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May 17, 2011

BY HAND

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

FD 35517

Re: CF Industries, Inc. Request for Declaratory Order

ENTERED
Office of Proceedings

MAY 17 2011

Part of
Public Record

Dear Ms. Brown:

Enclosed for filing in the above-referenced matter are an original and 11 copies of CF Industries, Inc.'s Petition for a Declaratory Order, together with a check in the amount of \$1,000. Please date stamp one copy of the Petition and return it to our messenger.

Sincerely,

Patrick E. Groomes

Enclosure

cc: Scott G. Williams

FEE RECEIVED

MAY 17 2011

**SURFACE
TRANSPORTATION BOARD**

FILED

MAY 17 2011

**SURFACE
TRANSPORTATION BOARD**

BEFORE THE
SURFACE TRANSPORTATION BOARD



CF Industries, Inc.,

Petitioner,

v.

Indiana & Ohio Railway
Point Comfort and Northern Railway
Michigan Shore Railroad,

Respondents.

Docket No. FD 35517

ENTERED
Office of Proceedings

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Public Record

SURFACE
TRANSPORTATION BOARD

PETITION OF CF INDUSTRIES, INC. FOR DECLARATORY ORDER

Pursuant to 5 U.S.C. § 554(e) and 49 U.S.C. § 721, CF Industries, Inc. ("CF") hereby requests that the Surface Transportation Board ("Board") issue an order declaring that certain tariffs issued by Indiana & Ohio Railway ("IORY"), the Point Comfort and Northern Railway ("PCN") and the Michigan Shore Railroad ("MSR" and together with the IORY and PCN, the "RailAmerica Railroads") addressing the movement of toxic inhalation hazard ("TIH") and poison inhalation hazard ("PIH") materials are invalid and unenforceable.

I. BACKGROUND

RailAmerica, Inc. ("RailAmerica") is a railroad holding company owning and controlling 40 short-line and regional common and contract railroads that operate throughout the U.S., including the RailAmerica Railroads. The RailAmerica Railroads are subject to the Interstate Commerce Commission Termination Act of 1995 (49 U.S.C. §§ 10101 *et seq.*) and to the jurisdiction of the Board. RailAmerica has directed the RailAmerica Railroads to adopt the practices that are the subject of this petition.

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SURFACE
TRANSPORTATION BOARD

CF is one of the largest manufacturers and distributors of nitrogen and phosphate fertilizer products in North America. Its principal nitrogen products are ammonia, urea, and urea ammonium nitrate solution (“UAN”); its principal phosphate products are diammonium phosphate (“DAP”) and monoammonium phosphate (“MAP”). CF, like others in the fertilizer industry, relies on rail service to transport its fertilizer products safely and cost-effectively to farmers, other customers, and storage facilities throughout the United States and Canada. CF ships approximately 6 million tons of fertilizer by rail annually from eight production plants in North America.

CF ships, or will be shipping, anhydrous ammonia under Rule 11 movements to various agricultural customers at destinations served by the RailAmerica Railroads, including: (i) from Lolita, TX to Point Comfort, TX on the PCN (the “PCN Movement”); (ii) Holland, MI to Muskegon, MI on the MSR (the “MSR Movement”); and (iii) Flat Rock, MI to Melvin, OH or Uniopolis, OH on the IORY (the “IORY Movements”). The PCN Movement previously was subject to a through rate under an existing contract with UP. Similarly, the MSR Movement previously was subject to a through rate under a CSXT tariff. The IORY movement was subject to a Rule 11 rate. The RailAmerica Railroads have notified CSXT, UP and CN that new tariffs will apply to all movements of TIH-PIH materials on the RailAmerica Railroads. By email dated April 19, 2011, RailAmerica informed CF that pursuant to new procedures *RailAmerica (not any specific RailAmerica short-line)* handles “TIH/PIH in dedicated train service at reduced speeds, so the dynamics are different than regular manifest train service.”¹ These procedures are set forth in the tariffs of the RailAmerica Railroads, which are discussed below.

¹ April 19, 2011 email from RailAmerica’s Harry Shugart to CF.

IOY Movements. On May 6, 2011, CF requested that RailAmerica provide a tariff for the IOY Movements. In response, on May 9, 2011, RailAmerica provided CF with IOY tariff 0900 (“IOY-T-0900”)², which provides:

- An effective date of May 6, 2011;
- All cars are to move via special train service (“STS”);
- Rates to Uniopolis of \$7,343/car for a single car, \$6,270/car for two cars and \$5,168/car for three cars;
- Rates to Melvin of \$10,342/car for a single car, \$9,251/car for two cars and \$8,154/car for three cars; and
- Cancellation upon 20 days’ notice.

The rates set forth in IOY-T-0900 represent an increase of 559% from the current rates charged CF for the IOY Movement to Melvin, OH. The IOY Movement to Uniopolis is a new movement requested by CF.

PCN Movements. On May 6, 2011, CF requested that RailAmerica provide a tariff for the PCN Movement. In response, on May 9, 2011, RailAmerica provided CF with PCN tariff 0900 (“PCN-T-0900”)³, which provides:

- An effective date of May 6, 2011;
- All cars are to move via STS;
- Rates of \$5,995/car for a single car, \$4,882/car for two cars and \$3,802/car for three cars; and
- Cancellation upon 20 days’ notice.

The rates set forth in PCN-T-0900, together with UP’s quote of \$4472/car for movement from Donaldsonville, LA to the interchange with the PCN at Lolita, TX, represent an increase of 90% from the current through rates charged CF for the PCN Movement.

² Attached as Exhibit A.

³ Attached as Exhibit B.

MSR Movements. On May 6, 2011, CF requested that RailAmerica provide a tariff for the MSR Movement. In response, on May 9, 2011, RailAmerica provided CF with MSR tariff 0900 (“MSR-T-0900”)⁴, which provides:

- An effective date of May 6, 2011;
- All cars are to move via STS;
- Rates of \$7,343/car for a single car, \$6,270/car for two cars and \$5,168/car for three cars; and
- Cancellation upon 20 days’ notice.

The rates set forth in MSR-T-0900, together with the existing CSXT tariff rate from Courtright, ON to the interchange with MSR at Holland, MI, represent an increase of 45% from the current through rates charged CF for the movement to Muskegon, MI.

IORY-T-0900, PCN-T-0900 and MSR-T-0900 (collectively, the “RailAmerica TIH-PIH Tariffs”) each require the shipper to fill out an Appendix A Notice of Shipment of TIH-PIH when each shipment (limited to no more than three cars) is tendered to a carrier for delivery to the applicable RailAmerica Railroad.

In addition to the RailAmerica TIH-PIH Tariffs, RailAmerica has circulated a document entitled “TIH/PIH Standard Operating Practice (SOP).”⁵ Although RailAmerica has stated that the SOP is a non-binding document meant solely for discussion purposes,⁶ RailAmerica has stated that the SOP will apply to TIH and PIH movements.⁷ The SOP includes two additional restrictions not included in the RailAmerica TIH-PIH Tariffs. First, TIH cars moving in STS

⁴ Attached as Exhibit C.

⁵ Attached as Exhibit D.

⁶ See RailAmerica’s Response to Motion for Injunctive Relief under 49 U.S.C. §721(b)(4), Docket No. 42129, filed May 9, 2011 (“RailAmerica Response”), p.5.

⁷ See n.1, *supra*.

may not exceed 10 mph.⁸ Second, the Appendix A Notice of Shipment of TIH-PIH must be filed with the relevant RailAmerica Railroad no less than five business days before the cars are tendered in interchange.⁹

II. ISSUES AND CONTROVERSIES

The RailAmerica Railroads have imposed through the RailAmerica TIH-PIH Tariffs, and through the proposed implementation procedures contained in the SOP, a number of new purported operational safety measures, including special train service, that are excessively burdensome and costly. These measures far exceed the safety standards currently imposed by the Federal Railroad Administration (“FRA”). The D.C. Circuit has held that there is a presumption that safety measures in excess of those imposed by regulatory agencies charged with primary responsibility for safety are unnecessary.¹⁰

As the Board has acknowledged, “primary jurisdiction, expertise and oversight responsibility in rail safety matters are vested in the Secretary of the Department of Transportation, and delegated to the Administrator of the Federal Railroad Administration (FRA) . . . [r]ail safety matters are, thus, primarily a matter for FRA’s oversight in the first instance.”¹¹ There is a strong presumption that safety measures stricter than those imposed by the FRA, including special train service, are unnecessary.¹² For example, when railroads attempted to impose special train service on the transportation of radioactive materials, the court determined there was no evidence to suggest the federal regulations were inadequate.¹³ The court found that the Department of Transportation’s (“DOT”) and Nuclear Regulatory Commission’s (“NRC”)

⁸ See SOP, p.2.

⁹ *Id.* at p.4.

¹⁰ *Consolidated Rail Corp. v. Interstate Commerce Comm’n*, 646 F.2d 642 (D.C. Cir. 1981) (“*Conrail*”).

¹¹ See *Granite State Concrete Co., and Milford-Bennington R.R. Co., v Boston and Me. Corp. and Springfield Terminal Ry. Co.*, STB No. 42083, 2003 WL 22121645, at n.5 (Sept. 12, 2003).

¹² *Conrail* at 650-652.

¹³ *Id.*

regulations were comprehensive in character and that the agencies had attempted to fully satisfy their statutory duty to assure the safe transportation of radioactive materials. *The court also noted that there was no evidence that the DOT and the NRC were unaware of the special train option when they drafted their regulations.*¹⁴ The FRA's regulation of TIH-PIH materials transportation is similarly comprehensive and warrants the same presumption against the need for special train service or other stricter safety requirements.

In a proceeding challenging a similar tariff published by RailAmerica's Alabama & Gulf Coast Railway, RailAmerica cites language from the court's decision in *Conrail* that "it might be shown that DOT and NRC did not intend to establish comprehensive regulations to assure safe transportation of radioactive materials, but rather hoped that other agencies or private industry would substantially supplement their regulations"¹⁵ This language addresses the very presumption the court established – that safety measures in excess of those imposed by regulatory agencies charged with primary responsibility for safety are unnecessary. The showing referenced in the cited language is the showing a *carrier* could make to the Board to *rebut the presumption*. Thus, the burden is on RailAmerica to demonstrate the additional safety measures contained in the RailAmerica TIH-PIH Tariffs are necessary.

If the RailAmerica Railroads believe additional safety measures are necessary with regard to the transportation of TIH-PIH materials, they may bring such proposals before the FRA. They may not, however, subvert the regulatory authority of the FRA and undermine the regulatory balance the FRA has achieved by unilaterally imposing such purported safety measures through a tariff. Consistent with the presumption established by the court in *Conrail*,

¹⁴ *Id.* at 651-652.

¹⁵ *See* RailAmerica Response, n.1.

pending a showing that such additional safety measures are necessary, the RailAmerica TIH-PIH Tariffs must be presumed unnecessary.

III. REQUESTED RELIEF

CF hereby requests that the Board issue an order declaring the RailAmerica TIH-PIH Tariffs, and any associated implementation procedures under the SOP, invalid and unenforceable and grant such other and further relief as the Board may deem appropriate under the circumstances.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P.E. Groomes", is written over a horizontal line.

Patrick E. Groomes
Kirkland & Ellis LLP
655 15th Street, NW
Washington, DC 20005

May 17, 2011

EXHIBIT A

IORY-T-0900



IORY TARIFF 0900

ORIGINALLY EFFECTIVE: May 6, 2011

EXPIRES: May 5, 2012

COMMODITIES: All TIH-PIH Commodities as defined by AAR Circular No. OT-55-Series (Series "L" attached).

