



NATIONAL TRANSPORTATION SAFETY BOARD
Investigative Hearing

Washington Metropolitan Area Transit Authority Metrorail train 302 that encountered heavy smoke in the tunnel between the L'Enfant Plaza Station and the Potomac River Bridge on January 12, 2015

GROUP	F
EXHIBIT	
2	

Agency / Organization

Tri-State Oversight Committee

Title

TOC Certification Work Plan with
Attachment, May 2014

Tri-State Oversight Committee (TOC)



District of Columbia Department
of Transportation

Klara Baryshev (Chair)
John Chism
Emile Smith
Steven Zike (Alternate)



Maryland Department of
Transportation

Joseph Tebo
Larry White
Bud Frank (Alternate)



Virginia Department of Rail
and Public Transportation

Sharmila Samarasinghe (Vice Chair)
David Harlan
Jacob Craig (Alternate)
Velvet Walker (Alternate)

(Via Email)

May 1, 2014

Ms. Maria Wright
Lead Program Analyst
Office of Transit Safety and Oversight
Federal Transit Administration
1200 New Jersey Avenue, SE
East Building, E43-409
Washington, DC 20590

Re: Transmittal of the TOC Certification Work Plan Pursuant to MAP-21

Dear Ms. Wright:

On behalf of the jurisdictions that comprise the TOC, pursuant to the new State Safety Oversight Program authorized by 49 U.S.C. 5329(e), the TOC hereby submits this Certification Work Plan (CWP) for the enhancement of its oversight program and the development of the Metro Safety Commission (MSC) to replace the current program structure. This CWP covers only the oversight program for the Washington Metropolitan Area Transit Authority (WMATA) Metrorail system.

This submittal reflects the guidance provided by the Federal Transit Administration (FTA) in the March 10, 2014 *Federal Register* notice on the State Safety Oversight Formula Grant Program. The TOC jurisdictions, including the District of Columbia, Maryland, and Virginia (hereafter "the jurisdictions"), understand that this submittal is necessary to support FTA in evaluating how we plan to work together to meet MAP-21 requirements.

The attached CWP outlines the transition plan in place for the jurisdictions to work together to achieve certification under the new MAP-21 program, including identification of the specific actions that we will take, and the documents and processes that we will develop, to enhance our program to meet the new MAP-21 requirements. The CWP also identifies the proposed timeline in developing a MAP-21 compliant program. This includes both the development of the MSC, including any necessary statutory authority, policies, and procedures, as well as

Ms. Maria Wright
May 1, 2014

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enhanced oversight activities to be implemented under the existing TOC structure during the intervening period until the MSC is ready to operate.

The jurisdictions understand that FTA must approve this CWP before we can file the electronic SSO program grant application with the Regional Office. FTA's approval of this CWP provides the jurisdictions with reasonable assurance that our anticipated SSO program will be MAP-21 compliant, and that the jurisdictions may use the available funding for eligible activities that meaningfully and effectively enhance its SSO program.

If you have any questions regarding this submittal or require any additional information, please feel free to contact me via the phone numbers and/or email address below.

Thank you for your consideration.

Sincerely,



Klara Baryshev
Chair, Tri-State Oversight Committee
District Department of Transportation
55 M Street, SE
Washington, DC 20003



**State Safety Oversight (SSO) Program Work Plan
Response to FTA's Pre-Certification Submittal Review Correspondence and FTA's SSO Grant Program Notice**

Certification Work Plan (CWP)
Tri-State Oversight Committee (TOC)
May 1, 2014

State Safety Oversight (SSO) Program Work Plan
Response to FTA's Pre-Certification Submittal Review Correspondence and FTA's SSO Grant Program Notice

