

The Pipelines Regulations, 2000

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Chapter P-12.1 Reg 1 (effective April 1, 2000).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER P-12.1 REG 1

The Pipelines Act, 1998

Title

- 1** These regulations may be cited as *The Pipelines Regulations, 2000*.

Interpretation

- 2** In these regulations:

- (a) **“abandonment”** means the permanent deactivation of a pipeline or part of a pipeline, whether or not it is removed;
- (b) **“Act”** means *The Pipelines Act, 1998*;
- (c) **“discontinuation”** means the temporary deactivation of a pipeline or part of a pipeline where the licence for that pipeline remains in effect;
- (d) **“environment”** means the air, land and water and plant and animal life;
- (e) **“operator”** means any person who is in charge or has control of any pipeline, whether or not a licence has been issued respecting that pipeline.

7 Apr 2000 cP-12.1 Reg 1 s2.

Licence application

- 3(1)** An application for a licence is to include the following information and material:

- (a) a white print copy of the plan of the pipeline showing:
 - (i) the location of the pipeline in its entirety and the land descriptions necessary to properly locate the pipeline;
 - (ii) the location of pumping stations and compressor stations, the location of all valves used for isolating and sectionalizing the pipeline and the location of all tanks used in pipeline operation;
- (b) a typical profile and cross-section of the pipeline indicating the depth of burial;
- (c) a typical road crossing profile;
- (d) a stream crossing profile for each stream to be crossed;
- (e) a description of the substance to be transported by the pipeline;
- (f) the legal description of the starting point and the end-point of the pipeline;
- (g) the length of the pipeline;
- (h) the size or sizes of pipe to be used, the wall thickness of the pipe and the pipe grade;
- (i) the type of protective coating to be used on the pipe;
- (j) the expected daily flow rate of the pipeline;

- (k) the design pressure and the maximum operating pressure that the pipeline is expected to be qualified to by pressure testing;
 - (l) an application fee in the amount of \$350;
 - (m) any other information that the minister may require.
- (2) Any material or information to be submitted with an application, including any statements mentioned in section 4 or 5, may be provided to the department in an electronic format acceptable to the minister.

7 Apr 2000 cP-12.1 Reg 1 s3.

Notifications and easements

4(1) Every application for a licence is to include a statement that the following have been notified respecting the pipeline:

- (a) all municipalities that the pipeline crosses or is located within;
 - (b) the Department of Environment and Resource Management (Environmental Assessment Branch);
 - (c) if the pipeline is located within 1.5 kilometres of the boundaries of an urban municipality, the Department of Municipal Affairs, Culture and Housing (Community Planning Branch);
 - (d) if there are any archeological sites along the pipeline right of way, the Department of Municipal Affairs, Culture and Housing (Heritage Branch);
 - (e) if the pipeline is for fresh water transportation, the Saskatchewan Water Corporation;
 - (f) if the pipeline is located within 30 metres of a utility or pipeline, the operator of that utility or pipeline;
 - (g) all surface landowners whose property the pipeline crosses or is located within;
 - (h) all Indian bands whose reserve the pipeline crosses or is located within.
- (2) Every application for a licence is to indicate whether all easements have been obtained.
- (3) Every application for a licence is to indicate whether all municipalities that the pipeline crosses or is located within have signed the construction plans as proof of notification.
- (4) In this section:
- (a) **“Indian band”** means a band within the meaning of the *Indian Act* (Canada) and includes the council of a band;
 - (b) **“reserve”** means a reserve within the meaning of the *Indian Act* (Canada).

7 Apr 2000 cP-12.1 Reg 1 s4.

Approvals and certification

5(1) Where the prior written consent of the Minister of Highways and Transportation is required pursuant to section 14 of the Act respecting a pipeline, the application is to include a statement that the prior written consent has been obtained.

