



U.S. Department  
of Transportation

**Federal Transit  
Administration**

Headquarters

1200 New Jersey Avenue, SE  
Washington, DC 20590

**SENT VIA EMAIL**

February 3, 2023

Cecile M. Fraser  
Acting Chair  
Department of Public Utilities  
Commonwealth of Massachusetts  
One South Station  
Boston, MA 02110

Subject: Approval of Corrective Action Plans in Response to Special Directive 22-13

Dear Ms. Fraser,

Thank you for submitting revised Corrective Action Plans (CAPs) to address Findings 1, 2, and 3 from FTA's Special Directive (SD) 22-13, Required Actions to Address Findings from the Safety Management Inspection (SMI) Conducted at the Massachusetts Bay Transportation Authority (MBTA). These [three \(3\) findings contain six \(6\) required actions for the](#) Massachusetts Department of Public Utilities (DPU).

Collectively, Findings 1, 2, and 3 of SD 22-13 require DPU to:

- enhance its technical capacity, resources, training, and enforcement capabilities;
- ensure its organizational and legal independence from MBTA; and
- validate MBTA's fatigue management approach for rail transit officials and maintenance and engineering personnel.

The DPU resubmitted these updated CAPs<sup>1</sup> on January 6, 2023, as required in response to FTA's correspondence of December 16, 2022.

**Approval of DPU CAPs for Findings 1, 2, and 3**

FTA finds that DPU's updated CAPs for Findings 1, 2, and 3 adequately incorporated the additional information requested by FTA in the evaluation matrix provided on December 16, 2022.

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<sup>1</sup> FTA notes that DPU re-numbered and re-sequenced its responses into distinct action items for tracking, with explicit titles, due dates, responsible parties, and verification plans, as appropriate, to respond to FTA's comments.

In earlier correspondence, from November 4, 2022, FTA approved DPU's CAP to address Finding 4 from SD 22-13, and its three (3) required actions, determining that DPU's proposed approach adequately addressed FTA's recommended actions.

### **Revised due dates for DPU Submission of Enforcement Plans**

FTA previously transferred tracking of Enforcement Plans for CAPs and Immediate Actions related to SDs 22-4 through 22-7, originally part of 22-8, to the 22-13 evaluation matrix (attached)<sup>2</sup>. FTA has revised the due dates for these Enforcement Plans as follows.

This table will be updated with the specific submission dates once FTA approves the enforcement procedure:

| <b>MBTA Special Directive<br/>(CAPs and Immediate Actions)</b> | <b>New Due Date for Enforcement Plans</b>       |
|--|---|
| SD 22-4 (TRA)  | 7 days after approval of Enforcement Procedure  |
| SD 22-5 (VSC)  | 14 days after approval of Enforcement Procedure |
| SD 22-6 (OCC)*   | 21 days after approval of Enforcement Procedure |
| SD 22-7 (LC)*  | 28 days after approval of Enforcement Procedure |

\* For SDs 22-6 & 22-7, the Enforcement Plans for Immediate Actions and for CAPs had different due dates. However, FTA has changed the due dates. Enforcement Plans for *both* Immediate Actions and for CAPs for SD 22-6 and SD 22-7 are due the same day per the table above.

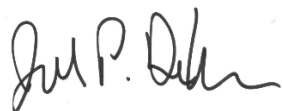
### **Submissions for Completed Items**

Any deliverables identified in the attached evaluation matrix that have already been completed (up to the date of this letter) must be submitted to FTA by **March 17, 2023**.

