

NATIONAL TRANSPORTATION SAFETY BOARD

 IN RE: :
 :
 THE ACCIDENT THAT OCCURRED : NTSB Accident No.
 ON LA JUNTA SUBDIVISION AT : DCA16MR004
 MILEPOST 373 ON MARCH 13, :
 2016 :
 :

Tuesday,
March 15, 2016

Cimarron, Kansas

Interview of:

Nickolas Stovall

BEFORE:

TOMAS TORRES, NTSB
 ARNOLDO GONZALEZ, FRA
 CHARLES WHALEN, FRA
 EUGENE SEE, FRA
 JOHN O'BRIEN, SMART TRANSPORTATION DIVISION
 RONALD SPRAGUE, BLET
 DANNY O'CONNELL, AMTRAK
 FRED RUTT, AMTRAK
 RICH WESSLER, BNSF FORT WORTH

This transcript was produced from audio
provided by the National Transportation Safety Board.

P-R-O-C-E-E-D-I-N-G-S

1
2 MR. TORRES: This is a NTSB informal
3 interview. My name is Tomas Torres, T-O-M-A-S, T-O-R-
4 R-E-S. Today is March 15, 2016 and we are at Cimarron,
5 Kansas interviewing an assistant conductor in
6 connection with an Amtrak accident that occurred at La
7 Junta Subdivision, mile post 373 on March 13th at
8 roughly estimated time 12:10 a.m. The NTSB accident
9 number is DCA16MR004. The purpose of the investigation
10 is to increase safety, not to assign fault, blame or
11 liability. NTSB cannot offer any guarantee of
12 confidentiality or immunity from legal or certificate
13 actions. A transcript or summary of the interview will
14 go in the public docket. The interviewee can have one
15 representative of the interviewee's choice. Do you
16 have anybody you would like to be present?

17 MR. STOVALL: Union.

18 MR. TORRES: Okay, he cannot answer for you.

19 MR. STOVALL: Right.

20 MR. TORRES: He can be present and we will
21 address it some other way. Do you understand this
22 interview is being recorded?

23 MR. STOVALL: Yes, sir.

24 MR. TORRES: Please state your name and
25 spell it?

1 MR. STOVALL: My name is Nickolas Stovall,
2 N-I-C-K-O-L-A-S last name S-T-O-V-A-L-L.

3 MR. RUTT: Fred Rutt, F-R-E-D R-U-T-T.

4 MR. TORRES: And who are you with?

5 MR. RUTT: Amtrak.

6 MR. GONZALEZ: Arnolando Gonzalez, A-R-N-O-L-
7 D-O G-O-N-Z-A-L-E-Z, FRA.

8 MR. WHALEN: Charles Whalen, W-H-A-L-E-N,
9 Passenger Rails Safety Specialist FRA Headquarters.

10 Mr. Wessler: Rich, R-I-C-H, Wessler, W-E-S-
11 S-L-E-R, I'm the Director of Passenger Train
12 Operations, BNSF Forth Worth.

13 MR. SEE: Eugene, E-U-G-E-N-E, See, S-E-E,
14 Operator out of Wichita, FRA.

15 MR. SPRAGUE: Ronald Sprague, R-O-N-A-L-D S-
16 P-R-A-G-U-E, I'm BLET Safety Task Force.

17 MR. O'BRIEN: John O'Brien, J-O-H-N O-B-R-I-
18 E-N, Smart Transport Division Accident Investigator.

19 MR. O'CONNELL: Danny, D-A-N-N-Y, O'Connell,
20 O- apostrophe, capital C-O-N-N-E-L-L, Assistant
21 Superintendent Road Operations for Amtrak Los Angeles.

22 MR. TORRES: Tomas Torres, NTSB. Can you
23 please Conductor, Mr. Stovall, can you explain to us
24 what happened that day, from the time you went on duty
25 and you know what happened at the office, throughout

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1 the trip?

2 MR. STOVALL: Well, we sign up at 7:11. I
3 usually show up about an hour before so I can make sure
4 I have all the pertinent O issues and GTBs and all our
5 paperwork is in order. Make copies; get the general
6 safety rule of the day, G-Core, EMT-5, the customer
7 service tip and the crime prevention tip. It is my job
8 during for the job briefing because I'm the lowest guy
9 on the totem pole. We do all that, we conducted our
10 job briefing, talked about normal stuff for what we
11 were pertaining to the trip, as far as if we had
12 sleeper work and where our stops would be and
13 everything.