ORIGIN: Flat Rock, OH (when from beyond); rule 11 applies.

DESTINATION: Uniopolis, OH / Melvin, OH.

ROUTE: IORY

PURPOSE: TIH-PIH are inherently dangerous commodities and require special handling. IORY must provide safe transportation for TIH-PIH in accord with existing rules. To that end, IORY has developed a program imposing minimal additional burdens on the shippers. IORY's program starts with notification from a shipper that a car is being forwarded for delivery to IORY.

IORY is requiring the pre-notification so that it can verify that the recipient will be able to receive the car or cars when it is delivered, arrange to have an inspector available when the car or cars are received by IORY, arrange to have locomotives and crews available when the TIH PIH car or cars arrive for interchange to IORY. Before accepting a TIH-PIH car or cars, IORY will inspect that car or cars to make sure of compliance with the requirements of 49 CFR 174.3. Once IORY accepts a car or cars it will put the car or cars into a priority train to immediately deliver the car or cars to the receiver. This train will depart within the 48 hour period required by 49 CFR 174.14, usually much sooner. The priority train will also provide more expeditious service and safer transit to the receiver than handling the car or cars in the normal course of business that would require moving through yards, switching onto a regular train, and starting and stopping at different shippers along the route to the receiver. The train will travel at the appropriate speed for safe operation based on the conditions of the rail line, time of year, weather, and any other relevant factors deemed relevant by IORY operating and/or safety personnel. It is IORY's belief that the transfer of TIH-PIH cars to a priority train will enhance the efficiency of the use of the TIH PIH equipment fleet by expediting delivery to the destination.

Item 1000 - General Rules:

A) Not subject to Rule 24 of tariff STB-UFC-6000 Series. Any services not covered by the charges in this document are subject to the rules and provisions of the 6006-series, & 6007-series Charge Catalogs. This Rate Authority can be cancelled upon 20 days notice. Reverse application applies only on rejected shipments moving back toward original origin via reverse route. Each shipment hereunder shall be tendered to Carriers on a Uniform Straight Bill of Lading. IORY-T-0900-series must be shown on all bills of lading tendered for shipment. Except when specifically provided herein, rates do not include switching charges at origin or destination. Shipments shall be billed accounting Rule 11.

B) Upon tender of a car or cars containing TIH-PIH to a rail carrier for delivery to IORY in interchange for delivery to the receiver, the shipper shall give notice of the shipment to IORY by providing IORY a copy of the Notice attached as Appendix A hereto. The Notice must be completely filled out and tendered to IORY by the instructions specified on the bottom of Appendix A. IORY shall use the Notice to track the car in order to be able to comply with the regulatory requirements once the car or cars arrive for interchange to IORY.

C) Upon placement of the car or cars containing TIH-PIH upon the interchange track to IORY, a mechanical inspector shall inspect the car or cars as required by 49 CFR 174.9 to make sure that the car or cars comply with the requirements of 49 CFR 174.3.

D) After the inspection, IORY will notify the recipient of the arrival of the car or cars and the estimated time of delivery.

E) All TIH-PIH commodities will be moved in priority train service.

F) No more than 3 cars loaded with TIH-PIH commodities will be transported in the same priority train at any time.

Item 1001 – Procedure on Delivery and Placement of Cars:

Receiver shall be prepared to receive carloads of TIH-PIH commodities immediately upon notification of availability at destination by IORY. There will no free time granted to receiver once notification takes place. Charges will begin at 12:01AM the morning after notification to the receiver or the first day of deliverable service, whichever occurs first.

If a receiver or receiving location is unable to accept a TIH-PIH commodity carload when it is first tendered after notice and available for delivery, and IORY must then hold the car(s) in its rail facilities, a charge of \$1,000 per car, per day or portion thereof will be assessed until the car or cars are placed at the billed destination.

Item 1020 is a list of STCC codes that fall under the category of TIH-PIH and will be applicable in assessment of the daily charge and handling.

Item 1003 – Procedure on Unsafe or Improperly Loaded Cars:

When a car is deemed unsafe based on the criteria below or for failure to comply with 49 CFR 174.3, a penalty of \$10,000 may be assessed to the Shipper:

A car is overloaded, imbalanced or has a shifted load.

A car is spilling, leaking, or dusting.

A car containing TIH-PIH commodities or residue is identified moving on IORY for which shipping instructions were not regulatory compliant.

Item 1005 – Procedure on any Major Adjustment for TIH-PIH Cars

When IORY provides any of the following tasks to a TIH-PIH car or cars, a charge equating to actual cost plus 25% (minimum \$1,000) will be assessed to the party requesting or requiring these services:

A car needs readjusting, reducing, loading, or unloading of a shipment.

Repair or cleaning equipment, or clean-up of leaked/spilled materials.

Applying sprays or suppressants to the shipment or contents.

Item 1007 – Procedure on Unsafe Condition at Customer Facility

Where at IORY's sole discretion, safe railway operations are not possible because of an extreme condition or practice including, but not limited to the conditions below, train service will be suspended until the condition is rectified to the satisfaction of IORY's safety/environmental staff.

A CONDITION OR PRACTICE LIKELY TO CAUSE: PERMANENT DISABILITY;
LOSS OF LIFE OR BODY PART; EXTENSIVE LOSS OF STRUCTURE, EQUIPMENT
OR MATERIAL; OR REPEATED/OR MULTIPLE UNRESOLVED CONDITIONS OR
PRACTICES THAT MAY HAVE A SAFE WORK-AROUND.

Item 1009 - Loss or Damage

No claim for physical loss or damage to any one shipment transported hereunder shall be made or filed by receiver for amounts of \$250.00 or less. Any claims should be filed with the destination IORY.

Item 1011 - Fuel Surcharge

Shipments are not subject to Fuel Surcharge Tariffs.

Item 1013 – Rate

Notwithstanding any other rate provisions for transportation of a TIH-PIH car on IORY, the rate shall be for

Destination: Uniopolis, OH – one car \$7, 343 per car, for two cars \$6, 270 per car, and for three cars \$5, 168 per car.

Destination: Melvin, OH - one car \$10, 342 per car, for two cars \$9, 251 per car, and for three cars \$8, 154 per car.

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

(HazardZone A, B, C, or D)

	4821019	Waste Allyl Alcohol UN 1098 I B
	4821261	Waste Toxic Liquid, corrosive, inorganic, n.o.s. UN 3289 I B
	4821722	Waste Hexachlorocyclopentadiene UN 2646 I B
	4830030	Waste Sulfuric acid, fuming UN 1831 I B
2819815	4904209	Ammonia, Anhydrous UN 1005
2819815	4904210	Ammonia, Anhydrous UN 1005
2819815	4904211	Ammonia, Solution UN 3318
3533945	4904879	Ammonia, Anhydrous UN 1005
2899991	4907409	Isobutyl Isocyanate UN 2486 I A
2899991	4907434	Ethyl Isocyanate UN 2481 I A
2899991	4909306	Isopropyl Isocyanate UN 2483 I A
2899991	4909307	Methoxymethyl Isocyanate UN 2605 I A
2899991	4910370	Methacrylonitrile, Stabilized UN 3079 I B
2899991	4916138	Pentaborane UN 1380 I A
2899991	4918180	Tetranitromethane UN 1510 I B
2899991	4918505	Bromine Pentafluoride UN 1745 I A
2899991	4918507	Bromine Trifluoride UN 1746 I B
2818890	4920101	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 A
2818890	4920102	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 A
2818890	4920103	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 A
2818890	4920104	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 A
2818890	4920105	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 A
2818890	4920106	Selenium Hexafluoride UN 2194 A
2818890	4920107	Diborane UN 1911 A

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920108	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 A
2818890	4920110	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 A
2818890	4920111	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 A
2813975	4920112	Nitric Oxide, Compressed UN 1660 A
2818890	4920113	Nitric oxide and nitrogen dioxide mixtures or Nitric oxide and dinitrogen tetroxide mixtures UN 1975 A
2818890	4920115	Insecticide gases, toxic, flammable, n.o.s. UN 3355 A
2818890	4920116	Insecticide gases, toxic, flammable, n.o.s. UN 3355 A
2818890	4920122	Hydrogen Selenide, anhydrous UN 2202 A
2818890	4920135	Arsine UN 2188 A
2818890	4920160	Phosphine UN 2199 A
2818890	4920164	Liquefied gas, toxic, flammable, n.o.s. UN 3160 A
2818890	4920165	Compressed Gas, toxic, flammable, n.o.s. UN 1953 A
2818890	4920167	Stibine UN 2676 A
2818890	4920173	Oxygen Difluoride, Compressed UN 2190 A
2818890	4920174	Dinitrogen Tetroxide UN 1067 A
2818890	4920175	Nitrogen Trioxide UN 2421 A
2818890	4920178	Cyanogen Chloride, Stabilized UN 1589 A
2818890	4920180	Fluorine, Compressed UN 1045 A
2818890	4920181	Compressed Gas, toxic, n.o.s. UN 1955 A
2818890	4920183	Phosphorus Pentafluoride UN 2198 B
2818820	4920184	Phosgene UN 1076 A
2818890	4920187	Sulfur Tetrafluoride UN 2418 A
2818890	4920188	Tellurium Hexafluoride UN 2195 A
2818890	4920189	Chlorine Pentafluoride UN 2548 A

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920195	Liquefied gas, toxic, n.o.s. UN 3162 A
2818890	4920196	Ethylene Oxide and Carbon Dioxide mixture UN 3300 D
2818890	4920300	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 C
2818890	4920301	Compressed Gas, toxic, corrosive, n.o.s. UN3304 D
2818890	4920302	Insecticide gases, toxic, flammable, n.o.s. UN 3355 B
2818890	4920303	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 B
2818890	4920304	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 C
2818890	4920305	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 D
2818890	4920306	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 B
2818890	4920307	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 C
2818890	4920308	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 D
2818890	4920309	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 C
2818890	4920310	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 D
2818890	4920311	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 B
2818890	4920312	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 B
2818890	4920313	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 C
2818890	4920314	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 B
2818890	4920315	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 D
2818890	4920316	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 C
2818890	4920317	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 B
2818890	4920318	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 D
2818890	4920319	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 C
2818890	4920320	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 C
2818890	4920321	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 D

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920322	Insecticide gases, toxic, flammable, n.o.s. UN 3355 C
2818890	4920323	Insecticide gases, toxic, flammable, n.o.s. UN 3355 D
2818890	4920324	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 B
2818890	4920325	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 D
2818890	4920331	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 C
2818890	4920337	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 B
2818890	4920342	Ethylene Oxide and Carbon Dioxide mixture UN 3300 D
2818890	4920343	Carbon Monoxide and Hydrogen mixture, Compressed UN 2600
2818890	4920344	Oil Gas, Compressed UN 1071
2813964	4920346	Trifluorochloroethylene, Stabilized UN 1082 C
2818890	4920347	Trifluoroacetyl Chloride UN 3057 B
2818890	4920348	Hydrogen Iodide, anhydrous UN 2197 C
2899991	4920349	Boron Trichloride UN 1741 C
2818890	4920351	Carbonyl Sulfide UN 2204 C
2899991	4920352	Chlorine Trifluoride UN 1749 B
2818239	4920353	Ethylene Oxide or Ethylene Oxide with Nitrogen UN 1040 D
2818890	4920354	Germane UN 2192 B
2813950	4920355	Methyl Mercaptan UN 1064 C
2818890	4920356	Perchloryl Fluoride UN 3083 B
2818890	4920357	Silicon Tetrafluoride UN 1859 B
2819815	4920359	Ammonia, Anhydrous UN 1005 D
2819815	4920360	Ammonia, Solution UN 3318 D
2818890	4920368	Liquefied gas, toxic, n.o.s. UN 3162 C
2818890	4920369	Liquefied gas, toxic, n.o.s. UN 3162 D

