



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

4/16/2015

FOIA Control No: 2015-0098

Transmitted via Electronic Mail to carl@media.org – Read Receipt Requested

**CARL MALAMUD
PUBLIC.RESOURCE.ORG
1005 GRAVENSTEIN HIGHWAY NORTH
SEBASTOPOL CA 95472**

Dear Mr. Malamud:

This letter responds to your Freedom of Information Act (FOIA) request dated 4/1/2015 and received in the Pipeline and Hazardous Materials Safety Administration's (PHMSA's) FOIA Office on the same date. You requested: “a copy of American Association of Railroads AAR Manual of Standards and Recommended Practices, Section C—Part III, Specification for Tank Cars, Specification M–1002, December 2000, which is incorporated by reference in 49 CFR 171.7 and used in 49 CFR 179.100-9 et. seq.”

The Freedom of Information Act (FOIA) does not apply to these records because the records are “made available in a reading room” and/or are otherwise “published and offered for sale.” *See* 49 C.F.R. §7.21(b)(2), (3). PHMSA has made all the materials it proposes to incorporate by reference available in the Office of Hazardous Materials Safety’s Office of Hazardous Materials Standards, East Building, 1200 New Jersey SE, Washington, DC 20590-0001. For information on how to view this material in the Office of Hazardous Materials Standards, call 1-800-467-4922, or go to: <http://www.phmsa.dot.gov>. In addition, materials incorporated by reference are on file at the National Archives and Records Administration (NARA). For information on the availability of this material, refer to NARA’s website at http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. Alternatively, you may purchase the publications at <https://www.aarpublications.com/>.

Because the fee for processing your request falls below the minimum amount the Department of Transportation charges for processing FOIA requests, we processed your request at no charge to you. *See* Department of Transportation FOIA Regulations, 49 C.F.R. § 7.43(a)(1).

This concludes our response to your FOIA request. If you have any questions regarding your request,

4/16/2015

Page 2
Malamud
2015-0098

please feel free to contact me at PHMSA.FOIA@dot.gov.

Sincerely,

FOIA Officer
Pipeline and Hazardous Materials Safety Administration (PHMSA)