



U.S. Department
of Transportation

**Federal Transit
Administration**

**State Safety Oversight Audit of
Washington Metrorail Safety Commission (WMSC)
Washington, DC**

Conducted by

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION**

Office of Safety Oversight and Compliance

On-Site/Virtual Interview Dates: May 7–10, 2024

Final Report Date: September 20, 2024



September 20, 2024

SENT VIA EMAIL

Dr. David Mayer
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Washington Metrorail Safety Commission
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Washington, DC 20002
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Subject: FINAL State Safety Oversight Program Audit Report of the Washington Metrorail Safety Commission – May 7–10, 2024

Dear Mr. Mayer,

Enclosed is the Federal Transit Administration’s (FTA) Final State Safety Oversight (SSO) Program audit report of the Washington Metrorail Safety Commission (WMSC). This audit assessed WMSC’s implementation of the Federal Transit Administration’s (FTA) SSO program regulation 49 CFR part 674 (Part 674) and conformance to its own Program Standard and governing directives. The audit was conducted on-site in Washington D.C.

Audit Process

Prior to arriving on-site, the FTA Audit Team requested and reviewed documentation used by WMSC and Washington Metropolitan Area Transit Authority (WMATA) to direct, manage, implement, and monitor the SSO program as specified in Part 674.

At the conclusion of the on-site audit on May 10, 2024, the FTA held an exit briefing and delivered key observations to WMSC representatives. FTA also conducted a second exit briefing on May 30, 2024, to discuss the additional documents WMSC provided during the audit.

Comment on Draft Report

FTA provided WMSC an opportunity to review the draft SSO audit report for errors of fact and to submit factual corrections to FTA. The comments WMSC submitted to FTA on September 6, 2024, are in Appendix A. FTA has provided responses to WMSC’s draft audit report comments in Appendix B. FTA incorporated necessary comments and updated this final audit report to address any concerns.

Audit Findings

As a result of the audit, FTA identified one (1) finding where elements of the oversight program are “Noncompliant” with specific Part 674 requirements. An explanation of these criteria is presented in Section 1 of this audit report.



Resolution of Findings

WMSC will have 45 business days from the issuance of this report to respond to the open finding with corrective action plans.

We appreciate your cooperation and assistance in working with FTA to support this audit. Your actions to address the finding will contribute to the goal of improved safety for your rail transit passengers and employees.

If you have any questions about the audit, please contact Ruth Lyons, FTA SSO Senior Program Manager at 202-366-2233 or Ruth.Lyons@dot.gov.

Sincerely,

Melonie Barrington, EdD.
Director
Office of Safety Oversight and Compliance

Enclosure: Final WMSC SSO 2024 Audit Report

cc: Ms. Sharmila Samarasinghe, Chief Operating Officer, WMSC
Ms. Theresa Garcia Crews, Regional Administrator, FTA Region 3
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Executive Summary

Background

The Washington Metrorail Safety Commission (WMSC) is the designated agency for the State of Maryland, Commonwealth of Virginia, and the District of Columbia to carry out the State Safety Oversight (SSO) program responsibilities for the Washington Metropolitan Area Transit Authority (WMATA) rail transit system.

The WMATA is responsible for operations of the Metrorail system, which opened its first heavy rail operations in 1976. Created by an interstate compact in 1967, WMATA operates over 128 revenue miles of passenger rail services over six routes with a total of 98 stations. In 2023, ridership across all of the six lines was 95.8 million, which includes the new Silver Line.

There are six commissioners and three alternates appointed to the commission's board, two commissioners and one alternate from each jurisdiction. The SSO Program Manager designee manages the staff and daily operations for the WMSC. This is the FTA's second audit of WMSC since FTA certified WMSC's SSO program on March 18, 2019.

Scope of the Audit

Federal regulation, 49 CFR Part 674.11, requires FTA to audit each State's compliance of their SSO program at least triennially. The FTA Audit Team conducted its on-site audit of WMSC from May 7–10, 2024. FTA also conducted a second exit briefing on May 30, 2024, to discuss the additional documents WMSC provided during the audit.

Summary of Findings

The FTA Audit Team identified one (1) finding of noncompliance in the WMSC SSO program. A finding of noncompliance is determined when FTA finds that a required element of an SSOA's program does not meet the SSO Rule (49 CFR part 674) requirements.

- WMSC did not ensure that WMATA's CAPs included an accurate schedule.

Between Federal Fiscal Years 2013 and 2023, FTA apportioned over \$18 million to WMSC to conduct safety oversight of its rail transit system. At the time of the on-site audit, WMSC had disbursed approximately \$8 million of obligations from their total apportionments, WMSC has provided a five year spend plan showing the drawdown of the approximately \$10 million unused apportioned funding.

Required Actions

WMSC will have 45 business days from the issuance of this report to respond to the open finding with a corrective action plan.



Conclusion

WMSC has been certified under 49 CFR part 674 and has an approved Program Standard to exercise safety of the RTAs. The finding of noncompliance is detailed in this report. WMSC must address the FTA finding and required actions.



1. Introduction

This report documents the FTA SSO Audit required under Part 674 of WMSC. Title 49 CFR part 674.11 requires FTA to monitor and evaluate SSOA compliance with FTA's SSO Rule on a triennial basis.

The FTA's SSO audit program is designed to:

- Review the implementation of Part 674 requirements by the SSOA;
- Assess the adequacy of resources and authority provided to the SSOA to carry out Part 674 requirements;
- Assess the technical capacity of the SSOA to implement Part 674 requirements; and
- Assess the agency's compliance with all other regulatory requirements.

1.1 Audit Scope

From May 7–10, 2024, the FTA conducted the on-site audit portion of WMSC's SSO program. The audit assessed WMSC's processes and implementation of FTA's SSO Rule, Part 674 for the RTAs in its jurisdiction, the WMATA rail transit systems. This is the second audit of WMSC under FTA's SSO Final Rule, 49 CFR Part 674. FTA conducted the previous WMSC audit in April 2021. FTA's SSO audit focused on the following areas:

- The adequacy of WMSC resources and authority to carry out Part 674 requirements;
- WMSC's use of available financial assistance to develop and carry out SSO programs;
- The level of communication and coordination between WMSC and WMATA regarding safety issues;
- The effectiveness of the processes in place for WMSC and WMATA to identify, assess, communicate, and resolve hazards and vulnerabilities in both operations and in safety certification for current projects;
- The effectiveness of the processes used by WMSC to manage, review, approve, track, and close out corrective action plans (CAPs);
- The adequacy of the RTAs' internal reviews and WMSC triennial audits in assessing PTASPs; and
- WMSC's technical capacity to implement Part 674 requirements.

1.2 Audit Methodology

The SSO audit process follows four major steps:

1. Prior to On-Site Review

- FTA requested that WMSC submit specific documents and materials related to its SSO program and the safety plans of WMATA as applicable to SSO program rules.
- FTA reviewed the documents prior to conducting on-site interviews on May 7, 2024.



2. While On-Site

- FTA conducted interviews with WMSC staff and WMATA safety and operations personnel responsible for key safety programs and functions.
- FTA also conducted field reviews and/or verification activities.

3. Drafting and Reviewing Audit Report

- On August 23, 2024, FTA provided WMSC with the draft audit report for comment.
- On September 6, 2024, WMSC provided comments to the draft audit report. FTA incorporated comments, as appropriate, and updated this final audit report.
 - Appendix A includes WMSC's letter with comments to FTA dated September 6, 2024.
 - Appendix B includes FTA's responses to WMSC's comments to the draft report.

4. Findings Management

- This report will include a tracking matrix that identifies the audit finding of noncompliance and the required action.
- The open finding requires a corrective action plan submitted to FTA within 45 business days of the issuance of this report.

1.3 Findings of Noncompliance

If FTA determines that a required element of an SSOA's program does not meet the SSO rule requirements, FTA will issue a finding of noncompliance to be addressed through CAPs.

1.4 FTA Audit Team

The FTA Audit Team is led by an FTA Program Manager with a team of technical consultants. The work of the Program Manager In-Charge is managed by the FTA Office of Oversight and Compliance, Safety Oversight Division.

FTA Audit Team

Ruth Lyons	Sr. Program Manager	Safety Oversight Division
Dain Pankratz	Consultant	Boyd Caton Group
David Smith	Consultant	Boyd Caton Group
Nick Tomizawa	Consultant	Boyd Caton Group
Kyle Fritz	Consultant	Boyd Caton Group

Audit Management

Dr. Melonie Barrington	Director	Safety Oversight and Compliance
Loretta Bomgardner	Chief	Safety Oversight Division



2. Program Management

For this portion of the audit, the FTA evaluated WMSC's program management process as specified in Part 674:

- Part 674.3 – Applicability
- Part 674.5 – Policy
- Part 674.11 – State Safety Oversight Program
- Part 674.13 – Designation of Oversight Agency
- Part 674.15 – Designation of Oversight Agency for Multi-State System
- Part 674.25 – Role of the State Safety Oversight Agency
- Part 674.27 – State Safety Oversight Program Standards
- Part 674.41 – Conflicts of Interest

2.1 Legal Entity

Basic Requirement: 49 CFR Part 674.11(c) State Safety Oversight Program

Establish a state safety oversight agency, by State law, in accordance with the requirements of 49 United States Code (U.S.C.) 5329(c) and this part.

Audit Evidence

The legal authority for 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 House Bill (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 House Joint Resolution (H.J.Res.) 76, which became Public Law (P.L.) 115-54 on August 22, 2017. In this document, this legislation is collectively referred to as the "WMSC Compact."

WMSC Program Standard Section 1.C also states, "In accordance with 49 U.S.C. §5329(e)(4)(A) and the WMSC Compact, the WMSC is financially and legally independent of WMATA."

The FTA Audit Team reviewed legislation and verified that WMSC is the designated SSOA.

There are no findings of noncompliance for this portion of the audit.

2.2 Legal Independence from RTA

Basic Requirement: 49 CFR Part 674.41(a) Conflicts of Interest



An SSOA must be financially and legally independent from any rail fixed guideway public transportation system under the oversight of the SSOA, unless the Administrator has issued a waiver of this requirement in accordance with Part 674.13(b).

