



October 18, 2017

Andrew Holbrook  
Kinder Morgan Energy Partners  
5880 NW St. Helens Rd  
Portland OR 97210

Wayne Simmons  
Kinder Morgan Energy Partners  
1001 Louisiana St Ste 1000  
Houston TX 77002

Chris Hoidal  
Pipeline & Hazardous Material Safety Admin.  
12300 W Dakota Ave Ste 110  
Lakewood CO 80228

**Re: Lack of Shut-Off Valves for Kinder Morgan Willamette River In-Water Pipeline**

Dear Messrs. Holbrook, Simmons, and Hoidal:

Earlier this year Delora Kerber, the City of Wilsonville's Public Works Director, contacted Mr. Holbrook with the City's concern that the Kinder Morgan in-water pipeline, located less than one-third of a mile upstream from the Willamette River Water Treatment Plant intake facilities, which is jointly owned by the City and Tualatin Valley Water District (TVWD), has no shut-off valve on either side of the river in the case of a leak or rupture. We became aware of the lack of shut-off valves by virtue of a letter from Chris Hoidal, the Director for the Western Region of the Pipeline and Hazardous Material Safety Administration, which alleged that no valves had been installed, in violation of 49 CFR Part 195.452(i)(1).

Kinder Morgan's response to Mr. Hoidal admitted that no shut-off valves were present but took the position that no violation has occurred because the installation of this pipe predated passage of the federal pipeline safety regulations cited by Mr. Hoidal. Kinder Morgan's response goes on to state that because this installation predates adoption of the federal safety regulations cited, "Installation of EFRDs is required only if the operator considers all relevant factors and determines that an EFRD is needed on a pipeline segment to protect a high consequence area in the event of a hazardous liquid pipeline release. KM considered all relevant factors and did not find that an EFRD was needed."

The City would like to remind Kinder Morgan of an extremely "relevant factor," which is the location of a water treatment intake facility within a "high consequence area" that, today,

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CITY OF WILSONVILLE

Phone 503-682-1011  
Fax 503-682-1015

29799 SW Town Center Loop East  
Wilsonville, OR 97070

[www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us)  
[info@ci.wilsonville.or.us](mailto:info@ci.wilsonville.or.us)

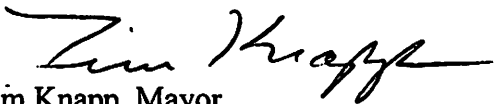
provides all of the drinking water for the cities of Wilsonville and Sherwood and will soon be expanded to serve as the intake facility for water that will serve TVWD and the additional cities of Beaverton, Tigard, and Hillsboro. All told, this intake facility will be part of the water supply system for approximately 560,992 Oregonians in the metropolitan area.

Because the pipe is located below the level of the intake facility, less than one-third of a mile upstream from it, a rupture or leak in the line, depending on the size and response time, could easily and reasonably be expected to contaminate our intake facility and overwhelm our water treatment capabilities, not to mention the fish kill and pollution to the waters of the historic Willamette River.

This letter is intended as a formal request to Kinder Morgan to take another look at the “relevant factors” and determine that shut-off valves are, in fact, required to protect this “high consequence area.”

Please note that this letter is being signed in counterparts, on attached signature pages, by all impacted cities. I will await your response.

Sincerely,



Tim Knapp, Mayor  
City of Wilsonville

baj:tec

cc: Senator Ron Wyden  
Senator Jeff Merkley  
Representative Suzanne Bonamici  
Representative Kurt Schrader

*[Signatures continued on following pages]*

Messrs. Holbrook, Simmons, and Hoidal  
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Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Doyle". The signature is fluid and cursive, with the first name "Dennis" and last name "Doyle" clearly distinguishable.

Dennis Doyle  
Mayor, City of Beaverton

*[Signatures continued on following pages]*



Sincerely,

A handwritten signature in cursive script that reads 'John Godsey'.

Date: 10-13-2017

John Godsey, Chair  
City of Hillsboro Utilities Commission  
October 13, 2017



City of Sherwood  
22560 SW Pine St.  
Sherwood, OR 97140  
Tel 503-625-5522  
Fax 503-625-5524  
[www.sherwoodoregon.gov](http://www.sherwoodoregon.gov)

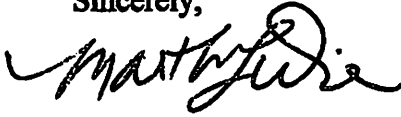
**City Manager**  
Joseph Gall, ICMA-CM

**Assistant City Manager**  
Tom Pessemier

Sincerely,

Joseph Gall, ICMA-CM, City Manager  
City of Sherwood

Sincerely,

A handwritten signature in black ink, appearing to read "Martha L. Wine". The signature is written in a cursive style with a large, prominent initial "M".

Martha L. Wine, City Manager  
City of Tigard

*[Signatures continue on following page]*

Messrs. Holbrook, Simmons, and Hoidal  
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Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Knudson', with a long horizontal flourish extending to the right.

Mark Knudson, CEO  
Tualatin Valley Water District  
(Co-Owner of the Willamette River Water Treatment Plant)