



May 19, 2009

225140



Surface Transportation Board
The Honorable Anne K. Quinlan
Acting Secretary
395 E Street SW
Washington, DC 20423

ENTERED
Office of Procurement
MAY 20 2009
Part of
Public Record.

Docket Number 35219

Dear Acting Secretary Quinlan:

AMVAC Chemical, Corporation hereby requests that this letter be included in the record of the above referenced docket. AMVAC is a producer of agriculture products some of which use chlorine as an essential building block. The Company has production facilities in Los Angeles, CA and Axis, AL. We also have contract manufacturing at various other locations throughout the U.S. AMVAC provides all of the raw materials to both the Company plants and the contract manufacturing locations. Since our markets are extremely competitive it is critical that we have the ability to purchase from suppliers who can provide a combination of quality product, excellent service and competitive price.

AMVAC currently purchase chlorine from U.S. Magnesium for the Los Angeles plant. This product was approved after an in-depth evaluation process. Not only do our suppliers need to meet the physical specification they must have a commitment to responsible production and handling of their products. It is AMVAC's concern that if the Union Pacific is successful in preventing U.S. Magnesium from shipping to specific markets, the railroads could limit the supply choices in other markets for chlorine and other potentially hazardous products.

In addition, AMVAC can envision the possible requirement for chlorine usage at one or more of our other manufacturing facilities. If that situation ever does arise we want to be able purchase from our choice of suppliers and not have that decision dictated by the transportation provider. We believe that U.S. Magnesium is a viable supplier offering quality product and pricing that is competitive in the market. We would want the option to consider them as a supplier if and when the situation would arise.

As a producer of agricultural chemicals, we are aware of the vital role chlorine plays in our business, as well as, our everyday lives. We believe that the Chlorine Institute does a good job educating the industry on the safe handling of chlorine and that there are ample regulatory controls in place to insure the safe shipment of chlorine by rail. This action by the Union Pacific limits customer's ability to purchase needed product from the



supplier of choice. It has the potential of reducing the competitive environment and having a negative financial impact on the AMVAC.

For the above reasons we request that the Surface Transportation Board rule in favor of U.S. Magnesium.

Respectfully,

A handwritten signature in cursive script that reads "Doug Ashmore".

Doug Ashmore
Vice President and Director of Manufacturing