



Washington Metrorail Safety Commission

Fiscal Year 2024 Work Program

Introduction

The Washington Metrorail Safety Commission (WMSC) is the designated State Safety Oversight Agency (SSOA) for the Washington Metropolitan Area Transit Authority (WMATA) Metrorail system. In 2017 the District of Columbia, the Commonwealth of Virginia, and the State of Maryland created the WMSC with the approval of Congress and the president through an interstate compact to act as the SSOA for the WMATA rail system under Title 49 U.S.C. § 5329.

Federal regulations, specifically Title 49 C.F.R. § 674.5(a), require that “... a State that has a rail fixed guideway public transportation system within the State has primary responsibility for overseeing the safety of that rail fixed guideway public transportation system. A State safety oversight agency must have sufficient authority, resources, and qualified personnel to oversee the number, size, and complexity of rail fixed guideway public transportation systems that operate within a State.”

This document provides details of the work activities related to the WMSC Fiscal Year (FY) 2024 draft budget, which will be transmitted to the three jurisdictions on or before November 1, 2022, in keeping with the requirements of the *Master Agreement among Washington Metrorail Safety Commission, Commonwealth of Virginia, District of Columbia and the State of Maryland regarding member jurisdictions state safety oversight funding contributions*. The WMSC FY 2024 begins on July 1, 2023.

WMSC Organization and Structure

The WMSC was established by the Washington Metrorail Safety Commission Interstate Compact (P.L. 115-54) in August 2017 (the “WMSC Compact”). The Federal Transit Administration (FTA) certified the WMSC’s safety oversight program in March 2019. This certification met a nationwide deadline for establishing and certifying SSOAs, and it triggered a transfer of direct safety oversight responsibility from the FTA to the WMSC. Having been previously operated under the financial auspices of the Metropolitan Washington Council of Governments, the WMSC began its first financially independent fiscal year on July 1, 2019.

The SSO program of the WMSC is overseen by Commissioners appointed by each of the three signatory jurisdictions to the WMSC Compact: The State of Maryland, the Commonwealth of Virginia, and the District of Columbia (“the jurisdictions”). The WMSC’s work is carried out by a team of full-time staff led by the WMSC Chief Executive Officer (CEO).

A team of technical staff consisting of subject matter experts (SMEs) in the disciplines that mirror the major technical disciplines integral to the safe operation of Metrorail, along with program managers for investigations, safety certification, audits and corrective action plans, train control and signals, risk-based inspections, and technical and program specialists, carry out the day-to-day execution of the WMSC SSO Program Standard. This technical team is managed by the Deputy CEO and Chief Operating Officer.

WMSC staff are responsible for 24/7 safety oversight of the Metrorail system. These activities include:

- Oversight of Corrective Action Plans (CAP), safety certification, emergency management



- Initiating and concluding safety event investigations
- Conducting inspections of the Metrorail system
- Oversight of Metrorail's Public Transportation Agency Safety Plan (PTASP)
- Completing audits of various areas for compliance with Metrorail policies, procedures, and other requirements, and to identify safety deficiencies

The Deputy CEO & Chief Operating Officer, General Counsel, Chief Financial Officer, Chief, Oversight Strategy and Communications, and Attorney Advisor and Government Relations Lead report directly to the Chief Executive Officer. The CEO's authority extends to executing the organization's Program Standard, organizational accountability and overall mission. Some SSO powers are reserved for the Commissioners, including the adoption of safety investigation reports and if necessary, compelling Metrorail to remove equipment from service and suspend train service.

In addition to its technical in-house staff, the WMSC manages a technical services contract with a nationally-recognized firm that specializes in safety oversight work. Through project-specific task orders, the WMSC uses this contract to augment its own staff capabilities, when needed, for safety audits, and other specific efforts arising out of our SSOA program work.

The WMSC is unique among its 30 sister agencies across the country: The WMSC is the only SSOA that is an independent, self-sufficient agency. All other SSOAs are established as part of a larger agency, such as a state Department of Transportation or a Public Utilities Commission. As a result, these other SSOAs are able to rely on other departments within these larger agencies for organizational support. The WMSC's full time staff perform technical SSO work as well as organizational support and management activities, such as preparing grant applications, financial management, and providing its own legal representation.