SECTION 1 – Independence from RFGPTS: These provisions require the eligible State to designate an SSO agency that is a legal entity of the State and that is financially and legally independent from the rail fixed guideway public transportation system (RFGPTS) in its jurisdiction. SEE TABS 1 and 2 FOR EXAMPLES.							
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status
1. 5329(e)(3)(C): State establishes a State safety oversight agency (SSOA) as a legal entity of the State		Identify structure of new Metro Safety Commission (MSC) and interim enhanced activities	<p>The Governors of Maryland and Virginia and the Mayor of the District of Columbia sent a letter to FTA specifying that the three jurisdictions will work together to establish the Metro Safety Commission, in accordance with the 2010 TOC White Paper.</p> <ol style="list-style-type: none"> 1. TOC staff and policy personnel meet to define initial MSC objectives and considerations of each jurisdiction, and develop alternatives for TOC Executives 2. TOC Executives meet to select from provided alternatives 3. TOC counsel and policy staff work to produce relevant provisions for future enabling legislation 4. Provisions for the legislation are vetted and approved by FTA Office of Safety and Security 5. In the interim period TOC will adopt a series of additional enhanced activities that meet MAP-21 oversight requirements, as described in Section 3 below. 6. Upon approval or concurrence by FTA and release of FTA Final Rule, the three jurisdictions will develop legislation based on these provisions and TOC Executives and policy staff will work to secure state/District legislative and congressional approval <ol style="list-style-type: none"> a. District of Columbia: Council meets year-round b. Maryland: Legislature meets for 90 days between January and April each year c. Virginia: Legislature meets biannually 7. The MSC will begin implementing required SSO activities in accordance with newly developed policies and procedures references in Sections 2-4 of this CWP 	TOC Policy Personnel, Counsel, and Executives	Enacted Legislation	<p>Ongoing</p> <p>60 days 180 days 12 months 12 months</p> <p>Release of Final Rule + 1 year</p> <p>Passage of legislation + 60 days</p>	IP
			MSC is established and staffed	<ol style="list-style-type: none"> 1. Following promulgation of FTA Final Rule, approval of draft legislation by FTA, and legislative passage in each of the three jurisdictions and Congress, processes required to stand up MSC are implemented 2. Personnel are hired and/or retained in accordance with statutory provisions and the Staffing Plan to be completed as mentioned in Section 4 of this Work Plan. 	TBD	New organization	<p>Passage of legislation + 180 days</p> <p>Passage of legislation + 180 days</p>

Status: NA=Not Applicable; NS=Not Started; IP=In Progress; IB=In Progress, Behind Schedule; SC=Substantially Complete; C=Complete

State Safety Oversight (SSO) Program Work Plan
Response to FTA's Pre-Certification Submittal Review Correspondence and FTA's SSO Grant Program Notice

SECTION 1 – Independence from RFGPTS: These provisions require the eligible State to designate an SSO agency that is a legal entity of the State and that is financially and legally independent from the rail fixed guideway public transportation system (RFGPTS) in its jurisdiction. SEE TABS 1 and 2 FOR EXAMPLES.							
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status
2. 5329(e)(4)(A)(i): SSOA is legally independent from RFGPTS		Interim Processes for TOC	<p>TOC is currently legally independent from WMATA; the following steps address potential issues that may be faced by executive level personnel from the jurisdictions that comprise the TOC and the future MSC commissioners.</p> <ol style="list-style-type: none"> 1. During the transitioning period to the MSC, while the TOC is still functioning as the SSO, TOC policy staff will develop a conflict of interest procedure specifying reorganization of its personnel and recusals for any of its Executives who may have a real or perceived conflict of interest with WMATA, such as the Board of Directors. 2. TOC Executives will review the policy and provide feedback. 3. The policy will be revised and submitted to FTA for review and approval. 4. TOC policy staff will jointly develop a memorandum setting forth a conflict of interest policy compliant with the FTA's technical guidance 5. TOC Executives will review and approve the memorandum 6. The memorandum will be submitted to FTA for review and approval 	TOC Policy Personnel / FTA Staff	Legal Conflict of Interest Policies and Procedures	<p>60 days</p> <p>90 days</p> <p>180 days</p> <p>90 days</p> <p>120 days</p> <p>180 days</p>	NS
		Incorporate into enabling legislation	<ol style="list-style-type: none"> 1. Ensure draft provisions referenced in Section 1(1) submitted for FTA review incorporate all relevant FTA guidance on legal independence, including with respect to reporting relationships, shared board members, etc. 2. Submit provisions to FTA along with formal request to approve TOC's approach to managing MAP-21 legal independence provisions 3. These provisions will be included in the enabling legislation referenced in Section 1(1) above following passage of the FTA Final Rule 	TOC Policy Staff and Counsel	Draft legislative provisions	<p>180 days</p> <p>180 days</p> <p>Release of Final Rule + 1 year</p>	NS
		Develop draft procedures to ensure legal independence	<ol style="list-style-type: none"> 1. Utilizing materials described in "Interim Processes for TOC" above, develop new MSC procedures, policies, organization charts, proposed recusal forms or annual affidavits 2. Submit materials to FTA for review and approval 	MSC Staff	Internal Procedures	Within 1 year of incorporation of MSC	NS

