

Metrorail Safety Commission

ITEM #3

MEMORANDUM

TO: Metrorail Safety Commission
From: Kanti Srikanth, MWCOG Staff
Subject: Staff Report
Date: April 24, 2018

The attached document was received since the Metrorail Safety Commission Mailout on April 17th and will be reviewed under Item 3 of the April 24, 2018 MSC Board agenda.

Attachment

From: Welbes, Matt (FTA)
Sent: Saturday, April 21, 2018 5:45 PM
To: chart@wmata.com
Cc: Plocki, Peter (FTA) <Peter.Plocki@dot.gov>
Subject: FTA & MSC Meeting

I want to thank you and the Metrorail Safety Commission (MSC) Board for inviting the Federal Transit Administration (FTA) to your April 10, 2018 Board Meeting to brief you on FTA's safety oversight of WMATA Metrorail and the process for certifying a state safety oversight program (SSOP) for the Metrorail system. As a follow-up to that briefing, I would like to highlight several critical aspects of the certification process and forthcoming transition of WMATA safety oversight responsibilities from FTA to the MSC.

First, the MSC must be adequately staffed with a suitable mix of employees and contractors before it submits its SSOP certification application to FTA. To that end, federal transit safety law requires the MSC to determine, in consultation with FTA, an appropriate staffing level commensurate with Metrorail's operations. To meet this certification requirement, the MSC must submit a workload assessment and a staffing plan to FTA. FTA's certification team has provided a template for the workload assessment in its on-line Certification Toolkit and continues to stand ready to provide technical assistance at your request. We also encourage you to contact other State Safety Oversight Agencies, including those for Maryland, Virginia, and the District of Columbia, for peer assistance with your workload assessment. As you identify critical path items to achieve adequate staffing, we encourage you to initiate personnel and procurement actions as soon as possible so you can hire staff and bring on contract support without delay.

Second, FTA strongly recommends that the MSC submit its certification application as soon as possible but, in any event, no later than September 30, 2018 to give FTA's certification team sufficient time to review the application. As part of the certification process, FTA must validate during the transition period that the MSC is capable of carrying out its safety oversight responsibilities pursuant to federal transit law and its own program standard.

FTA cannot guarantee that it can certify the MSC's SSOP by the April 15, 2019 statutory deadline if we receive your application after September 30, 2018. If the MSC fails to meet the April 2019 deadline, FTA will be prohibited by law from obligating any new federal transit program funds for public transportation

agencies in Maryland, Virginia, and the District of Columbia until certification is achieved. Under Federal transit law, the Secretary of Transportation has no discretion to defer or waive this prohibition in whole or in part.

Third, we are encouraged that the MSC is taking initial steps to develop an effective working relationship with WMATA. Recognizing that there has been full federal assumption for safety oversight of Metrorail, we want to be mindful of lines of authority and impacts on resources between now and when the MSC assumes this role from FTA. While it is critical for the MSC to begin familiarizing itself with WMATA, and for the MSC to soon socialize its program standard with WMATA, we ask that the MSC include FTA on safety-related communications with WMATA. If there is specific information that FTA's oversight team can provide, please do not hesitate to ask.

Finally, we look forward to seeing MSC representatives at FTA's May 15-17 SSO Workshop and to continued communication with the MSC, including an upcoming series of briefings for the MSC Board and Chief Executive Officer hosted at FTA. I've copied our DOT Senior Advisor for WMATA Peter Plocki on this message, and notify Peter and me if you have any questions.

Thank you.

Matt

Matthew J. Welbes
Executive Director
Federal Transit Administration
U.S. Department of Transportation
202-366-4040