



U.S. Department
of Transportation

**Federal Transit
Administration**

Headquarters

1200 New Jersey Avenue, SE
Washington, DC 20590

SENT VIA EMAIL

June 21, 2024

Mr. Phillip Eng
General Manager
Massachusetts Bay Transportation Authority
10 Park Plaza
Boston, MA 02116

Subject: Response to Closeout Request for FTA-LC-22-002 (Procedures to Ensure Trained and Certified Personnel Operate or Supervise the Movement of Railcars)

Dear Mr. Eng:

On May 1, 2024, the Massachusetts Bay Transportation Authority (MBTA) submitted a Corrective Action Plan (CAP) closeout request for FTA-LC-22-002 (Procedures to Ensure Trained and Certified Personnel Operate or Supervise the Movement of Railcars). The MBTA developed this CAP as part of its response to findings issued in Special Directive (SD) 22-7: Lapsed Certifications from the Safety Management Inspection (SMI) initiated by the Federal Transit Administration (FTA) in April 2022.

Closeout Approval for FTA-LC-22-002 (Procedures to Ensure Trained and Certified Personnel Operate or Supervise the Movement of Railcars)

MBTA's CAP for FTA-LC-22-002 includes nine action items, approved by FTA on August 8, 2022, to address the following SD 22-7 finding and required action:

- **Finding 2:** MBTA does not ensure it meets its operational training and recertification requirements for personnel responsible for the movement of railcars.
- **Required Action (FTA-LC-22-002):** MBTA must ensure that personnel with lapsed certifications are not placed on duty to perform or supervise train operations. MBTA must develop and implement procedures to ensure that only certified personnel are scheduled to operate or supervise the movement of railcars.

To implement this CAP, between July 31, 2022, and May 5, 2024, MBTA undertook the following actions (and submitted documentation regarding their completion):

- established and required the use of a SharePoint-based certification tracking database and developed and implemented tracking and notification systems via MBTA's Learning Management System and Rail Certification Dashboard;
- issued Operations Special Order # 22-145, Procedure for Monitoring and Tracking Recertification Compliance;
- documented rail instructor training needs and availability, hiring plan, and hiring plan updates;
- developed a procedure, Tracking Rail Certifications and Creating and Issuing Certification Cards, and distributed updated rail certification cards accordingly;
- updated rail certification requirements in its Rules for Operations Employees; and
- developed and implemented a rail certification audit process.

FTA carefully evaluated the submitted documentation and reviewed submissions with MBTA during regular meetings on SD 22-7 between August 2022 and May 2024. FTA's review focused on:

- the processes and tracking mechanisms as listed above;
- the implementation of the same; and
- the effectiveness of the same as indicated by rail certification information submitted to satisfy Required Action FTA-LC-22-001 of the same Special Directive.¹

FTA also conducted multiple on-site verifications to verify implementation of the items listed above, including rail certification card inspections.

Based on review of these submissions and the results of verification activity, FTA finds that these completed action items adequately satisfy the requirements of CAP FTA-LC-22-002 and this CAP may now be closed.

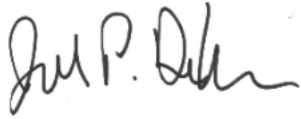
Prior to closing SD 22-7, FTA may conduct final verification regarding MBTA's execution of the practices listed above.

Conclusion

This CAP closure represents a tremendous amount of work and FTA greatly appreciates your efforts. Please contact our Safety Management Inspection Coordinator, Christian Hernandez, at christian.hernandez@dot.gov or (213) 552-3494.

¹ Required Action FTA-LC-22-001 required MBTA to submit a revenue service and as-performed schedule, identifying the certification status of all transit workers operating revenue service trains and supervising train movements and revenue service trains.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe P. DeLorenzo". The signature is fluid and cursive, with the first name "Joe" and last name "DeLorenzo" clearly distinguishable.

Joe DeLorenzo
Associate Administrator and
Chief Safety Officer
Office of Transit Safety and Oversight

cc: Peter Butler, Regional Administrator, FTA Region 1
Ryan Coholan, Chief Operating Officer, MBTA
Tim Lesniak, Chief Safety Officer, MBTA
Meredith Sandberg, Chief of Quality, Compliance, and Oversight, MBTA
Pat Lavin, Chief Safety Officer, Massachusetts Department of Transportation
Jamie Van Nostrand, Chair, Massachusetts Department of Public Utilities (DPU)
Robert Hanson, Rail Safety Director, DPU