



June 28, 2021

PROGRAM STANDARD



Washington Metrorail Safety Commission

REVISIONS

Revision	Date	Section	Note of Change
0	September 26, 2018	All new	Original Program Standard
1	July 11, 2019	Section 8 Accident Investigations	WMSC Resolution R-2019-9
2	September 10, 2019	Section 8 Accident Investigations	WMSC Resolution R-2019-10
3	July 1, 2020	Appendix A — Safety Event Notification Matrix update	WMSC Resolution R-2020-06 (Update also notes retired codes)
4	June 1, 2021	All sections	WMSC Resolution R-2021-06 (Condense and streamline document, including consolidation of appendices into body of document)
4.1	June 28, 2021	Section 7 Safety Event Notification & Section 8 Safety Event Investigations	WMSC electronic vote conducted June 21-23, 2021 - Update to incorporate WMATA's newly created Incident Management Official (IMO), incorporate IMO's internal role into event scene release, and reporting updates. - Technical update to "Using the Program Standard" to specify new Juneteenth National Independence Day holiday.

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USING THE PROGRAM STANDARD

A. Deadline Calculation

The following rules apply for calculating any deadline stated in this Program Standard or any other deadline set by the WMSC in any other communication.

1. When a deadline is stated in a format that is date or time certain (e.g. September 1, 2020 2:00 p.m. or similar) that is the deadline that controls.
2. **When the period is stated in days or a longer unit of time:** Exclude the day of the event that triggers the period; count every day, including intermediate Saturdays, Sundays, and holidays (defined below); and include the last day of the period, but if the last day is a Saturday, Sunday, or holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or holiday.
3. **When the period is stated in hours:** Begin counting immediately on the occurrence of the event that triggers the period; count every hour, including hours during Saturdays, Sundays, and holidays.
4. “Holiday” means:
 - a. The day set aside by federal statute for observing New Year’s Day, Presidential Inauguration, Martin Luther King Jr.’s Birthday, President’s Day, Memorial Day, Juneteenth National Independence Day, Independence Day, Labor Day, Columbus Day, Veterans’ Day, Thanksgiving Day, or Christmas Day, and
 - b. Any day declared a holiday by the President or Congress.

B. Acronyms and Abbreviations

A table of acronyms and abbreviations used in this Program Standard is located at Appendix A.

SECTION 1: PROGRAM MANAGEMENT

This section outlines the WMSC’s authority and states reporting requirements.

Program management. The SSO program standard must explain the authority of the SSOA to oversee the safety of rail fixed guideway public transportation systems; the policies that govern the activities of the SSOA; the reporting requirements that govern both the SSOA and the rail fixed guideway public transportation systems; and the steps the SSOA will take to ensure open, on-going communication between the SSOA and every rail fixed guideway public transportation system within its oversight.

49 CFR § 674.27(a)(1).

A. Introduction

This Program Standard describes how the Washington Metrorail Safety Commission (WMSC) implements all requirements of its State Safety Oversight (SSO) program for the Washington Metropolitan Area Transit Authority’s (WMATA) Metrorail System as authorized by the WMSC Compact and as required by statute at Title 49 U.S. Code Section 5329 and Federal Transit Administration (FTA) regulations at Title 49 Code of Federal Regulations Part 674.

B. WMSC Authority

The WMSC is the entity created by an interstate compact via independent legislative acts of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland.¹ The Compact grants the WMSC oversight authority over the entire WMATA Rail System (Metrorail), which includes all real and personal property owned, leased, operated, and otherwise used by WMATA rail services, and WMATA rail projects under design or construction by entities other than WMATA. The Compact provides the WMSC’s investigative authority over WMATA personnel and contractors, property, equipment, facilities, rolling stock, and operations of the WMATA Rail System, including, without limitation, electronic information and databases.

In accordance with 49 U.S.C. § 5329 and 49 CFR § 674.15(b), the WMSC is the designated State Safety Oversight Agency (SSOA) for Metrorail. The WMSC adheres to regulations promulgated by the FTA pertaining to the oversight of Rail Fixed Guideway Public Transportation Systems, which may be found at 49 CFR Parts 670–74.

The Compact provides the WMSC authority to conduct oversight activities on the Metrorail System and adjacent property, including but not limited to investigatory and other actions such as:

- Investigating safety events and requiring WMATA to investigate safety events, including allegations of non-compliance pursuant to 49 CFR § 674.25(c)
- Examining compliance with policies for safe operation, maintenance, and use of the Metrorail system
- Conducting independent assessments and evaluations of safety issues
- Conducting announced and unannounced inspections

¹ The legal authority for the WMSC is derived from an Interstate Compact, which was authorized by identical legislation enacted by each of the jurisdictions served by Metrorail: D.C. Act 21-666, which became law on February 10, 2017; Maryland H.B. 119, which became law on March 30, 2017; and Virginia H.B. 2136, which became law on March 24, 2017. The U.S. Congress granted its consent and approval of the WMSC Compact via H.J.Res.76, which became P.L. 115-54 on August 22, 2017 (accessible at <https://wmsc.gov/library/compact/>). The Program Standard collectively refers to this legislation as the “WMSC Compact” or “Compact”.

- Reviewing records, including electronic information and databases
- Interviewing WMATA employees or contractors
- Reviewing video and audio recordings
- Accessing data downloaded from electronic devices and recorders
- Taking measurements and photographs
- Observing employees in the performance of work
- Issuing subpoenas
- Taking legal action in a court of competent jurisdiction
- Issuing citations or fines
- Directing WMATA to prioritize spending on safety-critical items
- Removing a specific vehicle, infrastructure element, or hazard² from the Metrorail system
- Restricting, suspending, or prohibiting rail service, with appropriate notice, on all or part of the Metrorail system
- Directing WMATA to suspend or disqualify from performing, in a Safety Sensitive Position³, an individual (employee or contractor) who has violated safety rules, regulations, policies, or laws in a manner that the WMSC determines makes that individual unfit for performance in such a position
- Furnishing of records to include print and electronic records; audio and video recordings; all or each that might be central to an ongoing investigation, inspection, observation, or evaluation attached to a WMSC activity
- Take other such actions that the WMSC may deem appropriate

C. WMSC as Independent Agency

In accordance with 49 U.S.C. § 5329(e)(4)(A) and the WMSC Compact, the WMSC is financially and legally independent of WMATA, and does not employ any individuals who are also responsible for the administration of any rail fixed guideway public transportation program that would be subject to a SSO program.

D. Access

1. Right of Access

The WMSC Compact authorizes the WMSC to conduct “inspections, investigations, examinations, and testing of WMATA personnel and contractors, property, equipment, facilities, rolling stock, and operations of the WMATA Rail System, including, without limitation, electronic information and databases through reasonable means, which may include issuance of subpoenas.” (WMSC Compact § 31(a).) This authority permits the WMSC direct, unimpeded access to all WMATA databases and systems, which includes but is not limited to:

- a. Data
- b. System monitoring utilities
- c. Intranet resources

² *Hazard* means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a rail fixed guideway public transportation system; or damage to the environment. (49 CFR § 674.7.)

³ *Safety Sensitive Position* means “any position held by a WMATA employee or contractor designated in the Public Transportation Agency Safety Plan for the WMATA Rail System and approved by the [WMSC] as directly or indirectly affecting the safety of the passengers or employees of the WMATA Rail System,” such a position is one that affects the safety of WMATA personnel, contractors, first responders or the public, regardless of whether the position is front-line or upper-level management. (WMSC Compact § 1(h)).

- d. Cloud-based applications
- e. Internal drives
- f. Radio or other communication channels
- g. Other systems used by WMATA or WMATA contractors

At a minimum, WMATA must provide the following:

- a. Password-protected logon credentials for all WMSC personnel requesting such credentials and any other assistance necessary to fully access and use the system(s) for which access is sought. WMATA may fulfill this obligation through provision of WMATA-issued devices, corresponding security access tokens, and dedicated profiles on the WMATA network for all WMSC personnel requiring such credentials.
- b. Data in all immediately-accessible and archival formats, in their original form and without editing or alteration, simultaneously with WMATA's receipt as information is generated, retrieved and gathered, for all of WMATA's data and applications (e.g. Maximo, Documentum, Windchill, GOTR and Procure, any successor software applications, and other applications not listed).
- c. For WMATA coordination with the WMSC:
 - i. Any WMATA employee, consultant, or contractor to whom a WMSC employee addresses a request for information must promptly provide the requested information to the WMSC.
 - ii. WMATA must appoint an information technology point of contact to ensure the WMSC has immediate and unimpeded access to all systems.

In addition, the WMSC may “enter upon the WMATA Rail System and, upon reasonable notice and a finding by the Chief Executive Officer that a need exists, upon any lands, waters and premises adjacent to the WMATA Rail System, including without limitation property owned or occupied by the federal government.” (WMSC Compact § 31(b).) This authority permits the WMSC unescorted access to WMATA property and adjacent property. WMSC staff will identify themselves to WMATA staff upon request.

2. Notification to WMATA Personnel and Contractors

Not less frequently than every three months, WMATA must issue a notification to all WMATA officials, employees, consultants, and contractors directing all such personnel to cooperate and respond immediately to any and all requests made by WMSC personnel, and to promptly provide any requested information directly to the WMSC.

WMATA must also include this notification as part of every new employee on-boarding. For contractors, WMATA must include the notification to the contractor in each authorization to begin work.

In addition, WMATA may not retaliate against any official, employee, consultant, or contractor who interacts with the WMSC. WMATA may not proscribe or otherwise discourage communication, cooperation, or the sharing of information with the WMSC. This must also be conveyed in the notification.

E. Organization Structure; WMSC Lines of Authority

The WMSC Compact vests the organization's authority in the Commissioners who are appointed by the District of Columbia, the State of Maryland, and the Commonwealth of Virginia. The day-to-day work of the WMSC is led by the Chief Executive Officer. The Chief Operating Officer (COO) oversees and supervises a team that includes subject-matter experts in the areas of train operations, rail vehicles, traction power, track and structures, automatic train control, program implementation, rail safety, fire and life safety, as well as project staff.

WMSC staff are authorized to perform duties in furtherance of all aspects of this Program Standard. The WMSC may also retain contractors to support the activities of the WMSC staff. WMSC staff and contractors alike are agents of the WMSC. As such, they represent the WMSC in all activities pertaining to the performance of this Program Standard. Contractors may represent the WMSC without the presence of WMSC staff.

F. Communications Between WMSC and WMATA

Communications between the WMSC and WMATA occur at all levels of both organizations. Frequent and candid communication between the WMSC and WMATA is essential, as it serves to maintain transparency and rapport. This communication may be formal (e.g. written correspondence or orders) or informal (e.g. discussions in the field, ad-hoc meetings, or teleconferences), and it also includes topical recurring meetings and information exchanges. WMSC staff are regular observers or participants at WMATA activities that include disaster drills, safety meetings, and training activities.

The WMSC favors informal, oral communication wherever appropriate. When written communication is required, the WMSC will communicate with WMATA electronically. Accordingly, the WMSC requires that all written communications from WMATA to the WMSC also occur electronically via e-mail to WMSC.gov addresses or the WMSC's file sharing platform (currently fulfilled by the WMATA-WMSC Collaboration SharePoint site). This extends to correspondence, notifications, status updates, cyclical reports, responses to WMSC electronic communication, document production requests, and all other written communication. WMATA is to adhere to deadlines stated in this Program Standard as well as to those set by WMSC staff.

Metrorail must also provide near real-time alerts to the WMSC detailing safety events and other events in all parts of the Metrorail system. At present, WMATA's Rail Operations Control Center (ROCC) Alerts e-mailed to "WMSC Alert" and reports e-mailed to "WMSC Notifications" fulfill this function. The WMSC requires such alerts and reports to continue as a requirement of access in furtherance of oversight.

G. Reporting Requirements

1. Compact Requirements

The WMSC is required to publish annually a status report on the safety of the Metrorail system. (WMSC Compact § 35.) This report must include status updates of outstanding Corrective Action Plans (CAP), WMSC directives, and ongoing investigations.

As also required by the WMSC Compact, the WMSC publishes an annual report on its programs, operations, and finances. (WMSC Compact § 37.)

The WMSC Compact requires the WMSC to provide a copy of each of these reports to the FTA Administrator; the Mayor of the District of Columbia and the D.C. Council; the Governor of Maryland and the General Assembly; the Governor of Virginia and the General Assembly; and to the WMATA General Manager and the WMATA Board of Directors. (WMSC Compact §§ 35, 37.)

2. FTA Requirements

On or before March 15 of each year, in accordance with 49 CFR § 674.39, the WMSC submits the following to FTA:

- a. Updates and revisions to this Program Standard, along with any updates and revisions to the procedures accompanying this Program Standard, with a summary of changes to the Program Standard made during the previous twelve months;

- b. Evidence that each of the WMSC's employees and contractors has completed the requirements of the Public Transportation Safety Certification Training Program or, if in progress, the anticipated completion date of training;
- c. A publicly available report that summarizes the WMSC's oversight activities for the preceding twelve months, describes the causal factors of accidents identified through investigation, and identifies the status of corrective actions, changes to WMATA's Public Transportation Agency Safety Plan (PTASP), and the level of effort by the WMSC in carrying out its oversight activities;
- d. A summary of the triennial audits completed during the preceding twelve months, and WMATA's progress in carrying out CAPs arising from triennial audits;
- e. Evidence that the WMSC has reviewed and approved any changes to the WMATA Public Transportation Agency Safety Plan during the preceding twelve months; and
- f. Certification that the WMSC is compliant with FTA's annual reporting requirements as outlined in this section.