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920371	Tungsten Hexafluoride UN 2196 B
2818890	4920373	Compressed Gas, toxic, n.o.s. UN 1955 D
2818890	4920375	Compressed Gas, toxic, n.o.s. UN 1955 C
2818890	4920378	Compressed Gas, toxic, flammable, n.o.s. UN 1953 C
2818890	4920379	Compressed Gas, toxic, flammable, n.o.s. UN 1953 D
2818890	4920380	Liquefied gas, toxic, flammable, n.o.s. UN 3160 C
2818890	4920381	Liquefied gas, toxic, flammable, n.o.s. UN 3160 D
2818890	4920382	Liquefied gas, toxic, flammable, n.o.s. UN 3160 B
2879951	4920392	Chloropicrin and Methyl Chloride mixtures UN 1582 B
2899991	4920394	Methylchlorosilane UN 2534 B
2818890	4920395	Cyanogen UN 1026 B
2818890	4920396	Compressed Gas, toxic, flammable, n.o.s. UN 1953 B
2818890	4920398	Dichlorosilane UN 2189 B
2813932	4920399	Carbon Monoxide, Compressed UN 1016 D
2813920	4920502	Hydrogen Bromide, anhydrous UN 1048 C
2813922	4920503	Hydrogen Chloride, anhydrous UN 1050 C
2813922	4920504	Hydrogen Chloride, refrigerated liquid UN 2186 C
2818890	4920505	Compressed Gas, toxic, n.o.s. UN 1955 C
2819997	4920508	Sulfur Dioxide UN 1079 C
2818890	4920509	Nitrosyl Chloride UN 1069 C
2818890	4920510	Gas Identification set NA 9035
2813932	4920511	Carbon Monoxide, refrigerated liquid NA 9202 D
2813946	4920513	Hydrogen Sulfide UN 1053 B
2818890	4920515	Hexaethyl tetraphosphate and compressed gas mixtures UN 1612 C

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2813914	4920516	Chloropicrin and Methyl Bromide mixtures UN 1581 B
2813914	4920518	Methyl Bromide UN 1062 C
2819972	4920522	Boron Trifluoride UN 1008 B
2812815	4920523	Chlorine UN 1017 B
2818890	4920526	Sulfuryl Fluoride UN 2191 D
2912130	4920527	Coal Gas, Compressed UN 1023 C
2818890	4920528	Hexafluoroacetone UN 2420 B
2818890	4920530	Organic phosphate, mixed with compressed gas or Organic phosphate compound, mixed with compressed gas or Organic phosphorus compound, mixed with compressed gas NA 1955 C
2818890	4920534	Gas sample, non-pressurized, toxic, flammable, n.o.s. UN 3168
2818890	4920535	Parathion and Compressed gas mixture NA 1967 C
2818890	4920536	Gas sample, non-pressurized, toxic, n.o.s. UN 3169
2818890	4920547	Chloropicrin and Methyl Bromide mixtures UN 1581 B
2879936	4920550	Insecticide gases, toxic, n.o.s. UN 1967 C
2899991	4920556	Compressed Gas, toxic, n.o.s. UN 1955 B
2818890	4920559	Carbonyl Fluoride UN 2417 B
2818890	4920570	Compressed Gas, toxic, n.o.s. UN 1955 B
2818890	4920571	Liquefied gas, toxic, n.o.s. UN 3162 B
2818008	4920715	Bromine Chloride UN 2901 B
2899991	4921000	Toxic by Inhalation liquid, n.o.s. UN 3382 I B
2899991	4921003	Toxic by Inhalation liquid, flammable, n.o.s. UN 3384 I B
2818009	4921004	Allylamine UN 2334 I B
2899991	4921006	Toxic by Inhalation liquid, water-reactive, n.o.s. UN 3386 I B
2899991	4921008	Methyl Phosphonous Dichloride, pyrophoric liquid NA 2845 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2899991	4921009	Chloroacetonitrile UN 2668 II B
2899991	4921010	Cyclohexyl Isocyanate UN 2488 I B
2819415	4921016	Phosphorus Trichloride UN 1809 I B
2818410	4921019	Allyl Alcohol UN 1098 I B
2818037	4921020	Ethyl Chloroformate UN 1182 I B
2899991	4921023	Toxic by Inhalation liquid, oxidizing, n.o.s. UN 3388 I B
2899991	4921024	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B
2819434	4921028	Hydrocyanic acid, aqueous solutions or Hydrogen cyanide, aqueous solutions UN 1613 I B
2899991	4921063	Trimethylacetyl Chloride UN 2438 I B
2818023	4921202	Dimethylhydrazine, Unsymmetrical UN 1163 I B
2899991	4921207	sec-Butyl Chloroformate NA 2742 I B
2899991	4921211	Isobutyl Chloroformate NA 2742 I B
2899991	4921213	Trimethoxysilane NA 9269 I B
2815151	4921216	Phenyl Isocyanate UN 2487 I B
2819434	4921239	Hydrogen Cyanide, solution in alcohol UN 3294 I B
2899991	4921245	Methanesulfonyl Chloride UN 3246 I B
2818123	4921248	Crotonaldehyde, Stabilized UN 1143 I B
2818023	4921251	Dimethylhydrazine, Symmetrical UN 2382 I B
2899991	4921252	Isopropyl Chloroformate UN 2407 I B
2899991	4921254	Diketene, Stabilized UN 2521 I B
2899991	4921255	Methyl Orthosilicate UN 2606 I B
2899991	4921275	Methyldichloroarsine NA 1556 I B
2819962	4921287	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B
2819962	4921288	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2899991	4921304	Methyl Iodide UN 2644 I B
2818915	4921401	Acetone Cyanohydrin, Stabilized UN 1541 I B
2899991	4921402	2-Chloroethanal UN 2232 I B
2899991	4921404	Ethyldichloroarsine UN 1892 I B
2818131	4921405	Dimethyl Sulfate UN 1595 I B
2818930	4921413	Phenyl Mercaptan UN 2337 I B
2818830	4921414	Chloropicrin UN 1580 I B
2818138	4921420	Ethylene Chlorohydrin UN 1135 I B
2879934	4921438	Methyl Bromide and Ethylene dibromide mixtures, liquid UN 1647 I B
2899991	4921473	Perchloromethyl Mercaptan UN 1670 I B
2818063	4921487	Methyl Isothiocyanate UN 2477 I B
2899991	4921495	2-Methyl-2-Heptanethiol UN 3023 I B
2818184	4921497	Ethylene Dibromide UN 1605 I B
2818104	4921558	Chloroacetone, Stabilized UN 1695 I B
2899991	4921587	Phenylcarbylamine Chloride UN 1672 I B
2899991	4921695	Methyl Phosphonic Dichloride NA 9206 I B
2818331	4921722	Hexachlorocyclopentadiene UN 2646 I B
2818168	4921727	Bromoacetone UN 1569 II B
2899991	4921730	n-Butyl Chloroformate UN 2743 I B
2899991	4921741	3, 5-Dichloro-2, 4, 6-Trifluoropyridine NA 9264 I B
2899991	4921742	Ethyl Phosphonous Dichloride, Anhydrous pyrophoric liquid NA 2845 I B
2899991	4921744	Ethyl Phosphorodichloridate NA 2927 I B
2899991	4921745	Ethyl Phosphonothioic Dichloride, Anhydrous NA 2927 I B
2899991	4921746	Chloropivaloyl Chloride NA 9263 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2899991	4921756	n-Propyl Chloroformate UN 2740 I B
2899991	4923113	Allyl Chloroformate UN 1722 I B
2815210	4923117	Chloroacetyl Chloride UN 1752 I B
2899991	4923209	Arsenic Trichloride UN 1560 I B
2899991	4923298	Thiophosgene UN 2474 II B
2899991	4927004	Iron Pentacarbonyl UN 1994 I A
2899991	4927006	Ethyleneimine, Stabilized UN 1185 I A
2818101	4927007	Acrolein, Stabilized UN 1092 I A
2818454	4927008	Methyl Chloroformate UN 1238 I A
2818288	4927009	Methyl Isocyanate UN 2480 I A
2819535	4927010	Nickel Carbonyl UN 1259 I A
2899991	4927011	Methylhydrazine UN 1244 I A
2899991	4927012	Methyl Chloromethyl Ether UN 1239 I A
2819434	4927014	Hydrogen Cyanide, stabilized UN 1051 I A
2899991	4927018	Toxic by Inhalation liquid, n.o.s. UN 3381 I A
2899991	4927019	Toxic by Inhalation liquid, flammable, n.o.s. UN 3383 I A
2818057	4927022	Methyl Vinyl Ketone, Stabilized UN 1251 I A
2899991	4927023	Toxic by Inhalation liquid, water-reactive, n.o.s. UN 3385 I A
2899991	4927024	Toxic by Inhalation liquid, oxidizing, n.o.s. UN 3387 I A
2899991	4927025	n-Propyl Isocyanate UN 2482 I A
2899991	4927026	tert-Butyl Isocyanate UN 2484 I A
2815207	4927027	n-Butyl Isocyanate UN 2485 I B
2899991	4927028	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3389 I A
2899991	4927099	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2819484	4930024	Hydrogen Fluoride, Anhydrous UN 1052 I C
2819340	4930030	Sulfuric acid, fuming UN 1831 I B
2819325	4930050	Sulfur Trioxide, Stabilized UN 1829 I B
2819422	4930204	Chlorosulfonic Acid UN 1754 I B
2819961	4930260	Sulfuryl Chloride UN 1834 I A
2819215	4931201	Nitric Acid, red fuming UN 2032 I B
2899991	4932010	Boron Tribromide UN 2692 I B
2819416	4932352	Phosphorus Oxychloride UN 1810 II B
2819971	4932385	Titanium Tetrachloride UN 1838 II B
2899991	4933327	Ethyl Chlorothioformate UN 2826 II B
2899991	4935231	Trichloroacetyl Chloride UN 2442 II B
2819919	4936106	Bromine Solutions UN 1744 I B
2819919	4936110	Bromine or Bromine Solutions UN 1744 I A
2819315	4936565	Sulfur Trioxide, Stabilized UN 1829 I B

APPENDIX A

NOTICE OF SHIPMENT OF TIH-PIH

	TIH/PIH COMMODITY TRANSPORTATION NOTICE			
	COMPANY APPLYING FOR PERMIT:			
	COMMODITY NAME:		STCC CODE:	
MOVEMENT INFORMATION				
ORIGIN RAIL STATION:		ORIGIN RAILROAD:		COMPLETE RAIL ROUTE:
DESTINATION RAIL STATION:		DESTINATION RAILROAD:		ORIGIN STATION: DESTINATION STATION:
WAYBILL/BOL DATE:	WAYBILL/BOL NUMBER:	CAR INITIAL:	CAR NUMBER:	DATE IORY IS REQUESTED TO TAKE POSSESSION:
APPLICABLE RATE AUTHORITY:		FREIGHT PAYOR:		
CUSTOMER INFORMATION				
CONSIGNEE:			CONSIGNOR:	
EMERGENCY CONTACT NAME:			EMERGENCY CONTACT PHONE NUMBER:	
SPECIAL INSTRUCTIONS				
IORY INFORMATION FOR SHIPMENT			CUSTOMER REPRESENTATIVE GIVING NOTICE	
NAME:			NAME:	
TITLE:			TITLE:	
DATE:			DATE:	
ESTIMATED MOVE DATE:			PHONE:	EMAIL:
ADDITIONAL INFORMATION FOR CUSTOMER				
1. Notice must be delivered to IORY upon tender of a car or cars containing TIH/PIH to a rail carrier for delivery to IORY. 2. All notices must be accompanied by a waybill and a Material Safety Data Sheet (MSDS) for the commodity listed on the waybill. 3. An notice must e filed for each individual shipment. 4. By sending the notice for shipment, the customer agrees to conform to and be bound by all applicable industry and IORY tariffs governing the shipment of TIH/PIH commodities. 5. By receiving the notice, IORY does not commit to a specific date or service schedule for the movement of the shipment listed in the application.				
FAX COMPLETED APPLICATION TO (904) 256-0436				

EXHIBIT B

PCN-T-0900



PCN TARIFF 0900

ORIGINALLY EFFECTIVE: May 6, 2011

EXPIRES: May 5, 2012

COMMODITIES: All TIH-PIH Commodities as defined by AAR Circular No. OT-55-Series (Series "L" attached).

