

BOARD OF COMMISSIONERS OF PUBLIC UTILITIES

P.O. Box 5001
15 Market Square, Suite 1400
Saint John, NB
E2L 4Y9

Telephone: (506) 658-2504
Fax: (506) 643-7300



PROVINCE OF NEW BRUNSWICK
PROVINCE DU NOUVEAU-BRUNSWICK

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COMMISSION DES ENTREPRISES DE SERVICE PUBLIC

C. P. 5001
15 Market Square, Bureau 1400
Saint John, Nouveau-Brunswick
E2L 4Y9

Téléphone (506) 658-2504
Télécopieur (506) 643-7300

PERMIT TO CONSTRUCT

APPROVAL TO CONSTRUCT A PIPELINE FROM THE IRVING REFINERY FACILITY TO ITS EAST SAINT JOHN TERMINAL IS GRANTED TO:

IRVING OIL LIMITED

OF: 10 Sydney Street, Saint John, N.B. E2L 5E6

TYPE: CSA Z245.1 Grade 359 Cat. II Pipeline

PERMIT NO.: 2005 - 01

SUBSTANCE: Diesel Fuel

BEING: a) Approximately 1875 meters of 609.0 mm (NPS 24) steel pipe with a minimum wall thickness of 9.5 mm

THIS PERMIT TO CONSTRUCT EXPIRES ON DECEMBER 31, 2006.

THIS APPROVAL TO CONSTRUCT IS ISSUED PURSUANT TO SECTION 11 (1) OF THE PIPELINE ACT 1999, S.N.B. 1976, C p-8.1 AND IS SUBJECT TO THE ACT AND ITS REGULATIONS AND ALL TERMS AND CONDITIONS OF THE REGULATOR THEREUNDER.

CONDITIONS OF APPROVAL SPECIFIC TO THIS PERMIT ARE ATTACHED HERETO AS SCHEDULE A.

Dated at Saint John, N.B., this 11th day of August, 2005

David C. Nicholson
Chairman

Schedule A – Conditions of Permit # 2005-01

Le
Aug 11/05

1. Irving Oil Limited is to submit all civil and mechanical "Approved for Construction" plans and specifications for review to the Board prior to construction. These shall include tie-in details to any existing lines.
2. A program for self-auditing throughout construction of the pipeline to ensure all requirements are being complied with shall be issued to the Board for review prior to construction.
3. The program in item 3 shall also include provisions for recording all non-compliances and the mitigation measures taken for correction. These records shall be submitted to the Board within 30 days of completion of construction.
4. Irving Oil Limited shall designate a project manager who will be responsible for the fulfillment of undertakings on the construction site and shall provide the name of the project manager to the Board prior to construction.
5. All permits required under other provincial and municipal jurisdictions, such as building permits, water crossing permits, highway usage permits etc shall be obtained prior to construction.
6. A Construction Safety Manual will be required to be submitted to the Board for review prior to construction. This manual shall include provisions for public safety.
7. A Pressure Test Plan will be required to be submitted to the Board for review prior to construction.