



U.S. Department
of Transportation

1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

11/6/2014
FOIA Control No: 2014-0154

Transmitted Via Electronic Mail to SMO@SHAWNONEIL.COM – Read Receipt Requested

**Shawn O’Neil
O’NEIL LAW LLC
8755 SW CITIZENS DRIVE, SUITE 202
WILSONVILLE, OR 97070**

Dear Mr. O’Neil:

This letter provides you with a first response to your Freedom of Information Act (FOIA) request dated 9/2/2014 and received in the Pipeline and Hazardous Materials Safety Administration's (PHMSA's) FOIA Office on 9/4/2014. Your request is a 21-item request for “records pertaining to the Kinder Morgan Pipeline (the “Pipeline”) that runs from the Kinder Morgan Willbridge facility in Portland, Oregon to the Kinder Morgan facility in Eugene, Oregon.”

We believe the document that satisfies the portions of your request pertaining to “disaster planning” is the current Kinder Morgan Energy’s Oil Spill Response Plan. This Plan will be posted on PHMSA’s public website, available [here](#), on 11/7/2014.

The remainder of your request is still pending. Because of the complexity of your request, one search is still pending in PHMSA’s Western Region. The searches in PHMSA’s Headquarters Offices are complete.

As I stated in my 11/3/2014 email to you, PHMSA utilizes a multitrack processing system to process FOIA requests, and processes requests in each track in the order received. Depending on the time required to process the request, we place a request in either our simple processing track or our complex processing track. Because your request is a very extensive 21-item request that (1) covers a very long time period; (2) involves a search of several different types of records; and (3) requires that a search be conducted in three separate PHMSA offices, including a Regional office, we placed your request in the complex processing track. On average, we process requests in the complex processing track within 178 workdays. Your request currently is number 34 in queue in our complex processing track.

Because of the time required to process your request, we would like to provide you with an opportunity to either modify your request or arrange for an alternative time period to process your request. *See* 49 C.F.R. § 7.34(b). You may modify your request, for example, by narrowing the record types or date ranges so that your request may be processed more quickly. Furthermore, you may arrange for an alternative time period, for example, by prioritizing portions of your request. Please contact me at 202-366-0273 if you would like to modify your request or arrange for an alternative time period to process your request.

If you have any questions regarding your request, please feel free to contact me at PHMSA.FOIA@dot.gov.

Sincerely,

FOIA Officer
Pipeline and Hazardous Materials Safety Administration (PHMSA)