

UNITED STATES  
DEPARTMENT OF TRANSPORTATION  
NATIONAL TRANSPORTATION SAFETY BOARD

*In the Matter of:*

*TRAIN ACCIDENT IN  
GRANITEVILLE, S.C.*

*INTERVIEW OF ROBERT LAWRENCE CAPPS*

*Saturday,  
January 8, 2005*

*Augusta, GA*

*PRESENT: RUSSELL GOBER, NTSB*

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

MR. GOBER: All right. My name is Russell Gober. I am with the National Transportation Safety Board and we are at the Ramada Inn in Augusta, interviewing Superintendent of Terminals, R. L. Capps, who is the Norfolk Southern Operating Officer in charge of the territory where the accident occurred.

Mr. Capps, would you tell me your name, please, sir?

MR. CAPPS: Robert Lawrence Capps.

MR. GOBER: Okay. Mr. Capps, if you would tell me what your position is with the Norfolk Southern?

MR. CAPPS: I am Superintendent of Terminals Commonwealth of Columbia.

MR. GOBER: Okay. As Superintendent of Terminals in Columbia, do you have knowledge of parts for the Piedmont Division?

MR. CAPPS: Yes, sir.

MR. GOBER: Okay. Can you tell me whether you are familiar with an accident that occurred at Graniteville, South Carolina on the sixth of January 2005?

MR. CAPPS: I am familiar with it, yes, sir.

MR. GOBER: Okay. Can you tell me what trains were involved in that accident?

1           MR. CAPPS: Train 192 and P-22.

2           MR. GOBER: Okay. Train 192 is the through  
3 freight train that was involved and P-22 is the local  
4 that was in Annandale siding.

5           MR. CAPPS: That is correct.

6           MR. GOBER: Okay. Do those crews go on duty in  
7 your territory?

8           MR. CAPPS: Yes, sir.

9           MR. GOBER: Can you tell me what, where they  
10 work?

11          MR. CAPPS: Let me back up.

12          MR. GOBER: Okay.

13          MR. CAPPS: When 192 goes on duty, it goes on  
14 duty actually in the Industrial Park, Georgia Division,  
15 but the crew is still my responsibility. P-22 goes on  
16 duty at --

17          MR. GOBER: And when does P-22 go on duty?

18          MR. CAPPS: Seven a.m.

19          MR. GOBER: Okay. And at Aiken.

20          MR. CAPPS: Yes, sir.

21          MR. GOBER: Do you know whether, is that in a  
22 yard or what is that in Aiken?

23          MR. CAPPS: No yard there, there is a couple  
24 of storage tracks.

25          MR. GOBER: So they go on and off duty there.

1                   MR. CAPPS: Right.

2                   MR. GOBER: And the maximum number of hours  
3 they can work is how many?

4                   MR. CAPPS: Twelve hours.

5                   MR. GOBER: Okay. Do you know whether that  
6 crew was rested when they went on duty or not?

7                   MR. CAPPS: As far as I know they were.

8                   MR. GOBER: Okay. When they go on duty at  
9 Aiken, what is their assignment suppose to be?

10                  MR. CAPPS: They are local that works all the  
11 industries in and around Aiken. They also work  
12 industries at Langley and Graniteville and --

13                  MR. GOBER: Okay. So, they, do they run, what  
14 direction do they run out of Aiken?

15                  MR. CAPPS: It will run east/west out of Aiken  
16 and when it gets to the to Warrentonville, it will start  
17 running north and south.

18                  MR. GOBER: Okay. Do they move from one  
19 territory to another?

20                  MR. CAPPS: Right.

21                  MR. GOBER: What territories is that?

22                  MR. CAPPS: It would be R line on the north  
23 and south, and SB Line east to west.

24                  MR. GOBER: Okay. How many days per week do  
25 they work?

1           MR. CAPPS: Five.

2           MR. GOBER: And what days are they off?

3           MR. CAPPS: Saturday and Sunday.

4           MR. GOBER: Okay. You said they are a local,  
5 do they pick up their cars for spotting at Aiken when  
6 they go on duty or where do they get their equipment?

