

**WASHINGTON METRORAIL SAFETY COMMISSION**

**Date:** **Tuesday, September 17, 2024**

**Location:** This meeting was conducted as a publicly streamed video conference. The video recording of the meeting is available at [WMSC Public Meeting of the Commissioners - September 17, 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...). Commissioner questions and comments are captured in the video recording.

**MINUTES**

<b>Order of Events</b>	<b>Items</b>
<b>Attendance</b>	Commissioners present: Chair Christopher Hart, Vice Chair Robert Lauby, Secretary-Treasurer Debra Farrar-Dyke, and Commissioners Bobb, Rouse, Conklin, and Higgins. Commissioner Higgins was a non-voting member.
1.	<b>Call to Order.</b> Hart.  Hart called the meeting to order at 12:30 p.m. WMSC General Counsel Silbaugh called the roll, and a quorum was achieved.
2.	<b>Safety Message.</b> Darrell Braxton, Program Specialist, Operations.  September is National Preparedness Month; an annual reminder to prepare for emergencies. Braxton encouraged taking simple steps to continue preparedness, such as planning a time to have focused conversations with family and friends about how to respond to an emergency. Metrorail has emergency management programs, some of which are tested through full-scale exercises. The WMSC observes these full-scale exercises, as well as overseeing compliance with rules and procedures, and auditing the emergency management and life safety programs.
3.	<b>Approval of the minutes of the August 6, 2024 Public Meeting.</b> Hart.  Farrar-Dyke sought comments on the proposed minutes. Hearing none, she moved for approval of the minutes of the August 6, 2024 Public Meeting. The minutes of the August 6, 2024 Public Meeting were approved unanimously.
4.	<b>Public Comments.</b> Hart.  Hart invited comments from members of the public who had joined the webinar audience and who identified themselves as speakers. No members of the public offered comments. Chair Hart

	also reminded viewers that comments may be provided to the WMSC website, through social media, or by email.
5.	<p><b>Chair’s Remarks.</b> Hart.</p> <p>Hart thanked the staff for its ongoing oversight work. He acknowledged the regular dialogue between the WMSC and Metrorail concerning its safety certification, audits, and corrective action plans. He closed with an expression of appreciation for the service of Commissioner DeBruhl, who resigned from her position as of September 1, 2024 to move to another professional opportunity. Commissioner DeBruhl served as the Director of the Virginia Department of Rail and Public Transportation.</p>
6.	<p><b>CEO’s Remarks.</b> David Mayer, Chief Executive Officer.</p> <p>Mayer began with two items of good news. First, the WMSC received the FTA’s draft audit report of the WMSC operations, and it has one finding concerning logging CAPs. FTA’s report will be finalized soon and the WMSC will draft a corrective action plan to resolve the finding. Second, on September 10, the FTA sent its notification that the WMSC’s proposed risk-based inspection plan satisfied the FTA’s requirements identified in its Special Directive. Now the WMSC will begin implementing the risk-based inspection program. He then moved to updates on current matters. Mayer reported on the status of the subpoena issued on April 8, seeking production of documents in support of the Fitness for Duty and Occupational Health Programs Audit. He shared that counsel agreed to and established the process for in-person production of responses related to the drug and alcohol program. Multiple in-person meetings were held. He reminded that Metrorail continued its refusal to address other items, including drafting two corrective action plans stemming from audit reports, because Metrorail perceives them as encompassed by the subpoena. Concerning Metrorail’s roadway worker protection program, Mayer reported on a proposed rule change that removes the requirement for a dedicated watchman/lookout at any time there is rail movement within a work zone. The WMSC reported its concerns to Metrorail that this proposal increases the possibility of catastrophic events, such as workers being struck by moving equipment. Mayer also highlighted recent WMSC inspections of three train control rooms. Safety concerns were identified and shared with the Metrorail staff accompanying the WMSC staff, as well as reported to Metrorail managers. Finally, he reported on an inspection of the Silver Spring Station following its re-opening after the summer shutdown. Staff found that several of the safety mitigations that Metrorail agreed to during this construction phase were not in place, and communicated these concerns to Metrorail personnel. The WMSC will conduct follow-up inspections to ensure the necessary safety corrections are made.</p>
7.	<p><b>Audits.</b> Davis Rajtik, Deputy Chief Operating Officer and Program Manager for Audits and CAPs.</p> <p>Rajtik reported that deadline for the production of documents has passed but the WMSC has not received the majority of the documents needed to begin the Fitness for Duty and Occupational Health Programs Audit. Thus, the WMSC is not able to begin its targeted assessment of compliance with worker safety standards. The WMSC staff conducted additional in-person inspections of drug and alcohol records at WMATA’s New Carrollton headquarters and sent</p>

