

Maryland House of Delegates
Appropriations Committee
Transportation and the Environment Subcommittee
Remarks of Dr. David L. Mayer, CEO, the Washington Metrorail Safety Commission
February 15, 2021

Good afternoon, Chair Korman, Chair McCray, and members of the House and Senate in attendance today.

On behalf of our chair, Christopher Hart, and the commissioners of the Washington Metrorail Safety Commission, I want to thank you for inviting WMSC to speak to you today, and for doing so in a manner that ensures the safety of hearing participants and the public during the COVID-19 pandemic.

The WMSC is the independent State Safety Oversight Agency, or SSOA, for WMATA's Metrorail system. Our independence from WMATA helps ensure our objectivity in monitoring the safety of the Metrorail system and the safety of employees and riders.

As you may recall, Maryland, Virginia, and the District of Columbia entered into an Interstate Compact establishing the WMSC and granting it significant enforcement powers. In 2019, the Federal Transit Administration officially certified our safety oversight program. Our staff of 15 applies their various areas of expertise to enable us to exercise our authority to carry out our safety oversight work.

Perhaps the most notable aspect of this oversight work in 2020 was our safety audits. As required by federal law, we conduct triennial safety audits of various aspects of Metrorail. Since I was before you last February, we completed audits of Metrorail's Track Maintenance and Associated Training; Rail Operations Control Center; Roadway Worker Protection and Compliance; and Elevated Structures Inspection, Maintenance and Repair.

As an example of our audit work, last September, we released the audit of Metrorail's Rail Operations Control Center, or ROCC, that identified serious safety concerns. That audit report was initiated following our December 20, 2019, finding that there was chaos and dysfunction in the ROCC during emergencies. After three additional findings issued in May 2020 requiring Metrorail Corrective Action Plans, or CAPs, Metrorail then began taking steps intended to significantly improve the ROCC's safety culture. That process still has a long way to go. Overall, the WMSC has required WMATA to develop 25 CAPs in response to our December 2019 finding, the May 2020 findings, and the 21 findings in the ROCC audit report. The audit findings we published in September included harassment, threats, and investigation interference by managers, emergency response procedures that lacked the required urgency, communications gaps, insufficient training, overwhelming workloads, and significant staffing

shortages. The findings were based on months spent interviewing Metrorail staff, reviewing documents, audio recordings, and data recordings, and conducting independent observations. We interviewed 21 of 26 of Metrorail's certified controllers. We took care to minimize any operational impacts on Metrorail and to ensure that these controllers could speak freely by holding our interviews in an off-site location at all hours of the day and night.

In response to each finding we issue, WMATA is required to develop, gain our approval for, then implement CAPs to ensure continued safety improvements in the Metrorail system. WMATA submits CAP proposals and the WMSC reviews them in accordance with our Program Standard. While some CAPs are more straightforward, addressing underlying issues or dealing with capital construction can be more complex and can take more time to complete. The WMSC considers the implementation timeline when determining whether to approve Metro's proposed plans, and Metro then commits to meeting the timeline for required fixes.

In the case of the ROCC, for example, some CAPs may be completed in a few months, while implementing and ensuring lasting adequate staffing will take years. Once WMATA meets the required actions tied to each CAP and the WMSC does the needed verifications, we close the CAP. In 2020, the WMSC closed 41 CAPs. The corrective action plans are an indicator that there is robust and proactive oversight that identifies gaps in Metrorail's performance and gets WMATA to work on solutions to fix these safety gaps. We are currently overseeing 66 open CAPs.

Another way we provide oversight of Metrorail is through inspections. Our experts inspect track and structures, signals systems, electrical power, railcars, and other aspects of Metrorail's operations. We cover all aspects of the Metrorail system, from trains and stations to rail yards, power substations, and the ROCC. The WMSC conducts ongoing monitoring of the Metrorail system using recorded and real time radio communications, to keep a constant set of eyes and ears on the system. The WMSC also conducts inspections of the emergency readiness and response infrastructure, assets, and equipment in the Metrorail system. To bolster our emergency preparedness and response, we hired an emergency management specialist last year, who has enabled us to more closely participate in Metrorail's remote emergency operations sessions and to make more informed assessments of responses to Metrorail emergencies and areas for improvement. We monitor real world events, including Metrorail operations during severe weather, Independence Day, and the Presidential Inauguration. Overall in 2020, we undertook approximately 190 risk-based inspections, identifying positive practices at times, and pointing out deficiencies to WMATA and verifying fixes at others.

When safety events, such as a collision, derailment, or certain near misses, take place, WMATA is required to conduct thorough investigations with our oversight. Under our direction, WMATA prepares detailed final reports. For example, the investigation is continuing into the July 7, 2020, derailment of a Red Line train outside of the Silver Spring Metro Station. In that case, two WMSC experts responded to the scene to participate in the investigation. When that final report is complete, our commissioners will consider and then adopt the report at a public meeting, and we then publish that report on our website.

The point of these investigative reports is to ensure that the lessons learned lead to safety improvements that reduce the likelihood of a similar event happening again. In 2020, the commissioners adopted 35 investigation reports. An additional eight reports were adopted at the meeting last month.

Another important recent milestone as it relates to our work with Metrorail and the Federal Transit Administration is the approval of WMATA's new Public Transportation Agency Safety Plan. This document specifies WMATA's commitments to safety at all levels and specifies how it will be carried out. The plan ensures WMATA continually evaluates the effectiveness of its safety mitigations, supports the identification of new hazards, and determines the need for new ways to control risks. We at the WMSC are similarly focused on continual safety improvement at Metrorail and continual improvement of our own organization to best serve the riding public, workers, and first responders.

You have access to our Annual Safety Report of the Metrorail system and our Annual Operations Report of our own performance that was published last June, and we will be sending you our reports covering calendar year 2020 in the coming months. Those reports will also be available to the public on our website. We are also in the final stages of our legally required independent financial audit. These reports were firsts for us this past year and will be part of our regular program going forward.

Again, thank you for inviting me to testify on our work with WMATA to continually improve the safety of the Metrorail system.