

**SURFACE TRANSPORTATION BOARD INSTITUTES DECLARATORY ORDER
PROCEEDING REGARDING CERTAIN RAIL MOVEMENTS OF CHLORINE**

The Surface Transportation Board announced today that it has instituted a proceeding and invites public comment on a Union Pacific Railroad Company (UP) petition for a declaratory order. In its petition, UP requests that the Board determine the extent of the common carrier obligation to quote rates for new, lengthy movements of chlorine, a toxic inhalation hazard (TIH).

The chlorine movements at issue would average 1,900 miles in distance and travel through two High Threat Urban Areas and several other large cities. UP declined to quote rates for these movements pending the outcome of this proceeding. UP believes the risk of potential exposure from long-distance chlorine shipments is unnecessary, as all four destinations assertedly are located fewer than 300 miles from ample alternative chlorine supplies. In addition, UP states that other governmental agencies have requested that UP find ways to reduce such toxic-inhalation-hazard (TIH) shipments to reduce TIH transportation risks.

Parties that participated in the Board's proceeding and July 2008 public hearing, *Common Carrier Obligation of Railroad—Transportation of Hazardous Materials*, STB EX Parte 677 (Sub-No.1), and governmental agencies with jurisdiction over issues related to rail transportation of TIH material may be interested in the issues raised in the declaratory order proceeding announced today. **Any interested person may file comments on UP's petition by March 31, 2009.**

The Board issued its decision instituting the [declaratory order proceeding today, March 10, 2009, in STB Finance Docket No. 35219](#). That decision is available for viewing and downloading, via the Board's Web site at <http://www.stb.dot.gov>, under "E-LIBRARY," then under "Decisions & Notices," beneath the date "3/10/09."

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