



IN THE MATTER OF THE **NATIONAL ENERGY BOARD ACT**,  
AN ORDER UNDER SECTION 51.1

On 15 January 2013, the undersigned National Energy Board inspection officer hereby  
Date/time  
notifies Les Entreprises Nord-Construction (1962) Inc. (Nord-Construction) that the hazardous or detrimental situation  
Company Representative and company name  
described on Order No. MJS-004-2012 has been remedied to the satisfaction of the inspection officer.  
Inspection Officer order

Therefore,  work may resume, or  
 the measures specified in the order have been satisfied.

**Summary**

On October 26, 2012, Les Entreprises Nord-Construction (1962) Inc. (Nord-Construction) received an Inspection Officer Order from the National Energy Board (the Board). To satisfy the conditions of the Order, Nord Construction was ordered to develop and implement a safety procedure to ensure that excavation or construction work near a federally-regulated pipeline is performed in accordance with the *National Energy Board Pipelines Crossing Regulations, Part I* (the Regulations). The safety procedure had to provide for the following, at a minimum:

1. Nord-Construction shall not excavate within 30 metres of a federally-regulated pipeline or construct a facility above, below or along a federally-regulated pipeline (hereafter referred to as "work") unless it is in compliance with the Regulations.
2. Nord-Construction shall contact the pipeline company directly or via Info-Excavation prior to commencing any work.
3. Nord-Construction shall ensure that it has obtained all necessary written permissions from the pipeline company before commencing work and shall ensure that it understands the conditions and instructions set out in the permissions and is able to comply with them.

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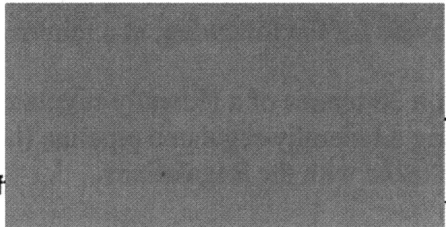
4. In the event of a modification to excavation or construction for which permission from the pipeline company has been obtained, Nord-Construction shall communicate the modification to the pipeline company to ensure that the company's permission is still valid and that the project can proceed safely.
5. The procedure shall describe how Nord-Construction will ensure that the procedure is fully and successfully implemented to ensure compliance with the procedure on an ongoing basis. The procedure shall also stipulate that Nord-Construction will follow up to identify and remedy any deficiencies in its procedure and to verify the successful implementation of its procedure to avoid future unauthorized activities.

On November 30, 2012, in response to Inspection Officer Order MJS-004-2012, Nord-Construction reported on its safety practices in a document it filed titled *Procédures de travail pour les travaux d'excavation et de construction à proximité de pipelines* [Procedures for performing construction and excavation near pipelines]. The procedures are designed to promote safe practices that do not entail hazards when undertaking excavation or construction near federally-regulated pipelines, in accordance with the Regulations.

The Inspector has reviewed the document and notes that if the procedures are implemented and complied with as described, and if all provisions of the above-mentioned Regulations are observed, Nord-Construction will in future avoid non-compliance with the *National Energy Board Act* and the Regulations.

The Board Inspector is satisfied that Nord-Construction is now familiar with the Regulations and that it has a safe work procedure in place. The Board Inspector finds that the conditions of the Order have been satisfied. Accordingly, **Inspection Officer Order MJS-004-2012** is hereby lifted.

Signed by:



Inspection Officer:



*Print name*

Inspection Of

*Original - Report*

*1 copy - Company*

*1 copy - Inspection Officer*

Canada