

June 2, 2021

Enforcement Action: 2021-0074-01

s22

Attention: s22 Landowner

RE: Warning: Failure to Call BC One Call

Dear s22

On May 13, 2021 the BC Oil & Gas Commission (the “Commission”) received notification of an incident from yourself that a contractor working on your behalf had made contact with a suspected gas pipeline while pushing soil on your property with the blade of a track-type tractor. Once having confirmed the incident location and completed a review of internal records, the Commission determined that the pipeline in question was a 6” yellow-jacketed sour gas gathering line. Underscoring the potential risks associated with such incidents, the Commission’s incident classification matrix automatically classifies all pipeline strikes as a Level 1 incident.

On May 17, 2021 you met with a Commission Compliance & Enforcement Officer on your property to inspect the worksite and stricken pipeline. While on location the Compliance & Enforcement Officer determined that the pipeline was an active line and that the strike occurred approximately 100 m east of your residence. Later this day a representative for the pipeline’s permit holder arrived on location to inspect the incident scene.

The Pipeline Crossings Regulation (the “Regulation”), as enabled by the *Oil and Gas Activities Act*, specifies under section 2(3)(a) that:

Subject to subsection (4), the person, before disturbing the earth for the purposes of the ground activity, must

- (i) advise BC One Call of the proposed site of the activity, and
- (ii) if BC One Call advises that there are one or more pipelines within 30 m of the proposed site of the activity, confirm with each pipeline permit holder that the pipeline is at least 10 m away from the proposed site of the activity

Section 1 of the Regulation defines “ground activity” as:

Any work, operation or activity that results in a disturbance of the earth, including a mining activity as defined in section 1 of the Mines Act, but not including

- (a) cultivation to a depth of less than 45 cm below the surface of the ground, or
- (b) a disturbance, other than cultivation referred to in paragraph (a), of the earth to a depth of less than 30 cm

Evidence gathered by the Commission while attending the subject incident confirmed that the work done on your property exceeded the 30 cm disturbance threshold to be defined as “ground activity”. As such, there was a requirement to advise BC One Call of the proposed activity.

As explained on BC One Call’s website, “BC [One] Call is the link between the excavating community and the owners of underground facilities who are our members.” BC One Call is a no-cost service intended to prevent incidents and associated potential presence of high-risk hazards similar to those seen in this instance. It is best practice to call BC One Call in advance of any digging or similar works and is required by legislation if said works meet the definition of “ground activity”.

Given the circumstances, you are hereby issued a warning only for the following:

1. s22 on or about May 13, 2021 at or near Fort St. John in the Province of BC, did fail to advise BC One Call of proposed ground activity contrary to section 2(3)(a)(i) of the Pipeline Crossings Regulation 147/2012 and did thereby contravene section 76(1)(e) of the *Oil and Gas Activities Act*.

If you have any questions about this matter, please feel free to contact the undersigned.

Sincerely,

<original signed by>

Compliance & Enforcement Officer
BC Oil and Gas Commission