Audit Evidence

WMSC Program Standard Section 1.C states, “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 state safety oversight (SSO) program.”

The FTA Audit Team reviewed legislation and verified that WMSC is legally independent from WMATA.

There are no findings of noncompliance for this portion of the audit.

2.3 Financial Independence from RTA

Basic Requirement: 49 CFR Part 674.11(f) State Safety Oversight Program

Demonstrate that by law, the State prohibits any public transportation agency in the State from providing funds to the SSOA.

Audit Evidence

WMSC Program Standard Section 1.C states, “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 state safety oversight (SSO) program.”

WMSC provided the FTA Audit Team with letters and organizational charts to explain the separation of WMSC and WMATA. The FTA Audit Team reviewed grant information and verified that the SSOA remains financially independent from the RTA under its jurisdiction.

There are no findings of noncompliance for this portion of the audit.

2.4 Overlap of Transportation Services

Basic Requirement: 49 CFR Part 674.13(a) Designation of Oversight Agency

The SSOA does not directly provide public transportation services in an area with a rail fixed guideway public transportation system the SSOA is obliged to oversee.

Audit Evidence

During interviews, the FTA Audit Team verified that WMSC does not provide any type of public transportation services.



There are no findings of noncompliance for this portion of the audit.

2.5 Employment Conflict of Interest

Basic Requirement: 49 CFR Part 674.41(b) Conflicts of Interest

An SSOA may not employ any individual who provides services to a rail fixed guideway public transportation system under the oversight of the SSOA, unless the Administrator has issued a waiver of this requirement in accordance with Part 674.13(b).

Audit Evidence

WMSC Program Standard Section 1.C states, “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 state safety oversight (SSO) program.”

During interviews, WMSC informed the FTA Audit Team that the WMSC staff who oversee the SSO program include personnel who previously worked for WMATA. WMSC explained that this did not present a conflict of interest as the WMSC staff did not simultaneously perform duties for both WMSC and WMATA. WMSC also informed the FTA Audit Team that no current WMSC employees work for WMATA, and WMSC provided details on its process for ensuring that new hires do not create a conflict of interest.

The FTA Audit Team reviewed the resource allocations and determined that WMSC staff did not present a conflict of interest with WMATA.

There are no findings of noncompliance for this portion of the audit.

2.6 Contractor Conflict of Interest

Basic Requirement: 49 CFR Part 674.41(c) Conflicts of Interest

A contractor may not provide services to both an SSOA and a rail fixed guideway public transportation system under the oversight of that SSOA, unless the Administrator has issued a waiver of this prohibition.

Audit Evidence

WMSC Program Standard Section 1.C states, “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 state safety oversight (SSO) program.”

During interviews, the FTA Audit Team confirmed that contractors working for WMSC’s SSO program do not present a conflict of interest with WMSC’s oversight of WMATA.



The FTA Audit Team reviewed the resource allocations and determined that WMSC contractors did not present a conflict of interest.

There are no findings of noncompliance for this portion of the audit.

2.7 Acknowledgement of Responsibility

Basic Requirement: 49 CFR Part 674.11(a) State Safety Oversight Program

At minimum, an SSO program must: (a) Explicitly acknowledge the State's responsibility for overseeing the safety of the rail fixed guideway within the State.

Audit Evidence

WMSC Program Standard Section 1.B states, "In accordance with 49 U.S.C. § 5329 and 49 C.F.R. § 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 C.F.R. Parts 670–74. The WMSC adheres to federal regulations and acts under the Compact's authority to conduct oversight activities on the WMATA Rail System and adjacent property..."

During interviews, WMSC acknowledged its responsibilities implementing the SSO program for WMATA.

There are no findings of noncompliance for this portion of the audit.

2.8 Establishment of Minimum Standards for Safety

Basic Requirement: 49 CFR Part 674.25(a) Role of the State Safety Oversight Agency

An SSOA must establish minimum standards for the safety of all rail fixed guideway public transportation systems within its oversight. These minimum standards must be consistent with the National Public Transportation Safety Plan and the Public Transportation Safety Certification Training Program, the rules for Public Transportation Agency Safety Plans and all applicable Federal and State law.

Audit Evidence

WMSC Program Standard Section 2.B states, "In accordance with 49 C.F.R. Parts 673–74, WMATA is responsible for establishing its own minimum standards for safety. However, if the WMSC determines it is necessary to establish a minimum standard to improve safety, the WMSC develops, reviews, adopts, or revises any practices used by any standard-setting organizations."

During interviews, the FTA Audit Team verified that the Program Standard Version 6.0, dated September 10, 2023, includes references to minimum standards for safety and is the current governing standard for the SSO program.

There were no findings of noncompliance for this portion of the audit.



2.9 Multi-State System Oversight Agency Designation

Basic Requirement: 49 CFR Part 674.15(a) Designation of Oversight Agency for Multi-State System

In an instance of a rail fixed guideway public transportation system that operates in more than one State, all States in which that rail fixed guideway public transportation system operates must either:

- a) Ensure that uniform safety standards and procedures in compliance with 49 U.S.C. 5329 are applied to that rail fixed guideway public transportation system, through an SSO program that has been approved by the Administrator; or
- b) Designate a single entity that meets the requirements for an SSOA to serve as the SSOA for that rail fixed guideway public transportation system, through an SSO program that has been approved by the Administrator.

Audit Evidence

WMSC Program Standard Section 1.B states, “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. 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 safety oversight authority over WMATA personnel (employees and contractors), property, equipment, facilities, rolling stock, and operations of the WMATA Rail System, including, without limitation, electronic information, and databases.”

There are no findings of noncompliance for this portion of the audit.

2.10 Enforcement Authority

Basic Requirement: 49 CFR Part 674.13(a)(5) Designation of Oversight Agency

The SSOA has investigative and enforcement authority with respect to the safety of all rail fixed guideway public transportation systems within the State.

Audit Evidence

WMSC Program Standard Section 1.B states, “The WMSC adheres to federal regulations and acts under the Compact’s authority to conduct oversight activities on the WMATA Rail 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 C.F.R. § 674.25(c);
- “Examining compliance with policies for safe operation, maintenance, and use of the WMATA Rail System;
- “Conducting independent assessments and evaluations of safety issues;



- “Conducting announced and unannounced inspections;
- “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 hazard from the WMATA Rail System;
- “Restricting, suspending, or prohibiting rail service, with appropriate notice, on all or part of the WMATA Rail System;
- “Directing WMATA to suspend or disqualify from performing in a Safety Sensitive Position, 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;
- “Inspection of infrastructure, equipment, records, personnel (employees and contractors), and data;
- “Reviewing the data that WMATA collects when identifying and evaluating safety risks;
- “Take other such actions that the WMSC may deem appropriate.”

During interviews, the FTA Audit Team learned that WMSC uses its enforcement authority regularly in the oversight of WMATA. This includes two orders related to WMATA’s 7000 Series railcars following a sequence of derailments of a Blue Line train on October 12, 2021:

- October 17, 2021 – Order requiring Metrorail to remove 7000 Series railcars from revenue service.
- December 29, 2021 – Order keeping 7000 Series railcars out of passenger service.

WMSC informed the FTA Audit Team that WMATA, under the direction of WMSC, has taken the necessary steps to ensure the 7000 Series railcars are safely returned to revenue service. The FTA Audit Team conducted a field tour to observe the 7000 Series wheel inspection stations and



verified that WMSC continues to monitor WMATA's inspection and wheel-pressing activities for 7000 Series railcars.

There are no findings of noncompliance for this portion of the audit.

2.11 Investigative Authority

Basic Requirements:

49 CFR Part 674.13(a)(5) Designation of Oversight Agency

The SSOA has investigative and enforcement authority with respect to the safety of all rail fixed guideway public transportation systems within the State.

49 CFR Part 674.25(c) Role of the State Safety Oversight Agency

An SSOA has primary responsibility for the investigation of any allegation of noncompliance with a Public Transportation Agency Safety Plan. These responsibilities do not preclude the Administrator from exercising his or her authority under 49 U.S.C. 5329(f) or 49 U.S.C. 5330.

Audit Evidence

WMSC Program Standard Section 8.A states, "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 (employees or contractors). WMATA leads investigation report preparation as specified in the Safety Event Notification Matrix (Section 7.C) unless the WMSC has notified WMATA that the WMSC is conducting the investigation."

WMSC's Program Standard Section 8.B.1 states, "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."

The FTA Audit Team reviewed adopted accident reports and verified that WMSC does not formally conduct independent investigations but adopts WMATA's investigation reports. Section 8 of this audit report provides additional details on accident investigations.

There are no findings of noncompliance for this portion of the audit.

2.12 Adoption of Federal and State Laws

Basic Requirement: 49 CFR Part 674.11(b) State Safety Oversight Program

At minimum, an SSO program must: (b) Demonstrate the State's ability to adopt and enforce Federal and relevant State law for safety in rail fixed guideway public transportation systems.



Audit Evidence

WMSC Program Standard Section 2.A.1 states, “The Program Standard describes the elements and methodology of the WMSC’s safety oversight program. This Program Standard was developed in accordance with the WMSC Compact and federal requirements to include, but not limited to, 49 U.S.C. § 5329 and 49 C.F.R. Parts 670–74.”

During interviews, the FTA Audit Team verified that the WMSC continues to enforce Federal and State regulations and laws through their safety oversight activities of WMATA and the implementation of their Program Standard.

There are no findings of noncompliance for this portion of the audit.

2.13 Allegations of Noncompliance

Basic Requirement: 49 CFR Part 674.25(c) Role of the State Safety Oversight Agency

An SSOA has primary responsibility for the investigation of any allegation of noncompliance with a Public Transportation Agency Safety Plan. These responsibilities do not preclude the Administrator from exercising his or her authority under 49 U.S.C. 5329(f) or 49 U.S.C. 5330.

