



Order of the

Washington Metrorail Safety Commission

On this day, January 17, 2024, the Washington Metrorail Safety Commission (“WMSC”) issues the following order regarding Washington Metropolitan Area Transit Authority (“WMATA”) Metrorail:

WHEREAS, the WMSC is the designated State Safety Oversight Agency for the WMATA Rail System, as required by 49 U.S.C. § 5329(e)(3)(C);

WHEREAS, the WMSC’s powers are established by the Washington Metrorail Safety Commission Interstate Compact (P.L. 115-54; 131 Stat. 1093) (“WMSC Compact”), passed into law by the Commonwealth of Virginia, State of Maryland, and District of Columbia and approved by Congress on August 22, 2017;

WHEREAS, among the powers granted to the WMSC under the WMSC Compact is the authority to “require, review, approve, oversee, and enforce the adoption and implementation of any Corrective Action Plans that the Commission deems appropriate” WMSC Compact § 30(c);

WHEREAS, among the powers granted to the WMSC under the WMSC Compact is the authority to “Take such other actions as the Commission may deem appropriate consistent with its purpose and powers.” WMSC Compact § 31(f);

WHEREAS, WMSC Bylaws Art. VI.C.1. and VI.C.6.a authorize the Chief Executive Officer to issue directives to WMATA, and to issue directives to create and implement a corrective action plan and conduct a hazard analysis;

WHEREAS, on January 4, 2024, the National Transportation Safety Board (“NTSB”) released Railroad Investigation Report RIR-23-15 (dated December 12, 2023), Derailment of Washington Metropolitan Area Transit Authority Train Near Rosslyn Station, Arlington, Virginia, October 12, 2021 (“RIR-23-15”);

WHEREAS, RIR-23-15 recommended that the Washington Metropolitan Area Transit Authority “implement processes and resources to expand the role of trend analysis in identifying and mitigating safety risks” (Safety Recommendation R-23-28) and that the WMSC develop and implement a program to support and monitor Metrorail’s improved use of trend analysis (Safety Recommendation R-23-29);

WHEREAS, 49 CFR Section 674.37(b) requires the WMSC to determine whether the NTSB’s findings and recommendations require Metrorail to develop a corrective action plan (“CAP”);

WHEREAS, the WMSC Program Standard further enables the WMSC to issue or adopt findings requiring corrective action based on oversight or investigative work conducted by other entities; and

WHEREAS, having determined, for the reasons listed in RIR-23-15, that the recommendation does require such a corrective action plan;

IT IS HEREBY ORDERED that WMATA Metrorail must:

Develop and implement a corrective action plan in accordance with the requirements of WMSC Program Standard Section 9.C to address Safety Recommendation R-23-28.



Consistent with the WMSC practice for corrective action plans, the corresponding minimum corrective action the WMSC expects Metrorail to meet in the CAP development process is as follows:

Minimum Corrective Action:

1. Define in a governing document what a safety-critical asset, item, and system is.
2. Complete development of a list of safety-critical items for all assets and systems.
3. Identify the data sources relevant to each safety-critical item, and the responsibilities and obligations for inputting data and evaluating each data source.
4. Assign responsible parties for conducting data analysis related to each item, asset, and system, and establish the minimum frequencies for review of such data and communication of safety trends.
5. Assess the adequacy of existing data sources to provide relevant and timely information about safety-critical items, assets, and systems.
6. Establish requirements for the review of this safety-critical items list and relevant data sources.
7. Establish requirements for evaluation of any new items to determine whether they are safety-critical items.
8. Assign responsible parties to ensure that each new item, asset and system is appropriately assessed.
9. Identify and provide the necessary resources to identify potential or actual safety-critical failures and use these resources to mitigate safety risks.
10. Establish requirements to ensure that safety certification, including each Preliminary Hazard Analysis, identifies safety-critical items potentially affected by the project, any associated hazards, and any necessary mitigations.
11. Ensure that relevant personnel are trained on an ongoing basis to understand the items that are safety-critical, the safety issues that must be raised to other personnel, departments, and management, and how to raise and track those safety issues.
12. Implement the requirements of WMATA's Agency Safety Plan to perform trend analyses, ensure safety risk mitigations are performed and are effective, and to communicate internally about these trends and activities. This includes defining the minimum frequency of communication and the triggers for such communication to inform safety risk coordinators, safety committees, executive leaders, and the WMATA Board of Directors of safety data trends.
13. Provide evidence to the WMSC that trend analysis is being used to identify and mitigate safety risks throughout Metrorail, including the proper rating of and response to these risks per Metrorail's identification of safety-critical items and Metrorail's Agency Safety Plan.

David L. Mayer
Chief Executive Officer
Washington Metrorail Safety Commission