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U.S. Department of Transportation
Federal Transit Administration



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What is the purpose of the RBI webinar series?

To provide support for successful development and implementation of your risk-based inspection programs.



FTA will:

- Share updates
- Gather feedback
- Answer questions



We want you to:

- Share experiences
- Discuss challenges/successes
- Ask questions



Collaboration is crucial for success!

Agenda

- Program Update
- Category 2
- Category 3
- Questions
- Wrap Up



Presenters



Cyrell R. McLemore

Senior Inspection Specialist

Office of Safety Review

Program Operations Division



Emily Jessup

Attorney-Advisor

Office of Chief Counsel

Legislation and Regulations Division



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Attorney-Advisor

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General Law Division



Program Update



Components of Risk-Based Inspection Program

Category 1	SSOA Authority to Perform Risk-Based Inspections
Category 2	Risk-Based Inspection Policies and Procedures
Category 3	Data Sources and Collection
Category 4	Inspection Prioritization
Category 5	Risk-Based Inspection Programs are Commensurate with Number, Size and Complexity of RFGPTS the SSOA Oversees
Category 6	SSOA Staffing, Training, and Qualifications



Risk-Based Inspection Program Submissions



FORMAL SUBMISSIONS ACCEPTED STARTING FALL 2023



Developing an appropriate submission and review process takes time

- Submission process details will be provided later this year



Providing support to minimize back and forth after formal submission

- SSOAs can iterate preliminary documents with FTA
- FTA will provide a checklist in fall 2023 for SSOAs to self-assess



Category 2



Category 2: Policies and Procedures

SSOA Required Actions (D004)	Considerations
<p>Submit SSOA Program Standard and citation of Agency Safety Plan language for each RTA that the SSOA oversees that demonstrate comprehensive policies and procedures that address SSOA access to each rail fixed guideway public transportation system for risk-based inspections, both with and without notice. These policies and procedures must be developed in consultation with each rail transit agency the SSOA oversees.</p>	<ul style="list-style-type: none"><input type="checkbox"/> Does your Program Standard document the policies and procedures for SSOA access to each RTA for:<ul style="list-style-type: none">▪ Risk-based inspections with advanced notice?▪ Risk-based inspections without advanced notice?<input type="checkbox"/> Do your policies and procedures address, at a minimum:<ul style="list-style-type: none">▪ Notifications to the RTA to conduct inspections with and without notice?▪ Access procedures and escorts?▪ Access for all inspection areas?▪ Verification of certifications and trainings of SSOA inspectors to ensure their compliance with RTA safety protocols and requirements?<input type="checkbox"/> Are these policies and procedures also documented in each RTA's Agency Safety Plan?



Category 2: Policies and Procedures (continued)

§SSOA Required Actions (D004)	Considerations
<p>Submit SSOA Program Standard and citation of Agency Safety Plan language for each RTA that the SSOA oversees that demonstrate comprehensive policies and procedures that address SSOA access to each rail fixed guideway public transportation system for risk-based inspections, both with and without notice. These policies and procedures must be developed in consultation with each rail transit agency the SSOA oversees.</p>	<ul style="list-style-type: none"><input type="checkbox"/> Are your policies and procedures consistent between your Program Standard and your RTAs' Agency Safety Plans?<ul style="list-style-type: none">▪ Documents should not contain conflicting content<input type="checkbox"/> Did you explicitly specify that the policies and procedures were developed in consultation with each RTA you oversee?<ul style="list-style-type: none">▪ Include a statement to confirm collaboration with your RTAs▪ SSOAs should lead discussions, but FTA encourages as much collaboration as possible with your RTAs

Category 2: Policies and Procedures (continued)