### **Conclusion**

We appreciate your efforts to enhance DPU's performance and implementation of the SSO program in the Commonwealth of Massachusetts, and we look forward to working with you and your team to address FTA's 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

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<sup>2</sup> FTA informed DPU of this transfer in the December 16, 2022, letter.

cc: Peter Butler, Regional Administrator, FTA Region 1  
Rebecca Tepper, Secretary, Executive Office of Energy and Environmental Affairs  
Elizabeth Cellucci, Director, Transportation Oversight Division, DPU  
Robert Hanson, Director, Rail Transportation Safety, Transportation Oversight Division,  
DPU



# **Corrective Action Plan (CAP) Evaluation Matrix** **Special Directive 22-13: Department of Public Utilities, Revised 1.6.23**

| Identification Number      | Finding and Required Action   | Proposed CAP Items  | Proposed Due Dates                                       | FTA Comments   |
|----------------------------|---|---|--|--|
| <b>FTA-22-DPU-CAT5-1.A</b> | <p><u><b>Finding 1:</b></u><br/> DPU does not use its available resources as effectively as it could to support field observations, audits, and inspections of MBTA's rail transit system to identify safety deficiencies and require their immediate resolution.</p> <p><u><b>Required Action A:</b></u><br/> DPU must update its workload assessment to reflect the results of the SMI and address FTA's Special Directives 22-8 and 22-13.</p> | 1. DPU Consultant (Vital Assurance) will conduct a workload assessment to include the work generated by Special Directives 22-8 and 22-13 and all associated CAPs.  | 2/29/23  | <b>Action Item Approved</b>  |
|                            |   | 2. DPU Transportation Division Director, Elizabeth Cellucci, or Assistant Director for Rail Rob Hanson, and Dave Carvalho, Assistant Director and DPU's consultant, Vital Assurance, will meet at bi-weekly to discuss and develop the scope of the workload assessment or to discuss the status of the assessment. | Meetings began 12/5/22                                   | <b>Action Item Approved</b><br><br>FTA may review notes or meeting minutes from these bi-weekly meetings to verify occurrence and discussion.      |
|                            |   | 3. Meetings on the workload assessment will begin on December 5, 2022 and continue until completion.  | 12/5/22 and ongoing                                      | <b>Action Item Approved</b>  |
|                            |   | 4. DPU will work with Vital Assurance to develop the scope and parameters for updating the workload assessment to be completed by February 29, 2023.  | 2/29/23  | <b>Action Item Approved</b><br><br>FTA may request presentation on scope and parameters for workload assessment during bi-weekly meeting with FTA. |
|                            |   | 5. DPU Chair (to be named) will brief EOEAA management monthly on the status of the workload assessment, (together with a briefing on staffing levels at Rail Transit, and the status of the Special Directives and Findings), beginning January 2023.  | Beginning in January 2023 with new DPU Chair to be named | <b>Action Item Approved</b><br><br>FTA may review these presentations and request to attend a briefing.  |



**Corrective Action Plan (CAP) Evaluation Matrix**  
**Special Directive 22-13: Department of Public Utilities, Revised 1.6.23**

|                            |  |  |                        |   |
|----------------------------|--|--|------------------------|---|
|                            |  | 6. DPU (Cellucci or Hanson and Carvalho) and DPU's consultant, Vital Assurance, will meet at least bi-weekly to develop the parameters of the assessment, all assumptions, and discuss how Vital Assurance will assess skills of Rail Transit and what is expected of prospective staff beginning the week of December 5, 2022.  | Meetings began 12/5/22 | <b>Action Item Approved</b><br><br>FTA may review notes or meeting minutes from these bi-weekly meetings to verify occurrence and discussion. |
|                            |  | 7. DPU will establish a process regarding the Workload Assessment that will become part of the Standard Operating Guide. Due May 1, 2023. (Assistant General Counsel (to be named) or Cellucci is responsible.   | 5/1/23                 | <b>Action Item Approved</b>   |
|                            |  | 8. DPU (Cellucci) will submit a copy of the completed workload assessment to FTA by May 1, 2023.   | 5/1/23                 | <b>Action Item Approved</b>   |
| <b>FTA-22-DPU-CAT5-1.B</b> | <u><b>Finding 1:</b></u><br>DPU does not use its available resources as effectively as it could to support field observations, audits, and inspections of MBTA's rail transit system to identify safety deficiencies and require their immediate resolution.<br><br><u><b>Required Action B:</b></u><br>DPU must match its resources to those identified in its updated workload assessment. | 1. DPU and EOEEA Human Resources will meet to identify and match resources utilizing the workload assessment.  | 5/13/23                | <b>Action Item Approved</b><br><br>FTA may request briefing on results of this meeting and coordination.                                      |
|                            |  | 2. DPU Chair (to be named) will brief EOEEA management monthly on the status of the workload assessment, staffing levels at Rail Transit, and the status of the Special Directives and Findings, beginning January 2023.<br>DPU Chair (to be named) will brief EOEEA management monthly on DPU's hiring progress and needs for support to attract and retain applicants. | To begin January 2023  | <b>Action Item Approved</b><br><br>FTA may review these presentations and request to attend a briefing.                                       |
|                            |  | 3. Utilizing the Workload Assessment, EOEEA Human Resources will develop a recruitment and hiring plan to address long-  | 7/28/23                | <b>Action Item Approved</b>   |