Audit Evidence

WMSC Program Standard Section 1.B states, “The WMSC adheres to federal regulations and acts under the Compact’s authority to conduct oversight activities on the WMATA Rail System and adjacent property, including but not limited to investigatory and other actions such as investigating safety events and requiring WMATA to investigate accidents, including allegations of non-compliance per 49 C.F.R. § 674.25(c).”

WMSC participates in WMATA safety committees to verify that allegations are resolved. WMSC also has a public website for users to report WMATA safety concerns. The FTA Audit Team completed a test safety concern reporting form on the WMSC website and verified proper functionality.

There are no findings of noncompliance for this portion of the audit.

2.14 Ongoing Communication

Basic Requirement: 49 CFR Part 674.27(a)(1) State Safety Oversight Program Standards

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.



Audit Evidence

WMSC Program Standard Section 1.F states, “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, cooperation, and rapport.”

During interviews with WMSC and WMATA, the FTA Audit Team was informed that there are regular and continuing daily communication between both agencies, including regular meetings between WMSC and WMATA personnel to discuss CAPs and investigations. These communications include regular meetings between WMSC leadership and the WMATA chief safety officer.

The FTA Audit Team is concerned with the tension between WMSC and WMATA. The FTA Audit Team conducted interviews with WMATA separately to understand WMSC’s oversight. It was the FTA Audit Team observation that WMSC and WMATA’s ongoing communication does not always resolve the concerns and formal proceedings have been necessary.

There are no findings of noncompliance for this portion of the audit.

3. Grant Program

For this portion of the audit, the FTA evaluated WMSC grant program processes and activities as specified in: Part 674.17 – Eligibility of Federal financial assistance.

3.1 20-percent Non-Federal Match

Basic Requirement: 49 CFR Part 674.17(e) Non-Federal shares of the eligible expenses

The non-Federal share of the expenses eligible for reimbursement under a grant for State Safety Oversight activities may not be comprised of Federal funds, any funds received from a public transportation agency, or any revenues earned by a public transportation agency.

Audit Evidence

Through document reviews and on-site interviews, the FTA Audit Team verified that WMSC’s 20-percent match of Federal funds comes from equal shares from the three jurisdictions: the District of Columbia, the State of Maryland, and the Commonwealth of Virginia.

WMSC did not receive funding from the RTAs and the required 20 percent match for Federal funding was available.

There are no findings of noncompliance for this portion of the audit.



3.2 Obligation and Disbursing of Federal Funds

Basic Requirements:

49 CFR Part 674.17(a)

In accordance with 49 U.S.C. 5329(e)(6), FTA will make grants of Federal financial assistance to eligible States to help the States develop and carry out their SSO programs. This Federal financial assistance may be used for reimbursement of both the operational and administrative expenses of SSO programs, consistent with the uniform administrative requirements for grants to States under 2 CFR Parts 200 and 1201. The expenses eligible for reimbursement include, specifically, the expense of employee training and the expense of establishing and maintaining an SSOA in compliance with 49 U.S.C. 5329(e)(4).

2 CFR Part 200.303 (a)

Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. The internal controls should follow guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

2 CFR Part 200.303 (d)

Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

FTA Circular 5010.1E Chapter VI (2)(f)(3)(a)(2)

Permit the tracing of federal assistance to a level of expenditures adequate to establish that such federal assistance has been used according to the federal statutes, regulations, and the terms and conditions of the Award.

Audit Evidence

Between Federal Fiscal Years 2013 and 2023, FTA apportioned approximately \$18 million to WMSC to conduct safety oversight of its rail transit system. During the FTA Audit, WMSC provided a summary of oversight activities, training, inspections, and audits that resulted in typical grant expenditures. WMSC had disbursed approximately \$8 million of obligated funds from their total apportionments, WMSC has provided a five year spend plan showing the drawdown of the approximately \$10 million unused apportioned funding.

There are no findings of noncompliance for this portion of the audit.

4. Program Standard

For this portion of the audit, the FTA evaluated WMSC Program Standard as specified in: Part 674.27 – State Safety Oversight Program Standards.



4.1 SSOA Program Standard Adoption and Distribution

Basic Requirement: 49 CFR Part 674.27(a)(2) State Safety Oversight Program Standards

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.

Audit Evidence

WMSC Program Standard Section 2.A.1 states, "This Program Standard was developed in accordance with the WMSC Compact and federal requirements to include, but not limited to, 49 U.S.C. § 5329 and 49 C.F.R. Parts 670–74. The WMSC reviews this Program Standard at least once each calendar year and updates as needed. The WMSC develops proposed Program Standard revisions based on the experience of implementing the Program Standard." WMSC Program Standard Sections 2.A.1.a-c specify the timeframe for WMATA's review of annual, interim, and critical Program Standard revisions.

WMSC Program Standard Section 2.A.2 states, "The WMSC CEO or COO transmits each adopted version of the Program Standard to the WMATA Executive Vice President & Chief Operating Officer, Safety & Readiness, the WMATA General Manager, and the WMATA Board of Directors who must then further disseminate the Program Standard's requirements and also carry out the necessary safety promotion activities as embodied in WMATA's Public Transportation Agency Safety Plan (PTASP) to all relevant personnel (employees and contractors) throughout WMATA."

The FTA Audit Team reviewed the WMSC Program Standard, dated September 10, 2023, and conducted interviews to verify that WMSC provided WMATA with the required review and comment period. During interviews, WMATA stated that WMSC did not respond to the Program Standard comments. WMSC explained that responding to Program Standard comments is not a requirement. However, WMSC did provide the FTA Audit Team with evidence of response to WMATA's comments for recent 2023 and 2024 the Program Standards. The FTA Audit Team confirmed with WMSC staff and reviewed documentation to verify compliance with Part 674 requirements and the annual WMSC Program Standard review schedule.

There are no findings of noncompliance for this portion of the audit.

4.2 SSOA Program Standard Minimum Requirements

Basic Requirement: 49 CFR Part 674.27(a) State Safety Oversight Program Standards

At minimum, the program standard must meet the following requirements:

- (1) Program management
- (2) Program standard development
- (3) Program policy and objectives
- (4) Oversight of Rail Public Transportation Agency Safety Plans and Transit Agencies' internal safety reviews



- (5) Triennial SSO audits of Rail Public Transportation Agency Safety Plans
- (6) Accident notification
- (7) Investigations
- (8) Corrective actions

Audit Evidence

The WMSC Program Standard includes sections for each of the requirements defined in CFR part 674.27(a). The Program Standard includes Sections for (1) Program Management, (2) Program Standard and Minimum Standards for Safety, (3) Program Policy and Objectives, (4) Oversight of PTASP, Safety Plans, Internal Safety Reviews, and Budget, (5) Audits, (6) Inspections, (7) Safety Event Notification, (8) Safety Event Investigations, (9) Corrective Action, (10) Safety Certification, and (11) Dispute Resolution and Enforcement.

WMSC Program Standard Section 2 also specifies compliance with 49 CFR parts 670, 672, 673, and 674. The FTA Audit Team reviewed the Program Standard, dated September 10, 2023, and conducted interviews to verify that the WMSC Program Standard included the minimum requirements for CFR parts 672, 673, and 674.

There are no findings of noncompliance for this portion of the audit.

5. Staffing and Qualifications of SSO Personnel and Contractors

For this portion of the audit, the FTA evaluated WMSC staffing, and qualifications of personnel as specified in:

- Part 674.11 – (d) and (e) State Safety Oversight Program
- Part 674.25 – (f) Role of the State Safety Oversight Agency
- Part 674.35 – (c) Investigations

5.1 SSO Program Workload Assessment

Basic Requirement: 49 CFR Part 674.11(d) State Safety Oversight Program

Demonstrate that the State has determined an appropriate staffing level for the State safety oversight agency commensurate with the number, size, and complexity of the rail fixed guideway public transportation systems in the State, and that the State has consulted with the Administrator for that purpose.

Audit Evidence

WMSC Program Standard Section 1.D states, “The WMSC ordinarily adjusts staffing levels in conjunction with the workload assessment described in Section 1.D.1 or based on any other determined needs. 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 WMSC staff. WMSC staff and contractors alike are agents of the WMSC. As such, WMSC staff



and contractors 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.”

WMSC was initially CFR part 674 certified on March 18, 2019, with 11 full-time equivalents (FTEs) and 7 FTEs for contractor support. The WMSC resource assessment updated in April 2024 included up to 26.3 FTEs. As shown in Table 5.1 below, WMSC resources have increased to over 18 FTEs without contract support.

Table 5.1 – WMSC Full Time Equivalent SSO Resources (Data from Annual Reports to FTA)		
Calendar Year	WMSC Staff Hours	FTEs (Hours/2,000)
2021	29,319	14.6
2022	34,275	17.1
2023	36,561	18.3

There are no findings of noncompliance for this portion of the audit.

5.2 Staffing Qualifications

Basic Requirement: 49 CFR Part 674.25(f) Role of the State Safety Oversight Program

All personnel and contractors employed by an SSOA must comply with the requirements of the Public Transportation Safety Certification Training Program [49 CFR Part 672] as applicable.

49 CFR Part 672.21 Records

- (a) *General Requirement.* Each recipient shall ensure that its designated personnel are enrolled in the PTSCTP [Public Transportation Safety Certification Training Program]. Each recipient shall ensure that designated personnel update their individual training record as he or she completes the applicable training requirements of this part.
- (b) *SSOA Requirement.* Each SSOA shall retain a record of the technical training completed by its designated personnel in accordance with the technical training requirements of Appendix A to this part. Such records shall be retained by the SSOA for at least five (5) years from the date the record is created.

Audit Evidence

WMSC Program Standard Section 1.H.3. states, “Designated WMSC staff who are enrolled in, and have completed, the Public Transportation Safety Certification Training Program (PTSCTP) must subsequently complete one hour of safety oversight refresher training within two years of the date each WMSC staff member received the PTSCTP certificate. Thereafter, this one hour of safety oversight refresher training must be completed for each two-year interval.”

The FTA Audit Team reviewed the WMSC Technical Training Plan (TTP), revised in May 2024, for compliance with Part 672 PTSCTP requirements. WMSC’s TTP included activities



that support the required SSO program competencies provided by FTA guidelines. The TTP included 17 competency areas for responsible WMSC staff.