The materials for the FTA SSO Annual Report are submitted electronically through a reporting system specified by FTA.

SECTION 2: PROGRAM STANDARD DEVELOPMENT

This section explains the WMSC’s process for developing, reviewing, adopting, and revising its minimum standards for safety.

Program standard development. The SSO program standard must explain the SSOA’s process for developing, reviewing, adopting, and revising its minimum standards for safety, and distributing those standards to the rail fixed guideway public transportation systems.

49 CFR § 674.27(a)(2).

A. Minimum Standards for Safety

The Program Standard describes the elements and methodology of the WMSC’s oversight program. This Program Standard was developed according to the WMSC Compact and federal requirements including, but not limited to 49 U.S.C. § 5329 and 49 CFR Parts 670–74.

In accordance with 49 CFR Parts 673–74, WMATA is responsible for establishing its own minimum safety standards. However, WMATA’s failure to establish adequate standards may result in the WMSC adopting, in whole or in part, any practices used by the U.S. Department of Transportation, the American Public Transportation Association (APTA), or other standard-setting organization. In the absence or deficiency of other standards, the WMSC may adopt its own standards.

B. Program Standard Review and Revision

The WMSC will review this Program Standard at least annually and will update it as needed. The WMSC Chief Executive Officer (CEO) or the CEO’s designee is responsible for overseeing this process.

The WMSC develops proposed Program Standard revisions based on WMSC staff experience implementing the Program Standard. The WMSC CEO designates the WMSC staff member responsible for compiling such changes. During the annual review of the Program Standard, this list will be evaluated against the enabling legislation for legality, then-current guidance from FTA, and recommended industry best practices. Discussions with WMATA personnel may also occur at the WMSC’s initiation, and where appropriate, the WMSC may incorporate suggested changes that enhance safety or provide pragmatic efficiencies furthering WMATA’s compliance with the Program Standard.

Upon significant revisions to this document, or when other conditions dictate, the WMSC will provide a draft of the revised Program Standard to WMATA via WMATA’s system safety point of contact. Significant revisions to the Program Standard are those updates that would require changes in the WMATA PTASP affecting staffing requirements, changes in work processes, or that would result in expanded work efforts on the part of Metrorail.

Once reviewed and adopted by the WMSC Board, that version of the Program Standard remains in effect until subsequently revised.

C. Time Critical Changes to the Program Standard

The WMSC may make interim revisions to the Program Standard as provided in this Section 2.C. In these circumstances, the WMSC CEO will advise the WMSC Board on the basis for the proposed change. The Board must institute any such change as an interim revision to this Program Standard.

The WMSC will communicate the revision in writing to the designated WMATA contact person, WMATA Chief Safety Officer, and the General Manager.

The WMSC Board must incorporate any interim changes adopted in accordance with this Section 2.C **no later than the next annual update** to this Program Standard.

D. Consultation and Distribution of the Program Standard

Once the WMSC develops a final draft of the revised Program Standard to the designated WMATA system safety point of contact. WMATA must review and provide response (if any) **within 30 days** of transmission of the draft Program Standard. This is WMATA's opportunity to propose factual corrections to the Program Standard as it pertains to WMATA's organization and functions. No revisions WMATA recommends will alter the scope of the WMSC's oversight authority. The WMSC retains sole discretion to incorporate any aspect of WMATA's response. The WMSC Board must adopt the final revised WMSC Program Standard prior to implementation.

The WMSC Chief Executive Officer transmits each version of the Program Standard adopted by the WMSC Board to the WMATA system safety point of contact, the WMATA General Manager, and the WMATA Board of Directors who must then further disseminate throughout WMATA.

All revisions to the WMSC Program Standard are submitted to the FTA as part of the WMSC's annual report submission.

SECTION 3: PROGRAM POLICY AND OBJECTIVES

In accordance with 49 U.S.C. § 5329 and 49 CFR Part 674, the WMSC is the independent entity with safety oversight and enforcement authority over Metrorail.

Program policy and objectives. The SSO program standard must set an explicit policy and objectives for safety in rail fixed guideway public transportation throughout the State.

49 CFR § 674.27(a)(3).

A. WMSC Policy for WMATA Safety

Six commissioners and three alternates serve on the WMSC's board. Each member must have expertise in transportation safety or related fields. Among other responsibilities, the board reviews Metrorail's safety plans, adopts investigation reports, considers Metrorail's progress on CAPs, and adopts the Program Standard.

The WMSC's daily operations are led by the CEO who oversees highly trained technical staff to conduct inspections, investigations, audits, reviews, and other oversight activities. Part of that work includes monitoring and reviewing Metrorail's efforts to correct conditions identified by that oversight work.

WMSC staff includes experts in all aspects of the Metrorail system including operations, traction power, train control and signals, track and structures, and fire/life safety. The WMSC operates completely independent of WMATA.

Among other authority, the WMSC can, as necessary, require Metrorail to restrict, partially suspend or completely shut down rail service.

To ensure continuous safety improvement of the Metrorail system, the WMSC is authorized and fully prepared to:

- Conduct investigations
- Issue subpoenas
- Take legal action in a court of competent jurisdiction
- Issue citations or fines
- Direct WMATA to prioritize spending on safety-critical items
- Remove a specific vehicle, infrastructure element, or hazard from the Metrorail system
- Restrict, suspend, or prohibit rail service, with appropriate notice, on all or part of the Metrorail system
- Direct WMATA to suspend or disqualify from performing in a Safety Sensitive Position, an individual (employee or contractor)—or group of individuals—who has violated safety rules, regulations, policies, or laws in a manner that the WMSC determines makes that individual unfit for the performance in such a position
- Take other such actions that the WMSC may deem appropriate, consistent with the WMSC's purpose and authority

B. WMSC Objective for WMATA Safety

The WMSC establishes the following:

- The WMSC requires a PTASP that WMATA must review, update, approve, and submit annually

- The WMSC requires WMATA to create, review, approve, and verify CAPs as provided in this Program Standard
- The WMSC or WMATA conduct investigations of safety events as provided in this Program Standard
- The WMSC enters and inspects WMATA property, equipment, infrastructure, facilities, vehicles, operations, and maintenance activities in fulfillment of safety oversight, which includes digital systems, data, etc.; WMATA must cooperate with the WMSC's efforts.
- The WMSC conducts audits of WMATA on an ongoing basis, with a complete review of the Metrorail system occurring once triennially in accordance with the WMSC Compact § 30(e)
- The WMSC provides annual or periodic information to the District of Columbia, Maryland, and Virginia as required by the WMSC Compact
- The WMSC provides annual or periodic information to the FTA as required by regulation
- The WMSC is as transparent as practicable in its activities, while protecting safety sensitive information inherent in all its activities
- The WMSC maintains a strong and cooperative working relationship with WMATA employees and management
- The WMSC judiciously uses its enforcement authority to address safety trends and concerns promptly and effectively

SECTION 4: OVERSIGHT OF PTASP, SAFETY PLANS, INTERNAL SAFETY REVIEWS, AND BUDGET

This section explains the WMSC’s role in overseeing WMATA’s execution of its PTASP, safety plans, internal safety reviews of Metrorail pursuant to 49 C.F.R. §674.25(b), and budget.

Oversight of Rail Public Transportation Agency Safety Plans and Transit Agencies’ internal safety reviews. The SSO program standard must explain the role of the SSOA in overseeing an RTA’s execution of its Public Transportation Agency Safety Plan and any related safety reviews of the RTA’s fixed guideway public transportation system. The program standard must describe the process whereby the SSOA will receive and evaluate all material submitted under the signature of an RTA’s accountable executive. Also, the program standard must establish a procedure whereby an RTA will notify the SSOA before the RTA conducts an internal review of any aspect of the safety of its rail fixed guideway public transportation system.

49 CFR § 674.27(a)(4).

A. WMATA PTASP

The WMSC oversees the implementation of Metrorail’s PTASP, as required by 49 CFR Part 673. The PTASP constitutes Metrorail’s stated commitment and approach to eliminating or mitigating hazards throughout the rail system with the purpose of continually improving its safety performance.

The PTASP applies beginning from December 2020; however, predecessor System Safety Program Plans (SSPP) remain relevant for certain periods of time until PTASP is fully implemented.

1. Preparing a Compliant PTASP

WMATA’s PTASP must include the elements required by 49 CFR Part 673, as may be amended from time to time, including but not limited to:

- a. A policy statement signed by the WMATA General Manager (i.e. the Accountable Executive⁴) endorsing the safety program and describing the authority that establishes the Safety Management System, which means, per 14 CFR § 5.5, “the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of safety risk controls;” the WMATA Board of Directors must also approve the PTASP
- b. An objective process for safety risk management, with adequate means of risk mitigation for Metrorail
- c. A process and timeline for annually reviewing and updating the PTASP
- d. A comprehensive staff training program for the operations personnel directly responsible for the safety of Metrorail
- e. Identify a fully certified safety officer who reports directly to the WMATA General Manager
- f. A program to support the execution of the PTASP by all employees and contractors for Metrorail
- g. Other requirements promulgated through future FTA regulations or WMSC requirements

As required by 49 CFR § 674.29, in determining whether to approve WMATA’s PTASP, the WMSC must evaluate the following:

⁴ *Accountable Executive* is the “a single, identifiable individual who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency.” (49 CFR § 674.7.)

- a. Whether the PTASP is consistent with 49 CFR Part 673, the National Public Transportation Safety Plan, and compliant with this Program Standard
- b. Whether the PTASP is approved by WMATA's Board of Directors and signed by the General Manager (i.e. Accountable Executive)
- c. Whether the PTASP sets forth a sufficiently explicit process for safety risk management, with adequate means of risk mitigation for Metrorail
- d. Whether the PTASP includes a process and timeline for annual review and update
- e. Whether the PTASP includes a comprehensive staff training program for the operations personnel directly responsible for the safety of Metrorail
- f. Whether the PTASP identifies an adequately trained safety officer who reports directly to the general manager, and
- g. Whether the PTASP includes adequate methods to support the execution of the PTASP by all employees, agents, and contractors for Metrorail

2. PTASP Annual Review

WMATA must submit a revised PTASP to the WMSC for review on an annual basis. Each year, the WMSC coordinates with WMATA to enable PTASP review and revision. WMATA must initiate this process **within a practicable time not later than 9 months** from the effective date of the last revision; must be completed **within 12 months** from the effective date of the last revision.

In the event the WMSC does not approve a PTASP revision, the WMSC Chief Executive Officer provides written explanation to the WMATA Chief Safety Officer and the General Manager. WMATA must then modify and resubmit its PTASP to the WMSC **within 20 days**.

B. WMATA Internal Safety Reviews

WMATA must conduct internal reviews of its PTASP. Over a three-year period, WMATA must review the implementation of all elements of the PTASP. In upholding its responsibility to oversee the WMATA internal safety review program, the WMSC will participate on occasion in WMATA internal safety reviews to observe the various components of the internal review program. The WMSC will notify WMATA when it intends to participate.

WMATA must develop and document internal safety review procedures. The purpose of these procedures is to assess PTASP implementation and compliance. At a minimum, the internal safety review process must:

1. Identify the WMATA Department with primary responsibilities for conducting internal safety reviews
2. Be conducted by WMATA personnel trained not only in auditing but also in system safety, safety risk management, hazard management, and safety management systems
3. Describe the process used to determine if all identified elements of WMATA's PTASP are performing as intended
4. Determine if hazards are being identified in a timely manner, and
5. Ensure that all elements of the PTASP are reviewed in an ongoing manner and completed over a three-year cycle

1. WMATA Deliverables to the WMSC for Internal Safety Reviews:

WMATA Deliverable	Deadlines for Deliverables
Three-year schedule setting forth when each PTASP element will be reviewed and specific scheduling details. At a minimum, this schedule must state the month or quarter when the review is anticipated to be conducted. As the schedule changes or further details become known, the WMSC must be updated accordingly.	On or before February 1 of each year
Notification to the WMSC before conducting scheduled internal reviews.	At least 30 days prior to the start of the internal review
Review Plan, including all checklists and procedures that will be used during the review, and identification of the personnel responsible for conducting the review.	At least 10 days prior to the start of the internal review
Report (<i>see Section 4.D below for minimum requirements</i>) under the Accountable Executive’s signature.	Within 90 days of the conclusion of the internal review

The report for each internal safety review must include:

- a. A summary of the internal safety review
- b. Completed internal safety review checklists
- c. Findings of the internal safety review with clear indication of whether each safety element complies with the PTASP or other relevant documentation, and
- d. If, as the result of a review, WMATA determines that it is not in compliance with the PTASP, its Accountable Executive must identify the activities WMATA must take to achieve compliance, including corrective actions addressing the findings in accordance with this WMSC Program Standard

C. WMATA Annual Internal Safety Audit Report and Certification of Compliance with the PTASP

On or before February 1 of each year, WMATA must submit an annual safety review report to the WMSC. This annual report must include the following information:

- 1. A summary of all completed WMATA internal safety reviews performed during the past year
- 2. Completed internal review checklists
- 3. Findings of each internal safety review, and
- 4. An itemized list of corrective actions

Within 15 days of receipt of the report, the WMSC will either approve the report in writing, or state that it is unable to approve the report. If the WMSC does not approve the report, WMATA has **12 days** to address any noted deficiencies or required changes and submit a revised report to the WMSC.

