



U.S. Department  
of Transportation

**Federal Transit  
Administration**

Headquarters

1200 New Jersey Avenue, SE  
Washington, DC 20590

**SENT VIA EMAIL**

December 6, 2022

Mr. Steve Poftak  
General Manager  
Massachusetts Bay Transportation Authority  
10 Park Plaza  
Boston, MA 02116

Subject: Additional Information Required Prior to Approval of Resubmitted Corrective Action Plans for Special Directives 22-9, 22-10, 22-12

Dear Mr. Poftak,

Thank you and your team for submitting updated Corrective Action Plans (CAPs) to address comments from the Federal Transit Administration (FTA) regarding the initial CAP submittals from the Massachusetts Bay Transportation Authority (MBTA) to address Special Directive (SD) 22-9, Workforce Capacity; SD 22-10, Prioritized Safety Management Information; and SD 22-12, Operating Conditions and Policies, Procedures and Training.

This letter highlights additional information requested by FTA in order to approve updated CAPs for each Special Directive. FTA requests that MBTA resubmit CAPs for SD 22-9 and SD 22-10 using the current names for all relevant workgroups and committees. Related to SD 22-12, FTA requests further clarification of four (4) action items and resubmission using current names for all relevant workgroup and committees.

In addition, FTA is requesting that MBTA provide project management information that explains how MBTA will coordinate tasks, resources, stakeholders, and other project elements as it works close to all of the CAPs for SD 22-9,10,11, and 12. This request is further detailed below.

**SD 22-9, Workforce Capacity**

On October 1, 2022, MBTA submitted four (4) CAPs on time as required in SD 22-9, addressing [FTA's four \(4\) findings and four \(4\) required actions](#). FTA approved MBTA's initial CAP proposal for Finding 4 but required resubmittal for CAPs developed in response to Findings 1, 2, and 3 (correspondence dated Friday, October 14, 2022). Collectively, these three Findings require a workforce analysis and associated workforce planning, recruitment, and hiring to ensure MBTA's

capability to perform mission-critical operations, maintenance, capital project delivery, and safety certification in a manner which ensures the safety of passengers, employees, contractors, and infrastructure.

FTA identified several areas where further information and clarification was needed including:

- the make-up, structure; roles and responsibilities, and resourcing of the working groups charged with overseeing and managing these CAPs;
- MBTA's approach for collecting information from MBTA's frontline personnel and technical and executive leadership to support and inform the contractor's work for these CAPs;
- MBTA's approach for briefing MBTA's executive leadership team and the MBTA board and ensuring their ownership of the results of the contractor work managed by the designated working groups; and
- interim actions that MBTA may be taking to address non-compliance with existing safety procedures and plans discussed in FTA's findings.

MBTA provided information to address these concerns in its submittal, dated November 4, 2022. These updates and clarifications provide the further detail and additional actions and milestones requested by FTA regarding how the MBTA will manage and oversee these CAPs. However, the submissions used outdated names for committees and workgroups.

**By Tuesday, January 3, 2023, given the changes in naming conventions and as discussed previously with MBTA, FTA requests that MBTA resubmit the SD 22-9 CAPs to include the current names for all advisory committees, executive steering committees and working groups.**

#### SD 22-10, Prioritized Safety Management Information

On October 15, 2022, MBTA submitted six (6) CAPs on time as required in SD 22-10, addressing [FTA's six \(6\) findings and 17 required actions](#). In correspondence dated October 28, 2022, FTA required resubmittal of MBTA's CAPs for Findings 1 through 6.

Collectively, these findings require MBTA to revise both its strategic and tactical approaches to implementation of its Safety Management System (SMS). At the strategic level, FTA required MBTA Executive Leadership to provide direct and explicit guidance to operations and maintenance management, as well as the Safety Department, for the identification and elevation of safety information necessary to prioritize resources to address safety risks in MBTA operations. At the tactical level, FTA required MBTA Executive Leadership to work with operations and maintenance management and the Safety Department to establish and integrate the necessary structures, processes, and tools to support leadership safety priorities and implementation of the MBTA's SMS.

As previously discussed with representatives of MBTA's Safety Department and Quality, Compliance and Oversight Office (QCOO), FTA's evaluation of MBTA's approach to these proposed CAPs found that they are logically structured and sequenced. FTA required resubmittal, however, because FTA found that MBTA had not provided sufficient details on how the organization will:

- direct and manage safety risk in the interim while work on these CAPs is being completed,
- ensure safety risk information is presented to Executive Leadership for resource

- prioritization,
- coordinate updates to SMS processes, tools, and activities with updates to the MBTA's Agency Safety Plan, and
- identify and monitor safety risk through safety assurance activities and event investigations.

In follow-up correspondence, dated November 18, 2022, MBTA updated its CAPs to address FTA's concerns and to incorporate specific comments made by FTA in its evaluation of these CAPs. MBTA also included additional actions and milestones in its CAPs, as requested by FTA. Collectively, these updates and additions address FTA's comments and concerns. However, the submissions used outdated names for committees and workgroups.

**By Tuesday, January 3, 2023, given the changes in naming conventions and as discussed previously with MBTA, FTA requests that MBTA resubmit the SD 22-10 CAPs to include current names for all advisory committees, executive steering committees and working groups.**

#### SD 22-12, Operating Conditions and Policies, Procedures and Training

On October 5, 2022, MBTA submitted seven (7) CAPs on time as required in SD 22-12, addressing [FTA's seven \(7\) findings and 19 required actions](#). In correspondence dated October 21, 2022, FTA approved four (4) CAPs and required resubmittal of MBTA's CAPs for Findings 1, 2 and 3. Collectively, these three findings require MBTA:

- to ensure each MBTA department identifies, reviews, and addresses noncompliance with key rules and procedures critical to the safety of activities performed by the department, and also reports results to the Safety Department and Executive Leadership;
- to develop and implement an approach to monitoring operations and maintenance activities to enable the analysis and understanding of situations of non-compliance; and
- to develop and implement an independent quality assurance and quality control function.

