

June 13th, 2018
s.22

Enforcement File 18-013DC

Re: Unauthorized ground activity within 30m of a pipeline

Dear s.22

On May 30th, 2018 the BC Oil and Gas Commission (Commission) received a Third Party Non Compliance Report from Fortis BC stating that an irrigation ditch had been excavated within the right of way of the pipeline located on the property of s.22
s.22

The investigation into this matter revealed that s.22 failed to advise BC One Call of the ground activity being conducted at s.22 within the right of way of the Fortis pipeline. s.22 also failed to adequately notify the permit holder of the pipeline. As a result of this, s.22 is hereby warned under the Pipeline Crossing Regulation, Section 2. Section 2 states:

Pipeline crossing distances

2. (1) A ground activity is a prescribed activity for the purposes of section 76 (1) (b) of the Act.

(2) The prescribed distance for the purposes of section 76 (1) of the Act is 30 m.

(3) For the purpose of section 76 (1) (e) of the Act, the following requirements are prescribed respecting a person carrying out a ground activity at least 10 m away from the pipeline nearest to the site of the ground activity:

(a) 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;

(b) if physical contact is made with a pipeline as a result of the carrying out of the ground activity, the person must notify (i) the commission, and (ii) the pipeline permit holder of the contacted pipeline.

(4) A person is not required to comply with subsection (3) (a) respecting a ground activity if the person has, for another purpose, previously determined, in part on the

advice of BC One Call, that the nearest pipeline to the proposed site of the ground activity is more than 30 m away from the site.

This warning will form part of the corporate record kept by the Commission. In the future, failure to comply with the Pipeline Crossing Regulation may result in escalated enforcement actions and possible monetary penalties.

If you have any questions about the content of this letter, please contact the undersigned. Thank you for your attention to this matter.

Yours truly,

<original signed by>

Oil and Gas Operations Officer
BC Oil and Gas Commission