ORIGIN: When from connections at all PCN interchange points; rule 11 applies.

DESTINATION: To all PCN served stations.

ROUTE: PCN

PURPOSE: TIH-PIH are inherently dangerous commodities and require special handling. PCN must provide safe transportation for TIH-PIH in accord with existing rules. To that end, PCN has developed a program imposing minimal additional burdens on the shippers. PCN's program starts with notification from a shipper that a car is being forwarded for delivery to PCN. PCN is requiring the pre-notification so that it can verify that the recipient will be able to receive the car or cars when it is delivered, arrange to have an inspector available when the car or cars are received by PCN, arrange to have locomotives and crews available when the TIH PIH car or cars arrive for interchange to PCN. Before accepting a TIH-PIH car or cars, PCN will inspect that car or cars to make sure of compliance with the requirements of 49 CFR 174.3. Once PCN accepts a car or cars it will put the car or cars into a priority train to immediately deliver the car or cars to the receiver. This train will depart within the 48 hour period required by 49 CFR 174.14, usually much sooner. The priority train will also provide more expeditious service and safer transit to the receiver than handling the car or cars in the normal course of business that would require moving through yards, switching onto a regular train, and starting and stopping at different shippers along the route to the receiver. The train will travel at the appropriate speed for safe operation based on the conditions of the rail line, time of year, weather, and any other relevant factors deemed relevant by PCN operating and/or safety personnel. It is PCN's belief that the transfer of TIH-PIH cars to a priority train will enhance the efficiency of the use of the TIH PIH equipment fleet by expediting delivery to the destination.

Item 1000 - General Rules:

A) Not subject to Rule 24 of tariff STB-UFC-6000 Series. Any services not covered by the charges in this document are subject to the rules and provisions of the 6006-series, & 6007-series Charge Catalogs. This Rate Authority can be cancelled upon 20 days notice. Reverse application applies only on rejected shipments moving back toward original origin via reverse route. Each shipment hereunder shall be tendered to Carriers on a Uniform Straight Bill of Lading. PCN-T-0900-series must be shown on all bills of lading tendered for shipment. Except when specifically provided herein, rates do not include switching charges at origin or destination. Shipments shall be billed accounting Rule 11.

B) Upon tender of a car or cars containing TIH-PIH to a rail carrier for delivery to PCN in interchange for delivery to the receiver, the shipper shall give notice of the shipment to PCN by providing PCN a copy of the Notice attached as Appendix A hereto. The Notice must be completely filled out and tendered to PCN by the instructions specified on the bottom of Appendix A. PCN shall use the Notice to track the car in order to be able to comply with the regulatory requirements once the car or cars arrive for interchange to PCN.

C) Upon placement of the car or cars containing TIH-PIH upon the interchange track to PCN, a mechanical inspector shall inspect the car or cars as required by 49 CFR 174.9 to make sure that the car or cars comply with the requirements of 49 CFR 174.3.

D) After the inspection, PCN will notify the recipient of the arrival of the car or cars and the estimated time of delivery.

E) All TIH-PIH commodities will be moved in priority train service.

F) No more than 3 cars loaded with TIH-PIH commodities will be transported in the same priority train at any time.

Item 1001 – Procedure on Delivery and Placement of Cars:

Receiver shall be prepared to receive carloads of TIH-PIH commodities immediately upon notification of availability at destination by PCN. There will no free time granted to receiver once notification takes place. Charges will begin at 12:01AM the morning after notification to the receiver or the first day of deliverable service, whichever occurs first.

If a receiver or receiving location is unable to accept a TIH-PIH commodity carload when it is first tendered after notice and available for delivery, and PCN must then hold the car(s) in its rail facilities, a charge of \$1,000 per car, per day or portion thereof will be assessed until the car or cars are placed at the billed destination.

Item 1020 is a list of STCC codes that fall under the category of TIH-PIH and will be applicable in assessment of the daily charge and handling.

Item 1003 – Procedure on Unsafe or Improperly Loaded Cars:

When a car is deemed unsafe based on the criteria below or for failure to comply with 49 CFR 174.3, a penalty of \$10,000 may be assessed to the Shipper:

A car is overloaded, imbalanced or has a shifted load.

A car is spilling, leaking, or dusting.

A car containing TIH-PIH commodities or residue is identified moving on PCN for which shipping instructions were not regulatory compliant.

Item 1005 – Procedure on any Major Adjustment for TIH-PIH Cars

When PCN provides any of the following tasks to a TIH-PIH car or cars, a charge equating to actual cost plus 25% (minimum \$1,000) will be assessed to the party requesting or requiring these services:

A car needs readjusting, reducing, loading, or unloading of a shipment.

Repair or cleaning equipment, or clean-up of leaked/spilled materials.

Applying sprays or suppressants to the shipment or contents.

Item 1007 – Procedure on Unsafe Condition at Customer Facility

Where at PCN's sole discretion, safe railway operations are not possible because of an extreme condition or practice including, but not limited to the conditions below, train service will be suspended until the condition is rectified to the satisfaction of PCN's safety/environmental staff.

A CONDITION OR PRACTICE LIKELY TO CAUSE: PERMANENT DISABILITY;
LOSS OF LIFE OR BODY PART; EXTENSIVE LOSS OF STRUCTURE, EQUIPMENT
OR MATERIAL; OR REPEATED/OR MULTIPLE UNRESOLVED CONDITIONS OR
PRACTICES THAT MAY HAVE A SAFE WORK-AROUND.

Item 1009 - Loss or Damage

No claim for physical loss or damage to any one shipment transported hereunder shall be made or filed by receiver for amounts of \$250.00 or less. Any claims should be filed with the destination PCN.

Item 1011 - Fuel Surcharge

Shipments are not subject to Fuel Surcharge Tariffs.

Item 1013 – Rate

Notwithstanding any other rate provisions for transportation of a TIH-PIH car on PCN, the rate shall be for one car \$5,955 per car, for two cars \$4,882 per car, and for three cars \$3,802 per car.

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

(HazardZone A, B, C, or D)

	4821019	Waste Allyl Alcohol UN 1098 I B
	4821261	Waste Toxic Liquid, corrosive, inorganic, n.o.s. UN 3289 I B
	4821722	Waste Hexachlorocyclopentadiene UN 2646 I B
	4830030	Waste Sulfuric acid, fuming UN 1831 I B
2819815	4904209	Ammonia, Anhydrous UN 1005
2819815	4904210	Ammonia, Anhydrous UN 1005
2819815	4904211	Ammonia, Solution UN 3318
3533945	4904879	Ammonia, Anhydrous UN 1005
2899991	4907409	Isobutyl Isocyanate UN 2486 I A
2899991	4907434	Ethyl Isocyanate UN 2481 I A
2899991	4909306	Isopropyl Isocyanate UN 2483 I A
2899991	4909307	Methoxymethyl Isocyanate UN 2605 I A
2899991	4910370	Methacrylonitrile, Stabilized UN 3079 I B
2899991	4916138	Pentaborane UN 1380 I A
2899991	4918180	Tetranitromethane UN 1510 I B
2899991	4918505	Bromine Pentafluoride UN 1745 I A
2899991	4918507	Bromine Trifluoride UN 1746 I B
2818890	4920101	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 A
2818890	4920102	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 A
2818890	4920103	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 A
2818890	4920104	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 A
2818890	4920105	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 A
2818890	4920106	Selenium Hexafluoride UN 2194 A
2818890	4920107	Diborane UN 1911 A

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920108	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 A
2818890	4920110	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 A
2818890	4920111	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 A
2813975	4920112	Nitric Oxide, Compressed UN 1660 A
2818890	4920113	Nitric oxide and nitrogen dioxide mixtures or Nitric oxide and dinitrogen tetroxide mixtures UN 1975 A
2818890	4920115	Insecticide gases, toxic, flammable, n.o.s. UN 3355 A
2818890	4920116	Insecticide gases, toxic, flammable, n.o.s. UN 3355 A
2818890	4920122	Hydrogen Selenide, anhydrous UN 2202 A
2818890	4920135	Arsine UN 2188 A
2818890	4920160	Phosphine UN 2199 A
2818890	4920164	Liquefied gas, toxic, flammable, n.o.s. UN 3160 A
2818890	4920165	Compressed Gas, toxic, flammable, n.o.s. UN 1953 A
2818890	4920167	Stibine UN 2676 A
2818890	4920173	Oxygen Difluoride, Compressed UN 2190 A
2818890	4920174	Dinitrogen Tetroxide UN 1067 A
2818890	4920175	Nitrogen Trioxide UN 2421 A
2818890	4920178	Cyanogen Chloride, Stabilized UN 1589 A
2818890	4920180	Fluorine, Compressed UN 1045 A
2818890	4920181	Compressed Gas, toxic, n.o.s. UN 1955 A
2818890	4920183	Phosphorus Pentafluoride UN 2198 B
2818820	4920184	Phosgene UN 1076 A
2818890	4920187	Sulfur Tetrafluoride UN 2418 A
2818890	4920188	Tellurium Hexafluoride UN 2195 A
2818890	4920189	Chlorine Pentafluoride UN 2548 A

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920195	Liquefied gas, toxic, n.o.s. UN 3162 A
2818890	4920196	Ethylene Oxide and Carbon Dioxide mixture UN 3300 D
2818890	4920300	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 C
2818890	4920301	Compressed Gas, toxic, corrosive, n.o.s. UN3304 D
2818890	4920302	Insecticide gases, toxic, flammable, n.o.s. UN 3355 B
2818890	4920303	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 B
2818890	4920304	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 C
2818890	4920305	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 D
2818890	4920306	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 B
2818890	4920307	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 C
2818890	4920308	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 D
2818890	4920309	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 C
2818890	4920310	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 D
2818890	4920311	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 B
2818890	4920312	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 B
2818890	4920313	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 C
2818890	4920314	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 B
2818890	4920315	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 D
2818890	4920316	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 C
2818890	4920317	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 B
2818890	4920318	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 D
2818890	4920319	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 C
2818890	4920320	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 C
2818890	4920321	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 D

