



National
Corn Growers
Association
www.ncga.com

223002

July 21, 2008

Surface Transportation Board
Attn. STB Ex Parte No 677 (Sub-No 1)
395 E Street, S W
Washington, D C 20423-0001

Dear Sir/Madam

The National Corn Growers Association (NCGA) submits these 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

NCGA represents approximately 33,000 corn farmers from 48 states. NCGA also represents the interest of more than 300,000 farmers who contribute to corn checkoff programs and 27 affiliated state corn organizations across the country.

We are concerned over the railroads' desire to be relieved of their common carrier obligation because of materials they transport that are toxic-by-inhalation such as anhydrous ammonia. Anhydrous ammonia is a vital and essential plant nutrient that is critical to the nation's food supply. Rail is the safest and most efficient method for transporting this critical agricultural product.

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 picking and choosing which shippers to serve and which commodities to transport based purely upon their self interest. While the STB may have an advisory role in making recommendations to Congress on railroad common carrier obligation, only Congress has the authority to change this obligation.

Anhydrous ammonia is an essential agricultural nutrient used to grow our nation's food supply. With increased concern over escalating food prices, as well as food shortages around the world, it is critical that American farmers have anhydrous ammonia when and where they need it. Without anhydrous ammonia, U.S. farmers would be unable to produce the amount, or quality of food the world has come to rely on. Anhydrous ammonia is the least costly and most effective source of nitrogen fertilizer for U.S. farmers. In addition to its direct application as a fertilizer, anhydrous ammonia is the primary ingredient in all other nitrogen fertilizers and is also 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 anhydrous ammonia to the most rural areas and farms in the U.S. It is not feasible to think that the fertilizer industry could "turn a switch" and provide this essential product to U.S. farmers without the ability to ship by rail from production facilities to ammonia terminals, distribution centers and dealer storage tanks that supply ammonia bullets.

nurse tanks and farm production. Today's infrastructure, and in turn our nation's food production system, simply would not be able handle a shift of anhydrous ammonia away from rail

Rail is often the only alternative to trucks for the overland transportation of anhydrous ammonia. One tank car can transport as much anhydrous ammonia as four trucks. Rail transportation is not only more efficient than trucks, it takes a highly hazardous commodity off our nation's highways where the potential for accidents and public release are many times greater

As demand for corn continues to increase in the United States and around the world, continued access to anhydrous ammonia will be critical to our farmers' ability to meet those demands. Thank you for considering our comments. We appreciate your responsiveness and are ready to serve as a resource should you require supplemental information.

Regards,

A handwritten signature in black ink, appearing to read "Ronald Litterer". The signature is fluid and cursive, with the first name "Ronald" being more legible than the last name "Litterer".

Ron Litterer
President