

TRI-STATE OVERSIGHT COMMITTEE MONTHLY MEETING MINUTES

Held Wednesday, May 13th, 2009

at the Northern Virginia Transportation Commission

4350 N. Fairfax Drive, Suite # 720, Arlington, VA

Attendees:

Matt Bassett, TOC-DRPT

Eloy Recio (via phone,) TOC-DRPT

Emile Smith, TOC-DDOT

Eric Madison, TOC-DDOT

John Contestabile, TOC-MDOT

Darren McCoy, WMATA SSRM

Ron Edwards, WMATA SSRM

Robert Kogan, TOC-TRA

Lt. Jennifer Donald, WMATA MTPD

Sgt. McKee, WMATA MTPD

Chuck Novick, TSA

Frederic Conjour, TSA

Brian Glenn, FTA (DC Field Office)

Mike Flanigon, FTA (Office of Safety & Security)

First Segment (10:00 to 10:15) TOC Only

1. Open TOC-Only Issues (April Invoice, TRA Task Directives, Red Line budget)
 - Conference began at 10:10am after some issues with conference call information. April invoice reviewed. The group approved payment authorization to COG.
 - TOC members discussed permitting TRA some additional latitude on certain defined support activities. This discussion will continue at the June meeting.
 - **Action:** Eric will request from COG a jurisdictional summary of contributions as well as an update on funds remaining in the TOC support account.
 - **Action:** John asked for a copy of the TRA contract to be circulated to the group.
 - John notified the group that MDOT would be hiring George Good to take over the Maryland Rail Safety Oversight program and that he would be retiring effective June 30th.
 - **Action:** The TOC needs to establish a briefing with WMATA to discuss the Red Line rehabilitation project. This will help us in determining our level of effort, financial expenditure and oversight necessary given the requests for information on that front by FTA.

Second Segment (10:15 to 11:15) TOC & TRA Only

1. Approve April Meeting Minutes
 - April meeting minutes approved.
2. Discuss TOC Level of Effort for Red Line Rehab Project Oversight
 - TOC conveyed to TRA the previously-discussed need for a meeting with WMATA to determine the scope and details of the Red Line rehab before making decisions on levels of effort. TRA agreed and will work to support TOC in scheduling this presentation with WMATA.

3. Open Accident/Incident Investigations and Approvals
 - Comments on Hazard Identification and Resolution Matrices (HIRMs) approved for transmission to WMATA.
 - No accidents were recommended for closure/adoption between the April meeting and this month.
 - **Action:** TRA will add Dennis Womack-Kalla's initials next to his comments made on the accident/incident tracking matrix to help clarify comment origin.
4. CAPs Update
 - The TOC voted to close out Corrective Action Plans Dupont-2 and I-4 based on WMATA's document submissions in April.
 - TRA advised that Dennis Womack-Kalla had conducted an assessment on a number of open CAPs, most of which were some of the oldest in the TOC's tracking matrix. He provided recommendations for how to close them out and to establish a timeline for clearing the CAP backlog. **Action Item:** Dennis will transmit documentation of his assessment to TOC.
5. Review WMATA/TSA Proposed BASE CAP
 - The group reviewed the proposed corrective action plan transmitted by MTPD regarding findings from their TSA Baseline Assessment for Security Enhancement (BASE) audit held in March. The TOC reached a consensus that some CAPs could be combined and the submittal needed to be worded as "MTPD will..." as opposed to "TSA recommends that MTPD..."
6. Review & Approve FTA Letter/Submittal for 5/13 Transmission
 - The group approved the final submission and contents for the audit findings update to FTA.
 - **Action Item:** John requested that all future TOC agendas have an item for progress reports on our response to the FTA audit findings.
7. Review SEPP & Internal Audit Program comments
 - SEPP – TOC provided comments to WMATA on 4/9/09.
 - The TOC reviewed TRA comments on the SEPP which Matt and Eric revised previously in the month. The TOC issued final approval with the understanding that the comments would be transmitted later in the day on 5/13/09.
8. Review Proposed Scene-Access Letter to MTPD (Including TOC ROW status)
 - Emile Smith and John Contestabile provided comments and revisions to this document. **Action:** Matt Bassett will revise and recirculate to the group.
9. Discuss Internal Safety Audit Report Approval
 - This action item is still outstanding. The TOC resolved by mutual consensus to revisit the issue at the next TOC meeting in June due to time constraints.
10. Consider Formal Adoption of TOC/TRA Review & Comment Form
 - The TOC voted to formally adopt the Review & Comment form circulated at the April meeting. **Action:** Matt Bassett will revise the Internal TOC Operations Manual to include an appendix with this form.
11. Overview of TSA BASE Outbrief, FTA Quarterly
 - Matt and Eloy provided an overview of the TSA Baseline Assessment for Security Enhancement outbrief that was held, including the proposed

CAPs. This was a productive security partnership between oversight, WMATA and TSA and represents a national model that others are working to emulate.

