



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

Alex Engelke  
Empire River Rail, LLC  
Program Administrator  
1400 Main St, 2<sup>nd</sup> Floor  
Follansbee, WV 26037

September 17, 2024

Dear Mr. Engelke:

This letter responds to the Empire River Rail, LLC (ERRA) submission dated September 4, 2024, to the Federal Railroad Administration (FRA) seeking approval of its material modifications to the ERRA Conductor Certification Program received by FRA on September 4, 2024. ERRA has complied with FRA's procedures for submission and approval of programs described in Appendix B to 49 CFR part 242. FRA reviewed the railroad's program modification and determined that the railroad's program modification conforms with the requirements of 49 CFR part 242 for the reasons discussed below.

Your submission package states that no labor organizations represent the railroad's employees.

The program modifications are consistent with the model of the previously approved Class III railroad programs. FRA understands that the modifications are intended to provide more details about the conductor certification process and update contact information. Additional modifications to the submission also addressed deficiencies with the standard requirements of 49 CFR part 242, appendix B. Standards have been set regarding re-qualifying over a specific territory. Detailed training standards have been established in Section Four of your conductor training program.

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

Please contact us with any questions regarding this submission at (443) 257-8218 or [FRAOPCERTPROG@dot.gov](mailto:FRAOPCERTPROG@dot.gov) or [Kevin.Lewis@dot.gov](mailto:Kevin.Lewis@dot.gov) or [Kurt.Erickson@dot.gov](mailto:Kurt.Erickson@dot.gov).

Sincerely,

Kurt Erickson  
FRA Rail Safety Specialist – Certification

pp Christian Holt  
Operating Practices Staff Director