



File NEBA-RRG-DPR 01
8 March 2011

To: All Interested Stakeholders

Update on proposed *Damage Prevention Regulations* (DPR) and Damage Prevention Initiatives

In August 2010, the National Energy Board published the proposed *Damage Prevention Regulations* (DPR) in the *Canada Gazette*, Part I for a 30-day comment period. The Board thanks all stakeholders who submitted comments. In light of the comments received, the Board will not proceed with finalizing the proposed DPR at this time, pending further analysis and consultation with stakeholders. In the near future, the Board will invite stakeholders to discuss concerns identified in recent submissions.

In the meantime, the *National Energy Board Pipeline Crossing Regulations, Part I* and *Part II* remain in force. The *National Energy Board Act* and the regulations establish damage prevention requirements for pipeline companies and anyone who is planning to work on or near a federally-regulated pipeline.

As part of the Board's commitment to continuous improvement, it has also begun other damage prevention initiatives which form the basis of the Board's current damage prevention strategy. These initiatives are outlined below.

Damage Prevention Compliance and Enforcement

The Board has started a Damage Prevention Compliance and Enforcement initiative that will clarify the Board's approach to compliance and enforcement actions. The Board will hold an information session with pipeline companies and interested associations to discuss the reporting and assessment tool for unauthorized excavation and construction activities near federally-regulated pipelines.


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Agricultural Crossing Guidelines and Exemption Order

In December 2010, the Board published "Guidance for Safe Crossings of NEB-Regulated Pipelines Using Agricultural Vehicles and Mobile Equipment" and an accompanying "Exemption Order Respecting Crossings by Agricultural Vehicles or Mobile Equipment" (MO-21-2010). The guidance and order clarify low-risk situations where farming vehicles and mobile equipment can safely cross NEB-regulated pipelines without the need for permission from the pipeline company. These documents are available on the NEB website at <http://www.neb-one.gc.ca/clf-nsi/rthnb/pblcprtctn/pplncrssngswrknggrp/pplncrssngswrknggrp-eng.html>.

Yours truly,



Anne-Marie Erickson
Secretary of the Board