



1200 New Jersey Avenue, SE
Washington, DC 20590

US Department
Of Transportation

Federal Railroad
Administration

Kevin M. Chittenden
Berkshire Scenic Railway
PO Box 2195
Lenox, MA 01240

October 23, 2023

Dear Mr. Chittenden:

This letter responds to the Berkshire Scenic Railway (BSRM) submission dated September 28, 2023, to the Federal Railroad Administration (FRA) seeking approval of its material modifications to the BSRM Engineer Certification Program received by FRA on September 28, 2023. BSRM 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 package states that no labor organizations are representing the railroad's 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 DLSEs. Standards have been set concerning 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 us with any questions regarding this submission at (202) 366-0978 or FRAOPCERTPROG@dot.gov or Kevin.Lewis@dot.gov or Kurt.Erickson@dot.gov

Sincerely,

Kurt Erickson
FRA Rail Safety Specialist - Certification

pp Christian Holt
Operating Practices Staff Director