



U.S. Department
of Transportation

**Federal Railroad
Administration**

Administrator

1200 New Jersey Avenue, SE
Washington, DC 20590

December 3, 2013

Mr. Thomas F. Prendergast
Chairman and Chief Executive Officer
Metropolitan Transportation Authority
347 Madison Avenue
New York, NY 10017

Dear Mr. Prendergast:

Please accept our condolences on the Metro-North train accident that occurred at Spuyten Duyvil, Bronx, New York, on December 1, 2013. These tragic accidents serve to remind us of the heavy responsibility we all bear for the safety of those who use our Nation's railroads.

As you are aware, the U.S. Department of Transportation (USDOT) and Federal Railroad Administration (FRA) continue to have serious concerns about the recent series of accidents that have occurred on Metro-North and which resulted in 5 deaths and approximately 129 injuries to Metro-North employees and customers:

- May 17, 2013, Bridgeport, Connecticut, passenger train derailment and train-to-train raking collision;
- May 28, 2013, West Haven, Connecticut, roadway worker employee fatality;
- July 18, 2013, Spuyten Duyvil, Bronx, New York, CSX derailment; and
- December 1, 2013, Spuyten Duyvil, Bronx, New York, derailment.

The specific causes of each of these recent accidents may vary, but regardless of the reasons, 4 serious accidents in less than 7 months is simply unacceptable. Not only have some of these incidents had tragic and catastrophic consequences, they have also eroded the public's confidence in the safety of the railroad transportation system, and they detract from employees' focus and morale as they continue to perform safety-critical duties.

As you know, the FRA team has worked closely with your leadership and safety officials, particularly over recent months, to address serious concerns regarding the safety of Metro-North riders. And while we appreciate Metro-North's and the Metropolitan Transportation Authority's (MTA) ongoing engagement with us regarding safety oversight and improvements, more needs to be done. Immediate corrective action is imperative.

In our meetings and conversations with your team since May, and again yesterday on your call with Deputy Secretary Porcari, we have urged MTA, and specifically Metro-North, to take a closer look at all issues that could affect the safety of Metro-North's passengers and employees. The MTA needs to demonstrate to them a serious, good faith commitment to the safe operation of the system, and inform them of the steps that MTA will take to enhance safety in both the short- and long-term.

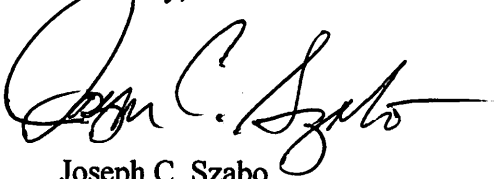
As you know, the USDOT and FRA strongly support Governor Cuomo's directive that MTA hold a safety stand-down with all employees on its Metro-North and Long Island Rail Road properties. We believe every opportunity should be taken to remind rail and transit employees that safety is always their top priority, whether it is through mandatory re-training or in conversations with their immediate supervisors. A safety stand-down serves as a visible first step to restoring public and employee confidence in the MTA transportation system.

As you know, and as we discussed yesterday, USDOT does not believe that a safety stand-down alone is sufficient. There are other actions that MTA and Metro-North can and should take to ensure the safety of their passengers and employees. While we plan to be in touch with you and your team continuously in the coming weeks, one additional action that we believe you can take immediately is the implementation of a confidential close call reporting system (C3RS) that Metro-North and Long Island Rail Road can use to identify precursors to significant safety issues. A C3RS is in place on other rail lines across the country, including Class I and commuter railroads, and has proven effective in identifying safety issues and lowering injury and accident exposure.

By this letter, USDOT and FRA formally direct MTA to update us on the progress of the safety stand-down, and immediately implement a C3RS program. We have significant concerns about the current situation at Metro-North, and are actively considering other ways that FRA can use its Federal oversight authority to provide additional safety enhancement of MTA operations. We will continue to engage with you as we work collaboratively towards a common goal of ensuring the highest degree of safety within the MTA system.

I look forward to your response by Friday, December 6, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph C. Szabo". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Joseph C. Szabo

cc: Howard R. Permut, President, Metro-North Railroad
Helena E. Williams, President, Long Island Rail Road