

June 19, 2015

The Honorable John Thune
Chairman, Committee on Commerce,
Science, and Transportation
United States Senate
Washington, DC 20510

The Honorable William Shuster
Chairman, Committee on Transportation
and Infrastructure
United States House of Representatives
Washington, DC 20515

The Honorable Bill Nelson
Ranking Member, Committee on Commerce,
Science, and Transportation
United States Senate
Washington, DC 20510

The Honorable Peter DeFazio
Ranking Member, Committee on Transportation
and Infrastructure
United States House of Representatives
Washington, DC 20515

Dear Chairman Thune, Chairman Shuster, Ranking Member Nelson and Ranking Member DeFazio:

As trade associations representing shippers and receivers of the chemicals and fertilizers covered by the Positive Train Control (PTC) mandate, the undersigned are writing to request assurances that our products will be able to move on the rail system on January 1, 2016.

In 2008, Congress gave the railroads a deadline to install PTC on lines that carried certain hazardous materials, as well as the lines that carry passenger trains. It is clear that the railroads will not be able to meet this deadline, and rail shippers are growing increasingly concerned that this failure could result in disruptions for our industries, despite the railroad's continuing legal obligation to accept our shipments.

Any interruption in the delivery of our products would have significant economic and societal consequences, putting public health at risk. Water treatment facilities that rely on routine delivery of chlorine would likely experience drinking water shortages. Manufacturing facilities for the PVC plastic used in an array of medical supplies, including blood bags and IV's, would also be impacted if the chlorine supply was interrupted. Likewise, anhydrous ammonia is a vital agricultural fertilizer, and delivery problems could lead to significant losses for farmers, impacting the nation's food supply and resulting in higher food prices.

The U.S. Department of Transportation has highlighted the importance of shipping chlorine and anhydrous ammonia by rail, stating that these materials "are essential to the economy and national health." DOT further noted "It is generally accepted that the safest, most cost effective, and efficient way for moving [these products] is by rail" and that transferring large amounts of these materials to barges or pipeline "are not viable options."

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We are all in agreement that the earliest possible implementation of PTC is desired. However, given that PTC will not be fully implemented and tested, and railroad employees will not be fully trained by December 31, 2015, shippers of the affected products support a reasonable extension of the deadline. We are ready to work with policy makers and the rail industry to support policies that would provide this clarity. Shippers need certainty of service, and resolution is critical now that it is apparent the railroads will not be able to meet the deadline.

Most importantly, the railroads have a common carrier obligation to transport these products regardless of the outcome of the debate over an extension of the PTC deadline. The undersigned trade associations appreciate your attention to this issue, and look forward to finding reasonable and practical solutions.

Sincerely,

American Chemistry Council

Chlorine Institute

National Association of Chemical Distributors

The Fertilizer Institute

cc: The Honorable Anthony Foxx, Secretary of the Department of Transportation
The Honorable Sarah Feinberg, Acting Administrator of the Federal Railroad Administration
The Honorable Debra Miller, Acting Chairman of the Surface Transportation Board