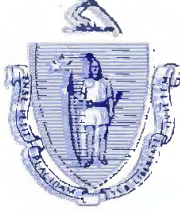


**Appendix E – Notification of Audit and Document Request**



THE COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF PUBLIC UTILITIES

MAURA T. HEALEY  
GOVERNOR  
KIMBERLEY DRISCOLL  
LIEUTENANT GOVERNOR  
REBECCA L. TEPPER  
SECRETARY OF ENERGY  
AND ENVIRONMENTAL AFFAIRS

ONE SOUTH STATION  
BOSTON, MA 02110  
(617) 305-3500

JAMES VAN NOSTRAND  
CHAIR  
CECILE M. FRASER  
COMMISSIONER  
STACI RUBIN  
COMMISSIONER

August 9, 2023

VIA ELECTRONIC MAIL

Mr. Ronald Ester  
Chief Safety Officer  
MBTA Safety Department  
185 Kneeland Street, 3<sup>rd</sup> Floor  
Boston, MA 02111

RE: Notification of DPU's 2023 Triennial Audit of MBTA

Dear Mr. Ester:

Pursuant to 49 CFR Part 674.31 and 220 CMR 151.10 (2), the Department of Public Utilities ("DPU") Rail Transit Safety Division must conduct a complete audit, at least once every three years, of the Massachusetts Bay Transportation Authority's ("MBTA") compliance with its Public Transportation Agency Safety Plan ("PTASP"). Therefore, in accordance with federal and state regulations, the DPU is providing MBTA notice of the upcoming Triennial Audit beginning the week of October 2, 2023.

The DPU's audit activities will include interviews with various MBTA departments, as well as field observations. Additionally, enclosed is a pre-audit documentation request with the following instructions:

1. The initial phase of this documentation submission, including general plans, procedures, and other documents must be returned by September 1, 2023. The remaining records may be submitted by September 8, 2023.

FAX: (617) 345-9101  
[www.mass.gov/dpu](http://www.mass.gov/dpu)

2023 MBTA DPU Triennial Audit of MBTA Notification

Page 2

2. The DPU requests that MBTA return the documents listed in an electronic format via Drop Box link provided by the DPU. Permission to add additional participants from MBTA may be granted upon request.
3. Please complete the enclosed table providing each document name and version and indicate in the “Comment” field if a document revision is anticipated to be completed by the end of calendar year 2023. In addition, if you are unable to provide a document, please also indicate this in the “Comment” field (e.g., it is security sensitive information).

Please contact me should you have any questions or concerns.

Sincerely,

/s/

Robert Hanson, Director  
Rail Transit Safety Division

Enc. Pre-Audit Document Request

cc:

M. Catsos - MBTA  
D. Carvalho – DPU  
I. Limlengco – DPU  
K. Chandler – Vital Assurance  
B. Kummerer – Vital Assurance



**Massachusetts Department of Public Utilities (Mass DPU)**  
 Rail Transit State Safety Oversight (SSO) Program  
 Triennial Audit of the MB TA Safety Program  
 Pre-Audit Documentation Request

The Department of Public Utilities (“DPU”) of the Commonwealth of Massachusetts requests the following documents from the Massachusetts Bay Transportation Authority (“MB TA”) prior to its 2023 Triennial Audit of the MB TA. This document request represents documents that comprise the Minimum Standards for Safety (“MSS”) for a rail transit property, as well as other records that are pertinent to the audit process. It is possible that other documents will be requested, though every effort has been made to be as comprehensive as possible in this first document request.

The initial phase of this document submission - general plans, procedures, and other documents - must be submitted by September 1, 2023. The remaining records must be submitted by September 8, 2023.