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920322	Insecticide gases, toxic, flammable, n.o.s. UN 3355 C
2818890	4920323	Insecticide gases, toxic, flammable, n.o.s. UN 3355 D
2818890	4920324	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 B
2818890	4920325	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 D
2818890	4920331	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 C
2818890	4920337	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 B
2818890	4920342	Ethylene Oxide and Carbon Dioxide mixture UN 3300 D
2818890	4920343	Carbon Monoxide and Hydrogen mixture, Compressed UN 2600
2818890	4920344	Oil Gas, Compressed UN 1071
2813964	4920346	Trifluorochloroethylene, Stabilized UN 1082 C
2818890	4920347	Trifluoroacetyl Chloride UN 3057 B
2818890	4920348	Hydrogen Iodide, anhydrous UN 2197 C
2899991	4920349	Boron Trichloride UN 1741 C
2818890	4920351	Carbonyl Sulfide UN 2204 C
2899991	4920352	Chlorine Trifluoride UN 1749 B
2818239	4920353	Ethylene Oxide or Ethylene Oxide with Nitrogen UN 1040 D
2818890	4920354	Germane UN 2192 B
2813950	4920355	Methyl Mercaptan UN 1064 C
2818890	4920356	Perchloryl Fluoride UN 3083 B
2818890	4920357	Silicon Tetrafluoride UN 1859 B
2819815	4920359	Ammonia, Anhydrous UN 1005 D
2819815	4920360	Ammonia, Solution UN 3318 D
2818890	4920368	Liquefied gas, toxic, n.o.s. UN 3162 C
2818890	4920369	Liquefied gas, toxic, n.o.s. UN 3162 D

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920371	Tungsten Hexafluoride UN 2196 B
2818890	4920373	Compressed Gas, toxic, n.o.s. UN 1955 D
2818890	4920375	Compressed Gas, toxic, n.o.s. UN 1955 C
2818890	4920378	Compressed Gas, toxic, flammable, n.o.s. UN 1953 C
2818890	4920379	Compressed Gas, toxic, flammable, n.o.s. UN 1953 D
2818890	4920380	Liquefied gas, toxic, flammable, n.o.s. UN 3160 C
2818890	4920381	Liquefied gas, toxic, flammable, n.o.s. UN 3160 D
2818890	4920382	Liquefied gas, toxic, flammable, n.o.s. UN 3160 B
2879951	4920392	Chloropicrin and Methyl Chloride mixtures UN 1582 B
2899991	4920394	Methylchlorosilane UN 2534 B
2818890	4920395	Cyanogen UN 1026 B
2818890	4920396	Compressed Gas, toxic, flammable, n.o.s. UN 1953 B
2818890	4920398	Dichlorosilane UN 2189 B
2813932	4920399	Carbon Monoxide, Compressed UN 1016 D
2813920	4920502	Hydrogen Bromide, anhydrous UN 1048 C
2813922	4920503	Hydrogen Chloride, anhydrous UN 1050 C
2813922	4920504	Hydrogen Chloride, refrigerated liquid UN 2186 C
2818890	4920505	Compressed Gas, toxic, n.o.s. UN 1955 C
2819997	4920508	Sulfur Dioxide UN 1079 C
2818890	4920509	Nitrosyl Chloride UN 1069 C
2818890	4920510	Gas Identification set NA 9035
2813932	4920511	Carbon Monoxide, refrigerated liquid NA 9202 D
2813946	4920513	Hydrogen Sulfide UN 1053 B
2818890	4920515	Hexaethyl tetraphosphate and compressed gas mixtures UN 1612 C

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2813914	4920516	Chloropicrin and Methyl Bromide mixtures UN 1581 B
2813914	4920518	Methyl Bromide UN 1062 C
2819972	4920522	Boron Trifluoride UN 1008 B
2812815	4920523	Chlorine UN 1017 B
2818890	4920526	Sulfuryl Fluoride UN 2191 D
2912130	4920527	Coal Gas, Compressed UN 1023 C
2818890	4920528	Hexafluoroacetone UN 2420 B
2818890	4920530	Organic phosphate, mixed with compressed gas or Organic phosphate compound, mixed with compressed gas or Organic phosphorus compound, mixed with compressed gas NA 1955 C
2818890	4920534	Gas sample, non-pressurized, toxic, flammable, n.o.s. UN 3168
2818890	4920535	Parathion and Compressed gas mixture NA 1967 C
2818890	4920536	Gas sample, non-pressurized, toxic, n.o.s. UN 3169
2818890	4920547	Chloropicrin and Methyl Bromide mixtures UN 1581 B
2879936	4920550	Insecticide gases, toxic, n.o.s. UN 1967 C
2899991	4920556	Compressed Gas, toxic, n.o.s. UN 1955 B
2818890	4920559	Carbonyl Fluoride UN 2417 B
2818890	4920570	Compressed Gas, toxic, n.o.s. UN 1955 B
2818890	4920571	Liquefied gas, toxic, n.o.s. UN 3162 B
2818008	4920715	Bromine Chloride UN 2901 B
2899991	4921000	Toxic by Inhalation liquid, n.o.s. UN 3382 I B
2899991	4921003	Toxic by Inhalation liquid, flammable. n.o.s. UN 3384 I B
2818009	4921004	Allylamine UN 2334 I B
2899991	4921006	Toxic by Inhalation liquid, water-reactive, n.o.s. UN 3386 I B
2899991	4921008	Methyl Phosphonous Dichloride, pyrophoric liquid NA 2845 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2899991	4921009	Chloroacetonitrile UN 2668 II B
2899991	4921010	Cyclohexyl Isocyanate UN 2488 I B
2819415	4921016	Phosphorus Trichloride UN 1809 I B
2818410	4921019	Allyl Alcohol UN 1098 I B
2818037	4921020	Ethyl Chloroformate UN 1182 I B
2899991	4921023	Toxic by Inhalation liquid, oxidizing, n.o.s. UN 3388 I B
2899991	4921024	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B
2819434	4921028	Hydrocyanic acid, aqueous solutions or Hydrogen cyanide, aqueous solutions UN 1613 I B
2899991	4921063	Trimethylacetyl Chloride UN 2438 I B
2818023	4921202	Dimethylhydrazine, Unsymmetrical UN 1163 I B
2899991	4921207	sec-Butyl Chloroformate NA 2742 I B
2899991	4921211	Isobutyl Chloroformate NA 2742 I B
2899991	4921213	Trimethoxysilane NA 9269 I B
2815151	4921216	Phenyl Isocyanate UN 2487 I B
2819434	4921239	Hydrogen Cyanide, solution in alcohol UN 3294 I B
2899991	4921245	Methanesulfonyl Chloride UN 3246 I B
2818123	4921248	Crotonaldehyde, Stabilized UN 1143 I B
2818023	4921251	Dimethylhydrazine, Symmetrical UN 2382 I B
2899991	4921252	Isopropyl Chloroformate UN 2407 I B
2899991	4921254	Diketene, Stabilized UN 2521 I B
2899991	4921255	Methyl Orthosilicate UN 2606 I B
2899991	4921275	Methyldichloroarsine NA 1556 I B
2819962	4921287	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B
2819962	4921288	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2899991	4921304	Methyl Iodide UN 2644 I B
2818915	4921401	Acetone Cyanohydrin, Stabilized UN 1541 I B
2899991	4921402	2-Chloroethanal UN 2232 I B
2899991	4921404	Ethylidichloroarsine UN 1892 I B
2818131	4921405	Dimethyl Sulfate UN 1595 I B
2818930	4921413	Phenyl Mercaptan UN 2337 I B
2818830	4921414	Chloropicrin UN 1580 I B
2818138	4921420	Ethylene Chlorohydrin UN 1135 I B
2879934	4921438	Methyl Bromide and Ethylene dibromide mixtures, liquid UN 1647 I B
2899991	4921473	Perchloromethyl Mercaptan UN 1670 I B
2818063	4921487	Methyl Isothiocyanate UN 2477 I B
2899991	4921495	2-Methyl-2-Heptanethiol UN 3023 I B
2818184	4921497	Ethylene Dibromide UN 1605 I B
2818104	4921558	Chloroacetone, Stabilized UN 1695 I B
2899991	4921587	Phenylcarbylamine Chloride UN 1672 I B
2899991	4921695	Methyl Phosphonic Dichloride NA 9206 I B
2818331	4921722	Hexachlorocyclopentadiene UN 2646 I B
2818168	4921727	Bromoacetone UN 1569 II B
2899991	4921730	n-Butyl Chloroformate UN 2743 I B
2899991	4921741	3, 5-Dichloro-2, 4, 6-Trifluoropyridine NA 9264 I B
2899991	4921742	Ethyl Phosphonous Dichloride, Anhydrous pyrophoric liquid NA 2845 I B
2899991	4921744	Ethyl Phosphorodichloridate NA 2927 I B
2899991	4921745	Ethyl Phosphonothioic Dichloride, Anhydrous NA 2927 I B
2899991	4921746	Chloropivaloyl Chloride NA 9263 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2899991	4921756	n-Propyl Chloroformate UN 2740 I B
2899991	4923113	Allyl Chloroformate UN 1722 I B
2815210	4923117	Chloroacetyl Chloride UN 1752 I B
2899991	4923209	Arsenic Trichloride UN 1560 I B
2899991	4923298	Thiophosgene UN 2474 II B
2899991	4927004	Iron Pentacarbonyl UN 1994 I A
2899991	4927006	Ethyleneimine, Stabilized UN 1185 I A
2818101	4927007	Acrolein, Stabilized UN 1092 I A
2818454	4927008	Methyl Chloroformate UN 1238 I A
2818288	4927009	Methyl Isocyanate UN 2480 I A
2819535	4927010	Nickel Carbonyl UN 1259 I A
2899991	4927011	Methylhydrazine UN 1244 I A
2899991	4927012	Methyl Chloromethyl Ether UN 1239 I A
2819434	4927014	Hydrogen Cyanide, stabilized UN 1051 I A
2899991	4927018	Toxic by Inhalation liquid, n.o.s. UN 3381 I A
2899991	4927019	Toxic by Inhalation liquid, flammable, n.o.s. UN 3383 I A
2818057	4927022	Methyl Vinyl Ketone, Stabilized UN 1251 I A
2899991	4927023	Toxic by Inhalation liquid, water-reactive, n.o.s. UN 3385 I A
2899991	4927024	Toxic by Inhalation liquid, oxidizing, n.o.s. UN 3387 I A
2899991	4927025	n-Propyl Isocyanate UN 2482 I A
2899991	4927026	tert-Butyl Isocyanate UN 2484 I A
2815207	4927027	n-Butyl Isocyanate UN 2485 I B
2899991	4927028	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3389 I A
2899991	4927099	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2819484	4930024	Hydrogen Fluoride, Anhydrous UN 1052 I C
2819340	4930030	Sulfuric acid, fuming UN 1831 I B
2819325	4930050	Sulfur Trioxide, Stabilized UN 1829 I B
2819422	4930204	Chlorosulfonic Acid UN 1754 I B
2819961	4930260	Sulfuryl Chloride UN 1834 I A
2819215	4931201	Nitric Acid, red fuming UN 2032 I B
2899991	4932010	Boron Tribromide UN 2692 I B
2819416	4932352	Phosphorus Oxychloride UN 1810 II B
2819971	4932385	Titanium Tetrachloride UN 1838 II B
2899991	4933327	Ethyl Chlorothioformate UN 2826 II B
2899991	4935231	Trichloroacetyl Chloride UN 2442 II B
2819919	4936106	Bromine Solutions UN 1744 I B
2819919	4936110	Bromine or Bromine Solutions UN 1744 I A
2819315	4936565	Sulfur Trioxide, Stabilized UN 1829 I B