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49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status
3. 5329(e)(4)(A)(i): SSOA is financially independent from RFGPTS		Interim Processes for TOC	<ol style="list-style-type: none"> During the current transitioning period to the MSC, while the TOC is still functioning as the SSO, TOC policy staff will develop a procedure specifying prohibitions on the intermingling of funds or other financial conflicts of interest between TOC and the Metrorail system TOC Executives will review the policy and provide feedback. The policy will be revised and submitted to FTA for review and approval. TOC policy staff will jointly develop a memorandum setting forth a conflict of interest policy compliant with the FTA's technical guidance TOC Executives will review and approve the memorandum The memorandum will be submitted to FTA for review and approval 	TOC Policy Personnel / FTA Staff	Financial Conflict of Interest Policies and Procedures	60 days 90 days 180 days 90 days 120 days 180 days	NS
		Incorporate into enabling legislation	<ol style="list-style-type: none"> Ensure draft provisions referenced in Section 1(1) submitted for FTA review incorporates all relevant FTA guidance on financial independence, including with respect to distinct funding streams between the MSC and Metrorail Submit materials to FTA along with formal request to approve TOC's approach to managing MAP-21 financial independence provisions These provisions will be included in the enabling legislation referenced in Section 1(1) above 	TOC Policy Staff	Draft legislative provisions	180 days 180 days Release of Final Rule + 1 year	NS
		Develop draft procedures to ensure financial independence	<ol style="list-style-type: none"> Utilizing materials described in "Interim Processes for TOC" above, develop new MSC procedures, policies, organization charts, proposed recusal forms or annual affidavits Submit materials to FTA for review and approval 	MSC Staff	Internal Procedures	Within 1 year of incorporation of MSC	NS

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SECTION 1 – Independence from RFGPTS: These provisions require the eligible State to designate an SSO agency that is a legal entity of the State and that is financially and legally independent from the rail fixed guideway public transportation system (RFGPTS) in its jurisdiction. SEE TABS 1 and 2 FOR EXAMPLES.							
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status
4. 5329(e)(4)(A)(ii): SSOA does not directly provide public transportation in same area as RFGPTS		No conflict or deficiency	1. The TOC asserts that there is no deficiency with respect to this issue, nor would one arise under the transition to the MSC				
5. 5329(e)(4)(A)(iii): SSOA does not employ any individual who administers RFGPTS programs		No conflict or deficiency	1. The TOC asserts that there is no deficiency with respect to this issue, nor would one arise under the transition to the MSC				

