

**TRI-STATE OVERSIGHT COMMITTEE MONTHLY MEETING**  
at the Washington Metropolitan Area Transit Authority  
Jackson Graham Building, 600 5th Street NW, Washington, DC 20001  
Wednesday, March 17, 2010  
**Minutes**

<b>Name</b>	<b>Agency</b>	<b>Phone</b>	<b>Email</b>
Eric Madison	TOC/DDOT/MTA	[REDACTED]	[REDACTED]
Matt Bassett	TOC/DRPT	[REDACTED]	[REDACTED]
Eloy Recio (via teleconference)	TOC/DRPT	[REDACTED]	[REDACTED]
George Good	TOC/MDOT	[REDACTED]	[REDACTED]
Bernadette Bridges (via teleconference)	TOC/MTA	[REDACTED]	[REDACTED]
David Harlan (via teleconference)	TOC/DRPT	[REDACTED]	[REDACTED]
Darren McCoy	WMATA – SAFE	[REDACTED]	[REDACTED]
Chad Krukowski	WMATA – SAFE	[REDACTED]	[REDACTED]
Melvyn Henry	WMATA – SAFE	[REDACTED]	[REDACTED]
Michael Taborn	WMATA – MTPD/SAFE	[REDACTED]	[REDACTED]
Sgt. Nopadon McKee	WMATA – MTPD	[REDACTED]	[REDACTED]
Lt. Jennifer Donald (via teleconference)	WMATA -MTPD	[REDACTED]	[REDACTED]
Robert Kogan	TRA/TOC	[REDACTED]	[REDACTED]
Kenneth Korach	TRA/TOC	[REDACTED]	[REDACTED]
Tom Luglio (via teleconference)	TRA/TOC	[REDACTED]	[REDACTED]
Ryan Frigo (via teleconference)	FTA	[REDACTED]	[REDACTED]

**First Segment (9:45 to 10:00) TOC Only**

1. Open TOC-Only Issues (TOC Contract Amendment, Discussion w/COG)
  - a. The TOC members discussed the projected funding shortfall and resolved to discuss with their policy leadership the necessity of security additional funding, both for regular operations and to support the Triennial Safety and Security Review.
2. TOC Website Procurement & Cost Estimates

- a. The TOC members discussed the three options of an external website developer, using COG (and the COG cost estimate) and engaging TRA to develop the site. The group selected TRA.

### **Second Segment (10:00 to 11:30) TOC & TRA Only**

1. Review February Teleconference/Meeting Minutes
  - a. The group discussed the minutes from the February 10, 2010 teleconference. Note that no in-person meeting was held due to inclement weather. The TOC finalized and approved the February minutes.
2. Discussion of FTA Audit SSO Audit Findings and Response Strategy, Congressional Comments
  - a. M. Bassett discussed FTA's SSO audit report, which includes 11 Findings and recommendations directed at TOC, as well as 7 recommendations directed at WMATA. TOC's response to FTA is due 5/4/10. K. Korach discussed potential approaches for addressing Findings 1-4, which address TOC policy issues.
  - b. M. Bassett noted that TOC shall present its priorities to the WMATA Board April 8, 2010.
3. Update on CAPTURE Meeting of 3/16/2010 and CAP Status Update
  - a. M. Bassett described the CAPTURE meeting that took place 3/15/10. WMATA managers present included: Chief M. Taborn, J. Krempaski, C. Dziduch, D. Epps, D. Kelley, and D. McCoy. The following CAPs were recommended for closure during the CAPTURE meeting:
    - i. Derail 1. **Action Item: D. Womack-Kalla will issue written confirmation to TOC that this CAP, which relates to the vehicle leveling system, does not require on-site verification. TOC may close this finding once this is complete.**
    - ii. Woodley 12 – **Action Item: TOC formally closed this CAP (related to WMATA's actions in presenting a new hours-of-service policy to the Amalgamated Transit Union Local 689 during the most recent contract negotiations).**
    - iii. Rosslyn/FB5 – **Action Item: TOC formally closed this CAP, which related to the development of permanent order regarding emergency brake application.**
    - iv. Rosslyn/FB6 – **Action Item: TOC formally closed this CAP, which dealt specifically with the MARS system, which is no longer used by WMATA. .**
4. Accident Investigation Reporting Update
  - a. R. Kogan summarized items recommended for closure, based on documentation received from WMATA. **Action Item: TOC formally adopted and/or closed the following accident investigations (by TOC identification number): 23, 50, 208, 209, 216, 219, 220, 221, 226, and 228.**
5. Hazard Management Update