Although some organizational needs such as delivery of our human resources program are supported by external contractors, WMSC staff remain responsible and accountable for the success and proper oversight of all activities. In FY 2022 the WMSC continued organizational improvement with the addition of key positions, including Chief Financial Officer, a Communications Specialist, a Program Coordination Specialist -Audits & CAP, a Rail Technical Specialist, and an Investigation Analyst. In FY 2023 the WMSC added a General Counsel, Program Manager, Train Control & Signals, Business Operations Manager, Program Specialist-Operations, and a Program Manager, Risk Based Inspections. The WMSC continues to enhance our capabilities through ongoing evaluation of staffing needs as the organization matures.

More information about the WMSC and its safety oversight may be found on the WMSC's public website, www.wmsc.gov.

WMSC Work Program

As the state oversight agency (SSOA) for the Metrorail system, the WMSC carries out its important work through a robust safety oversight program that includes audits, inspections, safety event investigations, Corrective Action Plans (CAP) oversight, safety certification oversight, and emergency management oversight.

The WMSC's priority is ensuring that WMATA fulfills its responsibility to continuously improve the safety of the Metrorail system for riders, workers and all others who depend on the system's proper maintenance and operations. This clearly defined mission guides the WMSC's safety oversight work.



The WMSC's work program reflects the work necessary to provide the most effective safety oversight of the Metrorail system, keeping in mind Metrorail riders, employees, contractors, and others who interact with the system such as first responders. Staffing levels and planned tasks reflect workload estimates. These estimates are prepared with WMSC's experience as an independent SSOA, the resources necessary to execute the mandate in the WMSC Compact, scaled to match the size, scope and complexity of the Metrorail system. The WMSC expects this work to include, among many other areas, continued participation in the National Transportation Safety Board (NTSB) investigation of the October 12, 2021, derailment, providing close, continuing oversight of Metrorail's implementation of a plan to safely return each 7000 Series railcar to passenger service and overseeing Metrorail's safety certification of Potomac Yards Station, the Auto Doors & Re-Activation of Automatic Train Operations (ATO), implementation of the automated wayside inspection system (AWIS), the complete phased overhaul of the Metrorail Roadway Worker Program (RWP).

The WMSC maintains 24/7 operations to align with Metrorail, which moves trains and conducts inspections, maintenance, and repairs continuously. WMSC staff receive notifications around the clock regarding safety events that occur in the system. In some cases, the WMSC staff mobilize to these event locations as part of our role in investigations. WMSC staff are constantly assessing the issues raised and determining what additional investigative action is necessary. Conducting rail safety oversight of Metrorail involves overseeing WMATA's practices and procedures that are designed to ensure the safety of physical assets that make up the system such as track, structures, railcars, stations and ancillary facilities, and the readiness of several thousand Metrorail employees who have roles in operating, inspecting, maintaining, training personnel, and engineering the Metrorail system.

Key Work Program Activities

The WMSC Compact and federal regulations require the WMSC to publish, maintain, and adhere to a Program Standard that describes the processes and procedures that the WMSC uses to carry out SSO activities, and the processes and procedures that WMATA must use to comply with WMSC requirements. The WMSC reviews and updates its Program Standard annually. The Program Standard along with all audit, inspection, and safety event investigation reports, as well as official action documents are publicly available on the [WMSC website](#).

Likewise, WMATA is required to develop, maintain, and adhere to its Public Transportation Agency Safety Plan (PTASP). The WMSC, as the regulation mandates, is to evaluate that the PTASP is prepared in keeping with the regulations and the National Public Transportation Safety Plan and is consistent with the WMSC Program Standard stipulations. In November 2020, the WMSC Commissioners approved WMATA's initial PTASP, as required by Title 49 C.F.R. § 673.12. Metrorail is required to revise its PTASP at least annually. The WMSC reviews each update and provides feedback if necessary, well ahead of that deadline. Metrorail has met its annual revision requirement in calendar years 2021 and 2022.

The list below describes the core SSO functions that are governed by the WMSC Program Standard and explains how these functions provide oversight of WMATA's implementation of its PTASP. The WMSC will continue to carry out these efforts in FY 2024.:

1. Conducting or causing to be conducted investigations into safety events such as accidents, incidents, and occurrences, as defined by federal regulations and the WMSC Program Standard. In FY 2022 the WMSC investigated, and the Commissioners adopted 124 safety event investigation reports. Our



investigations team has worked with WMATA to significantly improve the investigation process over the last two years, resulting in more timely completion of investigations and more comprehensive reports.