## Corrective Action Plan (CAP) Evaluation Matrix

### Special Directive 22-13: Department of Public Utilities, Revised 1.6.23

|                     |   |  |                                      |  |
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|                     |   | term needs for attracting and hiring staff. The recruitment plan is due to FTA by July 28, 2023.   |                                      |  |
|                     |   | 4. HR Director Zabriskie or assigned staff will meet with the Director of Transportation or the Director of Rail Transit Safety biweekly to discuss all hiring and recruitment activities beginning November 28, 2022. | Began November 2022                  | Action Item Approved   |
|                     |   | 5. DPU together with Human Resources will create additional job descriptions, if needed, based on workload assessment.   | Begins 5/13/23                       | Action Item Approved   |
|                     |   | 6. EOEEA Human Resources (staff assigned by HR Director Zabriskie) will post jobs to fill identified gaps in resources, if needed.   | Begins 5/13/23                       | Action Item Approved   |
|                     |   | 7. DPU to provide biweekly updates to FTA on hiring. (Cellucci and/or Hanson).   | Ongoing until 12/31/23               | Action Item Approved<br>FTA will expect DPU to develop contingency plans to implement if the agency is unable to hire resources sufficient to meet its updated workload assessment. DPU should include both obstacles to hiring and contingency plans in briefing for FTA. |
|                     |   | 8. DPU Chair (to be named) will provide monthly updates to EOEEA management on hiring.   | To begin January 2023 with new Chair | Action Item Approved   |
| FTA-22-DPU-CAT5-1.C | Finding 1:<br>DPU does not use its available resources as effectively as it could to support field observations, audits, and inspections of | 1. The Technical Training ("TTP") Plan will be updated by Vital Assurance by June 1, 2023.   | 6/1/23                               | Action Item Approved   |
|                     |   | 2. Vital Assurance and DPU Director Rail of Transit (Hanson) will hold three to four working meetings to review the TTP and identify sections of the plan that must be updated.  | Beginning March 2023                 | Action Item Approved   |