(2) Every application for a licence is to include a certification from a professional engineer, as defined in *The Engineering and Geoscience Professions Act*, that the pipeline has been designed in accordance with the standards mentioned in section 12.

7 Apr 2000 cP-12.1 Reg 1 s5.

When construction must begin

6(1) Subject to subsection (2), a licence issued for the construction of a pipeline expires one year from the date of issuance if construction has not begun within that period.

(2) If an extension is requested by the licence holder and on payment of an extension fee of \$250 for each extension, the licence may be extended for subsequent periods of six months at the discretion of the minister.

7 Apr 2000 cP-12.1 Reg 1 s6.

Alterations of pipeline

7 A licence holder applying for a licence or an amendment to a licence to permit the alteration of a pipeline shall include the following with the application:

- (a) the reasons for the proposed alteration;
- (b) the details of the proposed alteration, including highlighting the changes from the original plan of the pipeline;
- (c) a fee of \$200 if the alteration includes a new right of way or if more than 100 metres of pipe will be replaced.

7 Apr 2000 cP-12.1 Reg 1 s7.

Discontinuation of pipeline

8 A licence holder applying for a licence or an amendment to a licence to permit the discontinuation of a pipeline shall include the following with the application:

- (a) the reasons for the discontinuation;
- (b) the expected duration of the discontinuation;
- (c) a description of the state that the pipeline will be in during the discontinuation;
- (d) an undertaking respecting the maintenance of cathodic protection.

7 Apr 2000 cP-12.1 Reg 1 s8.

Abandonment of pipeline

9 A licence holder applying for a licence or an amendment to a licence to permit the abandonment of a pipeline shall include the following with the application:

- (a) the reasons for the abandonment;
- (b) the details of the abandonment procedure, which is to include:
 - (i) the purging of the substance carried by the pipeline using fresh water, air, an inert gas or other cleaning substance;

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- (ii) the cutting of the pipeline at both ends at the buried depth and the welding of steel plates or caps over the openings; and
- (iii) the removal of all above-ground facilities and the restoration of any land utilized by the pipeline.

7 Apr 2000 cP-12.1 Reg 1 s9.

Department to be notified before construction

10 A licence holder shall notify the department within 24 hours after the start of construction of a pipeline for which a licence has been issued.

7 Apr 2000 cP-12.1 Reg 1 s10.

Pipelines near highways

11 No person shall construct a pipeline within 90 metres of the surveyed limit of a provincial highway or within 30 metres of the surveyed limit of a road other than a provincial highway without the prior written consent of the Minister of Highways and Transportation.

7 Apr 2000 cP-12.1 Reg 1 s11.

Requirements re design, etc.

12(1) The minimum requirements for the design, construction, testing, operation, maintenance and repair of pipelines shall be in accordance with the most recent version of CSA Standard Z662, *Oil and Gas Pipeline Systems*, unless otherwise approved by the minister.

(2) Notwithstanding subsection (1), if an applicant proposes to use materials or components manufactured to standards not listed in the appropriate CSA standard, the applicant shall provide sufficient evidence to demonstrate the suitability of those materials or components for the intended purpose, and the minister may, if satisfied of their suitability, approve the use of those materials or components.

(3) The minimum requirements for leak detection procedures on hydrocarbon liquid pipelines other than multi-phase pipelines must be in accordance with Appendix E of the most recent version of CSA Standard Z662, *Oil and Gas Pipeline Systems*.

(4) If there is a conflict between the standards mentioned in subsections (1), (2) and (3) and these regulations, these regulations prevail.

(5) If the appropriate CSA standard requires that a pipeline be altered because of a change in the pipeline's surroundings, or due to a revision to the standard, the minister may exempt the pipeline from the required modifications if the operator demonstrates that the pipeline is suitable and safe for continued operation under the original standard.

7 Apr 2000 cP-12.1 Reg 1 s12.

Pipelines to be marked

13(1) Every operator shall mark with conspicuous signs on the limits of a provincial highway or a road the place at which a pipeline enters and leaves or crosses under the provincial highway or road.