Please submit all documents to the link below. Permission to additional participants from MB TA may be granted upon request.  
<https://www.dropbox.com/scl/fo/xe0xnhq4md0ef0lr0ivwfh?rlkey=w1nz8gsprm8ykbkkvbjn99ssl&dl=0>

**Note: Please indicate in the “Comment” field if a document revision is anticipated to be completed by the end of calendar year 2023. In addition, if you are unable to provide a document, please also indicate this in the “Comment” field (e.g., it is security sensitive information).**

Please submit any questions or concerns with this document request to:

- Ivana Limlengco – [Ivana.Limlengco@mass.gov](mailto:Ivana.Limlengco@mass.gov)
- David Carvalho – [David.Carvalho@mass.gov](mailto:David.Carvalho@mass.gov)
- Brian Kummerer – [Kummerer@vitalassurance.com](mailto:Kummerer@vitalassurance.com)
- Kevin Chandler – [Chandler@vitalassurance.com](mailto:Chandler@vitalassurance.com)

Document Requested	Document Current Name and Version	Responsible Department/Location	Comment
<b>Administrative Documents</b>			
1. MBTA SEPP			
2. MBTA Emergency Management Plan			
3. MBTA Continuity of Operations Plan (COOP)			
4. Overview of TSA Recent BASE Review (Most recent)			



Document Requested	Document Current Name and Version	Responsible Department/Location	Comment
5. Public Transportation Agency Safety Plan (Most Recent)			
6. MBTA Right of Way (ROW) Safety Rulebook (Most recent)			
7. MBTA Safety Event Investigation Manual (Most recent)			
8. MBTA Internal Safety Audit Program (Most recent)			
9. MBTA Safety Rules Compliance Program (SRCP) Manual			
10. MBTA Drug and Alcohol Policy			
11. MBTA Occupational Health & Safety Plan			
12. MBTA Employee Safety Reporting Program			
13. MBTA SMS Implementation Plan			
14. MBTA Configuration Management and Control Safety Program			
15. MBTA Safety Certification Program			
16. MBTA System Modification Safety Program			
17. MBTA Transit Asset Management			



Document Requested	Document Current Name and Version	Responsible Department/Location	Comment
18. MBTA Heavy Rail and Light Rail Operations Fleet Management Plan FY 2018 - FY 2022			
19. MBTA Safety Bulletins - see workbook tab			
20. MBTA Procurement Manual			
<b>Training and Awareness Materials and Records</b>			
21. MBTA Onboarding material – LMS required training, etc. by employee group with pass/fail criteria for each of the following <ul style="list-style-type: none"> <li>• Train operators</li> <li>• Track Inspectors</li> <li>• Signal Maintainers</li> <li>• Vehicle Mechanics</li> <li>• Substation Maintainers and Flaggers</li> <li>• Others</li> </ul>			
22. Employee Medical/Physical Exam policies including Fitness for Duty			
23. Employee Hours of Service Policy			
24. Power Energization/De-energization policy/procedure with remote and local operations and responsibilities			



Document Requested	Document Current Name and Version	Responsible Department/Location	Comment
25. Railcar stinger/bugging and operations procedures			
26. Rail Infrastructure Inspection standards, frequencies, records including, but not limited to: <ul style="list-style-type: none"> <li>• Railcars</li> <li>• Track</li> <li>• Substations</li> <li>• Catenary</li> <li>• Third rail</li> <li>• Stations and station infrastructure</li> <li>• Control Center</li> </ul>			
27. New Rail Operator and Rail Refresher course curriculum and materials, including how often refresher training is completed (Training records for Operators and Supervisors will be reviewed onsite)			
28. Recent Drills and Exercises – After Action Reports (AAR) and descriptions of any completed exercises and emergency drills/simulations, including currently planned activities for the last three years. Also, please describe any Corrective Actions that resulted from these exercises.			



Document Requested	Document Current Name and Version	Responsible Department/Location	Comment
29. Hazard Identification and Risk Assessment training curriculum			
30. Transit Security Awareness and Familiarization Training program for all levels of employees.			
31. Required Awareness Training for Boston Area First Responders			
<b>Other Documents Referenced in the Agency Safety Plan (Version December 2022)</b>		<b>Version December 2022 Page Number</b>	
32. SMS Steering Committee (SMRC) charter, agendas, notes from meetings		Phase 1 of SMS Implementation	
33. SMS Implementation Team (SMWG) charter, agendas, notes from meetings		Phase 1 of SMS Implementation	
34. Criteria for elevation of Safety Risks to Executive Management		Phase 2 of SMS Implementation	
35. Evidence of development of parameters to improve local safety committee meetings		Phase 2 of SMS Implementation	
36. Employee Safety Committee charter, agenda, notes		Page 24	
37. Evidence of Measure of Safety Culture		Page 29	



