

No. 62

5th Session, 13th Legislature, Alberta
7 Elizabeth II, 1959

BILL 62

A Bill to amend The Pipe Line Act, 1958

HON. MR. MANNING

Explanatory Note

2. Section 4, subsection (2) presently reads:

"(2) Notwithstanding subsection (1) but subject to the regulations, a person proposing to apply for a permit to construct a gas line, oil line or secondary line or any part thereof, or his agents, may enter upon any Crown or other lands lying in the intended route of the pipe line,

- (a) to make surveys, examinations or other necessary arrangements on the lands for fixing the site of the pipe line, or
- (b) to set out and ascertain such parts of the lands in which an interest may be required for the pipe line."

3. Section 5, subsection (2) presently reads:

"(2) An application for a permit

- (a) shall be accompanied by a plan showing
 - (i) the proposed route of the pipe line coloured in red,
 - (ii) the intended size and capacity of the pipe, and
 - (iii) the location and capacity of each proposed installation, and
- (b) shall have attached thereto a specification sheet in Form B in the Schedule to this Act, if the information required therein is not shown on the plan."

4. Section 9, subsection (1) presently reads:

"9. (1) The Minister or a person authorized to do so by the Minister may grant a permit for a gas line, oil line or secondary line in accordance with the plan and specifications originally submitted to the Department, or as changed or altered by him, as the case may be, and subject to such terms and conditions as he may express in the permit or he may refuse to grant the permit."

5. Section 12, subsection (4) presently reads:

"(4) This section does not apply

- (a) to repairs or maintenance made in the ordinary course of operating a gas line, oil line or secondary line,
- (b) in an emergency, or
- (c) to a modification made to an existing installation."

BILL

No. 62 of 1959

An Act to amend The Pipe Line Act, 1958

(Assented to _____, 1959)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Pipe Line Act, 1958*, being chapter 58 of the Statutes of Alberta, 1958, is hereby amended.

2. Section 4 is amended by striking out subsection (2) and by substituting the following:

(2) Notwithstanding subsection (1) but subject to the regulations, a person proposing to apply for a permit to construct a gas line, oil line or secondary line or any part thereof, or his agents may

- (a) enter upon any Crown or other lands lying in the intended route of the pipe line to make surveys or examinations, or
- (b) negotiate for the acquisition of interests in lands that may be required for the pipe line.

3. Section 5, subsection (2) is amended

- (a) as to clause (a)
 - (i) by adding at the end of subclause (i) the word "and",
 - (ii) by striking out subclause (ii),
- (b) by striking out clause (b) and by substituting the following:
 - (b) shall have attached thereto a specification sheet in Form B in the Schedule.

4. Section 9 is amended by striking out subsection (1) and by substituting the following:

9. (1) A permit for a gas line, oil line or secondary line may be granted by the Minister or a person authorized to do so by the Minister subject to such terms and conditions as may be expressed in the permit or the Minister may refuse to grant a permit.

5. Section 12 is amended by striking out subsection (4) and by substituting the following:

6. This amendment now provides for the granting of provisional licences. An application for a licence in a new Form C and a specification sheet in a new Form D are added. Subsection (4) now becomes new section 15. Section 14 presently reads:

- "14. (1) No permittee shall commence the operation of a gas line or oil line or a secondary line for gas until he has
- (a) tested the pipe line to the satisfaction of the Superintendent,
 - (b) furnished the Superintendent with a plan of survey in duplicate of the land in which an interest has been acquired for the pipe line, and
 - (c) applied for and obtained from the Superintendent a licence for the pipe line.
- (2) The permittee of a secondary line for any substance other than gas is deemed to be the holder of a licence for the secondary line for a period of six months from the date operation of the secondary line commences but during that period he shall
- (a) furnish the Superintendent with a plan of survey in duplicate of the land in which an interest has been acquired for the secondary line, and
 - (b) apply for and obtain from the Superintendent a licence for the secondary line.
- (3) The plan of survey to be furnished under subsections (1) and (2) shall show on it the number of any permit granted with respect to the pipe line.
- (4) No person shall operate a pipe line that was constructed or operated under an authority, other than one derived from an Act of the Legislature relating to pipe lines, for any purpose under this Act until he has
- (a) tested the pipe line to the satisfaction of the Superintendent,
 - (b) furnished the Superintendent with a plan of survey in duplicate of the land in which an interest has been acquired for the pipe line, and
 - (c) applied for and obtained from the Superintendent a licence if the pipe line is of a kind for which a licence is required."

