

EMERGENCY ORDER
No. 13

[4910-06]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration
[FRA Emergency Order No. 13, Notice No. 2]

NEW YORK AND LAKE ERIE RAILROAD

INDUSTRIAL DEVELOPMENT AGENCY OF CATTARAUGUS COUNTY

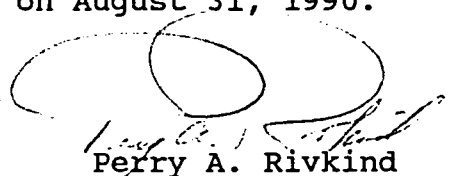
Passenger Service Allowed Between Milepost 32.9 and
Milepost 43.0

Based on Federal Railroad Administration (FRA) inspections of the New York and Lake Erie Main Line, owned by the Industrial Development Agency of Cattaraugus County and operated by the New York and Lake Erie Railroad (NYLE), I have concluded that an emergency condition no longer exists on the segment between mileposts 32.9 and 43.0. I am accordingly lifting FRA Emergency Order No. 13 (Order), which was issued on June 7, 1990, as it applies to the trackage between mileposts 32.9 and 43.0 only. The Emergency Order remains in effect on all other track covered by the June 7th Order.

The NYLE notified FRA by telephone that its track was ready for inspection twice in August of 1990. FRA, in fact, conducted two inspections in response to these oral requests, rather than requiring written notification as specified in paragraph 2 of the Relief section of the Order.

The condition of this segment of track is very close to the lower threshold necessary to meet FRA's standards for Class 1 track. The issuance of this Notice should not be taken to preclude reimposition of the Order should track conditions between milepost 32.9 and milepost 43.0 subsequently deteriorate to the point where FRA finds that an emergency once again exists on that segment of track.

Issued in Washington, D.C., on August 31, 1990.



Perry A. Rivkind
Deputy Administrator (Acting
Administrator)