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June 14, 2005

L. Carlson  
1585 BurBrook Rd  
RR#1, Glenburnie, Ontario  
K0H 1S0

**Utilities Kingston Response to Liz Carlson Interrogatories**

Re: **Utilities Kingston –Application for Leave to Construct a Natural Gas Pipeline Reinforcing Supply to the City of Kingston**

**Board File No. EB-2005-0247**

Dear Ms. Carlson:

I would like to take this opportunity to respond to your letter which I received June 9<sup>th</sup>. I sincerely hope I have accurately identified your questions and adequately answered the concerns you have presented in your letter.

*Although the pre-filed evidence binder stated that the gas pipeline was going to be on the south side of BurBrook Road, Mr. Chevrier states north or south side of BurBrook in his letter to Dale Sopha. What kind of an assessment can be done if even the engineering company doesn't know which side of the road the gas pipeline is going on? So what side of BurBrook road is the gas pipeline going on, since Mr. Chevrier didn't seem to know?*

To Ensure a coordinated response any questions regarding technical matters should be addressed to Utilities Kingston's Engineering personnel. As was identified in the environmental study the pipeline will be installed in the road right-of-way on the south side of BurBrook Rd.

*Please note on May 16, 2005 Mr. Chevrier admitted to my mother and brother that the City of Kingston had fractured the side of the spring. This was done 2 days before the Public Open House on October 20/05. This is a spring, not field run-off. and as we speak water is still running down the north side of BurBrook Road something it never used to do until the City of Kingston fractured the side of the spring and dug a huge ditch up the north side of the road. At one time the spring was used to draw water from by Roy and Nora McEwen who rented a property near the spring in the early 1960's. Mr. Chevrier also admitted he wasn't an expert on gas pipelines.*

We have engaged the services of professionals to observe natural features such as springs and advise us on the necessary measures to reduce the possibility of permanent damage to these resources. We are not anticipating that the planned work will have any negative impact on the natural features along the route.

*Also please note a mistake was made in the depth of my mothers well. It is 149 ft. deep. To our knowledge only our well, septic and cistern were checked, there are several more households that have wells within 200 metres of the proposed gas pipeline and they weren't checked. Since I spoke to our immediate neighbours on May 31 and June 1.*

Utilities Kingston requested Mr. Chevrier to conduct a preliminary survey on the well and septic at your mother's residence in a timely manner to provide information necessary to respond to your initial interrogatories. During his site reconnaissance visit Mr. Chevrier also interviewed the residents at 1580

BurBrook Road, directly across from your mother's residence. The information on the existing conditions as provided by the residents he interviewed during his reconnaissance is provided in his report. This Geotechnical consultant has since collected much more data both in the form of Ministry records and discussions with the remainder of the households during a field reconnaissance visit on June 8<sup>th</sup> and 9<sup>th</sup>.

*I did note a glaring error in **Section 6 Environmental Assessment Summary and Report** which should be brought to the OEB's attention. **5.1.3 Groundwater Resources Potential Impacts Pg. 5-3***

*"Groundwater levels in the area have been identified to be at a depth of between 6 to 40 metres and there were no wells apparent within 100 metres of the proposed location for the pipeline".*

*Sadly, there are several homes along the proposed location for the pipeline that do have wells, cisterns and septic systems within 100 metres of the proposed location for the pipeline.*

The Environmental study did indicate that there were no wells visible in proximity to the proposed route for the pipeline, but did however indicate in section 5.1.3 that:

"It is proposed that a well water survey be conducted to verify pre-construction well conditions."

Utilities Kingston has commenced this survey to identify both the location and condition of all wells and septic systems along the route.