14 We went through and did our normal stop in
15 Lamar and I couldn't even tell you if it was one on and
16 zero off exactly and then we went to Garden City. We
17 had eight off and I think it was or eight on and two
18 off. We got everybody on and off. We had an
19 unexpected passenger by the name of Jeffrey Smith.
20 He's a regular, shows up every couple of weeks, \$26.00
21 has his reservation number. I sent him to the dining
22 car and I scanned everybody's tickets and stuff once we
23 got them on and walked through, I talked to him for a
24 minute and told him I had to go back up front and grab
25 my ticket book out of my grip.

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1 Went and got that, cut him the ticket, talked
2 to the Amtrak upgrade desk, I think is what it's called
3 on our phone, in our EMD. Cut him the ticket and he
4 went back to the coaches and I went forward to put the
5 ticket in the envelope. 60 seconds, probably, that it
6 took to walk through the train and get up front. I put
7 the ticket in the envelope and then Will was there and
8 we started to say something to each other and there was
9 just really bad shaking side to side, loud noise,
10 rattling and clacking and I knew it was out of the
11 ordinary but I didn't think anything was wrong until
12 Will jumped up and told me to hang on. We came to a
13 stop and he looked out the engineer's side and I went
14 out the fireman's side to see kind of what was going
15 on, and he had called Jen up front, the engineer, and
16 asked her you know if we had hit something and she said
17 that there was bent rail and we said okay we're going
18 to get on the ground and check the train. Let's see,
19 after that you couldn't see anything.

20 MR. TORRES: Take a moment.

21 MR. STOVALL: There was a lot of dirt flying
22 in the air. You couldn't see very far. We walked to
23 the back of the train and we could see that the dining
24 car was off and I think it was the end of one of the
25 sleeper cars was off on the ground, and as we were

1 going further back the -- the flashlights couldn't even
2 cut through the dust and stuff that was flying in the
3 air.

4 And we were walking back and he's on one side
5 and we were kind of keeping pace with each other going
6 through and we were talking, out loud, and I heard,
7 about the time we made it to the café car that was
8 leaning really bad, and he yelled at me to get out of
9 the way at which I had already climbed up the bank so
10 that if it continued to fall over you know I wouldn't
11 be in the way. And then I heard the emergency,
12 emergency, emergency on the radio. They toned up the
13 dispatcher and they weren't getting any response from
14 that and Will said I'm going to call 911, we have
15 coaches on the ground, and called it back to Jen on the
16 radio.

17 People were starting to kind of emerge, I
18 guess, and my main concern at first was the people that
19 were trying to crawl out of the 11 car and the way that
20 the dining car or the café car was leaning, I didn't
21 know if it was going to continue to come over and I was
22 mainly worried about their safety. We didn't want them
23 to get further injured or anything.

24 I remember pushing the diaphragm out of the
25 way, so that we could get the few people that were in

1 the doorway coming out, out of the way and I told
2 everybody else to stay inside the car and there were
3 people coming from the top of the car into the dining
4 car or into the café car and then they started to come
5 out the side that was leaning.

6 I helped pull them up off the bank and
7 instructed other passengers and George, I can't even
8 think of his last name, Jorge, the OBS crew, to direct
9 them to go out the other side. I knew it was higher up
10 off the ground and everything, but just for everybody's
11 safety, I wanted them to go on the other side that if
12 it fell over nobody would get hurt.

13 I climbed in to the coaches in the 11 car
14 that was on its side. Will had called on the radio --
15 and or to Jorge or somebody. I remember hearing it
16 that hey, we need to bring some ladders from the
17 coaches or the sleepers up to the coaches and then I
18 didn't hear anything from Will for a while. He was
19 going his way, I was going mine and I went inside. It
20 was strangely quiet. You would think something like
21 that would be a lot more chaotic, screaming or you know
22 people calling out and stuff.

23 It was really eerily quiet and I started
24 doing loud verbal commands. Is everybody okay? Does
25 anybody need help? There were younger people that

1 were trying to help and pull windows out and climb up
2 and help people get up. People were worried about
3 their baggage, and I instructed them just to leave it
4 on the train, we got to get off the train, that's our
5 main concern right now is to get everybody to safety.
6 We'll worry about the other stuff later.

7 To push the doors up, we were using luggage,
8 windows and stuff because the way the train was on its
9 side the doors were stuck shut and we had to override
10 them. I used my key and pushed up the door and
11 somebody would help me put the window in the way to
12 keep the door up and I was trying to get everybody to
13 go to the 14 car so that we could get out the back. It
14 seemed probably safer than people trying to climb up
15 and then go the other way.

16 We got through, as I was going through the
17 train there was a guy that had COPD that was
18 complaining of his ribs being busted up and he was
19 having a hard time breathing. There was a lady not too
20 far from him that had a dislocated shoulder, you could
21 see the bone in her jacket, it wasn't like coming out
22 of the skin or anything but you could see the deformity
23 and she was you know holding her arm.