If the annual internal safety review report is approved by the WMSC, no further action is required of WMATA related to that annual report. However, the WMSC may require other information or analysis relating to the internal safety review process as part of regular oversight.

Any WMATA objections to required changes to the annual report must be stated along with suggested alternatives **within 10 days** from the date the WMSC issued the required changes. The WMSC and WMATA

must review the objections and proposed alternatives and agree to an appropriate course forward **within 10 days** based on a schedule set by the WMSC.

WMATA is to deliver the annual internal safety review report to the WMSC in an electronic format agreed to by the WMSC Chief Executive Officer. The report must be submitted in an unalterable format with all required approval signatures visible.

Along with the report, WMATA must also submit a letter signed by the WMATA Accountable Executive certifying that it is compliant with the PTASP. This certification letter must describe compliance with all the provisions contained in the PTASP, and not just those elements that were subjected to internal safety reviews in the previous year. For areas not in compliance, WMATA must state the action being taken to achieve compliance. The WMATA internal safety review process requires affected departments within WMATA to propose pragmatic, timely corrective actions to address findings of non-compliance.

D. Budget Oversight

WMATA is required to allocate its resources effectively to maintain a state of good repair, improve safety performance, mitigate hazards and safety risk, and to correct safety deficiencies. WMATA must also comply with all applicable federal requirements.

Metrorail must keep the WMSC informed of the WMATA budget and budgetary process including its capital needs inventory, capital improvement program, transit asset management plan, and annual capital, operating and reimbursable budgets each time the documents are updated. WMATA must also provide the WMSC with the proposed annual capital, operating and reimbursable budgets as soon as the documents are available. WMATA must provide to the WMSC versions of any additional budget documents the WMSC requests, as such documents are being used for WMATA internal purposes as of the date of the WMSC's request.

The WMSC has the authority to review and, if necessary, require spending on specific safety-related projects. The WMSC may issue recommendations to WMATA staff, to funding jurisdictions, or to WMATA's Jurisdictional Coordinating Committee. The WMSC may issue directives requiring budget reassessment or budget modifications to WMATA. The WMSC may also direct WMATA's Office of Inspector General (OIG) to conduct budget-related audits or reviews.

SECTION 5: AUDITS

This section describes the WMSC’s audit activities. While audits are generally planned, the WMSC may conduct audits outside of the audit schedule, such as in response to a safety event.

Triennial SSOA audits of Rail Public Transportation Agency Safety Plans. The SSO program standard must explain the process the SSOA will follow and the criteria the SSOA will apply in conducting a complete audit of the RTA’s compliance with its Public Transportation Agency Safety Plan at least once every three years, in accordance with 49 U.S.C. § 5329. Alternatively, the SSOA and RTA may agree that the SSOA will conduct its audit on an on-going basis over the three-year timeframe. The program standard must establish a procedure the SSOA and RTA will follow to manage findings and recommendations arising from the triennial audit.

49 CFR § 674.27(a)(5).

A. WMSC Audit Schedule

In accordance with 49 CFR § 674.31 and the WMSC Compact: Every three years the WMSC completes a full audit of Metrorail and determines whether Metrorail is compliant with its PTASP and other rules, policies, procedures, and requirements. Due to the size and complexity of Metrorail, this is an ongoing effort over a three-year timeframe with separate audits corresponding to specific areas within Metrorail.

The WMSC provides WMATA with an audit schedule and any necessary updates to that schedule.

B. Coordination of WMSC Audits and WMATA Internal Safety Reviews

WMATA implements an internal safety review program in accordance with Program Standard Section 4 and 49 CFR Part 674 requirements. While WMSC audits and WMATA internal safety reviews include many of the same functional areas, their timing should not coincide.

WMATA’s internal safety reviews should occur between the WMSC’s audits of the same area. At a minimum, **at least 12 months** must elapse from the date of the WMSC audit report before WMATA undertakes an internal safety review of that same functional area audited by the WMSC. For example, the WMSC issued a Rail Operations Control Center Audit Report in September 2020, WMATA should time its internal safety review of Rail Operations no sooner than September 2021. The purpose of staggering is to maximize the safety benefits of each audit and internal safety review.

C. WMSC Audit Process

The WMSC deploys an ongoing audit process that separately evaluates each Metrorail functional area over the course of a three-year period. This Section 5.C provides the structure to accomplish those individual functional area audits. The WMSC reserves the discretion to deviate from stated timelines as needed to balance its oversight obligations.

1. Audit Activities

To initiate an audit, the WMSC will e-mail a notification letter to WMATA. Separately, or along with the notification letter, the WMSC will also e-mail initial document requests and queries to WMATA. WMATA then has **30 days** from receipt of the initial requests and queries to provide documents or responses. Upon receipt of these documents or responses, the WMSC begins its initial review.

The WMSC will conduct the on-site portion after receipt of the initial documents and responses, which ordinarily follows **within 30 days** of receipt of the initial document request. The on-site activities will be scheduled for a time suitable to both parties. The on-site activities may be held on WMATA premises/specific location, remotely, or in a mixed form depending on the audit needs and current environment.

Once the on-site portion is scheduled, the WMSC and WMATA will coordinate the appearance of interviewees selected by the WMSC. The WMSC may name specific personnel or ask WMATA to provide personnel based on given parameters. Additional interviews may be requested at any time, even after conclusion of the scheduled on-site activities.

The on-site portion begins with an entrance conference attended by both WMSC and WMATA personnel (WMATA may select its attendees). The entrance conference will outline the audit scope, audit schedule, WMSC audit team, and discuss any other relevant facets of the audit.

Thereafter, the WMSC will interview relevant WMATA and contractor personnel, including front-line and managers. The interviews may be scheduled prior to, during, or after the on-site activities. Document review is an ongoing task that continues throughout an audit. To maintain the integrity of the audit process, only the named interviewee(s) and the WMSC may attend interviews, unless the WMSC allows otherwise.

Site visits are another on-site activity. Additional site visits may be required even after conclusion of the initially scheduled on-site activities if WMSC staff determine those visits are needed.

WMSC staff will comply with all applicable procedures and rules while on the right-of-way, which includes personal protective equipment (PPE). Ordinarily, the WMSC will enter non-public areas with an authorized WMATA guide; however, the WMSC Compact authorizes the WMSC to enter WMATA premises and adjacent facilities without such guide at the WMSC's discretion. (See WMSC Compact § 31(b).) WMSC staff will identify themselves to WMATA staff upon request.

At the conclusion of the on-site activities, the WMSC will hold an exit conference. This serves to recap the audit scope and to convey any preliminary issues that have been identified at that time. Preliminary issues presented during the exit are, in fact, preliminary and a list of findings or recommendations will be provided in writing as part of the audit report detailed in Section 5.C.2 below.

2. Findings

A finding may result from an audit, inspection, investigation, or any other oversight activity conducted by the WMSC. The WMSC issues finding(s) in any instance where:

- a. WMATA is not in compliance with external or internal requirements, plans, rules, policies, standards, or procedures
- b. Personnel or asset(s) are exhibiting an unsafe condition despite being compliant with external or internal requirements, plans, rules, policies, standards, or procedures
- c. WMATA lacks a requirement, plan, rule, policy, standard, or procedure that is necessary
- d. WMATA requirements, plans, rules, policies, standards, procedures, training, or actual implementation or actions, individually or collectively, are insufficient for safety

The WMSC may also issue or adopt findings requiring corrective action based on oversight or investigation work conducted by other entities such as the National Transportation Safety Board (NTSB). (See Program Standard Section 9.A.1.)

Urgent hazards or trends identified during an audit, inspection, investigation, or any other oversight activity that pose an imminent safety threat necessitate a finding. The WMSC will immediately direct WMATA to correct the identified condition.

Urgent hazards or trends require immediate corrective action given the high probability that Metrorail personnel, customers, the public, or the environment are in imminent danger. For example, inoperable fans in a contiguous tunnel section is an urgent hazard.

3. Recommendations

The WMSC may also issue safety recommendation(s) on the same basis as a finding for areas of concern that do not rise to the level of a finding.

4. Corrective Action

For each finding, WMATA must create a suitable corrective action plan in accordance with Program Standard Section 9 (Corrective Action).

For each safety recommendation, WMATA must respond on the same timeline as for any findings. If WMATA determines corrective action is necessary for a recommendation, WMATA must also follow Program Standard Section 9 (Corrective Action). If WMATA determines that a CAP is unnecessary, WMATA must complete a hazard analysis in accordance with WMATA's approved procedure in its PTASP as justification to accept the level of risk associated with the recommendation. In that case, WMATA must submit the hazard analysis, a justification for the conclusion that the CAP is unnecessary, and any associated documentation.

For urgent hazards or trends, WMATA may undertake immediate corrective action and mitigation without WMSC approval. Urgent hazards or trends are conditions that require immediate corrective action given the high probability that Metrorail personnel, customers, the public, or the environment are in imminent danger. For example, inoperable fans in a contiguous tunnel section is an urgent hazard. **Within 24 hours**, WMATA must provide all information related to the urgent hazard and its emergency corrective action or mitigation that is planned or underway. Where the WMSC is unable to approve the CAP, the WMSC will work with WMATA to formulate an acceptable CAP.

5. Audit Report

At the conclusion of each audit, the WMSC will provide a draft audit report to WMATA. This report articulates any findings or recommendations. WMATA must review the draft audit report and provide any comments on the technical accuracy of the report to the WMSC **within 30 days** of the WMSC's transmission of the draft report to WMATA. As appropriate, the WMSC will incorporate revisions based on those comments received from WMATA.

Upon receipt of final findings and recommendations, through a final audit report or other oversight activities, WMATA must then develop suitable CAPs via the process provided in Program Standard Section 9.

6. Cumulative Audit Report

At the conclusion of each three-year cycle, when the WMSC has conducted audits of all areas of Metrorail and its PTASP, the WMSC will produce a single audit volume of reports encompassing all of that cycle's individual audit reports.

D. Special Studies

In response to a FTA or National Transportation Safety Board (NTSB) directive, or at the direction of the WMSC Board, the WMSC may conduct a special study based on an identified safety-related issue, hazard, or trend that warrants additional attention or investigation.

The WMSC will follow the audit process of this Section 5 to the extent practicable; however, the WMSC may determine that a special study must be expedited, elongated, or deviated from to meet the objective of safety.

E. Directives to WMATA Inspector General

In accordance with the WMSC Compact (§ 31(e)), the WMSC may compel WMATA's OIG to conduct safety-related audits or investigations and to provide its findings to the WMSC.

SECTION 6: INSPECTIONS

This section describes the WMSC's inspection activities.

A. Areas Subject to Inspection

The WMSC may conduct inspections of any and all WMATA Rail System locations, equipment, records, documents, or other area, regardless of storage format or security classification. Therefore, any Metrorail property, personnel, or contractor performing work on behalf of WMATA could be the subject of a WMSC inspection.

Inspections may include the following non-exhaustive examples:

- CAP verification
- Data-driven or audit driven observations, records reviews, or verification
- Employees and contractors for compliance with WMATA rules and procedures
- Operational testing programs for operations and maintenance employees in safety-sensitive positions
- Communication regarding investigations, maintenance, and safety issues across WMATA departments and with WMATA executive leadership as well as WMATA Board of Directors
- The quality and effectiveness of WMATA plans, procedures, and training programs for managing emergencies, and ensuring the readiness of WMATA's front-line personnel and emergency responders
- Investigation of any allegation of noncompliance with the PTASP

B. Inspection Standards

In conducting inspections, the WMSC may assess Metrorail's compliance with federal rules, WMATA standards, rules, procedures, or other standards. In addition, the WMSC may also rely upon national effective best-practices as criteria for its inspections. The WMSC will reflect applicable standards in its inspection results.

C. Inspection Types

Inspections may be focused or broad. Some inspections will be announced, others will be unannounced, as determined by the WMSC. For example, an inspection could examine certain equipment or could examine aspects of an entire department(s).

WMSC staff will contact the relevant WMATA department or personnel as appropriate.

D. WMSC Inspection Process

The WMSC conducts inspections as a regular tool for safety oversight. Inspection activities may be held on WMATA premises, remotely, or in a mixed form depending on inspection needs and the current environment.

1. Inspection Activities

The WMSC may conduct inspections at any time and at whatever frequency necessary to further its safety oversight mandate. Inspections may occur during or after revenue service hours. Inspection observations may be taken from public areas (e.g. while riding in revenue service vehicles or spending time at Metrorail stations) or from other points, to include areas not ordinarily accessible to the public.

The WMSC may allow WMATA personnel to accompany an inspection, but this is determined on a case-by-case basis. Either way, no precedent is established dictating future practice.

WMSC staff will comply with all applicable procedures and rules while on the right-of-way, which includes PPE. Ordinarily, the WMSC will enter non-public areas with an authorized WMATA guide; however, the WMSC may elect to enter WMATA premises and adjacent facilities without such guide. (See WMSC Compact § 31.)

2. Inspection Results

At the conclusion of each inspection, a written summary is provided or a debrief occurs. This serves to articulate any defects, non-compliance issues, or findings, which is conveyed to the relevant WMATA personnel responsible. If no concerns are found, the summary or debrief will state that no concerns were identified, and that—apart from acknowledging receipt—no other response is required from WMATA.

If a written summary is provided, it is conveyed via e-mail and may appear in the e-mail body or as an attachment. It is transmitted to the relevant WMATA personnel responsible as well as to the Department of Safety and Environmental Management (SAFE).