State Safety Oversight (SSO) Program Work Plan
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SECTION 2 – Enforcement Authority: These provisions require the eligible State to obtain authority for its State Safety Oversight (SSO) program and designated SSO agency to oversee and enforce safety at each RFGPTS in its jurisdiction from engineering and construction through operations. SEE TABS 3 and 4 FOR EXAMPLES.								
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status	
1. 5329(e)(3)(A): State has assumed responsibility for overseeing all aspects of RFGPTS safety (including engineering and construction) <i>(cont'd on next page)</i>		Incorporate into enabling legislation	1. Continue meeting with legal counsel and other policy personnel to determine logistics, specific enforcement tools desired, and to review the provisions of FTA’s Final Rule. 2. Ensure draft provisions referenced in Section 1(1) above submitted for FTA review clearly specifies that MSC retains the authority to oversee all aspects of RFGPTS safety, including engineering, construction and revenue operations <ul style="list-style-type: none"> a. Develop and include approach for specifying enforcement authority for overseeing all aspects of RFGPTS safety in engineering, construction and operations b. Develop and include approach to adopting and enforcing relevant Federal and State laws c. Develop and include approach for enforcement authority regarding the implementation of the Agency Safety Plan d. Develop and include approach for investigative, auditing, and inspection authority e. Develop and include approach for prohibiting RFGPTS funding of State SSOP program 3. Review sample legislation included in the Technical Assistance Tabs developed by FTA and in relevant FTA circulars and guidance documents and ensure relevant material is included in above-referenced draft legislative provisions 4. When the Final Rule is promulgated, ensure provisions described above become part of draft legislation through process specified in Section 1(1) above 5. Provide draft legislation to FTA for review and approval as described in Section 1(1) above 6. Pass legislation through jurisdictional legislatures and U.S. Congress as described in Section 1(1) above	TOC Policy Personnel	Draft Legislation	60 days 12 months 12 months Final Rule + 1 year +60 days	IP	

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SECTION 2 – Enforcement Authority: These provisions require the eligible State to obtain authority for its State Safety Oversight (SSO) program and designated SSO agency to oversee and enforce safety at each RFGPTS in its jurisdiction from engineering and construction through operations. SEE TABS 3 and 4 FOR EXAMPLES.								
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status	
		Develop Internal Procedures Coordinate with RFGPTS Close out certification item with FTA	1. Consistent with the draft provisions included in Section 2(1) above, MSC personnel will develop policies and procedures governing both its pre-revenue and revenue service activities, and specifying notification and documentation requirements for Metrorail system extensions or improvements 2. Submit to FTA for review and approval 3. Conduct a workshop with WMATA to outline proposed approach 4. Modify proposals as warranted based on feedback from WMATA; resubmit the package of policies and procedures to FTA 5. Establish State requirements for overseeing and enforcing WMATA safety through a new MSC Program Standard 6. Establish State requirements for safety certification for RFGPTS in engineering and construction: a. See FTA's Guidance Circular 5800.1, Safety and Security Management Guidance for Major Capital Projects at: http://www.fta.dot.gov/legislation_law/12349_6930.html for current practices 7. Incorporate these requirements into the new MSC Program Standard 8. Submit letter requesting close-out to FTA	MSC staff	Draft procedures	Within 1 year of incorporation of MSC +120 days +1 year +14 months +120 days +120 days +120 days +30 days	NS	
2.	5329(e)(3)(B): State adopts and enforces Federal and relevant State laws on all aspects of RFGPTS safety	See above	See above					
3.	5329(e)(3)(F): State prohibits RFGPTS from funding the SSO agency	See above	See above					

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SECTION 2 – Enforcement Authority: <i>These provisions require the eligible State to obtain authority for its State Safety Oversight (SSO) program and designated SSO agency to oversee and enforce safety at each RFGPTS in its jurisdiction from engineering and construction through operations. SEE TABS 3 and 4 FOR EXAMPLES.</i>							
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status
4. 5329(e)(4)(A)(iv): Designated SSOA has the authority to review, approve, oversee, and enforce RFGPTS Safety Plan		See above	See above				