24 We could hear, about that time, sirens and
25 the flashing lights and people trying to help. There

1 were other elderly people that were less mobility able
2 that I was helping trying to get to a good place where
3 they could get off the train.

4 About that time I had made it to the 13 car
5 and was trying to get to the door to go to the 14 car
6 and there was a fireman on the other side and I could
7 only see out of the window, the little bitty hole and
8 told him you know can we open the door so that we can
9 get these people out? And he said no, that the
10 diaphragm had mashed around the door, we wouldn't be
11 able to go out that way and I said okay the only other
12 way we can get out is to go up. The other way is not
13 safe, we shouldn't go that way.

14 So, I know there were people climbing out.
15 You know some of them were doing it on their own. I
16 went back. He asked if there was injured people on the
17 train. I said if we went another car forward there was
18 a guy with COPD and explained the situation with the
19 lady with the shoulder, and he said okay, we're going
20 to put a ladder down and help everybody out of this car
21 and then we'll go back to the 12 car and start getting
22 them out.

23 There was young people, I have to say this,
24 that they really pitched in and helped their fellow
25 man. It was kind of -- it was a good deal. I know we

1 could have had probably a worse batch of passengers but
2 you know these people helped each other out and you
3 know just jumped right in. OBS, Jorge was in there
4 with me. You know we were trying to get people up and
5 out and he was going one way and I was trying to get to
6 the end and back.

7 Once we got everybody off the train and we
8 helped the guy with the ribs, we stood him up and got
9 him out. We helped the lady with the shoulder up and
10 out. There were firemen in the train about that time
11 helping get people going. I know once we got everybody
12 out I went through with Will, we met up then to double
13 check and go through the train to make sure we had got
14 everybody off the coaches.

15 Then when we were good with that, he sent me
16 up front to get everybody off the sleepers and he said
17 I'll stay back here, and I think there was one person
18 that they were working on with Will trying to get them
19 out and he sent me up there to get the people off the
20 sleepers and I could hear the passengers saying, as I
21 was going out, that they were cold.

22 So I saw Cynthia and Frita and Judy and said
23 towels and blankets whatever we can find, just get it
24 off the train and hand it out to the people so that
25 they can be warm and I said take the glow sticks and

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1 give them, put them around their necks so they don't
2 wander, we can see where they're at and kind of
3 identify them just from looking out, it was dark, to
4 better be able to identify them. And after we did all
5 of that and we got everybody off the coaches or the
6 sleepers there was law enforcement there helping verify
7 that we had everybody off the train.

8 I briefly bumped into Jen in passing, that's
9 the engineer, and we talked for just a little bit and
10 asked her you know what happened and she said that you
11 know the rail was bent and it wasn't just a little bit,
12 it was bad. And Will and her and I were standing there
13 talking doing kind of a job briefing; what do we do
14 now?

15 And he said okay, I'm going to stay with the
16 train. I want you to go to the community center with
17 the OBS, get a head count and offer whatever bit of
18 assistance that I could to the passengers. Give them
19 updates of information or anything. We got in. I know
20 we had a total of 130 passengers that were supposed to
21 be on the train according to the EMD.

22 We did a head count. The best that we could
23 come up with, not knowing exactly how many people went
24 to the hospital and everything, we got to 129, and that
25 is the best that we could come up with number-wise that

1 was accounted for. After that the firemen were kind of
2 standing around and asking, what can we do? What do we
3 need to do? I said well if it's not too much trouble
4 if they could go back to the train and take the baggage
5 off for the passengers, because there were quite a few
6 concerns about people with medications and they had a
7 special needs gentleman that needed his seizure
8 medication within the next two or three hours. So I
9 figured it would be best if they could go on the train
10 and you know with their protective gear and everything
11 that they have to get the baggage and bring it back.

12 I called Will and let him know that they
13 were coming, that they were kind of looking for
14 something to do and that we needed the medication and
15 stuff for the few people to go back to the crash site
16 and talk to him and start from the baggage car and take
17 all the check baggage off and then go through the
18 sleepers and then so on, to get back to the coaches and
19 remove whatever was handy for personal effects for the
20 passengers.

21 They brought it in here at the center, backed
22 the trailer up and was unloaded surprisingly fast for a
23 big old trailer full of luggage. It was empty in like
24 two minutes flat. So the passengers were able to get
25 their baggage. There was a few minor things in the

1 sleepers. You know people left stuff in the closet or
2 my cell phone charger was plugged in at my seat and
3 stuff like that.

