

NATIONAL TRANSPORTATION SAFETY BOARD

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 IN RE: :
 :
 THE HEAD-ON COLLISION : NTSB Accident No.
 THAT OCCURRED NEAR : DCA16FR008
 PANHANDLE, TEXAS ON :
 JUNE 28, 2016 :
 :
 :
 ----- :

Interview of: CLAY SIMS

Friday,
July 1, 2016

Panhandle, Texas

BEFORE:

TOMAS TORRES, NTSB
 STEVE DUPONT, FRA
 ERICH JESKE, BLET
 RAFAEL MARSHALL, NTSB
 STEVE FACKLAN, BLET
 CHRIS MARTINEZ, FRA

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

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

2 (Time not disclosed)

3 MR. TORRES: Okay, we're going to get
4 started. This is a NTSB informal interview. My name
5 is Tomas Torres, T-O-M-A-S, T-O-R-R-E-S. Today's
6 date's July 1st. We are at Panhandle interviewing the
7 carman --

8 MR. SIMS: Yes, Clay Sims. Clay, C-L-A-Y.
9 Sims, S-I-M-S.

10 MR. TORRES: -- in connection with an
11 accident that occurred at, near Panhandle, Texas June
12 28th, 2016. The NTSB accident number is DCA16FR008.

13 And the purpose of the investigation is to
14 increase safety and not to assign fault, blame or
15 liability. NTSB cannot offer any guarantee of
16 confidentiality or immunity from legal or certificate
17 actions.

18 A transcript, a summary, of the interview
19 will go in the public docket. The interviewee can have
20 one representative of the interviewee's choice. Do you
21 have anybody you would like to be present?

22 MR. SIMS: No. No, sir.

23 MR. TORRES: Thank you. You understand it's
24 being recorded?

25 MR. SIMS: Yes, sir.

1 MR. TORRES: Okay. Okay, let's get started.
2 And if can tell us a little, a brief description of
3 your work history with the BNSF and then what you
4 (inaudible).

5 MR. SIMS: Starting on the Sante Fe Railway
6 back in 1994, December 6th. And my whole career I've
7 spent in Amarillo. I was a yard inspector for roughly
8 six years. Went through for four years and then came
9 on wheel truck for, I believe, about eight. And now
10 I'm doing a safety training coordinator and
11 participating with ALT and the safety team in Amarillo.

12 MR. TORRES: Okay. Not on day of the
13 accident, can you tell us where you were at or what you
14 saw and heard?

15 MR. SIMS: Yes, sir. It was June 28th, 2016.
16 And I was sitting in my house and at approximately 8:22
17 I hear the sound, I hear the slack rolling in it's not
18 normal for that much slack. So I, immediately I jumped
19 up and I'm running out of the house. My wife was right
20 behind me. And I told her, we got to go. This is
21 going is not, that's not just slack action.

22 So we jumped in my pickup. We go up to
23 right here in front of the livestock building. And I
24 see the train piled up. I drive across towards where
25 the engines were, that you can see the engine were.

1 There was a couple of them on fire.

2 I jump out and there's a man waving. And I
3 get up on his, Derek, Derek that I work with. And he's
4 got a gash on the back of his head. And I tried taking
5 my shirt off to put over where he's bleeding.

6 My wife was on the phone with the railroad
7 immediately after we -- as soon as we walked out of the
8 house I had her dial on my phone to call work because I
9 knew it wasn't right. And by the time we got up there I
10 made her hang up, call 911, try to get an ambulance to
11 him as I -- I know, I had a brief talk with him as we
12 were up there.

13 I told him I was working for BNSF and is
14 there anything I can do? How many crew members did you
15 have and were there any dead hit? And he told me about
16 his lady, the lady conductor that was up there on the
17 end of (inaudible).

18 And he said he couldn't believe they -- they
19 were on my track. He said I tried like crazy to get
20 her to jump off, and I assumed she was going to leave
21 behind me. And I -- or so he (inaudible) locomotives,
22 started going, what I assume, was the lead locomotive,
23 back to three locomotives until the fire was so hot I
24 couldn't go an farther.

