TRI-STATE OVERSIGHT COMMITTEE MONTHLY IN-PERSON MEETING MINUTES

Friday, September 19th, 10:00 AM at NVTC, 4350 N. Fairfax Drive #720, Arlington VA 22203 Call-in Number:

Attendees:

Name	Agency/Firm	Position	Phone	E-mail
John	MDOT	TOC Chair		
Contestabile				
Eloy Recio	VA DRPT	TOC Member		
Eric Madison	DDOT	TOC Vice Chair		
Matt Bassett	MDOT	TOC Member		
Lt. Doug Durham	MTPD			
Frederic Conjour	TSA	STSI		
George Heilmann	TSA	AFSD-DC		
Darren McCoy	WMATA	System Safety		
Ron Keele	WMATA	System Safety		
Lt. Jennifer Donald	WMATA MTPD	Research & Planning		
Thomas Luglio	TRA	TOC Consultant (via phone)		
Robert Kogan	TRA	TOC Consultant		
Brian Glenn	FTA	FTA Rep (via phone)		
Kenneth Korach	TRA	TOC Consultant		

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

Meeting convened at 10:05am.

Review/Approve Draft Agenda (Chair)

TOC members approved the draft agenda without dissent.

Internal TOC- Related Issues (TOC)

None.

Status of Funding (Chair, Vice Chair)

- TRA has reached their contract ceiling, with Invoice #20, and COG will need to amend the contract to permit further work. They require projections for the rest of the fiscal year to do this accurately, and Tom has prepared a draft projection.
- John Contestabile asked TOC members to comment on Tom's proposed spending projections by 9/26, voicing his support for "the high side of reasonable" to allow us flexibility in our finances.
- In the meantime, TOC will pay TRA's invoice through to the limit of the current contract ceiling.

Second Portion (10:15 to 11:15) TOC and TRA Only

- August Meeting Minutes Approval Minutes approved with annotations.
 ITOM needs to be circulated among members with final changes, specifically the institution of subcommittees.
- II. List of Virtual Approvals Over the Past Month None were made.

III. Discuss 8-8 Program Standard/Procedures Revision

- Final Draft of ITOM. The ITOM needs to be revised and circulated to TOC members incorporating the original changes as well as the subcommittee structure.
- Outdated Incident Closeout. TOC members and TRA staff reviewed the
 draft memo to WMATA closing out the 2004 Silver Spring pocket track
 derailment, which provided guidance on how WMATA could better make
 their case for closeout in the future. Ken pointed out that every outdated
 incident is an exception and this needs to be clear in future
 correspondence. TOC will only adopt WMATA's determination that no
 further investigation can be conducted when they have made a
 compelling case. The TOC voted and approved transmittal of the revised
 version of the letter upon finalization of the discussed changes.
- Accident Investigation Procedures. In August, Tanya mentioned that TOC lacked its own Accident Procedures. While TOC approves and abides by WMATA's procedures, it would be best if we had a readilyavailable copy of WMATA's current procedures. TOC approved the most recent AIP on April 28th, 2008. WMATA will need to update these to reflect the revised fact reports.

IV. Review of 9/16 Work Session

- Matt and Rob Kogan discussed the progress made during the 9/16 work session.
 They presented a list of incidents recommended for TOC adoption and closeout.
 The TOC voted to accept the recommendations, which are summarized below.
- 124 Navy Yard gas leak caused by outside contractor approved
- 129 Suspicious package station not closed approved
- 144 placed on HIRM TOC approved removing from accident/incident report and placed on HIRM as 080604
- 147 crack rail approved, removed and placed on HIRM

149 - approved, removed and placed on HIRM
 153,154,155 - Susp. Package - WMATA did not report to TOC within two hours - closed from incident report and approved by TOC.

Item #2 – Silver Spring pocket derailment – TOC Recommendation – close incident, concur with WMATA findings and send correspondence to WMATA with more detailed letter.

Item #11, 15, 25 – from July meeting WMATA indicated they were awaiting wheel rail interface study to serve as the report. Report already completed in 2005. Darren McCoy to clarify information in the report. On Item #15: Branch Avenue, TOC never received a final report.

Item #39 – Wheel rail interface issue – Mt. Vernon derailment – WMATA adopted NTSB report. TOC to ask WMATA for any additional information that's more detailed than what's in the NTSB report. TOC needs to see documentation that WMATA has adopted the NTSB report as their own.

Item #43 – Not reportable – WMATA placed in hazard matrix and indicated they submitted a report on March 19, 2007. No record of TOC receiving report. Darren McCoy will follow up

Item #49 – February 2008 – TOC discussed comments at work session. No record that TOC ever sent these. TRA to draft a memo for TOC's review.

Item #87 – deleted. Same as 86

Item #121 - should be added to HIRM

Item #126 – Greenbelt collision between two work cars – Report submitted by Darren McCoy does not indicate corrective actions; WMATA to submit revised report. Item #150 – July 31, 2008 – OCC reports fire from train 113; no information received as to whether there was an evacuation or \$25K worth of damage.

