Frequently Asked Questions

Safety and Security Management Plan (SSMP)

What is an SSMP?

An SSMP is a required document that must be prepared by applicants and recipients of Federal Transit Administration (FTA) funds for major capital projects. The SSMP is part of the Project Management Plan (PMP) and is written to describe how the recipient will address safety and security in the major capital project from initial project planning through initiation of revenue service.

Is an SSMP required for all major capital projects funded by FTA?

Yes. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), signed into law on August 10, 2005, identifies "safety and security management" as a required component of the PMP. FTA requires recipients of FTA funds for major capital projects, as defined in 49 CFR Part 633.5, to develop a PMP for the project. As part of the PMP, FTA also requires that an SSMP be developed and implemented. The SSMP may be a separate chapter or plan contained within the PMP.

Why is the SSMP needed?

Historically, grantees of FTA-funded major capital projects have described project safety and security management strategies and controls as sub-elements of other required PMP sections. Some projects elected to perform specific safety and security activities, such as safety and security certification or pre-revenue operational readiness assessments, while other projects did not. There was no consistent approach to safety and security in major capital projects. As a component of the PMP, the SSMP now establishes a consistent baseline for the management of safety and security activities in all federally funded major capital projects, specifying minimum activities which must be performed. Through the SSMP, FTA can now ensure that safety and security are adequately addressed in all project development phases.

Is there information available to help recipients develop and implement SSMPs?

Yes. Since 2002, FTA has required SSMPs for all New Starts projects entering into Full Funding Grant Agreements (FFGAs) with FTA. These requirements were contained in FTA's Full Funding Grant Agreement Circular 5200.1A, Chapter II, Section 6, issued on December 5, 2002.[1] They were also discussed in FTA's 2003 update to the Project and Construction Management Guidelines.[2] In 2006, in response to new SAFETEA-LU provisions, FTA began developing new guidance for SSMPs for all major capital projects. FTA published its notice of availability regarding this new guidance in the *Federal Register* on June 21, 2007. This new guidance, now found in Circular 5800.1, Safety and Security Management Guidance for Major Capital Projects, went into effect August 1, 2007.[3] In Appendix A of Circular 5800.1, FTA includes a checklist designed to support the development and implementation of SSMPs for major capital projects.

[1] Chapter II, Section 6 of FTA's FFGA Circular 5200.1A is available at: http://www.fta.dot.gov/laws/circulars/leg_reg_4119.html#chapter2.
[2] Available at: http://www.fta.dot.gov/publications/reports/other_reports/publications_3875.html.
[3] Available at: http://www.fta.dot.gov/laws/circulars/leg_reg_6930.html.

Which projects are applicable to the requirements of FTA's Safety and Security Management Guidance for Major Capital Projects Circular 5800.1?

Circular 5800.1 applies to:

(1) Recipients with major capital projects, as defined in 49 CFR 633.5, **initiated after August 1, 2007**.

(2) Recipients with major capital projects, as defined in 49 CFR 633.5, involving the construction of a new fixed guideway or extension of an existing fixed guideway, that are **in preliminary engineering or earlier phases as of August 1, 2007**.

Circular 5800.1 does not apply to:

(1) Recipients receiving capital investment grants under 49 U.S.C. 5309(e), more commonly referred to as "Small Starts" and "Very Small Starts" projects, unless FTA's Administrator determines that a PMP is necessary.

(2) Recipients with major capital projects, as defined in 49 CFR 633.5, involving the rehabilitation or modernization of an existing fixed guideway with a total project cost in excess of $100 million, and **initiated before August 1, 2007**. These recipients must continue to follow existing safety and security certification requirements established by their State Safety Oversight Agencies and/or the Federal Railroad Administration (FRA).

(3) Recipients with major capital projects, as defined in 49 CFR 633.5, involving the construction of a new fixed guideway or extension of an existing fixed guideway, that are **in final design or later phases as of August 1, 2007**. These recipients must continue to follow the guidance in Chapter II, Section 6, Safety and Security Management Plan of FTA's FFGA Circular 5200.1A.