25 Jumped back off, ran over to my wife to make

1 sure that he was with my wife. She's a RN, Elly
2 (phonetic). And so I told him keep away from it. I
3 turned around and ran back over there and tried again,
4 tried to make sure other people on the car were already
5 screaming (inaudible).

6 So I proceeded back to my pickup and I
7 actually was, I met a officer up there, on the second
8 time going through, Jason -- his last name? It's JC.
9 I forget his last name at this point. But I met with
10 him and we went (inaudible) shortly or after everybody
11 starts going back by 5:00.

12 MALE PARTICIPANT: I was just checking on
13 everybody to make sure they was doing okay.

14 MR. TORRES: Thank you.

15 MR. SIMS: And I talked a little bit to Stacy
16 Stokes (phonetic). He said you all might be asking
17 question. So like when I ran out of the house did I
18 hear, was it first and, I tell you, I did not hear -- O
19 didn't hear a pop and the brakes weren't squealing. It
20 looked like they it was just rolling in.

21 MR. TORRES: Now which train are you
22 referring to? The eastbound or westbound?

23 MR. SIMS: The westbound. I could hear the -
24 - it would be the eastbound coming up and the
25 westbound, I could see, you know, I live down here, you

1 could see it was two different trains, except one of
2 them was full of intermodal. I guess it was a Q train
3 or a stack train. You could tell it was two different
4 trains.

5 MR. TORRES: But the slack action, where did
6 you hear it from?

7 MR. SIMS: From inside my house. You could
8 hear it before --

9 MR. TORRES: Oh, but you couldn't tell what
10 direction, you know, east or west?

11 MR. SIMS: No, sir. I just knew that the
12 slack was, it wasn't right. I've been around the
13 railroad industry a couple years. You know when
14 something's not right.

15 MR. TORRES: Right, yes. Yes, understood

16 MR. SIMS: You could just hear it stacking
17 in.

18 MR. TORRES: So once you heard all the stack
19 action -- how far is our home?

20 MR. SIMS: Maybe 600 yards from the stacking

21 MR. TORRES: North or south?

22 MR. SIMS: It would be northeast. Northwest
23 was (inaudible). I'm not (inaudible).

24 MR. TORRES: Are you near the crossing? You
25 know, like those crossings?

1 MR. SIMS: No, sir.

2 MR. TORRES: West is that way, due west,
3 that way you don't --

4 MR. SIMS: Yes, sir. I'm northwest. That
5 crossing is probably five blocks done. And I walked
6 over about five blocks towards the west and then I
7 walked south.

8 MR. TORRES: So once you came out here,
9 where was that engineer when you kind of came across
10 it?

11 MR. SIMS: He was coming, there was a swift
12 box and a locomotive, and he was coming from around
13 here. He came right from that box and straight on.

14 MR. TORRES: What kind of box?

15 MR. SIMS: A swift container box.

16 MR. TORRES: Oh.

17 MR. SIMS: There was one that was full of
18 paper towels, right, like the one I assumed was the
19 lead.

20 MR. TORRES: Now he was standing? Walking?

21 MR. SIMS: He was walking and waving. As
22 soon as he started pulling into pasture he started
23 waving at us.

24 MR. TORRES: Was there anybody else around,
25 other than yourself?

1 MR. SIMS: No, sir. Well, my wife, but she
2 stayed in the pickup. And I went running across the
3 field to (inaudible). And then immediately Bobby
4 Hintland (phonetic) showed up, which his brother -- or
5 his brother and other family members work for the
6 railroad.

7 He was concerned too. He was trying to
8 (inaudible) his brother because his brother had just
9 actually just made it into the -- he was. And than
10 Brandon (phonetic) showed up, which is another brother.
11 And his brother-in-law was on the train behind it.
12 They were all concerned about the family members that
13 were either right here or (inaudible).

14 MR. TORRES: And if, again, can you explain
15 -- what did the engineer say, I mean, when you met him?

16 MR. SIMS: He was grabbing his head and he
17 may have -- he was hurt so he may not have -- he was
18 very confused and excited. And I, like I said, I told
19 him I work for the railroad and I recognized his face.
20 And he was freaking out and he -- I said, man, talk,
21 tell me how many crew members you have, if there's any
22 dead heads or anything else.

