



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

Headquarters

1200 New Jersey Avenue, SE
Washington, DC 20590

SENT VIA EMAIL

November 5, 2024

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

Subject: Approval – Request to Rewrite Corrective Action Plan for Special Directive 22-12, Findings 1 and 2 (FTA-23-12-MBTA-CAT4-1R)

Dear Mr. Eng:

On October 9, 2024, the Federal Transit Administration (FTA) received a rewrite request from the Massachusetts Bay Transportation Authority's (MBTA) to revise the combined Corrective Action Plan (CAP) addressing Findings 1 and 2 of Special Directive 22-12. MBTA previously requested and received FTA approval to revise the CAP associated with those findings. On August 28, 2023, MBTA revised CAPs 1 and 2 and submitted the updated CAP, FTA-23-12-MBTA-CAT4-1R. FTA approved this CAP on September 26, 2023.

However, in the time since the CAP was rewritten, it has become apparent to the MBTA that the action items and structure of the current CAP do not guide MBTA in the direction intended by Findings 1 and 2 of this special directive. The order of the action items within the CAP do not allow MBTA to build on new objectives and lessons learned from the work MBTA has already accomplished as part of the existing CAP. As part of this rewrite request, MBTA noted it will be hiring a Sr. Director of Operating Rules Compliance who will be incorporating their vision into the Safety Rules Compliance Program. MBTA believes this person will be integral to deliver sustainable, long-term outcomes that support understanding compliance and root cause, acting on compliance findings, and driving a culture of safety and compliance and would like them to provide input on the CAP.

Approval of Request to Revise CAP FTA-23-12-MBTA-CAT4-1R

FTA approves MBTA's rewrite request. MBTA must submit a revised draft CAP by **no later than 11/21/24**. The final version must be submitted by **no later than 12/20/24**. The action items in the revised draft CAP must be completed by **August 31, 2025**. FTA concurs with the MBTA proposal that all action items under the current CAP, FTA-23-12-MBTA-CAT4-1R, will be put on hold until receipt and approval of the revised CAP, **with the exception** of the two recurring

submissions currently provided to FTA under Action Item 39: the weekly SRCP audit schedule and the monthly SRCP briefing. MBTA is to continue to provide these ongoing submissions.

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
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