SSOA Required Actions (D005)	Considerations
<p>Submit SSOA Program Standard and citation of Agency Safety Plan language for each RTA the SSOA oversees that demonstrate consistent and descriptive policies and procedures to conduct risk-based inspections. At a minimum, these policies and procedures must address:</p> <ol style="list-style-type: none">1. Scheduling inspections2. Inspection reports3. Immediate safety concerns4. Inspections of equipment, infrastructure, and practices specific to each rail fixed guideway public transportation system5. Event verification6. Ongoing monitoring7. Defects and corrective or remedial action8. Corrective Action Plan (CAP) and safety risk mitigation verification	<ul style="list-style-type: none"><input type="checkbox"/> Does your Program Standard demonstrate descriptive policies and procedures to conduct risk-based inspections?<input type="checkbox"/> Are your policies and procedures consistent with what is documented in each RTA's Agency Safety Plan?

Category 2: Policies and Procedures (continued)

1. Scheduling inspections

Considerations

- Do the policies and procedures for scheduling inspections **describe how you schedule inspections, both with and without prior notice**?
 - Identify the **SSOA employee responsible** for scheduling inspections
 - Identify **who at the RTA should be notified** prior to arrival
 - Establish a **standard process and timeline** for requesting access to the RTA for inspections both **with and without notice**
 - You may establish a **regular or non-regular schedule** for specific inspections



Category 2: Policies and Procedures (continued)

2. Inspection reports

Considerations

- Do the policies and procedures for inspection reports **describe the report you will issue to the RTA** after inspection activities?
 - Indicate that the **inspection report should use objective language** and **reference objective data**, including measurements and photographs to document any issues noted during an inspection
 - Address whether the inspection report will be a **combined report** of several inspection activities, such as all inspections that occurred on a single day, **or** if you will issue **separate reports for each inspection**
 - Outline **who at your SSOA may issue** an inspection report and the **timeline for issuing** a report after an inspection



Category 2: Policies and Procedures (continued)

3. Immediate safety concerns

Considerations

- Do the policies and procedures **describe the required actions if an immediate safety concern is identified** during an inspection?
 - Establish **thresholds** for an immediate safety concern, **protocols** for immediate notification to the RTA, and any other actions the inspector should take
 - Describe the **actions the inspector must take** to ensure their safety while reporting the immediate safety concern?
 - Include the **process for formal notification and follow up** with the RTA



Category 2: Policies and Procedures (continued)

4. Inspections of equipment, infrastructure, and practices specific to each RTA

Considerations

- Do the policies and procedures **describe the equipment, infrastructure, and practices** to be inspected?
 - Define the equipment, infrastructure, and practices **specific to each RTA** that will be inspected
 - Define the **areas of inspection (general and specific)**
 - **Example:** General – vehicle type (heavy rail, light rail, streetcar, etc.)
 - **Example:** Specific – systems, power, traction, brakes, etc.



Category 2: Policies and Procedures (continued)

5. Event verification

Considerations

- Do the policies and procedures **describe how inspections verify the RTA is investigating events and confirm the successful repair** of an event scene?
 - Address the inspection of **areas with similar characteristics** to those where an event occurred
 - Include **post-event repair inspections**, which verify that the RTA successfully repaired the event scene
 - Describe **how you will assess whether the RTA is leveraging data and information** collected through investigation activity to determine probable cause and to support the identification of hazards

Note: “Event verification” has replaced “incident verification.”



Category 2: Policies and Procedures (continued)

6. Ongoing monitoring

Considerations

- Do the policies and procedures **describe the ongoing monitoring activities?**
 - Address **how you will observe RTA personnel performing their job functions** to assess whether the functions are performed safely, to RTA standards, and at the required frequency
 - Address **areas of specific need for ongoing monitoring** such as operations centers, maintenance facilities, and training facilities



Category 2: Policies and Procedures (continued)

7. Defects and corrective or remedial action

Considerations

- Do the policies and procedures **describe the inspections that review RTA defects and associated corrective or remedial actions**?
 - Ensure that your efforts are **focused on significant RTA defects**, either by **severity or quantity**
 - Include **how you will track defects, corrective actions, and remedial actions**, either through the existing Corrective Action Plan (CAP) process or through another tracking mechanism, such as a spreadsheet



