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To Whom It May Concern,

JCI Jones Chemicals, Inc. is submitting comments in response to Docket Number FD 35964 to request that the Surface Transportation Board ('STB') take immediate action to issue an order declaring that the common carrier obligation, codified at 49 U.S.C. 11101(a), requires a Class I railroad to transport toxic inhalation hazard ('TIH') materials over main lines, as defined at 49 U.S.C. 20157(i)(2), although the Class I railroad has not equipped, or will not equip, such lines with an operable positive train control ('PTC') system by the December 31, 2015 deadline specified by 49 U.S.C. 20157(a). Timely action by the STB is needed to enforce the common carrier obligation and prevent disruption of essential freight rail shipments.

Under the Rail Safety Improvement Act of 2008, railroads are required to implement PTC by December 31, 2015 on lines that ship TIH chemicals and on passenger rail. TIH chemicals include chlorine, sulfur dioxide anhydrous ammonia, ethylene oxide and hydrogen fluoride. TIH products are essential to water treatment, auto manufacturing, pharmaceutical production, aerospace, agriculture, forestry and fishing, telecommunications, computers and electronics, and electric power transmission and distribution.

The Class I railroads, the Federal Railroad Administration, and the Government Accountability Office have all said that the December 31, 2015 deadline for PTC implementation is unattainable. While we believe railroads would have a common carrier obligation to continue to ship these essential products, we are nevertheless concerned about a possible disruption based on recent comments from the railroad industry.

TIH materials are essential to the economy and public health. We are very concerned that railroads will attempt to refuse shipments of these products, particularly chlorine, which is used by thousands of public water treatment facilities across the US to treat their drinking water and waste water for the tens of millions of people who rely on safe drinking and waste water every single day. Our company, JCI Jones Chemicals, Inc., is a fourth generation, family owned, American company that has been in business supplying this essential product in a safe and secure manner to the water treatment industry for over 85 years. The safety, public health and economic consequences of such a large-scale service disruption would be of catastrophic proportions which could result in a public health disaster for communities across the entire US to include a country-wide boiled-water advisory for an extended and indefinite period of time.

The earliest workable implementation of PTC is desired. However, given that PTC will not be fully implemented and tested, and railroad employees will not be fully trained by the end of the year, we urge the STB to take immediate action to issue an order to enforce the common carrier obligation to avoid any disruption of the shipment of these critical TIH products. The status of PTC implementation should not alter the railroads' common carrier obligation to provide service.

Thank you.

JCI Jones Chemicals, Inc.

A handwritten signature in dark ink, appearing to read 'Tim Gaffney', is written over a horizontal line.

Timothy J. Gaffney
Executive Vice President

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of October 2015, I served a copy of the foregoing upon the persons listed below.

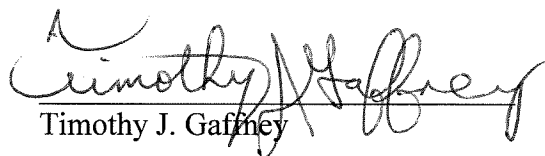
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