



NOSSAMAN LLP

ATTORNEYS AT LAW

1666 K Street, NW  
Suite 500  
Washington, DC 20006  
T 202.887.1400  
F 202.466.3215

Kevin M. Sheys  
D 202.887.1420  
ksheys@nossaman.com

241090

July 12, 2016

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423

ENTERED  
Office of Proceedings  
July 12, 2016  
Part of  
Public Record

Re: STB Finance Docket No. 36036, Petition for Declaratory Order, Valero Refining Company - California

Dear Ms. Brown:

On July 8, 2016, Benicians for a Safe and Healthy Community, *et al.*, submitted a reply to the Valero petition in the above-referenced docket. With regard to Valero's present ability to request, receive and offload crude oil by rail, the reply says:

Valero could request and receive crude oil tank cars at the refinery even if the Project is never built. That Valero could not offload and store the crude oil— either efficiently or perhaps at all—without the proposed refinery modifications might discourage Valero from requesting such service, but it in no way prohibits Valero from making, or Union Pacific from fulfilling, the request.

(Benicians Reply at 21).

Valero wishes to clarify for the record<sup>1</sup> that it cannot offload crude oil without an unloading rack and construction of an unloading rack requires a permit from the City of Benicia. If Valero requested and received rail cars loaded with crude oil today, they would sit on tracks with no means of being unloaded.

Respectfully submitted,

Kevin M. Sheys  
Attorney for Valero Refining Company – California

cc: Parties of Record

<sup>1</sup> To the extent this letter is construed to be a reply to a reply subject to 49 C.F.R. §1104.13(c), Valero hereby requests leave to file this letter. Good cause exists to make this clarification.