12. Update on RWP Activities (Materials Received, 5/14 & 5/15 Schedule)
 - The TOC went over final logistics and personnel assignments for the upcoming Right-of-Way Worker Protection Hazard Assessment to begin on May 14th. Matt, Eric, Ken Korach and Rob Kogan will meet at the Jackson Graham building at 9am on May 14th to begin the assessment with interviews followed by on-site assessments on the right-of-way.
13. Discuss Dulles SCWG QA vs. SCIL Inclusion Concern
 - TOC believes that civil items in the Dulles Corridor project should be covered by the Safety Certifiable Items List, whereas MWAA believes this can be adequately addressed through their quality assurance program and would unnecessarily complicate the safety certification program. Tom agreed to provide more detail via email.

Second Portion (11:15 to 12:00) Including WMATA, FTA, TSA

1. Monthly Safety Initiatives
 - Metro's Office of Emergency Management and System Safety & Risk Management (SSRM) are currently doing an outreach program on the risks of H1N1 influenza (commonly known as Swine Flu.)
 - A key member of the TSSM (Track & Structures) operating department is no longer with Metro, according to Ron Edwards, which has slowed down the resolution of certain open corrective action plans.
2. Open Accident/Incidents, TOC Comments on: 120, 160, 165, 176, 178
 - Comments on these open incidents are forthcoming from TOC. Lt. Donald stated that a recent suspicious-package incident which resulted in the closure of a station was not the result of a decision made by MTPD but rather an operating department. Lt. Donald submitted the incident report and cover page to TOC.
3. Hazard Update
 - WMATA's investigation of the cracked-rail hazardous condition is ongoing. Matt Bassett recommended WMATA look into putting its track personnel through the FTA's pilot track inspection class. Mike Flanigan stated that that class has reached its budgeted number of offerings but more may become available in the future.
 - WMATA's Process Improvement Teams are making progress on the return-to-work program and on reducing workplace incidents as part of the overall WorkSafe program.
 - The TOC mentioned the letter of 4-29 regarding the potential hazardous ATP condition originally noted in a letter from Paul Mayfield and requested a status update. WMATA SSRM and operations' assessment of this hazard is ongoing.
 - TOC handed over hard copies of HIRM comments for the previous month.
4. CAP Update (MOW 20, Master CAPs I-4, Dupont-2)
 - The TOC transmitted its determination that the above three CAPs had been resolved and completed by WMATA.
5. Discuss TSA/MTPD BASE Corrective Action Plans
 - TOC stated that MTPD would need to rephrase the Corrective Action Plans originally submitted regarding the TSA BASE Review into a format that clarified their origin as an MTPD document, rather than TSA. In addition, the TOC recommended that some redundant items within the submittal related to the revision of the Emergency Response Plan be

combined. **Action Item:** MTPD will resubmit the BASE CAPs after revision.

6. Discuss Scene Access for TOC Personnel
 - Matt Bassett gave an overview of irregularities the TOC had faced in responding to incident scenes in the past. Metro had welcomed TOC personnel into some incident scenes and prohibited access in others. Matt mentioned the proposed letter to Chief Taborn, and Sgt. McKee stated that TOC's contractor identification badges might prove more of a liability than an asset on a scene and recommended separate TOC credentials. The TOC took MTPD and WMATA's comments under advisement and will incorporate them into a revised draft of the incident scene access letter.
 - Lt. Donald introduced Sgt. McKee and stated that he would be assisting her on some of her projects including working with the TOC. At Sgt. McKee's suggestion, the group discussed the definition of a life safety evacuation as covered under the TOC program standard and 49 Code of Federal Regulations, Part 659.
7. Overview of 4/30/09 TOC/WMATA Work Session CAP Migrations
 - Darren McCoy and Matt provided a brief overview of CAPs which were assessed during the April 30th TOC-WMATA work session. **Action Item:** Dennis Womack-Kalla had additional comments on those CAPs which he will transmit.
8. Proposed Red Line Capital Rehabilitation Project Update
 - The TOC transmitted its request to SSRM for a meeting sometime in the next two weeks to have a presentation on the specifics of the Red Line rehab project. **Action Item:** Ron Edwards will schedule this meeting.
9. Status of WMATA MSRPH, Accident Investigation Procedure Revisions
 - Ron Edwards gave a progress update on the rulebook revision and estimated a potential completion date in July. The TOC requested the ability to review the document, and Ron asked for clarification about whether it would require TOC approval. The group agreed that the TOC does not need to approve the rulebook, but would appreciate a courtesy review.
10. Update on Proposed WMATA FM-200/Halon Fire Suppression/Containment Strategy
 - Ron Edwards stated that this would be a good item to discuss with Metro's new Office of Emergency Management. **Action Item:** TOC will invite OEM to the June meeting.
11. Next Meeting 6/10/09 @ JGB
 - The group agreed that the next meeting would take place at the Jackson Graham Building at WMATA next month.