

WASHINGTON METRORAIL SAFETY COMMISSION

Date: Thursday, July 11, 2019  
Location: Ronald F. Kirby Training Center  
777 North Capitol Street NE  
Washington, DC 20002

MINUTES

| Agenda Item# | Items   |
|--------------|---|
|              | Commissioners present: Christopher Hart, Greg Hull, Michael Rush (alternate). Via phone: Howard Roberts, Robert Bobb, John Contestabile (alternate). David Mayer was present.   |
| 1.           | The Chairman called the meeting to order. Roll call was taken; a quorum was achieved.   |
| 2.           | Safety Briefing: Dr. Mayer outlined emergency exit procedures for evacuating the Kirby Center.  |
| 3.           | Public Comments: There were no comments from the public.  |
| 4.           | Chair’s Remarks: Chairman Hart welcomed the attendees to the July public meeting of the Commissioners and stated, during the meeting, the Commissioners would consider four safety event investigations, receive updates on 23 Corrective Action Plans (CAPs), and consider one resolution concerning a modification of the Program Standard.   |
| 5.           | CEO’s Remarks: Dr. Mayer announced that the funding agreement among the WMSC and the three local jurisdictions had been signed by all parties. Beginning July 1, 2019, the start of WMSC’s 2020 fiscal year, the Commission began operating financially independent of COG. The Commission had received its first federal grant from the FTA as well as invoiced payments from the District and Virginia and was expecting Maryland’s installment. Four of seven support contracts previously overseen by COG have been transitioned to the WMSC and the remainder are expected by the end of the summer. |
| 6.           | Motion was made to approve the minutes of June 11, 2019; motion was seconded.<br><br><u>ACTION</u> : The Minutes were unanimously approved.   |

|     | <b>Action Items</b>   |
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| 7.  | <p>Safety Event Investigations: A brief discussion of fatigue as an underlying cause of safety events took place. Ms. Samarasinghe then presented four events recommended for adoption to the Commissioners. E19226 concerned the derailment of a high rail unit occurring May 6, 2019, caused by inadequate wheel mounting. E18442, on October 14, 2018, involved a collision of a non-revenue train with work-area materials left on a track bed, damaging a collector shoe. On December 4, 2018, an employee was injured when the spray machine being used to install tunnel grout malfunctioned (E18544). On August 25, 2018, cars on an eight-car train separated (E18368); all passengers were safely evacuated.</p> <p><u>ACTION:</u> Motions were individually made and seconded to adopt all four reports. All reports were unanimously adopted.</p> |
| 8.  | <p>Corrective Action Plans: Ms. Samarasinghe briefly outlined the three categories of CAPs among the 101 inherited from the FTA. After questioning, she elaborated that the WMSC was setting deadlines for WMATA to complete Category 2 CAPs, but that completion of Category 3 plans had no timeframes and that some of them dated back decades. She reviewed twenty-three CAPs from all three categories, three of which were currently being reviewed for closure by the WMSC. At the conclusion of this presentation a total of sixty CAPs transferred from the FTA had been described to the Board.</p>  |
| 9.  | <p>Audits: Jemayne Walker briefly outlined the first WMSC safety audit, which will focus on track and associated training. The audit will run from July 22 through July 29, 2019. Once prepared, the WMSC's draft audit report will be provided to WMATA for an opportunity to provide any factual corrections to the report. Thereafter the report will be finalized for presentation to the Commissioners. A brief discussion ensued.</p>   |
| 10. | <p>Resolutions: Dr. Mayer explained that interviews were a major part of any investigative process. The proposed Resolution (R-2019-09) would modify the Program Standard to clarify the WMSC's right to participate and oversee any safety investigative activity conducted by WMATA.</p> <p><u>ACTION:</u> A motion to adopt the Resolution was made, seconded, and unanimously approved.</p>   |
| 11. | <p>Closed Meeting: Chair Hart stated that the WMSC Bylaws permit discussion of certain matters in closed, or executive, session; specifically, Section I.G.1(h) of the Bylaws permit the use of a closed meeting for the Commission to discuss WMSC internal personnel matters. In accordance with Section 5 U.S.C. § 552b(f), Chair Hart requested that counsel certify that, in her opinion, the meeting could be closed to the public and to publicly state the applicable exempting provision of the Sunshine Act. WMSC counsel, Allison Fultz,</p>   |

stated such exempting provision: 5 U.S.C. § 552b(c)(2) relating solely to internal personnel practices of the agency. Chair Hart stated that pursuant to 5 U.S.C. § 552b(d), a majority of Commissioners would be required to vote to enter into executive session. Chair Hart further stated that, as the meeting was nearing the end of the public portion of agenda, he would be asking for two votes: (1) to enter into executive session; and (2) to adjourn the meeting at the end of the executive session (or, in the alternative, if the commission failed to vote to enter into executive session, to adjourn the meeting immediately).

A motion was made to enter executive session and the motion was seconded.

A motion was made to adjourn the meeting at the end of the executive session and the motion was seconded.

The executive session vote was taken and the motion approved unanimously. The Commissioners in attendance included Chair Hart and Commissioners Hull, Rush, Roberts, Bobb and Contestabile.

The adjournment vote was taken and the motion was approved unanimously.

The public meeting entered closed, or executive, session.

The meeting adjourned at the conclusion of the closed, or executive, session.