*Since Utilities Kingston didn't do as the OEB requested **Environmental Matters, Section 6 Question 12 b)** I am forwarding to you some of the potentially impacted wells, I will send more as collected.*

<b>Annette Emmons</b>	<b>1630 BurBrook Road</b>	<b>Cistern-</b> approx. 20m from the centreline of the road. <b>1st Well</b> – approx. 17m from the centreline of the road
	<b>Water Quality: Poor</b>	<b>2nd Well</b> - approx. 19m from the centreline of the road
<b>Pauline Kotowich</b>	<b>1654 BurBrook Road</b>	<b>Septic-</b> approx. 25m from the centreline of the road. <b>Weeping Tiles</b> – approx. 6m from the centreline of the road <b>Water Well</b> - approx. 45m from the centreline of the road
<b>Quantity: Poor</b>		
<b>Mae Parent</b>	<b>1660 BurBrook Road</b>	<b>Had to drill 7 wells during the time that she has lived here.</b> <b>Weeping Tiles</b> – approx. 7m from the centreline of the road <b>Well-</b> approx. 20m from the centreline of the road.
	<b>Water Quantity: Poor</b>	<b>Septic</b> - approx. 19m from the centreline of the road
<b>Mr. &amp; Mrs. Ray Conners</b>	<b>1660 BurBrook Road</b>	<b>Well-</b> approx. 26m from the centreline of the road. <b>Septic</b> - approx. 18m from the centreline of the road
	<b>Water Quantity: Good</b>	

It has been the intention of Utilities Kingston to conduct well surveys as near to the time of commencement of this project as possible. At the time of answering the interrogatories this survey had yet to be conducted. Utilities Kingston has enlisted the services of a consultant qualified and licensed to test and report on the conditions of wells and septic systems. The preliminary survey has been completed and will be followed up by sampling wells as the construction of this project nears.

*After reading the pre-filed evidence that Utilities Kingston sent me I can honestly say that the Preliminary Preferred route would be the worst route as far as disrupting households and risking the possibility of destroying wells. I really can't understand why Utilities Kingston would say the land on Knox's Farm is contaminated when the troops from CFB Kingston were seen on May 27 and on the weekend doing training, maneuvers, and weapons practice on Knox's Farm. Most of the front field has nothing stored on it, so putting the gas pipeline through this area shouldn't be a big problem for professionals. Photographs to follow, as discussed with Betty Rozendaal on May 30, 2005.*

The possible existence of several potentially contaminated sites were identified by the Ministry of the Environment during the Environmental Study process. Pipeline construction typically involves procedures that military training maneuvers would not. Any activity requiring excavation or removal of soils in potential contaminated sites place workers at risk and requires specialized techniques that may be financially unfeasible for this project.

*I also read about human remains in **Appendix D Stage 1 Archaeological Assessment 1.0 Executive Summary #4** and I would like to take this opportunity to inform you that there are approximately 6 or more graves located in a private family burial plot that is located on the Preliminary Preferred Route. Photographs to follow.*

The existence of the Buck family burial plot was identified early in the Environmental Study process as located on private lands adjacent to that of the Revell property. The physical location of these plots is sufficient distance from the road right-of-way that this construction project shall not affect them.

*In reviewing **5.2 Natural Environment Features 5.2.1 Water Course Crossings** I realized that natural water courses should have samples tested for water quality before construction, that way you'll know if the water becomes contaminated due to construction. (Please note I have already taken samples from the spring on BurBrook Road and the creek on Sunnyside Road).*

The Ministry of the Environment provides guidelines and licensing for the collection, storage and testing of water samples for quality testing. Utilities Kingston employs staff in-house qualified for this procedure as well as having enlisted the services of a professional consultant to conduct sampling within the parameters of these guidelines prior to crossing these watercourses. As the areas surrounding these watercourses were not identified as containing contamination, even in the event of an open-cut crossing, contamination would be very unlikely. It is the intention of Utilities Kingston to utilize the services of a qualified Environmental Inspector to oversee operations during water crossings.