Articulated concerns that do not rise to the level of a finding will state any action WMATA must undertake in the summary or during the debrief. WMATA must respond to the inspection summary **within 3 days** to acknowledge receipt and to convey to the WMSC what, if any, actions will be or have been taken in response. WMATA's response must be directed to the WMSC staff member(s) who initially transmitted the summary.

3. Corrective Action

If concerns on the level of a finding or recommendation are identified, the WMSC will issue findings and recommendations accordingly. The findings/recommendation process will follow Program Standard Sections 5.C (Audits) and 9 (Corrective Action), which includes the stated notification transmittal procedures.

For urgent hazards or trends, WMATA may undertake immediate corrective action and mitigation without WMSC approval. Urgent hazards or trends are conditions that require immediate corrective action given the high probability that Metrorail personnel, customers, the public, or the environment are in imminent danger. For example, inoperable fans in a contiguous tunnel section is an urgent hazard. **Within 24 hours**, WMATA must provide all information related to the urgent hazard and its emergency corrective action or mitigation that is planned or underway. Where the WMSC is unable to approve the CAP, the WMSC will work with WMATA to formulate an acceptable CAP.

SECTION 7: SAFETY EVENT NOTIFICATION

This section describes the requirements for WMATA notification and reporting of Metrorail safety events, which include accidents, incidents, or occurrences as defined in the matrix below in Section 7.D. WMATA is required to comply with all federal and state reporting requirements for other regulatory agencies in addition to notifications to the WMSC. “Reportable” safety events are those defined at 49 CFR Part 674 or this Program Standard.

Accident notification. The SSO program standard must establish requirements for an RTA to notify the SSOA of accidents on the RTA’s rail fixed guideway public transportation system. These requirements must address, specifically, the time limits for notification, methods of notification, and the nature of the information the RTA must submit to the SSOA.

49 CFR § 674.27(a)(6).

A. Division of Responsibilities

1. The WMSC establishes safety event notification requirements, oversees WMATA’s compliance with those requirements, and determines whether the WMSC will lead the safety event investigation
2. WMATA must follow the requirements of this Program Standard and must notify the WMSC of safety events as instructed in this Section 7
3. WMATA must fully document and report each safety event, which includes providing the WMSC with all relevant information, data, or documents
4. The WMSC may require WMATA to provide additional information, data, or documents related to any safety event

B. Method of Notification

WMATA must report all safety events outlined in the Safety Event Notification Matrix (Section 7.D below) in the timeframe and manner specified for each safety event type. The WMSC and WMATA meet on a regular basis to review a summary and status of safety events with outstanding or recently completed reports. The e-mails reporting the events serve as the record of all reported safety events.

1. Notification Requirements

- a. WMATA must identify both the department and individual responsible for safety event notification and reporting.
- b. WMATA must transmit the notification as soon as possible (but not later than the deadlines provided in the Safety Event Notification Matrix, Section 7.D below) so the WMSC can promptly determine whether it will respond to the safety event scene.
- c. WMATA must provide the WMSC with additional details as they become available.
- d. For every safety event notification, the WMSC requires the following specific, minimum information:
 - i. Name and contact information of the caller or e-mail sender
 - ii. Date and time of the event
 - iii. Event Code from the Safety Event Notification Matrix
 - iv. Description of the Event
 - v. Location of the event (and direction of travel, if applicable)
 - vi. Vehicle identifying information for all vehicles involved
 - vii. Number of fatalities
 - viii. Number of injured persons requiring medical attention

- ix. Property damage (estimated, in dollars, as available)
- x. Description of investigation activities already conducted and immediate mitigations, and
- xi. Determination of cause, as available

C. Notifications to the Federal Transit Administration

In accordance with 49 CFR § 674.33, WMATA must also report accident-type safety events to the FTA **within 2 hours**. Accidents are defined below in the Safety Event Notification Matrix. When notifying the FTA, WMATA must carbon copy (“cc”) the WMSC on every accident notification e-mail or correspondence sent to the U.S. Department of Transportation’s Transportation Operations Center.

D. Safety Event Notification Matrix

The below matrix establishes minimum notification, investigation, and reporting criteria and timeframes based on 49 CFR Part 674, this Program Standard, FTA Two-Hour Accident Notification Guidance, and National Transit Database (NTD) Reporting requirements. The WMSC may, **at any time**, require a preliminary or final report for any event, not just those with codes requiring such a report. The WMSC will contact SAFE’s Deputy Chief of Investigations or their supervisors to make this request. The below matrix also specifies those events for which WMATA is always required to secure event scene release approval from the WMSC as specified in Program Standard Section 8, and specifies those other events for which Metrorail’s Safety Department, via the Incident Management Official (IMO), may approve the event scene release once perishable evidence and documentation is collected as required by this Program Standard, Metrorail procedures, and any other requirements.

Code	Event Type	Phone Notification Within 2 Hours	E-mail Notification Within 2 Hours	Preliminary or Final Safety Event Report	Event Scene Release Authority
<p>Accident—WMATA will make notifications to the WMSC as provided in this matrix. WMATA must also notify the FTA via U.S. DOT’s Transportation Operations Center. Phone and e-mail notifications must be completed at the earliest practicable time after any one of the following events and no later than 2 hours after it occurred. All safety event data must be entered into the WMATA Event Tracker.</p>					
A-1	<p>Fatality A death occurring at the scene or within 30 days following the accident.</p> <p><i>Additional guidance:</i> Includes all loss of life (fatality) that occurs on transit property or is related to transit operations or maintenance. This requirement excludes deaths resulting from existing illness or other natural causes and homicides not related to collisions with a rail transit vehicle.</p>	Required	Required	Required	WMSC
A-2	<p>Serious Injury that:</p> <ul style="list-style-type: none"> • Requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received; • Results in a fracture of any bone (except simple fractures of fingers, toes, or nose); • Causes severe hemorrhages, nerve, muscle, or tendon damage; • Involves any internal organ; or • Involves second-or third-degree burns, or any burns affecting more than five percent of the body surface. <p><i>Additional guidance:</i> Includes all serious injuries that occur on a transit property or are related to transit operations or maintenance. This requirement excludes injuries resulting from illness or other natural causes and criminal assaults unrelated to collisions with a rail transit vehicle.</p>	Required	Required	Required	WMATA SAFE (IMO)

<p>A-3</p>	<p>Collision</p> <p>All collisions between two or more rail transit vehicles; or All collisions resulting in substantial property damage, serious injury, or fatality.</p> <p><i>Additional guidance:</i></p> <p>Includes all collisions involving two or more rail transit vehicles and all collisions involving one or more rail transit vehicles at a grade crossing, with a person, or with an object that results in substantial property damage, serious injury, or fatality.</p> <p>Substantial damage is damage to transit or non-transit property, including vehicles, facilities, equipment, rolling stock, or infrastructure, that adversely affects the property’s structural strength, performance, or operating characteristics and requires towing, rescue, onsite maintenance, or immediate removal prior to safe operation.</p> <p>Substantial damage EXCLUDES damage such as cracked windows; dents in, bent portions of, or small punctured holes in the body; broken lights or mirrors; or removal from service for minor repair or maintenance, testing, or video and event recorder download.</p>	<p>Required</p>	<p>Required</p>	<p>Required</p>	<p>WMSC</p>
<p>A-4</p>	<p>Evacuation for Life Safety Reasons</p> <p>Evacuation of a rail transit vehicle or facility for real or perceived life safety reasons including self-evacuation.</p> <p><i>Additional guidance:</i></p> <p>Includes evacuation due to fire, smoke or noxious fumes, fuel leaks, electrical hazards, bomb threats, suspicious items, or other hazards that constitute a real or potential danger to any person.</p>	<p>Required</p>	<p>Required</p>	<p>Required</p>	<p>WMATA SAFE (IMO)</p>

A-5	<p>Derailment</p> <p>Any non-collision event in which one or more wheels of a rail vehicle unintentionally leaves the rails.</p>	Required	Required	Required	WMSC
A-6 (a)	<p>Runaway Train</p> <p>A Class 1 vehicle in motion that is not under the control of an operator regardless of whether the operator is physically on the vehicle at the time.</p>	Required	Required	Required	WMSC
A-6 (b)	<p>Runaway Vehicle</p> <p>A Class 2 Vehicle in motion that is not under the control of an operator, regardless of whether the operator is physically on the vehicle at the time, where there is no fatality, serious injury or substantial damage.</p>	Required	Required	Required	WMSC
A-7	<p>Federal Railroad Administration (FRA) Notifications</p> <p>Anytime WMATA must notify the FRA of an accident as defined by 49 C.F.R. § 225.5, WMATA must also notify WMSC and FTA of the accident within the same time frame established by the FRA.</p> <p><i>Additional guidance:</i></p> <p>Includes any safety event for which WMATA notifies the National Response Center (NRC) or the NTSB.</p>	Required	Required	Event-Based Requirement	WMSC

Code	Event Type	Phone Notification Within 2 Hours	E-mail Notification Within 2 Hours	Preliminary or Final Safety Event Report	Event Scene Release Authority
Incident —The WMSC requires notifications or reports for specific incidents as listed in this matrix. Email notifications must be sent at the earliest practicable time after any of the following events and no later than 2 hours after the incident occurred.					
I-2 (a)	Customer injury (minor) requiring transport	None	Required	Upon Request	WMATA SAFE (IMO)
I-2 (b)	Employee injury (minor) requiring transport	None	Required	Upon Request	WMATA SAFE (IMO)
I-2 (c)	Contractor injury (minor) requiring transport	None	Required	Upon Request	WMATA SAFE (IMO)
I-3	A collision involving a rail vehicle on the mainline, yard or shop that does not result in a fatality, serious injury or substantial property damage (not involving another rail vehicle)	None	Required	Upon Request	WMATA SAFE (IMO)
I-5	A customer departure, evacuation or removal from a train at any location other than a station platform (into the right of-way or onto adjacent track, including customer self-evacuation, rescue train etc.), except where covered by code A-4	None	Required	Upon Request	WMATA SAFE (IMO)
I-6	Fire/smoke on or along roadway other than arcing insulator	None	Required	Upon Request	WMATA SAFE (IMO)
I-7	Damage to third-rail equipment that disrupts transit operations	None	Required	Upon Request	WMATA SAFE (IMO)

I-9	Hazardous material spill	None	Required	Preliminary and Final Required	WMSC
I-10	Arcing insulator	None	Required	Upon Request	WMATA SAFE (IMO)
I-11	Fire/smoke in station	None	Required	Upon Request	WMATA SAFE (IMO)
I-12	Fire/smoke in, on or from a rail vehicle	None	Required	Upon Request	WMATA SAFE (IMO)

Code	Event Type	Phone Notification Within 2 Hours	E-mail Notification Within 2 Hours	Preliminary or Final Safety Event Report	Event Scene Release Authority
Occurrence —The WMSC requires notifications and/or reports for specific occurrences as listed in this table. Email notifications must be completed at the earliest practicable time after the occurrence of any one of the following events and no later than 2 hours after it occurred.					
O-7	Improper movement of any rail vehicle on the mainline or in a yard, including over improperly aligned switch(es)	None	Required	Preliminary and Final required	WMATA SAFE (IMO)
O-8	Red signal overrun	None	Required	Preliminary and Final required	WMSC
O-9	Improper movement of any rail vehicle into or within a work zone	None	Required	Preliminary and Final required	WMATA SAFE (IMO)
O-10	Signal system failure or partial system failure	None	Required	Upon Request	WMATA SAFE (IMO)
O-12 (a)	Station overrun	None	Required	Upon Request	WMATA SAFE (IMO)
O-12 (b)	Operator removed from a Class 1 or Class 2 vehicle solely due to concern about fatigue or use or suspected use of drugs or alcohol	None	Required	Upon Request	WMATA SAFE (IMO)
O-12 (c)	Operator removed from a Class 1 or Class 2 vehicle solely due to use or suspected use of an electronic device	None	Required	Upon Request	WMATA SAFE (IMO)
O-12 (d)	Train exceeded regulated speed	None	Required	Upon Request	WMATA SAFE (IMO)
O-12 (e)	Train passed personnel at excessive speed	None	Required	Preliminary and Final required	WMATA SAFE (IMO)
O-12 (f)	Operation of a Class 1 vehicle with inter car barriers improperly attached or not attached	None	Required	Upon Request	WMATA SAFE (IMO)

Code	Event Type	Phone Notification Within 2 Hours	E-mail Notification Within 2 Hours	Preliminary or Final Safety Event Report	Event Scene Release Authority
O-12 (g)	Operation of a Class 1 vehicle after a failure to properly detach inter car barriers	None	Required	Upon Request	WMATA SAFE (IMO)
O-12 (h)	Unintentional uncoupling	None	Required	Preliminary and Final required	WMSC
O-12 (i)	Any safety sensitive personnel removed solely due to concern about fatigue or use or suspected use of drugs or alcohol (other than Class 1 and 2 operators)	None	Required	Upon Request	WMATA SAFE (IMO)
O-15 (a)	Improper door operation	None	Required	Preliminary and Final required	WMATA SAFE (IMO)
O-15 (b)	Un-commanded train door event	None	Required	Preliminary and Final required	WMSC
O-17	Speed restriction or track closure due to infrastructure damage or failure	None	Required	Upon Request	WMATA SAFE (IMO)
O-19	Train rollback of a Class 1 vehicle	None	Required	Preliminary and Final required	WMSC
O-20	Equipment fallen from or dragged by any rail vehicle	None	Required	Upon Request	WMATA SAFE (IMO)
O-21	Person falls onto right-of-way	None	Required	Upon Request	WMATA SAFE (IMO)
O-23	Improper roadway worker protection	None	Required	Preliminary and Final required	WMATA SAFE (IMO)
O-24	Any occurrence about which Metro Transit Police Department notifies the Transportation Security Operations Center	None	Required	Upon Request	WMATA SAFE (IMO)

Code	Event Type	Phone Notification Within 2 Hours	E-mail Notification Within 2 Hours	Preliminary or Final Safety Event Report	Event Scene Release Authority
O-25	Any operation or action not listed that is noteworthy or could lead to unsafe operation	None	Required	Upon Request	WMATA SAFE (IMO)

Safety Event Notification Matrix codes no longer in use:
 I-1, I-4, I-8, O-1, O-2, O-3, O-4, O-5, O-6, O-11, O-13, O-14, O-16, O-18, O-22, O-26
 For data integrity, the WMSC does not plan to reuse these codes for other purposes in future updates.