4 At that point I had really appreciated what
5 the fire department had done for us and I didn't really
6 want to send them on a wild goose chase for little
7 bitty bits of personal effects for the passengers and I
8 made an announcement to everybody and let them know
9 that the site was off limits for everybody, and until
10 it was daylight and we had a much safer place to go
11 through the train and get things off, these guys here
12 did an excellent job getting what they could off the
13 train and all the passengers stood up and applauded the
14 firemen.

15 And the Red Cross guys after that were
16 worried, you know, how long are you going to be here?
17 We need to start working on getting the logistics
18 figured out of what we're going to do for breakfast, if
19 these people are going to be here. I called my
20 supervisor, Carl Picanto, he's the train master for La
21 Junta, and he told me that they were going to be there
22 for a while, that the buses weren't going to be there
23 until after eight o'clock.

24 They were looking at a time frame of serving
25 breakfast between seven and seven-thirty so we got

1 started with that and they were making their phone
2 calls. About that point people started coming in from
3 the hospital that had went in an ambulance or anything
4 and we were getting their names as they were coming in
5 and information so that we could have a more accurate -
6 - of who we had here and all their information and then
7 the Kansas City crew showed up shortly after that and
8 so did Carl and then they relieved us and took us to
9 the hotel.

10 MR. TORRES: Okay, at this moment I don't
11 have any questions but I'll pass it on to the group.

12 MR. WESSLER: I don't have anything, sir.

13 MR. TORRES: All right.

14 MR. WHALEN: Charles Whalen, W-H-A-L-E-N,
15 Passenger Rail Safety Specialist FRA Headquarters.
16 After the derailment, did the lights go out in the car
17 and the emergency lights come on?

18 MR. STOVALL: All the lights were still on
19 for a short, a brief time. Will, the conductor, told
20 them to drop ETP once we saw what was going on in the
21 back. I want to say no on the emergency lighting in
22 the coaches. The lights you could see were still on
23 from the café car forward, but when the coaches were on
24 their side, there was no light. We had flashlights, I
25 grabbed my lantern out of my bag before I stepped off

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1 the train and I had given that to Jorge when we were
2 inside the train. The only real lighting inside the
3 train I think in the coaches was people's cell phones,
4 and some people had flashlights or laptops. That was
5 kind of the only lighting it seemed like to me inside
6 the coaches.

7 MR. WHALEN: What about, for a better term,
8 the LLEPM, but I'll just say the glow in the dark stuff
9 that's supposed to be on the floor, did that ---

10 MR. STOVALL: It was working. Some of it
11 was broken and you could see it. I remember that
12 laying on the side, some of it you could see it on the
13 walls, well it was actually the floor, but the way it
14 was.

15 MR. WHALEN: Okay so that worked?

16 MR. STOVALL: Right and the glow sticks,
17 that was really good to have handy. We were passing
18 those out and it was a good tool.

19 MR. WHALEN: Did the responders take any
20 windows out from the outside of the cars or was
21 everything pulled from the inside?

22 MR. STOVALL: I'm pretty sure from what all
23 I observed that most of the windows had been removed
24 from passengers and Jorge inside the car. I think we
25 did move and take one window out with the firemen there

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1 so that they could drop the ladder in close to the two
2 people that were injured in the 12 car.

3 MR. WHALEN: PA announcements, nobody made
4 any but --

5 MR. STOVALL: Right.

6 MR. WHALEN: Do you know if in the sleeping
7 cars forward, the ones that stayed onboard, did they
8 make announcements?

9 MR. STOVALL: When we were -- when I was at
10 the café car for the first time, and Jorge was trying
11 to get people out of the car and off the roof, I
12 remember as the people were coming out the side where
13 it was leaning and pulling them up the bank I said,
14 "Jorge, call on the PA in the front to get people to
15 come up here so that we can, that we're going to need
16 assistance". The people in the front had no idea what
17 had happened yet in the back and he and I talked about
18 it later at the hotel, that he remembers me telling him
19 that but he said he was so disoriented that he looked
20 around and he knew the equipment, but at that time,
21 because he was in the coaches when they went over and
22 he was so disoriented, he couldn't remember where the
23 PA was and he said he didn't make the announcement.

24 MR. WHALEN: Did you hear any announcements
25 at all, I know you were outside but when you got back

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1 inside did you hear anybody make an announcement?

2 MR. STOVALL: No, at that point it was all
3 just loud, we need everybody to step off the train,
4 leave your baggage on the train. You know exit going
5 out the right hand side of the train so that they
6 weren't closer to the highway, they were further away.
7 It was all done by loud verbal communication. Not only
8 from myself but from the OBS staff that were on the
9 train.

