



U.S. Department
of Transportation

**Federal Transit
Administration**

Headquarters

1200 New Jersey Avenue, SE
Washington, DC 20590

SENT VIA EMAIL

April 3, 2025

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

Subject: Response to Closeout Request for FTA-TRA-22-002 (Personnel Safety)

Dear Mr. Eng:

On April 5, 2024, the Massachusetts Bay Transportation Authority (MBTA) submitted a Corrective Action Plan (CAP) closeout request for FTA-TRA-22-002 (which relates to personnel safety). The MBTA developed this CAP as mandated by the required action associated with finding 2 in Special Directive (SD) 22-4. The Federal Transit Administration (FTA) issued SD 22-4 based on the interim findings from its Safety Management Inspection (SMI) initiated in April 2022. FTA approved MBTA's CAP on August 10, 2022.

Closeout Approval for FTA-TRA-22-002 (Personnel Safety)

Finding 2 in Special Directive (SD) 22-4 says the following:

- **Finding:** MOW personnel and contractors do not consistently follow MBTA's established PPE [personal protective equipment] requirements or ROW [right of way] safety procedures.
- **Required Action (FTA-TRA-22-002):** MBTA must implement and document consistent MOW compliance with ROW) safety procedures, including PPE requirements for all personnel. Personnel is inclusive of all employees, contractors, oversight, or other individuals who access the rail system and facilities.

To address the required action, MBTA developed a CAP, which FTA approved on August 10, 2022. Between August 2022, and April 5, 2024, MBTA undertook the following CAP action items and submitted documentation regarding their completion:

- Developed compliance,
- Distributed to all departments a policy stating that all employees are expected to comply with rules and policies relative to working safely on the ROW and that MBTA will check

- employee compliance with operating rules within the ROW,
- Monitored compliance, and
- Completed compliance verification.

FTA carefully evaluated the submitted documentation and reviewed submissions with MBTA during biweekly and monthly meetings on SD 22-4 between August 2022 and February 2025. During on-site visits, FTA verified improved consistency in ROW access procedures and PPE usage by MBTA employees and contractors. FTA's verification focused on:

- MBTA's revisions to their Safety Rules Compliance Program (SRCP)
- Distribution of the SRCP to all affected departments
- Distribution of Operations Special Order 22-250 Special Order Rule: Rule/Procedure Change: Directive for Updated Safety Rules Compliance, Personal Protective Equipment (PPE) Usage and Row Safety and Right of Way Safety Rulebook (3rd edition)
- MBTA's SRCP audits and reports monitoring the following procedures:
 - RCP 010 Flagging inspection
 - RCP 028 Revenue call-on/call-off procedure
 - RCP 041 Personal Protective Equipment (PPE) inspection
 - RCP 042 Non revenue call-on/call-off procedure
 - RCP 101 PPE

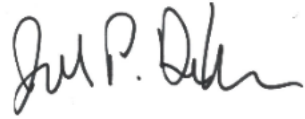
FTA verified that MBTA has established, documented, and executed a SRCP that includes weekly scheduled audits and monthly reports that are shared amongst MBTA MOW, Safety, and Quality, Compliance & Oversight Departments, MBTA leadership, DPU, and FTA. Nonconformance reports have been few in number. During FTA on-site field observations, FTA observed consistent auditing, the use of handheld devices (containing the interactive SRCP audits), and the practice of immediately correcting nonconformance. MBTA is currently meeting the requirements for FTA-TRA-22-002.

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

Conclusion

This CAP closure represents a tremendous amount of work and FTA greatly appreciates your efforts. Please contact our SMI Coordinator, Christian Hernandez, by phone at (213) 552-3494 or by email at Christian.Hernandez@dot.gov with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe P. DeLorenzo".

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