



pennsylvania

DEPARTMENT OF TRANSPORTATION

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AUGUST 4 2011

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Lackawanna County
SR 4009
Lily Lake Road
Docket No. C-2011-2237486

PA PUBLIC UTILITY COMMISSION

AUG 09 2011

BUREAU OF TRANSPORTATION
RAIL SAFETY DIVISION

RON HULL PE
PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION SAFETY
P O BOX 3265
HARRISBURG PA 17105-3265

Dear Mr. Hull:

Following the Emergency Hearing in PUC Hearing Room 3, on May 25, 2011, a discussion regarding safety at the SR 4009 structure was held. The discussion was in regard to the remaining parapet and pedestrian access to the structure.

The Department informed Mr. Rodney Bender, PA PUC that since the closure of the structure was due to a section of parapet falling onto the CP Rail tracks below, the Department intended to remove the remaining parapet. The Department acted proactively by removing the remaining sections of parapet to avoid the possibility of the remaining parapet falling onto the operating railroad.

Mr. Bender expressed his concern regarding public, especially pedestrian, access to the unprotected edge of the structure.

The Department agreed to install and maintain fencing at each end of the structure. The fencing will extend across the travel lanes closing off the structure to all pedestrian traffic.

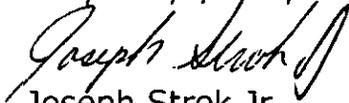
The Department had previously agreed to place and maintain a vehicular detour.

Representatives from the PUC, the Department of Transportation and Delaware and Hudson Railroad agree that in the interest of public safety that these two (2) items should be addressed as soon as possible.

The attached pictures taken July 14, 2011 by me show that the parapets have been removed and the pedestrian restrictive fencing has been installed.

If you have any other questions or concerns, do not hesitate to contact me at (570) 963-4995.

Very truly yours,

A handwritten signature in black ink that reads "Joseph Strook Jr." with a stylized flourish at the end.

Joseph Strook Jr.
GRADE CROSSING COORDINATOR

Attachments

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

A. Edward Schwartz
Complainant

Complaint Docket
No: C-2011-2237486

v.

CANADIAN PACIFIC RAILROAD
LACKAWANNA COUNTY,
LAPLUME TOWNSHIP
COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT
OF TRANSPORTATION
Respondents

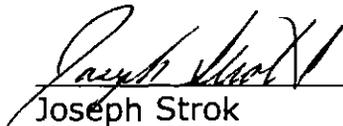
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VERIFICATION

I, Joseph Strok, district Grade Crossing Administrator, Commonwealth of Pennsylvania, Department of Transportation, in the foregoing document, make the following statement subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsifications to authority, and do state that as Grade Crossing Administrator for the Commonwealth of Pennsylvania, Department of Transportation, I am authorized to make this statement on behalf of the Commonwealth of Pennsylvania, Department of Transportation, and that the facts set forth in the foregoing document are true and correct to the best of my information, knowledge and belief.



Joseph Strok
District Grade Crossing Administrator

DATED: Aug 4, 2011

CERTIFICATE OF SERVICE

I, Joseph Strok Jr., do hereby certify that this 4th day of August 2011, I caused a true and correct copy of the foregoing document to be serviced on the following parties by the method indicated:

VIA FIRST CLASS MAIL:

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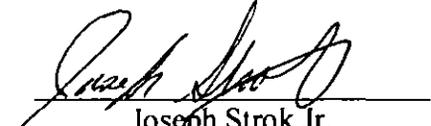
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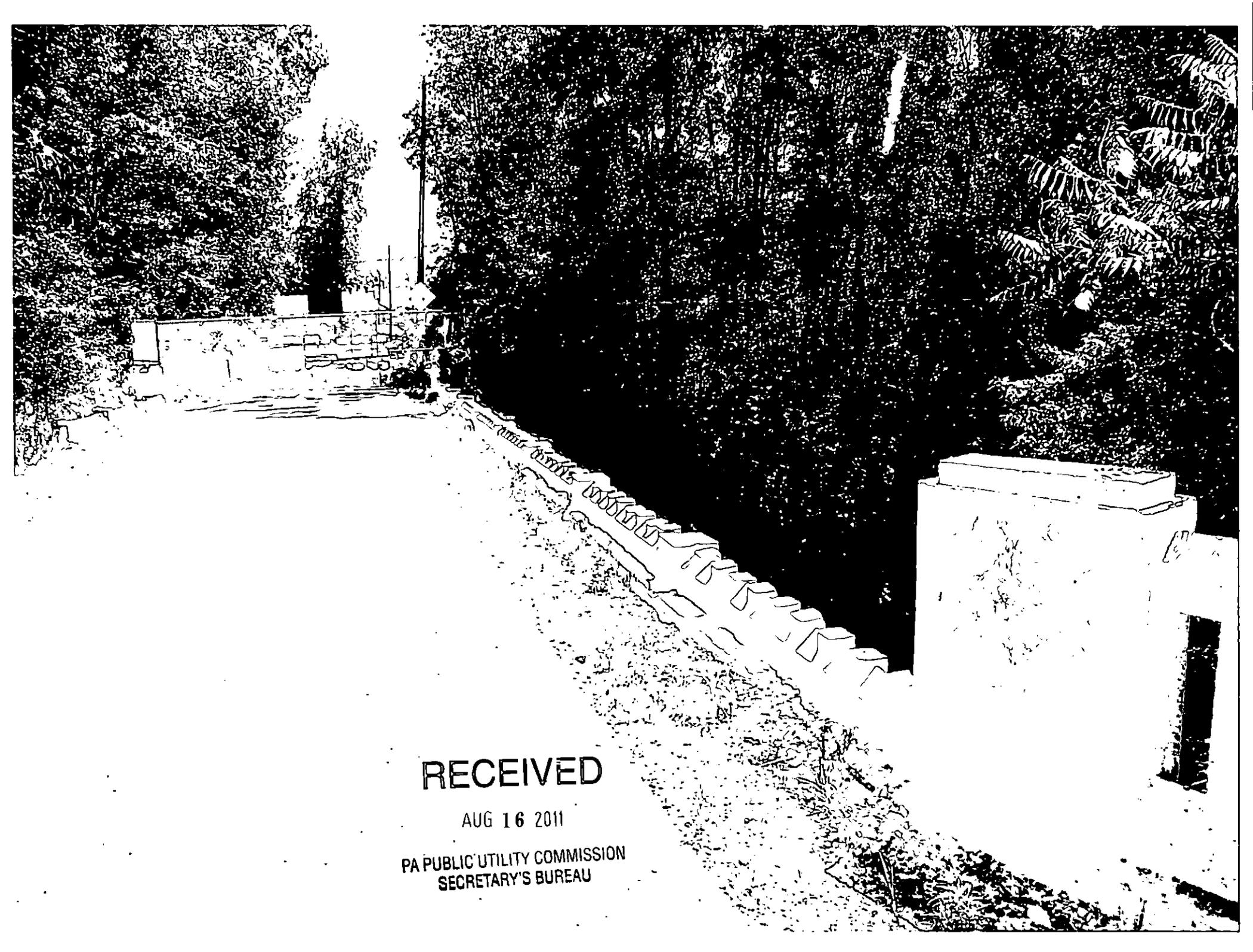

Joseph Strok Jr.
Pennsylvania Department of Transportation
Engineering District 4-0



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