7. See note to clause 6. Section 15 presently reads:

(4) Subsection (1) does not apply to repairs or maintenance made in the course of operations, or in an emergency.

(5) Where changes are made to a gas line, oil line or secondary line in an emergency, particulars thereof shall be forwarded to the Superintendent immediately.

6. Section 14 is struck out and the following is substituted:

14. (1) No person shall operate a pipe line other than a flow line unless he is the holder of a subsisting provisional licence or a subsisting licence.

(2) A provisional licence may be granted by an inspector or the Superintendent or a licence may be granted by the Superintendent after the pipe line has been tested to the satisfaction of the inspector or the Superintendent, as the case may be.

(3) A provisional licence shall not be granted for a period exceeding six months but the period may be extended by the Superintendent if in his opinion the circumstances warrant it.

(4) A permittee of a secondary line for any substance other than gas shall be deemed to be the holder of a provisional licence for the secondary line for a period of six months from the date operation of the secondary line commences but during that period he shall

- (a) furnish the Superintendent with particulars of the testing of the secondary line, and
- (b) apply for and obtain a licence for the secondary line from the Superintendent.

(5) An application for a licence shall be made to the Superintendent in Form C in the Schedule accompanied by

- (a) a plan in triplicate showing
 - (i) the surveyed location of the land in which an interest has been acquired for the pipe line or the location of the pipe line where an interest in land has not been acquired,
 - (ii) the location and capacity of each installation,
 - (iii) where the size of the pipe changes, the point at which the change occurs,
 - (iv) in an insert, the location of the pipe within the land in which an interest was acquired, and
 - (v) the number of the permit or permits granted with respect to the pipe line,

and

- (b) a specification sheet in Form D in the Schedule.

(6) Upon the granting of a licence, a copy of the plan supplied under subsection (5) identified as the plan referred to in the licence shall be returned to the applicant.

7. Section 15 is struck out and the following is substituted:

"15. Notwithstanding section 14, where a permittee is not able to comply with subsection (1) or (2) thereof with respect to the plan of survey for the gas line, oil line or secondary line, the Superintendent may grant a licence subject to the licensee furnishing the Superintendent with the prescribed plan within such time as the Superintendent may specify."

8. Self-explanatory.

9. (a) A form of transfer of permit or licence is prescribed.

(b) Hypothecation of licence or permit.

(c) Memorandum of hypothecation and subsections (3) and 4) of present section 19 revised. Section 19 reads:

"19. (1) No transfer of a permit or licence is valid without the consent of the Minister and the registration of the instrument of transfer in the Department.

(2) Upon registration of an instrument of transfer the transferee shall thereupon become the permittee or licensee, as the case may be.

(3) A permittee of a gas line, oil line or secondary line shall not, without the consent of the Minister,

- (a) sell or lease to any person his permit in whole or in part, or
- (b) enter into an agreement

- (i) for amalgamation with any other person, or
- (ii) for the operation of his gas line, oil line or secondary line.

(4) A licensee of a pipe line, other than a flow line, shall not, without the consent of the Minister,

- (a) sell or lease to any person his licence in whole or in part, or
- (b) enter into an agreement

- (i) for amalgamation with any other person, or
- (ii) for the operation of his pipe line."

10. Self-explanatory.

15. No person shall operate a pipe line excepted under section 3 for any purpose under this Act other than for a flow line until he has

- (a) furnished the Superintendent with particulars of the testing of the pipe line, and
- (b) applied for and obtained a licence from the Superintendent.

