

TRI-STATE OVERSIGHT COMMITTEE MONTHLY MEETING
Wednesday February 10, 2010
 Conducted via Conference Call

Name	Agency	Phone	Email
Eric Madison	TOC/DDOT/MTA	[REDACTED]	[REDACTED]
Matt Bassett	TOC/DRPT	[REDACTED]	[REDACTED]
Eloy Recio (via teleconference)	TOC/DRPT	[REDACTED]	[REDACTED]
George Good (via teleconference)	TOC/MDOT	[REDACTED]	[REDACTED]
Bernadette Bridges	TOC/MTA	[REDACTED]	[REDACTED]
David Harlan	TOC/DRPT	[REDACTED]	[REDACTED]
Ann Murtha	WMATA – SAFE	[REDACTED]	[REDACTED]
Darren McCoy	WMATA – SAFE	[REDACTED]	[REDACTED]
Michelle Agard	WMATA – SAFE	[REDACTED]	[REDACTED]
Chad Krakowski	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	WMATA -MTPD	[REDACTED]	[REDACTED]
Robert Kogan	TRA/TOC	[REDACTED]	[REDACTED]
Kenneth Korach	TRA/TOC	[REDACTED]	[REDACTED]
Tom Luglio (via teleconference)	TRA/TOC	[REDACTED]	[REDACTED]
Dennis Womack-Kalla (via teleconference)	TRA/TOC	[REDACTED]	[REDACTED]
Mike Flanigon	FTA	[REDACTED]	[REDACTED]
Ryan Frigo	FTA	[REDACTED]	[REDACTED]
Brian Glenn (via teleconference)	FTA	[REDACTED]	[REDACTED]
Steve Klejst	NTSB	[REDACTED]	[REDACTED]

Note: The scheduled 1/ 27/10 Monthly Meeting was cancelled.

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

1. Open TOC-Only Issues (TRA Contract In Place)

Second Segment (10:15 to 11:30) TOC & TRA Only

2. Status of TRA's New Contract
 - a. Contract is in place and TRA has been awarded the contract. TRA has questions about the overall contract funding since the Triennial Review and FTA Annual Report fixed price tasks would deplete the contract budget. **Action Item: The TOC will discuss project funding internally.**
3. Review December Meeting Minutes
 - a. December Meeting Minutes were approved.
4. Discussion of TOC Preparations for NTSB Public Hearing
 - a. TRA will work with Matt Bassett over the next week to help prepare for the hearings, which will take place February 23-25, 2010.
 - b. Ken discussed the proposed TOC approach to the hearing. Representatives from all three jurisdictions should be present. TRA will prepare a briefing book for TOC to use as a reference during the hearing.
 - c. There is a pre-hearing meeting next Wednesday (2/17/10).
5. Update on TOC/WMATA CAP Resolution Efforts
 - a. Matt, Rob, and Dennis attended a CAPTURE meeting yesterday (2/9/10). Due to the snowstorm WMATA personnel invited to the meeting were unable to attend with the exception of Darren McCoy (SAFE) and Joe Krempasky (Vehicle Engineering)
 - b. Action Item: IA7-3 – this CAP was closed by TOC at the CAPTURE meeting- switch inspections in SSPP**
 - c. There were four other CAPs for which updates were provided.
 - i. WR1 – Wheel profile change to 70 degrees
 - ii. NTSB1, 2, and 4 – 5k rollback protection is on schedule
 - iii. NTSB5 - External Door releases
 - iv. #61 from 2007 Triennial also closed. Parts ordering.**
 - d. Tom noted many areas of non-compliance in 2009 internal safety audits (three have had CAPs prepared and 18 are to have CAPs submitted by 4/1/10).
6. Discuss Response to 1-26-10 Incident
 - a. Early 1/26/10, two WMATA ATC technicians were killed in the WMATA ROW by a hi-rail vehicle operating in reverse. Matt Bassett, Emile, Eric, and George participated in the NTSB investigation following the incident. Matt described the investigative activities to date, which are still ongoing.