- a. K. Korach and R. Kogan described how TOC remains in a “holding pattern” with WMATA with respect to hazard management. TOC had previously sent a letter to WMATA dated 2/8/10 formally requesting that WMATA strengthen its hazard identification and reporting system. Additionally, one of FTA’s findings for TOC is to require WMATA to adopt a comprehensive, system-wide hazard management program. WMATA has not changed its approach to hazard management as of this meeting (e.g., the HIRMs contain the same type of incomplete and minimally useful information, obtained solely from the Operations Central Control logs, and no other information sources).
- b. R. Kogan and K. Korach described the “quality check” data provided by WMATA. TOC had formally requested (in a letter dated 1/6/10) that WMATA provide TOC with a summary of all rule compliance activities on a monthly basis. The objective is to ensure that WMATA is enforcing its safety rules and procedures, analyzing the results of these checks for overall trends, and taking appropriate steps to address those trends. No such trend analysis is indicated in the raw data WMATA provided TOC, nor is there indication of the specific rules and procedures being checked.
- 6. Scheduling for TOC Meeting with WMATA Interim GM
  - a. TOC will hold a meeting with the Interim WMATA GM Monday, April 5, 2010.
- 7. Update on Policy-Level Initiatives
  - a. K. Korach described the recent policy initiatives between the three jurisdictions, and the discussion of policy alternatives. Currently a policy-level meeting between the Secretaries and Director is to be held in late April. Additionally, the policymakers have been holding bi-weekly conference calls. K. Page worked with M. Bassett, K. Korach, and R. Kogan to develop a “white paper” of suggested policy solutions to strengthen oversight of Metrorail in a manner that comports with the proposed oversight legislation before Congress (HR 4643).
- 8. Discussion of WMATA RWP Initiatives
  - a. M. Bassett described WMATA’s RWP committee process, which includes weekly committee meetings. The committee is comprised of key WMATA managers with stakes in RWP, and meetings are held every week, 10:00 a.m. to 12:00 p.m. on Tuesdays. One or more TOC team members will regularly attend these meetings to ensure TOC involvement in this safety critical process.
- 9. Overview of Annual Report to FTA
  - a. T. Luglio described the FTA annual reporting template submission, which was due 3/15/10. In the originally-submitted template, TOC inadvertently did not include CAPs closed in 2009. **Action Item: TRA will make needed changes and will resubmit to FTA on TOC’s behalf.**
- 10. Jurisdictional Transfer of Chair & Vice Chair Positions
  - a. **Action Item: The TOC Chairmanship has officially transferred from the District of Columbia to Virginia. Matt Bassett is the**

**new TOC Chair as of this meeting. The Vice-Chair has transferred from Virginia to Maryland. George Good is the new TOC Vice-Chair.**

11. Review of TOC 2010 Calendar; distribute to WMATA, FTA, et al
  - a. (not discussed)
12. 2010 Triennial Review – General Schedule
  - a. The group determined that Tuesday June 1<sup>st</sup> will be the tentative opening meeting date for the Triennial Safety and Security Review of Metrorail.
  - b. K. Korach and T. Luglio discussed the need a contract modification in order for sufficient funds to be available for the TRA team to conduct the review. **Action Item: T. Luglio will deal directly with C. Kalish from COG. T. Luglio will also provide an estimate to the TOC members of the current contract situation.**
13. General Scheduling - FTA Meeting in Philadelphia, April TOC Meeting
  - a. The TOC members discussed their attendance at the FTA SSO managers' meeting in Philadelphia, April 13-16.
  - b. M. Bassett discussed the request TOC received from the House Oversight Committee on the District of Columbia, Federal Workforce and Postal Operations regarding oversight of WMATA. **Action Item: M. Bassett will coordinate a TOC meeting with the subcommittee staff. (Meeting with subcommittee staff was held 3/31/10).**
  - c. TOC will make a brief presentation to the WMATA Board on 4/8/10. M. Bassett will work with TRA to develop a PowerPoint presentation.
14. Updates & Content Additions to TOC Website
  - a. (not discussed)

### **Third Segment (11:30 to 12:30) Including WMATA, FTA, TSA, NTSB**

1. Discussion of FTA Audit of TOC & WMATA Final Report and Response Plan
  - a. Chief Taborn discussed WMATA's response to FTA's recommendations. The WMATA Board of Directors asked for a preliminary approach prior to submitting any response to FTA. WMATA is planning on holding an executive session with the Board to discuss budgetary issues in addressing these recommendations (as well as the corrective actions associated with the Roadway Worker Protection program).
2. Discussion of WMATA Organizational Changes, New Hires & Transition Planning
  - a. Chief Taborn estimated that the new Chief Safety Officer will be coming on board April 19<sup>th</sup>. WMATA is also interviewing for various managerial positions within the safety department.
  - b. GM Meeting schedule – TOC intends to meet with the new Interim General Manager as soon as administratively possible. **Action Item: TOC will coordinate with Debbie Porter, secretary to the GM (Completed- this meeting has been scheduled for April 5,**

