



**MINISTER OF
INNOVATION, ENERGY AND MINES**

Legislative Building
Winnipeg, Manitoba CANADA
R3C 0V8

THE OIL AND GAS ACT

PIPELINE CONSTRUCTION PERMIT No. 2013-01

**PIPELINE from 13-10-9-28WPM to 12-16-9-28WPM OIL TERMINAL
AND
12-16-9-28 WPM OIL TERMINAL to 12-12-9-28 WPM
TUNDRA ENERGY MARKETING LIMITED**

WHEREAS, Tundra Energy Marketing Limited (TEML) made application under Section 149 of The Oil and Gas Act ("the Act") for authorization to construct two crude oil pipelines. The first starts at Tundra Oil & Gas Partnership oil battery 13-10-9-28 WPM and terminates at the TEML Oil Terminal located at 12-16-9-28 WPM. The second line starts at the TEML Oil Terminal located at 12-16-9-28 WPM and terminates at the CN Rail Loading Facility located at 12-12-9-28WPM.

AND WHEREAS, notice of the application was published by Manitoba Innovation, Energy and Mines and sent to all landowners and other parties who may be affected by the application;

AND WHEREAS, the Minister has considered representations and recommendations received as a result of notice of the application and is satisfied the application complies with the Act and that construction of the pipeline is consistent with the principles of sustainable development;

AND WHEREAS, Subsection 149(4) of the Act provides as follows:

149 (4) The minister may, in accordance with the regulations, issue a pipeline construction permit on such terms and conditions as the minister considers necessary or advisable.

THEREFORE, the Minister approves construction of the pipeline in accordance with the following terms and conditions:


1. The permittee shall design and construct the pipeline in accordance with the most recent version of CSA Standard Z662- Oil and Gas Pipelines Systems,

CSA Standards Z245.1- Steel Line Pipe and other applicable standards and the specifications, drawings and other information and data set forth in its application.

2. The permittee shall obtain the approval of the owner and any occupant in accordance with Subsection 151(2) of the Act, prior to entering on any land for the purpose of constructing the pipeline.
3. The permittee shall not make any modifications to the pipeline without the approval of the Director. The Minister's authority under Subsection 150(1) of the Act is delegated to the Director pursuant to Order in Council 384/2011.
4. The permittee is to notify the Virden District Office of the Petroleum Branch ("District Office"):
 - a. Not less than 7 days prior to commencing construction; and
 - b. Immediately in the event of an accident.
5. The permittee shall carry out all excavations in accordance with Manitoba Labour and Immigration's Guidelines for Excavation Work. An excavation permit shall be obtained from the District Office.
6. The permittee shall develop and implement an Emergency Response Plan for construction of the pipeline. A copy of this should be presented to the District Office for reference.
7. This construction permit does not imply consent or approval for proposed crossings of highways, provincial roads, municipal roads, railways, utility, waterways or other pipelines or flowlines. Separate crossing agreements, permits or licenses must be arranged with the appropriate authority or owner.
8. The permittee may require authorization under *The Water Rights Act* for the withdrawal of water for hydrostatic testing. The proponent shall contact the following areas at Manitoba Water Stewardship at least 2 weeks in advance of the anticipated usage date:
 - a. A contact person is Ms. Laureen Janusz, Fisheries Biologist, Fisheries Branch, Manitoba Water Stewardship, telephone: (204) 945-7789 and
 - b. A contact person is Mr. Rob Matthews, Manager, Water Use Licensing Section, Manitoba Water Stewardship, telephone: (204) 945-6118.
9. The permittee will require authorization from Manitoba Water Stewardship, prior to the discharge of hydrostatic test water.
 - a. A contact person is Ms. Wendy Ralley, Manager, Water Quality Management Section, Manitoba Water Stewardship; telephone: (204) 945-8146.

10. The permittee shall not commence operation of the pipeline until a pipeline operating licence under Section 152 of the Act has been issued.

Dated the 21 day of January, 2013



Honourable Dave Chomiak
Minister
Innovation, Energy and Mines