APPENDIX A

NOTICE OF SHIPMENT OF TIH-PIH

		TIH/PIH COMMODITY TRANSPORTATION NOTICE			
		COMPANY APPLYING FOR PERMIT:			
COMMODITY NAME:		STCC CODE:			
MOVEMENT INFORMATION					
ORIGIN RAIL STATION:		ORIGIN RAILROAD:		COMPLETE RAIL ROUTE:	
DESTINATION RAIL STATION:		DESTINATION RAILROAD:		ORIGIN STATION ON AGR: DESTINATION STATION ON AGR:	
WAYBILL/BOL DATE:	WAYBILL/BOL NUMBER:	CAR INITIAL:	CAR NUMBER:	DATE AGR IS REQUESTED TO TAKE POSSESSION:	
APPLICABLE RATE AUTHORITY:		FREIGHT PAYOR:			
CUSTOMER INFORMATION					
CONSIGNEE:			CONSIGNOR:		
EMERGENCY CONTACT NAME:			EMERGENCY CONTACT PHONE NUMBER:		
SPECIAL INSTRUCTIONS					
PCN INFORMATION FOR SHIPMENT			CUSTOMER REPRESENTATIVE GIVING NOTICE		
NAME:			NAME:		
TITLE:			TITLE:		
DATE:			DATE:		
ESTIMATED MOVE DATE:			PHONE:	EMAIL:	
ADDITIONAL INFORMATION FOR CUSTOMER					
1. Notice must be delivered to PCN upon tender of a car or cars containing TIH/PIH to a rail carrier for delivery to PCN. 2. All notices must be accompanied by a waybill and a Material Safety Data Sheet (MSDS) for the commodity listed on the waybill. 3. An notice must e filed for each individual shipment. 4. By sending the notice for shipment, the customer agrees to conform to and be bound by all applicable industry and PCN tariffs governing the shipment of TIH/PIH commodities. 5. By receiving the notice, PCN does not commit to a specific date or service schedule for the movement of the shipment listed in the application.					
FAX COMPLETED APPLICATION TO -- (904) 256-0436					

EXHIBIT C

MSR-T-0900



MSR TARIFF 0900

ORIGINALLY EFFECTIVE: May 6, 2011

EXPIRES: May 5, 2012

COMMODITIES: All TIH-PIH Commodities as defined by AAR Circular No. OT-55-Series (Series "L" attached).

ORIGIN: Holland, MI (when from beyond); rule 11 applies.

DESTINATION: Muskegon, MI.

ROUTE: MSR

PURPOSE: TIH-PIH are inherently dangerous commodities and require special handling. MSR must provide safe transportation for TIH-PIH in accord with existing rules. To that end, MSR has developed a program imposing minimal additional burdens on the shippers. MSR's program starts with notification from a shipper that a car is being forwarded for delivery to MSR.

MSR is requiring the pre-notification so that it can verify that the recipient will be able to receive the car or cars when it is delivered, arrange to have an inspector available when the car or cars are received by MSR, arrange to have locomotives and crews available when the TIH PIH car or cars arrive for interchange to MSR. Before accepting a TIH-PIH car or cars, MSR will inspect that car or cars to make sure of compliance with the requirements of 49 CFR 174.3. Once MSR accepts a car or cars it will put the car or cars into a priority train to immediately deliver the car or cars to the receiver. This train will depart within the 48 hour period required by 49 CFR 174.14, usually much sooner. The priority train will also provide more expeditious service and safer transit to the receiver than handling the car or cars in the normal course of business that would require moving through yards, switching onto a regular train, and starting and stopping at different shippers along the route to the receiver. The train will travel at the appropriate speed for safe operation based on the conditions of the rail line, time of year, weather, and any other relevant factors deemed relevant by MSR operating and/or safety personnel. It is MSR's belief that the transfer of TIH-PIH cars to a priority train will enhance the efficiency of the use of the TIH PIH equipment fleet by expediting delivery to the destination.

Item 1000 - General Rules:

A) Not subject to Rule 24 of tariff STB-UFC-6000 Series. Any services not covered by the charges in this document are subject to the rules and provisions of the 6006-series, & 6007-series Charge Catalogs. This Rate Authority can be cancelled upon 20 days notice. Reverse application applies only on rejected shipments moving back toward original origin via reverse route. Each shipment hereunder shall be tendered to Carriers on a Uniform Straight Bill of Lading. MSR-T-0900-series must be shown on all bills of lading tendered for shipment. Except when specifically provided herein, rates do not include switching charges at origin or destination. Shipments shall be billed accounting Rule 11.

B) Upon tender of a car or cars containing TIH-PIH to a rail carrier for delivery to MSR in interchange for delivery to the receiver, the shipper shall give notice of the shipment to MSR by providing MSR a copy of the Notice attached as Appendix A hereto. The Notice must be completely filled out and tendered to MSR by the instructions specified on the bottom of Appendix A. MSR shall use the Notice to track the car in order to be able to comply with the regulatory requirements once the car or cars arrive for interchange to MSR.

C) Upon placement of the car or cars containing TIH-PIH upon the interchange track to MSR, a mechanical inspector shall inspect the car or cars as required by 49 CFR 174.9 to make sure that the car or cars comply with the requirements of 49 CFR 174.3.

D) After the inspection, MSR will notify the recipient of the arrival of the car or cars and the estimated time of delivery.

E) All TIH-PIH commodities will be moved in priority train service.

F) No more than 3 cars loaded with TIH-PIH commodities will be transported in the same priority train at any time.

Item 1001 – Procedure on Delivery and Placement of Cars:

Receiver shall be prepared to receive carloads of TIH-PIH commodities immediately upon notification of availability at destination by MSR. There will no free time granted to receiver once notification takes place. Charges will begin at 12:01 AM the morning after notification to the receiver or the first day of deliverable service, whichever occurs first.

If a receiver or receiving location is unable to accept a TIH-PIH commodity carload when it is first tendered after notice and available for delivery, and MSR must then hold the car(s) in its rail facilities, a charge of \$1,000 per car, per day or portion thereof will be assessed until the car or cars are placed at the billed destination.

Item 1020 is a list of STCC codes that fall under the category of TIH-PIH and will be applicable in assessment of the daily charge and handling.

Item 1003 – Procedure on Unsafe or Improperly Loaded Cars:

When a car is deemed unsafe based on the criteria below or for failure to comply with 49 CFR 174.3, a penalty of \$10,000 may be assessed to the Shipper:

A car is overloaded, imbalanced or has a shifted load.

A car is spilling, leaking, or dusting.

A car containing TIH-PIH commodities or residue is identified moving on MSR for which shipping instructions were not regulatory compliant.

Item 1005 – Procedure on any Major Adjustment for TIH-PIH Cars

When MSR provides any of the following tasks to a TIH-PIH car or cars, a charge equating to actual cost plus 25% (minimum \$1,000) will be assessed to the party requesting or requiring these services:

A car needs readjusting, reducing, loading, or unloading of a shipment.

Repair or cleaning equipment, or clean-up of leaked/spilled materials.

Applying sprays or suppressants to the shipment or contents.

Item 1007 – Procedure on Unsafe Condition at Customer Facility

Where at MSR's sole discretion, safe railway operations are not possible because of an extreme condition or practice including, but not limited to the conditions below, train service will be suspended until the condition is rectified to the satisfaction of MSR's safety/environmental staff.

A CONDITION OR PRACTICE LIKELY TO CAUSE: PERMANENT DISABILITY;
LOSS OF LIFE OR BODY PART; EXTENSIVE LOSS OF STRUCTURE, EQUIPMENT
OR MATERIAL; OR REPEATED/OR MULTIPLE UNRESOLVED CONDITIONS OR
PRACTICES THAT MAY HAVE A SAFE WORK-AROUND.

Item 1009 - Loss or Damage

No claim for physical loss or damage to any one shipment transported hereunder shall be made or filed by receiver for amounts of \$250.00 or less. Any claims should be filed with the destination MSR.

Item 1011 - Fuel Surcharge

Shipments are not subject to Fuel Surcharge Tariffs.

Item 1013 – Rate

Notwithstanding any other rate provisions for transportation of a TIH-PIH car on MSR, the rate shall be for one car \$7, 343 per car, for two cars \$6, 270 per car, and for three cars \$5, 168 per car.

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

(HazardZone A, B, C, or D)

	4821019	Waste Allyl Alcohol UN 1098 I B
	4821261	Waste Toxic Liquid, corrosive, inorganic, n.o.s. UN 3289 I B
	4821722	Waste Hexachlorocyclopentadiene UN 2646 I B
	4830030	Waste Sulfuric acid, fuming UN 1831 I B
2819815	4904209	Ammonia, Anhydrous UN 1005
2819815	4904210	Ammonia, Anhydrous UN 1005
2819815	4904211	Ammonia, Solution UN 3318
3533945	4904879	Ammonia, Anhydrous UN 1005
2899991	4907409	Isobutyl Isocyanate UN 2486 I A
2899991	4907434	Ethyl Isocyanate UN 2481 I A
2899991	4909306	Isopropyl Isocyanate UN 2483 I A
2899991	4909307	Methoxymethyl Isocyanate UN 2605 I A
2899991	4910370	Methacrylonitrile, Stabilized UN 3079 I B
2899991	4916138	Pentaborane UN 1380 I A
2899991	4918180	Tetranitromethane UN 1510 I B
2899991	4918505	Bromine Pentafluoride UN 1745 I A
2899991	4918507	Bromine Trifluoride UN 1746 I B
2818890	4920101	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 A
2818890	4920102	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 A
2818890	4920103	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 A
2818890	4920104	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 A
2818890	4920105	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 A
2818890	4920106	Selenium Hexafluoride UN 2194 A
2818890	4920107	Diborane UN 1911 A

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920108	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 A
2818890	4920110	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 A
2818890	4920111	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 A
2813975	4920112	Nitric Oxide, Compressed UN 1660 A
2818890	4920113	Nitric oxide and nitrogen dioxide mixtures or Nitric oxide and dinitrogen tetroxide mixtures UN 1975 A
2818890	4920115	Insecticide gases, toxic, flammable, n.o.s. UN 3355 A
2818890	4920116	Insecticide gases, toxic, flammable, n.o.s. UN 3355 A
2818890	4920122	Hydrogen Selenide, anhydrous UN 2202 A
2818890	4920135	Arsine UN 2188 A
2818890	4920160	Phosphine UN 2199 A
2818890	4920164	Liquefied gas, toxic, flammable, n.o.s. UN 3160 A
2818890	4920165	Compressed Gas, toxic, flammable, n.o.s. UN 1953 A
2818890	4920167	Stibine UN 2676 A
2818890	4920173	Oxygen Difluoride, Compressed UN 2190 A
2818890	4920174	Dinitrogen Tetroxide UN 1067 A
2818890	4920175	Nitrogen Trioxide UN 2421 A
2818890	4920178	Cyanogen Chloride, Stabilized UN 1589 A
2818890	4920180	Fluorine, Compressed UN 1045 A
2818890	4920181	Compressed Gas, toxic, n.o.s. UN 1955 A
2818890	4920183	Phosphorus Pentafluoride UN 2198 B
2818820	4920184	Phosgene UN 1076 A
2818890	4920187	Sulfur Tetrafluoride UN 2418 A
2818890	4920188	Tellurium Hexafluoride UN 2195 A
2818890	4920189	Chlorine Pentafluoride UN 2548 A

