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September 17, 2014

By Email: connellk@wlwv.k12.or.us
Ms. Kathy Connell
West Linn-Wilsonville School District
22210 SW Stafford Road
Tualatin, OR 97062

Re: Public Records Request Concerning Kinder Morgan Pipeline/Waiver of Fees

Dear Ms. Connell:

I am writing on behalf of concerned residents in the City of Wilsonville, Oregon, situated in Clackamas and Washington Counties. Under the Oregon Public Records Law, ORS 192.410 to ORS 192.505, I am requesting to obtain and inspect copies of public 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. My clients have already served public records/FOIA requests on the other local, state, and federal agencies that are involved. Our focus with the West Linn-Wilsonville School District (District) is to obtain as much information on how the District and the local schools will respond to a Pipeline related emergency. We are also trying to confirm what information, training, interaction you are receiving from Kinder Morgan Pipeline and other local, state, and federal agencies concerning responding to a Pipeline disaster, and what additional information/coordination does the District need from Kinder Morgan and other agencies in order to effectively respond to a Pipeline emergency and to protect its employees and students.

I. Background

The Pipeline, which is approximately 113 to 115 miles in length, was originally installed 52 years ago by Southern Pacific Pipeline, a subsidiary of Southern Pacific Corporation and a sister subsidiary to the Southern Pacific Railroad. When first installed, the Pipeline was originally buried 4 to 4 ½ feet underground and travelled through undeveloped land. After the parent company's merger with Santa Fe in 1983, the Pipeline was acquired by the newly formed company Santa Fe Pacific Pipelines, Inc. The Pipeline—often identified as the Santa Fe Pipeline—crosses a number of waterways including the Willamette River, which serves as the main water supply for Wilsonville, Oregon. Kinder Morgan acquired the pipeline in 1997 after it purchased Santa Fe Company. The Pipeline reportedly transports refined and highly flammable petroleum fuel products including gasoline, diesel, ethanol, and jet fuels. In 1999, it was reported

2. Ms. Kathy Connell
September 17, 2014
Re: Public Records Request Concerning Kinder Morgan Pipeline

that Kinder Morgan was pumping approximately 1.6 million gallons of fuel daily through the Pipeline under pressure 8 times more powerful than a fire hose. In 2014 the demand for fuel has significantly increased, and the population and housing density surrounding the Pipeline has substantially risen since 1962. In 1969, the population of Wilsonville was only 1000 people and was situated substantially west of the Pipeline. The current population exceeds 21,000 and the density of the population within a few yards of the Pipeline path is substantially higher. The pipeline travels through the play field of one public school in the area, and several dense communities in Sherwood and Wilsonville. Since the installation of the pipeline, the Willamette River has flooded Wilsonville twice first in 1964 and later in 1996. On September 13 1989, a construction worker drove a bulldozer through a stream bed, rupturing the line in Marion County, Oregon and causing 30,000 gallons of gasoline to spill in Mill Creek. As a result of this incident, neighborhoods had to be evacuated due to the fumes, and there were widespread concerns that the vapors would ignite and endanger these neighborhoods.

The 52 year old Pipeline travels through/or is in close proximity to Rivergreen, Fox Chase, Moreys Landing, Merryfield, Hazelwood, and Villebois communities. The Pipeline is within a few yards of a very large apartment complex and pre-school. It travels underneath a critical artery for our City-Wilsonville Road. A road that on a good day remains highly congested. It travels under the Inza R. Wood Middle School Athletic Field adjacent to two schools where my clients' children are/will be attending. It is also within 100 yards of the Lowrie Primary School.

On June 10, 1999 in Bellingham, Washington, a gasoline pipeline operated by Olympic Pipeline Company ruptured as the result of an improperly configured relief valve. 277,000 gallons of gasoline spilled in the adjacent Hanna and Whatcom Creeks. The fumes were overwhelming requiring the evacuation of local residence. The gasoline vapors soon exploded. Three children died. Bellingham's water treatment plant which was located near the pipeline and the explosion was destroyed. The authorities noted that the destruction and death toll was much lower than what would be expected from such a large explosion. The reason-the explosion was centered in a large forested park. We don't have this luxury in Wilsonville where the Pipeline is situated.