- b. Matt described FTA's efforts to offer a daylong workshop on FRA Part 214, which covers RWP on railroads. It was originally scheduled for today, in conflict with TOC meeting, but was postponed. The RWP workshop will take place February 22.
- 7. Discussion of CAPTURE & WMATA RWP Task Force
 - a. ROW subcommittee has been meeting weekly to develop CAPs and responses to TOC's RWP report. Only Dave Kubicek attended outside of SAFE. They discussed the development of revised rules and procedures. This is a subcommittee of the SSEC.
 - b. **Note: The most recent SSEC meeting was cancelled (1/26)**
- 8. TRA Comments on the WMATA SSPP
 - a. TRA had previously provided comments. See action item below.
Action Item: TRA will re-send comments on documents.
- 9. TRA Comments on the WMATA AIP and III P/I
 - a. TRA had previously provided comments. **Action Item: TOC and TRA will hold a conference call to discuss SSPP, ISecA and ISA annual report, and AIP comments.**
- 10. Discuss FTA SSO Audit Findings
 - a. TOC provided comments on FTA's Draft Audit Report. The group discussed the actions that WMATA and TOC would need to take after the issuance of the Final Report.
- 11. Discussed scope of the policy-level meeting tentatively scheduled for for 4/24/10. That date works for VA, but needs DC and MD input to be able to commit to that date.
- 12. Discussion of USDOT-IG Meeting
 - a. Ken described the meeting which took place last day of WMATA RWP Symposium, 1/13/10. IG representatives were from the Ft. Worth, TX office.
- 13. Discussion of RWP Symposium
 - a. Ken summarized the activities of the symposium.
- 14. Review of TOC 2010 Calendar; distribute to WMATA, FTA, et al
- 15. Preparation & Overview for FTA Annual SSO Report Submittal
 - a. TRA will prepare the report. TOC members need to provide the information on their hours and training in 2009. They will also need hours from other agency personnel who supported the SSO effort, e.g., counsel, FOIA officers, etc. **Action item: let George know he does need to get info from counsel, press officer.** Per M. Flanigan, he will review past practice to ensure consistency.
- 16. Discussion of Triennial Review Scheduling
 - a. TRA discussed pushing the review back to May or June due to the current organizational instability at WMATA, the FTA Audit response, the NTSB Hearing, the number of investigation reports and CAPs pending, and the time required to properly address logistics.
- 17. Updates & Content Additions to TOC Website – not discussed

18. Discussion of March GM Meeting & Policy Involvement – this will be discussed after an acting GM is appointed

Third Segment (11:30 to 12:00) Including WMATA, FTA, TSA, NTSB

19. WMATA Progress on Addressing Open Accident Investigations Since 1/5/10
- a. Chief Taborn described efforts including Michelle, Chad, and Melvyn. One of the concerns is personnel turnover. Michelle has been going back through old incidents to coordinate reports. Michelle will work with Matt and Darren McCoy. Historical information is scattered. Darren described need to get operating department personnel involved and work backwards to retrieve old reports. **(N.B., TOC had previously suggested to WMATA that for the older investigation reports, they could request that they be closed because of the lack of available documentation and institutional memory. However, any such application of this exemption would have to demonstrate the exhaustion of all other avenues.)**
20. FTA Audit Report
- b. No definite date of report release, though it was suggested that it would be within a few days.
 - c. FTA administrator is testifying before B. Mikulski's National Capital delegation. Chief Taborn asked about informing the WMATA Board of the results of this testimony and the results of FTA's audit.
 - d. Mike Flanigon discussed the SSO legislative proposal before Congress that FTA drafted.
21. Revised WMATA letter re: April 2008 Waterfront Railcar Fire (tabled)
22. WMATA Update on RWP Protection Initiatives & TOC Audit Response
- e. WMATA received TOC's comments on WMATA's proposed CAPs to TOC's findings from the 12/31/09 RWP report.
 - f. Chief Taborn discussed WMATA initiatives in addressing the findings, as well as initiatives that Dave Kubicek has put in place in response to the 1/26/10 accident where two ATC technicians were killed, including conversations with employees, installation of cameras on vehicles, etc.
 - g. Chief Taborn discussed hiring additional employees whose sole function will be as flaggers and watchmen. Matt asked about the timing of the hiring and training process. Chief Taborn referenced the proposed training program specific to flaggers and watchmen.
 - h. **WMATA's first CAP inputs are due Feb. 15th.**
23. Safety Data Coordination Updates Since 1/4/10
- i. TOC sent a letter formally requesting monthly safety data submittals to TOC.
 - j. QA (R. Bitar) has rewritten policies and procedures to include SAFE on distribution list for the results of their audits and

