1.0  **SCOPE**

The Contractor shall comply with regulations pursuant to Section 112 of the National Energy Board Act when using power-operated equipment or explosives within the prescribed area.

The NEB Act and Regulations referenced below must be read in conjunction with and are intended to supplement the general requirements of the Ontario Occupational Health and Safety Act and Regulations for Construction Projects, specifically Section 228, Precautions Concerning Services.

2.0  **REFERENCES**

This Special Provision refers to the following publications:

- National Energy Board Act 112(1) and 112(2)
- NEB Pipeline Damage Prevention Regulations - Authorizations
- NEB Pipeline Damage Prevention Regulations - Obligations of Pipeline Companies
- NEB Pipeline Damage Prevention - Ground Disturbance, Construction and Vehicle Crossings

3.0  **DEFINITIONS**

For the purpose of this specification, the following definitions apply:

- **Prescribed Area** means a strip of land measured 30 metres perpendicularly on each side from the centreline of a pipe controlled by the NEB.

- **Ground Disturbance** means any activity that may disturb the ground within the prescribed area.

4.0  **COMPLIANCE MEASURES**

The Contractor shall contact all pipeline owners listed below and request from them a copy of their technical guidelines for work adjacent to their pipelines.

<table>
<thead>
<tr>
<th>Pipeline Owner</th>
<th>Contact Information</th>
</tr>
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<tbody>
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</table>

[* Designer Fill-Ins for Table Above, See Notes to Designer]

Activities requiring permission from the pipeline owner include:

- Construction of a facility across, on, along, or under a pipeline, including the pipeline right of way;
- Ground disturbance activities in the prescribed area;
- Ground disturbance using explosives or mechanical equipment within the prescribed area;
• Operation of a vehicle or mobile equipment across a prescribed area, outside the travelled portion of a highway or public road, or;

• Seismic/vibration activity within the prescribed area.

The Contractor shall submit a written application to the pipeline owner in accordance with the requirements of the pipeline owner, seeking permission to perform the work under this Contract.

The Contractor shall immediately submit a copy of the approved application to the Contract Administrator once received from the pipeline owner.

The Contractor shall comply with all conditions, requirements and procedures of the pipeline owner and not proceed with the work until written permission has been received.

Once the pipeline owner has given its permission, the Contractor shall comply with the following:

• Initiate a locate request at least three Working Days before the day on which the construction or ground disturbance activity is planned in the prescribed area, by calling Ontario One Call, or by calling the pipeline company where there is no Ontario One Call centre, to have the pipe located and marked.

• Witness the pipe being located and marked and become familiar with the meaning of the pipeline markings.

• Review NEB requirements with all persons working on your behalf and keep a copy of the approved application on site.

• Expose the pipe by hand digging or other acceptable excavation techniques approved by the pipeline company prior to any mechanical excavation within three metres of the pipe.

• Notify the pipeline company 24 hours prior to backfilling over the pipe or facilities, where the pipe or facilities have been exposed.

• Follow the instructions of the pipeline company’s authorized field representative.

• Immediately notify the pipeline company if any contact is made with the pipe or its coating.

The Contractor shall comply with the following rules for ground disturbance within three metres of the pipe. Ground disturbance using mechanical equipment is not permitted within three metres of the pipe except under the following conditions:

a) When the excavation runs parallel to the pipe and;

   i. the pipe has been exposed by hand at sufficient intervals to confirm the pipe’s location or;

   ii. the pipeline company has used a method that would permit it to confirm the pipe’s exact location and has informed the person of that location.
b) When the excavation crosses the pipe and;
   
   i. the pipe has been exposed by hand at the point of crossing or;

   ii. the pipeline company has used a method that would permit it to confirm the pipe’s exact location, has informed the person of that location and has confirmed that the pipe is at least 60 cm deeper than the proposed excavation.

And

c) When the ground conditions render it impractical to locate the pipe using any of the methods set out in (a) and (b), the pipeline company directly supervises any excavation.

The Contractor shall not move or alter the pipe or its fittings, or in any other way interfere with the pipe without the written consent of the pipeline owner.