SECTION 8: SAFETY EVENT INVESTIGATIONS

This section provides the procedure for all investigations.

Investigations. The SSO program standard must identify thresholds for accidents that require the RTA to conduct an investigation. Also, the program standard must address how the SSOA will oversee an RTA's internal investigation; the role of the SSOA in supporting any investigation conducted or findings and recommendations made by the NTSB or FTA; and procedures for protecting the confidentiality of the investigation reports.

49 CFR § 674.27(a)(7).

A. WMSC Oversight of Investigations

The WMSC oversees all investigations required by this Program Standard, which includes those led by WMATA.

When a safety event occurs, WMATA is to conduct the investigation unless notified that the WMSC is conducting the investigation. When the WMSC participates in a WMATA-led investigation, the WMSC coordinates with appropriate WMATA personnel. Regardless of whether WMATA or the WMSC leads the investigation, the relevant agency will prepare a report as specified in the Safety Event Notification Matrix (Program Standard Section 7.D).

For each safety event, WMATA has an affirmative duty to preserve the scene and all evidence related to that scene. This means that no evidence may be removed from an event scene without the express permission of the WMSC or IMO as provided in Section 7.D and Section 8.G of this Program Standard.

Except as part of first responder rescue efforts or other urgent life-safety risks, WMATA may not move or allow equipment involved in an event to be moved without that authorization, may not clean-up debris without that authorization, and must take all other required steps to preserve evidence related to the event—both at the scene and in all other areas of the WMATA Rail System. Metrorail must ensure that it preserves all electronic records related to the event and that personnel involved in the event are available for and participate in interviews and post-event testing. Perishable information or evidence must be prioritized for recording, analysis, or preservation.

B. WMATA-Conducted Investigations

For each investigation required under this Program Standard, WMATA must investigate in accordance with procedures stated here or otherwise approved by the WMSC. Each investigation requiring a final report must be documented in a final report as provided in Section 8.B.3 below. WMATA is to lead an investigation unless informed otherwise by the WMSC.

1. General Requirements

During an investigation WMATA must allow, and account for, full WMSC participation in all investigative activities. This includes, but is not limited to, sufficient notification of investigation stages to allow for WMSC participation at on-scene activities, interviews, witness-questioning, inspections, measurements, examinations, tests, data collection, or any other part of an investigation. All information must be made available to, and provided to, the WMSC.

WMATA must provide all raw and unprocessed data and information related to the investigation to the WMSC as such is obtained in the hours and days following the event as stated in Section 8.B.2 below. This

information may be uploaded to the shared site, provided via e-mail, or conveyed in another manner with WMSC approval due to special circumstances.

WMATA's investigation procedure must meet the WMSC's investigation standards as set forth in this Section 8, which comprises the minimum standards for all investigations. WMATA's investigation procedure(s) must also be revised as necessary and submitted to the WMSC for approval **at least annually**.

2. Investigation Procedures

Investigations of a safety event or near-miss must include the following, as relevant, and any other elements listed in the most recent revision of the APTA Rail Transit Accident/Incident Notification and Investigation Requirements (RT-OP-S-002-02) (Rev. 3) (July 6, 2018).

a. Photographs of the scene

Panoramic/wide-view:

- i. Include the involved vehicle(s) or other items in full view, nearby infrastructure features, and any evident significant obstructions, objects, or conditions. If possible, scene photographs should be taken using a '4 point compass' method.
- ii. The entire scene should be photographed from multiple vantage points with sufficient depth-of-field to show relative positioning of objects and subjects for later comparison with diagrams.

Specific objects or subjects from both normal periphery and close-up view:

- i. Each vehicle involved (exterior four sides including number, interior compartment, operating control compartment)
- ii. Resting position of all wheels
- iii. Location of railcar doors relative to platform
- iv. All visible points of vehicle damage
- v. Evidence of wheel marks on rail
- vi. All visible points of infrastructure damage
- vii. Any visibly evident contributing obstructions, objects, or conditions
- viii. Position of casualties, if stationary (marked locations if removed for treatment)
- ix. Specific pieces of a vehicle that may have contributed to the event
- x. Switches or other track features that may have contributed
- xi. Any other obstructions to vehicle, switch, infrastructure, or human movement in the area
- xii. Any other objects or subjects that may have contributed to the event or emergency response or that may have been relevant to the lead-up to the event
- xiii. Anything else that appears out of the ordinary

b. General information

- i. Location, including specifics such as chain marker, signal numbers, interlocking/station name, location relative to switches, exact location within a building or shop, etc.
- ii. Date and time of event
- iii. How and when event was identified and communicated
- iv. Time of notification of investigators
- v. Time of arrival of investigators
- vi. Lighting, visibility, and weather
- vii. Approximate temperature
- viii. Status of incident command

c. Eyewitness information

- i. Name, address, telephone number
- ii. Witness category (employee, passenger, bystander, etc.)
- iii. Status of witness (observer or principal involved in event)
- iv. Brief description or account of what was observed

d. Vehicle condition and data

- i. Car body condition (visible damage)
- ii. Positions of all operator controls (controller and brake handles, headlight and other switches, air gauge readings, etc.)
- iii. Wheels/axles/trucks/sanders condition and relevant documentation of parts such as bolts
- iv. Brake systems
- v. Door positions or other entry/exit location conditions
- vi. Headlights, marker lights, indicator lights status
- vii. Wheel marks on track
- viii. Evidence of sanding
- ix. Evidence indicating area of contact/collision
- x. Determine line-of-sight distances
- xi. All vehicle data must be secured, downloaded, and fully analyzed and documented
- xii. Any other vehicle-related recordings must be secured, downloaded, analyzed, and documented

e. Infrastructure and environmental conditions and data

- i. Damage (observable) or lack thereof to track, signals, bridges, structures, buildings, other infrastructure equipment or machinery
- ii. Evidence (observable) of recent environmental alteration (washout, landslide, etc.)
- iii. Evidence (observable) of recent wrongdoer alteration (vandalism)
- iv. Point of derailment, collision, or other event location information
- v. Sketch the scene, as appropriate, regarding the relative location of track(s), vehicle(s), signals, equipment, apparatus, buildings, bridges, other structures; include noteworthy landmark features, such as roadways, waterways, pathways, vegetation, etc.; alignment diagram should be relative to geographic north
- vi. Measuring the scene: indelibly mark points of reference in the field (e.g. paint or chalk markings); document the correlation of points of reference with resting positions of objects or subjects; Use feet as the standard unit of measure

f. Injury and Casualty factors

- i. Document the status of all known victims, including (if possible):
 - 1) Injuries (total number, personal information)
 - 2) Fatalities (total number, personal information)
 - a) Obtain autopsy (if performed) to identify cause and time of death, toxicology and any contributing factors
 - 3) Identification of responder units that treated or transported casualties
- ii. Identification of hospitals where victims were transported
- iii. Potential injury dynamics/survival factors: Document vehicle, infrastructure, or operating conditions that could have contributed to the casualties or impacted their severity.

g. Data and audio/video recordings

- i. Collect and preserve all other applicable data that may contribute to an understanding of the safety event (AIM playback, radio and ambient audio recordings, etc.)
- ii. Collect and preserve other non-perishable data (e.g. operational speeds and conditions, maintenance and inspection records, damage estimates, training records etc.)
- iii. Maintenance history review
- iv. Data comparison to standards

h. Toxicological factors

- i. Must include, drug and alcohol testing of any employee or contractor who may have contributed to the event including, obtaining results and determining significance of any possible positive test or impairment.

i. Testing of vehicle, infrastructure, and component performance and collection of related data

Inspections/tests of and downloads of any event recorders or records systems related to components or other systems which include:

- i. Operator controls
- ii. Wheels/axles/trucks
- iii. Braking systems friction, electric (dynamic), track
- iv. Signal/speed control systems on a vehicle or wayside
- v. Communication systems
- vi. Lights
- vii. Horn
- viii. Switch movement and timing
- ix. Power cables or assemblies
- x. Fire alarm, smoke alarm or suppression systems
- xi. Remote operations functions and timing (fans, switches, signals, etc.)
- xii. Local operations functions and timing (fans, switches, etc.)
- xiii. Track structure
- xiv. Traction power system
- xv. Signal systems
- xvi. Routing systems
- xvii. Buildings or other structures
- xviii. Bridges
- xix. Tunnels
- xx. Other equipment or machinery
- xxi. Collection of maintenance history information regarding each relevant item above
- xxii. Identification of manufacturer or system normal values
- xxiii. Data comparison

j. Reconstruction

As considered relevant, reconstruct the event dynamics and sequence of events based upon all data developed from on-site investigation and off-site research. Establish facts that were contributory to the event. This may be based on:

- i. Actual vehicle performance

- ii. Actual infrastructure performance
- iii. Actual employee performance
- iv. Mathematical calculations
 - v. Scale drawings/diagrams
- vi. Photographic evidence
- vii. Operational Conditions and Factors

k. WMATA instructions

- i. Identify all applicable WMATA instructions, policies, or procedures for the type and location of the event and for any actions or inactions that may have contributed to the event
- ii. Operating rules, procedures, and special instructions
- iii. Maximum authorized speed and speed restrictions
- iv. Operating signs and locations
 - v. Wayside signal locations and aspects capable of being displayed
- vi. Bulletins or other special operating orders in effect at time of event
- vii. Automatic signal systems in effect (train control, cab signals, interlockings, automatic block, etc.)
- viii. Any special operating conditions
- ix. Any verbal or informal instructions in place at the time of the event
 - x. Capital project or maintenance procedures, policies, or instructions
- xi. Interviews and reports

l. Primary interviews (must be scheduled as soon as practicable after event, and may be recorded)

- i. Operators or crew members
- ii. Other employees directly or indirectly involved in the sequence of events
- iii. Non-employee event principals
- iv. Passengers
- v. Bystander witnesses

m. Access relevant secondary interviews conducted by other independent sources

n. Obtain applicable supervisory reports of investigation

o. Reports from outside WMATA

- i. Obtain applicable reports of investigation prepared by outside agencies such as responding fire departments, police, or oversight groups for those agencies

p. Documenting human factors

- i. Employee records
- ii. Operating and safety practices compliance
- iii. Qualification/certification levels and experience
- iv. Training and continuing education history
 - v. Accident/Incident/occurrence (i.e. safety event) history
- vi. Toxicological and medical history
- vii. Attendance/discipline history

q. Fatigue factors, hours of service, and other activities

- i. Time employee reported for duty

- ii. Elapsed time from on-duty time until time of event
- iii. Break periods before event
- iv. Available off-duty hours before reporting for assignment
- v. Number of consecutive days worked prior to day of event
- vi. Nature of off-duty activity prior to event

r. Fitness for duty

- i. Pre-existing medical conditions
- ii. Results of WMATA toxicology tests

s. For a person struck by a train obtain:

- i. Police reports and available Closed Circuit Television (CCTV) related to indications of suicide or foul play
- ii. Medical Examiner toxicological reports

t. Lab Testing

- i. When relevant, arrange for testing of materials, parts or other elements that could have contributed to the event.

u. Collect any other relevant information

v. Analysis

- i. Based on all evidence, evaluate and determine the probable root cause of the event and contributing factors. As applicable, all internal reports and interview reports should be included in that consideration and cited/included in the final report.
- ii. Technical reports (vehicle, infrastructure, other)
- iii. Outside agency reports
- iv. Data contained on records, if applicable
- v. Hand-written statements
- vi. Event log data
- vii. Radio/communication tapes and/or transcripts
- viii. Maps, drawings, or diagrams
- ix. Photographs or videos

3. Report Contents

All draft and final investigative reports produced for the WMSC must contain the following minimum information:

- a. Executive Summary
- b. Investigative Activities
- c. Event description and sequence
- d. Notifications
- e. Incident response and command
- f. Precipitating or initiating event
- g. Immediate corrective actions or mitigations
- h. Status information for all employees who may have contributed to the event
 - i. Fatigue evaluation
 - ii. Training and experience

- iii. Post-event testing
- i. Investigation records
 - i. Operator(s), involved individual(s) or responding individual(s) report
 - ii. Field supervision report
 - iii. Employee record/work history
 - iv. Post-event safety inspection
 - v. Data analysis (e.g. video, vehicle data, other data)
- j. Cause
 - i. Probable cause
 - ii. Root factors causing or contributing to the event
- k. Conclusions
- l. Recommended Corrective Action Plans (RCA)

Additional information may be required in any report. The WMSC is authorized to obtain or observe any material created, compiled, or otherwise used or relied upon by WMATA.