7           MR. CAPPS: The cars that they switch are set  
8 off at Warrentville, any cars that they have from Aiken,  
9 they will move them from Aiken, I mean, from  
10 Warrentville to Aiken -- and the cars are either loaded  
11 or unloaded, they are moving back to Warrentville to  
12 pick up --

13          MR. GOBER: Okay. Now on through two freights  
14 that operate through Warrentville, what two major  
15 terminals do they operate?

16          MR. CAPPS: Columbia and Augusta.

17          MR. GOBER: Okay. So they move the local  
18 freight from Warrentville?

19          MR. CAPPS: Warrentville, correct.

20          MR. GOBER: Warrentville to go on a through  
21 freight train to destination.

22          MR. CAPPS: That is correct.

23          MR. GOBER: Okay. Do you know the crew members  
24 that are on this P-22 job?

25          MR. CAPPS: Yes, sir.

1                   MR. GOBER: Are they regular crew members?

2                   MR. CAPPS: No, sir.

3                   MR. GOBER: Okay. How long have they worked on  
4                   this job?

5                   MR. CAPPS: Well, they are all seasoned, I  
6                   mean, they are all have many years experience, and this  
7                   is a seniority deal. This is a unique job, P-22,  
8                   because it is six months out of the year -- by one  
9                   seniority district out of Charleston, six months out of  
10                  the Columbia District. This particular job took over  
11                  in December.

12                  MR. GOBER: Okay.

13                  MR. CAPPS: This is a preferred job, so we  
14                  have more of the senior people on this job.

15                  MR. GOBER: Okay.

16                  MR. CAPPS: As far as I know, the conductor he  
17                  has been on the job since the first of December.

18                  MR. GOBER: Okay.

19                  MR. CAPPS: The brakeman had only been on it a  
20                  couple of days. He usually doesn't work this district.  
21                  He works, he had been working on -- because of his  
22                  seniority -- And the engineer is on extra board.

23                  MR. GOBER: Okay.

24                  MR. CAPPS: And I think it was his first day.

25                  MR. GOBER: Where would he have been called to

1       *work, off what extra board?*

2               *MR. CAPPS: Columbia Extra board.*

3               *MR. GOBER: Okay. So, how does, does he drive*  
4       *from Columbia to here and then go on duty at Aiken?*

5               *MR. CAPPS: It is up to him, he can deadhead*  
6       *down the night before so he will have a rest. Or he can*  
7       *drive down in the morning.*

8               *MR. GOBER: Okay. Is it a situation to where*  
9       *he is called for a weekly tour or a daily tour or what?*

10              *MR. CAPPS: When they call for outline job,*  
11       *which this is considered an outline job, it is his job*  
12       *for six days or until he is either displaced by the*  
13       *regular man or somebody else.*

14              *MR. GOBER: So, he gets it and it is a five*  
15       *day assignment, he works five days and goes back on the*  
16       *board or stays on it until somebody comes back?*

17              *MR. CAPPS: If he asks for relief, then it is*  
18       *six days, he will be relieved.*

19              *MR. GOBER: He will be relieved and if he*  
20       *wants to stay, he can stay?*

21              *MR. CAPPS: He can stay on the job, yes.*

22              *MR. GOBER: Okay. Do you have any, do you know*  
23       *whether they were all rested when they reported for*  
24       *duty on the sixth?*

25              *MR. CAPPS: As far as I know they were, yes.*

1                   MR. GOBER: Okay. The engineer was extra and  
2                   your conductor and brakeman were regular on that job.

3                   MR. CAPPS: Yes, sir.

4                   MR. GOBER: Okay. Do you know the conductor  
5                   and brakeman personally?

6                   MR. CAPPS: Yes, sir.

7                   MR. GOBER: Okay. Do you know how, about how  
8                   long they have worked on the railroad?

9                   MR. CAPPS: Not exactly, but I would say it is  
10                  20 plus years.

11                  MR. GOBER: Okay. As a superintendent do you  
12                  have a responsibility to make efficiency checks or  
13                  operational tests on the crews?

14                  MR. CAPPS: Yes, sir.

15                  MR. GOBER: Do you know whether you have ever  
16                  tested the crewmen on this local or not?

17                  MR. CAPPS: I know one that I have tested on  
18                  that particular job. They have all been tested by me  
19                  at one job or another. But, I don't recall making any  
20                  tests with the brakeman on that particular job. The  
21                  conductor I have and I am not sure about the engineer,  
22                  because he is extra.

