



**Greater Denver Transit**  
<greaterdenvertransit@gmail.com>

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## Letter to RTD GM & CEO Debra Johnson - 19th June 2024

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**Debra Johnson** <debra.johnson@rtd-denver.com>

Fri, Jul 12, 2024 at 1:04 PM

To: "greaterdenvertransit@gmail.com" <greaterdenvertransit@gmail.com>

Good afternoon, Messrs. Bamber and Flattum.

This email is a follow-on to my previous response from Tuesday, July 2, 3024, regarding preventative maintenance being conducted along the Southeast light rail corridor.

For ease of reference, the inquiries posed by Greater Denver Transit regarding this matter are captured immediately below. The earlier email thread is also included for context herein.

### **Regarding Adoption of American Public Transportation Association Rail Transit Track Inspection and Maintenance Standards**

1. On what date did RTD formally adopt APTA RT-FS-S-002-02, Rev. 1 as its track inspection standard? An exact date has not been provided. Please provide this.

*RTD response:* Pursuant to a memorandum submitted to the Colorado Public Utilities Commission (CPUC) on May 10, 2023, staff indicated that the 2021 Maintenance of Way Track Safety Standards utilize the 2017 American Public Transportation Association standard. Following the development of standard operating procedures and training materials, and upon the completion of required employee training, the standard was fully implemented May 1, 2024. RTD's adoption of a new condition assessment and performance restriction procedure in connection with the Colorado Public Utilities Commission-approved Corrective Action Plan, the implementation deadline for which was June 30, 2024, was the impetus for conducting more detailed assessments, which in turn prompted speed restrictions due to rail conditions.

2. If possible, please provide a copy of the track inspection standard that was previously used. A document has not been provided. From PUC filings we are aware of a memo from Kirk Strand to Jyotsna Vishwakarma sent on May 10, 2023, that states “The current RTD MOW Track Safety Standards 2021 is a direct adaptation of the APTA-RT-FS-S-002-02 Rail Transit Track Inspection and Maintenance Standard, Revision 1, published in 2017”. Please provide the internal document being referred to.

*RTD response:* Greater Denver Transit received information responsive to this inquiry via open records request.

3. Could RTD staff have reasonably foreseen that a possible result of the introduction of APTA RT-FS-S-002-02, Rev. 1 as the agency’s track inspection standard would be the widespread imposition of “slow zones”? This was answered by Dave Jensen's statement that staff could not have reasonably foreseen this at the Special Board Meeting on June 24th.

*RTD response:* None required, as noted.

4. RTD has indicated that “trained staff now ride the system twice weekly...”. GDT takes this to mean “...riding over the track in speed a vehicle at a speed that allows detection of noncompliance with these standards”, in accordance with Section 3.1.a (page 2) of APTA RT-FS-S-002-02, Rev. 1. Please describe the vehicle being used for this action, including how inspection staff can see the track whilst riding the vehicle, and state the average this vehicle travels at. GDT is satisfied with RTD’s answer to this question. Thank you.

*RTD response:* None required, as noted.

5. Are the “slow zones” being imposed in accordance with Section 10.1.8 and Table 11c (page 20) of APTA RT-FS-S-002-02, Rev. 1? Dave Jensen stated that the APTA standards are the reason for the imposition of the slow zones during yesterday’s special board meeting but did not cite the specific clause (s) and table(s) in the standards. As such, this question has not been answered.

*RTD response:* The speed restrictions are being imposed in part with respect to with the referenced section. There have been no defects found with any measurable depth (note the 1/8’ reference), meaning that the appropriate

*mitigation is referenced under A2, which states: "A qualified person shall make visual inspection. The qualified person may determine that operation may continue without continuous visual supervision at a maximum of 10 mph for up to 24 hours. If the rail is not replaced within that 24-hour period, then inspections by a qualified person shall continue, not more than 24 hours apart, until the rail is replaced or a determination is made requiring a more restrictive action." Additionally, Table 11 on page 18, references "Engine burn fracture," with the mitigations being cited as type B, A2 or A. Joint bars are being placed on some of the larger defects, and rail replacement is the appropriate mitigation.*

*It must be noted, however, that of critical importance in the decision-making process is the adoption of the APTA standard and the new inspection methodology working in conjunction with each other. The inspection methodology enables staff to identify and document increased wear and defects with much greater detail than in the past. The APTA standard sets out the correct process once an issue is identified.*

6. For rails suffering “rail burn” or “wheel burn”, is rail grinding (“resurfacing”) a solution up to a certain length and depth of defect? If so, up to what length and depth is RTD planning to use this remediation method? An exact length and depth has not been provided. Please provide this.

*RTD response:* Yes, rail grinding is a solution. If the burn exceeds three inches in length or is greater than 1/8” in depth, mitigation is required. None of the burns identified have any measurable depth. Grinding is taking place to completely remove the burn or reduce it to an acceptable length less than three inches.

7. After the rail has been replaced or otherwise remediated, how long must a “slow zone” remain in place before it is considered safe for trains to pass over the affected area at maximum allowable line speed? An exact length of time has not been provided. Please provide this as it is important to understand RTD’s track handback procedures.

*RTD response:* Once defects are mitigated, speed restrictions can be immediately lifted. Typically, supervisor or manager approval is received prior to removing the restriction. Thus

far, third shift management has mitigated noted defects, whereas first shift management has inspected the track and subsequently lifted the restriction.