2. Conducting safety audits to verify Metrorail compliance with its PTASP, policies and procedures. In FY 2022 the WMSC conducted six safety audits. These audits pertain to Fitness for Duty, Emergency Management and Fire & Life Safety Programs, Revenue Vehicles, Traction Power, Rail Operations, and Stations, Elevators and Escalators. All published audit reports are publicly available on the WMSC website. At the start of FY 2023, the WMSC completed its final audit of its first triennial cycle with an audit of Metrorail's communications systems. As required by the Program Standard/WMSC Compact, the WMSC will publish a compendium of all audit reports that will be available on the WMSC website. The second triennial cycle of the WMSC's audit of Metrorail began with an audit of Metrorail's Track infrastructure practices. Forthcoming audits into FY 2024 include:
 - FY 2023: internal safety review program, structures, roadway maintenance machines, ATC and signals, and power
 - FY 2024: revenue vehicles, roadway worker protection (RWP), rail operations control center (ROCC) and fitness for duty
3. Ordering, reviewing, approving, monitoring, and verifying Metrorail Corrective Action Plans (CAPs) to address safety deficiencies or non-compliance. After the WMSC issues findings, Metrorail must submit proposed CAPs to the WMSC to resolve the issues and reduce the risk of future safety events. As of September 30, 2022, the WMSC is currently overseeing 132 open CAPs, many of which were created to address WMSC audit findings.
4. Conducting independent safety inspections of Metrorail infrastructure, operations, and personnel. The WMSC documents these inspections and provides feedback to Metrorail. In some cases, these inspections lead to official actions to help ensure WMATA addresses safety concerns discovered by the WMSC.
5. Taking any necessary enforcement action to compel Metrorail to adhere to its safety commitments. For example, on May 17, 2022, the WMSC issued an order regarding improper power restoration after the WMSC found that WMATA continued to put its personnel at risk of serious injury or death by repeatedly bypassing safety redundancies in power restoration procedures after the WMSC repeatedly explained safety deficiencies to WMATA. The order required Metrorail to among other things, reduce the number of work locations requiring power de-energization and energization to no more than 30 per shift and to no more than 10 per shift per Power Desk. This finding also resulted in the rejection of Metrorail's request to close CAP C-0037, which was created to address a related finding that third rail power restoration is routinely rushed by ROCC management with a focus on restoring train service rather than a focus on following safety procedures. In FY 2022, the WMSC also issued orders related to safety certification, removing and keeping 7000 series rail cars out of passenger service and ineffective and insufficient upkeep of Automatic Train Control Rooms (ATC TCR).
6. Ensuring that capital projects, including new projects as well as renewal projects, follow an organized method to identify and mitigate hazards prior to entering service. This process is referred to as



safety certification. For example, the WMSC is overseeing the safety certification of the Silver Line Phase 2 extension, which will extend the line to Dulles Airport and Loudoun County. This will require considerable staff time as Metrorail conducts pre-revenue testing and begins passenger service, only after receiving concurrence from the WMSC.

7. Preparing and providing two annual reports to the three jurisdictions and other stakeholders, including WMATA and the FTA. The WMSC Compact requires an annual report on the safety of the Metrorail system, and it also requires an annual report of WMSC operations. The WMSC makes its annual reports publicly available on the WMSC website. In addition, the WMSC submits required data to the FTA through the State Safety Oversight Reporting (SSOR) tool.
8. Supporting and conducting an annual independent audit of WMSC finances at the close of the WMSC 2022 fiscal year. This will be the fourth annual financial audit, all have resulted in an unmodified or “clean” auditor opinion.
9. Conducting Public Meetings of the Commission. In FY 2022 the WMSC conducted nine public meetings, which included adoption of safety investigation reports, briefings on safety audit findings, the adoption of revised bylaws and other policies, and the issuance of its annual reports. The public meetings also provide the opportunity for public comment. Video recordings of each meeting is available via the [WMSC's YouTube channel](#). The WMSC plans to hold nine public meetings in FY 2023.

Budget Process, Funding Sources, and Amounts

On October 25, 2022, the WMSC submitted its draft FY 2024 work plan and budget to its commissioners. The draft budget in the appendix represents a year-over-year spending increase of \$736,000. The WMSC has made a concerted effort to state its budget needs as accurately as possible. The WMSC’s workload assessment and planning demonstrates this increase is necessary to carry out our work.

The WMSC Compact states that the WMSC’s operations are funded independently of WMATA by the three jurisdictions, and, when available, by federal funds. The WMSC Compact also states that the jurisdictions shall unanimously agree on adequate funding levels for the WMSC and make equal contributions of such funding to cover the portion of WMSC operations not funded by federal funds. On June 15, 2019, the WMSC entered into a funding agreement with the three jurisdictions regarding the budget and funding process.