SECTION 3 – SSO Program Implementation Activities: <i>These provisions require the eligible State to ensure that the designated SSO agency carries out an effective safety regulatory program. SEE TABS 5, 6 and 7 FOR EXAMPLES.</i>							
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status

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SECTION 3 – SSO Program Implementation Activities: These provisions require the eligible State to ensure that the designated SSO agency carries out an effective safety regulatory program. SEE TABS 5, 6 and 7 FOR EXAMPLES.							
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status
1. 5329(e)(4)(A)(v): SSOA has investigative and enforcement authority with respect to all aspects of RFGPTS safety (cont'd on next page)		Interim TOC activities to develop enhanced accident/incident investigation capability	1. During the transition period to the MSC, the TOC will modify its Program Standards and Procedures to perform additional enhanced activities in compliance with MAP-21: These will include: <ul style="list-style-type: none"> a. Investigative and enforcement authorities in a revised, stand-alone TOC Accident/Incident Investigation procedure b. TOC staff will develop the procedure, and submit to Policy and Executive personnel for review and approval c. Final procedure will be submitted to FTA for review and approval d. New procedure will be transitioned to the MSC 2. The new procedure will explicitly include thresholds for leading or joining investigations, the ability to detain Metrorail assets for investigative purposes, methods of investigation, and the requirements for investigation outcomes. 3. Transition the new procedure to the MSC	TOC staff	Draft Policies and Procedures	180 days 180 days Within 6 months of incorporation of MSC	NS
		MSC activities to develop accident/incident investigation capability	1. Building on the plan developed in Section 2 above to obtain investigative and enforcement authority, the MSC will develop new Accident/Incident investigation procedures, forms and processes to gradually facilitate its independent investigation of accidents, incidents and hazards on the Metrorail system 2. The SSO agency coordinates this new/revised process with WMATA, and briefs the WMATA Board of Directors and GM on the new process 3. The SSO agency submits its new/revised procedures to FTA	MSC Staff	New A/I Investigation Plan and Procedures	Within 6 months of incorporation of MSC +60 days +120 days	NS

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SECTION 3 – SSO Program Implementation Activities: These provisions require the eligible State to ensure that the designated SSO agency carries out an effective safety regulatory program. SEE TABS 5, 6 and 7 FOR EXAMPLES.							
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status
		Interim TOC activities to develop enhanced oversight of Metrorail hazard management program, including increased data collection and analysis efforts	<ol style="list-style-type: none"> 1. TOC members review current practices with respect to oversight of WMATA hazard management activities and establishes new policies and procedures for the monitoring of safety performance and the identification, reporting and management of hazards 2. TOC conducts workshop with WMATA safety, operations and maintenance leadership regarding hazard management program and proposed new approach 3. TOC members draft new procedure and submit it to Policy Staff/Executives for review and approval 4. New procedure is submitted to WMATA for review and FTA for review and approval 5. TOC works with WMATA to implement the new procedure to enhance the collection and analysis of safety, operations and maintenance data and information to identify hazards and monitor safety performance in keeping with new procedure 6. TOC submits a sample of new reports and/or data collected using the new standards to FTA to demonstrate their effectiveness 7. Transition the new hazard management procedures to the MSC. 	TOC staff	New policies and procedures	90 days 180 days 210 days 12 months 15 months 18 months Within 6 months of incorporation of MSC	NS

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SECTION 3 – SSO Program Implementation Activities: These provisions require the eligible State to ensure that the designated SSO agency carries out an effective safety regulatory program. SEE TABS 5, 6 and 7 FOR EXAMPLES.							
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status
		Develop enhanced authority and oversight of Metrorail hazard management program, including increased data collection and analysis efforts	<ol style="list-style-type: none"> Building on the plan developed in Section 2 above to obtain investigative and enforcement authority, the MSC will develop new hazard management program procedure, based on the enhanced TOC practices, to facilitate its strengthened oversight of the Metrorail CAP process The MSC submits the final adopted procedure and a sample report to FTA 	MSC Staff	New internal procedures and joint activities between MSC and Metrorail	Within 6 months of incorporation of MSC	NS