23                  MR. GOBER: Okay. Just routinely, what kind of  
24                  operational tests do you do?

25                  MR. CAPPS: We watch, on the locals, we watch



1       *their switching performance, how they are working the*  
2       *industries, the physical way that they work, speed*  
3       *checks, you know.*

4               *MR. GOBER: What about in track warrant*  
5       *territory, do you test any ties up to see whether they*  
6       *tie up according to the track warrant rules?*

7               *MR. CAPPS: Oh, yes.*

8               *MR. GOBER: How do you do that?*

9               *MR. CAPPS: Well, either by, if they have*  
10       *cleared, if they are tied up and, if they tied up in a*  
11       *siding for example, or they gone home, or they are*  
12       *clearing up to go home, you will check their track*  
13       *warrants to see if they cleared them up.*

14               *MR. GOBER: Okay. Can you tell by looking at*  
15       *the clear up time on their track warrants how many*  
16       *hours they worked?*

17               *MR. CAPPS: I --*

18               *MR. GOBER: I will rephrase it again. The*  
19       *crew went on duty at 7:00 a.m., if he did his clear up*  
20       *track warrant at 7:54 p.m., would that be in excess of*  
21       *12 hours?*

22               *MR. CAPPS: Yes.*

23               *MR. GOBER: Okay. And if he is, if the, say*  
24       *the conductor is the one that has called dispatcher to*  
25       *release the track warrant at 7:54 p.m., that would be*

1     *more than 12 hours.*

2             *MR. CAPPS: That is correct.*

3             *MR. GOBER: Would that be within the hours of*  
4     *service requirements?*

5             *MR. CAPPS: No, sir. He would have to be, he*  
6     *cannot perform any service after 12 hours.*

7             *MR. GOBER: Okay. Do you know whether this*  
8     *crew tied up before the 12 our expiration was up on the*  
9     *day of the accident?*

10            *MR. CAPPS: I do not know.*

11            *MR. GOBER: Okay. What kind of qualifications*  
12     *do you guys have to have to be, to be, as far as*  
13     *physical characteristics and to be qualified on the*  
14     *job, do they have to work so many times per year on the*  
15     *territory, sub on it or just they work it enough*  
16     *routinely that they are always qualified or what?*

17            *MR. CAPPS: Engineers have to, our policy is*  
18     *they have to at least every six months on a territory*  
19     *to keep the qualification. And the way that conductors*  
20     *and brakemen work and the way this job works, they are*  
21     *not going to work for six months anyway, so, they have*  
22     *been on it for years.*

23            *MR. GOBER: Okay. But, if they haven't been*  
24     *on just say, some way they were able to bid it and get*  
25     *it, how much would they have to ride to qualify on it*

1       *before they would be put out?*

2               *MR. CAPPS: We qualify them before we mark*  
3       *them up.*

4               *MR. GOBER: Okay.*

5               *MR. CAPPS: ACD.*

6               *MR. GOBER: Well, to your knowledge, are these*  
7       *men all qualified on this job?*

8               *MR. CAPPS: Yes, sir.*

9               *MR. GOBER: Okay. Do you have records that*  
10       *would show what their certifications and qualifications*  
11       *are?*

12               *MR. CAPPS: I don't have them.*

13               *MR. GOBER: Okay. But NS does?*

14               *MR. CAPPS: Yes, sir.*

15               *MR. GOBER: Okay. I think we have asked for*  
16       *those records already.*

17               *If the train is going on duty at Aiken, would*  
18       *he routinely tie up at Aiken?*

19               *MR. CAPPS: It depends on the amount of track*  
20       *time he can get on the R line, the amount of work that*  
21       *he has to do. And that, on that particular location,*  
22       *we shuttle the engines to be fueled and it has to be at*  
23       *Warrenville, so, that is on the Fridays and then we*  
24       *have to taxiing them back on Mondays, to start their*  
25       *work.*

1           MR. GOBER: Okay.

2           MR. CAPPS: They always go on duty at Aiken,  
3       but we are taxiing the locomotives --

4           MR. GOBER: Okay. Is it your normal practice  
5       to try to go on duty and off duty at Aiken?

6           MR. CAPPS: Yes, sir, if they can, yes, sir.

7           MR. GOBER: Okay. So, if the due to hours of  
8       service on a line road need to tie up a long line of  
9       road, what kind of requirements does it take for them  
10      to do that with the train dispatcher before they --

11          MR. CAPPS: We will notify the dispatcher that  
12      they are going on hours of service long. They will  
13      either contact the taxi service at PCYO, they have a  
14      cell phone.