(2) The signs must show:

- (a) the name and telephone number of the operator;

- (b) the name of the pipeline, if the name is different from the name of the operator;
 - (c) the warning notice; and
 - (d) the substance that the pipeline transports.
- (3) An operator must locate a pipeline within 72 hours, excluding weekends and holidays, when requested to do so by anyone intending to undertake a ground disturbance.
- (4) All non-metallic pipelines must be constructed with an electrically conductive wire for the purpose of locating the pipelines.

7 Apr 2000 cP-12.1 Reg 1 s13.

Emergency procedures manual

14 Every operator of a pipeline for which a licence has been issued shall:

- (a) prepare and maintain an emergency procedures manual that sets out the action to be taken and the agencies and persons to be contacted in the event of a rupture, break, leak or fire; and
- (b) ensure that the emergency procedures manual is up to date and readily accessible to operating and maintenance personnel.

7 Apr 2000 cP-12.1 Reg 1 s14.

Transported substances to be measured

15(1) For the purposes of leak detection and material balance, every operator of a pipeline for which a licence has been issued shall ensure that all substances transported by that pipeline are measured accurately to a degree acceptable to the minister.

(2) Notwithstanding subsection (1), where an operator is in charge or has control of a number of interconnected pipelines for which separate licences have been issued, the operator is not required to measure the substances being transported by those interconnected pipelines more than once.

7 Apr 2000 cP-12.1 Reg 1 s15.

Inspections

16(1) All pipelines are subject to a visual inspection by a representative of the minister at any time during construction or operation.

(2) Notwithstanding subsection (1), the representative of the minister must provide the operator with 48 hours' notice if the inspection is to involve pressure testing, adjustments to valves or pumping speeds or similar activities and the operator must be present during those activities.

(3) The representative of the minister must provide written notification to the operator of any corrective measures to be taken by the operator except in the case of a rupture, break, leak or damage by a third party that requires immediate action or repair.

(4) If the operator incurs any costs during or as a result of the inspection, those costs are to be borne by the operator.

7 Apr 2000 cP-12.1 Reg 1 s16.

Pressure testing

17(1) No operator shall commence operation of a pipeline until all piping has been pressure tested in accordance with the most recent version of CSA Standard Z662, *Oil and Gas Pipeline Systems*, or in accordance with another method approved by the minister.

(2) The operator of a pipeline for which a licence has been issued shall give the department a minimum of 24 hours' notice before conducting a pressure test on the pipeline.

(3) Where the minister has reason to doubt the integrity of a pipeline or portions of a pipeline, he or she may request at any time during the operation of the pipeline:

- (a) additional pressure tests on the pipeline or any portion of the pipeline; or
- (b) special electronic surveys on the pipeline or any portion of the pipeline.

(4) Where the minister makes a request pursuant to subsection (3), the operator shall comply with the request within the period specified by the minister.

(5) The initial pressure test on a pipeline for which a licence has been issued must follow the procedures as submitted with the application for the licence, or other procedures that have been approved by the minister.

(6) The operator of a pipeline for which a licence has been issued shall submit the results of a pipeline test conducted pursuant to this section to the department in a form acceptable to the minister.

7 Apr 2000 cP-12.1 Reg 1 s17.

Leave to open required

18 No operator of a pipeline for which a licence has been issued shall commence the operation of the pipeline before being granted a leave to open by the minister.

7 Apr 2000 cP-12.1 Reg 1 s18.

Maximum operating pressure

19 No pipeline for which a licence has been issued shall be operated at a pressure exceeding the maximum operating pressure specified:

- (a) in the leave to open granted by the minister; or
- (b) in the licence, where the licence has been amended to include the maximum operating pressure after the leave to open has been granted.

7 Apr 2000 cP-12.1 Reg 1 s19.

Notification of fires, etc.