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49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status	
2. 5329(e)(4)(A)(vi): SSOA audits, at least once triennially, RFGPTS compliance with Safety Plan		Interim TOC activities to enhance audit process	<ol style="list-style-type: none"> 1. TOC staff will analyze current practices and FTA technical guidance to develop new audit procedures encompassing both the triennial audits and other audits of Metrorail safety and security plan, as circumstances may require. 2. These procedures will explicitly include the ability to conduct additional audits in response to accidents, etc., as well as to compel the completion of corrective actions. The procedures will explicitly reference: <ol style="list-style-type: none"> a. TOC review and approval of WMATA Agency Safety Plan b. TOC review and approval supporting and referenced procedures c. TOC develops and documents procedures for the conduct of on-going triennial audits to confirm WMATA's compliance with its Safety Plan d. TOC develops checklists and process for conducting three-year audit using FTA's guidance in Technical Assistance Tabs 5-7 e. TOC develops sampling plan to identify the inspections, tests, observations, and measurements to be conducted in support of the audit f. Subsequent to each completed audit, TOC submits report to WMATA and FTA, including new procedures, checklists and plans g. TOC uses this process to investigate any allegation of noncompliance it receives regarding WMATA's implementation of the safety plan 3. New procedures will be submitted to TOC policy staff for review and approval 4. Provide approved procedure to FTA for further review and approval 5. TOC will implement these enhanced audit procedures during its ongoing triennial audit process, as well as other audits that the TOC may perform. 6. Transition new procedures to MSC. 	TOC staff	New audit procedures	90 days 150 days 150 days 180 days 8 months Within 6 months of incorporation of MSC	NS	

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SECTION 3 – SSO Program Implementation Activities: These provisions require the eligible State to ensure that the designated SSO agency carries out an effective safety regulatory program. SEE TABS 5, 6 and 7 FOR EXAMPLES.								
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status	
		MSC implements enhanced approach to conducting RFGPTS audits	<ol style="list-style-type: none"> Building on the plan developed in Section 2 above to obtain investigative and enforcement authority, the MSC will develop new audit procedure, based on the enhanced TOC practices, to facilitate its strengthened oversight of the Metrorail CAP process The MSC submits the final adopted procedure and a sample report to FTA 	MSC Staff	Development of procedures for, and conduct of, enhanced triennial audits	Within 6 months of incorporation of MSC	NS	
3. 5329(e)(4)(A)(vii): SSOA provides annual status report on RFGPTS safety to the Governor, FTA and the RFGPTS Board of Directors		Report annually to each jurisdiction's Chief Executive and the FTA	<ol style="list-style-type: none"> TOC will update annual reporting procedure to include the timeframes and content of reports to be delivered to the Chief Executives of the three jurisdictions, FTA, and the WMATA Board of Directors Provide this updated procedure to FTA for review and approval Make contact with the office of each jurisdiction's Chief Executive to inform the administration of a new annual reporting mechanism and determine the best format Beginning in 2015, for CY 2014, provide an annual report to each Chief Executive's Office Submit a copy of the report along with a cover letter to the FTA for verification Transition same practices to MSC 	MSC Staff	New annual reporting structure	180 days 180 days 8 months 10 months 10 months Within 6 months of incorporation of MSC	NS	

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49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status	
		Report regularly to the WMATA Board of Directors	<ol style="list-style-type: none"> 1. TOC to continue Quarterly Briefings with the WMATA Board of Directors during Board Meetings 2. Coordinate with Metrorail staff regarding additional briefing elements or information to be provided to the Chief Executives in advance of the annual report 3. New requirement for RTA to report this information to be included in the enabling legislation referenced in Section 1(1) above as well as the new Program Standard 4. Submit same to FTA for review and approval 5. Transition same practices to MSC 	TOC Staff WMATA Board	Enhance regular briefing activities	Ongoing 60 days 12 months 12 months Within 6 months of incorporation of MSC	NS	