15          MR. GOBER: Okay. On the track warrant, dark  
16      territory, is there any special requirements that a  
17      crew needs to take in order to tie up in any track? Is  
18      there a special track that you can tie up in or can  
19      they tie it up in any track?

20          MR. CAPPS: They can tie up in any track --

21          MR. GOBER: Okay. What do they have to do in  
22      order to make arrangements for that?

23          MR. CAPPS: Being sure that there is room for  
24      them and they will usually tie up at a crossing, if  
25      they don't want to do a lot of walking, to get out of

1       *there. Most of the places they tie up are convenient*  
2       *to a crossing.*

3               *MR. GOBER: Are all of your sidings equipped*  
4       *with derails?*

5               *MR. CAPPS: Yes, sir.*

6               *MR. GOBER: So, if they are in a siding, tied*  
7       *up, are they suppose to have a derail on the track?*

8               *MR. CAPPS: In a siding, yes, sir.*

9               *MR. GOBER: Okay. If they are in a track like*  
10       *Avondale Mills track, would it have a derail on it to*  
11       *protect the main track?*

12               *MR. CAPPS: The only derail is inside the*  
13       *industry.*

14               *MR. GOBER: Okay. You have already told me off*  
15       *the record that you have not been to the site, but are*  
16       *you familiar with the Avondale Mills track?*

17               *MR. CAPPS: Yes, sir.*

18               *MR. GOBER: Do you know whether they would tie*  
19       *up before they reached the derail or --*

20               *MR. CAPPS: No, they would tie up outside of*  
21       *the industry.*

22               *MR. GOBER: So, what kind of track setup it*  
23       *is? Draw me just a little bit of a map, so I can have*  
24       *an idea of what the track would look like from the main*  
25       *track to where they would tie up.*

1 (Pause.)

2 MR. CAPPS: The track leads off into the  
3 industry, and -- and the derail is here, they tied up,  
4 from what I understand, I haven't been out there, they  
5 would have tied in here.

6 MR. GOBER: Okay. Before, before they reached  
7 the gate to enter the actual industry, they tied up on  
8 the lead from the main track before they would reach  
9 the gate.

10 MR. CAPPS: Correct.

11 MR. GOBER: And roughly how many cars would  
12 that hold?

13 MR. CAPPS: I would say, I would say about 10  
14 cars.

15 MR. GOBER: Okay. And the derail is inside the  
16 industry gate.

17 MR. CAPPS: Right.

18 MR. GOBER: And, and from the standpoint of a  
19 person who is not necessarily railroad, why is that  
20 derail there?

21 MR. CAPPS: To protect the industry.

22 MR. GOBER: Okay. Is it to protect your main  
23 track or is it to protect the industry?

24 MR. CAPPS: Protect the industry.

25 MR. GOBER: Okay. Is it set to where it can

1       derail cars going in and coming out or either way?

2               MR. CAPPS: Well at this place it would be,  
3       this is all up hill, it is not going to derail going  
4       out.

5               MR. GOBER: Okay. So, they are not going to  
6       roll out of the industry?

7               MR. CAPPS: No, no, we are not roll out.

8               MR. GOBER: So you have got it to where, if a  
9       locomotive comes off a main, and opens the gate, heads  
10      in towards the industry, if he does not take the derail  
11      off, he is going to derail.

12              MR. CAPPS: That is correct.

13              MR. GOBER: Okay. Do you have any idea  
14      whether the derail was on the track prior to this  
15      accident or not?

16              MR. CAPPS: I don't know.

17              MR. GOBER: Okay. Do you have any, were you on  
18      duty when this accident occurred?

19              MR. CAPPS: I am always on duty.

20              MR. GOBER: I understand that. Were you on  
21      the property at the time?

22              MR. CAPPS: No, sir.

23              MR. GOBER: Okay. Tell me a little bit about  
24      the, the 192, what was his operation that, that morning  
25      of the sixth?