(4) Recipients with major capital projects, as defined in 49 CFR 633.5, designated by the Administrator, and **initiated before August 1, 2007**. As applicable, these recipients must continue to follow the guidance in Chapter II, Section 6, Safety and Security Management Plan of FTA's FFGA Circular 5200.1A.

Are existing major capital projects with pending/signed FFGAs in the final design or later phases of project development required to develop a new SSMP in accordance with FTA Circular 5800.1?

No. Recipients with projects covered under Chapter II, Section 6 of FFGA Circular 5200.1A that are in final design or later phases of project development, as of August 1, 2007, may continue to follow the guidance of Chapter II, Section 6 of FFGA Circular 5200.1A until their projects are completed.

Recipients with projects covered under Chapter II, Section 6 of FFGA Circular 5200.1A that are in the preliminary engineering or earlier phases as of project development, as of August 1, 2007 will follow the guidance specified in FTA Circular 5800.1, Safety and Security Management Guidance for Major Capital Projects.

What topics must be addressed and included in the SSMP?

SSMPs must be developed in accordance with Chapter IV of FTA Circular 5800.1, Safety and Security Management Guidance for Major Capital Projects. As specified by this section, the recipient must describe its approach to safety and security activities to be carried out during each phase of the major capital project, including:

1. Project Management commitment and philosophy towards safety and security.
2. Integration of safety and security into the project development process.
3. Assignment of organizational safety and security responsibilities for the project.
4. Safety and Security Analysis and hazard and vulnerability management processes.
5. Development of safety and security design criteria.
6. Process for ensuring qualified operations and maintenance personnel.
7. Safety and security verification processes (including final safety and security certification) to verify conformance with specified safety and security requirements during design, in equipment and materials procurements, and during testing/inspection and start-up phases.
8. Construction safety and security management activities.
9. Requirements for 49 CFR Part 659, Rail Fixed Guideway Systems; State Safety Oversight.
10. FRA coordination.
11. Department of Homeland Security (DHS) coordination.

What should a grant recipient do if specific SSMP requirements may not be applicable to the major capital project?

In Chapter III, Paragraph 2 of FTA's SSMP Circular 5800.1, FTA provides a process where recipients can petition FTA to exclude their projects from specific SSMP requirements.

Recipients must simply arrange a meeting with their FTA Regional Offices and the PMOCs assigned to their projects, either in person or via teleconference. During this meeting, the recipient must explain why the SSMP section or sections, as identified in Chapter IV of the Circular 5800.1, are not applicable to the project. It is also acceptable for the recipient to prepare a letter or memo explaining its situation, and its request that the project be exempt from specific SSMP requirements.

FTA and the PMOC assigned to the project will review the request, and FTA will get back to the recipient as quickly as possible with its determination. If FTA agrees with the recipient, then FTA will not require the recipient to address the specific requirements in the SSMP. FTA will designate these specific sections as "not applicable."

For recipients with SSMP sections or sub-sections designated as "not applicable" by FTA, the recipient is still required to include the section or sub-section in the SSMP. However, immediately following the section or sub-section, the recipient must include the phrase "not applicable."

Are sample SSMPs available to recipients to facilitate SSMP development?

No. However, FTA Safety and Security Management Guidance Circular 5800.1 has been prepared with ample information pertaining to the required contents of SSMPs. Recipients are also encouraged to work with the PMOC and FTA to obtain any additional guidance or clarity that may be needed to complete the SSMP. Appendix A of FTA Safety and Security Management Guidance Circular 5800.1 also provides guidance regarding FTA's expectations for the type of information to be included by recipients in their SSMPs during each phase of the development process.

What safety and security management activities are required of recipients receiving federal financial assistance?