10 MR. WHALEN: When the train went on the
11 ground, you were up towards the head end, in the cars
12 that didn't derail?

13 MR. STOVALL: Right, I had just cut a ticket
14 in the dining car, and had walked up front to put the
15 ticket in our pouch for accountability and I had just
16 got up there, put the ticket in the bag and sat down
17 and looked at Will, and then the train started shaking
18 really bad and the loud clacking and rumbling and he
19 said hang on.

20 MR. WHALEN: But that car you were on made
21 it through?

22 MR. STOVALL: Yes.

23 MR. WHALEN: I guess all that rumbling and
24 stuff was from the stuff that you were pulling?

25 MR. STOVALL: Um, hum.

1 MR. WHALEN: Okay.

2 MR. SPRAGUE: Ron Sprague, S-P-R-A-G-U-E,
3 BLET Safety Task Force. Mr. Stovall, I didn't get your
4 job title?

5 MR. STOVALL: Assistant conductor.

6 MR. SPRAGUE: Assistant conductor?

7 MR. STOVALL: Yes, sir.

8 MR. SPRAGUE: As the assistant conductor,
9 normally what car do you ride on during your trip?

10 MR. STOVALL: At the point that the OBS
11 staff are done in the diner and at that point up till
12 we get off in Dodge where you walk the coaches and stay
13 in the dining car. And the conductor usually stays up
14 front or comes up in the dining car also, but because I
15 cut the ticket, that's why I went forward so that I
16 could put it up for accountability reasons and I don't
17 know.

18 MR. SPRAGUE: Okay. Is the dining car the
19 car that you and the conductor normally ride in?

20 MR. STOVALL: Yes, sir. After the staff
21 have gone down and closed the diner and it's usually
22 the one attendant or no attendant, it's just depending
23 on the season where we're at that we stay upstairs in
24 the dining car and if there is no attendant then I'm
25 usually back in the coaches walking the coaches fairly

1 regularly.

2 MR. SPRAGUE: I don't have any further
3 questions, thank you.

4 PARTICIPANT: I have no questions at this
5 time either.

6 MR. O'CONNELL: I have a couple of
7 questions. Oh, I'm sorry Danny O'Connell, O-C-O-N-N-E-
8 L-L, Amtrak Assistant Superintendent. I have a couple
9 of questions that you could maybe help out, as it goes.
10 What's an EMD?

11 MR. STOVALL: It's our -- it's our Amtrak
12 phone and I can't even tell you the acronym, electronic
13 monitoring device or what it stands for, but it helps
14 us have accountability of everybody on the train as far
15 as name and where they're going, where they got on at
16 and if their ticket's been lifted. It has a scanner on
17 it so we can scan their tickets. We can manually put
18 it in as -- if on the account of I cut the guy a ticket
19 from Garden City, I had to put him in as honored, not
20 found. It also has a few other features, the phone it
21 has a light on it, it can tell us who's onboard for
22 staff as far as OBS, the conductors, who's going to be
23 taking over when we get to where we're going and the
24 engineers. It's kind of like our, our bible for the
25 train.

1 MR. O'CONNELL: Okay so it's not a -- it's
2 not a walkie talkie?

3 MR. STOVALL: No

4 MR. O'CONNELL: But it's much more of --
5 you can communicate to Oakland -- to the operations as
6 a telephone?

7 MR. STOVALL: Um-hmm.

8 MR. O'CONNELL: You use it to scan tickets.

9 MR. STOVALL: Yes, sir.

10 MR. O'CONNELL: So it's basically the
11 informational highway for you?

12 MR. STOVALL: Yes, it's everything. It
13 replaces paperwork. It's a whole lot more efficient.

14 MR. O'CONNELL: Okay. My next question was
15 that you talked about the doors, you had to prop the
16 doors open. Would you maybe call them like a pocket
17 door, is that how you maybe refer to them?

18 MR. STOVALL: The in doors?

19 MR. O'CONNELL: The in doors, is that what
20 you were referring to that you had to block open?

21 MR. STOVALL: Yes. Right, the in doors
22 because we were laying on the fireman side the doors
23 were closed and we had to manually override with the
24 key to be able to physically push the door up and then
25 we took a window and propped it inside the doorjamb to

1 maintain the door in the upward position so people
2 could crawl through the cars.

3 MR. O'CONNELL: Okay and that's because of
4 maybe a loss of air, I believe they're pneumatic in a
5 sense, they're electric and pneumatic. They're
6 electric so that they operate automatically --

7 MR. STOVALL: Right.

8 MR. O'CONNELL: -- When you open them but
9 through air, right?

10 MR. STOVALL: Right and well gravity was
11 against us.

12 MR. O'CONNELL: Once you released them with
13 the key you could open them but then you had to prop
14 them open.

15 MR. STOVALL: Yes, right, so that people you
16 know could climb through and if we didn't it would just
17 slam right back down.