## Corrective Action Plan (CAP) Evaluation Matrix

### Special Directive 22-13: Department of Public Utilities, Revised 1.6.23

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|                            | <p>MBTA's rail transit system to identify safety deficiencies and require their immediate resolution.</p> <p><b>Required Action C:</b></p> <p>DPU must update its technical training plan, and, if bringing on new resources, must develop a plan for hiring and training personnel and/or contractors to fill the identified staffing needs.</p>     | 3. The TTP will address opportunities for training and mentoring and be discussed in meetings referenced above (Vital Assurance and Hanson).   | Beginning March 2023         | <b>Action Item Approved</b> |
|                            |   | 4. After review and acceptance of Vital Assurance's work, Rail Transit will forward the TTP to HR for additional information regarding onboarding before the TTP is finalized. Both processes will be integrated into the TTP. | 6/1/23 (DPU transmits to HR) | <b>Action Item Approved</b> |
|                            |   | 5. Rail Transit will submit the final TTP to FTA on or before July 1, 2023.  | 7/1/23                       | <b>Action Item Approved</b> |
|                            |   | 6. Vital Assurance to draft a brief process for the onboarding newly hired Rail Transit employees, and it will be integrated into the TTP.   | 7/1/23                       | <b>Action Item Approved</b> |
|                            |   | 7. Human Resources will execute the recruitment and hiring plan referenced in FTA-22-DPU-CAT5-1.B.   | Begins 7/28/23               | <b>Action Item Approved</b> |
| <b>FTA-22-DPU-CAT5-1.D</b> | <p><b>Finding 1:</b></p> <p>DPU does not use its available resources as effectively as it could to support field observations, audits, and inspections of MBTA's rail transit system to identify safety deficiencies and require their immediate resolution.</p> <p><b>Required Action D:</b></p> <p>DPU must review and update its processes and</p> | 1. Rail Transit in consultation with the Legal Division will revise its existing procedure in the Standard Operating Guide (SOG). (Responsible parties: J. Goldberg, General Counsel, Cellucci, Merrick).                      | 1/6/23                       | <b>Action Item Approved</b> |
|                            |   | 2. DPU will revise the enforcement procedure to include language that DPU is designated as the oversight authority for the Commonwealth and that FTA has certified the DPU's oversight program.                                | 9/1/22                       | <b>Action Item Approved</b> |
|                            |   | 3. DPU will develop the requested flow chart and table and submit to the FTA (Responsible: Merrick and Cellucci).  | 3/29/23                      | <b>Action Item Approved</b> |



## Corrective Action Plan (CAP) Evaluation Matrix

### Special Directive 22-13: Department of Public Utilities, Revised 1.6.23

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|  | thresholds for using its existing enforcement authority to ensure timely resolution of CAPs or other required actions for safety. |  |   | FTA will review and approve the Standard Operating Guide, flow chart and table together.   |
|  |   | 4. The revised SOG enforcement section, flow chart and table will be forwarded to Rail Transit staff as well as the newly appointed DPU Commission by March 10, 2023 (Cellucci and Merrick).   | 3/10/23   | <b>Action Item Approved</b>  |
|  |   | 5. The DPU Chair (to be named) will provide the revised SOG enforcement section, flow chart and table to EOEEA Secretary no later than March 29, 2023.   | 3/29/23   | <b>Action Item Approved</b>  |
|  |   | 6. Rail Transit will distribute the revised SOG enforcement procedure to the Commission and will submit a copy of the communication to FTA. (Cellucci and Merrick).  | 3/10/23   | <b>Action Item Approved</b>  |
|  |   | 7. Rail Transit will distribute the revised procedure and request the Commission's confirmation of receipt via email by March 10, 2023. Rail Transit will respond to any Commission questions. (Cellucci and Merrick).   | 3/10/23   | <b>Action Item Approved</b><br><br>FTA will review and approve the Standard Operating Guide, flow chart and table together.                    |
|  |   | 8. Per FTA correspondence sent September 16, 2022, SD 22-8 requirements for "the Enforcement Procedure and Enforcement Plans will be tracked exclusively through SD 22-13."<br>Additionally, FTA has revised the submission dates for the Enforcement Plans as follows:<br><br>8.1 SD 22-4: <b>7</b> Days after FTA approval of DPU's Enforcement Procedure:<br>8.2 SD 22-5: <b>14</b> Days after FTA approval of DPU's Enforcement Procedure: | The following number of Days after FTA approval of DPU's Enforcement Procedure:<br><br>8.1 7 Days | <b>Action Item Approved</b><br><br>This matrix will be updated with the specific submission dates once FTA approves the enforcement procedure. |