Based on FTA's analysis of MBTA's proposed CAPs for Findings 1, 2, and 3, FTA requested additional milestones for implementation of action items extending through Calendar Year 2025 and the first quarter of Calendar Year 2026. FTA also requested additional action items to manage the safety issues associated with these findings in the interim, while contract and other work was being performed. Finally, FTA requested plans on engagement with frontline personnel, integration of contractor work into MBTA's operations and maintenance, and additional information on resources for overseeing critical work proposed in these CAPs.

On November 14, 2022, MBTA updated its CAPs to address FTA's concerns and to incorporate specific comments made by FTA in its evaluation into the CAPs. MBTA also included additional actions and milestones in its CAPs, as requested by FTA.

While these updates and additions address FTA's comments and concerns for Findings 1 and 2, FTA requires additional information to be provided to address four (4) action items in the CAP for Finding 3, including:

- Action Item 3 – This action item states that MBTA will “Develop Quality Assurance (QA) procedures with specific requirements, such that they are auditable.” FTA requests that

MBTA revise this action item because as currently written, MBTA indicates it will only develop a Quality Management Plan (QMP) and does not specify QA procedures.

- Action Item 7 – MBTA must evaluate whether “Establish[ing] [a] program for oversight of Vehicle Engineering...” is necessary or even redundant given the development of both the QMP and attendant procedures. FTA requests additional clarification as to whether MBTA’s internal audit program provides the necessary oversight.
- Action Item 28 – MBTA must clarify how the Quality Management Program will ensure quality oversight of all maintenance activities, not just those that are deemed safety critical. FTA requests that MBTA also clarify the role of the Safety Department in auditing the Quality Department.
- Action Item 29 – This action items states that MBTA will "Procure Document Management System" and includes expectations for accessibility to documents in the system. FTA requests that MBTA clarify its process for procedural development and its configuration management process that includes both change management and document control. MBTA must also ensure controls are in place such that revisions to procedures and related documents are accessible and both controlled (to prevent confusion) and communicated to those with a need to know.

**By Tuesday, January 3, 2023, FTA requests that the CAP for Finding 3 be resubmitted to address FTA’s comments on these four (4) action items. In addition, as previously discussed with MBTA’s team, given changes in naming conventions, FTA requests that MBTA resubmit the SD 22-12 CAPs to include current names for all advisory committees, executive steering committees and working groups.**

#### Project Management Information Required for SD 22-9, SD 22-10, and SD 22-12 CAP Approval

On November 16, 2022, MBTA’s QCOO leadership provided an update on its project management approach for completing and monitoring work associated with SD 22-9, SD 22-10, SD 22-11, and SD 22-12. QCOO explained its integrated strategy, for each to CAP, to:

- form *ad hoc* advisory and executive steering committees to guide work and address CAP requirements,
- establish permanent working groups to monitor progress and ensure ongoing CAP implementation and resolution of related safety issues – after CAP closure,
- conduct strategic planning sessions to identify adaptive challenges and technical challenges associated with CAPs,
- engage technical expertise through contracting,
- support, monitor and oversee contractor work, including best practices review, gap analysis, and solution design,
- implement solutions to address CAP requirements and assess effectiveness,
- engage internal stakeholders and frontline workers throughout CAP process, and
- practice transparency and strong communication.

QCOO also indicated it planned to include CAPs from SD 22-4 through SD 22-7 as part of its integrated approach as staffing levels increase.

Before FTA can approve the submitted CAPs for SD 22-9, SD 22-10 and SD 22-12, MBTA must

demonstrate it has the capacity to manage these efforts.

**By Tuesday, January 3, 2023, FTA requests that MBTA submit a Project Management Plan (PMP) detailing the agency's approach for managing the CAPs submitted for SD 22-9, SD 22-10, SD 22-11, and SD 22-12.**

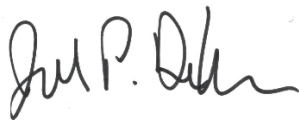
**MBTA also must provide read-only access to the Integrated Master Schedule by January 3, 2023.** FTA recommends MBTA follow established guidance for PMP contents and in creating the Integrated Master Schedule. FTA also may request a formal meeting with QCOO and other MBTA representatives to review the PMP and Integrated Master Schedule.

**When FTA accepts the PMP and Integrated Master Schedule, as well as the additional information requested to address Finding 3 in SD 22-12, FTA will issue approval letters for the SD 22-9, SD 22-10, and SD 22-12 resubmitted CAPs.**

### **Conclusion**

We appreciate your efforts to enhance MBTA's safety performance, and we look forward to working with you and your team as the MBTA addresses these findings and required actions. Please contact our SMI Coordinator, Erin Powell, by phone at (771) 200-8016 or by email at [Erin.Powell@dot.gov](mailto:Erin.Powell@dot.gov) with any questions.

Sincerely,



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

cc: Peter Butler, Regional Administrator, FTA Region 1  
Jeffrey Gonneville, Deputy General Manager, MBTA  
Erik Stoothoff, Acting Chief Operating Officer, MBTA  
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