



1200 New Jersey Avenue, SE
Washington, DC 20590

US Department
Of Transportation

Federal Railroad
Administration

Mrs. Kylie McLaughlin
Western New York and Pennsylvania Railroad
General Manager
5769 Sweeteners Blvd.
Lakeville, NY 14480

March 27, 2023

Dear Mrs. McLaughlin:

This letter responds to the Western New York & Pennsylvania Railroad submission dated March 25, 2023, to the Federal Railroad Administration (FRA) seeking approval of its material modifications to the Engineer Certification Program received by FRA on February 8, 2023. (WNYP) 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 modifications and determined that the railroad's program modifications conform with the requirements of 49 CFR part 240 for the reasons discussed below.

Your submission states that on February 8, 2023, the railroad provided a copy of its program modification to Mr. Randy Fannon, BLE Vice President of the National Short Line Division, representing the railroad's employees. FRA received no comments on the program or program modification by the labor organizations.

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 DLSEs. Standards have been set with regard to re-qualifying over a specific territory. Section five of your engineer training program has established detailed training standards.

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