## Corrective Action Plan (CAP) Evaluation Matrix

### Special Directive 22-13: Department of Public Utilities, Revised 1.6.23

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|                          |  | 8.3 SD 22-6: <b>21</b> Days after FTA approval of DPU's Enforcement Procedure:   | 8.2 14 Days<br>8.3 21 Days |  |
|                          |  | 8.4 SD 22-7 <b>28</b> Days after FTA approval of DPU's Enforcement Procedure:  | 8.4 28 Days                |  |
| <b>FTA-22-DPU-CAT5-2</b> | <p><u><b>Finding 2:</b></u><br/>DPU must examine and ensure its organizational and legal independence from the MBTA.</p> <p><u><b>Required Action:</b></u><br/>DPU must complete a legal assessment regarding its organizational independence from MBTA. This assessment must include review of organizational mechanisms, including recusals, limited reporting relationships, and other features that provide legal separation between the two agencies and ensure DPU's independence to take enforcement action against MBTA.</p> | 1. The DPU General Counsel (GC) will convene an internal meeting to identify the discrete legal issues for analysis. Rail Transit will send an email to FTA to confirm the meeting occurred.   | Meetings began 10/19/22    | <b>Action Item Approved</b>  |
|                          |  | 2. The legal team is analyzing: <ul style="list-style-type: none"> <li>• How the DPU's independence compares to other jurisdictions.</li> <li>• Commission structure, appoint and removal process.</li> <li>• Reporting and decision-making structure between EOEEA, GOV, MBTA, and DPU.</li> <li>• Application of conflict-of-interest law, whistleblower law, and any other rule or law that may be applicable to determining independence of decision making.</li> <li>• Internal reporting and decision-making structure.</li> </ul> | Meetings began 10/19/22    | <b>Action Item Approved</b>  |
|                          |  | 3. The GC will convene and participate in a small legal team comprised of the General Counsel, one Assistant General Counsel currently working on Rail Transit issues, one Senior Counsel not currently working on Rail Transit issues, and one Counsel from outside the DPU, to make an initial legal assessment of each discrete issue.  | Meetings began 10/19/22    | <b>Action Item Approved</b>  |
|                          |  | 4. The group was convened on October 11, 2022. Analysis of these matters is on-going. Any initial analysis constitutes on-going attorney work product. DPU will not provide a deliverable of its draft legal analysis to FTA   | Meetings began on 10/11/22 | <b>Action Item Approved</b><br><br>FTA will request updates during bi-weekly leadership meetings with DPU. |



**Corrective Action Plan (CAP) Evaluation Matrix**  
**Special Directive 22-13: Department of Public Utilities, Revised 1.6.23**

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|  |  | at this stage because the document is ongoing attorney work product. The deliverable provided for this stage of the CAP (FTA-22- DPU-CAT5-2) was a letter from Transportation Director E. Cellucci to J. DeLorenzo dated October 21, 2022 confirming that the attorneys for the legal analysis of independence have been appointed and that the General Counsel convened meetings with the team and the team began legal research and discussed initial legal views. |                               |  |
|  |  | 5. The legal team will present the draft legal analysis to the Division Director and Commission for additional input and questions. Rail Transit will provide an email to FTA confirming that Actions 1-3 have been completed.   | 1/25/23                       | <b>Action Item Approved</b><br>FTA will request updates during bi-weekly leadership meetings with DPU. |
|  |  | 6. DPU will provide its final legal analysis as part of the final memorandum to FTA when completed.  | 3/1/23                        | <b>Action Item Approved</b>  |
|  |  | 7. The legal team will draft a memorandum assessing current organizational independence through changes to reporting relationships, recusal processes or otherwise for Commission review.<br><br>The final memorandum will include an assessment of independence and may provide options for changes to enhance independence, if any are identified. The memorandum has not yet been completed. At this time we do not know whether it will identify                 | If any are identified, 2/8/23 | <b>Action Item Approved</b>  |



# **Corrective Action Plan (CAP) Evaluation Matrix** **Special Directive 22-13: Department of Public Utilities, Revised 1.6.23**