8. Section 16 is amended by adding immediately after subsection (4) the following:

(5) The Superintendent after the granting of a licence under this section may require the licensee to furnish a specification sheet in Form D in the Schedule.

9. Section 19 is amended

- (a) by striking out subsection (1) and by substituting the following:

19. (1) A transfer of a permit or licence is not valid under this Act until the instrument of transfer in Form E in the Schedule is registered in the Department.

- (b) by striking out subsection (3) and by substituting the following:

(3) Where a permit or licence is hypothecated, the instrument of hypothecation may be registered in the Department.

- (c) by striking out subsection (4) and by substituting the following:

(4) Upon registration of an instrument under subsection (3), the Minister shall cause a memorandum thereof to be endorsed on or attached to the departmental copy of the permit or licence.

(5) Without the consent of the Minister, a pipe line other than a flow line shall not, in whole or in part, be sold or leased, or be operated by any person other than the licensee.

(6) A permittee or licensee of a pipe line other than a flow line shall not, without the consent of the Minister, enter into an agreement for amalgamation with any other person.

10. Section 21 is amended by adding immediately after subsection (4) the following:

(5) No pipe line for which a licence has been granted shall be used for the transmission of any substance other than the substance authorized by the licence.

(6) Upon an application being made by a licensee to use his pipe line for the transmission of a substance other than the substance authorized by his licence, the Superintendent may amend the licence or cancel the licence and issue a new licence subject to such terms and conditions as he may prescribe.

11. Self-explanatory.

12. Section 30 presently reads:

"30. No person, without the authority of the Director of Mines of the Department and the Superintendent shall construct a pipe line or part thereof so as to interfere with the present workings of a mine or quarry or obstruct any opening thereto."

13. Form A amended to provide a space for dating.

14. New forms prescribed.

11. Section 29 is amended by adding immediately after subsection (2) the following:

(3) The Superintendent may cancel the licence or amend the licence on the taking up or removal of the pipe line or part thereof.

12. Section 30 is amended

- (a) by renumbering the section as subsection (1),
- (b) by adding immediately after the renumbered subsection (1) the following:

(2) If during construction or operation of a pipe line any damage occurs to a gate, fence, other pipe line or to a private or public utility, the permittee or the licensee, as the case may be, shall immediately cause the damage to be repaired unless an arrangement has otherwise been made with the owner thereof.

13. Form A in the Schedule is amended by inserting above the space provided for signature the following: "Dated.....".

14. Form B in the Schedule is struck out and the following is substituted:

FORM B
(Section 5)
SPECIFICATION SHEET
FOR A SECONDARY LINE

.....
(name of applicant)

- 1. Outside diameter of pipe and wall thickness.
- 2. Pipe specifications.
- 3. Minimum yield strength of pipe.
- 4. Is pipe new or used.
- 5. Maximum operating pressure in psig.
- 6. Proposed field test pressure in psig.
- 7. Design capacity.
- 8. Specifications of fittings and valves.
- 9. Minimum earth cover.
- 10. Protective coating.
- 11. Remarks.

.....
per.....

NOTE: A separate specification sheet is required for each size of pipe to be used.

or

SPECIFICATION SHEET
FOR A GAS LINE

.....
(name of applicant)

1. Outside diameter of pipe and wall thickness.
2. Pipe specifications.
3. Minimum yield strength of pipe.
4. Is pipe new or used.
5. Maximum operating pressure in psig.
6. Proposed field test pressure in psig.
7. Design capacity in MCF per day or MMCF per day.
8. Specifications of fittings and valves.
9. Minimum earth cover.
10. Protective coating.
11. Inlet pressure in psig.
12. Outlet pressure in psig.
13. Remarks.

.....
per.....

NOTE: A separate specification sheet is required for each size of pipe to be used.

or

SPECIFICATION SHEET
FOR AN OIL LINE

.....
(name of applicant)

1. Outside diameter of pipe and wall thickness.
2. Pipe specifications.
3. Minimum yield strength of pipe.
4. Is pipe new or used.
5. Maximum operating pressure.
6. Proposed field test pressure.
7. Design capacity of throughput in barrels per day.
8. Specifications of fittings and valves.
9. Minimum earth cover.
10. Protective coating.
11. Elevation at inlet in feet.

