

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration
[FRA emergency Order No. 14, Notice No. 2]

EUREKA SOUTHERN RAILROAD COMPANY, INC.

Passenger service Allowed Between Milepost 142.5 and Milepost 145.5, and between Milepost 216.6 and Milepost 284.1

Based on Federal Railroad Administration (FRA) inspections of the Eureka Southern mainline, I have concluded that an emergency condition no longer exists on the segments between mileposts 142.5 and 145.5, and between mileposts 216.6 and 284.1. I am accordingly lifting FRA Emergency Order No. 14 (Order), which was issued June 7, 1990, as it applies to the trackage between mileposts 142.5 and 145.5, and between mileposts 216.6 and 284.1.

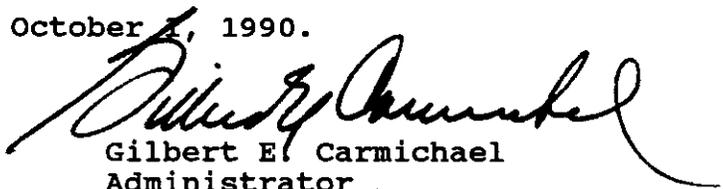
On August 16, 1990, the Eureka Southern notified FRA by telephone that its track was ready for inspection. FRA conducted an inspection in response to this oral request, rather than requiring written notification as specified in paragraph 2 of the Relief section of the Order. On August 24, at the conclusion of a four-day inspection, FRA advised the Eureka Southern that the railroad's track did not meet safety standards for Class I track specified at 49 CFR Part 213.

After making further repairs, the Eureka Southern notified FRA by letter dated September 11, 1990, that it was ready for a second inspection of portions of its track. A second inspection was conducted by FRA beginning September 17, 1990.

This partial lifting of Emergency Order No. 14, based on this September inspection, is contingent on the Eureka Southern's continued maintenance of these segments in accordance with FRA's Class I standards. The issuance of this Notice should not be taken to preclude imposition of another emergency order should conditions between mileposts 142.5 and 145.5, and between mileposts 216.6 and 284.1 fall below Class I standards.

FRA has continued concerns for the condition of Tunnel 40, particularly with regard to the resumption of passenger service in the Spring of 1991. Further failure of the tunnel could result in FRA's issuing an additional emergency order if the Eureka Southern does not take adequate remedial measures to assure the safety of the tunnel.

Issued in Washington, D.C., on October 1, 1990.


Gilbert E. Carmichael
Administrator