the project area, Enbridge requested approval to extend the filing dates to May 23, 2016 for the Interim Monitoring Report and to May 23, 2017 for the Final Monitoring Report.

Finding

I have decided pursuant to section 6(4) of the Act to dispose of this matter without holding a hearing.

I have decided to vary the conditions of approval to extend the filing date of the Interim Monitoring Report from March 23, 2016 to May 23, 2016 and to extend the filing date of the Final Monitoring Report from December 23, 2016 to May 23, 2017. Enbridge's rationale for the need for such extensions is reasonable. The extensions will allow for a full and appropriate assessment of the project area.

IT IS THEREFORE ORDERED THAT:

1. Condition 3.1 of the conditions of approval attached as Schedule 1 of the OEB's Report to the MNRF in EB-2014-0378 issued June 4, 2015 shall be varied as follows:
 - 3.1 Both during and after construction, Enbridge shall monitor the impacts of construction, and shall file four copies of both an interim and a final monitoring report with the OEB. The interim monitoring report shall be filed no later than May 23, 2016, and the final monitoring report shall be filed no later than May 23, 2017. Enbridge shall attach a log of all complaints to the

interim and final monitoring reports. The log shall record the times of all complaints received, the substance of each complaint, the actions taken in response, and the reasons underlying such actions.

DATED at Toronto, November 11, 2015

ONTARIO ENERGY BOARD

Original signed by

Kristi Sebalj
Registrar

Schedule A

EB-2014-0378

Revised Conditions of Approval

DATED: November 11, 2015

EB-2014-0378

**Enbridge Distribution Inc.
Well Drilling Licences Application**

**Revised Conditions of Approval
(November 9, 2015)**

1. General Requirements

- 1.1. Enbridge Gas Distribution Inc. (Enbridge) shall rely on the evidence filed with the OEB in proceeding EB-2014-0378 and comply with applicable laws, regulations and codes pertaining to the construction of the proposed wells.
- 1.2. Authorization for the issuance of the drilling licences is limited to twelve months from the date of the OEB's Report to the Ministry of Natural Resources and Forestry.
- 1.3. The authority granted under this Order to Enbridge is not transferable to another party without leave of the OEB. For the purpose of this condition another party is any party except Enbridge Gas Distribution Inc.

2. Construction Requirements

- 2.1. Enbridge shall construct the facilities and restore the land in accordance with its Application and evidence given to the OEB, except as modified by this Order and these Conditions of Approval.
- 2.2. Enbridge shall ensure that the movement of equipment is carried out in compliance with all procedures filed with the OEB, and as follows:
 - i) Enbridge shall make reasonable efforts to keep the affected landowner as well as adjacent landowners and their respective tenant farmers, or their designated representatives, informed of its plans and construction activities; and
 - ii) the installation of facilities and construction shall be coordinated so as to minimize disruption of agricultural land and agricultural activities.
- 2.3. Enbridge shall, subject to the recommendation by an independent tile contractor and subject to the landowner's approval, construct upstream and

downstream drainage headers adjacent to the drilling area and access roads that cross existing systematic drainage tiles, prior to the delivery of heavy equipment, so that continual drainage will be maintained.

3. Monitoring and Reporting Requirements

- 3.1 Both during and after construction, Enbridge shall monitor the impacts of construction, and shall file four copies of both an interim and a final monitoring report with the OEB. The interim monitoring report shall be filed no later than May 23, 2016, and the final monitoring report shall be filed no later than May 23, 2017. Enbridge shall attach a log of all complaints to the interim and final monitoring reports. The log shall record the times of all complaints received, the substance of each complaint, the actions taken in response, and the reasons underlying such actions.
- 3.2 The interim monitoring report shall confirm Enbridge's adherence to Condition 1.1 and shall include a description of the impacts noted during construction and the actions taken or to be taken to prevent or mitigate the long-term effects of the impacts of construction. This report shall describe any outstanding concerns identified during construction.
- 3.3 The final monitoring report shall describe the condition of the rehabilitated land and the effectiveness of the mitigation measures undertaken. The results of the monitoring programs and analysis shall be included and recommendations made as appropriate. Any deficiency in compliance with any of the Conditions of Approval shall be explained.

4. Project and Communication Requirements

- 4.1 For the purposes of these conditions, conformity of Enbridge with CSA Z341, shall be to the satisfaction of the Ministry of Natural Resources and Forestry.
- 4.2 Enbridge shall designate one of its employees as project manager who will be responsible for the fulfilment of these conditions, and shall provide the employee's name to the Ministry of Natural Resources and Forestry, the OEB and to all appropriate landowners.
- 4.3 The OEB's designated representative for the purpose of these Conditions of Approval shall be the Manager, Natural Gas Applications.