- 12. Elevation at outlet in feet.
- 13. Inlet pressure in psig.
- 14. Outlet pressure in psig.
- 15. Viscosity of oil S.S.U.
- 16. Remarks.

.....
 per.....

NOTE: A separate specification sheet is required for each size of pipe to be used.

FORM C
 (Section 14)

APPLICATION FOR A LICENCE

TO: Superintendent of Pipe Lines,
 Department of Mines and Minerals,
 Edmonton, Alberta.

.....
(name of applicant)

(address)

hereby makes application for a licence to operate a
 line for the
 transmission of from
 a point in
 to a point in

This pipe line was constructed under Permit(s) numbered

Dated.....

 per.....

FORM D
 (Section 14)
 SPECIFICATION SHEET

.....
(name of applicant)

- 1. Outside diameter of pipe and wall thickness.
- 2. Design capacity.

- 3. Pipe specifications.
- 4. Minimum yield strength of pipe.
- 5. Year pipe line constructed.
- 6. Specifications of fittings and valves.
- 7. Attach one copy of each general arrangement drawing with material specifications of:
 - (a) valve assemblies,
 - (b) pressure reducing stations,
 - (c) compressor plants,
 - (d) meter stations,
 - (e) air mixing plants,
 - (f) heating installations,
 - (g) drip pockets,
 - (h) pipe line bridges,
 - (i) pumping stations,
 - (j) storage tanks,
 - (k) any other installation.
- 8. Maximum operating pressure.
- 9. Field test pressure.
- 10. Minimum earth cover.
- 11. Cathodic protection.
- 12. Remarks.

.....
per.....

NOTE: This form is required for:
(a) each size of pipe installed,
(b) each change in maximum operating pressure.

FORM E
(Section 19)
TRANSFER

Between: (hereinafter called "the transferor")
— and —
(hereinafter called "the transferee")

The transferor being the holder of
No. dated the day of 19.....,
in consideration of

.....
payment of which by the transferee is hereby acknowledged
by the transferor, hereby transfers unto the transferee the
said

15. (1) Section 4, subsection (2), clause (k) of The Boilers and Pressure Vessels Act presently reads:

"(2) This Act does not apply to

.....

(k) piping or pipe lines subject to inspection by the Board of Public Utility Commissioners for the Province of Alberta."

(2) The purpose of this amendment is to place pipe lines in the same position with respect to The Engineering Profession Act as mines, minerals and pressure vessels, for the purpose of the practice of professional engineering. Section 10 of The Engineering Profession Act presently reads:

"10. Nothing in section 8 or in section 45 shall be construed as altering or affecting any provision or regulation of or made under any Act of the Province relating to mines, minerals or pressure vessels, or as applying to any person who in accordance with such a provision or regulation undertakes or does anything required by the provision or regulation."

Commencement date July 1, 1959. See R.S.A. 1995, c. 320, s. 4(4).

The transferee hereby accepts the transfer to him of the
said

The post office address of the transferee is

Dated this day of 19.....

.....
(witness)

.....
(transferor)

.....
(witness)

.....
(transferee)

NOTE: Affidavits of execution are required unless executed under corporate seal.

15. (1) *The Boilers and Pressure Vessels Act*, being chapter 27 of the Revised Statutes, is hereby amended by striking out clause (k) of subsection (2) of section 4 thereof and by substituting the following:

(k) gas lines, oil lines or secondary lines within the meaning of *The Pipe Line Act, 1958*.

(2) *The Engineering Profession Act*, being chapter 101 of the Revised Statutes, is hereby amended by adding immediately after the word "minerals" where it occurs in section 10 thereof the words ", pipe lines".

No. 62

FIFTH SESSION

THIRTEENTH LEGISLATURE

7 ELIZABETH II

1959

BILL

An Act to amend The Pipe Line Act,
1958

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MANNING
