

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE PIPELINE ACT

- and -

IN THE MATTER OF AN APPLICATION BY BEAR PAW PIPELINE CORPORATION INC. FOR A PERMIT TO CONSTRUCT A PIPELINE AND FACILITIES TO DELIVER NATURAL GAS TO THE BEAR HEAD LNG PLANT NEAR POINT TUPPER, NOVA SCOTIA

BEFORE:



Peter W. Gurnham, Q.C., Chair
Murray E. Doehler, CPA, CA, P.Eng., Member
Roberta J. Clarke, Q.C., Member

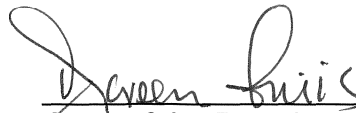
ORDER

WHEREAS Bear Paw Pipeline Corporation Inc. applied to the Nova Scotia Utility and Review Board ("Board") on December 22, 2015, for a Permit to Construct (NG-BP-PC-01) a pipeline and facilities to deliver natural gas to the Bear Head LNG plant near Point Tupper, Nova Scotia;

AND WHEREAS the Board conducted a public hearing into the matter and issued its decision [2016 NSUARB 139] on July 29, 2016 approving the Application with conditions;

IT IS HEREBY ORDERED that the Permit to Construct (NG-BP-PC-01) attached hereto be granted effective September 7, 2016.

DATED at Halifax, Nova Scotia, this 7th day of September, 2016.



Clerk of the Board



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IN THE MATTER OF AN APPLICATION BY BEAR PAW PIPELINE CORPORATION INC. FOR A PERMIT TO CONSTRUCT A PIPELINE AND FACILITIES TO DELIVER NATURAL GAS TO THE BEAR HEAD LNG PLANT NEAR POINT TUPPER, NOVA SCOTIA

WHEREAS Bear Paw Pipeline Corporation Inc. (“Bear Paw”) applied to the Nova Scotia Utility and Review Board (“Board”) by application dated December 22, 2015 for a Permit to Construct (“Application”);

AND WHEREAS the Application seeks approval for the construction and installation of a steel natural gas pipeline which is depicted on Attachment “A” attached hereto, hereinafter referred to as the “proposed works”, to deliver natural gas to the Bear Head LNG plant near Point Tupper, Nova Scotia;

AND WHEREAS the Board conducted a public hearing into the matter and issued its decision [2016 NSUARB 139] on July 29, 2016 approving the Application with conditions;

AND WHEREAS Bear Paw filed an amended Benefits Plan as directed by the Board;

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

NOW THEREFORE, the Board grants to Bear Paw a Permit to Construct the proposed works, subject to the following terms and conditions:

1. Bear Paw shall ensure that the proposed works are carried out and completed in accordance with:
 - a. all federal, provincial and municipal laws, and in particular the *Nova Scotia Pipeline Act* R.S., c. 345, s.1, the *Pipeline Regulations (Nova Scotia)*, the *Land Acquisition Regulations*, the *Pipeline Benefits Plan Regulations*, and CSA Z662 - Oil and Gas Pipeline Systems, as amended from time to time;
 - b. all applicable codes and standards, as amended from time to time;

- c. this Permit to Construct, as may be amended; and

 - d. the Application.
2. Bear Paw shall develop and submit to the Board and Certifying Authority for the Board pursuant to s. 63 of the *Pipeline Regulations (Nova Scotia)*, Energy Consultants International Inc., a safety and loss management system that complies with CSA Z662. The safety and loss management system must be submitted prior to commencement of detailed engineering.
 3. Bear Paw shall submit to the Board and the Certifying Authority, on a timely basis sufficient to facilitate review in advance of construction, all design and materials specifications relating to the pipeline, head compressor station, valve stations, components, and systems required by the applicable codes, standards, and regulations referenced therein.
 4. Bear Paw shall submit to the Board and the Certifying Authority, on a timely basis sufficient to facilitate review in advance of construction and in complete system packages, all construction specifications and procedures relating to the pipeline, head compressor station, and components and systems required by the applicable codes, standards, and regulations referenced therein.
 5. Bear Paw shall submit to the Board and the Certifying Authority the details of the quality assurance program required by s.18 of the *Pipeline Regulations* in advance of procurement of any materials.
 6. Bear Paw shall submit to the Board and the Certifying Authority the details of the field joining program required by s.20 of the *Pipeline Regulations* in advance of construction.
 7. Bear Paw shall communicate the special conditions, special safety practices, and procedures related to construction of the pipeline and head compressor station as required by s.21 of the *Pipeline Regulations* to the Board, Certifying Authority, and the construction contractor in advance of construction.
 8. Bear Paw shall submit to the Board and the Certifying Authority the interface management plan in respect of construction adjacent to existing pipelines and utilities.
 9. If Bear Paw determines that thicker wall pipe segments are required to facilitate crossings of heavy equipment at locations other than road crossings, these segments should be aligned with existing designated crossing locations for the SOEP and M&NP pipelines in order to minimize impacts on landowners and land users.

10. Bear Paw shall submit to the Board and the Certifying Authority the pressure testing program compliant with s.26 of the *Pipeline Regulations*.
11. Bear Paw shall submit to the Board and the Certifying Authority a construction contingency plan that complies with CSA Z731 at least two months in advance of commencing any construction activities. The construction contingency plan shall be approved by the Board prior to the commencement of construction.
12. The Certifying Authority shall verify, in advance of the installation of the proposed works, that the specific materials to be used comply with all applicable codes, standards, and regulations, are suitable for their intended purpose, and that all materials have been certified in accordance with the applicable codes.
13. Bear Paw shall provide reasonable notice to the Certifying Authority of its intended schedule of activities for the proposed works and shall permit a representative from the Certifying Authority to be on site to observe the pipeline construction and commissioning activities.
14. Bear Paw shall provide a copy of required permits and approvals, including but not limited to those from federal, provincial and municipal Departments, Boards and agencies, to the Board and the Certifying Authority prior to commencing construction of those portions of the proposed works which would be subject to such permits and approvals.
15. Bear Paw shall adhere to s.11 of the *Pipeline Benefits Plan Regulations* in carrying out the provisions of the amended Benefits Plan, which the Board hereby approves.
16. Bear Paw shall communicate directly with aboriginal groups, including the Native Council of Nova Scotia ("NCNS") and the Fishers Group regarding the proposed pipeline route and construction.
17. Bear Paw will conduct regular consultation with the NCNS with respect to construction work in areas where natives have traditionally hunted and fished and with respect to employment opportunities as the project proceeds.
18. Bear Paw shall report to the NCNS any mishaps or incidents which pose a threat to native harvesters in the area.
19. Bear Paw shall carry insurance coverage which is satisfactory to the Board.
20. This Permit to Construct may not be transferred or assigned.
21. This Permit to Construct may be suspended or terminated by the Board if, in the opinion of the Board, Bear Paw or its contractor(s) breach any of its terms or conditions.

22. Unless extended or earlier terminated, this Permit to Construct shall expire on December 31, 2019

Dated at Halifax, Nova Scotia, this 7th day of September, 2016.



Clerk of the Board