

SURFACE TRANSPORTATION BOARD TO OPEN PROCEEDING REGARDING COAL DUST

The Surface Transportation Board will open a proceeding to consider the reasonableness of provisions of a BNSF Railway Company tariff designed to reduce the amount of coal dust that blows off rail cars during transit.

The Board will examine whether BNSF's latest tariff, which gives shippers "safe harbor" if they apply one of BNSF's three approved coal-dust suppression methods using topper agents, is an unreasonable practice.

"A declaratory order proceeding will allow all views across the industry to be considered in one proceeding, and it will promote regulatory efficiency by addressing an area of uncertainty," the Board wrote in today's decision.

The full decision in *Reasonableness of BNSF Railway Company Coal Dust Mitigation Tariff Provisions*, STB Docket FD 35557, can be found on the Board's website, www.stb.dot.gov.