The FTA Audit Team reviewed PTSCTP Individual Training Plans for WMSC employees and verified that WMSC met PTSCTP requirements. WMSC also explained that it plans to continue attending FTA's annual workshops as ongoing training and coordinates training with WMATA.

There are no findings of noncompliance for this portion of the audit.

6. Public Transportation Agency Safety Plan (PTASP)

For this portion of the audit, the FTA evaluated WMSC review and approval documentation, and minimum requirements of their RTAs PTASPs as specified in:

Part 674.13 – (a)(4) Designation of Oversight Agency

Part 674.25 – (b) Role of the State Safety Oversight Agency

Part 674.29 – (b)(c) Public Transportation Agency Safety Plans: General Requirements

Part 674.37 – (a) Corrective Action Plans

Part 673.13 – (a) Certification of Compliance

Part 672 – Appendix A Public Transportation Safety Certification Training Program

Part 673.11 – (a)(c) Safety Plans General Requirements

Part 673.21 – Safety Management Systems General Requirements

Part 673.31 – Safety Plan Documentation

6.1 PTASP Review and Approval

Basic Requirement: 49 CFR 673.13(a) Certification of Compliance

Each transit agency, or State as authorized in § 673.11(d), must certify that it has established a Public Transportation Agency Safety Plan meeting the requirements of this part one year after July 19, 2019. A State Safety Oversight Agency must review and approve a Public Transportation Agency Safety Plan developed by rail fixed guideway system, as authorized in 49 U.S.C. 5329(e) and its implementing regulations at 49 CFR Part 674.

NOTE:

- *FTA published a Notice of Enforcement Discretion on April 22, 2020, effectively extending the PTASP compliance deadline from July 20, 2020, to December 31, 2020.*
- *FTA published a second Notice of Enforcement Discretion on December 11, 2020, effectively extending the PTASP compliance deadline to July 20, 2021.*



49 CFR Part 674.13(a)(4) Designation of Oversight Agency

The SSOA has authority to review, approve, oversee, and enforce the public transportation agency safety plan for a rail fixed guideway public transportation system required by 49 U.S.C. 5329(d).

49 CFR Part 674.25(b) Role of the State Safety Oversight Agency

An SSOA must review and approve the Public Transportation Agency Safety Plan for every rail fixed guideway public transportation system within its oversight. An SSOA must oversee an RTA's execution of its Public Transportation Agency Safety Plan. An SSOA must enforce the execution of a Public Transportation Agency Safety Plan, through an order of a corrective action plan or any other means, as necessary or appropriate. An SSOA must ensure that a Public Transportation Agency Safety Plan meets the requirements at 49 U.S.C. 5329(d).

49 CFR Part 674.29(c) Public Transportation Agency Safety Plans: General Requirements

In an instance in which an SSOA does not approve a Public Transportation Agency Safety Plan, the SSOA must provide a written explanation, and allow the RTA an opportunity to modify and resubmit its Public Transportation Agency Safety Plan for the SSOA's approval.

49 CFR Part 674.37(a) Corrective Action Plans

In any instance in which an RTA must develop and carry out a CAP, the SSOA must review and approve the CAP before the RTA carries out the plan; however, an exception may be made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that the SSOA has been given timely notification, and the SSOA provides subsequent review and approval. A CAP must describe, specifically, the actions the RTA will take to minimize, control, correct, or eliminate the risks and hazards identified by the CAP, the schedule for taking those actions, and the individuals responsible for taking those actions. The RTA must periodically report to the SSOA on its progress in carrying out the CAP. The SSOA may monitor the RTA's progress in carrying out the CAP through unannounced, on-site inspections, or any other means the SSOA deems necessary or appropriate.

Audit Evidence

WMSC Program Standard Section 4.A.2 states, “WMATA must submit a revised PTASP, and other associated documents, to the WMSC for review at least once each calendar year. Each year, the WMSC coordinates with WMATA to enable PTASP review and revision. WMATA must initiate this process within a practicable time but not later than June.”

Section 4.A.2 further specifies, “All reviews and approvals—staff and board levels at both WMATA and the WMSC—must conclude, and a new PTASP revision must take effect, within 12 months from the effective date of the last revision.”

WMSC Program Standard Section 4.A.2.a states, “Upon receipt of the draft PTASP revision, WMSC staff must respond with conditional approval or comments within 20 days. In the event WMSC staff do not approve a PTASP revision, WMSC staff will provide written comments on the draft. WMATA must then modify and resubmit its PTASP to the WMSC within 20 days. This cycle continues until a final, conditionally approved draft is achieved.”



As shown in Table 6.1 below, WMATA’s 2024 PTASP became effective within 12 months from the effective date of the 2023 revision. WMSC approved WMATA’s 2024 PTASP 26 days after WMATA’s Board approved the PTASP. During interviews, WMSC representatives clarified that the 20-day requirement is for WMSC staff-level conditional approval, which is then followed by the WMSC Board of Directors’ final approval of the PTASP.

Table 6.1 – WMSC Approval of RTA’s PTASP			
PTASP	Board Approval Date	WMSC Approval Date	PTASP Effective Date
WMATA (2024)	September 28, 2023	October 24, 2023	December 31, 2023

There are no findings of noncompliance for this portion of the audit.

6.2 PTASP Minimum Requirements

Basic Requirement:

49 CFR Appendix A to Part 672 Public Transportation Safety Certification Training Program

(1) FTA/SSOA personnel and contractor support, and public transportation agency personnel with direct responsibility for safety oversight of rail fixed guideway public transportation systems:

- (a) One (1) hour course on SMS Awareness - e-learning delivery (all required participants)
- (b) Two (2) hour courses on Safety Assurance - e-learning delivery (all required participants)
- (c) Twenty (20) hours on SMS Principles for Transit (all required participants)
- (d) Sixteen (16) hours on SMS Principles for SSO Programs (FTA/SSOA/contractor support personnel only)
- (e) TSSP curriculum (minus Transit System Security (TSS) course) (all required participants - credit will be provided if participant has a Course Completion Certificate of previously taken TSSP courses)
 - (i) Rail System Safety (36 hours)
 - (ii) Effectively Managing Transit Emergencies (32 hours)
 - (iii) Rail Incident Investigation (36 hours)

49 CFR Part 673.11 Safety Plans General Requirements

(a)(1) The Public Transportation Agency Safety Plan, and subsequent updates, must be signed by the Accountable Executive and approved by the agency's Board of Directors, or an Equivalent Authority.



(a)(2) The Public Transportation Agency Safety Plan must document the processes and activities related to Safety Management System (SMS) implementation, as required under subpart C of this part.

(a)(3) The Public Transportation Agency Safety Plan must include performance targets based on the safety performance measures established under the National Public Transportation Safety Plan.

(a)(4) The Public Transportation Agency Safety Plan must address all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan. Compliance with the minimum safety performance standards authorized under 49 U.S.C. 5329(b)(2)(C) is not required until standards have been established through the public notice and comment process.

(a)(5) Each transit agency must establish a process and timeline for conducting an annual review and update of the Public Transportation Agency Safety Plan.

(a)(6) A rail transit agency must include or incorporate by reference in its Public Transportation Agency Safety Plan an emergency preparedness and response plan or procedures that addresses, at a minimum, the assignment of employee responsibilities during an emergency; and coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service area.

(c) A transit agency must maintain its Public Transportation Agency Safety Plan in accordance with the recordkeeping requirements in subpart D of this part.

49 CFR Part 673.21 Safety Management Systems General Requirements

Each transit agency must establish and implement a Safety Management System under this part. A transit agency Safety Management System must be appropriately scaled to the size, scope and complexity of the transit agency and include the following elements: (a) Safety Management Policy as described in 673.23; (b) Safety Risk Management as described in 673.25; (c) Safety Assurance as described in 673.27; and (d) Safety Promotion as described in 673.29.

49 CFR Part 673.31 Safety Plan Documentation

At all times, a transit agency must maintain documents that set forth its Public Transportation Agency Safety Plan, including those related to the implementation of its Safety Management System (SMS), and results from SMS processes and activities. A transit agency must maintain documents that are included in whole, or by reference, that describe the programs, policies, and procedures that the agency uses to carry out its Public Transportation Agency Safety Plan. These documents must be made available upon request by the Federal Transit Administration or other Federal entity, or a State Safety Oversight Agency having jurisdiction. A transit agency must maintain these documents for a minimum of three years after they are created.

49 CFR Part 674.25 Role of the State Safety Oversight Agency



(b) An SSOA must oversee an RTA's execution of its Public Transportation Agency Safety Plan. An SSOA must enforce the execution of a Public Transportation Agency Safety Plan, through an order of a corrective action plan or any other means, as necessary or appropriate.

49 CFR Part 674.29 Public Transportation Agency Safety Plan General Requirements

(b) In determining whether a Public Transportation Agency Safety Plan is compliant with 49 CFR Part 673, an SSOA must determine, specifically, whether the Public Transportation Agency Safety Plan is approved by the RTA's board of directors or equivalent entity; sets forth a sufficiently explicit process for safety risk management, with adequate means of risk mitigation for the rail fixed guideway public transportation system; includes a process and timeline for annually reviewing and updating the safety plan; includes a comprehensive staff training program for the operations personnel directly responsible for the safety of the RTA; identifies an adequately trained safety officer who reports directly to the general manager, president, or equivalent officer of the RTA; includes adequate methods to support the execution of the Public Transportation Agency Safety Plan by all employees, agents, and contractors for the rail fixed guideway public transportation system; and sufficiently addresses other requirements under the regulations at 49 CFR Part 673.

Audit Evidence

WMSC Program Standard Section 4.A states, “The WMSC oversees the implementation of Metrorail’s PTASP, as required by 49 U.S.C. § 5329 and 49 C.F.R. Part 673. The PTASP constitutes Metrorail’s stated commitment and approach to identifying, eliminating, or mitigating hazards throughout the WMATA Rail System with the purpose of continually improving its safety performance.”