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920195	Liquefied gas, toxic, n.o.s. UN 3162 A
2818890	4920196	Ethylene Oxide and Carbon Dioxide mixture UN 3300 D
2818890	4920300	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 C
2818890	4920301	Compressed Gas, toxic, corrosive, n.o.s. UN3304 D
2818890	4920302	Insecticide gases, toxic, flammable, n.o.s. UN 3355 B
2818890	4920303	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 B
2818890	4920304	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 C
2818890	4920305	Compressed Gas, toxic, flammable, corrosive, n.o.s. UN 3305 D
2818890	4920306	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 B
2818890	4920307	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 C
2818890	4920308	Compressed Gas, toxic, oxidizing, corrosive, n.o.s. UN 3306 D
2818890	4920309	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 C
2818890	4920310	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 D
2818890	4920311	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 B
2818890	4920312	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 B
2818890	4920313	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 C
2818890	4920314	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 B
2818890	4920315	Liquefied gas, toxic, corrosive, n.o.s. UN 3308 D
2818890	4920316	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 C
2818890	4920317	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 B
2818890	4920318	Liquefied gas, toxic, flammable, corrosive, n.o.s. UN 3309 D
2818890	4920319	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 C
2818890	4920320	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 C
2818890	4920321	Liquefied gas, toxic, oxidizing, n.o.s. UN 3307 D

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920322	Insecticide gases, toxic, flammable, n.o.s. UN 3355 C
2818890	4920323	Insecticide gases, toxic, flammable, n.o.s. UN 3355 D
2818890	4920324	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 B
2818890	4920325	Liquefied gas, toxic, oxidizing, corrosive, n.o.s. UN 3310 D
2818890	4920331	Compressed Gas, toxic, corrosive, n.o.s. UN 3304 C
2818890	4920337	Compressed gas, toxic, oxidizing, n.o.s. UN 3303 B
2818890	4920342	Ethylene Oxide and Carbon Dioxide mixture UN 3300 D
2818890	4920343	Carbon Monoxide and Hydrogen mixture, Compressed UN 2600
2818890	4920344	Oil Gas, Compressed UN 1071
2813964	4920346	Trifluorochloroethylene, Stabilized UN 1082 C
2818890	4920347	Trifluoroacetyl Chloride UN 3057 B
2818890	4920348	Hydrogen Iodide, anhydrous UN 2197 C
2899991	4920349	Boron Trichloride UN 1741 C
2818890	4920351	Carbonyl Sulfide UN 2204 C
2899991	4920352	Chlorine Trifluoride UN 1749 B
2818239	4920353	Ethylene Oxide or Ethylene Oxide with Nitrogen UN 1040 D
2818890	4920354	Germane UN 2192 B
2813950	4920355	Methyl Mercaptan UN 1064 C
2818890	4920356	Perchloryl Fluoride UN 3083 B
2818890	4920357	Silicon Tetrafluoride UN 1859 B
2819815	4920359	Ammonia, Anhydrous UN 1005 D
2819815	4920360	Ammonia, Solution UN 3318 D
2818890	4920368	Liquefied gas, toxic, n.o.s. UN 3162 C
2818890	4920369	Liquefied gas, toxic, n.o.s. UN 3162 D

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2818890	4920371	Tungsten Hexafluoride UN 2196 B
2818890	4920373	Compressed Gas, toxic, n.o.s. UN 1955 D
2818890	4920375	Compressed Gas, toxic, n.o.s. UN 1955 C
2818890	4920378	Compressed Gas, toxic, flammable, n.o.s. UN 1953 C
2818890	4920379	Compressed Gas, toxic, flammable, n.o.s. UN 1953 D
2818890	4920380	Liquefied gas, toxic, flammable, n.o.s. UN 3160 C
2818890	4920381	Liquefied gas, toxic, flammable, n.o.s. UN 3160 D
2818890	4920382	Liquefied gas, toxic, flammable, n.o.s. UN 3160 B
2879951	4920392	Chloropicrin and Methyl Chloride mixtures UN 1582 B
2899991	4920394	Methylchlorosilane UN 2534 B
2818890	4920395	Cyanogen UN 1026 B
2818890	4920396	Compressed Gas, toxic, flammable, n.o.s. UN 1953 B
2818890	4920398	Dichlorosilane UN 2189 B
2813932	4920399	Carbon Monoxide, Compressed UN 1016 D
2813920	4920502	Hydrogen Bromide, anhydrous UN 1048 C
2813922	4920503	Hydrogen Chloride, anhydrous UN 1050 C
2813922	4920504	Hydrogen Chloride, refrigerated liquid UN 2186 C
2818890	4920505	Compressed Gas, toxic, n.o.s. UN 1955 C
2819997	4920508	Sulfur Dioxide UN 1079 C
2818890	4920509	Nitrosyl Chloride UN 1069 C
2818890	4920510	Gas Identification set NA 9035
2813932	4920511	Carbon Monoxide, refrigerated liquid NA 9202 D
2813946	4920513	Hydrogen Sulfide UN 1053 B
2818890	4920515	Hexaethyl tetraphosphate and compressed gas mixtures UN 1612 C

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2813914	4920516	Chloropicrin and Methyl Bromide mixtures UN 1581 B
2813914	4920518	Methyl Bromide UN 1062 C
2819972	4920522	Boron Trifluoride UN 1008 B
2812815	4920523	Chlorine UN 1017 B
2818890	4920526	Sulfuryl Fluoride UN 2191 D
2912130	4920527	Coal Gas, Compressed UN 1023 C
2818890	4920528	Hexafluoroacetone UN 2420 B
2818890	4920530	Organic phosphate, mixed with compressed gas or Organic phosphate compound, mixed with compressed gas or Organic phosphorus compound, mixed with compressed gas NA 1955 C
2818890	4920534	Gas sample, non-pressurized, toxic, flammable, n.o.s. UN 3168
2818890	4920535	Parathion and Compressed gas mixture NA 1967 C
2818890	4920536	Gas sample, non-pressurized, toxic, n.o.s. UN 3169
2818890	4920547	Chloropicrin and Methyl Bromide mixtures UN 1581 B
2879936	4920550	Insecticide gases, toxic, n.o.s. UN 1967 C
2899991	4920556	Compressed Gas, toxic, n.o.s. UN 1955 B
2818890	4920559	Carbonyl Fluoride UN 2417 B
2818890	4920570	Compressed Gas, toxic, n.o.s. UN 1955 B
2818890	4920571	Liquefied gas, toxic, n.o.s. UN 3162 B
2818008	4920715	Bromine Chloride UN 2901 B
2899991	4921000	Toxic by Inhalation liquid, n.o.s. UN 3382 I B
2899991	4921003	Toxic by Inhalation liquid, flammable, n.o.s. UN 3384 I B
2818009	4921004	Allylamine UN 2334 I B
2899991	4921006	Toxic by Inhalation liquid, water-reactive, n.o.s. UN 3386 I B
2899991	4921008	Methyl Phosphonous Dichloride, pyrophoric liquid NA 2845 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2899991	4921009	Chloroacetonitrile UN 2668 II B
2899991	4921010	Cyclohexyl Isocyanate UN 2488 I B
2819415	4921016	Phosphorus Trichloride UN 1809 I B
2818410	4921019	Allyl Alcohol UN 1098 I B
2818037	4921020	Ethyl Chloroformate UN 1182 I B
2899991	4921023	Toxic by Inhalation liquid, oxidizing, n.o.s. UN 3388 I B
2899991	4921024	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B
2819434	4921028	Hydrocyanic acid, aqueous solutions or Hydrogen cyanide, aqueous solutions UN 1613 I B
2899991	4921063	Trimethylacetyl Chloride UN 2438 I B
2818023	4921202	Dimethylhydrazine, Unsymmetrical UN 1163 I B
2899991	4921207	sec-Butyl Chloroformate NA 2742 I B
2899991	4921211	Isobutyl Chloroformate NA 2742 I B
2899991	4921213	Trimethoxysilane NA 9269 I B
2815151	4921216	Phenyl Isocyanate UN 2487 I B
2819434	4921239	Hydrogen Cyanide, solution in alcohol UN 3294 I B
2899991	4921245	Methanesulfonyl Chloride UN 3246 I B
2818123	4921248	Crotonaldehyde, Stabilized UN 1143 I B
2818023	4921251	Dimethylhydrazine, Symmetrical UN 2382 I B
2899991	4921252	Isopropyl Chloroformate UN 2407 I B
2899991	4921254	Diketene, Stabilized UN 2521 I B
2899991	4921255	Methyl Orthosilicate UN 2606 I B
2899991	4921275	Methyldichloroarsine NA 1556 I B
2819962	4921287	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B
2819962	4921288	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2899991	4921304	Methyl Iodide UN 2644 I B
2818915	4921401	Acetone Cyanohydrin, Stabilized UN 1541 I B
2899991	4921402	2-Chloroethanal UN 2232 I B
2899991	4921404	Ethylidichloroarsine UN 1892 I B
2818131	4921405	Dimethyl Sulfate UN 1595 I B
2818930	4921413	Phenyl Mercaptan UN 2337 I B
2818830	4921414	Chloropicrin UN 1580 I B
2818138	4921420	Ethylene Chlorohydrin UN 1135 I B
2879934	4921438	Methyl Bromide and Ethylene dibromide mixtures, liquid UN 1647 I B
2899991	4921473	Perchloromethyl Mercaptan UN 1670 I B
2818063	4921487	Methyl Isothiocyanate UN 2477 I B
2899991	4921495	2-Methyl-2-Heptanethiol UN 3023 I B
2818184	4921497	Ethylene Dibromide UN 1605 I B
2818104	4921558	Chloroacetone, Stabilized UN 1695 I B
2899991	4921587	Phenylcarbylamine Chloride UN 1672 I B
2899991	4921695	Methyl Phosphonic Dichloride NA 9206 I B
2818331	4921722	Hexachlorocyclopentadiene UN 2646 I B
2818168	4921727	Bromoacetone UN 1569 II B
2899991	4921730	n-Butyl Chloroformate UN 2743 I B
2899991	4921741	3, 5-Dichloro-2, 4, 6-Trifluoropyridine NA 9264 I B
2899991	4921742	Ethyl Phosphonous Dichloride, Anhydrous pyrophoric liquid NA 2845 I B
2899991	4921744	Ethyl Phosphorodichloridate NA 2927 I B
2899991	4921745	Ethyl Phosphonothioic Dichloride, Anhydrous NA 2927 I B
2899991	4921746	Chloropivaloyl Chloride NA 9263 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2899991	4921756	n-Propyl Chloroformate UN 2740 I B
2899991	4923113	Allyl Chloroformate UN 1722 I B
2815210	4923117	Chloroacetyl Chloride UN 1752 I B
2899991	4923209	Arsenic Trichloride UN 1560 I B
2899991	4923298	Thiophosgene UN 2474 II B
2899991	4927004	Iron Pentacarbonyl UN 1994 I A
2899991	4927006	Ethyleneimine, Stabilized UN 1185 I A
2818101	4927007	Acrolein, Stabilized UN 1092 I A
2818454	4927008	Methyl Chloroformate UN 1238 I A
2818288	4927009	Methyl Isocyanate UN 2480 I A
2819535	4927010	Nickel Carbonyl UN 1259 I A
2899991	4927011	Methylhydrazine UN 1244 I A
2899991	4927012	Methyl Chloromethyl Ether UN 1239 I A
2819434	4927014	Hydrogen Cyanide, stabilized UN 1051 I A
2899991	4927018	Toxic by Inhalation liquid, n.o.s. UN 3381 I A
2899991	4927019	Toxic by Inhalation liquid, flammable, n.o.s. UN 3383 I A
2818057	4927022	Methyl Vinyl Ketone, Stabilized UN 1251 I A
2899991	4927023	Toxic by Inhalation liquid, water-reactive, n.o.s. UN 3385 I A
2899991	4927024	Toxic by Inhalation liquid, oxidizing, n.o.s. UN 3387 I A
2899991	4927025	n-Propyl Isocyanate UN 2482 I A
2899991	4927026	tert-Butyl Isocyanate UN 2484 I A
2815207	4927027	n-Butyl Isocyanate UN 2485 I B
2899991	4927028	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3389 I A
2899991	4927099	Toxic by Inhalation liquid, corrosive, n.o.s. UN 3390 I B

