



Surface Transportation Board
Washington, D.C. 20423-0001

September 29, 2023

Mr. Chris Jahn, President and CEO
American Chemistry Council
700 2nd Street, NE
Washington, DC 20002

Dear Mr. Jahn,

Thank you for your recent letter regarding railroad liability and insurance requirements for the shipment of hazardous materials. The Board appreciates hearing the American Chemistry Council's views on these requirements, and their potential impact on the viability of shipping hazardous materials by rail.

The Board is aware of CPKC's tariff requirement that Toxic Inhalation Hazard (TIH) and Poison Inhalation Hazard (PIH) shippers carry a Commercial General Liability Insurance Policy of at least \$100 million. We hear the concerns regarding the impact of the tariff provisions on the cost and availability of rail service for TIH/PIH commodities and will continue to monitor this issue and the impacts that liability and insurance requirements could have on the movement of essential hazardous material by rail. The Board also encourages stakeholders to contact the Rail Customer and Public Assistance (RCPA) program for assistance in working with the railroads on these issues, at 202-245-0238 or rpa@stb.gov.

A copy of your letter and this reply has been placed on the Board's website as non-docketed correspondence. If you have any questions, please contact Ms. Janie Sheng, Director of the Board's Office of Public Assistance, Governmental Affairs, and Compliance, at 202-245-0238.

Sincerely,

Martin J. Oberman
Chairman

Karen J. Hedlund
Vice Chairman

Patrick J. Fuchs
Member

Robert E. Primus
Member

Michelle A. Schultz
Member