

INSPECTION REPORT

Inspector's Name Smith, Owen D.			Inspector's Signature			Inspector's ID No. 82320		Report No. 110		Date yy mm dd 2023 08 06			
Railroad/Company Name & Address MIDDLESEX CORPORATION 1 Spectacle Pond Road Littleton MA 01460					R/C C	Division HRRC		RR/Co. Representative (Receipt Acknowledged) Name Darren Hohn Title Operations Director - HSE Email XXXXXXXXXX Signature _____					
From: City SHEFFIELD		Codes 1145	Destination City & County			Codes	From Latitude						
State MA		Codes 25	City GREAT BARRINGTON			Codes 0440	From Longitude						
County BERKSHIRE		Codes C003	County BERKSHIRE			Codes C003	To Latitude						
Mile Post: From 0058.13 To 0059.80			Inspection Point MIDDLESEX ROADWAY WORKER FATALITY					To Longitude					
Activity Code:	ACC	RMM											
Units:	1	2											
Sub Units:	11	0											
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
1										N	N	0	
Description - [** Comment to Railroad/Company **] FRA observed a pre-use inspection of Middlesex leased on-track roadway maintenance machines. The lagger machine was the north machine. The drill machine was the south machine. The following exceptions are noted:													
Seal Applied			Seal Removed			Hazard Class			UN/NA ID				
Violation Recommended <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Latitude:			Longitude:							
Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional			Railroad Action Code			Date(mm/dd/yyyy):			Comments on back?				
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
2	0058.13	SINGLE	M	214	0509	C	25	2	LAGGER	N	N	1	RMM
Description 360-DEGREE INTERMITTENT WARNING LIGHT OR BEACON MISSING, IMPROPERLY MOUNTED, OR INOPERABLE. (NEW ON-TRACK MAINTENANCE MACHINE ORDERED AFTER 12/26/2003 AND COMPLETED BY 9/27/2004). The RELAM Lagger 050's beacon was not visible to an observer standing in the red zone area of the rear of the machine.													
Seal Applied			Seal Removed			Hazard Class			UN/NA ID				
Violation Recommended <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Latitude:			Longitude:							
Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional			Railroad Action Code			Date(mm/dd/yyyy):			Comments on back?				

INSPECTION REPORT

(Continuation)

Inspector's ID No. 82320	Report No. 110	Report Date 8/6/2023
-----------------------------	-------------------	-------------------------

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
3	0058.13	SINGLE	M	214	0509	C	25	2	DRILL	N	N	1	RMM

Description
360-DEGREE INTERMITTENT WARNING LIGHT OR BEACON MISSING, IMPROPERLY MOUNTED, OR INOPERABLE. (NEW ON-TRACK MAINTENANCE MACHINE ORDERED AFTER 12/26/2003 AND COMPLETED BY 9/27/2004).

The RELAM drill's beacon was not visible to an observer standing in front of the machine.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
--------------	--------------	--------------	----------

Violation Recommended <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Latitude:	Longitude:
---	-----------	------------

Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
---	----------------------	-------------------	-------------------

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
4	0058.13	SINGLE	M	214	0507	A6	25	2	LAGGER	N	N	1	RMM

Description
EMPLOYER FAILED TO PROVIDE NEW ON-TRACK MAINTENANCE MACHINE WITH A COMPLAINT, READILY ACCESSIBLE FIRST AID KIT. (ORDERED AFTER 12/26/2003 AND COMPLETED BY 9/27/2004).

No first aid kit was found on the RELAM lagger.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
--------------	--------------	--------------	----------

Violation Recommended <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Latitude:	Longitude:
---	-----------	------------

Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
---	----------------------	-------------------	-------------------

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
5	0058.13	SINGLE	M	214	0521	A	25	2	LAGGER	N	N	1	RMM

Description
FAILURE TO PROVIDE OR MAINTAIN FLAGGING KIT IN COMPLIANCE WITH OPERATING RULES OF THE RAILROAD WHEN EQUIPMENT IS ALONE OR LEADING/TRAILING IN A GROUP. (ALL ON-TRACK ROADWAY MAINTENANCE MACHINES AND HI-RAIL VEHICLES).

No flagging kit was found on the RELAM lagger.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
--------------	--------------	--------------	----------

Violation Recommended <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Latitude:	Longitude:
---	-----------	------------

Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
---	----------------------	-------------------	-------------------

INSPECTION REPORT

(Continuation)

Inspector's ID No. 82320	Report No. 110	Report Date 8/6/2023
-----------------------------	-------------------	-------------------------

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
6										N	N	0	

Description - [** Comment to Railroad/Company **]
 The RELAM drill had a bungee cord installed to keep the throttle open.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
--------------	--------------	--------------	----------

Violation Recommended Yes No Latitude: _____ Longitude: _____

Written Notification to FRA of Remedial Action is: Required Optional Railroad Action Code Date(mm/dd/yyyy): Comments on back?

Attention: One or more violations have been cited on this report.

