

ED WHITFIELD
1ST DISTRICT, KENTUCKY

WASHINGTON OFFICE:
2411 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-1701
(202) 225-3115
FAX: (202) 225-3547
www.house.gov/whitfield

COMMITTEE ON
ENERGY AND COMMERCE
SUBCOMMITTEES:
ENERGY AND ENVIRONMENT
HEALTH
COMMERCE, TRADE, AND
CONSUMER PROTECTION

Congress of the United States
House of Representatives
Washington, DC 20515-1701

October 5, 2010

The Honorable Daniel Elliott
Chairman
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

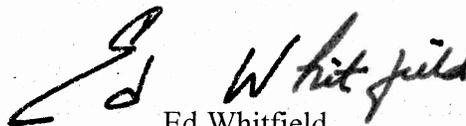
Dear Chairman Elliott:

The August 3, 2010 announcement by the Board of the formation of the Toxic by Inhalation Hazard Common Carrier Transportation Advisory Committee (TIHCCTAC) is a move that will hopefully bring both railroads and TIH shippers together on this very important issue. Our nation's economy needs a well thought-out solution to challenges currently facing this sector.

In reviewing the Board's decision, I am concerned, however, that the new committee does not include broader representation of the TIH shipper community. According to the Department of Transportation, there are more than 20 TIH materials that are shipped by rail. While chlorine and anhydrous ammonia represent over 78 percent of total TIH shipments, other materials play a critical role for the U.S. industry and consumers every day. The current committee proposed by the Board does not ensure that shippers of these non-chlorine and non-anhydrous TIH materials will be able to add their experiences and knowledge to this important discussion.

These issues impact TIH users and manufacturers located in the communities I represent, and the recommendations made by the TIHCCTAC committee will have an impact on their operations. To that end, I urge the Board to consider ensuring that there will be direct representation from shippers of these smaller-volume, industry-critical TIH materials to the final committee structure. Should you have any questions, please contact Cory Hicks in my Washington Office at 202-225-3115.

Sincerely,



Ed Whitfield
Member of Congress

DISTRICT OFFICES:

FIRST FLOOR
1403 SOUTH MAIN STREET
HOPKINSVILLE, KY 42240
(270) 885-8079
(800) 328-5629
FAX: (270) 885-8598

SUITE F
200 NORTH MAIN
TOMPKINSVILLE, KY 42167-1548
(270) 487-9509
FAX: (270) 487-0019

SUITE 224
222 FIRST STREET
HENDERSON, KY 42420
(270) 826-4180
FAX: (270) 826-6783

ROOM 104
100 FOUNTAIN AVENUE
PADUCAH, KY 42001
(270) 442-6901
FAX: (270) 442-6805

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WASHINGTON, DC 20515-1701

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M.C.

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Chairman
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Washington, D.C. 20423

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