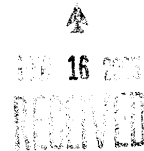




213311
February 16, 2005



Surface Transportation Board
1925 K Street, NW
Washington, D.C. 20423-0001

Subject: **Surface Transportation Board (STB) Finance Docket No. 34662, CSX Transportation, Inc.-Petition for Declaratory Order**

Ladies and gentlemen:

These comments are submitted in response to the Surface Transportation Board (STB) invitation for interested persons to file comments on the subject docket dated Tuesday, February 8, 2005, describing a new District of Columbia ordinance governing hazardous materials rail transportation through its local jurisdiction. Given the complexity and potential disruption of domestic and North American transportation and logistics, The Sulphur Institute (TSI) is compelled to offer comments for STB consideration.

The Sulphur Institute is an international, non-profit organization supported by sulphur-producing member companies. Its current members represent a major portion of North America's total sulphur production and shipments. The Institute works with its member companies to provide comments and supporting information on proposed regulations and other issues that could affect transportation and logistics of sulphur and sulphur compounds.

The Sulphur Institute supports reasonable transportation regulations and requirements based on accurate, technical information and accepted industry practices that result in improvements and enhance public safety. Following review of the subject docket, TSI supports the position of CSX Transportation, Inc. (CSXT) as described in its February 7, 2005, emergency petition to the STB. The Institute is concerned that similar, subjective actions by local jurisdictions in North America may lead to a net decrease in the level of safety benefits currently achieved during rail transportation while significantly increasing costs. In addition, TSI is concerned about potential logistics and economic impacts on businesses and local communities resulting from rail (or road) service disruptions, rerouting, permitting, or other related activities.

Thank you for the opportunity to provide these comments. Please contact me with any questions.

Respectfully submitted,

Harold H. Weber
Director, Industrial Programs