Category 2: Policies and Procedures (continued)

8. Corrective Action Plan (CAP) and safety risk mitigation verification

Considerations

- Do your policies and procedures describe inspections that enable you to **verify progress toward the completion of a CAP and implementation of solutions** to mitigate safety risk?
- Do the procedures describe ways to **assess if the corrective actions have effectively addressed the safety concern?**



Category 3



Category 3: Data Sources and Collection

SSOA Required Actions (D006)	Considerations
<p>Submit SSOA Program Standard and citation of Agency Safety Plan language for each RTA that the SSOA oversees that specifically states the RTA must provide its SSOA with the data the RTA collects when identifying hazards and assessing and mitigating safety risk.</p>	<ul style="list-style-type: none"><input type="checkbox"/> Does your Program Standard explicitly state that each RTA you oversee must provide you with the data the RTA collects when identifying hazards and assessing and mitigating safety risk?<input type="checkbox"/> Does each RTA's Agency Safety Plan also specifically state that the RTA must provide you with the data the RTA collects when identifying hazards and assessing and mitigating safety risk?<input type="checkbox"/> Is the language consistent between your Program Standard and each Agency Safety Plan?



Category 3: Data Sources and Collection (continued)

SSOA Required Actions (D007)	Considerations
<p>Submit SSOA Program Standard and citation of Agency Safety Plan language for each RTA that demonstrates consistent policies and procedures for sharing the data that RTA collects when identifying hazards and assessing and mitigating safety risk. At a minimum, these policies and procedures should define the safety data sets to be shared, define the processes for sharing the data, and define the frequency that the data will be shared.</p>	<ul style="list-style-type: none"><input type="checkbox"/> Does your Program Standard define the:<ul style="list-style-type: none">▪ Safety data sets to be shared?▪ Processes for sharing the data?▪ Frequency that the data will be shared?<input type="checkbox"/> Does the Agency Safety Plan language for each RTA define the:<ul style="list-style-type: none">▪ Safety data sets to be shared?▪ Processes for sharing the data?▪ Frequency that the data will be shared?<input type="checkbox"/> Is the language consistent between your Program Standard and each Agency Safety Plan?



Category 3: Data Sources and Collection (continued)

SSOA Required Actions (D008)	Considerations
<p>Submit SSOA Program Standard language that demonstrates that the SSOA will collect the following subcategories of data from each RTA it oversees:</p> <ol style="list-style-type: none">1. Safety Program Data2. Maintenance Data3. Inspection Data	<p><input type="checkbox"/> Does your Program Standard language demonstrate that you will collect <u>safety program data</u>?</p> <ul style="list-style-type: none">Examples include:<ul style="list-style-type: none">Records of events, including primary source information from each RTA investigation if the RTA completes investigations on your behalfHazard records, including hazard source, associated consequences, safety risk ratings, and the status of any mitigationsSafety risk mitigation records, including before and after risk ratings, and how the RTA monitors the implementation and effectiveness of safety risk mitigationsCorrective Action PlansRecords of near misses



Category 3: Data Sources and Collection (continued)

SSOA Required Actions (D008)	Considerations
<p>Submit SSOA Program Standard language that demonstrates that the SSOA will collect the following subcategories of data from each RTA it oversees:</p> <ol style="list-style-type: none">1. Safety Program Data2. Maintenance Data3. Inspection Data	<p><input type="checkbox"/> Does your Program Standard language demonstrate that you will collect maintenance data?</p> <ul style="list-style-type: none">Examples include:<ul style="list-style-type: none">■ Inspection and maintenance records and report forms■ Work orders■ Records of failures and defects■ Records of revenue vehicles out of service, including causal information■ Major maintenance activity schedule and progress■ Adherence to maintenance schedules, including reports and documentation of deferred maintenance



