



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

March 12, 2014

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: *Pittston Township v. RBMN Co.*
C-2011-2274074

Dear Secretary Chiavetta:

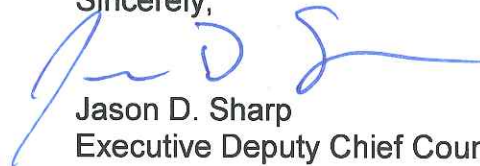
As provided to the parties this morning via electronic mail, the letter serves as the Department's Comments and Objections to the plan filed by Reading, Blue Mountain & Northern Railroad on December 18, 2013, but not received by the parties until February 14, 2014:

1. The profile view shows the crossing being raised 0.1 FT. Based on PennDOT's visual inspection, this does not appear to be correct. If that is correct, then there is no provision in the plan for the related approach work to tie into the crossing.
2. The profile view shows a bluish color for the construction area and this bluish area has proposed grades indicating that the project will have a total length of 50ft and that the Reading will be performing all necessary work within the 50ft. The bluish area is not designated on a legend anywhere on the plan. We cannot determine if this is accurate.
3. Item 4.1 specifies the use of 12.5 mm wearing course 2" depth. 9.5 mm wearing course with a 1.5" depth is the design standard.
4. Item 4.2 specifies 25 mm binder course 4" depth. 19 mm binder course, with a min 2.5" depth is the design standard. Total depth should match existing pavement structure with a base course.
5. The base course is not specified. 25MM, 4" depth is the design standard.
6. There is no dimension specifying the limit of the pavement replacement. PennDOT standards call for milling 5 feet from the edge of the proposed crossing to ensure that the correct amount of compaction is received during construction.

7. The drawing does not show that the existing roadway is to be saw cut. This should be shown on the plan and the plan should indicate that tack coat be used on the face of the required saw cut.
8. Page 1 states that the crossing saw cuts are to be made at straight angles with the roadway. The statement is ambiguous and should be clarified.
9. If the approaches are 25 feet and the full depth replacement is less, then the area to be milled should be shown.
10. Item 4.4 states that all material shall meet Spec. 408. Air Products/RBMN/Rail freight agreement requires that the entire project outside of the actual track area be built in accordance with Pub. 408.
11. Sheet 2 states that that "the owner and/or the engineer shall be responsible for the final design of the track structure, subgrade and roadway approaches." This leaves too much ambiguity in the field. The dimensions for the approach work should be spelled out, with the possibility of the bituminous depth being specified with a statement that the specified pavement structure or match existing, whichever is greater. To leave it up to the owner/engineer does not provide the bidding bituminous contractor any direction on pricing the project which can cause heartache in the field.

I hereby certify that letter has been sent to all parties of record as indicated on the attached Certificate of Service.

Sincerely,



Jason D. Sharp
Executive Deputy Chief Counsel

Enclosures

220/JDS/aca

cc:

Parties of Record
Mark Chappell, P.E., Chief, Utilities and Right-of-Way Division, 7th Floor
Joseph Strok, Grade Crossing Engineer, District 4-0

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

PITTSTON TOWNSHIP
Complainant

v.

READING BLUE MOUNTAIN &
NORTHERN CROSSING

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C-2011-2274074

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Department's *Letter* was served upon the parties below by first-class mail; postage prepaid this 12th day of March 2014:

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DATED: March 12, 2014