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|                          |   | concerns, propose changes or both. If any are identified, the Department will forward a memo to EOEEA and the Governor's Office recommending action.  |                        |   |
|                          |   | 8. The GC will meet with the GC at the Secretariat level (Energy and Environmental Affairs) to discuss analysis and options. The DPU anticipates completing this item by 1/16/23.                             | 2/8/23                 | <b>Action Item Approved</b>   |
|                          |   | 9. The DPU Chair will present analysis, and any new policies or procedures under consideration at the Secretariat level and, if the options under consideration require legislation, to the Governor' Office. | 2/15/23                | <b>Action Item Approved</b>   |
|                          |   | 10. DPU will submit a final memorandum to FTA. The DPU anticipates completing this item by March 1, 2023.   | 3/1/23                 | <b>Action Item Approved</b>   |
|                          |   | 11. DPU will demonstrate any legal concerns identified in the legal memorandum to the FTA have been resolved.   |                        | <b>Action Item Approved</b><br><br>DPU must demonstrate that any legal concerns have been successfully addressed prior to closure of this CAP. Specific actions and timelines will be identified and approved by FTA when and if legal concerns are identified. |
| <b>FTA-22-DPU-CAT5-3</b> | <u>Finding 3:</u><br>DPU has not validated MBTA's fatigue management approach for rail transit officials and maintenance and engineering personnel. | 1. Vital Assurance will assess the fatigue management approach at MBTA. Vital Assurance will complete the assessment by April 15, 2023.   | 4/15/23                | <b>Action Item Approved</b><br><br>FTA will request update during DPU bi-weekly meetings.   |
|                          |   | 2. Vital Assurance and Rail Transit (Hanson) will meet to discuss the parameters and develop a scope of the assessment.   | Beginning January 2023 | <b>Action Item Approved</b>   |



## Corrective Action Plan (CAP) Evaluation Matrix

### Special Directive 22-13: Department of Public Utilities, Revised 1.6.23

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|  | <p><u>Required Action:</u></p> <p>DPU must conduct an assessment and determine if additional action is required. If DPU finds that additional action is needed to reduce service hours to ensure the safety of MBTA employees and passengers, then DPU must use its own authority to require this action.</p> | 3. The final report will be forwarded to the DPU Commission.  | 4/28/23                                       | <p><b>Action Item Approved</b></p> <p>FTA will review report as well.</p> |
|  |   | 4. The fatigue management report will be sent to the MBTA's General Manager, Chief Safety Officer and the MBTA Board by April 28, 2023. Rail Transit will present the conclusions of the report to the Chief Safety Officer by April 28, 2023.  | 4/28/23                                       | <b>Action Item Approved</b>   |
|  |   | 5. Utilizing the conclusions of the fatigue management assessment, the DPU may direct MBTA to create a CAP to amend policies related to hours of service and fatigue management. Per the SOG, DPU will track the CAP, utilize the SOG processes for Inspection and Verification as well as Enforcement Plans. | 5/26/23                                       | <b>Action Item Approved</b>   |
|  |   | 6. Rail Staff will meet with the Commission to discuss the CAPs and discuss whether utilizing an Order is necessary to support the implementation of the CAP. Staff will refer to the SOG Enforcement Procedure.  | Meeting to be held by 6/15/23                 | <b>Action Item Approved</b>   |
|  |   | 7. DPU may either determine that Rail Transit will conduct an assessment with internal resources, or that a third-party consultant is needed.   | Completed                                     | <b>Action Item Approved</b>   |
|  |   | 8. If a third-party consultant is needed, DPU will either issue an RFP to procure a third-party consultant or, in the alternative, issue a directive to the MBTA to procure a consultant to assess the fatigue management system.   | N/A – Vital Assurance will conduct assessment | <b>Action Item Approved</b>   |