23 And he said, no, it's just one other lady on
24 our train and he said (inaudible). And I said, do you
25 know what happened? He said, I cannot believe it. He

1 said they were on our track. He tried -- he said that
2 he had tried to get her to get off and he couldn't get
3 her to jump.

4 And he baled off and thought that she was
5 behind him. But that's basically all the talking that
6 we did. And that was within a few, maybe two minutes.
7 And I just took off to look at the train.

8 MR. TORRES: And you went to the
9 locomotives?

10 MR. SIMS: Yes, sir. I crawled through the
11 conductor's side of the locomotive I thought was the
12 lead, eastbound. And, turns out, it wasn't. It was
13 just (inaudible) so I went through that to the second
14 one back and the third one back.

15 MR. TORRES: But it was already ignited
16 wasn't it? Or was there smoke coming --

17 MR. SIMS: Yes, sir. You could see one cow
18 catcher up in the air. And there was a front of the
19 locomotive where it had built back from cow catcher
20 back. You could see the battery burnt air blocks
21 running. I remember seeing that. But that was after I
22 climbed down and I was off.

23 That's when they first started, where I have
24 a couple pictures, although (inaudible) if you all are
25 interested.

1 MR. TORRES: Yes, certainly.

2 MR. SIMS: And you can scroll through those.

3 This --

4 MR. TORRES: Is that when you arrived or
5 when you were walking back?

6 MR. SIMS: It was, actually my wife was taken
7 those, is I was in, up in it. I didn't take my phone
8 or anything because she was on it. I had it on the
9 railroad, and I believe she used her phone to call 911.

10 MR. MARTINEZ: Yes, that's.

11 MR. TORRES: Pass it on. Those, from your
12 home, can you hear the horns like daily?

13 MR. SIMS: Yes, sir.

14 MR. TORRES: Did you hear anything that day?

15 MR. SIMS: You mean, as close as I am to it,
16 I can't recall if that -- I did not hear it. So, I
17 mean, it's just something I've learned to block out. I
18 couldn't --

19 MR. TORRES: So you don't know if -- you
20 can't recall if you heard them at that point?

21 MR. SIMS: Yes, sir. I cannot recall.

22 MR. TORRES: You're just used to trains
23 coming by --

24 MR. SIMS: Yes, sir. I'm used to hearing it.

25 MR. TORRES: -- and (inaudible) train.

1 MR. SIMS: My wife says, when a train goes by
2 at night I quit breathing until the whistle was
3 honking. And it'll get by a little bit and I'll go
4 back to breathing. So I guess it's just like I learned
5 to cut it out.

6 But that, I mean, stuff that sticks in your
7 head could, when that sound goes off you know exactly
8 it -- it was not -- that's a sonic action. And they
9 can, and they've switched yard or the little mini yard
10 right here beside us and that would be totally
11 different.

12 MR. TORRES: Okay, I'm going to pass if on
13 to my friend then.

14 MR. JESKE: Erich Jeske, E-R-I-C-H, J-E-S-K-
15 E, BLET Safety Task Force, Primary Investigator. At
16 this time I don't have any questions. I'll wait until
17 next round.

18 MR. MARSHALL: I apologize. I'm going to
19 pass right now too.

20 MR. MARTINEZ: Chris Martinez, FRA, Full
21 Team Inspector. No questions at this time.

22 MR. FACKLAN: Steve Facklan, F-A-C-K-L-A-N,
23 BLET Safety Task Force Party Spokesman. Just, I'm
24 trying to diagram this out, Clay.

25 MR. SIMS: Yes, sir.

1 MR. FACKLAN: Can you help me here? When
2 you came up, approached the scene and came from the
3 north, where you, as best as you can recall, did you
4 stop east or west of the impact sight on the north
5 side?