The funding agreement establishes a four-step budget process:

1. By November 1 of each year, the WMSC shares with the jurisdictions a draft budget for the next WMSC FY.
2. By December 15 of each year, the jurisdictions provide comment on the draft budget to the WMSC.
3. Prior to April 15 of each year, the WMSC provides notice to the jurisdictions confirming unanimous agreement and providing the total share to be paid by the jurisdictions.
4. Finally, no later than June 1, the WMSC Commissioners adopt the budget, and it goes into effect on July 1.

Per the funding agreement, the WMSC invoices each jurisdiction for its share in two equal installments: Invoices



are issued in June (payment due on July 15) and in December (payment due January 15). Federal grant funds are only available to the WMSC on a reimbursable basis, and a 20 percent local match is required. Additionally, the WMSC relies on additional (overmatch) funds from the jurisdictions to cover that portion of its budget that is not covered by federal grant funds and associated matching funds. Finally, the WMSC maintains a six-month reserve fund. Consequently, each invoice breaks the jurisdiction's share into three categories: Matching funds, overmatch, and reserve funds.

The table below lists the applicable federal grants by federal fiscal year (FFY). The table provides the total value of each grant, the federal portion, and the required local matching funds:

FFY	Total	Federal Share	Local Match	Period Available
2017	\$2,147,762	\$1,718,210	\$429,552	Fully Expended
2018	\$4,331,546	\$3,465,237	\$866,309	7/1/20-6/30/25
2019	\$2,207,738	\$1,766,190	\$441,548	7/1/21-6/30/26
2020	\$2,246,607	\$1,797,286	\$449,321	7/1/21-6/30/26
2021	\$2,630,601	\$2,104,481	\$526,120	7/1/22-6/30/27
Collected			\$2,712,850	
2022	\$4,456,843	\$3,565,474	\$891,369	7/1/23-6/30/28

The FFY 2017 grant was the first federal grant awarded to the WMSC and had been fully expended. FFY 2018 through 2022 are currently active and expected to be expended over a five-year period.

Through WMSC FY 2023, the WMSC will have collected \$2,712,850 in local matching funds, a requirement of the grant awards and the funding agreement with the jurisdictions. In WMSC FY 2024, the jurisdictions will be asked to provide local matching funds for the recently awarded FFY 2022 grant totaling \$891,369, or \$297,123 from each jurisdiction. For reference, the FY 2023 calculation of the match was \$526,120, equally divided by each jurisdiction. The increase is due to additional funding provided by the FTA from the bipartisan infrastructure law signed into law on November 15, 2021.

In FY 2024, the WMSC also anticipates that the local jurisdictions will be asked to provide overmatch funds. As specified in the funding agreement, the WMSC conducted a carryover analysis and reconciliation. Unspent local funds from FY 2022 are credited to the jurisdictions before calculating the dollar value of the overmatch that will be needed for WMSC FY 2024. Based on the proposed budget, and the audited carryover balances from WMSC FY 2022, the carryover portion of the jurisdiction funding is \$3,192,656, or \$1,064,219 for each jurisdiction. For reference, the total overmatch for FY 2023 was \$3,472,142, with each jurisdiction contributing a third of this amount.

Likewise, a reconciliation will also be conducted for the reserve fund. At the end of the current FY, the WMSC anticipates that the reserve fund will hold \$2,125,136. Because the funding agreement calls for a six-month reserve fund, using a 12 month "look back" period, we anticipate that WMSC will require an additional \$243,918, or \$81,306 per jurisdiction. This additional reserve fund need is based on the most recently completed fiscal year, with total expenses of \$4,738,108, which requires a reserve balance of \$2,369,054 (1/2 of the look back period) for FY 2024. The prior year amount was a credit to the reserve fund of \$406,606.



The total projected jurisdiction contribution is broken down as follows:

	FY 2024	FY 2023
Jurisdiction Match	\$ 891,368	\$ 526,120
Jurisdiction Overmatch	3,192,656	3,472,142
Jurisdiction Reserve	243,918	(406,606)
Total Jurisdiction funding	\$ 4,327,944	\$ 3,591,656
Each jurisdiction amount	\$ 1,442,648	\$ 1,197,219