In order to receive federal financial assistance, and as part of the SSMP development and implementation process, recipient's must complete the activities specified in FTA Safety and Security Management Guidelines Circular 5800.1, Chapter II, Section 2. These activities include:

- Preparing a policy statement.
- Identifying safety and security interfaces for the project.
- Establishing a safety and security organization that will manage safety and security activities for the project. The recipient must provide a visual illustration of its safety and security management organization in the form of an organizational chart.
- Identifying and carrying out specific safety and security activities by project phase. At a minimum, the recipient must:
    - Establish a program for identifying, assessing, controlling, documenting, and tracking safety hazards and security vulnerabilities using formal safety and security analysis techniques.
    - Establish specific safety and security requirements for the project based on applicable safety and security regulations, codes, standards, guidelines, recognized best practices, etc., and verify that all final drawings, specifications and contracts issued for the project conform to these requirements.
    - Establish a means for verifying contractor and recipient staff and committees have designed, built, procured, installed, inspected, and tested all facilities, systems, and equipment comprising the project in accordance with the recipient's adopted safety and security requirements.
    - Develop documentation through which it conveys the safety, security, and emergency rules and procedures it has established for project employees, staff, contractors, and oversight agencies.
    - Establish qualifications and training programs that address the safety and security elements of operating and maintenance rules, plans, procedures, manuals and emergency procedures for all personnel who will operate and maintain the project in revenue service.
    - Ensure that it is capable of providing documentation that verifies how the recipient trained and qualified its personnel and/or contractors to operate and maintain the system, and to respond to emergencies. This includes ensuring outside emergency

response personnel receive training regarding the project's operations, equipment and emergency procedures.

- Maintain a process to manage open safety and security items resulting from design deviations, change orders, and non conformances. The recipient must take action to address and mitigate these issues (through temporary measures if necessary) and to track all open items through closure and acceptance.
- If applicable, conduct emergency exercises and drills prior to placing the project into revenue service. Drill results must be documented in after action reports.
- Make final Safety and Security Certification prior to placing the project into revenue service. Certification may be documented in a Final Verification Report.

- Ensuring construction safety and security.
- Ensuring coordination with external agencies.
- Identifying safety and security interfaces for the project.

Is it acceptable to use contractor or consultant staff to prepare the SSMP?

Yes. FTA recognizes that some recipients, especially those pursuing New Starts projects, may not have the in-house staff or expertise to prepare the SSMP. In these cases, it is acceptable for recipients to use contracted expertise to complete the SSMP. However, recipients retain the ultimate responsibility for meeting FTA's requirements, including the development and implementation of an SSMP.

Is it acceptable to use contractor or consultant staff to complete the safety and security management activities required to receive federal funding assistance?

Yes. Recipients may delegate the completion of safety and security activities to contractor and/or consultant staff. However, for all contractor and consultant staff used by the recipient to complete the project, the recipient must identify a recipient staff member or committee responsible for overseeing the contractor. Again, the recipient retains the ultimate responsibility for meeting FTA's requirements including the development and implementation of an SSMP.

What are the consequences of not completing the SSMP or the safety and security management activities required by FTA?

Failure to complete the SSMP or the safety and security management activities required by FTA may delay or prevent federal financial assistance and project progress.

How often must the SSMP be reviewed and revised by the recipient and submitted to the FTA?

Because the SSMP is part of the PMP, the SSMP must be developed, reviewed, revised, and submitted each time the PMP is required. At a minimum, FTA typically requires the PMP prior to entering into each phase of project development (e.g., preliminary engineering, final design, construction, testing, and pre-revenue operations).

For new fixed guideways and extensions, FTA requires recipients to submit their initial SSMPs with the initial PMPs they prepare for request to enter preliminary engineering. For rehabilitation and modernization projects in excess of $100 million, FTA requires that recipients submit their SSMP whenever a PMP is required. For major capital projects designated by the Administrator, FTA also requires recipients to submit their SSMP whenever a PMP is required.

FTA must review and conditionally approve the SSMP, as part of the PMP, prior to the recipient receiving approval to enter the next project phase.

How will FTA protect Sensitive Security Information (SSI)?

U.S. Department of Transportation (DOT) regulation 49 CFR Part 15, Protection of Sensitive Security Information, specifies that each grant recipient must control the release of "sensitive security information" (SSI).

DOT published "Interim Policies and Procedures for 49 CFR Part 15, Protection of Sensitive Security Information" on June 7, 2005. These DOT policies and procedures apply to all DOT employees and to all DOT contractors, recipients, consultants, licensees, and regulated entities that have access to or receive SSI.

