

**COMMITTEE ON
SMALL BUSINESS**
RANKING MEMBER
SUBCOMMITTEE ON
AGRICULTURE, ENERGY AND TRADE

**COMMITTEE ON
FOREIGN AFFAIRS**
SUBCOMMITTEE ON
MIDDLE EAST AND NORTH AFRICA

SUBCOMMITTEE ON
ASIA AND THE PACIFIC



Grace Meng
Congress of the United States
Sixth District, New York

**CONGRESSIONAL ASIAN PACIFIC
AMERICAN CAUCUS**
EXECUTIVE BOARD MEMBER

CHAIR
TASK FORCE ON
ECONOMIC DEVELOPMENT

CONGRESSIONAL KIDS SAFETY CAUCUS
CO-CHAIR

ASSISTANT WHIP

<http://www.meng.house.gov>
www.facebook.com/repgracemeng
twitter: @repgracemeng

September 28, 2016

Paul M. Victor
President
New York & Atlantic Railway
68-01 Otto Road
Glendale, NY 11385

Dear Mr. Victor:

I write to request full and speedy compliance with every "Railroad Responsibility" outlined in Appendix A of the Federal Railroad Administration's (FRA) September 23, 2016, Focused Safety Review of the New York & Atlantic Railway (NYA).

As you know, FRA's review of NYA operating and management practices was conducted in response to the July 8, 2015 collision of an NYA train and a tractor-trailer at the Maspeth Avenue highway-rail grade crossing in Queens. The resulting fire destroyed the tractor, severely damaged the trailer, and injured the truck driver. In response to concerns that similar collisions may occur in the future, I requested an FRA review. In response to the recently published report, I am writing each entity to which the FRA made a recommendation.

Respectfully, I request notification when each of the railroad responsibilities listed in Appendix A (and copied on the following page for your convenience) has been completed. If you disagree with any of the FRA findings or recommendations, please do not hesitate to contact me. We are fortunate that more accidents have not occurred at grade crossings, but every day that lingers without these crucial safety improvements is another day where lives are at risk. I look forward to working with you to ensure the safety of all New Yorkers, and to ensure that an incident such as the July 8, 2015 NYA collision never occurs again.

Sincerely,



Grace Meng
Member of Congress

**FRA FINDINGS AND CITY RESPONSIBILITIES CONTAINED IN APPENDIX A
OF SEPTEMBER 23, 2016 FOCUSED SAFETY REVIEW OF NYA RAILWAY**

Maspeth Avenue – Dot # 338015C

- Pave yard tracks in the crossing not paved in 2015.
- Remove the single crossing gate currently manually activated for yard switching moves and replace it with a cross buck with a yield and Emergency Notification Systems sign. This change will require the crossing be flagged by the train crew for yard moves over the crossing.
- Equip the Maspeth main line grade crossing with an extra pair of lights facing the yard road to warn truck drivers exiting the yard that the grade crossing is activated.
- Install stop boards at the island circuits.

73rd Street – DOT # 338016J

- Vegetation requires trimming to improve site distance.
- Move island circuitry back from the grade crossing 50 to 100 feet on track 2 (NYA and LIRR to determine distance).
- Install stop boards at the island circuits.
- Install an additional pair of warning lights on the north side aimed east to warn the garbage trucks exiting their parking lot when the grade crossing is activated.

88th Street – DOT # 338017R

- Install stop boards at the island circuits.
- Move island circuits back from the grade crossing (NY&A and LIRR to determine distance).
- If vegetation cannot be cut, install a railing and sign in front of the southwest pedestrian gate to warn pedestrians of the presence of the gate.

Greenpoint Avenue – DOT # 338010T

- Install stop boards at the island circuits.
- Southbound ramp of the grade crossing requires paving.
- Drainage problem on the north side of the track.
- Remove garbage on railroad property.

Waste Management (Private) – DOT # 967836S

- Discuss diagnostic team's recommendations with owner.
- Install stop boards at the island circuits.

Commercial Avenue (Private) – DOT # 338011A

- Discuss diagnostic team's recommendations with owner.
- Install stop boards at the island circuits.

Washington Avenue (43rd Street) – DOT # 338013N

- Trim vegetation.
- Rough crossing surface needs repairs.
- Install stop boards at the island circuit.

**FRA FINDINGS AND CITY RESPONSIBILITIES CONTAINED IN APPENDIX A
OF SEPTEMBER 23, 2016 FOCUSED SAFETY REVIEW OF NYA RAILWAY**

Debevoise Avenue (49th Street) – DOT # 338014V

- Install additional “Do Not Stop on Track” sign.
- Northbound outside rail edge at crossing loose.
- Trim vegetation.
- Install stop boards at the island circuit.

Laurel Hill – DOT # 338012G

- Install stop boards at the island circuit.