20(1) Every operator shall immediately notify the department, by the most expeditious method, of the occurrence of any of the following:

- (a) a fire;
- (b) the escape or release of more than 28,000 cubic metres of natural gas;
- (c) contact damage to a pipeline;
- (d) a break, leak, malfunction of any equipment or a worker error that results in the escape or release of:
 - (i) oil, salt water, condensate or other product;

- (ii) natural gas within a road or railway right of way or within 150 metres of any dwelling; or
 - (iii) natural gas containing hydrogen sulphide.
- (2) Where an incident mentioned in subsection (1) occurs, the operator shall take immediate action in accordance with the emergency procedures manual.
- (3) Notwithstanding subclause (1)(d)(i) but subject to subsection 21(3), an operator is not required to notify the department where the volume of oil, salt water, condensate or other product that escapes or is released is less than 1.6 cubic metres and is contained on property that the operator owns or leases.

7 Apr 2000 cP-12.1 Reg 1 s20.

Written reports

21(1) Every operator shall, within 30 days after notifying the department pursuant to section 20, submit a written report to the department containing:

- (a) the date and time and exact location where the incident occurred;
 - (b) the action taken by the operating personnel, including details of any remedial clean-up steps taken, in progress or proposed;
 - (c) the human injuries or fatalities;
 - (d) a description of any environmental damage;
 - (e) a description of the quantities of substances spilled, lost or burnt and a further estimate of any subsequent recovery;
 - (f) a description of the cause of the incident, including any related technical report; and
 - (g) a description of the preventative action the operator intends to take to prevent a similar future occurrence.
- (2) If a metallurgical report or other laboratory studies are required to determine the cause of a break, leak or malfunction of equipment, an additional period not exceeding six months may be granted by the minister for the submission of a final written report that addresses all items set out in subsection (1) as long as a preliminary written report is filed within 30 days after the department is notified of the incident.
- (3) Every six months an operator shall submit, for the previous six-month period, a written summary report to the department respecting every incident involving a pipeline rupture, break or leak for which the department was not required to be immediately notified pursuant to section 20.
- (4) The report mentioned in subsection (3) is to contain the following:
- (a) the date, time and location where the incident occurred;
 - (b) a description of any environmental damage;
 - (c) a description of the quantities of substances spilled or lost and a further estimate of any subsequent recovery;
 - (d) a description of the cause of the incident.

7 Apr 2000 cP-12.1 Reg 1 s21.

Records to be kept

22 Every operator of a pipeline for which a licence has been issued shall maintain complete and accurate records of the quantities of substances purchased, acquired, stored, transported and sold respecting the pipeline for at least six years after those records are prepared.

7 Apr 2000 cP-12.1 Reg 1 s22.

Non-application of Act and regulations

23(1) The Act and these regulations do not apply to a pipeline transporting fresh water for oil and gas operations that is subject to the provisions of *The Water Corporation Act*.

(2) In the case of a pipeline transporting steam, where there is a conflict between the provisions of the Act or these regulations and the provisions of *The Boiler and Pressure Vessels Act*, the provisions of *The Boiler and Pressure Vessels Act* apply.

7 Apr 2000 cP-12.1 Reg 1 s23.

Consent re entry on lands

24 An applicant requesting consent from the minister pursuant to section 13 of the Act shall provide the minister with evidence that the applicant:

- (a) contacted the owner, explained the purpose of the intended entry and discussed the route of the pipeline; or
- (b) was unable to contact the owner after taking all reasonable steps to do so.

7 Apr 2000 cP-12.1 Reg 1 s24.

Sask. Reg. 612/68 repealed

25 The Pipe Lines Regulations, being Saskatchewan Regulations 612/68, are repealed.

7 Apr 2000 cP-12.1 Reg 1 s25.

Coming into force

26(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Pipelines Act, 1998* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Pipelines Act, 1998* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

7 Apr 2000 cP-12.1 Reg 1 s26.