Following this DOT guidance, FTA requires recipients with major capital projects covered by 49 CFR Part 633 to document or reference their procedures for managing SSI materials in the SSMP. These procedures must extend to any contractors involved with the project to ensure that all project documents are maintained in a secure manner while in the possession or control of contractors.

FTA and its PMOCs will follow the recipient's established procedures when reviewing SSI materials. Further, FTA has the authority to exempt any SSI information that is submitted to FTA or its PMOCs by grant recipients from being available to the public under the Freedom of Information Act (FOIA).

For rail transit projects, does the State Oversight Agency have to review and approve the SSMP?

No. The SSMP is used by FTA's PMO contractors and FTA's Office of Safety and Security to monitor performance of required safety and security activities. However, for informational purposes, FTA recommends that the New Starts project share a copy of its SSMP with the State Oversight Agency and other interested parties, as appropriate, such as the Federal Railroad Administration (FRA), the Department of Homeland Security (DHS)/Transportation Security Administration (TSA), and the DHS/Federal Emergency Management Agency (FEMA)/ National Preparedness Directorate (NPD).

How should the SSMP be organized?

As specified in FTA's FFGA Circular 5800.1, Chapter IV, SSMPs prepared for major capital projects must contain the 11 sections listed in Exhibit 1 below.

Exhibit 1, Required SSMP Sections

Section 1: Management Commitment and Philosophy
1.1 Safety and Security Policy Statement
1.2 Purpose of SSMP
1.3 Applicability and Scope of SSMP
1.4 SSMP Goal

Section 2: Integration of Safety and Security into Project Development Process
2.1 Safety and Security Activities
2.2 Procedures and Resources
2.3 Interface with Management

Section 3: Assignment of Safety and Security Responsibilities
3.1 Responsibility and Authority
3.2 Committee Structure
3.3 Safety and Security Responsibilities Matrix

Section 4: Safety and Security Analysis
4.1 Approach to Safety and Security Analysis
4.2 Requirements for Safety and Security Analysis

Section 5: Development of Safety and Security Design Criteria
5.1 Approach to Development of Safety and Security Requirements and Design Criteria
5.2 Design Reviews
5.3 Deviations and Changes

Section 6: Process for Ensuring Qualified Operations and Maintenance Personnel
6.1 Operations and Maintenance Personnel Requirements
6.2 Plans, Rules and Procedures
6.3 Training Program
6.4 Emergency Preparedness
6.5 Public Awareness

Section 7: Safety and Security Verification Process (Including Final Safety and Security Certification)
7.1 Design Criteria Verification Process
7.2 Construction Specification Conformance Process
7.3 Testing/Inspection Verification
7.4 Hazard and Vulnerability Resolution Verification
7.5 Operational Readiness Verification
7.6 Safety and Security Certification Requirements

Section 8: Construction Safety and Security
8.1 Construction Safety and Security Program Elements
8.2 Construction Phase Hazard and Vulnerability Analysis
8.3 Safety and Security Incentives

Section 9: Requirements for 49 CFR Part 659, Rail Fixed Guideway Systems, State Safety Oversight (if applicable)
9.1 Activities
9.2 Implementation Schedule
9.3 Coordination Process

Section 10: FRA Coordination (if applicable)
10.1 Activities
10.2 Implementation Schedule
10.3 Coordination Process

Section 11: DHS Coordination (if applicable)
11.1 Activities
11.2 Implementation Schedule
11.3 Coordination Process

Can grant recipients reference other documents in their SSMPs?

Yes. FTA appreciates that some recipients are established agencies with existing safety and security programs and plans. FTA encourages these recipients to reference their existing programs and plans in the SSMPs they develop for their projects. Mature transit agencies are encouraged to use the 11 sections specified in Chapter IV of Circular 5800.1, as a checklist for identifying the minimum safety and security management activities FTA requires.

When a recipient addresses the majority of the circular's requirements in other existing documents, FTA intends for the SSMP to present an integrated, coherent approach for the project's safety and security management program that can direct all involved project participants to the applicable supporting documents. In this situation, FTA believes the SSMP will enhance the recipient's ability to communicate the elements of its safety and security program with project team members, project leadership, other employees and contractors, FTA and its PMOCs, and other involved agencies (i.e., State Oversight Agencies, FRA, DHS/TSA and DHS/FEMA/NPD).

