



## VARIANCE OF INSPECTION OFFICER ORDER NO. VAR – 001 - JB - 001 - 2024

### ORDER TO BE VARIED

As per section 69 (2) of the Canadian Energy Regulator Act (CER Act) the undersigned individual, designated as a CER Inspection Officer under subsection 102(1) of the CER Act is varying order JB-001-2024, and superseding it with this order VAR-001-JB-001-2024.

### NOVA GAS TRANSMISSION LTD.

**NOVA Gas Transmission Ltd. (NGTL)** operates the Grande Prairie Mainline NPS 36 (GPML), which ruptured approximately 40 km northwest of Edson, Alberta. NGTL is a wholly-owned subsidiary of TransCanada Energy (TCE).

On or about 06 May 2024 at 12:00 MST the undersigned Canada Energy Regulator Inspection Officer issued NGTL an INSPECTION OFFICER ORDER NO. JB – 001 – 2024.

A verbal Order was issued to NGTL on 27 May 2024 at 08:27 AM by the undersigned Canada Energy Regulator Inspection Officer (CER IO).

### RELEVANT FACTS

As a designated CER Inspection Officer under subsection 102(1) of the Canadian Energy Regulator Act (CER Act), I believe the following are the relevant facts relating to the issuance of this Order:

1. On 16 May 2024, NGTL submitted an Engineering Assessment (EA) for the return to service of NPS 36 GPML section GPM21-20 after completion of the repairs. The EA also supported a relaxation request of 5% of Restricted Operating Pressure (ROP<sup>i</sup>) of the NPS 36 GPML segments to allow NGTL to run In-Line Inspection (ILI) tools to assess further the integrity of the NPS 36 GPML.
2. On 17 May 2024, CER Staff issued NGTL an Information Request (IR) for further clarification.
3. On 22 May 2024, CER Staff met with NGTL to discuss the IR response, ILI plan and the technical contents of NGTL's EA.
4. On 24 May 2024, the NGTL Accountable Officer wrote to the undersigned IO to vary IOO JB-001-2024 specified measures. The purpose of the request is to obtain a temporary relaxation of 5% above the ROP only for section GPM70-60 currently planned for May 28 to June 10, 2024.
5. On 24 May 2024, NGTL submitted a revised EA to support NGTL's request.
6. CER staff reviewed the revised EA. It determined that NGTL demonstrated to the satisfaction of the undersigned CER IO, that the temporary relaxation would not pose a

safety issue for a period extending up to 30 June 2024. CER staff also recognizes that the temporary relaxation is instrumental to the success of the ILL runs.

## **PROVISIONS OF ACT OR REGULATIONS THAT ARE ALLEGED TO BE CONTRAVENED – AND ARE CONTINUING – OR ARE LIKELY TO BE CONTRAVENED**

### **GENERAL DUTY – REASONABLE CARE**

Pursuant to section 94 of the CER Act, the holder of a certificate or permit must take all reasonable care to ensure the safety and security of persons, the safety and security of regulated facilities and abandoned facilities and the protection of property and the environment.

### **MEASURES TO BE TAKEN**

*Based on the facts referenced herein, where the Inspection Officer has reasonable grounds to believe that there is or is likely to be a contravention of Parts 2 to 5 or section 335 of the CER Act, or for a purpose referred to in subsection 102(2) CER Act, the Inspection Officer may, by order, direct a person to*

- a. stop doing something that is in contravention of Parts 2 to 5 or section 335 or cause it to be stopped;*
- b. take any measure that is necessary in order to comply with Parts 2 to 5 or section 335 or mitigate the effects of non-compliance;*
- c. stop doing something that may cause a hazard to the safety or security of persons, or damage to property or the environment or cause it to be stopped; or*
- d. take any measure that is necessary to prevent or mitigate the hazard to the safety or security of persons or damage to property or the environment.*

**NGTL** is ORDERED pursuant to subsections 109(1) and 109(2) of the CER Act to:

- Take measures specified below under Specified Measures as per paragraphs (b) and (d) above
- Stop doing something as specified below under Specified Measures as per paragraphs (a) and (c) above
- Suspend work associated with a facility, including a regulated facility, abandoned facility or ground disturbance, until the hazardous or detrimental situation has been remedied to the satisfaction of an Inspection Officer or until this order is stayed or rescinded.

**SPECIFIED MEASURES**

1. NGTL may operate the NPS 36 GPML section GPM70-60 with a temporary relaxation of up to 5% above the ROP, specified in IOO-JB-001-2024, between May 28 and June 30, 2024. As soon as the ILI runs are completed, the NPS 36 GPML section GPM70-60 must be returned to the ROP as per IOO-JB-001-2024. The other sections of NPS 36 GPML must remain operated as per IOO-JB-001-2024.
2. For each ILI run completed, NGTL shall report to the CER IO the completion date.
3. NGTL shall file with the CER IO a confirmation that the ILI runs of the NPS 36 GPML are successful and,
4. NGTL shall file with the CER IO a confirmation that the NPS 36 GPML section GPM70-60 operations have been returned to the specified measures of the IOO-JB-001-2024.

**EFFECTIVE DATE OF THE ORDER**

This Inspection Officer Order takes effect immediately on 28 May 2024 at the time of delivery of this Order to the Company to whom it is directed. Nothing in this Order shall be construed as reducing, increasing, or otherwise affecting what may be required of the Company to whom it is directed to comply with all applicable legislative or legal requirements.

**COMPLIANCE WITH THIS INSPECTION OFFICER ORDER IS MANDATORY**

Failure to comply with an Inspection Officer Order issued under section 109 of the CER Act is an offence under section 112 of the CER Act.

	28 May 2024	
<b>Inspection Officer</b>	<b>Date</b>	
	[REDACTED]	
	[REDACTED]	[REDACTED]
	<b>IO Designation Number</b>	<b>Signature</b>
	210 - 517 10 Ave SW Calgary AB T2R 0A8	

*Please note that:*

1. *In compliance with the CER's Enforcement Policy, this Order will be posted on the CER's website.*
2. *All submissions to the CER in response to the order are to be provided within the CER Operations Regulatory Compliance Application (ORCA) quoting the associated CVA #, Inspection Officer Order #, and any specific measure with which the submission is associated. The Company is requested to send a copy of any response provided in the OERS to the Inspection Officer via email.*