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Appendix



WMSC FY2024 Budget

ADMINISTRATIVE	
Staff compensation and benefits	<p>\$4,885,000</p> <p>Cost reflects salaries and benefits (health, dental, vision, life insurance, and retirement) for staffing necessary to ensure the WMSC can carry out its mission and maintain the level of effort required based on 49 CFR 674. Due to the experience thus far with the NTSB investigation that began in late 2021, the WMSC's associated orders, and guidance provided by the FTA, we are budgeting to increase our FTEs from our current level of 20 to 25 in FY2024. We are also budgeting staff increases that will allow management to make market adjustments to stay competitive. Our benefit rate is being budgeted at 22.5% of salaries.</p>
Commission meetings	<p>\$35,000</p> <p>Cost reflects statutorily obligated stipends and reasonable travel expenses, meeting space costs, catering, meeting materials, and security.</p>
Office equipment and supplies	<p>\$32,000</p> <p>Purchase (or lease) of office equipment (e.g., laptops, monitors, plotters, and printers), office collaboration equipment, office supplies.</p>
Office space lease	<p>\$207,000</p> <p>Cost reflects annual lease of office space and estimated costs for access control and operating expenses.</p>
Business Insurance	<p>\$160,000</p> <p>Cost reflects annual renewal costs for cybersecurity insurance, liability, property, and acts and omissions policies and approximately \$15,000 reserved for cost increases and/or any additional insurance needed.</p>
Other Employee Benefits	<p>\$15,000</p> <p>Cost reflects SmartBenefits, and tuition reimbursement.</p>
SUBTOTAL	<p>\$5,334,000</p>

CONTRACTORS	
Legal Services	<p>\$150,000</p> <p>Cost reflects annual cost for outsourced legal services.</p>
Organizational services	<p>\$280,000</p> <p>Cost reflects outside contract support for human resources, audit and accounting services, procurement, graphics, performance metrics design, data analytics, and employee benefits management services.</p>
IT support services	<p>\$165,000</p> <p>Cost reflects general information technology support services, including laptop configuration and maintenance, website redesign, email domain management, computer security, and disaster recovery planning.</p>
SSOA staffing support	<p>\$600,000</p> <p>Cost reflects contractor support to provide and increasing need for expert technical services for safety audits and high-profile investigations, and as needed at other times.</p>
SUBTOTAL	\$1,195,000

TRAVEL AND TRAINING	
Training	<p>\$25,000</p> <p>Cost reflects travel and tuition for commissioners and staff to obtain required certifications, as well as training on oversight of drug and alcohol requirements, fatigue and human factors in transportation, accident investigation, investigation interview techniques, project management, and related topics. Training vendors include DOT, FTA, NTSB, and other entities.</p>
Local staff travel	<p>\$12,000</p> <p>Cost reflects reimbursement for travel associated with field work, inspections, and meetings in the National Capital Region.</p>
SUBTOTAL	\$37,000

EQUIPMENT & MAINTENANCE	
IT software and maintenance	<p>\$120,000</p> <p>Cost reflects acquisition, maintenance, support, and licensing fees for software and data systems to support the WMSC’s mission and IT infrastructure. This includes legal databases, media monitoring, office productivity and other related software, website domain renewal, and the like. Cost also includes office internet, telephone and video communication services.</p>
Publications and memberships	<p>\$10,000</p> <p>Cost reflects maintaining staff professional licenses and memberships, technical publications, and subscriptions, WMSC organizational memberships (e.g., National Safety Council, American Public Transportation Association).</p>
Personal protective equipment	<p>\$10,000</p> <p>Cost reflects purchase of personal protective equipment and inclement weather gear required for staff to work safely in the rail system.</p>
Tools and instruments	<p>\$5,000</p> <p>Cost reflects purchase of specialized work equipment that may be needed to conduct field inspection activities. This could include, speed monitoring equipment, track measuring tools, cameras, and other electronic devices.</p>
SUBTOTAL	\$145,000
TOTAL	\$6,711,000



The Washington Metrorail Safety Commission

FTE Chart – 2024 budget

Position Title	Number
Chief Executive Officer	1
Deputy CEO and Chief Operating Officer	1
General Counsel	1
Chief Financial Officer	1
Chief, Oversight Strategy and Communications	1
Attorney Advisor and Government Relations Lead	1
Program Manager: Audits & CAPs	1
Program Manager, Train Control & Signals	1
Program Manager, Information Technology	1
Program Manager, Investigations	1
Program Manager, Safety Certification	1
Program Manager, Risk Based Inspections	1
SME Track & Structures	1
SME Vehicles	1
SME Operations	1
Program Specialist, Emergency Management	1
Program Coordinator Specialist	1
Program Specialist, Operations	1
Communications Specialist	1
Business Operations Manager	1
Investigations Analyst	1
Program Specialist, Systems *	1
Program Specialist, Signals and Train Control *	1
Program Specialist, Investigations *	1
Program Specialist, CAPs *	1
Total:	25

*Not currently encumbered; recruiting underway or planned.