## Regarding Speed Restrictions

1. Work with ATU 1001 to publish workable temporary schedules for the E, H, and R Lines which can reasonably be adhered to by operators. These schedules should be revised weekly and/or when “slow zones” are imposed or lifted. To date, GDT has seen no evidence this is being done, even after contacting ATU ourselves.

*RTD response:* RTD’s Service Development team develops and maintains service schedules. The process to develop schedules, whether for rail or bus service, is lengthy, and the service schedule for one line or route cannot be done in isolation of the entire system; the ripple effects of any change across modes, however small, must be evaluated. As such, service changes for a given rail line are considered and analyzed in the context of the entire system, as interlining and connections are impacted by these changes.

Once changes are approved, schedules for operators are then created. This again is a lengthy process, as all elements must 1) be in compliance with the requirements of RTD's Collective Bargaining Agreement with the Amalgamated Transit Union Local 1001 (ATU) and 2) take into consideration human factors. Over 100 individual employee shifts must be analyzed prior to implementation. Once approved, appropriate notification must be provided to the employees that a shift change is forthcoming so that they can review the new shifts, and a vote must be scheduled and conducted according to established rules. Additionally, time must be provided to employees make necessary adjustments to their personal lives to ensure they can transition to new shifts.

The earliest such changes could be implemented would be August 2024, at which point, the changes would be in effect for one month prior to the next occurring service changes scheduled for September 2024. Given that the speed restrictions may be lifted by August 2024, it makes little sense to introduce



this level of disruption, both to customers and to employees.

2. Work with ATU 1001 to provide alternative methods of transportation for E, H, and R Line riders (e.g., bus bridges) to minimize adverse impacts on journey times. To date, GDT has seen no evidence this is being done, even after contacting ATU ourselves.

*RTD response:* RTD does not have sufficient people power to provide this type of supplemental service.

3. Publish a schedule for all remaining inspections being carried out in the current quarter year cycle, which should be the first round being carried out, in accordance with APTA standard RT-FS-S-002-02, Rev. 1 and associated remedial works. This should include contingency dates for remedial works, should further defects be found during scheduled inspections. While GDT notes what has been published on the website so far, there is no information regarding when inspection on lines other than the SE corridor are planned to take place.

*RTD response:* This response was provided previously. Information is available via the agency's dedicated [webpage](#) regarding light rail speed restrictions. The schedules published on the website should be considered "no later than" dates.

4. Commit to 100% transparency with the public, including publishing all light rail-related incidents, inspection and remedial works going forward, as permissible. As stated earlier, GDT welcomes the increased transparency. However, the situation is still far from satisfactory as key documents and have not been provided or questions answered fully.

*RTD response:* The Public Utilities Commission is the FTA-designated State Safety Oversight Agency that regulates RTD's light rail operations. These detailed regulations include requirements for RTD to inspect, investigate, analyze, report, and prepare corrective action plans with respect to hazards and accidents. RTD is committed to continuing to adhere to PUC regulations and the Open Records law, including transparently providing requested information when not otherwise precluded by law. RTD has recently launched an agency

Performance Dashboard on its website and anticipates building on the Safety information posted there.

5. Rescind communication restrictions that unnecessarily restrict staff and / or the Board of Directors from providing proper oversight, handling, and communications on this issue. As discussed in the Special Board Meeting, held on June 24th, 2024, any memo or internal communication that expressly tells staff that they should or should not do something is an order. We therefore repeat our request.

*RTD response:* It was previously reported in the media that RTD issued a media gag order for its employees. This is not accurate and would not respect employees' First Amendment rights. Employees were reminded that they have the option of politely declining to speak with members of the media and instead referring requests to the Media Relations team.

6. Respond fully to the questions earlier in this letter and also the Operations, Safety & Security Committee public comment letter sent in by GDT on Wednesday, June 12th,

[2024. Please see a copy of said letter provided along with this submission for reference.](#)

*RTD response:* See below.

## **Regarding Inquiries Posed as Public Comment for the June 12, 2024, Operations, Safety, and Security Committee Meeting**

1. What exactly in the “enhanced inspection methodology” has prompted the imposition of the “slow zones”?

*RTD response:* The enhanced methodology requires rail infrastructure to be measured and documented in greater detail. Additional information is available via the agency’s dedicated [webpage](#) regarding light rail speed restrictions.

2. How does this “enhanced inspection methodology” differ from what was done in prior inspections?

*RTD response:* Additional information is available via the agency’s dedicated [webpage](#)

regarding light rail speed restrictions. In essence, the greater level of detail documented with respect to rail conditions will allow RTD to be more proactive in its state of good repair efforts.

3. Prior to conducting inspections with the “enhanced inspection methodology” did MoW staff believe that the result would likely be the wide scale imposition of “slow-zones”.

*RTD response:* This response was provided previously. Staff had no reason to believe the enhanced inspection methodology would result in the imposition of slow zones.

4. On what timescale does the agency anticipate being able to return the track back to full line speed?

*RTD response:* This response was provided previously. Information is available via the agency’s dedicated [webpage](#) regarding light rail speed restrictions.

5. Are inspections on any other light rail lines planned?

*RTD response:* This response was provided previously. Information is available via the agency's dedicated [webpage](#) regarding light rail speed restrictions.

Thank you.

-Debra

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***We make lives better through connections.***

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