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June 17, 2011

**VIA ELECTRONIC FILING**

Ms. Cynthia Brown  
Chief, Section of administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

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Public Record

RE: ***Canexus Chem. Canada, L.P. v. BNSF Railway Company,***  
**STB Docket No. FD 35524**

Dear Ms. Brown:

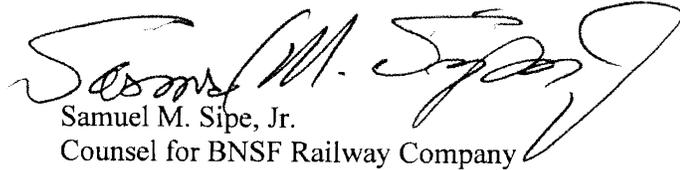
We write to address a statement contained in Union Pacific Railroad Company's ("UP") June 15, 2011 Submission in the above-referenced matter. In its Submission, UP states that it has no obligation to interchange chlorine with the BNSF Railway Company ("BNSF") at Spokane, WA because "BNSF has embargoed interchanges of Rail Security-Sensitive Materials, which include chlorine, from UP at Spokane." Submission at 3. The BNSF operating condition referenced by UP is not an embargo applicable to BNSF's interchange with UP at Spokane but, as we explain below, an administrative tool to ensure that shippers do not route high-hazard traffic to locations and interchanges where BNSF may not be prepared in advance to follow TSA interchange requirements.

The BNSF-UP interchange at Spokane, WA is one of hundreds of BNSF junctions covered by BNSF Note 125 on the Open & Prepay Station List. OPSL Note 125 was first issued October 1, 2009 to help BNSF ensure compliance with the Transportation Safety Administration's Security Rule for TIH, high explosive, and certain radioactive materials, which requires, among other things, positive hand-off of Rail Security Sensitive Materials ("RSSM"). OPSL Note 125 requires customers wishing to ship RSSM to a covered junction to notify BNSF before submitting a waybill. Once BNSF completes a review of the covered junction point, that junction point is removed from OPSL Note 125. This process allows BNSF to verify that the junction is compliant with the TSA Security Rule and prevents customers from unwittingly or intentionally tendering RSSM to inappropriate locations.

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An OPSL Note is not the same thing as an embargo. OPSL Note 125 does not prevent UP from interchanging Canexus's chlorine with BNSF at Spokane; it is an administrative tool that allows BNSF to monitor and control the flow of RSSM over that junction to ensure compliance with all safety and security rules. Spokane is an attended junction where BNSF and UP can interchange Canexus's chlorine in compliance with the TSA's Security Rule-BNSF would not otherwise have suggested it as an appropriate interchange location.

Respectfully submitted,



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Counsel for BNSF Railway Company

cc: Counsel for Canexus and Union Pacific