WMSC Program Standard Section 4.A continues, “WMATA’s PTASP must include the elements required by 49 U.S.C. § 5329 and 49 C.F.R. Part 673, as may be amended from time to time, including but not limited to:

- a. “A description of the authority establishing the Safety Management System (SMS).
- 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 consistent with Section 4.A.2.
- d. “A comprehensive staff training program for the operations personnel (employees and contractors) 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 personnel (employees and contractors) for Metrorail.
- g. “The creation of a new WMATA Safety Committee that satisfies the amended requirements of 49 U.S.C. § 5329(d) that will be fulfilled by the Joint Labor and Management Safety Committee (JLMSC).



- h. “Approval by the WMATA Safety Committee, the WMATA General Manager (i.e., the Accountable Executive⁶), and the WMATA Board of Directors, which constitutes an endorsement of the safety.
- i. “Other requirements promulgated through future FTA regulations or stated as requirements by the WMSC.”

The FTA Audit Team reviewed and verified that WMATA’s 2024 PTASP is in compliance with CFR part 673 and the WMSC Program Standard.

There are no findings of noncompliance for this portion of the audit.

7. RTA Safety Reviews

For this portion of the audit, the FTA evaluated WMSC oversight activities for its RTAs internal safety reviews as specified in: Part 674.27(a)(4) State Safety Oversight Program Standards.

7.1 RTA Safety Review Requirements

Basic Requirement: 49 CFR Part 674.27(a)(4) State Safety Oversight Program Standards

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.

Audit Evidence

WMSC Program Standard Section 4.B states, “Over a three-year period, WMATA must conduct internal safety reviews that evaluate the implementation of all elements of the WMATA PTASP...The WMSC assesses the internal safety review program through various oversight activities that include audits, inspections, investigations, and other oversight activities. Like any other aspect of Metrorail, the WMSC may participate in internal safety reviews to observe the program. The WMSC will notify WMATA when it intends to participate.”

The FTA Audit Team reviewed WMATA’s internal safety review (ISR) schedules and reports over the most recent three-year cycle to verify that WMSC received the 30-day notification prior to conducting an ISR.



Table 7.1 summarizes the 2024 ISR notifications, which verified that 30-day notifications were provided.

Table 7.1 – RTA Internal Safety Review 30-day Notifications to WMSC		
Topic	Notification Date	Internal Review Date
Fire Life Safety	December 11, 2023	January 11, 2024
Rail Operations	December 21, 2023	January 25, 2024
Supply Chain	March 15, 2024	April 19, 2024

The WMATA ISRs included 22 elements shown in Figure 7.2 below. The FTA Audit Team did express concerns about ensuring all elements of the PTASP were reviewed during the three-year cycle, particularly for safety certification, review of shops and material control, and staff communication. WMSC explained that these elements were either included as part of future internal reviews or will be included as part of other elements. WMSC should continue ensuring that WMATA internally reviews all PTASP elements.

Table 7.2 – WMATA Quality Assurance, Internal Compliance & Oversight Internal Safety Review (ISR) Schedule 2024–2027														
Calendar Year 2024			CY2024 Qtr. 1			CY2024 Qtr. 2			CY2024 Qtr. 3			CY2024 Qtr. 4		
Internal Safety Review - Review Name		Assurance Group	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24
1	Rail Transportation - Operators & Station Managers	Quality Assurance												
2	Fire, Life Safety - Facilities - EQMT, BMSS and Engineering	Quality Assurance												
3	Supply Chain, Logistics, Materials & Warehousing	Quality Assurance												
4	Shops and Material Support Section	Quality Assurance												
5	*Safety Certification	Audit & Compliance												
6	*Internal Safety Review Program	Audit & Compliance												
Calendar Year 2025			CY2025 Qtr. 1			CY2025 Qtr. 2			CY2025 Qtr. 3			CY2025 Qtr. 4		
Internal Safety Review - Review Name		Assurance Group	Jan 25	Feb 25	Mar 25	Apr 25	May 25	Jun 25	Jul 25	Aug 25	Sep 25	Oct 25	Nov 25	Dec 25
1	Drug and Alcohol (OHAW)	Quality Assurance												
2	Car Maintenance (Class 1)	Quality Assurance												
3	Car Track Equipment Maintenance (Class 2)	Quality Assurance												
4	Traction Power, Low Voltage & Engineering	Quality Assurance												
5	Facilities - Fare Collection and Engineering	Quality Assurance												
6	Structures Inspection and Maintenance	Quality Assurance												
7	*Environmental Management and Compliance	Audit & Compliance												
8	*Operational Training and RWP	Audit & Compliance												
Calendar Year 2026			CY2026 Qtr. 1			CY2026 Qtr. 2			CY2026 Qtr. 3			CY2026 Qtr. 4		
Internal Safety Review - Review Name		Assurance Group	Jan 26	Feb 26	Mar 26	Apr 26	May 26	Jun 26	Jul 26	Aug 26	Sep 26	Oct 26	Nov 26	Dec 26
1	Metro Transit Police	Quality Assurance												
2	Communications, Radio, and Engineering (can not be in CY 25)	Quality Assurance												
3	Rail Transportation - Quality, Planning & Management	Quality Assurance												
4	Automatic Train Control and Engineering	Quality Assurance												
5	Railcar Engineering	Quality Assurance												
6	Track Inspection and Maintenance	Quality Assurance												
7	*Emergency Preparedness	Audit & Compliance												
8	*Safety Investigation	Audit & Compliance												

Note: Review of Procurement functions will be incorporated into related ISRs where applicable

Note: Review of Procurement functions will be incorporated into related ISRs where applicable

There are no findings of noncompliance for this portion of the audit.



8. Investigations and Reviews

For this portion of the audit, the FTA evaluated WMSC investigation and review activities, and documentation as specified in:

Part 674.27 – (a)(7) State Safety Oversight Program Standards

Part 674.33 – Notification of Accidents

Part 674.35 – Investigations

8.1 Notifications

Basic Requirement: 49 CFR Part 674.33(a) Notification of Accidents

Two-Hour Notification. In addition to the requirements for accident notification set forth in an SSO program standard, an RTA must notify both the SSOA and the FTA within two hours of any accident occurring on a rail fixed guideway public transportation system. The criteria and thresholds for accident notification and reporting are defined in a reporting manual developed for the electronic reporting system specified by FTA as required in Part 674.39(b), and in appendix A.

Audit Evidence

WMSC Program Standard Section 7 states, “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 C.F.R. Part 674 or this Program Standard.”

WMSC Program Standard Section 7.B continues, “WMATA must report all safety events outlined in the Safety Event Notification Matrix (Section 7.C) 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...In accordance with 49 C.F.R. § 674.33, WMATA must also report accident-type safety events to the FTA within 2 hours.”

WMATA’s increasing attention to provide WMSC and FTA with adequate event notifications over the triennial cycle is evident. From 2021 to 2023, WMATA went from a notification miss-rate of 26 percent to 2 percent, and as of the time of the audit in May 2024, WMATA had not failed to provide WMSC and FTA with proper notice of a reportable event. See Table 8.1 below.

Table 8.1 – WMATA Missed Two-Hour Accident Notifications			
Year	All Accidents Two-Hour Notification	Missed Notification	% Missed
2021	38	10	26%
2022	40	7	17%



Table 8.1 – WMATA Missed Two-Hour Accident Notifications			
Year	All Accidents Two-Hour Notification	Missed Notification	% Missed
2023	49	1	2%
2024	0 as of April 2024		0%

There are no findings of noncompliance for this portion of the audit.

8.2 Accident Investigation Requirements

Basic Requirement: 49 CFR Part 674.35(a) Investigations

An SSOA must investigate or require an investigation of any accident and is ultimately responsible for the sufficiency and thoroughness of all investigations, whether conducted by the SSOA or RTA. If an SSOA requires an RTA to investigate an accident, the SSOA must conduct an independent review of the RTA's findings of causation. In any instance in which an RTA is conducting its own internal investigation of the accident or incident, the SSOA and the RTA must coordinate their investigations in accordance with the SSO program standard and any agreements in effect.

Audit Evidence

WMSC Program Standard Section 8.A states, “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 (employees or contractors).”

WMSC Program Standard Section 8.B.1 also states, “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.”

Section 8.B.2 provides a list of all elements WMSC requires WMATA to include in an investigation.

The FTA Audit Team verified, during monthly coordination meetings and other activities, that WMSC regularly reviews investigations with WMATA staff, inquires on the progress of individual investigations as necessary, and conducts independent reviews of WMATA findings of causation. All investigations were conducted pursuant to state-approved event investigation procedures.



There are no findings of noncompliance for this portion of the audit.

8.3 Accident Investigation Reports

Basic Requirement: Part 674.35(b) Investigations

Within a reasonable time, an SSOA must issue a written report on its investigation of an accident or review of an RTA's accident investigation in accordance with the reporting requirements established by the SSOA. The report must describe the investigation activities; identify the factors that caused or contributed to the accident; and set forth a corrective action plan, as necessary or appropriate. The SSOA must formally adopt the report of an accident and transmit that report to the RTA for review and concurrence. If the RTA does not concur with an SSOA's report, the SSOA may allow the RTA to submit a written dissent from the report, which may be included in the report, at the discretion of the SSOA.

Audit Evidence

WMSC Program Standard Section 8.B.3 states, "All draft final investigation reports and final investigation reports produced must contain the following minimum information. Preliminary reports must contain as much of this information as is known by the time the preliminary report is due.

- 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 personnel (employees or contractors) who may have contributed to the event.
 - i. "Fatigue evaluation.
 - ii. "Training and experience.
 - iii. "Post-event testing.
- i. "Investigation records.
 - i. "Reports from operators, involved individuals, or responding individuals.
 - ii. "Field supervision report.
 - iii. "Employee or contractor 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).”

The FTA Audit Team reviewed 10 event investigation reports produced by WMATA, as well as the NTSB investigation report on the October 12, 2021, derailment of Train 407. See Table 8.2 below.