*I did notice that "in the event of an explosion" wasn't even covered in the pre-filed evidence although damage is stated explosions aren't even addressed. So in the event of an explosion and multiple deaths will Utilities Kingston be responsible for funerals, rebuilding and repairing homes, etc.? Also mass evacuations or limited area evacuations are not even mentioned, in the case of an emergency.*

The Oil and Gas Pipeline Industry have developed stringent techniques for the design, construction and operation of pipelines and appurtenances. Utilities Kingston has designed this pipeline to meet or exceed these parameters. In addition Utilities Kingston has emergency plans in place that in the event of an emergency would be coordinated through the City of Kingston's Municipal Control Group.

*At one time BurBrook Road was a quiet, rural residential road, but after amalgamation it has been become a commercial, industrial motorway, with tractor trailer rigs, dump trucks and other huge vehicles ruining the road. BurBrook Road has now become an extremely busy road where drivers are maintaining speeds of over 80 kilometres at all times of the day. Whenever there are accidents on the 401 then traffic is always rerouted to BurBrook road, this can happen 2 or 3 times a week, day or night. High density traffic is destabilizing the road from the bottom of BurBrook and Division to the top of the hill. Both sides of the road are deteriorating and sloping to the point where people drive down the middle of the road. The road will not be able to withstand major construction or destruction.*

Utilities Kingston cannot comment on the re-routing of traffic by the MTO or by the monitoring of the speed of vehicles along this route, it is however the responsibility of the constructor of this pipeline to restore any damage to the road surface following construction.

*And how arrogant of Utilities Kingston to think that just the list of people it's come up with as Directly Affected Parties are the only important individuals. Any property owner, tax payer or customer that this gas pipeline is going to affect are just as important. Mr. Keech is not a representative of our area, neither is the City of Kingston, Queen's University or KGH.*

The Ontario Energy Board and the Professional Engineers of Ontario have developed guidelines for conducting effective environmental (socio and natural) studies. The context of these guidelines considers 'Directly Affected Parties' to be those where the activity or construction occurs on their owned land and property transfer or easements may be involved. Parties where the construction occurs in the right-of-way adjacent to their property are referred to as 'Indirectly Affected'.

*The gas pipeline that already runs along Perth Road/Division Street is not 45 years old as stated by Utilities Kingston it is only approx. 25 years old, that pipeline was put in place when I was just a teenager. It shouldn't be hard to take the pipeline down the east side of Perth Road and back along the side of the road until it reaches Knox's field, which the city now owns. The pipeline can then be taken across to the west side of the road and along the outside areas of the field, which doesn't have contaminated soil on it. From there the pipeline only has to be angled to Binnington Court area. Less work, less time, less money and less km of pipeline itself.*

As is identified in the Pre-Filed Evidence, Section 1, Background as well as in the Environmental Report, section 1.3, page 1-2 the existing 200mm (8") gas main on Perth Road was installed to convert the City of Kingston to Natural Gas from manufactured gas in 1958 at the same time as many other Ontario communities.

The reasoning for not installing this pipeline along Perth Road under the 401, through Knox farm, the lengths of the routes and the reasoning for the preferred route are identified in the Environmental Report which is included in the Pre-Filed evidence.

*My mother also wants you to note that she has 30 to 40 foot high pine trees in the very front of her yard, as well as a Shag Bark Hickory tree. I was only able to find a few Shag Bark Hickory trees in our area of the Cataraqui Region Conservation Area.*

This pipeline shall be constructed along the shoulder of the road in the road right-of-way; this should be sufficiently far away from the trees on private property to ensure that this project will not cause any damage to them.

In closing I sincerely hope you find this informative and satisfactory to your concerns. I would also like to assure you that Utilities Kingston and Senes Consultants have conducted the studies and design parameters as required. The Ontario Energy Board has designed these parameters to ensure a safe, and environmentally feasible project.

Sincerely,

J.A. Keech, P.Eng.  
President and CEO  
Utilities Kingston

cc. Jim Miller, Manager Utilities Technical Services  
Chris Phippen, Utilities Engineer  
Peter H. O'Dell, Assistant Board Secretary  
Zora Cmojacki

ds/JK