18 MR. O'CONNELL: Okay and then you referred,
19 one other reference was a diaphragm, what's a
20 diaphragm?

21 MR. STOVALL: The diaphragm is the bushing
22 that goes between the two cars that allows people to
23 travel through the train while it's moving and it's the
24 big rubber bushing and metal flanges that freely, and
25 take up the shock as the cars you know come together or

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1 come apart.

2 MR. O'CONNELL: Okay. And that was out of
3 whack so you couldn't have access through it because of
4 that.

5 MR. STOVALL: Yes, right.

6 MR. O'CONNELL: Okay, when was the last time
7 you went to block training?

8 MR. STOVALL: I'm supposed to go next week.

9 MR. O'CONNELL: Okay, so you haven't gone to
10 2016?

11 MR. STOVALL: No, I just started with Amtrak
12 in June.

13 MR. O'CONNELL: Okay, that's what I was
14 going to ask you.

15 MR. STOVALL: This is my first year.

16 MR. O'CONNELL: So you just hired out in
17 June?

18 MR. STOVALL: Yes, sir.

19 MR. O'CONNELL: June of 2015?

20 MR. STOVALL: Yes, sir.

21 MR. O'CONNELL: And your initial training,
22 you did training in Wilmington?

23 MR. STOVALL: Yes, sir.

24 MR. O'CONNELL: Did you have some evacuation
25 training?

1 MR. STOVALL: Yes, we have evacuation
2 training and protocols that is covered in our Service
3 Standards Manual on what we need to do, but it can't
4 even prepare you for the real world experience and I
5 don't mean that in a bad way, but I'm a volunteer
6 firefighter where I live in Ordway, Colorado. I did 16
7 years of corrections before, that so the emergency side
8 of it I relied a lot on my previous experience. What
9 we learned with Amtrak came in handy so we knew where
10 all the emergency equipment was, what we had at our
11 disposal. I remember at one point grabbing a first aid
12 kit and carrying it through the train until there was -
13 - I realized that there was nobody that was really
14 going to benefit from it so I you know immediately just
15 tossed that. The emergency training -- so I have other
16 stuff from not only Amtrak but I have other experiences
17 that I could bring into play. Kind of the window thing
18 with the doors, you know you have to be resourceful
19 with what you got because we didn't know how long -- I
20 know we're in Cimarron, Kansas and it's a really small
21 town and I have to commend the firefighters because it
22 was a really quick response for such a small town and
23 we just did the best we could with what we had.

24 MR. O'CONNELL: Well, I think as a group
25 we'll say you guys did a great job.

1 MR. WESSLER: Fantastic.

2 MR. O'CONNELL: So, thank you.

3 MR. TORRES: Any follow up questions from
4 anybody?

5 MR. WESSLER: I don't have a follow up
6 question. Rich Wessler, W-E-S-S-L-E-R, BNSF Railway.
7 I would just like to make a statement that for a
8 relatively new employee, you gave an absolute excellent
9 description of the events, and one that was much better
10 than some seasoned veterans that I've sat through so,
11 thank you very much.

12 MR. STOVALL: Yes, sir.

13 MR. WESSLER: Very nicely done.

14 MR. O'CONNELL: Danny O'Connell. One more
15 follow up question. On all the cars behind the seats
16 there were the emergency evacuation brochures?

17 MR. STOVALL: Yes, sir.

18 MR. O'CONNELL: We had spoken earlier about
19 between 10:00 p.m. and 6:00 a.m. we don't make
20 announcements?

21 MR. STOVALL: At 9:30 when we do the quiet
22 time announcement --

23 MR. O'CONNELL: Right.

24 MR. STOVALL: -- we make the announcement
25 and the time zone change that there won't be any more

1 station stop announcements throughout the night, and
2 that they need to stay under their seat check so we can
3 help them de-train at their stops throughout the night.
4 I made that announcement at 9:30 in La Junta. As I
5 depart I always make the -- after I check the marker
6 lights and backup hose, how many cars we got, I always
7 make the service announcement as we're departing La
8 Junta, welcome to train number four for those of you
9 that joined us in La Junta and there is the part about
10 the safety cards, the emergency safety card. I can't
11 even think of what it's called right now. That the
12 emergency cards are located in the seat backs in front
13 of you and the sleeping car accommodations. It's part
14 of my, every time.

15 MR. O'CONNELL: Okay, the question is
16 between after you make that announcement and all the
17 intermediate stops that you do in the middle of the
18 night where you board passengers.

