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MAIL ROOM
SALLE DE COURIER

2014 JAN 24 A 11:58

NEB/ONE

January 15, 2014

To the National Energy Board (NEB)
Att.: Ms. Claudine Bradley

Re.: NEB Draft of Safety Culture Definition and Framework

Dear Ms. Bradley,

I downloaded and read the above Draft and offer the following comments:

The NEB has to be commented for promoting Safety Culture across the oil and gas sector in Canada, in order to keep people safe who are or come into contact with this hazardous industry; but this Draft deals only with the employees of companies under the jurisdiction of the NEB, whereas those that in case of a pipeline incident are the ones most likely to be affected, the people living or working in the vicinity of pipelines, are not involved. The public is mentioned in section "Background", and the rest of the Draft deals exclusively with Management and Employees, and the public is shut out.

Safety Culture means "the attitudes, values, norms and beliefs, which a particular group of people shares with respect to risk and safety" (your Page 7). I submit that this "particular group of people" sharing risk and safety comprises of both, company personnel and the public, and in certain cases concerned citizens are more likely to look for deficiencies in a company's safety management, as it is performed in public, because this affects them more than employees who might be concentrating on doing a specific work and who do not want to be distracted by other tasks. I know, the Safety Culture is supposed to combat exactly this attitude, but who ascertains that companies not only write carefully crafted laudatory reports about their Safety Culture but are actually practising what the NEB preaches? Some knowledgeable outsiders with their own safety at stake could help a company to achieve and maintain the goal of having an effective Safety Culture.

This suggestion is based upon several years of experience observing the safety management of the Emera Brunswick Pipeline Co. (EBPC), who promised prior to and during the Application Hearing to have "ongoing communication and consultation with the community...to listen to their concerns... and to provide timely, accurate information to the public and other stakeholders" and "to patrol the urban Right of Way daily by vehicle or on foot", and who forgot about most of these promises after they got their Certificate to build and operate the pipeline. They did not even fully comply with all the Conditions attached to their Certificate, and the NEB did not compel them to comply, and an NEB Audit did not look into the non-compliance which I had reported. The result is a classical case of your negative Dimensions "Normalization of Deviance" and "Tolerance of an Inadequate System", and these are being tolerated by the NEB.

Considering the many recent NEB publications such as "Getting Information to Canadians", "Action Plan on Safety and Environmental Protection", "Safety and Environmental Compliance", the "Draft Expectations – Public Involvement Program" and the letters and speeches of NEB Chairman Gaétan Caron, etc. , wherein the NEB is publicizing its resolve to involve the public more in the emergency preparedness and response of companies under its jurisdiction, I find the total absence of any involvement of the public in this Draft a step backwards, in particular as this Draft is dealing with safety, which certainly is of vital interest to the public.

The Draft defines the positive Dimension "Cultural Defence # 2: Vigilance" as "people are encouraged and willing to report safety concerns". In the Draft this applies only to employees, but it should also include the public, according to the above NEB literature, and because it is the public which is threatened by pipeline incidents in their community. The "public" should not be limited to landowners who own property adjacent to the pipeline and who might not actually live there and will not be ruined if their (insured) property is destroyed by a pipeline incident. The most effective public's contribution to a company's Safety Culture will be made by a group of concerned, well informed and independent citizens who represent the public and who can provide input into the safety management of a particular company. This input by the public is missing in the Draft.

My suggestions for additions to this otherwise well written and well presented Draft are :

- a) to provide for the public or its representatives to have access to and input into companies' attempts to build and sustain a positive Safety Culture; and
- b) to provide for periodic operational audits wherein input by the public about safety as well as other reports and complaints will be audited and scrutinized for deviations from the established Dimensions of the Safety Culture and/or other relevant NEB documents concerning public safety. This would be in addition to the present Audit Protocol, and such contributions by the public would result in a more realistic picture how the audited company progresses in its development of a Safety Culture. But, I repeat the above, it takes a well informed public to make a meaningful contribution.

Yours sincerely,

A handwritten signature in black ink, appearing to read "H. Sauerteig". The signature is fluid and cursive, with a large, stylized initial "H" and a long, sweeping underline.

(H.Sauerteig)