

DATE:

Dear (Representative or Senator's name)

I am a member of the Far West Agribusiness Association, which covers the states of Washington, Idaho, Oregon, Utah and Nevada. My company and many others are adversely affected by the actions taken regarding OSHA's July 22, 2015 memorandum, which removed the "retail exemption" as it relates to Process Safety Management (PSM). Our retail operations over decades have been built and re-capitalized knowing the specifications needed to be in compliance and what has demonstrated a safe environment for our employees and our customers. We believe OSHA's decision is based upon a reaction to the political pressures resulting from the April, 2013 West Fertilizer explosion and not by any changes in the number of occurrences as supported by safety records. OSHA's action misses the target since the West Fertilizer explosion resulted in a product known as ammonium nitrate and the proposed PSM exemption removal affects the handling of a completely different product known as anhydrous ammonia which has different chemical composition and characteristics. Simply put, the West Fertilizer incident does not justify the imposition of PSM on ammonia facilities.

My company has learned that OSHA has chosen to ignore the Congressional directive requiring the agency to go through a formal rulemaking process regarding the Process Safety Management (PSM) regulations as it relates to the retail exemption. We believe the best corrective action is to include the FY 2016 Omnibus Appropriations Bill OSHA PSM retail exemption report language as statutory text in the FY 2017 Labor-HHS Appropriations Bill.

Time is short and we respectfully request your immediate response to our request for assistance by contacting the Senate and House Appropriators before Friday, March 4, 2016 and request the OSHA PSM retail exemption language be included in your Appropriations priority list.

We very much appreciate your understanding of the importance related to this request and your willingness to assist our industry as we work to provide Agriculture with the critical crop inputs that feed our people and those abroad.

Sincerely,

(Your name)

(Company name)