

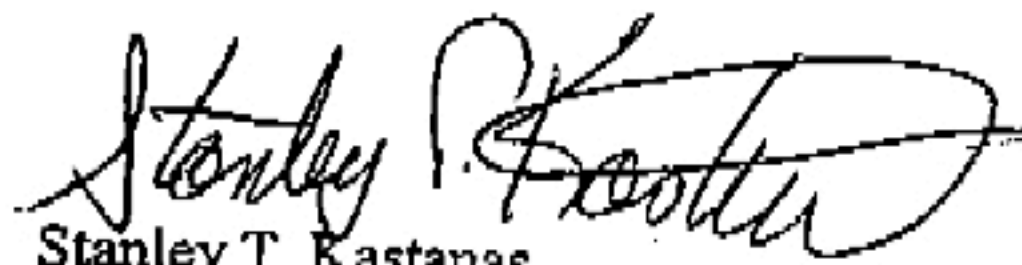
4. As we have noted in similar questions in the past, the authority for an operator to remove trees is subject to private agreements with landowners and any local land control. There are no Federal pipeline safety regulations authorizing such activities.
5. No pipeline safety statutes require removal of trees to make patrolling or inspection casier or to minimize the possibility of damage by tree roots.
6. No pipeline safety statutes mandate an operator to observe conditions on the right-of-way by aerial inspection or any other specific method of patrolling. The choice of method for patrolling a pipeline right-of-way is solely at the discretion of the operator.
7. No amendments or new pipeline safety statutes exist in response to the September 11, 2001, events. This includes potential security or terrorist threats. An operator is required to determine any threats to a pipeline and protect the pipeline from any damage from identified threats.

With regards to your FOIA request, we are enclosing communications regarding pipeline complaints and all civil penalty related enforcement actions issued in the last 10 years. In addition, we recently received permission from the Public Utilities Commission of Ohio (PUCO) to include communication exchanges with them regarding this matter. We also understand the PUCO has already provided their right-of-way complaint information to you.

Finally, PHMSA waives all FOIA fees for processing this request.

If we can provide further information or assistance, please feel free to contact Mr. James Wiggins, Associate Administrator for Governmental, International and Public Affairs at (202) 366-4831.

Sincerely,



Stanley T. Kastanas
Director of Enforcement, PHP

Enclosures