Table 8.2 – WMSC RTA Events Reviewed		
Event Date	Type	Event Description
10/12/2021	Derailment	Derailment between Rosslyn and Arlington Cemetery Stations (NTSB)
07/30/2022	Fire	Evacuation at Dupont Circle Station
09/13/2022	Derailment	Derailed again at Potomac Yard ACS
09/25/2022	Fire	Friendship Heights Station, track fire
02/15/2023	Door Issue	Fatality at Dunn Loring Station
04/11/2023	Derailment	Hi-Rail derailment at Potomac Yard Station
04/23/2023	Employee Fall	Rail Supervisor intentional exit/fall from train at Congress Heights Station
06/04/2023	Derailment	Prime Mover derailment near East Falls Church
10/12/2021	Derailment	Derailment between Rosslyn and Arlington Cemetery Stations (NTSB)
07/01/2023	Derailment	Hi-Rail vehicle derailed at the West Falls Church Yard from an exposed bolt from a restraining rail
09/29/2023	Derailment	Train derailment at CM C2 384+00 track 2
10/14/2023	Fire	The station was evacuated due to a fire on the station. Arcing Insulator Removed.

WMSC’s Program Standard includes a thorough list of accident investigation report requirements. WMATA produces detailed and thorough investigation reports to meet WMSC requirements which include very in-depth analyses of fatigue factors. In general, WMSC personnel are knowledgeable on the facts of and follow-up on individual event reports.

There are no findings of noncompliance for this portion of the audit.

8.4 RTA Investigations

Basic Requirement: 49 CFR Part 674.27(a)(7) State Safety Oversight Program Standards, 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.

Audit Evidence

WMSC Program Standard Section 8.A states, "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 (employees or contractors). WMATA leads investigation report preparation as specified in the Safety Event Notification Matrix (Section 7.C) unless the WMSC has notified WMATA that the WMSC is conducting the investigation."

WMSC Program Standard Section 8.E states, "Depending on the circumstances of a safety event, another agency such as the NTSB or the FTA, might investigate. In such an event, the WMSC will provide any necessary support. The WMSC may participate in any discussions and reviews between WMATA and the other agency when the subject is Metrorail. The WMSC and WMATA will review the other agency's findings (or equivalent issue identification) and report. The WMSC may adopt the other agency's report and require associated or additional corrective actions."

During interviews, the FTA Audit Team verified that WMSC personnel coordinate with WMATA staff on each investigation from event notification to CAP development. Further, WMSC coordinated with NTSB and WMATA and worked with WMATA on corrective actions before and after NTSB issued its final investigation findings and recommendations on the October 2021 derailment of Train 407 in December 2024.

There are no findings of noncompliance for this portion of the audit.

9. SSOA Triennial Audits Verification of PTASP Implementation

For this portion of the audit, WMSC three-year period covered oversight of SSPP/PTASP. The FTA evaluated WMSC triennial review documentation of the SSPP/PTASP as specified in:

Part 674.31 – Triennial Audits, General Requirements

Part 674.13 – (a) Designation of Oversight Agency

Part 674.27 – (a)(5) Triennial SSOA Audits of PTASPs

Part 672 – Appendix A Public Transportation Safety Certification Training Program

Part 673.11 – (a)(c) Safety Plans General Requirements

Part 673.21 - Safety Management Systems General Requirements

Part 673.31 – Safety Plan Documentation

Part 674.9 – (c) Transition from Previous Requirements for State Safety Oversight



Part 674.25 – (b) Role of the State Safety Oversight Agency

Part 674.29 – (b) Public Transportation Agency Safety Plan General Requirements

9.1 PTASP Audit Requirements

Basic Requirement: 49 CFR Part 674.31 Triennial Audits, General Requirements

At least once every three years, an SSOA must conduct a complete audit of an RTA's compliance with its System Safety Program Plan/Public Transportation Agency Safety Plan. Alternatively, an SSOA may conduct the audit on an on-going basis over the three-year timeframe. At the conclusion of the three-year audit cycle, the SSOA shall issue a report with findings and recommendations arising from the audit, which must include, at minimum, an analysis of the effectiveness of the Public Transportation Agency Safety Plan, recommendations for improvements, and a corrective action plan, if necessary or appropriate. The RTA must be given an opportunity to comment on the findings and recommendations.

Basic Requirement: 49 CFR 673.13(a) Certification of Compliance

Each transit agency, or State as authorized in § 673.11(d), must certify that it has established a Public Transportation Agency Safety Plan meeting the requirements of this part one year after July 19, 2019. A State Safety Oversight Agency must review and approve a Public Transportation Agency Safety Plan developed by rail fixed guideway system, as authorized in 49 U.S.C. 5329(e) and its implementing regulations at 49 CFR Part 674.

49 CFR Part 674.13(a)(4) Designation of Oversight Agency

The SSOA has authority to review, approve, oversee, and enforce the public transportation agency safety plan for a rail fixed guideway public transportation system required by 49 U.S.C. 5329(d).

49 CFR Part 674.13(a)(6) Designation of Oversight Agency

At least once every three years, the SSOA audits every rail fixed guideway public transportation system's compliance with the public transportation agency safety plan required by 49 U.S.C. 5329(d).

49 CFR Part 674.27(a)(5) Triennial SSOA Audits of PTASPs

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.

Audit Evidence

WMSC Program Standard Section 5.A states, "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 individual topic area audits corresponding to specific functional areas within Metrorail.”

The FTA Audit Team verified that WMSC conducted a triennial audit for WMATA every three years as required. WMSC’s triennial audit schedule mirrors that of WMATA, with audits broken into “elements” rather than audits of specific sections of the PTASP. Table 9.1 below summarizes the triennial audit dates.

Table 9.1 – WMSC Triennial Audit Schedule	
Element	Audit Date
Track	June 2022
Internal Reviews and Internal Safety Reviews	August 2022
Structures	November 2022
Roadway Maintenance Machines (RMM)	January 2023
Automatic Train Control (ATC)	March 2023
Power	June 2023
Revenue Vehicles	September 2023
Roadway Worker Protection (RWP)	December 2023
Fitness for Duty and Occupational Health	April 2024
Fire Life Safety (FLS) Preparedness, Egress, Tunnel, and Emergency Management	August 2024
Rail Operations and Metro Integrated Command and Communications Center	October 2024
Elevator and Escalator	January 2025
Communication Systems	April 2025

WMSC provided the FTA Audit Team with a crosswalk chart, which demonstrated which sections of the PTASP were reviewed during which “elemental” audits. The FTA Audit Team confirmed that all sections of the PTASP are reviewed on a triennial basis.

There are no findings of noncompliance for this portion of the audit.

9.2 SSOA Triennial Audit Verification PTASP Implementation

Basic Requirement: 49 CFR Appendix A to Part 672 Public Transportation Safety Certification Training Program

(1) FTA/SSOA personnel and contractor support, and public transportation agency personnel with direct responsibility for safety oversight of rail fixed guideway public transportation systems:

- (a) One (1) hour course on SMS Awareness - e-learning delivery (all required participants)
- (b) Two (2) hour courses on Safety Assurance - e-learning delivery (all required participants)



- (c) Twenty (20) hours on SMS Principles for Transit (all required participants)
- (d) Sixteen (16) hours on SMS Principles for SSO Programs (FTA/SSOA/contractor support personnel only)
- (e) TSSP curriculum (minus Transit System Security (TSS) course) (all required participants - credit will be provided if participant has a Course Completion Certificate of previously taken TSSP courses)
 - (i) Rail System Safety (36 hours)
 - (ii) Effectively Managing Transit Emergencies (32 hours)
 - (iii) Rail Incident Investigation (36 hours)

49 CFR Part 673.11 Safety Plans General Requirements

(a)(1) The Public Transportation Agency Safety Plan, and subsequent updates, must be signed by the Accountable Executive and approved by the agency's Board of Directors, or an Equivalent Authority.

(a)(2) The Public Transportation Agency Safety Plan must document the processes and activities related to Safety Management System (SMS) implementation, as required under subpart C of this part.

(a)(3) The Public Transportation Agency Safety Plan must include performance targets based on the safety performance measures established under the National Public Transportation Safety Plan.

(a)(4) The Public Transportation Agency Safety Plan must address all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan. Compliance with the minimum safety performance standards authorized under 49 U.S.C. 5329(b)(2)(C) is not required until standards have been established through the public notice and comment process.

(a)(5) Each transit agency must establish a process and timeline for conducting an annual review and update of the Public Transportation Agency Safety Plan.

(a)(6) A rail transit agency must include or incorporate by reference in its Public Transportation Agency Safety Plan an emergency preparedness and response plan or procedures that addresses, at a minimum, the assignment of employee responsibilities during an emergency; and coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service area.

(c) A transit agency must maintain its Public Transportation Agency Safety Plan in accordance with the recordkeeping requirements in subpart D of this part.

49 CFR Part 673.21 Safety Management Systems General Requirements

Each transit agency must establish and implement a Safety Management System under this part. A transit agency Safety Management System must be appropriately scaled to the size, scope and complexity of the transit agency and include the following elements: (a) Safety Management



Policy as described in 673.23; (b) Safety Risk Management as described in 673.25; (c) Safety Assurance as described in 673.27; and (d) Safety Promotion as described in 673.29.

49 CFR Part 673.31 Safety Plan Documentation

At all times, a transit agency must maintain documents that set forth its Public Transportation Agency Safety Plan, including those related to the implementation of its Safety Management System (SMS), and results from SMS processes and activities. A transit agency must maintain documents that are included in whole, or by reference, that describe the programs, policies, and procedures that the agency uses to carry out its Public Transportation Agency Safety Plan. These documents must be made available upon request by the Federal Transit Administration or other Federal entity, or a State Safety Oversight Agency having jurisdiction. A transit agency must maintain these documents for a minimum of three years after they are created.

49 CFR Part 674.9(c) Transition from Previous Requirements for State Safety Oversight

A System Safety Program Plan (SSPP) developed pursuant to 49 CFR Part 659 shall serve as the rail transit agency's safety plan until one year one year after the effective date of the Public Transportation Agency Safety Plan final rule, which will be codified in CFR Part 673 of this chapter.