1           MR. CAPPS: The 192 was a through freight that  
2 operates from Augusta to Columbia. Once he reaches  
3 Columbia, he is -- we switch him up and send him out to  
4 the local and add him to other -- so, in this  
5 particular, on this particular day, 192 just made a  
6 straight -- and in the process made a straight line  
7 from Augusta to Columbia.

8           MR. GOBER: And to your knowledge, what  
9 happened to him?

10          MR. CAPPS: He didn't make it.

11          MR. GOBER: Okay. And what is your knowledge  
12 of why he didn't make it?

13          MR. CAPPS: I understand that they were, they  
14 had a collision at Graniteville.

15          MR. GOBER: Okay. Where was the collision?

16          MR. CAPPS: At Avondale North, on the Avondale  
17 North lead.

18          MR. GOBER: Okay. In order for that to happen,  
19 now this is not something that you know that happened,  
20 but in order for something like that to happen, what  
21 has to have occurred?

22          MR. CAPPS: Well, the switch had to be lined  
23 or kicked or broke. Something caused that train to go  
24 into that siding --

25          MR. GOBER: Okay. Do you have any knowledge



1       *about whether the train was on the rail when it entered*  
2       *the siding?*

3               MR. CAPPS: *No, sir, I don't.*

4               MR. GOBER: *Okay. Do you know the crew that*  
5       *was on that train?*

6               MR. CAPPS: *Yes, sir.*

7               MR. GOBER: *Are they regular on that?*

8               MR. CAPPS: *No, sir.*

9               MR. GOBER: *Okay. Tell me what you know about*  
10      *them?*

11              MR. CAPPS: *The engineer was a younger guy,*  
12      *been qualified as an engineer at least two years that I*  
13      *know of, maybe three, because I only been there two*  
14      *years.*

15              (Pause.)

16              MR. GOBER: *Okay. We understand that as a*  
17      *result of this accident there was one of the crew*  
18      *members that, that went to the hospital and he later*  
19      *died. Do you have any information about that?*

20              MR. CAPPS: *The only thing, just what you*  
21      *said, he went to the hospital and he passed away.*

22              MR. GOBER: *Okay. And which crew member was*  
23      *that?*

24              MR. CAPPS: *That was the engineer.*

25              MR. GOBER: *Okay. Were you called out after*

1       *this accident occurred?*

2               *MR. CAPPS: Yes, sir.*

3               *MR. GOBER: Okay. What did you do?*

4               *MR. CAPPS: I immediately headed towards the*  
5       *incident.*

6               *MR. GOBER: Did you have any contact with any*  
7       *of the crew members involved after the accident?*

8               *MR. CAPPS: No, sir. Nor before.*

9               *MR. GOBER: Okay. On neither train?*

10              *MR. CAPPS: Neither train.*

11              *MR. GOBER: Okay. There were three men on the*  
12       *local that was tied up in, that had tied up the local*  
13       *in Avondale Mills, is that correct?*

14              *MR. CAPPS: That is correct.*

15              *MR. GOBER: Engineer, conductor and a*  
16       *brakeman. And then there was an engineer and a*  
17       *conductor on the through freight train.*

18              *MR. CAPPS: Correct.*

19              *MR. GOBER: And what physical direction was*  
20       *the freight train operating in?*

21              *MR. CAPPS: From south to north.*

22              *MR. GOBER: South to north. Okay. And he*  
23       *routinely makes that run.*

24              *MR. CAPPS: Yes, sir.*

25              *MR. GOBER: Does it run up one way and then*

1       get another train and bring it back?

2               MR. CAPPS: Yes, sir, those are assigned jobs  
3       and he would go down on 155, and come back on 192.

4               MR. GOBER: Okay. And how many days a week  
5       does he work?

6               MR. CAPPS: That job was seven days a week.

7               MR. GOBER: Okay. Do you know about what kind  
8       of rest they had between turns?

9               MR. CAPPS: That was the extra board crew, the  
10       regular crew was off. And I don't, I don't have their  
11       record of what they had been doing.