19 MR. STOVALL: Yes, sir.

20 MR. O'CONNELL: Do you convey any
21 information about evacuation to the passengers that get
22 on in the middle of the night, do you refer to the
23 brochure or anything like that or did you that night?

24 MR. STOVALL: No, I make it at the initial
25 departure of the terminal, the crew change point.

1 MR. O'CONNELL: Right.

2 MR. STOVALL: But as we get to Lamar and
3 then between Lamar and Garden City, we make that quiet
4 time announcement and it's usually about 45 minutes
5 from Garden City so I don't make it at the Lamar one,
6 no.

7 MR. O'CONNELL: Okay.

8 MR. STOVALL: Maybe I need to start doing
9 that.

10 MR. O'CONNELL: Well, I think we'll -- we
11 may come up with some policy and procedure in that
12 everybody knows what to do whatever time they get on
13 the train.

14 MR. STOVALL: Right.

15 MR. O'CONNELL: So, this is learning, this is
16 what we're doing. This is to make it better next time.

17 MR. STOVALL: Right and it's a working
18 practice you know that we in La Junta, because we go
19 from La Junta to Lamar, takes 55 minutes, and I can say
20 for myself that I don't make that announcement after
21 Lamar. But I do make that we departed Lamar, Garden
22 City is coming up next, in 90 minutes we will be going
23 through a time zone change, I'll make an announcement
24 at 9:30 and then it might be a good idea to dent it
25 out.

1 MR. O'CONNELL: Then on the reverse trip in
2 the morning you come back when you make your first
3 announcement after quiet time then do you do a safety
4 announcement at that point?

5 MR. STOVALL: On the return trip?

6 MR. O'CONNELL: Right.

7 MR. STOVALL: At 7:30 we ---

8 MR. O'CONNELL: You're almost coming into La
9 Junta then right?

10 MR. STOVALL: -- right, but it's right about
11 Lamar, just after Lamar usually and we get into La
12 Junta between 8:15 and 8:30, we make that announcement
13 the one time, but not --

14 MR. O'CONNELL: But not at the previous stop?

15 MR. STOVALL: -- and the quiet time stuff.

16 MR. O'CONNELL: Okay.

17 MR. STOVALL: Because it's quiet time until
18 7:30 in the morning.

19 MR. O'CONNELL: Okay, that sounds good.

20 That's all I have thank you.

21 MR. WHALEN: I have follow up questions.

22 MR. STOVALL: Yes, sir.

23 MR. WHALEN: Charles Whalen, W-H-A-L-E-N,
24 Passenger Rail Safety Specialist, FRA Headquarters. If
25 you have passengers getting on at the stop before where

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1 this happened, and for whatever reason you didn't
2 explain that to them, that's something that Amtrak has
3 to look into.

4 MR. STOVALL: Uh-hmm.

5 MR. WHALEN: And I'm not faulting you at all
6 because I believe it's part of the training process
7 that isn't conveyed because on the 188 accident, in
8 Philadelphia, the exact same thing happened.

9 MR. STOVALL: Right.

10 MR. WHALEN: So it could be part of Amtrak's
11 training or it might not be. I also have talked to a
12 few people at Amtrak about PA announcements and
13 Amtrak's big thing that tells everybody what they're
14 supposed to do -- the onboard attendants are supposed
15 to shut their PAs off at a certain time so that when
16 you make those quiet time announcements at whatever
17 time, 9:30, people are already asleep in the sleeping
18 cars so that's off and they never hear that and it's
19 not supposed to be turned on again until a certain
20 hour.

21 MR. STOVALL: 7:30.

22 MR. WHALEN: 7:30 but they don't do it until
23 nine o'clock. Now stuff happens between 7:30 and nine
24 o'clock and it affects the train, those people never
25 know about it.

1 MR. STOVALL: Right.

2 MR. WHALEN: And it's something I brought up
3 to Amtrak numerous times and supposedly they're trying
4 to correct that and there is the perfect example of
5 what you just brought up there. But I'm not faulting
6 you at all.

7 MR. STOVALL: Yes.

8 MR. WHALEN: I truly believe it's a training
9 thing.

10 MR. TORRES: Okay, there's no more follow up
11 questions. Tomas Torres with NTSB, I'd like to ask you
12 a few questions here.

13 MR. STOVALL: Yes, sir.

14 MR. TORRES: What's the train ID, train
15 symbol that you were on that day?

16 MR. STOVALL: The train that we were running
17 was 153.

18 MR. TORRES: Is there like an Amtrak --

19 MR. STOVALL: Amtrak?

20 MR. TORRES: Four, five?

21 MR. STOVALL: Train number four but on our
22 GTBs it was 153, was the engine number, the lead engine
23 is what carries our identification for radio traffic or
24 anything.

