



PUBLIC.RESOURCE.ORG ~ A Nonprofit Corporation

Public Works for a Better Government

June 8, 2015

VIA EMAIL AND FIRST CLASS MAIL

U.S. Department of Transportation
PHMSA FOIA Officer, PHC-30
East Building, 2nd Floor, E23-306
1200 New Jersey Avenue, SE
Washington, DC 20590
E-mail: PHMSA.FOIA@dot.gov

RE: Freedom of Information Act Request

Dear FOIA Officer:

On behalf of Public.Resource.Org, and pursuant to the Freedom of Information Act, [5 U.S.C. § 552](#), I am submitting this request for records.

The Pipeline and Hazardous Materials Safety Administration (PHMSA) is currently conducting a Notice of Proposed Rulemaking (NPRM) entitled "Pipeline Safety: Plastic Pipe Rule." The comment period for this NPRM closes on July 31, 2015 (please see the request for expedited FOIA treatment at the conclusion of this letter). The contact persons listed for this NPRM is Cameron Satterthwaite, Transportation Specialist and Max Kieba, General Engineer.

I am requesting under FOIA all communications that PHMSA has had with the American Society of Testing and Materials (ASTM or ASTM International) and the American Society of Mechanical Engineers (ASME) discussing making ASTM and ASME standards available for public viewing during either the NPRM period or after a rule is promulgated.

Public.Resource.Org does not have a commercial interest in the requested record. Public.Resource.Org is a 501(c)(3) public charity chartered to make government information more broadly available without fee to any and all users. Public.Resource.Org has demonstrated an ability to disseminate information about the government and its activities to the public. It is one of the largest distribution sites for public information related to the U.S. government, including over 14,000 hours of video from Congressional hearings posted at the request of the Speaker of the House, over 8 million Form 990 reports filed with the Internal Revenue Service, over 6,000 U.S. government videos posted in cooperation with the Archivist of the United States, and the historical opinions of the U.S. Court of Appeals. As the President of Public.Resource.Org, I am frequently quoted in major media publications such as [the New York Times](#), [Business Week](#), [the New Republic](#), and [the](#)

Washington Post. I also testify before Congress on issues of public access to government information and am a frequent public speaker on the subject.

Accordingly, we request that you waive all fees for locating and duplicating the requested record. If, however, a waiver is not granted, and if the fees to be assessed in connection with this request exceed \$100, please obtain my approval before any such costs are incurred.

Because this FOIA request is directly related to a comment under the current Notice of Proposed Rulemaking, and because Public.Resource.Org is “primarily engaged in disseminating information, with a time urgency to inform the public of actual or alleged Federal Government activity” we are requesting expedited processing under **49 CFR 7.31(c)(ii)**. Comments for the Notice of Proposed Rulemaking currently underway must be submitted by July 31, 2015 and that the information I am requesting under FOIA is directly relevant to this rulemaking and to the comment that I wish to submit to the rulemaking docket. Public.Resource.Org is primarily engaged in disseminating information, including over 8 million IRS Form 990s, thousands of videos, legal materials including court opinions, and other information that is used by the public.

If expedited processing is not granted, we will expect a response within 20 working days as provided by law.

I certify that the statements contained in this letter are true and correct to the best of my knowledge and belief.

If you have any questions regarding this request, please contact me at (707) 827-7290.

Thank you very much for your attention to this matter.

Sincerely,

Carl Malamud
President & CEO
Public.Resource.Org

cc: David Halperin
Of Counsel
Public.Resource.Org