6 MR. SIMS: Almost straight across from the
7 entrance of (inaudible).

8 MR. FACKLAN: Almost straight across?

9 MR. SIMS: It was -- yes, sir.

10 MR. FACKLAN: When you noticed Derrick, the
11 engineer --

12 MR. SIMS: Yes, sir.

13 MR. FACKLAN: -- coming from the scene of
14 the wreckage, was he coming, walking away from close to
15 point of impact or was he further east or west?

16 MR. SIMS: He was further east and what I
17 thought was the initial, where that, it was all piled
18 up.

19 MR. FACKLAN: Do you know roughly how -- did
20 you observe him coming right from the wreckage? Or was
21 he already a hundred yards a haul?

22 MR. SIMS: He was probably 50 yards from the
23 wreckage when I seen him, started that. Then I stopped
24 probably 300 yards so it wasn't that far, probably
25 about 200 yards from the tracks and the wreckage.

1 MR. FACKLAN: Okay.

2 MR. SIMS: So he --

3 MR. FACKLAN: And about how far from the
4 point of impact was he?

5 MR. SIMS: I would say probably 150 --

6 MR. FACKLAN: A hundred and fifty --

7 MR. SIMS: -- yards.

8 MR. FACKLAN: Fifty yards?

9 MR. SIMS: Yes, sir.

10 MR. FACKLAN: Okay.

11 MR. SIMS: And it's in that picture.

12 MR. JESKE: I was just going to say, Erich
13 Jeske, BLET Safety Task Force, is this photo and is
14 that container and locomotive where you saw him walking
15 from?

16 MR. SIMS: Yes He was coming from right
17 here where the inter-stand left.

18 MR. JESKE: Okay, so right in this general
19 area?

20 MR. SIMS: Yes, sir.

21 MR. FACKLAN: Can I see that?

22 MR. JESKE: Where the two people are at in
23 the center? That general --

24 MR. DUPONT: Steve Dupont, FRA. That would
25 be the road on the west side of the ballfield.

1 MR. SIMS: Yes, sir.

2 MR. DUPONT: There's a road on each side of
3 the ballfield, so it'd be the road, the west side.

4 MR. SIMS: Yes, sir, the right-of-way road.

5 MR. DUPONT: Right.

6 MR. SIMS: Yes, sir.

7 MR. DUPONT: And I got some, a question.

8 MR. FRACKLAN: That's all the questions I
9 have for now.

10 MR. DUPONT: Okay. So the role, you talked
11 on the road on the west side of the ballfield. He's
12 coming east of that so he is probably around
13 centerfield of the ballfield, coming towards you?

14 MR. SIMS: Yes. Well, he was in-between the
15 ballfields. That's, I parked right in front of the
16 wreckage or where I thought the main part of wreckage
17 was probably. He was coming from the east, a little
18 bit east of that.

19 And that, I wish I could show a picture to
20 the camera or, but it was probably 150 yards east of
21 the wreckage, the main pileup. So right by the swift
22 container and what I thought was the lead locomotive
23 for the eastbound. Right where I assume it was the
24 (inaudible) in the pileup.

25 MR. DUPONT: Right, right.

1 MR. TORRES: An he -- go ahead.

2 MR. JESKE: Erich Jeske, BLET Safety Task
3 Force. With this container, because we got here and
4 site access after recovery efforts, was there a
5 locomotive back behind this container then?