Further, FTA understands that as recipients with new fixed guideway systems and extensions move through the project development phases they will develop additional programs, plans, and documentation. FTA also encourages these recipients to reference to-be-developed and newly developed documents and procedures in their SSMPs.

FTA requires references made by recipients in SSMPs to include **the document name, chapter or title, and appropriate page numbers**. The recipient must provide **a brief statement in the SSMP regarding how the referenced document addresses the applicable SSMP requirement**. FTA also requires recipients to make all referenced materials available to FTA and the PMOC for review.

For any SSI materials that the recipient may reference, FTA and the PMOC will follow the SSI handling procedures established by the recipient.

Examples of materials appropriate for referencing include:

- Other Sections of the PMP. The recipient may reference other appropriate sections of the PMP, including those sections relating to the project's overall organization and structure; the project's quality assurance and quality control (QA/QC) program for design and construction; the recipient's process for design reviews; the recipient's process for integrated testing; and the recipient's approach to pre-revenue operations and demonstration, including activation activities and coordination with external agencies, such as State Oversight Agencies, the FRA, and DHS/TSA and DHS/FEMA/NPD.

- Other Plans. The recipient may reference other plans, or sections of plans that it has developed, or will develop to address specific safety and security issues for the project, including the Safety and Security Certification Plan (SSCP), the Construction Safety and Security Plan, the System Safety Program Plan (SSPP), the System Security Plan, the Fleet Management Plan, the Operations and Maintenance Plan, the Integrated Testing Plan, the Service Activation Plan, the Emergency Response Plan, staffing and training plans, rulebooks and procedures, maintenance manuals, plans for emergency exercises and drills, and any documents necessary for compliance with requirements specified by State Oversight Agencies, FRA, and DHS/TSA and DHS/FEMA/NPD. In addition, the recipient may reference applicable portions of the metropolitan plan that relate to system-wide consideration of safety and security, as well as documents prepared as part of the metropolitan planning process (MPO) that relate to key systems communication provisions.

- Contract Specifications and Project Documents. The recipient may also reference contract and project requirements for hazard and vulnerability analysis; plans and procedures for the verification of safety and security requirements in final specifications and contract documents; safety and security construction specification conformance;

testing and acceptance procedures and forms; submissions and waiver requests to external agencies; and other applicable documents.

Does the SSMP duplicate other safety and security plans developed by the project?

No. The SSMP is a distinct plan developed to ensure that project management is adequately identifying and addressing FTA's safety and security requirements. Sometimes there is confusion regarding the difference between the SSMP and other safety and security plans because, to address requirements specified in FTA's Circular 5800.1, the SSMP should explain the project's approach to the development of other safety and security plans, procedures, and programs. However, there is an important difference between explaining the management approach to be used to develop these plans and programs versus the actual plans themselves.

For example, as specified in FFGA Circular 5800.1, FTA requires a set of specific activities to be performed, including: designation of a function with responsibility for safety and security throughout the project; safety and security certification; hazard and vulnerability analysis; and the identification and implementation of activities to address construction safety and security, State Safety Oversight requirements, and FRA waiver requirements. To address these requirements, the SSMP must explain the project's organizational structure, management controls, schedule, and dedicated resources for ensuring that these activities actually occur. The SSMP therefore provides a blueprint for how the grantee will ensure both the safety and security of the project during the project development process and once it is placed in revenue service. Using the SSMP as part of the PMO process, FTA's PMO contractors, FTA's Regional Offices, and FTA's Office of Safety and Security will monitor these activities and report on their occurrence and progress.

Depending on the type of project and where it is in the development process, grantees may have already developed Safety and Security Certification Plans and Construction Safety and Security Plans, or may have already prepared submittals for State Oversight Agencies and made waiver petitions to the FRA. In these cases, grantees can simply reference these programs and documents in the appropriate section of their SSMPs.