supervisory checks. Chief Taborn indicated that WMATA would be able to begin providing TOC with the coordinated data by the end of the month. Darren McCoy indicated that this could be part of the monthly submission to TOC.

- k. Chief Taborn discussed hiring additional positions in SAFE, as well as the process for hiring a Chief Safety Officer. Chief asked TOC and FTA to sit on the final panel in vetting candidates for Chief Safety Officer. **Action Item: TOC will consider any conflict of interest in this offer and get back to WMATA.**

24. WMATA Discussion of Incident Management System (IMS) Implementation

- l. Ann Murtha discussed the Safety Management System (SMS) (renamed as such). It is live in Phase I – currently in use in bus. It serves as an incident reporting system. The training on the system has been ongoing (though behind schedule due to weather). Further reporting capability is not yet functional, but in process of development.
- m. Matt Bassett asked how this system interacts with other reporting systems. Ann indicated the system is tied into Maximo, OCC, etc.
- n. Chad Krukowski indicated that it will be a longer term process to use the SMS as a centralized clearing house of data.

25. Discussion of WMATA Organizational Changes, New Hires & Transition Planning (see above)

- o. Chief Taborn described the positions to be filled at SAFE – analysts, etc.

26. Progress in Addressing Open CAPs Since 1/8/10

- p. Darren
- q. 21 from the 2007 Triennial remain open
- r. 2004 – 2 remain open from 2004 Triennial; 45 remain from remainder of CAPs in Master spreadsheet
- s. Approximately 18 CAPs from RWP
- t. 21 from Internal Safety Audits
- u. Mike Flanigan indicated the need to ensure that the CAP resolution process within WMATA is institutionalized.

27. Discussion of WMATA Snow Response & Impact on SSO Program Deliverables

- v. Chief Taborn did not anticipate that there would be any delays in providing deliverables to TOC due to weather.

28. Discuss Status of SSEC Meetings

- w. Most recent SSEC meeting was cancelled due to 1/26/10 fatalities. May take place next Thursday 2/18/10 4pm to 5pm. Next meeting was scheduled for 2/23/10, but this conflicts with NTSB hearing so it will be postponed to 3/2/10.

29. Update on WMATA Internal Safety & Security Audits/Annual Reports

- x. Received the GM letter and both reports. TOC needs to internally discuss the comments. TOC will also be providing comments on the SSPP and AIP/ P/I.
30. Update on FTA December 2009 Audit Report & Findings (see above).
31. Update on WMATA Changes to Hazard Management Process / HIRM Discussion
- y. WMATA had agreed to re-evaluate HIRM. D. McCoy indicated he and D. Adams were working to reclassify. R. Kogan mentioned 2//10 letter to WMATA clarifying what types of hazardous conditions should be reported to the TOC and requesting a more rigorous process for classifying hazards.
32. Discussion of WMATA & Other Agency Preparations for NTSB Public Hearing
- z. Steve Klejst discussed the focus of the hearing, which is the oversight of the rail transit industry in general, not the 6/22/09 accident specifically. The focus will be how business was conducted prior to the 6/22/09 accident with respect to oversight of the transit industry. NTSB will provide documentation at the 2/17/10 pre-hearing meeting to help prepare to answer questions. Steve noted that during similar hearings there are instances of participants unable to answer questions at the time of the hearing. The pre-hearing will be held in the NTSB Conference Center on the lower level starting at 9:00 AM. It should last about two hours.
33. Recent Incidents since 12/9/09
34. Other business (none)