Item 1020: List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH)

2819484	4930024	Hydrogen Fluoride, Anhydrous UN 1052 I C
2819340	4930030	Sulfuric acid, fuming UN 1831 I B
2819325	4930050	Sulfur Trioxide, Stabilized UN 1829 I B
2819422	4930204	Chlorosulfonic Acid UN 1754 I B
2819961	4930260	Sulfuryl Chloride UN 1834 I A
2819215	4931201	Nitric Acid, red fuming UN 2032 I B
2899991	4932010	Boron Tribromide UN 2692 I B
2819416	4932352	Phosphorus Oxychloride UN 1810 II B
2819971	4932385	Titanium Tetrachloride UN 1838 II B
2899991	4933327	Ethyl Chlorothioformate UN 2826 II B
2899991	4935231	Trichloroacetyl Chloride UN 2442 II B
2819919	4936106	Bromine Solutions UN 1744 I B
2819919	4936110	Bromine or Bromine Solutions UN 1744 I A
2819315	4936565	Sulfur Trioxide, Stabilized UN 1829 I B

EXHIBIT D

TIH/PIH STANDARD OPERATING PRACTICE (SOP)

TIH/PIH Standard Operating Practice (SOP)

Implementation Proposal

A proposal to modify RailAmerica's policies and procedures for handling TIH/PIH commodities.

RailAmerica

A cross functional team of RailAmerica employees was charged with developing operating practices that go beyond "industry standards" in order to further reduce the risk of moving TIH/PIH commodities.

2

SOP Recommendations

The team recommended that railroads owned by RailAmerica move all TIH/PIH shipments in dedicated train service at no more than 10 MPH.

The team recommended that a qualified mechanical employee inspect every TIH/PIH car before pulling the car from the interchange track.

The team recommended that employees accompany the shipment at all times, even if outside of a High Threat Urban Area (HTUA), as long as the shipment is on RailAmerica property and until the receiving entity acknowledges receipt of the shipment.

The team recommended that a permitting process be implemented to manage the movement of each TIH/PIH shipment.

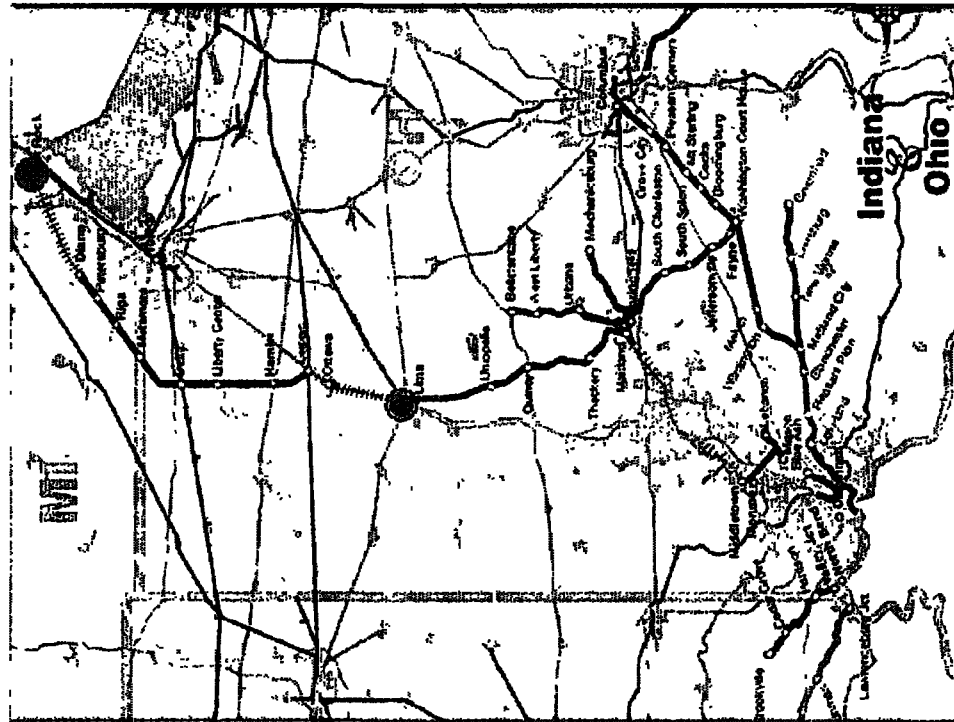
Because of the varying operating conditions across all RailAmerica properties, the railroads that move TIH/PIH commodities will have to create specific operating procedures.

- Some railroads may choose to use "Go-Teams" to augment existing transportation crews.
- Some roads may request advance notification from Class I railroads of movements of TIH/PIH commodities.
- Physical interchange procedures will have to be developed for each property
- In extreme situations, some roads may need additional locomotives and crews.



The local IORY operating team developed an operating plan for the movement of anhydrous ammonia from Lima, OH to interchange with CN at Flat Rock, MI.

3



OPERATING PLAN

1. NS advance notice sent to IORY.
2. IORY Mechanical team member meets the NS crew at interchange track in Lima.
3. IORY Mechanical inspects car and signs NS chain of custody and waits with car.
4. Lima Switcher pulls car from NS interchange track to North End of Lima Yard and sets car over. Lima Switcher attends car.
5. Special Train crew moves locomotive to car and takes control of car.
6. Special Train crew moves car from Lima to Delta. MP 130 to MP 74 - 56 miles.
7. Crew one vans back to Lima.
8. Special Train crew number two goes on duty at Delta. Boards train and takes position of car / train.
9. Crew two moves car from Delta to Flat Rock. MP 74 to MP 18 - 56 Miles.
10. Crew runs light engine back to Delta.
11. Engine runs on "normal" freight train next night to Lima.

The actual movement would be managed by a new permitting process that would allow RailAmerica to plan and monitor discrete TIH/PIH movements. The business process will be managed by a new Optional Services tariff.

[illegible]

Optional Services Catalog — TII/PHI Permitting

PROTECTING OUR NEIGHBORS...

... requires that you take great care not to water-logged or compact soil beneath and around your building. This is especially true when you are building a new foundation.

At TII/PHI, we have the expertise to help you design and build a foundation that will protect your property and your neighbors' property from water damage.

Specialized Foundation Services
At TII/PHI, we have the expertise to help you design and build a foundation that will protect your property and your neighbors' property from water damage. We have the expertise to help you design and build a foundation that will protect your property and your neighbors' property from water damage.

Service	Price	Notes
Foundation Inspection	\$150.00	Includes inspection of foundation and surrounding area.
Foundation Repair	\$200.00	Includes repair of foundation and surrounding area.
Foundation Replacement	\$300.00	Includes replacement of foundation and surrounding area.
Foundation Foundation	\$400.00	Includes foundation and surrounding area.
Foundation Foundation	\$500.00	Includes foundation and surrounding area.

For more information, call 1-800-555-1234 or visit our website at www.tii-phi.com. We are committed to providing the highest quality service to our customers.

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These Documents Have Not Undergone Legal Review



We will designate a new position to manage and maintain the new process. The position will be responsible for monitoring all TIH/PIH movements on RailAmerica properties.

Manager Special Services (Roles and Responsibilities)

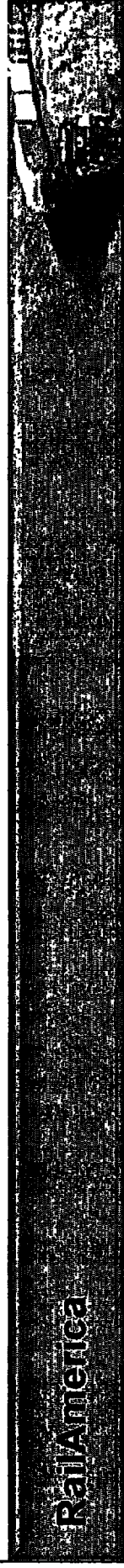
Create SOP's for the movement of TIH/PIH shipments with local operating teams.

Coordinate with Class I partners and customers the movement of TIH/PIH commodities.

Initiate movements of shipments with local railroad operating teams.

Monitor TIH/PIH carloads on RailAmerica properties.

Coordinate communication strategy for customers, Class I's and local communities.



The Manager Special Services (MSS) will manage the shipment up to the time that the railroad takes physical control of the shipment. After that time the MSS will monitor and coordinate the movement and delivery with the railroad, customer and any interline parties.

6

MANAGER SPECIAL SERVICES PROCESS



NO LESS
THAN 5 DAYS
BEFORE
RECEIPT OF
SHIPMENT

1. Customer applies for transportation permit.
2. MSS confirms that a transportation rate exists.
3. MSS confirms that an operating plan exists for the movement.
 - A. If no operating plan exists MSS coordinates with railroad to create new operating plan.
4. MSS notifies Dispatcher that movement is pending.
 - A. The Dispatcher will notify local emergency response teams.
5. MSS notifies railroad that customer wishes to initiate a movement.
6. MSS notifies destination customer or railroad that the railroad will be making a delivery.
7. MSS monitors all aspects of movement while on RA.

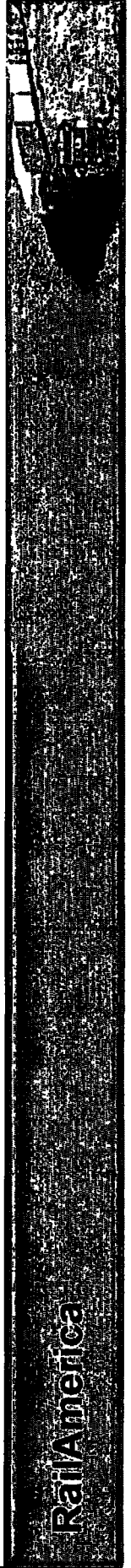
FUNCTIONAL
HAND-OFF

LOCAL OPERATING TEAM PROCESS

1. NS advance sent to IORY.
2. IORY Mechanical team member meets the NS crew at interchange track in Lima.
3. IORY Mechanical inspects car and signs NS chain of custody and waits with car.
4. Lima Switcher pulls car from NS interchange track to North End of Lima Yard and sets car over. Lima Switcher attends car.
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10. Crew runs light engine back to Delta.
11. Engine runs on "normal" freight train next night to Lima.

RailAmerica

DELIVERY TO
RAILAMERICA
DESTINATION



CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 17th day of May 2011, the foregoing petition has been served by express overnight courier to:

Scott G. Williams
Senior Vice President and General Counsel
RailAmerica
7411 Fullerton Street Suite 1300
Jacksonville, Florida 32256



Patrick E. Groomes