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September 8, 2014

VIA E-MAIL: smo@shawnoneil.com

Shawn M. O'Neil
Attorney and Mediator
8755 SW Citizens Dr Ste 202
Wilsonville OR 97070

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

Dear Mr. O'Neil:

The following is provided in response to your public records request letter, dated September 2, 2014. To begin, the City granted no easement to, nor did the City enter into any other agreements with, Southern Pacific Corporation or its successor in interest, Kinder Morgan. When this pipeline was installed, the City of Wilsonville did not even exist. Thus, the City has no agreements with, nor does the City receive fees or other payments from, Kinder Morgan related to the pipeline.

Pipeline safety is regulated by the Pipeline and Hazardous Materials Safety Administration, which is a branch of the Federal Department of Transportation. A contact person for that organization is Katie Field, whose title is NPMS Project Manager. Her email is npms-nr@mbakercorp.com; telephone 703-317-6294. As I understand it, her company, Michael Baker, Jr. Inc., a unit of the Michael Baker Corporation, is the outside mapping contractor retained by DOT to map and manage the various pipelines. She advises that maps of all of the lines are available on the federal webpage, which can be found at www.npms.phmsa.dot.gov. The pipeline is periodically inspected by either the federal agency or the state, depending on the agreement between the federal government and the state where the pipeline is located. The City of Wilsonville plays no role in such inspections, has no authority to inspect the pipelines, and receives no reports related to such inspections from either the state, the federal government, or Kinder Morgan.

With respect to Wilsonville, the City's Emergency Operating Plan can be found on the City webpage, as can the City's Consumer Confidence Report, and the City's Water Master Plan. The City also has an extensive internal general Emergency Response Manual – City of Wilsonville Community Water System, but it is for internal use only and is not specific to



pipeline emergencies. The City conducts internal emergency response exercises each year. In addition, managers and other staff members are required to complete the federal Homeland Security National Incident Management System Training, which is conducted partially online and then in a two-day training at the Clackamas County Emergency Management Training Center.

The City's contacts for Kinder Morgan are Kevin Wallace at 503-209-4572, who is in charge of the Portland station, and Jeff Hibner at 503-220-1263, who is the Area Manager. I have also enclosed a listing of several emergency response numbers provided to us by Kinder Morgan. Also enclosed are copies of all of the other information we have on file provided to us by Kinder Morgan. The City's Public Works Director (and Emergency Response Coordinator) last met with Kinder Morgan representatives (listed above) in May of this year to generally discuss what, if any, issues might have arisen or be on the horizon with respect to the pipeline, but there was nothing disclosed.

Also enclosed is a spreadsheet showing the City's account types and the Volatile Organic Compounds/Raw Water Report, per your requests. I have also enclosed the two maps we have on file which show the approximate location of the Kinder Morgan line, but please note the disclaimers on both maps. Additional maps or locational information may be available on the website referenced above. Finally, I have enclosed the City's Spill Response, Reporting Policy and Procedures.

I hope this adequately addresses your records request. If you wish a copy of the internal manual, it will cost more than \$5.00, but I can send you a cost estimate. I have provided the enclosed copies of the other materials as a courtesy, but we will charge a reasonable fee for copying of the rather extensive manual, if you decide you want a copy of it.

Sincerely,



Barbara A. Jacobson
Assistant City Attorney

baj:tec
encl.

cc: Sandy King, City Recorder
Delora Kerber, Public Works Director
Mike Kohlhoff, City Attorney
Bryan Cosgrove, City Manager