25 MR. TORRES: Okay, on the three previous

1 days before this when you went on duty this day, March
2 was it 14th?

3 MR. STOVALL: Okay.

4 MR. TORRES: What was your work cycle like?

5 MR. STOVALL: Three days before?

6 MR. TORRES: Yes, whatever you can recall.

7 MR. STOVALL: I have a book and I just keep
8 track of the days that I work and I believe I worked
9 Wednesday with Will Benoit and Marilyn Lucero was the
10 engineer, so -- wait the accident happened on, so and I
11 was off for three days. I worked the Wednesday, I was
12 off, I stayed marked up on my relief day and then I was
13 off Thursday, Friday, Saturday and came to work Sunday
14 and I worked on the Wednesday before.

15 MR. TORRES: Are you regular on this job?

16 MR. STOVALL: I'm an extra board. I don't
17 have a regular spot yet. I started in June and I don't
18 have enough seniority.

19 MR. TORRES: Do you take any prescription or
20 non-prescription drugs?

21 MR. STOVALL: I take prescription
22 medication.

23 MR. TORRES: Okay, what's your hire date and
24 employment history?

25 MR. STOVALL: My hiring date is June of

1 2015. I couldn't tell you if it's the ninth or the
2 eighth, the exact day that I had my physical. My work
3 history, let's see. I graduated high school in 98 and
4 went to work for the Navy for ten and a half months. I
5 had a medical condition that I went in with.

6 MR. TORRES: I mean the Amtrak employee
7 history.

8 MR. STOVALL: Oh, okay. I just started in
9 June so it's only, you know, less than a year working
10 in La Junta.

11 MR. TORRES: So, when were you certified as a
12 conductor?

13 MR. STOVALL: I'm not.

14 MR. TORRES: Oh you're not, you're an
15 assistant conductor.

16 MR. STOVALL: I am an assistant conductor.
17 I have to go to California, I think it's around in
18 September to take my conductor certification final.

19 MR. TORRES: Do you know when was the last
20 time you had a check ride, train ride with a manager or
21 efficiency test of any type?

22 MR. STOVALL: Carl reviewed me the other day
23 for a class II, you know he has to keep running tabs on
24 everybody that works at the station and show that they
25 can efficiently do a class II and other various tasks

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1 that we do, and I just had that the other day and Jim
2 Bullerwell (phonetic) has rode on the head end when I
3 worked not too long ago and Carl rode in the body of
4 the train several times with me to make sure you know
5 that I was good at what I do. He was with us when we
6 had the car fire in Lamar.

7 MR. TORRES: What's a class II?

8 MR. STOVALL: A class II break test, to
9 check the continuity of the air throughout the consist
10 of the train.

11 MR. TORRES: Okay, did your training prepare
12 you for the requirements of your job?

13 MR. STOVALL: Yes, it gave me all the
14 knowledge and everything that I needed to prepare me
15 for when I got to La Junta. A lot of it was on the job
16 training. They give you a good idea of what you're
17 going to be doing but you never really know until you
18 get there and actually have to do it and just learn by
19 doing it.

20 MR. TORRES: Did you use your cell phone
21 while on duty?

22 MR. STOVALL: No. My cell phone stayed off
23 and in my grip until I left here from the center and
24 went to the hotel.

25 MR. TORRES: Is this a safe place to work

1 for?

2 MR. STOVALL: It's a lot better than what I
3 used to do. It just -- the toys are bigger so I mean,
4 just have to be careful and watch out, pay attention.

5 MR. TORRES: Is there anything else you
6 would like to add, any comments?

7 MR. STOVALL: No, there's going to be
8 follow-up with this to let us know the outcome and
9 everything?

10 MR. TORRES: We will let you know if we have
11 any additional questions for you or anything like that.
12 We'll give you a call, well set it up in advance.

13 MR. STOVALL: Okay,

14 MR. TORRES: But this is the initial
15 interview, we're just gathering information.

16 MR. STOVALL: Right.

17 MR. TORRES: I don't have anything else, do
18 you guys have anything? Thank you for giving us your
19 time for the interview. You were very -- had a lot of
20 information and I thank you a lot.

21 MR. STOVALL: No problem.

22 MR. TORRES: This will conclude the
23 interview.

24 (Whereupon, the above-entitled matter went
25 off the record.)

C E R T I F I C A T E

MATTER: Accident That Occurred on
La Junta Subdivision March 13, 2016
Accident No. DCA16MR004
Interview of Nickolas Stovall

DATE: 03-15-16

I hereby certify that the attached transcription of page 1 to 34 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



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