

# AER Bulletin 2014-38

December 5, 2014

## Temporary Surface Water Pipelines for the Energy Resource Industry

The Alberta Energy Regulator (AER), through feedback from industry and its ongoing processes to improve regulation, has identified the need to clarify existing rules for temporary surface pipelines constructed of pipe materials such as lay-flat polyurethane hose, polypropylene hose, and aluminum irrigation pipe used to transfer water for energy resource development. These pipelines are not licensed under *Directive 056: Energy Development Applications and Schedules*.

These systems typically involve short-term use of portable pumps and various types of temporary hoses or piping to transport water from a water source to a temporary holding facility. Typical operational periods do not exceed 30 days; however, temporary surface water pipelines may, in certain circumstances, be permitted to operate for a term of up to one year, consistent with any related *Water Act* temporary diversion licence (TDL).

### Temporary Surface Water Pipeline Operations

The AER does not require operators of temporary surface water pipelines to obtain a pipeline licence, as the structures and activities are temporary and water poses minimal hazards. These pipelines are exempted from licensing requirements under section 3(3) of the *Pipeline Rules*, provided the water meets criteria in section 3(3)(d). However, temporary surface water pipelines are still subject to applicable requirements under the *Pipeline Act*, *Oil and Gas Conservation Act*, *Public Lands Act*, and *Water Act*. Operators are reminded that the use of temporary surface water pipelines is subject to the following:

- Under the *Pipeline Rules*, the only substance which may be transported in the temporary surface pipeline is water that meets all of the following criteria. Operators should verify water composition by appropriate analysis methods and retain related records:
  - The source water has a chloride content of 640 milligram per litre or less.
  - The source water has an electrical conductivity of 2.0 decisiemens per metre or less.
  - The source water has a pH value between 6.5 and 9.0.
  - The source water has no hydrocarbon sheen.
  - The source water does not contain any of the following: municipal wastewater, water affected by industrial process, or produced or process water from an oil-and-gas activity.

- No chemical will be added to the source water or the water at any time during transport in the pipeline.
- The operator must comply with applicable requirements of the *Pipeline Rules*, including section 21, which addresses surface pipelines.
- The operator is responsible for ensuring appropriate design, selection, operation, and maintenance of pumping equipment and temporary surface water pipelines.
- The operator is responsible for ensuring adequate monitoring and supervision of the temporary pipeline at all times. Operators must be able to quickly identify and immediately respond to public complaints, leaks, and other problems.
- The operator must notify the appropriate AER field centre of any failure of pipeline or related pipeline installations immediately upon discovery (section 35 of the *Pipeline Act*).
- Operators must take reasonable measures to resolve any noise complaints associated with temporary surface water pipeline facilities (e.g., pumps) in a timely manner consistent with *Directive 038: Noise Control*.
- The pipeline may not be connected to any equipment other than the water source pump and related facilities at the point of diversion; pipeline booster pumps along the length of the pipeline, and equipment at receipt-point facilities (e.g., permanent pipeline riser, well site temporary holding facilities).
- Adequate physical security must be provided to ensure the safety of wildlife and the public.
- The operator must notify the appropriate AER field centre through the Digital Data Submission (DDS) system at least 24 hours before commencing pumping operations and within 24 hours of stopping operations (*Pipeline Rules*, section 6). The DDS notification must include
  - contact information for the operator;
  - location of the associated well or facility licence;
  - coordinates of the temporary pipeline origin and termination points;
  - reference number for related *Water Act* licence, TDL, or licence for the diversion of water; and
  - dates when pipeline operations will start and end.
- Following termination of the operation, all temporary pumping, piping, and storage structures should be removed within 10 days.

- Sites affected by temporary pipelines must be remediated in compliance with AER requirements and conditions of any access agreements or approvals (e.g., *Public Lands Act* dispositions).

### **Temporary Surface Water Pipeline Authorizations**

Operators are reminded that use of temporary surface water pipelines without a pipeline licence is subject to the following:

- Landowner consent is required to place temporary pipelines on privately owned lands.
- Consent is required from occupants on public land, *before* applying for an authorization under the *Public Lands Act*.
- Approvals may be required from other authorities (e.g., municipal approval for road crossings).

If an operator requires an exception to the requirements noted above, or if the operator cannot obtain landowner consent, then submission of a nonroutine pipeline and pipeline installation application to the AER is required. Such application must comply with requirements set out in *Directive 056*.

### **Temporary *Public Lands Act* Authorizations**

A *Public Lands Act* (PLA) authorization is required for temporary water pipelines on public lands. Applicants can complete a PLA Temporary Field Authorization (TFA) form found on the AER website and e-mail the completed form to a local land use field centre.

The TFA form can be found at <http://www.aer.ca/data-and-publications/aer-forms/pla-forms>.

A list of field centres can be found at <http://www.aer.ca/about-aer/contact-us/land-use-contacts>.

### **Water Diversion Authorizations**

A licence may be required under the *Water Act* before diverting nonsaline water for energy resource development. As well, if the water diversion will or may disturb a water body, then an authorization may be required for the disturbance. A TDL under the *Water Act* can have a term of up to one year.

The *Water Act* TDL Electronic Review System (WATERS) is used for submitting TDL applications online. Visit <http://www.aer.ca/applications-and-notices/application-process/water-act> for additional information, or access WATERS at this website: <https://waters.aew.alberta.ca/>.

When applying for a licence to divert water (temporary or otherwise) in association with a temporary surface water pipeline, you must include the submission form found in appendix 1 of this bulletin. The form must be submitted as an electronic, searchable attachment to the licence application. A fillable version of the form is also available on the “Forms” page on the AER website, [www.aer.ca](http://www.aer.ca).

inquiries 1-855-297-8311  
24-hour  
emergency 1-800-222-6514

For more information, e-mail [directive56.help@er.ca](mailto:directive56.help@er.ca) or call the *Directive 056* help line at 403-297-4369.

*<original signed by>*

Kirk Bailey  
Executive Vice President  
Operations Division

**Appendix 1: Temporary Surface Water Pipeline Information Form**

inquiries 1-855-297-8311  
24-hour  
emergency 1-800-222-6514

# Temporary Surface Water Pipeline Information



Complete this form and submit it with the other documents when applying for a temporary diversion licence or a licence for diversion of water for the source water of the pipeline.

Applicant Information	
Company name:	
Mailing address:	
Contact person:	
Contact phone:	Contact e-mail:

Project Information – General (Be as brief as possible. Attach an additional sheet if more space is needed.)
Project description:
Attach map of project layout. If map is not attached, explain why:
Expected dates of operation:

Project Information – Water Use & Facilities (Be as brief as possible. Attach an additional sheet if more space is needed.)		
Description of pumping equipment:		
Description of water storage structures:		
<b>Pipeline</b> (If more than one, attach a table with the following information for each pipeline)		
Length:	From (LSD):	To (LSD):

**Project Information – Security**

Proximity to residents:

**Land access confirmation** (Use of the pipeline cannot proceed without landowner consent.)

Private landowners:

Public land disposition:  Disposition number:

This project complies with section 21 of the *Pipeline Rules*:

Description of supervision / security procedures during operation of the temporary pipeline: