

March 13, 2017

**Secretary of the Board
National Energy Board
Suite 210
517 Tenth Avenue SW
Calgary, AB T2R 0A8
Via email: BUOPS.EMS-GMUS@neb-one.gc.ca**

MAIL ROOM
SALLE DE COURIER
2017 MAR 15 P 1:58
NEB/ONE

**RE: National Energy Board
Public Consultation on Proposed Changes to Emergency Management Filing Requirements in
the NEB's *Filing Manual*
Strathcona County Comments**

Strathcona County has reviewed the NEB Emergency Management Proposed Filing Manual Changes and has the following comments:

1. **(Section 3.3)** Strathcona County supports the transparency and public access to environmental protection programs.
2. **(Section 3.4)** in general Strathcona County supports the proposed changes related to consultation and emergency management with a few additions as noted below.
3. **(Section 3.4)** Page 12 of 37 = Implementation:

Please include the word "planning" in the text so that it reads, "The board also expects companies to conduct effective public consultation activities during the "planning", construction and operation phases of a project."

Justification: The theme of all the NEB changes is the inclusion of more factors of Emergency Management. There should be inherent safety incorporated or justified early in the concept or design phase. A consultation this early in the planning stages of the project will help to connect the assumptions with the ground realities. For instance the capability of a local fire department to respond to an emergency, land use of the site, etc. This will help prevent surprises for both the parties. This is also referenced as a design factor of the consultation program mentioned under 3.4.2 in "design factors" which reads "availability of the emergency services" in the section 3.4.2

4. **(Section 3.4.2)** pg. 13 of 37 = Guidance

Please include the words "or communities with oil and gas Protocols" in the text so it reads: "When consultation includes Aboriginal groups or communities with oil and gas Protocols, consider establishing a consultation protocol in collaboration with these groups that takes in considerations their needs and cultural elements."

Justification: Strathcona County has an Oil and Gas Protocol that has been successful by implementing a process that is highly communicative and cooperative in nature. Expectations are outlined and stakeholders are informed and engaged and oil and gas activities are met with reduced conflict. Working with these processes has led to successful and timely project implementation.

5. **(Section 3.4.2)** Page 14 of 37 = Designing Project Specific Consultation Activities:

Please keep the statement “Communicate the project information in a format and manner that is appropriate to the audience”.

Justification: Mode of communication and presentation of information is critical to achieve the results both for the applicant and the group in consultation. Sometimes the applicant may have to provide information in a special format and present in a way suitable for a certain group to understand for an effective communication. Keeping this statement in this section will help the consultation process and issue resolution (if applicable).

Under Design Factors: Consider adding: “where cumulative infrastructure (pipeline, tanks, and facilities) exists consider potential for elevated risk and mitigation measures.”

6. General Concerns/questions

- What are the checks on fire protection systems (active and passive) in an NEB regulated facility and/or pipeline? What about the Fire Code compliance on activities during construction and operation phases? What Fire Code does the NEB use if it inspects? Can a municipality get a copy of the compliance report?
- If a municipal Fire Department would like to conduct fire inspections at an industrial facility which is NEB regulated, such as tank farms, for compliance of Alberta Fire Code; does it conflict with any NEB regulations?
- In the Alberta Fire Code a Fire Safety Plan is required at all heavy industrial sites (like atmospheric storage tank farms), does an Emergency Response Plan fulfill this requirement?
- If a municipality has some reservations with a project (may be with its design, site or the impact it will bring), and this stays as an unresolved concern between the two parties, is there any regulation or policy for the NEB to interject or assist in resolving this issue prior to permitting?

Thank you for the opportunity to provide our comments. If you have any questions please contact Lori Mills at 780-416-6739.

Regards,



Lori Mills

Energy Liaison

Strathcona County