Document Requested	Document Current Name and Version	Responsible Department/Location	Comment
38. MBTA Strategic Plan		Page 31	
39. Evidence of Transit Evacuation Drills and Lessons Learned		Page 31	
40. Evidence of Corrective Actions created out of Drills and Exercises		Page 31	
41. MBTA State of Good Repair Policy		Page 31	
42. MassDOT/MBTA Railroad System Safety Program Plan		Page 33	
43. Safety Data Analysis Report (SDAR)		Page 33	
44. Board Monthly Safety Report		Page 33	
45. Safety Certification of Capital Infrastructure Projects		Page 33	
46. Safety Certification of Systems and Vehicle Procurements and Overhauls		Page 33	
47. Current tracking on compliance with the Calendar Year 2023 Safety Performance Measures		Page 36	
48. Organizational Chart for MBTA		Page 41	
49. Local Safety Committee Meeting Agendas Minutes/Notes		Page 45/Page 47	



Document Requested	Document Current Name and Version	Responsible Department/Location	Comment
50. Data Analysis Groups/Accident Reduction Committee Meeting Notes/Agendas		Page 46	
51. Transition Action Plan developed by MBTA Safety for New Agency Leadership		Page 50	
52. MBTA Infrastructure, Facilities, and Equipment Safety Inspection forms		Page 63	
53. Evidence of Voluntary Safety Reporting System Resolution		Page 67	
54. Internal Safety Audit Schedule and Reports		Page 72	
55. Peer Agency SMS Reviews		Page 73	
56. Status of SMS Training for all MBTA employees		Page 74	
57. Listing of personnel job position directly responsible for Safety Oversight and their progress toward compliance with the PTSC TP		Page 76	
58. Evidence of Agency Leadership having received the SMS Leadership Responsibility Training		Page 80	
<b>Records and Documentation</b>			



Document Requested	Document Current Name and Version	Responsible Department/Location	Comment
59. Copies of all rail related Safety Bulletins, Transportation Notices, Slow Orders, etc. from last three years.			
60. Reports or Presentations of Safety Data Analysis and supporting hazard identification efforts			
61. Track and Switch Inspection and Maintenance Standards and a sample of completed inspection forms from across the previous three years			
62. Signal Inspection procedures and a sample of completed inspection forms from across the previous three years			
63. Radio System Operating Inspection and Testing procedures a sample of completed inspection forms from across the previous three years			
64. Sample of Rail Passenger Station Inspection forms and a sample of completed inspection forms from across the previous three years			
65. Substation and OCS/Third Rail Inspection and Maintenance Standards			



Document Requested	Document Current Name and Version	Responsible Department/Location	Comment
and a sample of completed inspection forms from across the previous three years			
66. Minutes of safety-related committee meetings for the last year (Rail Safety Committee, Executive Safety Committee, Configuration Management Committee, etc.)			
67. Corrective Actions based on accidents/incidents/events, hazard management, and internal and external audits for the last three-year period (2020-2022 present day)			
68. Investigation Reports for all reportable events to PTSB over the last three years (2020-2022)			
69. Current Hazard Log, Occurrence/Incident Logs, Unusual Occurrence Log, or Rail Call Log for the last year (all that pertain)			
70. Standard Operating Procedure for Pre-Trip Inspections of Rail Cars and reporting defects			
71. Sample of rail vehicle completed Pre-Trip Inspection Cards and Defect Cards sampled from the previous three-year cycle			



**MA DPU**  
**Rail Transit Safety**

**Massachusetts Department of Public Utilities (Mass DPU)**  
Rail Transit State Safety Oversight (SSO) Program  
Triennial Audit of the MBTA Safety Program  
Pre-Audit Documentation Request

Document Requested	Document Current Name and Version	Responsible Department/Location	Comment
(approximately 36 samples/1 per month)			
72. Records of Rules Compliance activities planned and completed (efficiency testing)			
73. MBTA Procurement Policy			
74. Signal Violations over the last three-year period (2020-2022)			
75. Records for FTA Safety Advisories and Bulletins that were in scope for MBTA			
76. List of Capital projects and Current Status			