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No.: 2130-0509

Inspector's Name HAWKS, LANCE E.			Inspector's Signature				Inspector's ID No. 37461	Report No. 6	Date yy mm dd 2023 09 13				
Railroad/Company Name & Address MIDDLESEX CORPORATION					R/C C	Division SYSTEM	RR/Co. Representative (Receipt Acknowledged) Name Joshua Wernig Title VP Safety and General Counsel Email XXXXXXXXXX Signature _____						
RR/Co. Code XMDD		Subdivision SYSTEM											
From: City LITTLETON	Codes 0618	Destination City & County				Codes	From Latitude						
State MA	25	City LITTLETON				0618	From Longitude						
County MIDDLESEX	C017	County MIDDLESEX				C017	To Latitude						
Mile Post: From	To	Inspection Point BERKSHIRE				To Longitude							
Activity Code:	243P	243A	243R										
Units:	1	1	1										
Sub Units:	1	0	1										
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/ USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
1				243	0201	A				N	N	1	243R
Description Failure of employer to designate existing safety-related railroad employees. (Middlesex did not provide any documentation designating thier safety-related employees as required.)													
Seal Applied			Seal Removed			Hazard Class			UN/NA ID				
Violation Recommended <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						Latitude:			Longitude:				
Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional						Railroad Action Code			Date(mm/dd/yyyy):		Comments on back?		
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/ USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
2				243	0201	C1				N	N	1	243P
Description Partial failure of employer to train newly hired safety-related railroad employee necessary to become a member of the occupational category or sub-category. (Middlesex Corp. did not perform or record the required OJT for the RMM operator involved in the Housatonic accident as required.)													
Seal Applied			Seal Removed			Hazard Class			UN/NA ID				
Violation Recommended <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						Latitude:			Longitude:				
Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional						Railroad Action Code			Date(mm/dd/yyyy):		Comments on back?		

INSPECTION REPORT

(Continuation)

Inspector's ID No. 37461	Report No. 6	Report Date 9/13/2023
-----------------------------	-----------------	--------------------------

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/ USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
3				243	0205					N	N	1	243A

Description
 Partial failure of employer to conduct periodic oversight (Middlesex's Periodic Oversight Program was incomplete.)

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
--------------	--------------	--------------	----------

Violation Recommended <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Latitude:	Longitude:
---	-----------	------------

Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional	Railroad Action Code	<input type="text"/>	<input type="text"/>	<input type="text"/>	Date(mm/dd/yyyy):	<input type="text"/>	Comments on back?
---	----------------------	----------------------	----------------------	----------------------	-------------------	----------------------	-------------------

Attention: One or more violations have been cited on this report.

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No.: 2130-0509

Inspector's Name Smith, Owen D.		Inspector's Signature			Inspector's ID No. 82320	Report No. 132	Date yy mm dd 2023 09 21						
Railroad/Company Name & Address MIDDLESEX CORPORATION 1 Spectacle Pond Road Littleton MA 01460				R/C C	Division HRRC	RR/Co. Representative (Receipt Acknowledged) Name Darren Hohn Title Operations Director - HSE Email XXXXXXXXXX Signature _____							
From: City GREAT BARRINGTON	Codes 0440	Destination City & County			Codes	From Latitude							
State MA	25	City				From Longitude							
County BERKSHIRE	C003	County				To Latitude							
Mile Post: From	To	Inspection Point MIDDLESEX CONTRACTOR EMPLOYEE FATALITY				To Longitude							
Activity Code:	RWLC												
Units:	1												
Sub Units:	1												
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
1				214	0311	A				N	N	1	RWLC
Description EMPLOYER FAILED TO ENSURE ROADWAY WORKER'S UNDERSTANDING OR COMPLIANCE WITH RAILROAD RULES AND/OR THE REQUIREMENTS OF THIS PART. On August 4, 2023 Middlesex Corporation failed to ensure their employees comply with roadway worker regulations.													
Seal Applied			Seal Removed			Hazard Class			UN/NA ID				
Violation Recommended				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Latitude:			Longitude:				
Written Notification to FRA of Remedial Action is:				<input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional		Railroad Action Code		Date(mm/dd/yyyy):		Comments on back?			

INSPECTION REPORT

(Continuation)

Inspector's ID No. 82320	Report No. 132	Report Date 9/21/2023
-----------------------------	-------------------	--------------------------

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
2				214	0313	A				N	N	1	RWLC

Description
FAILURE OF ROADWAY WORKER TO FOLLOW THE RAILROAD'S ON-TRACK SAFETY RULES.
On August 4, 2023 a Middlesex employee was operating a roadway maintenance machine and failed to comply with Housatonic Railroad Corporation (HRRC) on-track safety rule 1.7.2.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
--------------	--------------	--------------	----------

Violation Recommended <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Latitude:	Longitude:
---	-----------	------------

Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
---	----------------------	-------------------	-------------------

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
3				214	0321	D2				N	N	1	RWLC

Description
MOVEMENT AUTHORIZED WITHIN LIMITS OF EXCLUSIVE TRACK OCCUPANCY WITHOUT AUTHORITY OF ROADWAY WORKER IN CHARGE.
On August 4, 2023 Middlesex employees operated two (2) on-track roadway maintenance machines inside an exclusive track occupancy without the permission of the HRRC Roadway Worker in Charge.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
--------------	--------------	--------------	----------

Violation Recommended <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Latitude:	Longitude:
---	-----------	------------

Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
---	----------------------	-------------------	-------------------

Attention: One or more violations have been cited on this report.