SECTION 4 – Staffing and Qualification of SSO Personnel and Contractors: These provisions require the eligible State to ensure that the designated SSO agency is staffed with qualified personnel. SEE TABS 8 and 9 FOR EXAMPLES.								
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status	

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SECTION 4 – Staffing and Qualification of SSO Personnel and Contractors: <i>These provisions require the eligible State to ensure that the designated SSO agency is staffed with qualified personnel. SEE TABS 8 and 9 FOR EXAMPLES.</i>							
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status
1. 5329(e)(3)(D): Determines, in consultation with FTA, an appropriate staffing level for the SSOA that is commensurate with the number, size, and complexity of RFGPTS in the eligible State		Develop SSO work breakdown structure	<ol style="list-style-type: none"> 1. Review <i>Federal Register</i> notice for final SSO grant program apportionment amount for FY 13 and FY 14 2. Establish final budget for each jurisdiction's SSO grant program (including State match for MAP-21 funds) 3. Review FTA's Technical Assistance Tabs and State's Pre-Certification Submittal Results, and the State's response to Section 3 above, to establish list of activities that will be performed in the program using FTA FY 13 and FY 14 funding 4. Also review SSO program responsibilities and statutory requirements within the existing 49 CFR Part 659 program that will meet MAP-21 requirements 5. Establish a work breakdown structure (a detailed task-by-task evaluation and analysis) of actual full-time equivalent (FTE) position requirements for the MSC to operate the SSO program <ol style="list-style-type: none"> a. This will necessarily await development and passage of the underlying MSC enabling legislation 6. Complete the work breakdown structure and recommend appropriate staffing levels 7. Submit to FTA for review and approval 	MSC Staff Jurisdiction-based Policy Personnel	Program Budget (incl. Local Match) Work Structure Breakdown and Staffing Re-Commendations	30 days 1 year 180 days 180 days 180 days 9 months 9 months	NS
		Develop proposed staffing plan and budget	<ol style="list-style-type: none"> 1. Using results of the work breakdown structure, develop a staffing plan for the MSC to document identified positions, required qualifications, and roles and responsibilities of State employees and contractors 2. Develop formal job descriptions 3. Develop MSC staffing budget 4. Submit staffing plan and budget to FTA 5. Start process of acquiring personnel resources, either in-house or contract support, commensurate with newly established staffing levels 	MSC Staff Jurisdiction based policy staff	Staffing Plan	9 months 9 months 9 months 9 months	NS

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SECTION 4 – Staffing and Qualification of SSO Personnel and Contractors: These provisions require the eligible State to ensure that the designated SSO agency is staffed with qualified personnel. SEE TABS 8 and 9 FOR EXAMPLES.								
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status	
2. 5329(e)(3)(E): Requires that SSOA employees and other designated personnel are qualified to perform oversight functions through appropriate training		Identify technical qualifications for MSC staff and contractors Establish long-term plan for ensuring access to technical expertise	<ol style="list-style-type: none"> 1. Establish technical qualifications as part of future advertised MSC job positions (see Item 1 in Section 4 above) 2. Train up existing TOC staff to meet these qualifications 3. Establish technical qualifications for contractors as part of future solicitations for service 4. Establish technical training and/or certification or mentoring opportunities for MSC operations personnel in specific rail transit disciplines with the RFGPTS, another SSO agency, or through the State's FRA Participation Program 5. Identify long-term strategy for ensuring access to technical expertise in areas of rail transit vehicles, track, signals and train control, traction power, rail grade crossings, and operations/maintenance practices 	MSC staff	Future staffing requirements	9 months 12 months 9 months 9 months 9 months	NS	
3. 5329(e)(3)(E): Requires that SSOA employees and other designated personnel successfully complete FTA's public transportation safety certification program		Establish requirement for participation in FTA's public transportation safety certification training program	<ol style="list-style-type: none"> 1. Specify participation in and successful completion of FTA's training program as a term and condition of employment 2. Specify participation in and successful completion of FTA's training program as a requirement in any solicitation for contract services 3. Establish individual training plans for each SSO program employee 4. Submit to FTA 	MSC staff	New qualifications and certifications for MSC personnel	9 months 9 months 9 months 9 months	NS	