On September 9, 2010 there was the San Bruno pipeline explosion which was reported to have had a wall of fire 1,000 feet high. It leveled 35 houses and compromised a water main impacting the ability of first responders to fight the fires. It killed at least 8 individuals injuring 58. The cause of the explosion-numerous defective welds in the 54 year old pipeline.

In lights of this potential threat, there is a substantial public interest for information about the current safety of the Pipeline, the safety measures that are currently in place to prevent pipeline accidents, contingency plans in case there are accidents, and its impact to the soil, and water in which it travels through.

3. Ms. Kathy Connell
September 17, 2014
Re: Public Records Request Concerning Kinder Morgan Pipeline

II. Documents Requested

The documents requested preferably in Electronic PDF format are as follows:

1. A complete copy of the current Kinder Morgan Energy Spill/Disaster Contingency Plan with regard to the Pipeline.
2. A complete copy of the current disaster response plan(s) in which District and its schools are a participant that address/respond to issues associated with the rupture or damage to the Pipeline.
3. A complete copy of any disaster plan created by Kinder Morgan and provided to the District and or local schools concerning the Pipeline and how Kinder Morgan intends to coordinate with state, federal, and local agencies during a disaster or emergency.
4. All documents evidencing the meetings between Kinder Morgan representative(s) and the District and or its Schools concerning Pipeline Safety, emergency or disaster planning concerning a pipeline rupture, leak or contamination.
5. All documents memorializing how the District and its schools will respond to and coordinate with local, state, federal agencies, and Kinder Morgan concerning Pipeline accidents.
6. All documents that identify the age of every portion of the Pipeline including all welded connection points.
7. All documents recording all smart pig internal inspections of the line that have occurred from 1997 to the present including results of such inspections.
8. All documents pertaining to any other testing done on the Pipeline from 1997 to present to identify structural integrity and corrosion.
9. All documents identifying any other monitoring of the safety and integrity of the Pipeline.

4. Ms. Kathy Connell
September 17, 2014
Re: Public Records Request Concerning Kinder Morgan Pipeline

10. All documents identifying disaster/emergency response drills conducted by Kinder Morgan on its own and jointly with federal, state and local agencies regarding potential pipeline related emergencies in the State of Oregon.
11. All documents identifying disaster/emergency response drills conducted by the District and its schools on its own and jointly with Kinder Morgan, federal, state and local agencies regarding potential pipeline related emergencies in the State of Oregon.
12. All documents identifying the current depth of the Pipeline underground taking into account erosion, farming, and building that has occurred since 1962.
13. All documents provided by the District to local governments situated in Clackamas, Washington, and Marion Counties concerning the Pipeline.
14. All documents that contain information concerning the current pressure and volume of fuel being transported through the Pipeline.
15. All documents that contain information concerning the current state and federal standards regarding the life cycle of piping materials identical to or substantial to the materials contained in the Pipeline.
16. A copy of all current state and federal welding standards with respect to welding and material requirements required at pipeline connection points for refined petroleum pipelines identical to or substantially similar to the Pipeline.
17. A copy of all documents that you have in your possession and control concerning the testing of the integrity of the Pipeline including testing done in Washington and Clackamas Counties, Oregon.

III. Fees/Costs/Waiver

If there are any fees/costs for searching or copying these records, please inform me if the cost will exceed \$20. However, I would also request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of the integrity and safety of the Pipeline, the local, state, and federal response to a pipeline emergency, and the coordination between Kinder Morgan and the relevant public agencies concerning the Pipeline. This is extremely important information for those Oregon citizens living near or adjacent to the 115 mile path of this Pipeline. This information is not being sought for commercial purposes.

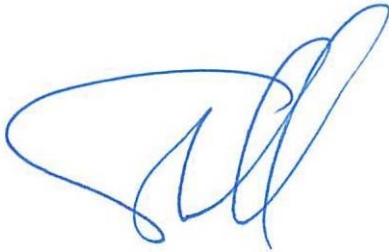
5. Ms. Kathy Connell
September 17, 2014
Re: Public Records Request Concerning Kinder Morgan Pipeline

I would request a prompt response to this request. If you expect a significant delay in responding to or in fulfilling this request, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering this request.

Very truly yours,

A handwritten signature in blue ink, appearing to read "S. O'Neil", with a large, sweeping initial "S" and "O".

Shawn M. O'Neil

cc: Clients