Category 3: Data Sources and Collection (continued)

SSOA Required Actions (D008)	Considerations
<p>Submit SSOA Program Standard language that demonstrates that the SSOA will collect the following subcategories of data from each RTA it oversees:</p> <ol style="list-style-type: none">1. Safety Program Data2. Maintenance Data3. Inspection Data	<p><input type="checkbox"/> Does your Program Standard language demonstrate that you will collect inspection data?</p> <ul style="list-style-type: none">Examples include:<ul style="list-style-type: none">Inspection records and report formsRecords of failures and defectsRecords of speed restrictionsEvent and Safety Risk Mitigation VerificationAdherence to inspection schedules, including reports and documentation of inspections not performedCapital project schedules and progress



Category 3: Data Sources and Collection (continued)

SSOA Required Actions (D009)	Considerations
<p>Submit SSOA Program Standard that includes the policies and procedures of the risk-based inspection data management system. The Program Standard must demonstrate the SSOA's data management system capacity to store records according to the SSOA's risk-based inspection data management system policies and procedures, including how the data management system is managed and maintained. Additionally, SSOAs must provide documentation that verifies the data management system accurately stores records according to the SSOA's risk-based inspection data management system policies.</p>	<ul style="list-style-type: none"><input type="checkbox"/> Does your Program Standard include the policies and procedures of your risk-based inspection data management system?<input type="checkbox"/> Does your Program Standard demonstrate your data management system's capacity to store records according to your risk-based inspection data management system policies and procedures, including how the data management system is managed and maintained?<input type="checkbox"/> Did you provide documentation that verifies the data management system accurately stores records according to your risk-based inspection data management system policies?



What is Sensitive Security Information (SSI)?

1	The information is obtained or developed in the conduct of safety and security activities;
2	That, if released to the public, would be detrimental to transportation security or safety; and
3	Falls within at least 1 of 16 categories of SSI listed within 49 CFR 15.5(b)(1)–(16) or 49 CFR 1520.5(b)(1)–(16). <ul style="list-style-type: none">▪ For SSOs, that is generally accident reports (vulnerability assessments)

That is not already easily accessed or observed by the public.



Your Duty to Protect SSI

Once SSI has been identified, FTA-recipients must:



- Adequately limit access to the SSI to only those with a “need to know” as defined in 49 CFR § 15.11 and § 1520.11



- Ensure that all records are properly marked as SSI in accordance with 49 CFR § 15.13 and § 1520.13



- Destroy SSI completely to preclude recognition or reconstruction of the information when the record custodian no longer needs the SSI to carry out transportation security and safety measures as described in 49 CFR § 15.19 and § 1520.19



Questions



Submitted Question



Are there checklists or guidance issued to ensure compliance?



Currently, the Risk-Based Inspection Program Special Directive and the Toolkit are the best resources for guidance on what is needed to meet the risk-based inspection requirements. An SSOA checklist will be provided in fall 2023 to support the submission process.



Q&A

- Please enter your questions in the chat



Wrap Up





Poll



**Please provide your
response to the
displayed question.**



Risk-Based Inspections Technical Assistance

	APRIL	MAY	JUNE
1-on-1 calls 	Category 1 Authority to Perform Risk-Based Inspections	Category 6 SSO Staffing, Qualifications, and Training	Category 2 Policies & Procedures Category 3 Data Sources & Collection
RBI webinars 	April 27 3-4 p.m. ET Category 1		June 29 3-4 p.m. ET Categories 2 & 3



Stay Informed



Submit Questions

- Email: FTA-RBI@dot.gov



Access Resources

- <https://www.transit.dot.gov/RBI>



Engage

- July 1-on-1 calls: Categories 4 & 5
- Next RBI webinar: **September 7, 2023**
(3:00–4:00 p.m. Eastern Time)

