



U.S. Department
of Transportation
**Federal Transit
Administration**

Headquarters

1200 New Jersey Avenue, SE
Washington, DC 20590

SENT VIA EMAIL

February 21, 2024

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

Subject: Approval – Due Date Relief for Special Directive 22-4, FTA-TRA-22-004
(Maintenance of Way (MOW) Maintenance Activities)

Dear Mr. Eng,

On January 29, 2024, the Federal Transit Administration (FTA) received a request from the Massachusetts Bay Transportation Authority (MBTA) to extend the due dates for action items 7, 9, 10, 11, and 12 in Corrective Action Plan (CAP) FTA-TRA-22-004, previously submitted by MBTA and approved by FTA in response to Special Directive (SD) 22-4.

MBTA explained in the request for relief letter that it is currently revising its Right of Way (ROW) Rulebook, which will result in several ROW access procedural changes. These changes will require MBTA to revisit action items in this CAP to ensure alignment with the newest ROW access rules.

MBTA has proposed the following due dates for these action items:

Action Item #	Description	Due Date	Proposed Due Date
7	Adopt ROW Access modifications	2/1/2024	8/2/2024
9	Develop SOPs	12/31/2023	7/5/2024
10	Train staff on enhanced ROW Access process and procedures	6/30/2024	12/31/2024
11	Identify and Procure safety equipment	1/1/2024	7/5/2024
12	Define staffing needs	1/1/2024	7/5/2024

Approval of Due Date Relief for Action Items 7, 9, 10, 11, and 12

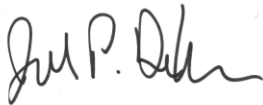
We support the MBTA plan to update the ROW rulebook and appreciate the explanation provided by MBTA regarding the need for additional time to address these action items.

FTA approves the request to amend the due dates for these items as listed in the table above. During SD 22-4 monthly meetings, FTA will request updates on the progress of these action items along with progress updates on related activities. FTA will continue to monitor MBTA's RWP program through existing activities still underway as a requirement of FTA's September 14, 2023, Immediate Action letter.

During the SD 22-4 monthly meeting on 2/1/24, MBTA noted that changes to the ROW Rulebook may also affect Action Item 5 (Develop ROW Access Trial Plan), Action Item 6 (Execute Trials and Iterations (1–3 phases)) and Action Item 8 (Establish a schedule for implementation of the proposed opportunities and options). FTA requests that MBTA keep FTA apprised of any changes and submit updated documentation as needed.

Should you have any questions or require additional clarification, please do not hesitate to contact our Safety Management Inspection Coordinator, Christian Hernandez, at christian.hernandez@dot.gov or (213) 552-3494

Sincerely,



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
Doug Connett, Chief of Infrastructure, MBTA
Tim Lesniak, Chief Safety Officer, MBTA
Meredith Sandberg, Chief of Quality, Compliance, and Oversight, MBTA
Natasha Vance, Deputy Chief of Quality, Compliance, and Oversight, MBTA
Sam Zhou, Chief Engineer, 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