49 CFR Part 674.25 Role of the State Safety Oversight Agency

(b) An SSOA must oversee an RTA's execution of its Public Transportation Agency Safety Plan. An SSOA must enforce the execution of a Public Transportation Agency Safety Plan, through an order of a corrective action plan or any other means, as necessary or appropriate.

49 CFR Part 674.29 Public Transportation Agency Safety Plan General Requirements

(b) In determining whether a Public Transportation Agency Safety Plan is compliant with 49 CFR Part 673, an SSOA must determine, specifically, whether the Public Transportation Agency Safety Plan is approved by the RTA's board of directors or equivalent entity; sets forth a sufficiently explicit process for safety risk management, with adequate means of risk mitigation for the rail fixed guideway public transportation system; includes a process and timeline for annually reviewing and updating the safety plan; includes a comprehensive staff training program for the operations personnel directly responsible for the safety of the RTA; identifies an adequately trained safety officer who reports directly to the general manager, president, or equivalent officer of the RTA; includes adequate methods to support the execution of the Public Transportation Agency Safety Plan by all employees, agents, and contractors for the rail fixed guideway public transportation system; and sufficiently addresses other requirements under the regulations at 49 CFR Part 673.

Audit Evidence

WMSC Program Standard Section 5.E.5 states, “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 within 30 days of the WMSC’s transmission of the draft report may provide to the WMSC... As appropriate, the WMSC will incorporate revisions based on those comments received from WMATA. At the WMSC CEO’s discretion, the letter from WMATA General Manager may be appended to the final WMSC audit report.”

WMSC Program Standard Section 5.E.4 further states, "For each safety recommendation, WMATA must determine if corrective action is necessary in accordance with Section 9.C. In the event WMATA determines that a CAP is unnecessary, WMATA must submit the hazard analysis in accordance with WMATA's approved procedure in its PTASP as justification to accept the level of risk associated with the recommendation and any associated documentation."

The FTA Audit Team verified that the WMSC triennial audit reports for WMATA addressed the necessary requirements. As shown in Table 9.2 below, WMSC scheduled ongoing triennial audits or conducted audits, identified findings, and recommendations for resolution.

Table 9.2 – WMSC Triennial Audits Findings and Recommendations			
Element	Triennial Audit Report Date	Findings	Recommendations
Track	12/14/22	8	2
Internal Reviews and Internal Safety Reviews	1/4/23	3	0
Structures	7/25/23	2	0
Roadway Maintenance Machines (RMM)	10/18/23	5	6
Automatic Train Control (ATC)	1/18/24	5	3
Power	2/7/24	3	0
Revenue Vehicles (Railcar)	5/21/24	7	3
Roadway Worker Protection (RWP)	7/31/24	13	0
Fitness for Duty and Occupational Health	TBD		
Fire Life Safety (FLS) Preparedness, Egress, Tunnel, and Emergency Management	TBD		
Rail Operations and Metro Integrated Command and Communications Center	TBD		
Elevator and Escalator	TBD		
Communication Systems	TBD		

There are no findings of noncompliance for this portion of the audit.

10. Corrective Actions

For this portion of the audit, the FTA evaluated WMSC CAP documents as specified in:

Part 674.27 – (a)(8) State Safety Oversight Program Standards

Part 674.37 – (a) Corrective Action Plans



10.1 Procedure to Review, Approve, and Verify Corrective Action Plans

Basic Requirements:

49 CFR Part 674.27(a)(8) State Safety Oversight Program Standards – CAPS

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 Part 674.37(a) In any instance in which an RTA must develop and carry out a CAP, the SSOA must review and approve the CAP before the RTA carries out the plan; however, an exception may be made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that the SSOA has been given timely notification, and the SSOA provides subsequent review and approval. A CAP must describe, specifically, the actions the RTA will take to minimize, control, correct, or eliminate the risks and hazards identified by the CAP, the schedule for taking those actions, and the individuals responsible for taking those actions. The RTA must periodically report to the SSOA on its progress in carrying out the CAP. The SSOA may monitor the RTA's progress in carrying out the CAP through unannounced, on-site inspections, or any other means the SSOA deems necessary or appropriate.

Audit Evidence

WMSC Program Standard Section 9.A states, "The underlying issue that a corrective action plan (CAP) seeks to address may originate from one or more of the non-exhaustive sources below.

1. "WMSC inspections, investigations, or audits.
2. "Safety event investigations.
3. "Hazard investigations.
4. "WMATA internal safety reviews.
5. "WMATA risk identification or mitigation programs, such as, but not limited to:
 - a. "Safety committees.
 - b. "Customer service complaints.
 - c. "Board meetings.
6. "WMATA's Office of the Inspector General (OIG) investigations and audits.
- 7." Investigation, audit, review, bulletin, or advisory from another agency or body, such as, but not limited to:
 - a. "NTSB.
 - b. "FTA.
 - c. "United States Congress.
 - d. "District of Columbia.
 - e. "State of Maryland.

- f. “Commonwealth of Virginia.
- 8. “Major capital project reviews.
- 9. “Other event or review that requires WMATA to correct an identified safety hazard or deficiency.”

The FTA Audit Team reviewed a sample of open CAPs as shown in Table 10.1 below.

Table 10.1 – Incident CAPs reviewed as Part of Audit			
CAP Date	CAP No.	Event	CAP Description
09/08/2020	20-C0049	Triennial	Metrorail must professionalize operations in the Control Center as part of a plan to improve rule compliance and reach full staffing levels.
09/14/2021	21-C0134	Inspection	Metrorail must complete the safety certification process for all 6000 Series railcars.
09/14/2021	21-C0146	Triennial	Metrorail railcars do not include inward-and outward-facing audio and image recorders in all operating compartments.
04/07/2022	22-C0186	Triennial	Metrorail is not meeting its operational refresher training and recertification requirements.
10/18/2023	23-C0241	Inspection	Metrorail must train personnel to implement safety management systems principles such as hazard identification, tracking mitigation and monitoring for Roadway Maintenance Machines.

The FTA Audit Team also discussed the activities surrounding the WMSC December 2021 order for 7000 series vehicles wheel pressing and replacement program. Although a formal CAP was not created for the 7000 Series wheel issues, WMSC did provide the FTA Audit Team with a detailed return to service plan that identifies specific requirements for safe 7000 Series operations.

There are no findings of noncompliance for this portion of the audit.

10.2 Establish Content Requirements for Corrective Action Plans

Basic Requirement: 49 CFR Part 674.37(a) Corrective Action Plans

In any instance in which an RTA must develop and carry out a CAP, the SSOA must review and approve the CAP before the RTA carries out the plan; however, an exception may be made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that the SSOA has been given timely notification, and the SSOA provides subsequent review and approval. A CAP must describe, specifically, the actions the RTA will take to minimize, control, correct, or eliminate the risks and hazards identified by the CAP, the schedule for taking those actions, and the individuals responsible for taking those actions. The RTA must periodically report to the SSOA on its progress in carrying out the CAP. The SSOA may monitor



the RTA's progress in carrying out the CAP through unannounced, on-site inspections, or any other means the SSOA deems necessary or appropriate.

Audit Evidence

WMSC Program Standard Section 9.C.2 states, "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. Every CAP must include the following elements:

- a. "Date the proposed CAP version was generated or a version number.
- b. "A unique CAP number.
- c. "An individualized CAP for every finding or recommendation.
- d. "State the source document where the finding or recommendation originated.
- e. "State the specific finding or recommendation number as listed in the source document.
- f. "A hazard rating and narrative explanation of the basis for that rating.
- g. "Estimated cost and funding strategy.
- h. "Specific actionable items that will be carried out (note: this includes planned interim mitigations that are not yet implemented, with appropriate urgent timelines for implementation, for any CAP where such interim mitigations may be required for safety).
- i. "Expected completion date for each actionable item.
- j. "Responsible party and department.
- k. "Responsible party signatures and date of signature (added after WMSC approval).
- l. "Date of WMSC approval (added after WMSC approval)."

The FTA Audit Team reviewed the current CAP matrix and noted that the log included the above-mentioned requirements. However, the provided CAP log, dated April 3, 2024, contained 72 open CAPs with 15 CAP schedules that did not contain a current schedule. During the audit, WMSC provided an explanation for each of the 11 overdue CAPs, generally indicating that WMSC was reviewing and responding to the CAPs. Additionally, the annual report did not include accurate schedules for the submitted CAPs. WMSC must ensure accurate schedules for CAPs. However, 11 of the 15 open CAPs included a schedule that was over six months late.

Finding 1 – WMSC did not ensure that WMATA's CAPs included an accurate schedule.

Required Action – WMSC must ensure that its CAP tracking logs are updated and contain all required information, including current schedules.

10.3 Process for Evaluating NTSB Findings

Basic Requirement: 49 CFR Part 674.37(b) Corrective Action Plans

In any instance in which a safety event on the RTA's rail fixed guideway public transportation system is the subject of an investigation by the NTSB, the SSOA must evaluate whether the



findings or recommendations by the NTSB require a CAP by the RTA, and if so, the SSOA must order the RTA to develop and carry out a CAP.

Audit Evidence

WMSC Program Standard Section 9A states, “The underlying issue that a corrective action plan (CAP) seeks to address may originate from one or more of the non-exhaustive sources below... investigation, audit, review, bulletin, or advisory from another agency or body, such as, but not limited to NTSB.”

During the last three years, WMSC coordinated with NTSB for the October 12, 2021, WMATA Blue Line derailment near Arlington Cemetery Station. The FTA Audit Team conducted documents reviews of the October 12, 2021, derailment and discussed the implemented CAPs, including procedure changes, design assessments, etc.

On December 12, 2023, NTSB released the investigation report RIR-23-15 with the following recommendation: “We recommended that WMATA implement processes and resources to expand its use of trend analysis to identify and mitigate safety risks. We also recommended that the Washington Metrorail Safety Commission develop a program to support and monitor WMATA’s expanded use of trend analysis, both to ensure that it remains compliant with federal guidelines and to assess its effect on safety.”