6 MR. SIMS: Yes, sir. There was a locomotive
7 laying right behind that container.

8 MR. JESKE: Okay.

9 MR. SIMS: And it was head-in right here.

10 MR. JESKE: Okay.

11 MR. SIMS: Yes.

12 MR. JESKE: And that's the one that the nose
13 was compressed up against the air box?

14 MR. SIMS: Yes, sir.

15 MR. DUPONT: Could I see that picture?

16 MR. SIMS: The conductor -- the other side
17 ripped out.

18 MR. JESKE: Would be the fifth locomotive of
19 the westbound train.

20 MR. SIMS: Yes, that'd be -- I wish I'd
21 (inaudible), right.

22 MR. DUPONT: Steve Dupont. That's the
23 locomotive you climbed on?

24 MR. SIMS: Yes, sir, that's the one I
25 presumed was the lead.

1 MR. DUPONT: And the fire was a little bit -
2 -

3 MR. SIMS: The fire was back to --

4 MR. DUPONT: Backed all the way?

5 MR. SIMS: Yes, sir. It was back to the
6 west. And there were three locomotives west in that
7 pileup.

8 MR. DUPONT: Okay. That's it for right now,
9 Tomas.

10 MR. TORRES: I don't have any questions. Do
11 you know anybody that might have seen any, like the
12 actual incident?

13 MR. SIMS: There is a lady that lives over
14 there in the trailer park, on the other side, that
15 video'd the thing as it was happening, almost the
16 (inaudible) and they put it on Facebook. But it's
17 actively be on the the cars as it was going.

18 MR. TORRES: But it was after they hit?

19 MR. SIMS: Sir? Yes, I believe it was it
20 after the initial impact. The cars were still stacking
21 in there. And there was no one else that, when I
22 pulled up. And there, it could have been cops that
23 came right after that.

24 That was on the wrong side. That's when
25 Kate (phonetic) was on the phone, my wife, trying to

1 get them over here. And my wife wasn't -- it was
2 supposed to be (inaudible).

3 MR. DUPONT: One other question. You're a
4 railroader, like I am, so normally -- Steve Dupont.
5 You're used to horns, bells and all that stuff.

6 MR. SIMS: Yes, sir.

7 MR. DUPONT: I mean, I live one block from
8 the UP mainline. Two, 3 o'clock in the morning, the
9 don't bother me. They bother my wife.

10 MR. SIMS: Right.

11 MR. DUPONT: Would your wife, in your
12 conversation with your wife, did she maybe hear that
13 horn that, you know, to her, not being a railroader
14 maybe did more -- they'll pick it up more?

15 MR. SIMS: She may have. And I can get her
16 down here if you'd like. She would give you --

17 MR. DUPONT: No, if you just ask her. I
18 mean, if it's worthy.

19 MR. SIMS: I can. Yes, ma'am, can you --
20 could -- I'll put you on speaker in front of this
21 interview. They have a few questions they'd like to
22 ask you. All right, here you go.

23 MR. DUPONT: Her name Katie?

24 MR. SIMS: Oh, Katherine Sims.

25 MR. DUPONT: Katherine?

1 MRS. SIMS: Hello.

2 MR. DUPONT: Hey, Miss Katherine. My name
3 is Steve Dupont. I am with the Federal Railroad
4 Administration. Thank you for coming to share your
5 story with us.

6 MRS. SIMS: Yes, sir.

7 MR. DUPONT: The one question we had was
8 that, because your husband being a railroader, we're
9 used to a lot of noises the railroad makes and maybe
10 you view it a little different.

11 And the question was, before Clay heard the
12 noise and you all hopped in your vehicle to come over
13 to the site to see what you all could do to help, did
14 you hear the horn blowing as it came in to town? Would
15 you hear the railroad horn?

16 MRS. SIMS: I (inaudible) really can't
17 recall. It think living this close to the tracks,
18 honestly, that we just kind of learn to drown that out.
19 It's just another sound.

20 So that morning I can't recall. I can
21 remember hearing the noise in the kitchen of, you know,
22 the train actually zeroing, and running outside with
23 Clay. But I cannot recall a horn blowing, one way or
24 the other.

25 MR. DUPONT: All right. One last question,

1 ma'am. When Derrick got to you and, you know, anything
2 we're looking for, anything he maybe said to you, you
3 know, that referenced anything that he saw?

4 And, of course, taking in consideration he's
5 in a trauma type --

6 MRS. SIMS: Correct.

7 MR. DUPONT: -- state. But was there
8 anything out the ordinary that, when he got to you, and
9 your husband went back to do the heroic thing that he
10 did, going back to try to help, was there anything that
11 Derrick maybe said to you that would be of interest to
12 us?

13 MRS. SIMS: I think rolling up on the scene
14 and seeing him standing over by the container was when
15 he realized we were coming down the road, kind of
16 starting waving, and we just took off.