FTA requires references made by recipients in SSMPs to include the document name, chapter or title, and appropriate page numbers. The recipient must provide a brief statement in the SSMP regarding how the referenced document addresses the applicable SSMP requirement. FTA also requires recipients to make all referenced materials available to FTA and the PMO contractor for review. For any SSI materials the recipient may reference, FTA and the PMO contractor will follow the SSI handling procedures established by the recipient.

How does the SSMP relate to the project's Safety and Security Certification Plan?

Safety and security certification is defined as the "process for verifying conformance with specified safety and security requirements during design, in equipment and materials procurements, and during testing/inspection and start-up phases." The SSMP must demonstrate how the project will meet these requirements.

The SSMP **is not** a Safety and Security Certification Plan. Instead, it must describe the approach that will be taken by the project to perform safety and security certification, including the project organization, controls, schedule, and resources dedicated to perform certification and issue final certificates and reports. The SSMP assures FTA that the project will perform

safety and security certification and that the project has sufficient resources, personnel, and technical capacity to carry out the certification program.

How does the SSMP relate to the grantee's System Safety Program Plan (SSPP)?

The System Safety Program Plan (SSPP) is an agency-wide document that describes the policies, objectives, responsibilities, and procedures in place to address safety **during all aspects of transit operations** and to reduce hazards to the most practical level through the most effective use of available resources.

- For rail transit projects, this plan is required by the State Oversight Agency, and must meet the 21 elements specified in 49 CFR Part 659.19.
- FTA's Transit Bus Safety and Security Program provides recommended guidelines for developing an SSPP for bus agencies.
- For commuter rail projects, FRA has established guidelines for developing SSPPs building on the handbook used for the American Public Transportation Association (APTA) Commuter Rail Safety Management Program.

For New Starts systems with no previous operating experience, the SSMP may specify that the SSPP will be developed and establish a timeline and resources for its creation, as well as a process for coordinating with the State Oversight Agency (for rail transit projects), appropriate state authorities (as may be required for bus projects), and FRA and/or APTA (for commuter rail projects).

For existing agencies undertaking extensions or new service, previously prepared SSPPs may guide development of the SSMP, including the organization used to manage safety activities, the performance of safety and security certification and construction safety and security activities, and coordination with State Oversight Agencies, other state agencies, and/or FRA and APTA.

How does the SSMP relate to the grantee's System Security Plan?

Like the SSPP, the System Security Plan addresses security in all aspects of transit operations.

- For rail transit projects, this plan is required by the State Oversight Agency, and must meet the five elements specified in 49 CFR Part 659.23.
- FTA's Transit Bus Safety and Security Program provides recommended guidelines for developing a bus System Security Plan.
- FRA addresses security requirements in its guidelines for developing SSPPs.

For all transit projects receiving grants from the DHS/FEMA, National Preparedness Directorate (NPD), this plan must follow the format established in FTA's *Public Transportation System Security and Emergency Preparedness Guidelines*. This format is also an acceptable, though not required, way for rail transit projects to comply with 49 CFR Part 659.23 requirements and FRA recommended guidelines.

The Transportation Security Administration (TSA), which has overall legislative authority for public transportation security, also requires a System Security Plan, and may request to review

this plan at any time. In addition, TSA has developed a Surface Transportation Security Inspector (STSI) Program, as mandated by the Fiscal Year 2005 Homeland Security appropriations bill. The STSI program deploys TSA rail security compliance inspectors to: conduct security system evaluations on-site at transit properties; share security-related best practices information; coordinate security threat advisories; and conduct inspections to ensure compliance with TSA Security Directives.

TSA inspectors have authority to conduct on-site review of records, technical specifications and procurement packages, and to request, observe, and review security and terrorism preparedness activities being conducted by the project.

FTA recognizes that some of the material and information contained in the SSMP may be considered SSI by the recipient. In such cases, FTA and the PMOC, will follow the SSI procedures established by the recipient.

How will the SSMP be reviewed and approved by the FTA?

FTA views SSMP development and implementation as an on-going process and recognizes that in the early project phases, recipients may not yet have performed many of the safety and security tasks specified in FTA's Safety and Security Management Guidance Circular 5800.1. Consideration will therefore be given to the current project phase and state of project development during the SSMP review.

