

EXECUTIVE SUMMARY
REVIEW OF SECURITY AND EMERGENCY PREPAREDNESS PLAN

INTRODUCTION

We conducted a review of Port Authority of Allegheny County's (Port Authority's) Security and Emergency Preparedness Plan (SEPP). This review is required on a triennial basis by the Federal Transit Administration (FTA) in 49 CFR §659.27 which specifies that the Pennsylvania Department of Transportation (PennDOT) must require Port Authority to develop and document a process for the performance of on-going safety and security reviews to assess implementation of Port Authority's SEPP.

The purpose of this review was to determine whether the SEPP in effect as of September 2009 included all elements required by the FTA Regulations 49 CFR 659 and the Pennsylvania Rail Transit Safety Review Program (RTSRP), assess whether the elements of the plan are implemented, and to suggest recommendations for improvement if needed. The scope of our review was September 1, 2009 through September 30, 2010.

STATEMENT OF OPINION

In our opinion, the SEPP in effect as of September 2009 included all elements required by FTA Regulations 49 CFR 659 and the RTSRP and, in general, the elements of the plan are implemented. Several observations and recommendations were made as a result of our testing and they are summarized below.

SUMMARY OF AUDIT RESULTS, OBSERVATIONS AND RECOMMENDATIONS

OBSERVATION 1 – Strengths Noted During the Review

We noted the following areas of excellent performance during the review.

- The SEPP was submitted to the RTSRP on a timely basis and approval of the SEPP was received from the RTSRP.
- Background checks were performed on newly hired employees and temporary employees working during the audit period before they began their assignment for Port Authority.
- Contractors submitted security programs as required by their contracts with Port Authority. The sample of vendor contracts selected for testing contained Security Requirements (Article 32) and the contractors submitted Security Programs which contained procedures for performing employee background checks.

OBSERVATION 2 – Hazardous Materials Training

The materials referenced below that are classified as hazardous materials at Port Authority are items that are commonly used in the automotive industry such as batteries, paint, refrigerant and windshield wiper fluid. The System Safety Department reviewed positions listed in the Collective Bargaining Agreement with ATU Local 85 as requiring a hazardous materials endorsement. Based on their review as well as discussions with other Port Authority managers, they identified a total of 86 employees who required Hazardous Materials Training. As of October 25, 2010, 30 employees had received it. Of the remaining 56 employees who were identified as needing training, 31 employees need the training because a hot asphalt trailer was rented to conduct paving activities during the summer of 2010. Also, 15 automotive mechanics were identified as needing Hazardous Materials Training because they transport batteries to be recycled and they might need to operate the materials delivery truck when it contains materials classified as hazardous. An additional 4 employees were identified as needing training because they could be required to tow a disabled materials delivery truck which might contain hazardous material. One employee requires this training because his/her training was provided more than three years ago. Regulations require this training to be completed within 90 days after employment or change in job function and again every three years.

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In addition, the Collective Bargaining Agreement with ATU Local 85 and position job descriptions indicate that a hazardous materials license endorsement is required for 29 employees working in the following 5 different job positions.

- Automotive mechanic at the Auto and Truck Shop (15 employees),
- Automotive repairman/tow truck operator at the bus garages (4 employees),
- Special equipment operator/maintainer – way (4 employees),
- Material delivery person A – stores (5 employees),
- Service person – stores (1 employee).

Employees in the System Safety Department and Technical Support and Capital Programs Department reviewed these license endorsement requirements and concluded that the automotive repairman/tow truck operators and material delivery persons A require a hazardous materials license endorsement, the service person-stores does not require a hazardous materials license endorsement and the automotive mechanics and special equipment operators might need the hazardous materials license endorsement depending on whether they are required to transport hazardous materials. We verified that the four automotive repairman/tow truck operators and five material delivery persons A had the required hazardous materials license endorsements. The director of facilities and rail maintenance indicated that the job duties of the 15 automotive mechanics can be modified so that they are not required to transport hazardous materials thus removing the need for the hazardous materials license endorsement from these positions. He also indicated that the four special equipment operators did not require hazardous materials license endorsements because they do not transport hazardous materials in placarded vehicles.

We also observed that the responsibility has not been assigned to a specific department for identifying positions that require Hazardous Materials Training, ensuring the training is completed and providing the training. In the past, the rail maintenance training function provided this training. Currently, the industrial hygienist is providing the training every three years, but no process to notify him of newly hired/transferred employees who require this training exists.

RECOMMENDATION 2

Hazardous Materials Training should be provided to the employees who need it but have not received it. In addition, a written procedure should be created defining a process to ensure that required training is provided on an on-going basis. This procedure should include provisions to assign responsibility for the following activities to a specific department or departments.

- Identifying those positions that require Hazardous Materials Training,
- Ensuring the training is provided within 90 days of hire/transfer and on a recurring basis every three years, and
- Providing the training.

Management should determine whether the endorsements stated in the Collective Bargaining Agreement with ATU Local 85 and position job descriptions should be updated to accurately reflect endorsements required for each position and update them as appropriate. A written procedure for identifying training and endorsements required for each position on an on-going basis should be created and responsibility for identifying endorsements and training required for each position should be assigned to a specific department.

MANAGEMENT RESPONSE 2

Management will not permit any employee to perform job duties that require hazardous materials license endorsements unless the employee has the required endorsements.

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Employees from the Rail Operations/Engineering Division, Bus Operations Division, System Safety Department and Human Resources Division will work together to review each position to determine whether Hazardous Materials Training is necessary and which hazardous materials license endorsements are required. The environmental compliance coordinator will lead the effort to review job position descriptions annually to identify the ones that require license endorsements and Hazardous Materials Training and the frequency with which this training is required and notify employees in the Employment and Development Department who will update the job position descriptions with the training requirements. The industrial hygienist will assist him. When a person is hired/transferred into a position requiring license endorsements and/or Hazardous Materials Training, employees in the Employment and Development Department will notify the appropriate manager(s) so that they are aware that hazardous materials license endorsements and/or Hazardous Materials Training are required and the frequency of the training needed. Written procedures for this process will be created.

For 31 of the 56 positions requiring Hazardous Materials Training, management will revise the manner in which the job duties are performed so that the employees are not transporting materials classified as hazardous, therefore, the training will not be required. For the 15 automotive mechanics, management is considering revising the manner in which the job duties are performed to potentially eliminate the need for Hazardous Materials Training.

Target Date for Implementation: June 30, 2011

Hazardous Materials Training will be provided to the employees who still require it. Three supervisors from the Purchasing and Materials Management Department will be trained by December 31, 2010. After the job position descriptions are reviewed to identify the remaining number of employees requiring Hazardous Materials Training, employees in the System Safety Department will determine if the training can be delivered with existing resources or if consulting assistance will be required. Employees in the System Safety Department developed draft Standard Operating Procedures for Hazardous Materials Transport that include requirements for Hazardous Materials training.

Target Date for Implementation: Job position descriptions will be reviewed and the new process defined by June 30, 2011.

FOLLOW UP ON PREVIOUS AUDIT RECOMMENDATIONS

We made two observations/recommendations during the previous review which was completed in December 2007. The observations/recommendations were as follows:

Observation 1

At the time of our review, the SEPP was not signed by the chief executive officer as required. The 2010 SEPP was signed by the chief executive officer and we consider this issue to be closed.

Observation 2

Due to an organization restructuring, the names of some of the departments and job titles changed and these organizational changes were not reflected in the SEPP. We recommended that the next revision of the SEPP should reflect the changes to Port Authority's organizational structure. The current SEPP has been updated to reflect the appropriate changes and we consider this issue to be closed.