Issues or concerns identified during an investigation that require correction are usually addressed through WMATA's Recommended Corrective Actions (RCA) process, which WMATA must log and track. RCAs require some action and documentation even if resolved in a manner different from the recommendation. The WMSC, at its own discretion, may require one or more issues instead be addressed through the WMSC's CAP process. Whether addressed via a PAP or a CAP, the WMSC monitors and oversees both, as required by 49 CFR Part 674. Both PAPs and CAPs are addressed in greater detail in Program Standard Section 9 (Corrective Action).

4. Transmitting Notifications and Reports to the WMSC

Safety event reports, including all attachments and appendices, must be sent to the WMSC according to the following schedule:

- a. **Initial Notification:** Basic information about the safety event must be transmitted verbally and via e-mail to the WMSC as set forth in Program Standard Section 7.D (Safety Event Notification Matrix).
- b. **Preliminary Report:** As soon as possible after the event, but **within 14 days** of the event date, WMATA must submit a preliminary written report to the WMSC. This report must include a preliminary probable cause, immediate mitigations, potential corrective actions, an investigation summary, reports from field personnel, interview summaries, images related to the event, available data analysis, and other relevant available information.
- c. **Investigation Status Update:** The WMSC may, at its discretion, require WMATA to provide updates on an investigation at any time. This is in addition to WMATA's ongoing duty to keep the WMSC apprised of all data and information as such becomes available.
- d. **Draft Final Investigation Report:** **Within 60 days** of the event, WMATA must submit a draft final report. The WMSC then reviews the report for sufficiency. If any issues are identified, WMATA must make changes accordingly and submit a revised draft final report **within 14 days** from the date of the directed revisions. When the WMSC is satisfied with the draft final report, approval is transmitted to WMATA.

- e. **Final Investigation Report:** After WMATA receives the WMSC's approval of the draft final report, WMATA must provide the final report to the WMSC as soon as practicable.

C. WMSC-Conducted Investigations

This Section 8.C is invoked when the WMSC informs WMATA of the WMSC decision to lead an investigation or conduct an independent investigation.

WMATA must provide the WMSC with the resources and information necessary to conduct the investigation in an effective and efficient manner on a timeline set by the WMSC.

1. Investigation Activities

WMATA's on-scene commander is notified when WMSC personnel have arrived. The WMSC on-site team wait until WMATA or other emergency response personnel have established Incident Command before entering the roadway.

WMSC personnel may conduct field analyses, operational surveys, interviews, record checks, data analysis, and any other tasks necessary for an investigation. The WMSC assesses compliance with relevant policies, rules, and procedures; review employee records and test results; as well as inspects equipment and vehicles.

The WMSC complies with the investigation procedures stated in Section 8.B.2 above.

2. Report

At the conclusion of an investigation, the WMSC provides a draft report to WMATA. This report contains information on the investigation activities, factors that caused or contributed to the event, and any findings or recommendations. WMATA must review the draft report and provide any comments on the technical accuracy of the report to the WMSC **within 15 days**. As appropriate, revisions based on those comments will be incorporated. The WMSC then issues a final report.

D. Corrective Action

If concerns on the level of a finding or recommendation are identified, the WMSC will issue findings and recommendations accordingly. The findings/recommendation process will follow Program Standard Sections 5.C (Audits) and 9 (Corrective Action), which includes the stated notification transmittal procedures.

For urgent hazards or trends, WMATA may undertake immediate corrective action and mitigation without WMSC approval. Urgent hazards or trends are conditions that require immediate corrective action given the high probability that Metrorail personnel, customers, the public, or the environment are in imminent danger. For example, inoperable fans in a contiguous tunnel section is an urgent hazard. Within 24 hours, WMATA must provide all information related to the urgent hazard and its emergency corrective action or mitigation that is planned or underway. Where the WMSC is unable to approve the CAP, the WMSC will work with WMATA to formulate an acceptable CAP.

E. Investigation Conducted by Another Agency

Depending on the circumstances of a safety event, another entity such as the NTSB or the FTA, might conduct an investigation using its own procedures and personnel. In such an event, the WMSC will provide necessary support.

WMATA must provide the WMSC with a copy of all information provided to the other entity and ensure that the WMSC receives all reports and recommendations issued by that other entity.

The WMSC may participate in any discussions and reviews between WMATA and the other entity when the subject is a Metrorail safety event. The WMSC and WMATA will review the other entity's findings (or equivalent issue identification) and report. The WMSC may adopt the other entity's report and require associated corrective actions. WMATA must then follow the procedure outlined in Program Standard Section 9 (Corrective Action).

WMSC participation in an investigation led by another agency does not preclude the WMSC from conducting its own independent investigation if the WMSC determines such additional investigation is required. If the WMSC opts to conduct such additional investigation, it may occur simultaneous with, or at any time before, during, or after the other entity's investigation.

F. Information and Data

The WMSC requires WMATA to make the following information and data related to a safety event available in the original format (i.e. without edit or alteration) to the WMSC immediately and simultaneously with WMATA's receipt as these items are retrieved, gathered, or created (or as soon as practicable thereafter):

1. Station or facility CCTV footage
2. On-board forward, interior, and rear facing cameras footage
3. On-board operator camera footage
4. Event recorder or Vehicle Monitoring System (VMS) download of the event
5. Radio recordings (between train operators, roadway worker-in-charge (RWIC), on-track personnel, AMF, ROCC controller, Office of Rail Transportation (RTRA) supervisors, ROCC supervisors and management, maintenance and inspection supervisors)
6. Telephone recordings
7. Ambient recordings within the ROCC or other facilities
8. CCTV footage of the ROCC floor
9. Track diagram showing interlockings and track circuits in the area of the event
10. AIM data including:
 - a. Presence of work zones
 - b. Condition of traction power breakers
 - c. Signal aspects and switch positions
 - d. Request or use of Stop and Proceed
11. First Responder interactions:
 - a. Request for fire and rescue support via 911
 - b. First Responder sequence of events
12. Train control room information
13. Most recent inspection reports (track, vehicles, systems)
14. Most recent maintenance, overhaul, or repair records (track, vehicles, systems)
15. Most recent Engineering Modification Instructions (EMIs) and any other relevant instructions, procedures or orders
16. Post incident drug and alcohol test results, including substance(s) and substance level
17. Sleep apnea program status for employees involved in safety event
18. Work/rest history for preceding seven days for employees involved in safety event
19. Phone records for WMATA issued cellphones and private cell phones for employees involved in safety event
20. Results of fatigue risk interview and analysis for employees involved in safety event
21. Photographs:
 - a. Event scene

- b. Damaged vehicles, damaged assets and damaged infrastructure
 - c. Interior of damaged vehicles, assets, and infrastructure
 - d. Close up photography of victim injuries
 - e. Status of breakers in operator cab
 - f. Operator cab details including console, seating and floors
22. Autopsy report
23. Any other information or data required by this Program Standard Section 8, requested by the WMSC, or determined by WMATA to be potentially relevant to the safety event

G. Event Scene Release

For each event designated as requiring WMC event scene release approval in the Safety Event Notification Matrix (Program Standard Section 7.D), the WMSC requires WMATA to seek, receive, and acknowledge approval from the WMSC prior to:

- 1. Removal of damaged vehicles, assets, and infrastructure from the event scene
- 2. Disassembly of damaged vehicles for engineering assessments
- 3. Performing repairs on damaged assets and infrastructure
- 4. Restoration of service

WMATA personnel are to contact the WMSC COO or the COO's designee to obtain this approval.

For each event which Metrorail's Safety Department, via the Incident Management Official (IMO), may approve the event scene release, WMATA must first follow its policies and procedures to ensure prior to the event scene release that evidence – particularly perishable evidence – is or will be appropriately collected and documented as required by this Program Standard, Metrorail procedures, and any other requirements.

The WMSC may require that vehicles and equipment removed from the scene of an event be preserved and protected at a WMATA facility until such time as the WMSC is able to inspect and document such items.

SECTION 9: CORRECTIVE ACTION

This section provides the procedure for corrective actions.

Corrective actions. The program standard must explain the process and criteria by which the SSOA may order an RTA to develop and carry out a Corrective Action Plan (CAP), and a procedure for the SSOA to review and approve a CAP. Also, the program standard must explain the SSOA's policy and practice for tracking and verifying an RTA's compliance with the CAP, and managing any conflicts between the SSOA and RTA relating either to the development or execution of the CAP or the findings of an investigation.

49 CFR § 674.27(a)(8).

A. Development

Each finding issued by the WMSC requires WMATA to develop a suitable CAP. The WMSC may also require WMATA to develop a CAP due to other types of findings or conclusions, including from the sources noted in Section 9.A.1 below. Recommendations may require a CAP as determined by WMATA. Both findings and recommendations are defined in Program Standard Section 5.C.

Proper CAPs are achievable, verifiable, assigned to a WMATA individual (not only a department or office), and include a realistic target date or dates for completion. CAPs are neither conditional nor advisory from one WMATA department to another; rather they are statements of specific actions that must be taken.

WMATA must designate a department responsible for CAP coordination on behalf of all WMATA Metrorail departments. At the time of adoption of this revision, the department of Quality Assurance, Internal Compliance & Oversight (QICO) is that designee.

The WMSC may direct spending on safety critical item(s) during the CAP process.

1. Sources

Findings or conclusions that may require corrective actions (or recommended corrective actions) may arise from the non-exhaustive list below. The WMSC informs WMATA when the WMSC requires a corrective action plan due to one of these events.

- a. WMSC inspections, investigations, or audits
- b. Safety event investigations
- c. Hazard investigations
- d. WMATA internal safety reviews
- e. WMATA risk identification or mitigation programs, such as:
 - i. Safety committees
 - ii. Customer service complaints
 - iii. Board meetings
- f. WMATA OIG investigations and audits
- g. Investigation, audit, review, bulletin, or advisory from another agency or body, such as:
 - i. NTSB
 - ii. FTA
 - iii. United States Congress
 - iv. District of Columbia
 - v. State of Maryland

- vi. Commonwealth of Virginia
- h. Major capital project reviews
- i. Other event or review that requires WMATA to correct an identified safety hazard or deficiency

In accordance with system safety, hazard identification, resolution, and management best practices, WMATA must conduct analysis of operational and maintenance data, as well as safety event history, to determine the existence of any trends or failures that are prevalent or pervasive at Metrorail. WMATA can, and should, take action to mitigate any safety issue wherever possible and should not wait for an event to occur, or the WMSC to act, before addressing such an issue.

Upon discovery of a systemic failure or trend, WMATA must provide that information to the WMSC and develop corrective actions **within 30 days** of discovery. WMATA must provide regular status updates (at least quarterly) to the WMSC.

Either the WMSC or WMATA may identify the need for additional corrective action. If the WMSC identifies a need for an additional corrective action plan, WMATA will be notified in writing and WMATA must develop a CAP in accordance with this Program Standard Section 9.

2. WMATA Plans

a. Recommended Corrective Actions

The conclusions from each WMATA-led safety event investigation that identify corrective actions to improve safety must be tracked and carried out through a recommended corrective action (RCA). These plans must identify the specific action that has or will be taken to eliminate or mitigate future risk; if an alternative action is later identified to effectively mitigate or eliminate risk that must be documented. WMATA must document the development, tracking and implementation of these plans, and provide a comprehensive update on each plan on at least a quarterly basis. Those updates must include, at a minimum:

- i. the precipitating event, inspection or investigation;
- ii. the conclusion;
- iii. the specific actions taken or being taken in response;
- iv. the timeline for implementation of each action and any changes to that timeline; and
- v. the status of implementation of each action.

b. Internal Safety Reviews

WMATA-conducted Internal Safety Reviews as provided in Program Standard Section 4.C may also merit additional corrective action beyond that identified by an internal review. The WMSC may require that an internal RCA instead be developed as a corrective action plan directly overseen by the WMSC. If the WMSC identifies a need for WMATA to develop a corrective action plan in accordance with this Program Standard section, WMATA will be notified in writing.

3. Corrective Action Plan Proposals

CAP proposals must be formulated in accordance with this Program Standard. Every proposed CAP requires active coordination across all relevant WMATA departments to ensure all parties are satisfied, to ensure successful future implementation, and to avoid the introduction of unintended hazards.

a. Elements

Every CAP must include the following elements:

- i. Date the proposed CAP version was generated
- ii. Unique CAP number
- iii. Individualized CAP for every finding/recommendation
- iv. State the document where the finding or recommendation originated
- v. State the specific finding or recommendation
- vi. Hazard rating
- vii. Estimated cost and funding strategy
- viii. Interim mitigations in place (if applicable)
- ix. Specific deliverables or actionable items that will be carried out
- x. Anticipated completion date for each item
- xi. Responsible party and department, and
- xii. Date of final approval

b. Verification Requirements

For all CAP proposals, WMATA must include steps that will fully address the finding and provide documentation of each step, including complete and proper implementation.

The relevance of each of the following aspects will vary by CAP; however, this provides examples of what WMATA should include in CAP proposals, since these are areas the WMSC considers when determining whether to approve CAPs for implementation.