On June 26, 2024, WMSC approved the four CAPs proposed by WMATA (C-0261, C-0262, C-0263, and C-0264) addressing the NTSB investigation.

There are no findings of noncompliance for this portion of the audit.

11. Annual Reports

For this portion of the audit, the FTA evaluated WMSC annual reports submissions as specified in:

Part 674.13 – (a)(7) Designation of Oversight Agency

Part 674.27 – (b) State Safety Oversight Program Standards

Part 674.39 – State Safety Oversight Agency Annual Reporting to FTA

11.1 Annual Safety Status Report Requirements

Basic Requirement: 49 CFR Part 674.13(a)(7) Designation of Oversight Agency

At least once a year, the SSOA reports the status of the safety of each rail fixed guideway public transportation system to the Governor, the FTA, and the board of directors, or equivalent entity, of the rail fixed guideway public transportation system.

Audit Evidence



WMSC Program Standard Section 1.H.1 states, “The WMSC is required to publish annually a status report on the safety of the WMATA Rail System. This report must include status updates of outstanding Corrective Action Plans, WMSC directives, and ongoing investigations. As also required by the WMSC Compact, the WMSC publishes an annual report on its programs, operations, and finances.”

“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.”

The FTA Audit Team verified that annual report submissions were provided in SSOR and identified that WMSC issued annual safety status reports, as required, for the past three years.

There are no findings of noncompliance for this portion of the audit.

11.2 FTA Annual Report Requirements

Basic Requirement: 49 CFR Part 674.39(a) State Safety Oversight Agency Annual Reporting to FTA

On or before March 15 of each year, an SSOA must submit the following material to FTA:

- (1) The SSO program standard adopted in accordance with CFR part 674.27, with an indication of any changes to the SSO program standard during the preceding twelve months;
- (2) Evidence that each of its employees and contractors has completed the requirements of the Public Transportation Safety Certification Training Program, or, if in progress, the anticipated completion date of the training;
- (3) A publicly available report that summarizes its 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 Public Transportation Agency Safety Plans, and the level of effort by the SSOA in carrying out its oversight activities;
- (4) A summary of the three-year audits completed during the preceding twelve months, and the RTAs’ progress in carrying out CAPs arising from three-year audits conducted in accordance with CFR Part 674.31;
- (5) Evidence that the SSOA has reviewed and approved any changes to the Public Transportation Agency Safety Plans during the preceding twelve months; and
- (6) A certification that the SSOA is in compliance with the requirements of this part.

Audit Evidence

WMSC Program Standard Section 1.H.2 states, “**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.
- f. “Certification that the WMSC is compliant with FTA’s annual reporting requirements as outlined in this Section 1.H.2.

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

The FTA Audit Team verified through the State Safety Oversight Reporting (SSOR) tool that WMSC submitted its last three annual reports to FTA within the required time frames.

There are no findings of noncompliance for this portion of the audit.

12. Follow Up Actions

WMSC will have 45 business days from the issuance of this report to respond to the open finding with corrective action plans.

13. Summary of Findings

Table 13.1 – Summary of WMSC Audit Findings	
Finding	Required Actions
1) Section 10.2 Part 674.37(a) – WMSC did not ensure that WMATA’s CAPs included an accurate schedule.	WMSC must ensure that its CAP tracking logs are updated and contain all required information, including current schedules.



14. Appendix A – WMSC Comments to the Draft Audit Report

WMSC provided the following comments on September 6, 2024, to the FTA Draft SSO Audit Report dated August 23, 2024.



750 First St. NE • Ste. 900 • Washington, D.C. 20002

Office: 202-384-1520 • Website: www.wmsc.gov

VIA EMAIL

September 6, 2024

Melonie Barrington, Ed.D.
Director
Office of Safety Oversight and Compliance
Federal Transit Administration
East Building
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Re: The WMSC's Factual Review of the draft SSO Program audit report

Dear Dr. Barrington,

The Washington Metrorail Safety Commission (WMSC) is the designated state safety oversight agency for the Washington Metropolitan Area Transit Authority (WMATA). The Federal Transit Administration (FTA) audits the WMSC's state safety oversight (SSO) program of WMATA every three years. On August 23, 2024, FTA provided the WMSC with the draft SSO program audit report and asked the WMSC to review it for errors of fact and to submit any factual corrections to FTA within 10 business days. This letter is the WMSC's response to the FTA's request.

The WMSC appreciates the FTA's time and attention toward our oversight program. We have thoroughly reviewed the FTA's draft audit report and propose the following factual corrections:

Page 3: Regarding the Executive Summary's Background:

Current Sentence in second paragraph: Created by an interstate compact in 1967, WMATA operates over 117 revenue miles of passenger rail services over six routes with a total of 91 stations.

Corrected Sentence (per information currently appearing on WMATA's public website): Created by an interstate compact in 1967, WMATA operates over 128 revenue miles of passenger rail services over six routes with a total of 98 stations.

Page 17: Regarding "SSOA Program Standard Adoption and Distribution"

In the fourth paragraph, the draft report notes "WMATA did specify that WMSC did not respond to the Program Standard comments. WMSC explained that responding to Program Standard comments is not a requirement." The WMSC notes that, although responding to Program Standard comments is not a requirement, the WMSC responded by letter to WMATA's comments for the annual review of the Program Standard in both 2023 and 2024. For 2024, the WMSC also provided a response matrix that listed each of WMATA's 2024



Page 2 of 2

WMSC Comment on Draft FTA Audit Report
September 6, 2024

comments and the WMSC's response. See Attachment A (2023 Program Standard revision 6 transmittal and response) and Attachment B (2024 Program Standard revision 7 transmittal and response).

Page 36: Regarding "SSOA Triennial Audit Verification PTASP Implementation"

Since the FTA's Audit Exit Briefing on May 9, 2024, the WMSC has published two additional audit reports: the Audit of Metrorail's [Revenue Vehicles \(Railcar\) Program](#) (May 21, 2024), which identified 7 findings and 3 recommendations; and, the Audit of Metrorail's [Roadway Worker Protection Program](#) (July 31, 2024), which identified 13 findings. Both reports may be accessed at the embedded links indicated or at <https://WMSC.gov/oversight/audits>.

Page 40: Regarding "Process for Evaluating NTSB Findings"

The fourth full paragraph on the page notes that the WMSC "is presently coordinating with WMATA to develop CAPs that address the NTSB investigations." As an update, on June 26, 2024, the WMSC approved all four NTSB-related CAPs for implementation (C-0261, C-0262, C-0263, and C-0264).

Corrected Sentence: The WMSC approved the four CAPs proposed by WMATA (C-0261, C-0262, C-0263, and C-0264) addressing the NTSB investigation.

Please let me know if you have any questions or concerns about these updates. Upon receiving FTA's final audit report, the WMSC will propose corrective action within the required 45 business days.

Sincerely,

**Digitally
signed by
David L. Mayer**
Friday, September
6, 2024 1:27:38
PM

David L. Mayer, Ph.D.
Chief Executive Officer
Washington Metrorail Safety Commission

Courtesy copy:

Ms. Ruth Lyons, FTA SSO Senior Program Manager
Ms. Theresa Garcia Crews, Regional Administrator, FTA Region 3
Mr. Anthony Tarone, Deputy Regional Administrator, FTA Region 3
Mr. Diosdado Madlansacay, DC Metropolitan Office, FTA Region 3
Mr. Tony Cho, Director of Program Management and Oversight, FTA Region 3

Enclosures:

Attachment A: 2023 Program Standard Revision 6 transmittal and response
Attachment B: 2024 Program Standard Revision 7 transmittal and response



15. Appendix B – FTA Response to WMSC Comments to the Draft Audit Report

Table 15.1 - WMSC Draft Audit Report Comment/Response Table			
Comment No.	Finding	WMSC Comment	FTA Response
1	General Comment	<p>Audit Report Executive Summary:</p> <ul style="list-style-type: none"> Current Sentence in second paragraph: Created by an interstate compact in 1967, WMATA operates over 117 revenue miles of passenger rail services over six routes with a total of 91 stations. Corrected Sentence (per information currently on WMATA’s public website): Created by an interstate compact in 1967, WMATA operates over 128 revenue miles of passenger rail services over six routes with a total of 98 stations. 	Comment Incorporated.
2	General Comment	<p>Audit Report Section 4.1:</p> <ul style="list-style-type: none"> In the fourth paragraph, the draft report notes “WMATA did specify that WMSC did not respond to the Program Standard comments. WMSC explained that responding to Program Standard comments is not a requirement.” The WMSC notes that, although responding to Program Standard comments is not a requirement, the WMSC responded by letter to WMATA’s comments for the annual review of the Program Standard in both 2023 and 2024. For 2024, the WMSC also provided a response matrix that listed each of WMATA’s 2024 comments and the WMSC’s response. See Attachment A (2023 Program Standard revision 6 transmittal and response) and Attachment B (2024 Program Standard revision 7 transmittal and response). 	Comment Incorporated.
3	General Comment	<p>Audit Report Section 9.2:</p> <ul style="list-style-type: none"> Since the FTA’s Audit Exit Briefing on May 9, 2024, the WMSC has published two additional audit reports: the Audit of Metrorail’s Revenue Vehicles (Railcar) Program (May 21, 2024), which identified 7 findings and 3 recommendations; and, the Audit of Metrorail’s Roadway Worker Protection Program (July 31, 2024), which identified 13 findings. Both reports may be accessed at the embedded links indicated or at https://wmsc.gov/oversight/audits. 	Comment Incorporated. Table 9.2 updated.
4	General Comment	<p>Audit Report Section 10.3:</p> <ul style="list-style-type: none"> The fourth full paragraph on the page notes that the WMSC “is presently coordinating with WMATA to develop CAPs that address the NTSB investigations.” As an update, on June 26, 2024, the WMSC approved all four NTSB-related CAPs for implementation (C-0261, C-0262, C-0263, and C-0264). Corrected Sentence: The WMSC approved the four CAPs proposed by WMATA (C-0261, C-0262, C-0263, and C-0264) addressing the NTSB investigation. 	Comment Incorporated.