17 Clay jumped out of the vehicle. We got him
18 up to our truck. And I'm an RN and, initially, I
19 noticed he was bleeding. He, obviously, was in a state
20 of shock.

21 We checked his head and then he just kept
22 saying, to both me and Clay standing there, that they
23 just did that. Did they really just do that? They
24 just went through that signal.

25 And, you know, we started asking if there

1 were other people or do you know if anybody else was ou
2 there, and he said I tried to get her to jump, I tried
3 to get her to jump with me.

4 MR. DUPONT: Okay.

5 MRS. SIMS: And then we -- I immediately
6 called 911 at that point and directed him back up
7 another truck to let somebody else take care of him
8 until the ambulance got there.

9 MR. DUPONT: Okay. Tell her thank you.

10 MRS. SIMS: Thank you, ma'am.

11 MR. TORRES: Thank you.

12 MRS. SIMS: Yes, sir.

13 MR. SIMS: All right. Love you, Baby.

14 MRS. SIMS: Bye.

15 MR. SIMS: Bye.

16 MR. TORRES: Well, only one more question.
17 After you arrived, how soon did the medical emergency
18 personnel showed up, like right after you heard the
19 sound?

20 MR. SIMS: There was, when I was up on the
21 locomotive there were cops and the ambulance on the
22 other side. It was probably ten minutes before they
23 must have got back around to the side, just to the
24 other side.

25 That's, 911 had Kate on hold for three

1 minutes while they were taking care of, before they got
2 the initial call to come into the other side.

3 MR. TORRES: From your house to the
4 accident, you know, how long did it take you to get
5 there?

6 MR. SIMS: Maybe 45 seconds. It was not --
7 it's not long, and I was moving along.

8 MR. DUPONT: Were you the first one?

9 MR. SIMS: Yes, sir.

10 MR. DUPONT: You were the first one on the
11 scene?

12 MR. SIMS: Yes, sir, on this side. I
13 believe there was other folks on the other side that
14 were probably there before -- that JC (phonetic) is the
15 one that I met the second time that I boarded the
16 locomotives just making sure.

17 Lyle Denny (phonetic) would have been the
18 first officer on scene on this side.

19 MR. TORRES: That's all I have unless you
20 guys have any questions.

21 MR. FACKLAN: I would just -- Steve Facklan,
22 BLET Safety Task Force. I'd just like to say, on
23 behalf of the BLET, thank you for the effort you made -
24 -

25 MR. SIMS: Yes, sir.

1 MR. FACKLAN: -- to save our brothers and
2 sisters out there. That was heroic, no matter -- I
3 mean, I know you don't -- you think it was just
4 something everybody would do. Not everybody would do
5 that, run up to a burning scene like that. But thank
6 you.

7 MR. SIMS: Yes, sir. I would do it again in
8 a heartbeat. Those guys, I mean, we all work hand-in-
9 hand. We're all railroaders. And it's a close-knit
10 family. This is not a group -- I wish it went a lot
11 better.

12 MR. TORRES: Thank you. Thank you for
13 showing up.

14 MR. SIMS: Yes. Yes, sir.

15 MR. TORRES: You know, that --

16 MR. DUPONT: Tell your wife --

17 MR. SIMS: You're welcome.

18 MR. DUPONT: Tell your wife thank you also.

19 MR. SIMS: I sure will. Nice to meet you.

20 MR. DUPONT: I mean that.

21 MR. SIMS: Nice to meet you, sir.

22 MR. DUPONT: Yes, sir.

23 MR. SIMS: Thank you.

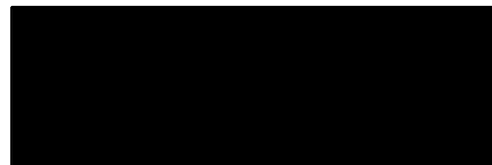
24 (Whereupon, the above-entitled matter went
25 off the record at an undisclosed time.

C E R T I F I C A T E

MATTER: Head-on Collision that Occurred
Near Panhandle, TX on June 28, 2016
Accident No. DCA16FR008
Interview of Clay Sims

DATE: July 1, 2016

I hereby certify that the attached transcription of page 1 to 23 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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