



U.S. Department
of Transportation

**Federal Transit
Administration**

Headquarters

1200 New Jersey Avenue, SE
Washington, DC 20590

SENT VIA EMAIL

May 26, 2023

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

Subject: Approval – Due Date Relief and Request for Restructure of Corrective Action for Special Directive 22-12: Operating Conditions and Policies, Procedures, and Training

Dear Mr. Eng,

On May 12, 2023, the Federal Transit Administration (FTA) received requests from the Massachusetts Bay Transportation Authority (MBTA) to extend due dates for actionable items in Corrective Action Plans (CAPs) that were previously submitted by MBTA and approved by FTA in response to Special Directives (SDs) 22-4, 22-6, 22-7, 22-9, and 22-12. On May 18, 2023, MBTA also requested to restructure a portion of the previously approved response to [Special Directive 22-12: Operating Conditions and Policies, Procedures, and Training](#).

Approval of Due Date Relief for 14 Actionable Items and Elimination of SD 22-9, CAP 2, Actionable Item 7

We greatly appreciate the thorough explanation provided by MBTA regarding the need for additional time to address specific CAP actionable items, as well as the comprehensive table outlining the proposed new due dates and justifications. As discussed during our May 18, 2023, meeting, we understand that the requirements of the April 18, 2023, Immediate Action Letter, combined with the limited resources available to MBTA staff, have placed significant strain on the agency.

FTA approves your request to amend the due dates for certain actionable items as identified in the enclosed matrix. FTA also approves the integration of SD 22-9, CAP 2, Actionable Item 7 into other work underway for SD 22-9. FTA will conduct additional verification to ensure Actionable Item 7 is effectively integrated into other workforce assessment activities for SD 22-9.

Approval of Restructuring for SD 22-12, CAPs 1 and 2

FTA approves MBTA's proposal to restructure SD 22-12, CAPs 1 and 2 based on a newly developed process map for a coordinated and agency-wide approach to managing rules compliance and ensuring the appropriateness and effectiveness of operating and maintenance rules. FTA's oversight of MBTA's implementation of these items, as part of CAPs 1 and 2 for SD 22-12, has confirmed the need to reassess actionable items and timelines in order to develop a more deliberate and targeted approach. Further, FTA finds the newly developed process map reflects the results of analysis and lessons learned thus far in addressing SD 22-12, CAPs 1 and 2.

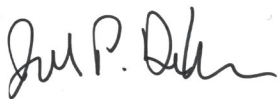
As MBTA reworks these CAPs and timelines in accordance with FTA guidance and direction, MBTA may pause all submissions for CAPs 1 and 2 for SD 22-12. FTA will engage with MBTA in an oversight coordination meeting **on June 28, 2023**, to review the proposed approach for these CAPs.

MBTA must resubmit the new and revised CAPs for SD 22-12 **no later than July 31, 2023**.

Conclusion

Should you have any questions or require additional clarification, please do not hesitate to contact our Safety Management Inspection Coordinator, Erin Powell, at (858) 335-6256 or via email at Erin.Powell@dot.gov.

Sincerely,



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

Enclosure: Approved Action Item Due Date Relief Matrix

cc: Jeffrey Gonneville, Deputy General Manager, MBTA
Erik Stoothoff, Acting Chief Operating Officer, MBTA
Ron Ester, Chief Safety Officer, MBTA
Katie Choe, Chief of Quality, Compliance and Oversight
Steve Hicks, Chief Mechanical Officer, MBTA
Pat Richmond, Chief Transportation Officer, MBTA
Pat Lavin, Chief Safety Officer, Massachusetts Department of Transportation
Robert Hanson, Director, Rail Transportation Safety, DPU



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Enclosure: Approved Action Item Due Date Relief Matrix
May 26, 2023

Special Directive	Corrective Action Plan (CAP)	Actionable Item	Description	Original Due Date	Approved Relief Due Date
22-4	1	7	Develop Training Materials	5/1/2023	6/15/2023
22-4	1	8	Complete training of affected personnel	6/30/2023	12/31/2023
22-4	8		Interim Quarterly SMRP update to include geometry defects	5/15/2023	7/1/2023
22-6	6	10	Develop formal training program	7/1/2023	10/1/2023
22-6	7	4	Formal tracking and notification system	7/1/2023	10/1/2023
22-7	2	8	Formal tracking and notification system - develop digital centralized tracking system	7/1/2023	9/1/2023
22-7	3	1 (Resubmittal)	Resubmittal Develop, implement, and maintain compilation of relevant orders	6/1/2023	7/1/2023
22-9	1	7	Establish resource needs for mission- critical activities and current staffing capabilities for mission-critical activities	5/31/2023	7/1/2023
22-9	2	7	Stakeholder engagement	8/18/2023	Elimination of Action Item – FTA will perform ongoing verification of integration into other SD 22-9 activities
22-12	4	6	Gap Analysis and Benchmarking for Operations Training (FTA-LC-22-003 Action 3)	6/30/2023	9/1/2023
22-12	4	7	Establish a schedule for implementation of the proposed opportunities for Operations Training (FTA-LC-22-003 Action 3)	7/31/2023	10/1/2023
22-12	6	5	Conduct desk-review of mentorship programs from peer transit agencies	7/1/2023	1/3/2024
22-12	6	6	Evaluate program design for MBTA rail operations	9/1/2023	3/1/2024
22-12	6	7	Evaluate capacity of potential mentorship program for rail operations	11/1/2023	5/1/2024
22-12	6	8	Develop proposal for Senior Leadership review and approval	12/20/2023	6/20/2024