	<p>follow-up requests based on the production to date. Concerning other audits, the Emergency Management and Fire Life Safety Program audit continues, and the WMSC is reviewing responsive documents and information learned during interviews and on-site observations. The exit interview for this audit is expected during October. Last, the notification and initial document requests were sent to Metrorail for the Control Center and Rail Operations Audit. Metrorail provided documents in response to the initial requests, and Interviews and on-site observations should begin in October.</p>
<p>8.</p>	<p><b>Corrective Action Plans (CAPs).</b> Ashley Rhodes, Audit and Corrective Action Plan Specialist.</p> <p>Rhodes reported that one CAP has been closed since the August 6 public meeting. There are 91 open CAPs, and Metrorail proposed 13 CAPs stemming from the Revenue Vehicle and Roadway Worker Protection Audits. Metrorail has submitted 38 new deliverables on the open CAPs between the August and September meetings. Rhodes also reiterated that information is reviewed daily to verify Metrorail’s progress on open CAPs. The one closed CAP is C-0181 from a finding in the 2021 Audit of Rail Operations. The audit finding stated that elements of Rail Operations have a culture that accepts noncompliance with written operational rules, instructions and manuals. The CAP that addresses this finding required the implementation of a new Safety Management System for the Office of Rail Operations. Rhodes also reported that the WMSC issued a notice of non-compliance to Metrorail for its failure to provide the first deliverable for CAP C-0146, developed from the 2021 Railcar Audit. The Audit found that Metrorail cars, the legacy fleet of 2000, 3000 and 6000 series railcars, do not include inward and outward-facing audio and image recorders in all operating compartments. The first deliverable, a project plan, originally was due on January 7, 2022. That deadline was extended several times to August 9, 2024, but was not received by that date either. To return to compliance, Metrorail needed to submit the project plan by September 12, 2024. According to that project plan submitted, Metrorail will not complete adding camera and audio recording equipment to railcars until September 2028.</p>
<p>9.</p>	<p><b>Safety Certification Status Report.</b> Paul Smith, Director, System Engineering.</p> <p>Smith described the WMSC’s oversight role as Metrorail implements its safety certification program, including that the WMSC’s Program Standard describes the oversight the WMSC implements to verify that Metrorail is adhering to its obligations for safety certification of various projects. He provided an update on the in-depth review of Metrorail’s change to the maximum allowable speed, specifically the WMSC’s interaction with Metrorail on a proposed rule change that was premature because the safety certification process is incomplete. The other programs under in-depth review are the new 8000 Series railcars, Metrorail’s Automated Wayside Inspection System, and Automatic Train Operations. The WMSC team is preparing for a Metrorail-requested ATO workshop planned for October. In anticipation of the workshop, the WMSC requested a draft of Metrorail’s safety certification package. This package will be reviewed prior to the workshop.</p>
<p>10.</p>	<p><b>Safety Event Investigations.</b> Adam Quigley, Manager, Safety Investigations and Natalie Quiroz, Investigations Analyst.</p>

	<p>Quigley highlighted some ongoing investigations particularly a red signal overrun on August 30, 2024 at Downtown Largo Station. The preliminary information indicates that after offloading passengers at the station, trains used the rear interlocking because the front interlocking was clamped. Although there was poor radio reception, the train operator moved the train without positive confirmation from the terminal supervisor. He also reported an improper roadway worker protection event on August 25 at Southern Avenue Station. A Track and Structures supervisor was removed from service after entering the roadway without required protection. The crew was at the incorrect station, believing it was at Anacostia. The paperwork only listed the alphanumeric code and not the station name.</p> <p>The reports referenced below may be found at the following link:  <a href="https://wmasc.gov/oversight/reports/">https://wmasc.gov/oversight/reports/</a>.</p> <ol style="list-style-type: none"> <li>1. W-0329 Red Signal Overrun at New Carrollton Yard – January 3, 2024</li> <li>2. W-0330 Red Signal Overrun at Rhode Island Ave-Brentwood Station – February 13, 2024</li> <li>3. W-0331 Red Signal Overrun at West Falls Church Station – February 15, 2024</li> <li>4. W-0332 Improper Vehicle Movement and Flagging within a Work Zone at Smithsonian Station – March 14, 2023</li> <li>5. W-0333 Excessive Speed Past Roadway Workers at Spring Hill Station – January 26, 2023</li> <li>6. W-0334 Train Movement not briefed by AMF at Rhode Island Ave-Brentwood Station – February 27, 2024</li> <li>7. W-0335 Unauthorized Roadway Entry near College Park-UMD Station – July 4, 2023</li> <li>8. W-0336 Train Movement not briefed by AMF at Glenmont Station – January 18, 2024</li> <li>9. W-0337 Improper Door Operation at Columbia Heights Station – November 28, 2023</li> <li>10. W-0338 Improper Door Operation at Federal Center SW Station – January 11, 2024</li> <li>11. W-0339 Improper Door Operation at Rhode Island Ave-Brentwood Station – February 17, 2024</li> <li>12. W-0340 Collision at Spring Hill Station – February 8, 2024</li> </ol> <p>Commissioners moved to adopt the 12 reports. The motion passed unanimously.</p>
<p>11.</p>	<p><b>Resolutions and Other Actions.</b> Hart and Kyle Ange, Chief Financial Officer.</p> <p>The Commissioners must authorize the CEO to award a contract when its value exceeds \$50,000. Ange summarized the proposed procurement for Outreach support services, providing information updates to stakeholders at the local, state, and federal levels. Budgeting for this procurement was reviewed with the Finance and Operations Committee.</p> <p>Commissioners moved to adopt resolution R-2024-06, which authorizes the CEO to award a contract in excess of \$50,000. The motion passed unanimously.</p>
<p>12.</p>	<p><b>Adjournment.</b> Hart adjourned the public part of the meeting at 2:30.</p>