12              MR. GOBER: Okay. Okay.

13              Do you have any questions?

14              UNIDENTIFIED SPEAKER: Yes, I do.

15              Larry.

16              MR. CAPPS: Yes, sir.

17              UNIDENTIFIED SPEAKER: Larry, I want to focus  
18       my questions primarily --

19              MR. GOBER: Both of you are soft talkers, so.

20              UNIDENTIFIED SPEAKER: Most questions will be  
21       directed primarily to the crew of the local, okay.

22              You say knew all three of these fellows or  
23       know them?

24              MR. CAPPS: Oh, yes.

25              UNIDENTIFIED SPEAKER: Okay. Any, with any of

1       *them, anything that may have, to your knowledge,*  
2       *preoccupied or distracted them, anything at home,*  
3       *anything at work that may have taken their mind or --*

4               *MR. CAPPS: Not that I know of.*

5               *UNIDENTIFIED SPEAKER: They are all family*  
6       *people, married, kids?*

7               *MR. CAPPS: Yes.*

8               *UNIDENTIFIED SPEAKER: Okay. Has any of them*  
9       *ever made any complaints to you about anything work*  
10       *related, hours, equipment, anything about the work?*

11               *MR. CAPPS: Not really. Nothing that really*  
12       *stands out at me.*

13               *UNIDENTIFIED SPEAKER: Okay. How often do you*  
14       *have a face to face with these crews?*

15               *MR. CAPPS: I try to see them at least once a*  
16       *month and I try to see everybody at least every two*  
17       *months that work for me.*

18               *UNIDENTIFIED SPEAKER: Okay. Do you recall*  
19       *when your last face to face was with this crew prior to*  
20       *the incident?*

21               *MR. CAPPS: No, I know it has been several*  
22       *months since I have seen Mr. Ford, because he has not*  
23       *been working on my territory.*

24               *UNIDENTIFIED SPEAKER: Okay.*

25               *MR. CAPPS: I usually have contact with the*

1 conductor on the job at least by cell phone. I try to  
2 keep up with all the jobs, and I usually talk to him  
3 every day, sometimes I may miss a day or two. I haven't  
4 talked to him that particular job because the regular  
5 assigned engineer had been talking to me about his, he  
6 had -- finally passed, that is why --

7 UNIDENTIFIED SPEAKER: How many yards are you  
8 responsible for?

9 MR. CAPPS: One hundred eighty.

10 UNIDENTIFIED SPEAKER: Okay. Do you feel that  
11 that is too many, too, can you adequately, just enough,  
12 or --

13 MR. CAPPS: No, that is --

14 UNIDENTIFIED SPEAKER: You can keep in touch  
15 with 180 yards.

16 MR. CAPPS: Yes, sir. That is no problem,  
17 because most of them come in and out of -- anyway.

18 UNIDENTIFIED SPEAKER: To your knowledge, any  
19 of these fellows ever been involved in any previous  
20 reportable accidents, railroad accidents?

21 MR. CAPPS: Not to my knowledge.

22 UNIDENTIFIED SPEAKER: The regular operations  
23 from 7:00 a.m. to about 7:00 p.m., is that correct?

24 MR. CAPPS: Correct.

25 UNIDENTIFIED SPEAKER: Is there an opportunity

1       for them during the day, to take any kind of a break?

2               MR. CAPPS: Oh, yes.

3               UNIDENTIFIED SPEAKER: Describe that, please.

4               MR. CAPPS: Well, they can take their lunch  
5       period, and also while they are on the R line, because  
6       of the through freights that come down here in the day,  
7       pick up and set off, they will have to get in the  
8       clear, you know, give up their track warrants and sit  
9       there and wait on the through freights.

10              UNIDENTIFIED SPEAKER: Okay.

11              MR. CAPPS: I think sometimes it is an hour,  
12       sometimes, you know, more or less.

13              UNIDENTIFIED SPEAKER: Okay. Do you know what  
14       they do typically or what they do during that period?  
15       In other words, do they do paperwork or do they nap or  
16       walk around, what do they do?

17              MR. CAPPS: Probably some of all of that.

18              UNIDENTIFIED SPEAKER: Okay. Can you describe  
19       their work load? What, what would they typically do  
20       during the course of their shift?

