

TRI-STATE OVERSIGHT COMMITTEE MONTHLY MEETING
at the Washington Metropolitan Area Transit Authority
Jackson Graham Building, 600 5th Street NW, Washington, DC 20001
Wednesday May 18, 2011
12:30 – 14:45
Minutes

Name	Agency	Phone	Email
Matt Bassett	TOC/DRPT	[REDACTED]	[REDACTED]
George Good	TOC/MDOT	[REDACTED]	[REDACTED]
Robert Kogan	TRA/TOC	[REDACTED]	[REDACTED]
Thomas Luglio (via teleconference)	TRA/TOC	[REDACTED]	[REDACTED]
Kenneth Korach	TRA/TOC	[REDACTED]	[REDACTED]
Lt. Nopadon McKee	WMATA – MTPD	[REDACTED]	[REDACTED]
Darren McCoy	WMATA – SAFE	[REDACTED]	[REDACTED]
Robert Maniuszko	WMATA – SAFE	[REDACTED]	[REDACTED]
Dorsey Adams	WMATA – SAFE	[REDACTED]	[REDACTED]
Clay Bunting	WMATA – TRST	[REDACTED]	[REDACTED]
Kenyon Bowman	WMATA – DGMO	[REDACTED]	[REDACTED]
Hercules Ballard	WMATA – RTRA	[REDACTED]	[REDACTED]
Laynie Weaver	WMATA – OEM	[REDACTED]	[REDACTED]
Patrick Sullivan	NTSB	[REDACTED]	[REDACTED]
Dave Kubicek	WMATA	[REDACTED]	[REDACTED]
Jim Dougherty	WMATA – SAFE	[REDACTED]	[REDACTED]
John Sevier	WMATA – TIES	[REDACTED]	[REDACTED]
Rich Sarles	WMATA – GM	[REDACTED]	[REDACTED]
Barbara Jackson Williams	WMATA – OIG	[REDACTED]	[REDACTED]

First Segment (12:30-14:00) TOC & TRA Only

[Note that the members from DC were unavailable to attend this meeting due in part to exigent circumstances. No actions requiring the full TOC were taken at this meeting.]

The group discussed the full-time member from DC. M. Bassett indicated that TOC can expect a letter from FTA stating that DC’s appointment of a “primary” TOC member does not satisfy the stated commitment to a full-time TOC member whose duties are solely related to oversight of WMATA. FTA will seek commitment from all three TOC jurisdictions that they will continue to have full-time members in place permanently.

K. Korach and M. Bassett gave an update on the “Moving TOC Forward” effort. MD and VA have designated staff members for this effort. The group is still awaiting a response from DC. **Action Item: M. Bassett will coordinate a meeting time with the parties.** The objective is to put together a working paper to outline potential next steps for the Metro Safety Commission, including recommendations for how to implement such a legal entity.

R. Kogan summarized the 5/12 Board Safety and Security Committee meeting. The main topic relevant to TOC was recent media coverage of large amounts of employee overtime. The original media angle was ‘waste/fraud/abuse,’ though TOC’s concern is system safety. WMATA has agreed to adopt the APTA Hours of Service Standard for

Train Operators. TOC may follow up with WMATA to review current HOS policies and procedures for various front line positions.

M. Bassett discussed how WMATA does not consider elevator/escalator mechanics to be safety-sensitive employees, and how there is no internal drug and alcohol testing program at WMATA for non-FTA Safety Sensitive employees. K. Korach summarized the current shape of FTA's drug and alcohol testing program requirements.

T. Luglio summarized the DCMP SCWG that took place 5/17, and the SSMP meeting with FTA on 4/29. The Dulles Corridor project is a non-typical system expansion due to the numerous entities with stakes in the process. TOC will need to take an active role as this project continues, particularly in doing a Pre-Revenue Service Review (PRSR) to ensure that the system is safe and secure for revenue service.