- 2010).** TOC aims to discuss oversight issues with the interim GM on a monthly basis.
3. WMATA Update on RWP Initiatives & TOC Audit Response
    - a. Clay Bunting, Assistant General Superintendent of Track/Structures/Systems Maintenance will be giving a presentation to the WMATA Board April 8<sup>th</sup>. TOC will also attend this meeting and present to the Board, and have the opportunity to see the RWP presentation.
    - b. The group discussed the structure of the subcommittees within the RWP committee, particularly training.
    - c. Laynie Weaver (lweaver@wmata.com) is the contact person for issues regarding the RWP committee.
  4. WMATA Update on 12/10/09 Near-Miss Investigation
    - a. TOC sent comments on the near miss investigation in letter form, dated 3/9/10. **Action Item: WMATA will provide a revised report to TOC for review and approval (received and under TOC review ?)**
  5. Discussion of TOC Participation in ATC System Evaluation and 7000 Series Procurement
    - a. M. Bassett described TOC's desire to participate in this process. **Action Item: TOC will issue a letter formally requesting TOC participation in these processes.**
    - b. Chief Taborn recommended bringing these issues up to the Board on 4/8/10.
  6. WMATA Update on Deliverables to TOC
    - a. TOC received a hard copy of the SEPP, and it is being kept according to SSI protocol. (WMATA also provided a secure electronic copy subsequent to this meeting. The electronic copy is also being kept in accordance with SSI protocols. It is currently under TOC review.). **Action Item: TOC will review and comment on the revised SEPP.**
    - b. SSPP – D. McCoy provided a hard copy of the SSPP. (TOC received an electronic copy of the SSPP and the completed comments form subsequent to this meeting. It is currently under TOC review). **Action Item: TOC will review and comment on the revised SSPP.**
    - c. Accident/Incident Investigation Procedures – TOC received a hard copy during the meeting, and an electronic copy subsequent to this meeting. It is currently under TOC review. **Action Item: TOC will review and comment on the revised Accident/Incident Investigation Procedures.**
  7. WMATA Update on MSRPH Revision
    - a. The update to the MSRPH is tied to the revision to the RWP program. Currently the target date remains June 2010 for the completion of the MSRPH.
  8. Triennial Review
    - a. M. Bassett discussed the general Triennial Review schedule and the broadened scope of the review. **Action Item: the Kickoff Meeting will take place Tuesday, June 1, 2010.**

- b. Chief Taborn suggested that Matt Bassett meet with Helen Lew, from the WMATA Office of the Inspector General for help in facilitating the Triennial Review.
- 9. Discussion of WMATA SSEC Membership & Implementation
  - a. M. Bassett discussed TOC's concerns with the current structure and scope of the SSEC. Chief Taborn discussed the need for WMATA to educate the Executive Leadership Team (ELT) as to the safety requirements in the SSPP. C. Krukowski suggested that TOC attend the next SSEC meeting to discuss SSPP requirements.
- 10. Accidents, Incidents, and Hazardous Conditions
  - a. Accidents
    - i. R. Kogan listed incidents TOC closed/adopted at this meeting:
      - 1. 23, 50, 208, 209, 216, 219, 220, 221, 226, 228.
    - ii. WMATA Progress on Accident Investigation Procedures, Policy/Instruction
      - 1. WMATA provided hard copy, and provided an electronic copy subsequent to this meeting.
    - iii. WMATA Update on Investigation Reports - 8/8/09 and 9/10/09 employee fatalities
      - 1. **Action Item: WMATA will provide TOC with revised reports that address TOC comments previously received in January 2010.**
  - b. WMATA Progress in addressing backlog of open investigations
    - i. M. Bassett discussed the need to have a work session with Safety to address the backlog of open investigations.
      - 1. **Action Item: TOC will coordinate a work session with Safety to address the backlog of open investigations.**
  - c. Summary of recent accidents and incidents (since 2/10/10)
    - i. (not discussed)
  - d. Hazard Management Update
    - i. M. Bassett discussed TOC's concerns with the hazard management program, as outlined in TOC's February 8, 2010 letter, specifically how hazard information is collected, tracked, and analyzed.
    - ii. Summary of Recent Hazardous Conditions (since 2/10/10)
      - 1. (not discussed)
    - iii. Progress on Addressing TOC's HM Program Concerns (from 2/8/10 letter to WMATA)
      - 1. (see above)
    - iv. WMATA Update on 3/2/09 Potomac Avenue ATP Incident
      - 1. **Action Item: Safety will provide a monthly status update on this investigation.** The final investigation report is pending on the outcome of laboratory testing by the original equipment manufacturer
  - e. WMATA Update on wrong-side door incidents brought to WMATA Board attention" (per 3/4/10 Letter)
    - i. The Safety Department was not aware of these incidents prior to the presentation made to the Board regarding wrong-

side door openings. This information was of great concern to TOC due to persistent problems with coordination between the Safety department and other WMATA departments for effective hazard management. M. Bassett indicated as such.

11. Discussion of 3/16/2010 CAPTURE Meeting and Findings, CAP Status Update

- a. M. Bassett discussed the CAPTURE Meeting. See the above list of CAPs formally closed at this meeting in the second meeting segment.
- b. WMATA Update on Rule and Procedure Compliance and Enforcement, and Safety Data Coordination and Analysis (QA, Supervision, etc.). M. Bassett, K. Korach, and R. Kogan discussed the issues that TOC has with the submission. See the description of these issues above, in the second meeting segment.

12. Other business

- a. (not discussed)

Next General Meeting 4/20/10, Location TBD  
Next TOC Internal Meeting 4/16/10, TRA Project Office (following the FTA SSO Program Managers Meeting in Philadelphia)