V. TOC MOU Meeting

- Meeting held on Wednesday, September 17th and was generally regarded as a success. Attendees reviewed the history of the TOC MOU process and its current status, making two minor changes to document regarding time frames for release of PIA information. The TOC membership approved the document in its current form and resolved to circulate it to their executive leadership for appropriate signatures.
- **VI. Safety Vests.** TRA has placed this order and these should be delivered by the October 8th meeting.

VII. Review of Proposed Letter

 The group tabled this discussion until Ron Keele could address it in person. Some organizational changes may have rendered this a moot point.

VIII. Acceptance of Subcommittee Work Assignments

• The TOC voted to approve Matt's proposed subcommittee work assignments from August 25th. These will need to be formalized in the ITOM. The TOC accepted the following committee assignments: Matt and Eloy to the Incident/Hazard/CAP Review subcommittee, Natalie and John to the Program Document Oversight subcommittee, and Eric and Kevin Page to the Meeting Management subcommittee. The ITOM revision will require descriptions and duties for each subcommittee.

IX. Review of TRA comments on September HIRMs

 Comments to be transmitted to WMATA. These are very repetitive of previous HIRM comments sent in August, and include some reportable incidents which WMATA does not appear to have notified the TOC, but, reported- rather migrated directly to the HIRM.

X. FTA Audit Findings

• The next FTA audit deadline is October 10th and we have a good deal of material to put together. It is of the highest importance that TOC demonstrate progress on their open findings. Matt will prepare the response to FTA. Open items requiring TOC action include, but are not limited to, our approvals of the revised SSPP, AIP, ISA schedule and ISA procedures. We also need to adopt the finalized, combined Program Standard & Procedures. (As a note, the revised Procedures will remove yard derailments from reportability, which should lower some of the reporting burden on WMATA.)

XI. Other Issues

- TOC members raised the question of whether WMATA had formally adopted the NTSB report on the January 2007 Mt. Vernon Square derailment as their own, allowing TOC to in turn adopt it. This needs to be resolved by WMATA with documentation one way or the other.
- A number of WMATA incidents have been held open, pending completion
 of the Wheel-Rail Interface Study. At the last work session, Darren
 McCoy presented a copy of the study but it had been completed in 2005.
 Further discussion with WMATA revealed that references to the WRI
 Study indicated a probable cause similar to the issues identified in the
 study. TOC members discussed this with WMATA later in the meeting.
- Not all TOC members have current track-access training or WMATA contractor ID cards. This needs to be rectified on an individual basis.
- Ken suggested a trackworker protection oversight project, involving an on-site assessment following up on Triennial findings regarding track worker safety. John requested a task order and a cost proposal from TRA and the membership concurred. Ken will prepare this.

Third Portion (11:15 to 12:00) including WMATA, FTA, TSA

- a. MTPD Discussions. TSA and MTPD personnel joined the discussion at 11:20am. TOC members welcomed Doug Durham's return to participation in the SSO program in his new position as Special Assistant to Chief Taborn. John reviewed the recent station closures relative to bomb threats and suspicious packages. Lt. Donald has transmitted the police reports in a timely fashion but John expressed his concern that two-hour notification has been lacking. Lt. Durham reminded the TOC of previous discussions in which MTPD placed TOC members on the distribution for MTPD command pages. A procedure is in place so that TOC personnel can call MTPD, identify themselves, and speak with the watch officer if they need more information. In addition, MTPD will make every effort to notify the TOC by phone as well in the event of a major security incident or emergency. TOC Items Nos: 153, 154, 155: TOC voted to close these items.
- **b. TSA Discussions.** George Heilmann thanked the group for continuing to include TSA in TOC activities and introduced Frederic Conjour, one of the new Surface Transportation Security Inspectors in the Capital Region.

George outlined TSA's initiatives to fill vacancies and expand their staffing and capabilities. Eloy agreed to work with TSA as their point-of-contact for rail safety issues in the Commonwealth of Virginia. TSA's Notice of Proposed Rulemaking for 49 CFR Part 1580 is under review by the Office of Management & Budget. 1580 will require access for STSIs, points of contact, and reporting, most of which rail transit properties are already doing. TSA's major initiative for FY09 is to revisit the BASE efforts and gain another snapshot of security programs at WMATA, Montgomery County RideOn, and the Maryland Transit Administration. TSA would like to piggyback on internal security audit programs already in place, and their goal is to review WMATA's security efforts in the second quarter of FY09.

c. Safety Initiatives – Monthly briefings

- Ron Keele and Darren McCoy joined the group at 12:00pm. DuPont initiatives continue, especially training in how to conduct safety conversations. These are a proactive and non-confrontational way of approaching people in the WMATA workforce that may be performing their work in a potentially unsafe manner. Safety conversations will be tracked in a database. WMATA is looking at having the safety dept. gradually take over the function once DuPont has completed their work.
- Ron Keele has brought three Transportation Safety Institute (TSI) classes to WMATA, which will be held at the Jackson Graham building, and reserved two spaces in each course for the TOC. TOC thanked Ron for his consideration and Ron will notify the TOC about dates and times. (Note: The first course is Rail System Safety and will be held from 11/3-11/7.)