## Corrective Action Plan (CAP) Evaluation Matrix

### Special Directive 22-13: Department of Public Utilities, Revised 1.6.23

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|                     |  | 9. If DPU issues a directive to the MBTA, DPU will create a CAP for the MBTA for purposes of tracking the implementation of the directive.   | 5/26/23  | Action Item Approved |
|                     |  | 10. DPU will monitor the progress of the assessment until completion.  | 4/28/23  | Action Item Approved |
| FTA-22-DPU-CAT5-4.A | <p><u>Finding 4:</u><br/>DPU has not demonstrated an ability to address safety issues and concerns identified during FTA's SMI.</p> <p><u>Required Action A:</u><br/>DPU must adopt FTA's findings and required actions in Special Directives 22-9 through 22-12.</p>  | 1. DPU will submit a letter to FTA accepting the FTA's Final Safety Management Inspection Report and adopting all corrective actions resulting from the report and special directives.         | 9/30/22  | Action Item Approved |
| FTA-22-DPU-CAT5-4.B | <p><u>Finding 4:</u><br/>DPU has not demonstrated an ability to address safety issues and concerns identified during FTA's SMI.</p> <p><u>Required Action B:</u><br/>DPU must, in coordination with the FTA, require, review, and approve corrective action plans from MBTA to address FTA's findings and required actions in Special Directives 22-9, 22-10, 22-11 and 22-12, and oversee the timely implementation and closeout of these CAPs.</p> | 1. The Department will utilize its existing CAP review procedure for reviewing the corrective action plans that result from the special directive 22-11 and submit the CAP reviews to the FTA. | 9/25/22  | Action Item Approved |
|                     |  | 2. The Department will utilize its existing CAP review procedure for reviewing the corrective action plans that result from the special directive 22-9 and submit the CAP reviews to the FTA.  | 10/5/22  | Action Item Approved |
|                     |  | 3. The Department will utilize its existing CAP review procedure for reviewing the corrective action plans that result from the special directive 22-10 and submit the CAP reviews to the FTA. | 10/20/22 | Action Item Approved |
|                     |  | 4. The Department will utilize its existing CAP review procedure for reviewing the   | 10/10/22 | Action Item Approved |



## Corrective Action Plan (CAP) Evaluation Matrix

### Special Directive 22-13: Department of Public Utilities, Revised 1.6.23

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|                            |  | corrective action plans that result from the special directive 22-12 and submit the CAP reviews to the FTA.  |   |  |
|                            |  | 5. Rail Transit will enter each CAP into its own tracking system as CAPs are reviewed by DPU and provide a list of all CAPs tracked by the DPU to the FTA.<br>5.1 22-11<br>5.2 22-09<br>5.3 22-10<br>5.4 22-12 | 5.1 11/21/22<br>5.2 1/23/23<br>5.3 1/23/23<br>5.4 1/23/23 | <b>Action Item Approved</b>  |
| <b>FTA-22-DPU-CAT5-4.C</b> | <u><b>Finding 4:</b></u><br>DPU has not demonstrated an ability to address safety issues and concerns identified during FTA's SMI.<br><br><u><b>Required Action C:</b></u><br>DPU must identify the specific activities that it will undertake to ensure MBTA's completion of the required actions, a milestone schedule for completion of MBTA's required actions, and the parties at DPU and MBTA responsible for completing the required actions. | 1. Rail Transit will create an Inspection and Verification Plan for Corrective Actions resulting from SD 22-11. The Plan will include the name of the lead staff implementing the I and V Plan.                | 11/21/23  | <b>Action Item Approved</b><br><u>Note:</u> FTA will review and approve the inspection and verification plan for SD 22- 11 and coordinate with DPU regarding its implementation. |
|                            |  | 2. Rail Transit will create an Inspection and Verification Plan for Corrective Actions resulting from SD 22-9. The Plan will include the name of the lead staff implementing the I and V Plan.                 | 1/23/23   | <b>Action Item Approved</b><br><u>Note:</u> FTA will review and approve the inspection and verification plan for SD 22-9 and coordinate with DPU regarding its implementation.   |
|                            |  | 3. Rail Transit will create an Inspection and Verification Plan for Corrective Actions resulting from SD 22-10. The Plan will include the name of the lead staff implementing the I and V Plan.                | 1/23/23   | <b>Action Item Approved</b><br><u>Note:</u> FTA will review and approve the inspection and verification plan for SD 22- 10 and coordinate with DPU regarding its implementation. |
|                            |  | 4. Rail Transit will create an Inspection and Verification Plan for Corrective Actions resulting from SD 22-12. The Plan will include the name of the lead staff implementing the I and V Plan.                | 1/23/23   | <b>Action Item Approved</b><br><u>Note:</u> FTA will review and approve the inspection and verification plan for SD 22- 12 and coordinate with DPU regarding its implementation. |