M. Bassett summarized the FTA Quarterly meeting from 5/17. Two issues of note were discussed: 1) The HOS issue, described above, and 2) the concern that the new RWP program requires one person in a two-person track inspection team to be only a watchperson, rather than inspecting track; the media had expressed an angle that the quality of track inspection could decrease due to fewer sets of eyes inspecting track; however, this was WMATA's policy even before the current RWP program, though not enforced. TOC stands by WMATA's current RWP program.

M. Bassett and R. Kogan summarized yesterday's (5/17) CAPTURE and Accident/Incident work sessions, and listed CAPs closed and accident investigation reports adopted. Numerous CAPs are due in June 2011, and TOC is planning to meet with WMATA staff at more than one CAPTURE meeting in June.

T. Luglio described upcoming meetings and TOC participation. There are 7000-series meetings with monthly and weekly that TOC was not aware of until this week; TOC will determine appropriate participation in those meetings. **Action Item: TOC will coordinate internally and with WMATA to attend 7000-series meetings regularly.**

M. Bassett and R. Kogan described the current status of the rail yard rule compliance efforts. There is a draft report circulating for review by TOC members. **Action Item: TOC members will review and comment on the draft report of WMATA rule compliance in rail yards.**

TOC provided comments to WMATA on the SEPP. As of this meeting TOC awaits MTPD's response.

WMATA underwent a TSA BASE review two weeks prior to this meeting. TOC was not aware that this review took place.

M. Bassett gave an update regarding TOC office space. **Action Item: M. Bassett will follow up with all of the involved parties to move forward with office space selection.**

M. Bassett summarized a whistleblower case in which safety concerns were raised. TOC met with the WMATA Inspector General and General Counsel to discuss the safety allegations and to confirm that WMATA has done its due diligence in evaluating the safety allegations of the whistleblower.

Next Internal TOC Meeting: Wednesday, June 15, 2011, 12:30 p.m.

Second Segment (14:00-14:45) Including WMATA, FTA, NTSB

B. Maniuszko gave a summary of recent accidents and incidents. M. Bassett summarized the accident work session that took place yesterday (5/17), and the investigation reports adopted by TOC.

J. Dougherty summarized a recent meeting with FTA to demonstrate the Safety Measurement System (SMS). FTA closed WMATA's open recommendations related to hazard management, but did not close the findings directed to TOC. TOC will follow up with WMATA to verify implementation of the SMS in order for FTA to close TOC's finding.

M. Bassett went over the current status of the SEPP. TOC provided comments to WMATA, and Lt. McKee indicated that, as of this meeting, MTPD is revising the document and would soon make it available for TOC review on-site.

M. Bassett discussed the numerous CAPs with completion dates scheduled for June 30, 2011. TOC will make its staff available for meetings above and beyond the June 14th CAPTURE meeting. **Action Item: TOC will work with WMATA to schedule additional CAPTURE meetings to accommodate discussion of the numerous CAPs coming due.**

The group discussed the recent TSA BASE review. Since TOC was not aware of the review and did not participate, TOC's objective will be to ensure that findings and recommendations from that review are addressed and tracked as CAPs.

M. Bassett and R. Kogan summarized the results of TOC's recent rail yard rule compliance assessments, and indicated that TOC would work with SAFE before issuing a final report on the assessment.

M. Bassett summarized TOC's interest in recent media coverage of employee overtime at WMATA (described above). TOC may work with WMATA to review current employee HOS policies and procedures.

M. Bassett commended WMATA for the improvement in notification of TOC of upcoming ISAs. TOC will continue to observe upcoming ISAs.

The group discussed the regular 7000-Series meetings. TOC will work with WMATA and coordinate internally to ensure regular attendance at such meetings.

D. Kubicek indicated that WMATA would be holding another ATC meeting, and that WMATA would provide more information to TOC to enable participation. **Action Item: TOC will follow up with WMATA to ensure the opportunity to participate in the indicated ATC meeting, as well as future ATC meetings.**

B. Maniuszko described WMATA efforts to evaluate compliance with the new rules and procedures related to RWP. TOC may accompany SAFE on future RWP compliance checks.

Next TOC-WMATA Monthly Meeting: Wednesday June 15, 2011, 2:00 p.m.