



1200 New Jersey Avenue, SE
Washington, DC 20590

US Department
Of Transportation

Federal Railroad
Administration

Mr. Kevin W. Sweat
Director of Safety & Compliance
FMW Rail Operations LLC
2026 E. 1st
Duluth, MN 55812

June 17, 2021

Dear Mr. Sweat:

This letter is in response to the FMW Rail Operations LLC (FMW) submission dated April 30, 2021, to the Federal Railroad Administration (FRA) seeking approval of its material modifications to the Engineer Certification Program received by FRA on April 30, 2021. FMW has complied with FRA's procedures for submission and approval of programs as described in Appendix B to 49 CFR part 240.

FRA reviewed the railroad's program modification and determined that the railroad's program modification conforms with the requirements of 49 CFR part 240 for the reasons discussed below.

April 30, 2021, the railroad provided an email that stated your railroad does not have union representation for your train service employees.

The program modifications are consistent with the model of the previously approved railroad programs. FRA understands that the modifications are intended to provide more detail to the engineer certification process and updated contact information. Additional modifications to the submission also addressed deficiencies with the standard requirements of 49 CFR part 240, Appendix B. The improvements enhance qualifications for DLSE's. Standards have been set with regards to re-qualifying over a specific territory. Detailed training standards have been established in Section five of your engineer training program.

Please continue in your efforts to improve railroad safety on your system.

Please contact me with any questions regarding this submission at (202) 366-0978 or FRAOPCERTPROG@dot.gov or Kevin.Lewis@dot.gov

Sincerely,

Kevin Lewis
FRA Program Manager – Certification

pp Christian Holt
Operating Practices Staff Director