FTA will review each SSMP through the PMO program using established PMO SSMP review procedures. These procedures will be shared with each recipient prior to the review. The PMO will document the results of the review in a report which will be provided to the recipient. The PMO will then work with the recipient to bring outstanding issues to closure.

Over the full lifecycle of the project, FTA will assess the recipient's development and implementation of the SSMP using the criteria specified in FTA Safety and Security Management Guidance Circular 5800.1. These criteria include:

1. The recipient's assignment of responsibilities for safety and security, including the recipient's process for maintaining responsibility over safety and security tasks delegated to outside consultants and/or contractors.

2. The effectiveness of the recipient's process to identify and communicate safety hazards and security vulnerabilities during each project phase.

3. The recipient's technical capacity to support and maintain the levels of duties and responsibilities it identified for safety and security activities in the SSMP.

4. The recipient's safety and security budget and schedule, including the recipient's determination regarding the resources it required for the safety and security activities in the SSMP.

5. The extent to which the recipient incorporates safety and security requirements into the project's technical specifications and contract documents.

6. The extent to which the recipient incorporates the SSMP activities and requirements into the technical direction provided to contractors and recipient personnel.

7. The effectiveness of the recipient's approach in managing the safety and security activities of contractors.

8. The extent to which the recipient takes documented action to address safety and security concerns in a timely and appropriate manner.

9. The effectiveness of the recipient's approach for verifying that contractors, recipient staff, and committees built, installed, inspected, and tested all facilities, systems, and equipment in accordance with the recipient's adopted safety and security requirements as reflected in the project's technical specifications, drawings, and contracts.

10. The effectiveness of the recipient's process for verifying that contractors, recipient staff, and committees ensure the readiness of operations and maintenance personnel for revenue service.

11. The effectiveness of the recipient's process for providing safety and security certification, issuing the Final Verification Report, and managing any identified restrictions or work-arounds to full safety and security certification.

12. The effectiveness of the recipient's process for ensuring compliance with requirements specified by State Oversight Agencies, FRA, and DHS including TSA and FEMA/NPD.

How will FTA address new SAFETEA-LU requirements for the SSMP?

SAFETEA-LU requires FTA to update its Project Management Oversight Rule, 49 CFR Part 633 and to revise the definition of "major capital project. 49 CFR Part 633.5 currently defines "major capital project" as any project that:

- Involves the construction of a new fixed guideway or extension of an existing fixed guideway;
- Involves the rehabilitation or modernization of an existing fixed guideway with a total project cost in excess of $100 million; or
- The Administrator determines is a major capital project because the project management oversight program will benefit specifically the agency or the recipient. Typically, this means a project that: generally is expected to have a total project cost in excess of $100 million or more to construct; is not exclusively for the routine acquisition, maintenance, or rehabilitation of vehicles or other rolling stock; involves new technology; is of a unique nature for the recipient; or involves a recipient whose past experience indicates to the agency the appropriateness of the extension of this program.

Major capital projects can be undertaken by grantees for rail transit, bus and bus rapid transit, commuter rail, and ferries. As specified in SAFETEA-LU, this includes funding from Section 5305 Statewide Planning; Section 5307 Urbanized Area Formula Program; Section 5309/5318 Bus and Bus Facility Grants; Section 5309 Capital Investment Grants "New Starts;" Section 5310 Formula Program for Elderly Persons and Persons with Disabilities; Section 5311 Other Than Urbanized Area Formula Program; and Section 5320 Transit in the Parks. Congestion Mitigation and Air Quality (CMAQ) Improvement Program funds and Surface Transportation Program funds, provided through the Federal Highway Administration, can also be used for major capital projects.

In updating 49 CFR Part 633 to address new SAFETEA-LU provisions, including the revised definition of "major capital project," FTA has established an internal Working Group. FTA's Office of Safety and Security and Office of Engineering are partnering with the Working Group to ensure that any issues related to the SSMP requirements specified in Circular 5800.1 are addressed in the changes to FTA's existing 49 CFR Part 633. As specified in Section 5327(e), FTA will issue a Notice of Proposed Rulemaking (NPRM) seeking public comment on these specific requirements, followed by a Final Rule. FTA urges all interested parties to make comments on the NPRM when it is published.

