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September 2, 2003

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The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20523

Re: Finance Docket No. 34342, Kansas City Southern – Control – The Kansas City Southern Railway Company, Gateway Eastern Railway Company, And the Texas Mexican Railway Company

Dear Secretary Williams:

The American Chemistry Council (“the Council”) is a party of record in this proceeding. I am writing to respond to a letter, dated July 29, 2003, which you received from William A. Mullins, counsel to Kansas City Southern (“KCS”). That letter amended the Applicant’s Safety Integration Plan (“SIP”) in the Environmental Appendix (KCS-13/TM-13). Those amendments relate to the Council’s Responsible Care® initiative.

Since 1988, the U.S. chemical industry, through the Council, has implemented Responsible Care, which is a voluntary program to achieve improvements in environmental, health and safety performance beyond levels required by the U.S. government. The program has resulted in significant reductions in releases to air, land and water; major improvements in workplace and community safety; and expanded programs to research and test chemicals for potential health and environmental impacts.

Responsible Care continues to strengthen its commitments and enhance the public credibility of the industry. New program enhancements adopted by the Council as a condition of membership include: a Responsible Care Management System; an independent third-party certification of the management system to ensure appropriate actions are taken to improve performance; tracking and publicly reporting performance based on economic, environmental, health and safety, societal and product related metrics; and a Security Code that helps protect people, property,



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products, processes, information and information systems by enhancing security throughout the chemical industry value chain.

KCS is a Responsible Care Partner Company. In its SIP amendments, KCS committed to support Tex Mex's participation in the Responsible Care initiative, with a target of full implementation by December 2004. The Council commends KCS for this undertaking, and also for working with Tex Mex and DuPont to offer training for emergency responders in Laredo, Texas, next year.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Stone", with a large, stylized loop at the end.

Scott N. Stone

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2550 M Street, N.W.
Washington, DC 20037-1350

for the American Chemistry Council

cc: Parties of Record
Thomas J. Healey