

Sounder Accident/Incident Reporting

Report #: 2023-01

Executive Summary

Audit Objective & Scope

Our audit objective was to ensure Sound Transit and our contracted operating partners are compliant to Federal Railroad Administration (FRA) 49 CFR 225 rule for reporting accidents and incidents.

We limited our scope primarily to the application and verification of the Sounder Commuter Rail's Internal Control Plan (ICP), accident and incident reporting procedures documented by the 225 rule, and local self-imposed requirements. This was a desktop audit focusing on FRA reports submitted for CY 2022. The audit teams' intent was to limit interviews with staff and pose no disruption to daily operations while accomplishing our audit.

The following topics were reviewed as part of our audit scope:

- CFR 225.11 Reporting of Accidents/Incidents
- CFR 225.25 Recordkeeping
- CFR 225.31 Investigations
- CFR 225.33 Internal Control Plans

Audit Results

As a result of this audit, we found no **(0) findings** of non-conformance and have no **(0) observations** as opportunities for improvement.

Conclusion

Based on our review of evidence supporting FRA reporting requirements, we conclude that ST Safety and Sounder Operations processes for reporting meet the intent of the regulatory requirements set forth by the FRA, internal regulatory requirements of the Sounder System Safety Plan (SSP), and the Sounder Commuter Rail Internal Control Plan (ICP).

Our review of FRA monthly reports verified the consistency of documented processes and the timeliness and accuracy of the reports per FRA regulation. ST Transportation Safety and Security (TSS) Division procedures and Sounder Notification Guidelines ensures a consistent process is documented and followed per the 225 rules.

In addition, we reviewed the ICP to verify it contains minimum requirements of CFR 225.33. Although the current plan is under review and awaiting final signature, we verified that all minimum requirements are contained in the plan, and that the ICP is ready for final acceptance from Sounder Operations and ST Safety leadership.

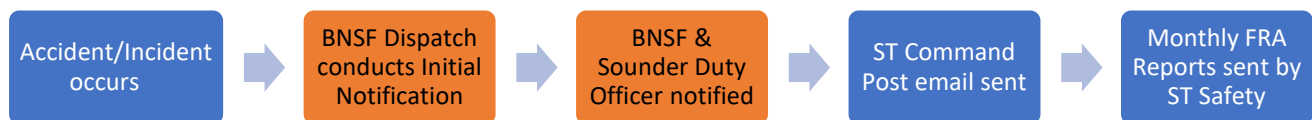
Audit Results

The following table summarizes the analysis we performed during Field Work and the associated exceptions (if any):

Criteria	Test Performed	Results	Finding or Observation
SOP; Transportation Safety & Security for FRA Reporting Accidents/Incidents	Are there documented procedures for FRA Reporting?	Pass	N/A
Monthly FRA Reports CY 2022	Were FRA reports submitted on-time, and consistent with FRA Regulations?	Pass	N/A
Sounder Commuter Rail Internal Control Plan (ICP)	Does the ICP includes minimum standards of FRA CFR 225.33 requirements?	Pass	N/A
Sounder Notification Guidelines	Are notification Guidelines consistent with FRA regulations?	Pass	N/A

The below flow chart represents the reporting process from the time of an accident or incident occurs until the monthly reports are submitted:

Accident/Incident Reporting Process:



Background

FRA CFR 49 225.33(9) requires each railroad to provide a statement in their Internal Control Plan to describe the audit process and how frequency they are completed (not less than once per calendar year). This regulation requires Sound Transit to conduct annual internal audits of the Sounder Commuter Rail’s Accident and Incident reporting process.

In a December 2022 FRA audit, the FRA identified that Sound Transit’s Audit Division received a notice of exception (essentially it is a deviation from process & procedure as defined by CFR 225.33(9) concerning the audit process and audits of the Sounder’s ICP as well as incidents and accident reporting.

This audit was completed in response to the FRA's notice of exception and covers 2022. Moving forward, all future annual safety audits of Sounder Commuter Rail will incorporate CFR 225 elements into our audit scope with separate reports outlining the outcomes of the accident/incident reporting requirements.

Methodology

We conducted our internal audit in accordance with Audit Division policies & procedures, which are governed by our Audit Charter; and meets several sets of applicable federal and local auditing standards.

The first guidance we evaluated agency compliance was how the Sound Transit adheres to FRA guidance under CFR 270 (System Safety Program) and more specifically CFR 225; requiring Sound Transit to annually audit the performance of accident and incident reporting and the structure of the Sounder Internal Control Plan.

Audit Processes

Our audits are risk-based and focus on the areas with the highest potential risk impacts or likelihood at the time of observation. Each audit starts by examining the current processes in place relative to (1) laws or regulatory requirements, (2) agency policies and procedures and (3) industry best practices.

During the audit "planning" phase, we assess the engagement-specific conditions and risk, informing and confirming the audits' objectives and scope. At this time, relevant controls to mitigate these risks are also identified.

The audit "field work" phase then examines the design of the identified controls to determine if the intent meets the regulations, policies, etc. If the controls are designed to adequately mitigate the risk (control environment), we move on to assess the degree to which the controls are mitigating the risk (control activities). Any areas identified where the control environment or activities do not adequately mitigate the identified risk are identified as an exception.

Exceptions are then defined as either findings or observations.

- **Findings** are the results of the evaluation and verification of evidence against audit criteria showing non-compliance with a policy, procedure, manual, standard, or industry best-practice
- **Observations** are issue that may be compliant with requirements, however, the auditor has determined that the issue poses the potential risks of becoming a finding in the future if recommended changes are not put in place to prevent occurrence.

All Findings are risk-rated based on potential likelihood and impact based on attributes outlined here. <[Link to Risk Matrix](#)>

Appendices

Sound Transit's Title VI notice of rights

Sound Transit conducts Title VI equity analyses for service and fare decisions to ensure they are made as equitably as possible.

More information on Sound Transit's Title VI notice of rights and the procedures to file a complaint may be obtained by:

- Phone: 888-889-6368; TTY Relay 711;
- Email: stdiscriminationcomplaint@soundtransit.org;
- Mailing to Sound Transit, Attn: Customer Service, 401 S. Jackson St. Seattle, Washington 98104-2826; or
- Visiting our offices located at 401 S. Jackson St. Seattle, Washington 98104.

A complaint may be filed directly with the Federal Transit Administration Office of Civil Rights, Attention: Complaint Team, East Building, 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590 or call 888-446-4511.

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