Is the SSMP required by FTA similar to any other plan currently required by FTA for major capital projects?

Yes. For a number of years, FTA has required grantees undertaking major capital projects to prepare a *Quality Plan* as part of the PMP. The Quality Plan guides activities to assure integration of quality assurance and quality control activities into the overall project management approach. The Quality Plan is an "umbrella plan" that describes management commitment, organizational structures, project controls, schedules, and resources available to address quality, and specifies the development of additional plans, procedures, and processes to assure acceptable quality while executing the project on-time and on-budget through all project phases.

The SSMP is like the Quality Plan in that it is designed to explicitly recognize the importance of a specific element of the project – in this case safety and security – throughout the different project phases from preliminary engineering and final design, to construction and equipment procurement, and to testing and startup. The SSMP is also like the Quality Plan in that it is an "umbrella plan" documenting the project's commitment, organization, controls, schedules, and resources to be devoted to safety and security, identifying the activities, plans, procedures, and processes to be developed and carried out for the project.

For rail transit projects, how is the State Safety Oversight Agency involved?

FTA will invite State Oversight Agencies to Quarterly Review Meetings for the project, and will copy State Oversight Agencies on minutes, monthly reports, and spot reports and assessments which have safety and security implications. In addition, FTA's PMO contractors and FTA's Office of Safety and Security will be monitoring the readiness of each State Oversight Agency to assume oversight of the project with its initiation into revenue service.

FFGA recipients must identify the specific State Safety Oversight Agency requirements applicable for their major capital projects and the activities they will perform to address these requirements and coordinate with their State Safety Oversight Agencies. These recipients must also provide a schedule for the activities they will perform to ensure compliance with State Safety Oversight Agency requirements. If the State Safety Oversight Agency has authorities that exceed 49 CFR Part 659 minimum requirements, the recipient must also explain its approach for addressing these additional authorities.

For New Starts projects with new rail transit systems, prior to the initiation of revenue service, State Oversight Agencies will be responsible for reviewing and approving the project's SSPP, System Security Plan, and supporting procedures, and for making an Initial Submission to FTA. For existing rail transit agencies with extensions, the State Oversight Agency will be responsible for ensuring that the SSPP, System Security Plan and supporting procedures are revised to address the extension. FTA recommends that State Oversight Agencies be involved in the project from an early phase regardless of their authority level.

Can New Starts funding be used to support the State Oversight Agency in developing its oversight program?

Yes. Section 5309 funding may be used by the project to support the establishment of the State Oversight Agency, including the use of state agency personnel and/or contractors to develop the oversight agency program standard and procedures; to review and approve safety and security submittals from the project; and to conduct pre-revenue operational readiness assessments. In the event New Starts funds are used to help stand-up a State Oversight Agency, FTA will extend its grant oversight, as appropriate, to the activities performed by the State Oversight Agency.

Is there a recommended schedule for submitting waiver petitions to the Federal Railroad Administration?

Yes. FRA requests that waiver petitions be submitted to them for review **at least 12 months prior to the project's revenue operations date**. Additional information on the submission of these petitions is available at: http://www.fra.dot.gov/us/content/3, under the "Waivers, BSAPs, and Special Approvals" tab.

Where can additional information pertaining to Circular 5800.1 be obtained?

FTA's regional and metropolitan offices are responsible for implementation of grants and the provision of financial assistance to recipients, other than specific programs that are the responsibility of headquarters. Inquiries should be directed to either the regional or metropolitan office responsible for the geographic area in which you are located. For further information, visit the FTA website: http://www.fta.dot.gov, Circular 5800.1: http://www.fta.dot.gov/laws/circulars/leg_reg_6930.html, or contact FTA headquarters at the following address and phone number:

Federal Transit Administration
Office of Communications and Congressional Affairs
1200 New Jersey Avenue SE
Washington, DC 20590
Phone: 202–366–4043
Fax: 202–366–3472