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No.: 2130-0509

Inspector's Name Smith, Owen D.			Inspector's Signature			Inspector's ID No. 82320	Report No. 134	Date yy mm dd 2023 09 21					
Railroad/Company Name & Address MIDDLESEX CORPORATION 1 Spectacle Pond Road Littleton MA 01460				R/C C	Division HRRC	RR/Co. Representative (Receipt Acknowledged) Name Darren Hohn Title Operations Director - HSE Email XXXXXXXXXX Signature _____							
From: City GREAT BARRINGTON	Codes 0440	Destination City & County			Codes	From Latitude							
State MA	25	City				From Longitude							
County BERKSHIRE	C003	County				To Latitude							
Mile Post: From	To	Inspection Point MIDDLESEX CONTRACTOR EMPLOYEE FATALITY				To Longitude							
Activity Code:	218O												
Units:	1												
Sub Units:	1												
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
1				218	0103	B2				N	N	1	218O
Description HAND-OPERATED SWITCHES, INCLUDING CROSSOVER SWITCHES: FAILURE TO BE QUALIFIED ON RELEVANT OPERATING RULE. On August 4, 2023 Middlesex employees were operating a hand operated switch at Lanes Siding. No qualified employee was present when Middlesex was operating this switch.													
Seal Applied			Seal Removed			Hazard Class			UN/NA ID				
Violation Recommended			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			Latitude:			Longitude:				
Written Notification to FRA of Remedial Action is:			<input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional			Railroad Action Code			Date(mm/dd/yyyy):			Comments on back?	

Attention: One or more violations have been cited on this report.

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No.: 2130-0509

Inspector's Name Smith, Owen D.			Inspector's Signature			Inspector's ID No. 82320	Report No. 137	Date yy mm dd 2023 09 22					
Railroad/Company Name & Address MIDDLESEX CORPORATION 1 Spectacle Pond Road Littleton MA 01460				R/C C	Division HRRC	RR/Co. Representative (Receipt Acknowledged) Name Darren Hohn Title Operations Director - HSE Email XXXXXXXXXX Signature _____							
From: City LITTLETON	Codes 0618	Destination City & County			Codes	From Latitude							
State MA	25	City				From Longitude							
County MIDDLESEX	C017	County				To Latitude							
Mile Post: From	To	Inspection Point MIDDLESEX ROADWAY WORKER FATALITY				To Longitude							
Activity Code:	219												
Units:	1												
Sub Units:	3												
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
1				219	0201	A				N	N	1	219
Description FAILURE TO TEST AFTER A QUALIFYING EVENT. On August 4, 2023, an FRA Part 219 Subpart C - Post-Accident Toxicological Testing event occurred as described by §219.201(a)(1)(i). The event involved a four (4) person roadway work group which consisted of two (2) on-track roadway maintenance machines. The two (2) on-track roadway maintenance machines were a drill and a lagger. An on-duty railroad contractor fatality occurred when the operator of the lagger was struck by the drill. Prior to the accident, the four (4) employees were working together as a single roadway work group. The operator of the drill and a rider on the drill left the area to obtain repairs to the drill. Upon return, the operator of the lagger and a laborer were on the ground and in the foul of the track removing stone from tie plates. Continued on next line...													
Seal Applied			Seal Removed			Hazard Class			UN/NA ID				
Violation Recommended <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					Latitude:				Longitude:				
Written Notification to FRA of Remedial Action is: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Optional				Railroad Action Code			Date(mm/dd/yyyy):			Comments on back?			

INSPECTION REPORT

(Continuation)

Inspector's ID No. 82320	Report No. 137	Report Date 9/22/2023
-----------------------------	-------------------	--------------------------

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
2										N	N	0	

Description - [** Comment to Railroad/Company **]
 The laborer observed the drill approaching and continued to work. The laborer left the foul of the track immediately prior to the operator of the drill being struck. Although The Middlesex Corporation required post-accident testing of the fatally injured employee (operator of the lagger), the rider of the drill, and the operator of the drill, The Middlesex Corporation failed to test the laborer. The laborer stated that he saw the drill approaching and continued to work. Just prior to the drill striking the operator of the lagger, the laborer stated that he jumped out of the way and attempted to warn the operator of the lagger. The operator of the lagger was struck and killed by the drill that was observed by the laborer. Recommendation is for one (1) civil penalty.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
--------------	--------------	--------------	----------

Violation Recommended	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Latitude:	Longitude:
-----------------------	------------------------------	--	-----------	------------

Written Notification to FRA of Remedial Action is:	<input type="checkbox"/> Required	<input checked="" type="checkbox"/> Optional	Railroad Action Code	<input type="text"/>	Date(mm/dd/yyyy):	<input type="text"/>	Comments on back?
--	-----------------------------------	--	----------------------	----------------------	-------------------	----------------------	-------------------