- i. Most proposed CAPs must include actionable items/deliverables (as relevant to the associated finding) that demonstrate: appropriate documents were created, relevant personnel have received and understand those documents, appropriate training has been conducted, any necessary related work or procedures have been implemented and updated, and evidence that the identified rule or procedure is actually being followed. Frequently, this also requires evidence demonstrating an ongoing process to ensure the improvements are sustainable and reviewed regularly.
- ii. For proposed CAPs related to non-compliance with established staffing, training or similar standards, the CAP must include (as relevant to the associated finding) the specific positions that are vacant or that must be created, the justification for current staffing requirements and whether additional positions are required, a specific hiring plan, evidence of the implementation of that plan to include filling all the positions, a complete list of employees who must complete required training, qualification or certification, a schedule showing when each employee will complete that required training, documentation that each relevant employee has completed the training, appropriate ongoing review of that training, and evidence that appropriate refresher training timelines and procedures are in place.
- iii. Proposed CAPs involving updated training must include submission of the revised course schedules, curricula, syllabi, exams, and other relevant documentation.

4. Timelines

The timelines identified in this Section 9 refer to WMATA's *development* of a CAP proposal. The timeline for actual implementation of the plan will vary according to the issue. The proposed completion date(s) is one of the aspects considered by the WMSC in determining whether to approve the CAP proposal for implementation. The following timelines apply unless the WMSC provides another timeline:

- a. **Within 30 days** from the date the WMSC issues a finding or recommendation, WMATA must propose a suitable corrective action plan. The WMSC will provide a response to that proposal

within 14 days approving the CAP proposal(s) for implementation or noting deficiencies in the proposals.

- b. After receiving the WMSC's response, WMATA has **14 days** to address any noted deficiencies. The WMSC provides a response **within 14 days** of WMATA's revised submission. If further revisions are needed, this continues until CAP approval.

B. Approval

CAPs will not be approved by the WMSC until all the above information has been included. The WMSC's decision to approve or decline to approve any or all submitted CAP proposals will be provided to WMATA in writing within the timelines provided in Section 9.A.4 above. Upon written approval from the WMSC, WMATA must begin implementation of the CAP.

WMATA can and should take any interim steps required to mitigate a hazard or provide other safety improvements while CAPs are under development or review. These steps must be communicated to the WMSC but may or may not be a part of the CAP that is eventually approved for implementation.

For urgent hazards, WMATA may undertake immediate corrective action without WMSC approval. However, **within 24 hours**, WMATA must provide all information related to the urgent hazard and the corrective action that is planned or underway. Where the WMSC is unable to approve the CAP, the WMSC will work with WMATA to formulate an acceptable CAP.

C. Amendment or Revision

After CAP approval if WMATA or the WMSC determine another course of action is more appropriate than the existing, approved CAP, WMATA must submit a new, revised CAP proposal. The CAP will be subject to WMSC approval in the same manner as all other CAPs.

If WMATA initiates the CAP amendment or revision, the personnel or department responsible for the existing CAP must submit an evaluation and justification for the change outlining the following:

1. Steps taken to ensure meaningful input from all relevant internal personnel or affected parties
2. Substantive factors and considerations that led to the request
3. Explanation of how the underlying finding or recommendation will be fully addressed in the revised CAP proposal
4. Explanation of how the revised CAP proposal provides the same or improved safety benefits compared to the existing CAP
5. Timeline for implementation of the revised proposal

D. Tracking

CAPs are tracked on an ongoing basis and require regular communication between WMATA and the WMSC.

1. Database

The WMSC tracks and monitors WMATA deliverables for all approved CAPs through an electronic tracking database. The database tracks a wide range of information related to each CAP, including:

- a. Underlying finding/recommendation
- b. Responsible parties
- c. Estimated completion date
- d. Status updates

- e. Date of next scheduled update
- f. Interim milestones
- g. Closure date (as applicable)

2. Status Update Schedule

A schedule may be developed and implemented to ensure that each WMATA department appears at meetings with the WMSC to provide status updates and progress reports on CAPs within the department's purview. Appropriate WMATA representatives from QICO and operating departments (e.g. Rail Transportation, Car Maintenance, Vehicle Engineering, Track & Structures, etc.) must be present to discuss CAP implementation and to provide verification documentation to the WMSC.

The status of each CAP must be updated **not less frequently than quarterly**. This may occur via meeting attendance or written documentation.

E. Verification and Closeout

When WMATA determines implementation of a given CAP is complete, WMATA must request the WMSC review and consider the CAP for closure. The WMSC and WMATA conduct regular meetings to facilitate CAP closure.

Prior to the meeting, the WMSC transmits an updated database to WMATA for review. The agenda must cover the following items:

1. CAPs recently submitted for closure
2. WMSC Action Items from previous meeting(s)
3. CAP updates
4. Overdue CAPs

The WMSC verifies CAP deliverables or actionable items by obtaining documents clearly demonstrating that aspect of the CAP has been completed, conducting an on-site review, or other verification.

If the WMSC determines that a CAP is completed, the WMSC notifies WMATA in writing that the CAP is closed. If the WMSC declines to close a CAP, WMATA must take the additional steps required to complete the CAP or provide additional documentation or evidence that supports closure of the CAP in accordance with a deadline set by the WMSC based on the circumstances of the CAP.

Closure concludes the CAP process; however, the WMSC may conduct additional safety oversight activities to ensure that corrective actions remain in place and effective even after this CAP process concludes.

SECTION 10: SAFETY CERTIFICATION

This section describes WMSC activities related to oversight of WMATA's safety certification program. This includes system modifications and expansions.

Documents cited in this section refer to the document of that title or its successor, once replaced.

A. WMATA Safety Certification Program

WMATA (or the project owner, if different from WMATA) is responsible for certifying each project. Safety certification is a formal process required by the FTA for certain projects and by WMATA for additional projects. WMATA must notify the WMSC of any project that requires safety certification.

All projects that require a Safety and Security Certification Verification Report (SSCVR), and any other projects determined by the WMSC to require concurrence, may only be activated with the WMSC's concurrence (see Section C below).

1. Oversight of WMATA's Safety Certification Program

WMATA's PTASP is required to have a sufficient safety certification program that ensures safety concerns, hazards, and vulnerabilities are adequately addressed in projects prior to activation (or re-activation) and the initiation (or re-initiation) of passenger operations—or any other use not related to testing.

If the WMSC determines that WMATA's safety certification program is insufficient, WMATA is required to make corrections **within 30 days** and will not be allowed to complete any safety certification processes impacted by the deficiencies until the corrections have been implemented. The WMSC may require the issue be addressed via the corrective action process provided in Program Standard Section 9.

WMATA's safety certification program must include:

- FTA New Starts Full Funding Grant Agreement or any replacement grant program
- Projects that meet or exceed the FTA's monetary threshold for mandatory safety certification
- All projects to extend, rehabilitate, or modify an existing Metrorail system
- Replacement of vehicles or equipment
- Restoration of a system, subsystem, other feature, or asset to service that is inoperable or otherwise unusually switched off for a period of two weeks or longer, and
- Any other project identified by the WMSC

2. Safety Certification Verification

When required by the Safety Certification Program or other rule or regulation, the project owner (whether WMATA or another entity) must prepare an SSCVR to document the entire certification process to ensure the project meets design and other specifications and that the project's safety has been verified. WMATA may not begin passenger service or use not related to testing until:

- a. The project owner has transmitted the draft final SSCVR to the WMSC
- b. The project owner has adequately responded to any WMSC questions or comments, which includes taking any additional required actions, and
- c. The WMSC has issued a letter concurring with the conclusions of the SSCVR

Only after the WMSC issues its concurrence letter may Metrorail use the system, asset, or project in passenger service or any other use not related to testing.

If WMATA plans to use a Temporary Use Notice (TUN) to introduce or reintroduce a system, asset, or project in passenger service that requires WMSC concurrence. WMATA must notify the WMSC in advance and provide all documentation justifying a TUN as required in the Safety and Security Certification Program Plan (SSCPP), so that the WMSC can determine whether the use and specific, limited timeframe of a TUN is appropriate and that WMATA complies with all aspects of the safety certification process prior to WMSC concurrence with the TUN.

B. System Changes

As Metrorail grows and evolves, changes to the built environment will necessitate review by the WMSC to ensure the safety of WMATA personnel and riders. For major projects, WMATA must conduct preliminary hazard analyses and other required safety studies and reviews from the pre-design phase through project completion. WMATA must provide all relevant documentation to the WMSC and provide advance notification of relevant meetings so that the WMSC may decide whether to directly participate.

Throughout this process and during Safety Certification, WMATA or the WMSC may identify hazards requiring mitigation or correction. These deficiencies must be addressed through the project-specific procedures developed by WMATA and approved by the WMSC or the FTA.

To assess the safety of new projects, the WMSC will review modifications and expansions, and other projects likely to have a significant safety impact on the Metrorail system as determined by the WMSC.

Examples include:

- New starts or system extensions, expansions, new stations, or rail yards
- Major reconstruction of existing lines
- Major redesign and installation of system components
- New or significantly reconstructed maintenance and operating facilities
- New vehicle procurements or major overhauls (e.g. mid-life overhaul)
- Any new or rehabilitative work associated with automatic train control (ATC) and signaling or the ROCC
- Any other projects the WMSC determines have significant safety implications, including projects implemented by other project owners that have a direct impact on WMATA operations

1. Required Submissions

WMATA must provide documents related to the following development phases of applicable projects:

- Project Planning
- Preliminary Engineering
- Final Design
- Procurement
- Construction
- Operations and Maintenance Procedures and Plans
- Training
- Testing
- Pre-Revenue/Start-Up

- Activation

The following represent some of what must be provided to the WMSC (including draft versions, the final version, and any future updates):

- Planning Studies (i.e. that evaluate alternatives and define a project’s scope)
- Design Criteria and Standards Manual
- Identification of safety codes, standards or requirements
- Design documents, reviews and approvals
- Various analyses that would impact design and operations (i.e. Preliminary Hazard Analysis, Operational Hazard Analysis, Safety Analysis)
- Safety Certification Plans, including Certifiable Elements and Items Lists, Compliance Checklists, Hazard Logs and Open Items Lists
- Project Management Plans
- Preliminary specifications and drawings
- Contract technical specifications and drawings
- Configuration Management Plans
- Construction Plan and Schedules
- Operating Changes and Plans during Project Construction
- Transportation & Maintenance Operating Procedures
- Training Programs and Procedures
- Integrated Test Program and related documents
- Emergency Procedures
- System Safety Reviews
- Any “lessons learned” from operating experience

2. Ongoing Project Oversight

The WMSC conducts ongoing oversight activities from the project planning phase to the conclusion of any Pre-Revenue Service Review.

a. Meetings

The WMSC may participate in any WMATA committee or workgroup meetings pertaining to a Metrorail project, including the Safety and Security Certification Review Committee (SCRC) and Executive Safety Committee (ESC) and any other meetings related to safety certification or projects that are, or will be, part of a safety certification process. Should other committees or subcommittees be formed, WMSC personnel may also attend or review associated documentation such as (but not limited to) agendas and meeting minutes.

WMATA (or other entities and project owners when appropriate) is responsible for ensuring that appropriate WMSC personnel have prompt notification of all meetings, drills, or tests. In addition to schedule notification, WMATA must provide access to meeting information, and access to all associated materials, which includes any relevant meetings or discussions scheduled or hosted by contractors.

b. Document Review

WMATA is required to transmit each version of all key documents for projects undergoing safety certification to the WMSC, including:

- Project Management Plan (PMP)
- Safety and Security Management Plan (SSMP)
- Safety and Security Certification Program Plan (SSCPP)
- Preliminary Hazard Analysis (PHA)
- System Integration Test Plan (SITP)
- Rail Activation Plan (RAP)
- Emergency Preparedness Plans
- Emergency drill and exercise materials, Situation Manuals, meeting minutes, After Action Reports
- Accident/Incident Investigation Procedure (AIP)
- Legal agreements with parties covering operations, maintenance
- Training Plan(s)
- Rail Fleet Management Plan
- Track Access Safety Training Plan/Materials
- Operations and Maintenance Plan
- Pre-Revenue Operations (PRO) Plan
- Configuration Management Plan or Procedure
- Resident Engineer's Manual
- Safety Certification Conformance Checklists
- Standard Operating Procedures (SOPs)
- Emergency Operating Procedures (EOPs)
- Rulebook
- Maintenance and Inspection Procedures and Checklists
- Safety Open Items List (SOIL), Hazard Log, or similar tracking mechanism

c. Observation and Inspection

The WMSC may observe or inspect any aspect of Metrorail, which in context of this Section 10 includes training for operations and maintenance staff; observations of pre-revenue operations; station, vehicle, and facility inspections; and interviews with project staff.

The WMSC may observe any test, drill, emergency drill, or exercise. The WMSC must be notified of each test, drill, or exercise, and (where appropriate) the WMSC coordinates attendance with relevant WMATA personnel.

d. Issue Identification and Notification

If the WMSC identifies any area of concern or issue requiring additional action of WMATA or the project owner, the WMSC will issue a finding, directive, or other written documentation. The identified issue will be conveyed to WMATA or the project owner as soon as practicable via e-mail to relevant personnel involved in the specific project. The Department of Safety and Environmental Management (SAFE) must be carbon copied on the e-mail.

e. FTA Coordination

Metrorail projects may involve oversight by the FTA's Region III office through the Project Management Oversight (PMO) function or another FTA representative. Should a Metrorail project involve such oversight, the WMSC coordinates with the FTA and any other oversight agencies to the

maximum extent practicable to provide consistent, effective, and efficient guidance to WMATA or the project owner.

3. Pre-Revenue Service Review

a. Timeline

Each project is unique in scope and, therefore, requires the WMSC to use a custom oversight approach. The WMSC may conduct a Pre-Revenue Service Review (PRSR) of any project related to Metrorail.

