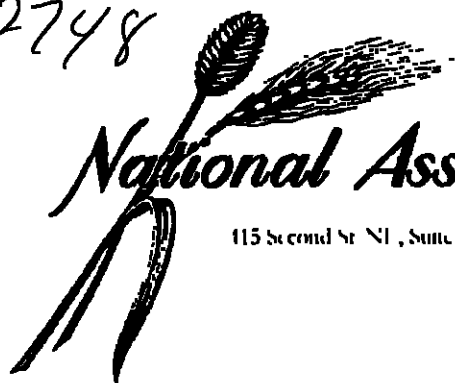


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National Association of Wheat Growers

115 Second St. NE, Suite 300 • Washington, DC 20002 • (202) 547-7800 • www.wheatworld.org

July 8, 2008

Surface Transportation Board
Attn: STB Ex Parte No. 677 (Sub-No. 1)
395 E. Street, SW
Washington, DC 20423-0001

Dear Sir/Madam:

On behalf of the members of the National Association of Wheat Growers (NAWG), I am submitting comments in response to the notice of public hearing in Ex Parte 677 (Sub-No. 1), *Common Carrier Obligation of Railroads – Transportation of Hazardous Materials*, July 22, 2008.

Wheat growers across the country have become very concerned with the railroads' desire to be relieved of their common carrier obligation of transporting materials that are toxic-by-inhalation, particularly anhydrous ammonia. Anhydrous ammonia is a vital and essential plant nutrient that is critical to the production of wheat and other staples of our nation's food supply.

Anhydrous ammonia is the least costly and most effective source of nitrogen fertilizer for U.S. farmers. According to USDA's Economic Research Service, agriculture alone uses about 3.8 million tons of it per year in direct application. Anhydrous ammonia is also the primary ingredient in all other nitrogen fertilizers and is used to produce phosphate fertilizers.

Agricultural infrastructure in many parts of the country was built around the use of anhydrous ammonia. It has taken many years of careful planning and development to create a safe and sophisticated infrastructure to deliver it to the most rural areas and farms in the U.S., and transporting it by rail is the safest and most efficient method available for getting it to farmers. Though anhydrous ammonia can be transported by truck, one rail tank car can transport as much anhydrous ammonia as four trucks and transportation by rail takes a highly hazardous commodity off our nation's highways where the potential for accidents and public release is many times greater than that on the rails. From production facilities to ammonia terminals, distribution centers and dealer storage tanks that supply ammonia bullets, nurse tanks and farm production – rail is simply the only truly effective way to get this essential input to farmers. It is simply not feasible to think that the fertilizer industry could provide this essential product to U.S. farmers without the ability to ship by rail.

The railroads' common carrier obligation, codified by Congress in the Interstate Commerce Act in 1967 and reaffirmed by Congress in the Staggers Act, clearly shows that Congress intended to keep the railroads from selecting which shippers to serve and which commodities to transport based purely their self interest. While we recognize the significant role the SIB has in its advisory role - making recommendations to Congress on railroad common carrier obligations - we believe only Congress has the authority to change this obligation.

With increased concern about escalating food prices, as well as food shortages around the world, it is critical that wheat farmers and other commodity producers have access to anhydrous ammonia where and when they need it so they can continue to produce the amount and quality of food the nation and world need.

On behalf of America's wheat farmers, I urge you to reject any petition by the railroads to be relieved of their common carrier obligations in regards to materials that are toxic-by-inhalation, especially anhydrous ammonia.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "David Cleavinger". To the right of the signature is a vertical line.

David Cleavinger
President