d. Triple I (Incidents, Injuries, Investigations) Pilot Program Update

 Ron explained that this is an attempt, piloted within the bus section, to target Worker's Comp procedures and place more responsibility on supervisors to proactively promote safety, conduct their own investigations, ensure rules compliance and bring people back to work. This is not only a safety effort but a budget effort as well, to reduce costs to WMATA related to worker's comp. Another push is to charge specific departments for worker's comp claims rather than having the safety and risk management department's budget.

e. APTA 24, APTA 28 Deliverables Update

 APTA 24 is closed. APTA 28 update from WMATA – Gerald Francis has been developing a program for track safety. WMATA is ready to close this out. FTA has been working with WMATA to put together a national film on track worker safety using DuPont Circle and Eisenhower Ave. incidents, as well as NYC Transit ones. John requested advance copies of the material if WMATA had them available.

f. Brief Review of Recent Incidents (Brentwood derailment, 9/2 Federal Triangle smoke evacuations, two bomb threats and one suspicious package

 The TOC explained that they would adopt WMATA's determination that no further investigation could be completed, but this remained an exception to the rule. In future requests of this nature, should they be

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submitted, SSRM will need to outline the steps taken and personnel interviewed in their attempts to investigate outdated incidents. That being said, the TOC sympathized with SSRM's need to focus available resources on more pressing issues.

g. Discussion of 6/9/08 Derailment & Press Interest

- Ron Keele provided an overview of the investigation into the June 9th derailment. Individuals within the news media were able to get information on the content of the accident investigation report, specifically the probable cause. WMATA has taken a proactive approach to public information on this and has prepared a news release in advance of any stories. John asked Ron to provide TOC with an advance copy of this news release and requested TOC involvement in any future accident investigation committees.
- Discussion on wheel/rail interface study. WMATA would like to purchase
 its own rail inspection equipment, a purchase approved by the Board
 whose delivery is anticipated in 2010. TOC raised its own concerns that
 purchasing equipment without procedures and mitigation measures in the
 interim might not be fully addressing the problem. Ron Keele's
 recommendation is to have a contractor conduct more inspections until its
 own equipment can be delivered.

h. Update on WMATA Scene Access Control Procedures

 Lt. Durham and Ron Keele discussed the concerns over scene access procedures. There may have been some miscommunication or misidentification on what plans were being developed. Safety and MTPD will work together to investigate this and report back at the October 8th TOC meeting.

i. Discussion on 9/11/08 MTPD System-wide Radio Failure Concerns

 A piece of mechanical equipment at the dispatch center prevented the base units from transmitting to units in the field- however, the integrity of the system itself was not compromised. Rail, bus and MTPD operations were all affected. Lt. Durham outlined how communications were restored through portable radios, a solution that held for about eight hours until the original problem could be resolved. The TOC expressed their appreciation for WMATA's resilience and ability to continue operations in the face of a significant challenge such as this.

j. Update on OCC Procedures for Track Circuit Failures

 Ron Keele explained that in the event of track circuit failures, OCC immediately dispatches maintenance personnel to the scene, resolving an earlier TOC question about the issue in light of past broken rails.

k. Status of WMATA ISA Updates and TOC Comments

 Need updated audit schedule. (These were provided by Darren McCoy one week after the 9/19 meeting.)

I. Update on WMATA Organizational and Reporting Relationships

Ron explained that he retains his current position of Chief Safety Officer-however, he now reports to Emeke Moneme, the Chief Administrative Officer at WMATA. This clarifies some previous confusion over potential reporting relationships. TOC members expressed their concern that this might lower the perceived organizational profile of the Safety function. The TOC noted that it is an accepted best practice in the transit industry to have Safety report directly to the executive manager of the agency, and mentioned that the Chief of Police still reports directly to WMATA's GM. The TOC resolved to send a letter detailing its concerns to John Catoe.

m. Other Business

- Ron Keele agreed to put together the Mount Vernon Square NTSB derailment investigation report, adopt it as WMATA's own, and submit it to the TOC for approval.
- The Wheel-Rail Interface Study has been used as a probable cause for incidents after the study was issued. TOC cannot retroactively approve probable causes.
- WMATA is working on the revisions to the SSPP but has had slowdowns due to organizational changes. This will be sent to TOC ASAP.
- Ron suggested an exchange program where internal auditors from MTA in Baltimore and WMATA could assess individual programs with a detached eye at the other transit property. The TOC expressed its support for such a concept.
- The TOC requested that Ron send the minutes of the latest SSEC committee meeting. Darren McCoy will do so. (Completed 9/26.)
- n. Adjourn; next TOC Meeting: 10/8/08 @ NVTC Having no further business the TOC adjourned.