The PRSR occurs prior to the start of revenue service (passenger service), around the point of project substantial completion. It involves many of the activities outlined above (and throughout this Program Standard) as part of ongoing oversight. The PRSR also focuses on WMATA's safety certification process, operational and maintenance readiness.

b. PRSR Activities

To initiate the final stages of a PRSR, the WMSC will transmit a notification letter with initial document requests and queries to WMATA or the project owner. WMATA or the project owner then has **15 days** to provide documents or responses.

The WMSC conducts the on-site portion after review of the documents and responses, which ordinarily follows **within 30 days** of receipt of the initial document request. The on-site activities are scheduled at a time suitable to both parties. The on-site activities may be held on WMATA premises, remotely, at a specific project location, or in a mixed form depending on the audit needs and current environment.

Once the on-site portion is scheduled, the WMSC and WMATA will coordinate the appearance of interviewees selected by the WMSC. The WMSC may name specific personnel or request WMATA/project owner to provide personnel based on stated parameters. Additional interviews may be requested at any time, even after conclusion of the scheduled on-site activities.

The on-site portion begins with an entrance conference attended by WMSC, WMATA, and project personnel. The entrance conference outlines the PRSR scope, schedule, WMSC team, and serves to discuss any other relevant facets.

Thereafter, the WMSC interviews relevant WMATA, contractor, or other personnel, including front-line personnel and managers. The interviews may be scheduled prior to or during the on-site activities. Document review is an ongoing task throughout the PRSR. To maintain the integrity of the PRSR process, only the named interviewee(s) and the WMSC may attend interviews, unless the WMSC allows otherwise.

Site visits are another on-site activity. Additional site visits may be required even after conclusion of the initially scheduled on-site activities if the WMSC staff determines those visits are needed.

WMSC staff will comply with all applicable procedures and rules while on the right-of-way, which includes personal protective equipment (PPE). Ordinarily, the WMSC will enter non-public areas with an authorized WMATA guide; however, the WMSC is authorized to enter WMATA premises and adjacent facilities without such guide. (See WMSC Compact § 31.)

At the conclusion of on-site activities, the WMSC holds an exit conference. This serves to recap the PRSR scope and to convey any preliminary issues that have been identified at that time. Preliminary issues presented during the exit are, in fact, preliminary and a list of findings will be provided in writing as part of the report detailed in Section 10.B.3.c below.

c. Supplemental Processes

For the Silver Line, the Metropolitan Washington Airports Authority (MWAA) is required to follow the safety certification process described in the MWAA Safety and Security Management Plan (SSMP) and WMATA is required to follow its SSCPP and any project-specific documents in connection with construction and commissioning of the Silver Line. After the Operational Readiness Date (ORD), WMATA must follow the process described in its SSCPP. These processes are designed to ensure that safety-related elements and items that comprise the project at each phase (from design to passenger operations) identified on the Certifiable Items Lists (CIL) have been verified as completed, safe, and secure, or that there are appropriate temporary approved mitigations in place. These CIL items include physical systems and facilities that make up the new rail line, as well as documents, plans, and training and certification programs.

d. Report

Depending on the scale of the project, the WMSC may draft a formal report or convey any issues or findings via an e-mail report. If a formal report occurs, it is transmitted to WMATA as a draft; WMATA must review the draft report and provide any comments on the technical accuracy of the report to the WMSC **within 20 days**. As appropriate, the WMSC incorporates revisions based on those comments received from WMATA. The WMSC issues a final PRSR report **within 30 days** of issuing the draft report.

In the event the WMSC issues findings or recommendations, Program Standard Section 9 (Corrective Action) must be followed.

C. Concurrence

In cases where the WMSC determines concurrence is required, WMATA may not activate passenger service or any use not related to testing until the WMSC concurs it is safe to do so. This occurs only after the WMSC is satisfied that the safety certification process has been conducted properly, including any proposed mitigations or corrective actions. WMATA is informed by a letter of concurrence, which may be transmitted via e-mail.

The WMSC also issues a letter of concurrence to signify approval of WMATA's safety certification program.

D. WMATA Document Updates

For Metrorail projects, WMATA is required to amend or update its PTASP and any other agency-wide plan, program, or document affected by a project.

For the PTASP, this update must occur **no later than the next annual review cycle**. All other plans, programs, or documents must be updated **within 1 year** of the WMSC's concurrence.

SECTION 11: DISPUTE RESOLUTION AND ENFORCEMENT

This section provides the procedure for dispute resolution and enforcement.

A. Dispute Resolution

The WMSC requires WMATA's full cooperation and participation in all oversight activities. This includes, but is not limited to, compliance with all deadlines and all requirements of this Program Standard.

The WMSC and WMATA endeavor to resolve any disputes at the staff level. For example, if front-line staff cannot resolve an issue, the WMSC may contact a WMATA supervisor, department head, the chief safety officer, the general manager, or any other WMATA individual or group of individuals—to include the WMATA Board of Directors. WMATA may contact the WMSC Chief Operating Officer or the Chief Executive Officer.

In any communication with WMATA, the WMSC may set a clear deadline (e.g. September 14, 2020 by 5:00 p.m.). WMATA must adhere to any deadline set by the WMSC. Should WMATA be confused by a WMSC deadline or request, clarification must be sought of the WMSC immediately.

B. Enforcement

1. Powers Available to the WMSC

In the event of WMATA's noncompliance, the WMSC may take any of the following measures at any time. Each of the following measures may be taken alone, in combination, or in addition to other measures. Any action taken by the WMSC is determined on a case-by-case basis. Prior exercise of any of these powers does not establish precedent for future use.

- a. Compel or otherwise enforce the adoption and implementation of a revised PTASP, corrective action, or federal and state laws and regulations relating to safety of the WMATA Rail System
- b. Compel or otherwise enforce the WMSC's authority to conduct inspections, investigations, examinations, and testing of WMATA personnel and contractors, property, equipment, facilities, rolling stock, and operations of the WMATA Rail System, including, without limitation, electronic information and databases
- c. Compel or otherwise enforce the WMSC's authority to enter upon the WMATA Rail System
- d. Issue citations or fines as provided in Section 11.B.3.a below
- e. Direct WMATA to suspend or disqualify from performing in or overseeing any Safety Sensitive Position an individual (employee or contractor) who is alleged to or has violated safety rules, regulations, policies, or laws as provided in Section 11.B.3.d below
- f. Compel WMATA's OIG, created under WMATA Board Resolution 2006-18, or any successor WMATA office or organization having similar duties, to conduct safety-related audits or investigations
- g. Issue subpoenas
- h. Direct WMATA to prioritize spending on safety critical item(s)
- i. Legal action
- j. Remove a specific vehicle, infrastructure element, or hazard from the WMATA Rail System
- k. Compel WMATA to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System
- l. Any other action the WMSC deems appropriate

2. Notice

In the event WMATA fails to comply with any provision of this Program Standard and the WMSC invokes a power provided in Section 11.B.1 above, the WMSC will identify the noncompliance issue(s) and state the action required of WMATA in an e-mail to the WMATA Chief Safety Officer (CSO). WMATA's CSO must then respond by the deadline set by the WMSC. If WMATA fails to address the issue(s), the WMSC may take further action(s) described in this section.

3. Definition of Powers

a. Citation or Fine

For each instance of noncompliance with this Program Standard, safety violation, or instance that WMATA fails or neglects to comply with any part or provision of any order, decision, decree, rule, directive, demand, or requirement of the WMSC, WMATA may be subject to a monetary penalty or any other enforcement action determined by the WMSC as appropriate to the unique situation (e.g. a suitable sum toward a specific safety improvement). Each violation is separate and distinct. In the case of a continuing violation, each day of the violation is considered separate and distinct subject to its own penalty.

b. Restriction, Suspension, or Prohibition of Rail Service

Restriction, suspension, or prohibition of rail service on all or part of the WMATA Metrorail system may be necessary if, as determined by the WMSC, WMATA is unable or unwilling to take appropriate action to address imminent or urgent risk(s) to public safety.

Upon receipt of an order restricting, suspending, or prohibiting rail service, WMATA must immediately curtail or end service as directed by the order. WMATA must address all issues identified in the order and inform the WMSC of the actions taken to remediate the problem(s).

Upon resolution of the issue(s), WMATA must inform the WMSC in writing. The WMSC generally recommends WMATA provide documentation along with that transmission such as photographs, communications and any other relevant evidence of how the course of action was determined, what action was taken, and when and how the actions were begun and completed. Upon verification of WMATA's adequate resolution or mitigation of the issue, the WMSC provides written approval authorizing WMATA to resume service. If the WMSC finds that the issue has not been resolved or adequately mitigated, the WMSC provides written notice to WMATA stating the matter remains unresolved, that the order restricting, suspending, or prohibiting rail service remains in effect, and that further remediation is required.

c. Removal of Vehicle, Infrastructure, or Hazard

Where an imminent or urgent risk to public safety is limited to a vehicle, infrastructure element, or specific hazard, the removal of that vehicle, vehicle category or class, infrastructure element, or specific hazard may be necessary if, as determined by the WMSC, WMATA is unable or unwilling to take appropriate action to address the imminent or urgent risk to public safety.

Upon receipt of an order directing such removal, WMATA must immediately remove the identified vehicle, infrastructure element, or specific hazard as directed by the order. WMATA must conduct a hazard analysis based on the identified issue and provide that analysis to the WMSC. WMATA must address the reason for the order and inform the WMSC of the actions taken to resolve or mitigate the problem.

Upon completion of the hazard analysis and upon resolution of the issue, WMATA must inform the WMSC in writing. Upon verification of WMATA's remediation, the WMSC provides written approval authorizing WMATA to reinstate the removed element. If the WMSC finds that the issue has not been resolved or adequately mitigated, the WMSC provides written notice to WMATA stating that the matter remains unresolved, that the order of removal remains in effect, and that further remediation is required.

d. Suspension or Disqualification of an Individual

The WMSC has the authority to direct WMATA to remove an individual (employee or contractor) from a Safety Sensitive Position. In accordance with the WMSC Compact (§ 1(h)), a Safety Sensitive Position means "any position held by a WMATA employee or contractor designated in the Public Transportation Agency Safety Plan for the WMATA Rail System and approved by the [WMSC] as directly or indirectly affecting the safety of the passengers or employees of the WMATA Rail System," such a position is one that affects the safety of WMATA personnel, contractors, first responders or the public, regardless of whether the position is front-line or upper-level management. The positions designated in the PTASP include the management positions explicitly noted in WMATA's organizational chart as well as roles that are carried out by lower-level managers and front-line personnel in each of those departments.

WMSC Compact Section 31(d) authorizes the WMSC to direct WMATA to suspend or disqualify an individual from performing in any Safety Sensitive Position when the WMSC reasonably believes the person has been alleged to have or has violated safety rules, regulations, policies, or laws.

The removal of an individual from performing in a Safety Sensitive Position, or from supervising (to any degree) an individual performing in a Safety Sensitive Position, is not a form of discipline; it is solely to reduce the risk of future safety events. The circumstance(s) and severity of an individual's violation, whether one-time or systematic, will be considered in suspending or disqualifying an individual from performing in any safety sensitive function on the WMATA Metrorail System.

If WMATA proposes to return a suspended or disqualified individual to a Safety Sensitive Position, WMATA must request written approval from the WMSC to do so. WMATA must provide the WMSC with a detailed explanation of why WMATA believes the individual is suitable to return to a Safety Sensitive Position and demonstrate that all safety concerns relevant to the individual's suspension or disqualification have been mitigated or resolved. WMATA may not return a suspended or disqualified individual to a Safety Sensitive Position until receipt of the WMSC's written approval to do so.

APPENDIX A: ACRONYMS AND ABBREVIATIONS

AIP	Accident/Incident Investigation Procedure
AIM	Advanced Information Management system
AMF	Advance Mobile Flagging
APTA	American Public Transportation Association
ATC	Automatic Train Control
CAP	Corrective Action Plan
CCTV	Closed Circuit Television
CEO	Chief Executive Officer
COO	Chief Operating Officer
CSO	Chief Safety Officer
EMI	Engineering Modification Instructions
EOP	Emergency Operating Procedures
ESC	Executive Safety Committee
FTA	Federal Transit Administration
MWAA	Metropolitan Washington Airports Authority
NSTB	National Transportation Safety Board
OIG	Office of the Inspector General
ORD	Operational Readiness Date
PHA	Preliminary Hazard Analysis
PMO	Project Management Oversight
PMP	Project Management Plan
PPE	Personal Protective Equipment
PRO	Pre-Revenue Operations (PRO) Plan
PRSR	Pre-Revenue Service Review
PTASP	Public Transportation Agency Safety Plan
QICO	Quality, Assurance, Internal Compliance and Oversight
RAP	Rail Activation Plan

RCA	Recommended Corrective Action
ROCC	Rail Operations Control Center
RWIC	Roadway Worker In Charge
RTRA	WMATA Office of Rail Transportation
CIL	Certifiable Items Lists
SITP	System Integration Test Plan
SOIL	Safety Open Items List
SOP	Standard Operating Procedures
SSCPP	Safety and Security Certification Program Plan
SSCRC	Safety and Security Certification Review Committee
SSCVR	Safety and Security Certification Verification Report
SSMP	Safety and Security Management Plan
SSPP	System Safety Program Plan
SSO	State Safety Oversight
SSOA	State Safety Oversight Agency
VMS	Vehicle Monitoring System
WMSC	Washington Metrorail Safety Commission
WMATA	Washington Metro Area Transit Authority