**State Safety Oversight (SSO) Program Work Plan
Response to FTA’s Pre-Certification Submittal Review Correspondence and FTA’s SSO Grant Program Notice**

SECTION 5 – Grants and Waivers: These provisions specify requirements for the eligible State to participate in the MAP-21 SSO grant program and request waivers from specific financial and legal independence clauses (49 U.S.C. Section 5329(e)(4)(A)(i) and (iii)). SEE FTA’S FAQs ON THE SSO GRANT PROGRAM FOR ADDITIONAL INFORMATION.								
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status	
1. 5329(e)(6)(B)(ii): The SSOA is already an FTA grantee or is ready to become an FTA grantee		MSC is designated as an FTA grantee	<ol style="list-style-type: none"> 1. Establish MSC in accordance with Sections 1 and 4 of this CWP 2. Work closely with FTA to ensure new entity will be able to meet FTA grantee requirements, including with respect to issues such as contracting and procurement rules. 3. In the interim, DDOT is an approved FTA grantee, and is eligible to receive MAP-21 formula grant funds to disperse for efforts to transition the TOC into the MSC and to fund the enhanced oversight activities on an interim basis until the MSC is fully established 4. Develop multi-state agreement between Maryland, the District of Columbia, and Virginia for the disbursement of these FTA grant funds as well as to collect and compile the matching funds from each of the three jurisdictions 5. Obtain letter from the three Chief Executives to the appropriate FTA Regional Administrator that identifies the designated recipient for the SSO Formula Grant Program funds. 6. Work with its FTA Regional Office to determine what additional activities or information are required for MSC to become established as an FTA recipient for this program. 7. Establish requirements for personal identification numbers and authorization codes for using FTA’s electronic grants system 	Jurisdiction-based Chief Executives and Policy Staff	Letter to, and meetings with, FTA personnel	See Section 1 60 days (begin) 1 year +30 days 60 days (begin)	NS	

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SECTION 5 – Grants and Waivers: These provisions specify requirements for the eligible State to participate in the MAP-21 SSO grant program and request waivers from specific financial and legal independence clauses (49 U.S.C. Section 5329(e)(4)(A)(i) and (iii)). SEE FTA'S FAQs ON THE SSO GRANT PROGRAM FOR ADDITIONAL INFORMATION.							
49 U.S.C. Section	FTA Assessment	Action Plan Tasks	Action Plan Steps	Responsibility	Anticipated Outcomes	Timeline	Status
2. 5329(e)(6)(C)(ii)-(iii): The SSOA is ready to make its 20 percent match independent of RFGPTS funding		Each member jurisdiction documents 20 percent match for FY 13 and FY 14 SSO grant funding	1. Three jurisdictions jointly prepare a letter for FTA Regional Administrator and FTA Associate Administrator of Office of Safety and Security committing to an independent funding match at a specified amount <ul style="list-style-type: none"> a. Each of the three jurisdictions will need to provide matching funds to DC to the extent that DDOT would remain the grantee as the recipient of MAP-21 grant funds 2. State certifies independence of funding source	Jurisdiction-based Chief Executives and Policy Staff	Letter to FTA personnel	180 days 180 days	NS
3. 5329(e)(4)(B): SSOA is not requesting a waiver		None Required	None Required				