21              MR. CAPPS: Well, if the engine is at Aiken,  
22       we have got to, actually three customers up there now,  
23       one of them is -- business is good. We try to get  
24       everything and make it work, bring all the transfer  
25       cars in, and then go to Warrenville, switch around in

1     *Warrenville -- lead at Avondale, and everything north.*  
2     *And we have got a couple of customers that -- to*  
3     *Langley and -- so we call that the valley, and we*  
4     *probably spend half the time in the valley and half the*  
5     *time up there --*

6             *UNIDENTIFIED SPEAKER: And that is --*

7             *MR. CAPPS: Well, right now it is 12 hours,*  
8     *but, you know, it is an eight hour day job.*

9             *UNIDENTIFIED SPEAKER: Okay.*

10            *MR. CAPPS: I mean, it is an increase in*  
11     *business right now.*

12            *UNIDENTIFIED SPEAKER: Okay. You mentioned*  
13     *earlier to Mr. Gober that this is basically a preferred*  
14     *job.*

15            *MR. CAPPS: Yes, sir.*

16            *UNIDENTIFIED SPEAKER: Based on seniority.*  
17     *Have they ever complained, again when I say they, it is*  
18     *either collectively, all three of them, or*  
19     *individually, anything about being rushed to get the*  
20     *job done?*

21            *MR. CAPPS: Not really. Well, I can't, I am*  
22     *trying to think about these individuals on this job.*

23            *UNIDENTIFIED SPEAKER: Right, take your time.*

24            *MR. CAPPS: Yes.*

25            *(Pause.)*

1           MR. CAPPS: The engineer, I have never heard  
2 any complaints out of him. Mike Ford, like I say, the  
3 brakeman, I don't, I haven't seen him that much in the  
4 last several months. The conductor has been, is  
5 actually the brakeman on the job when the conductor is  
6 on vacation, so, he would just say we have got a lot to  
7 do, you know, we have got a lot to do. I don't know  
8 whether he did the other day or not.

9           UNIDENTIFIED SPEAKER: Okay. -- I will go and  
10 ask the question, are there any problems as far as from  
11 a medical perspective with these fellows --

12          MR. CAPPS: Medical?

13          UNIDENTIFIED SPEAKER: Yes, did they have  
14 regular physicals --

15          MR. CAPPS: Engineers do. I know the  
16 engineers do.

17          UNIDENTIFIED SPEAKER: Okay. Under Part 240,  
18 I understand that.

19          MR. CAPPS: Yeah. But, the other ones, I  
20 don't know if they have had any --

21          UNIDENTIFIED SPEAKER: Okay. One last  
22 question, if you can remember, give a ballpark, if you  
23 can't remember a specific date, when was your last, I  
24 guess, operations, operations were efficiency was  
25 called, to see how they do the job, the conductor and



1       *brakeman?*

2                   *MR. CAPPS: Like I say, the last time that I*  
3       *was down there and actually rode the job, it was on the*  
4       *31<sup>st</sup>.*

5                   *UNIDENTIFIED SPEAKER: Of?*

6                   *MR. CAPPS: December. But, that was a*  
7       *different crew.*

8                   *UNIDENTIFIED SPEAKER: Okay. How about this*  
9       *crew?*

10                  *MR. CAPPS: Oh, this crew? I couldn't give*  
11       *you a specific date, the last time that I actually made*  
12       *efficiency checks on them.*

13                  *UNIDENTIFIED SPEAKER: Does anybody else do*  
14       *any efficiency of operations?*

15                  *MR. CAPPS: Oh, yes.*

16                  *UNIDENTIFIED SPEAKER: Okay. So it is possible*  
17       *that someone looked at them, let's say hypothetically,*  
18       *in the last month or so?*

19                  *MR. CAPPS: Oh, yes.*

20                  *MR. GOBER: How many other officers would have*  
21       *an opportunity to check them?*

22                  *MR. CAPPS: Thirty eight officers on the*  
23       *division, and all of them would have an opportunity to*  
24       *come down, because we don't, we don't have any*  
25       *boundaries as far as rule checks and efficiency checks*

1 go.

2 UNIDENTIFIED SPEAKER: Of the 180 yards that  
3 you are responsible for, how many would you say that  
4 you contact on a daily basis, average?

5 MR. CAPPS: I would say about 25.

6 UNIDENTIFIED SPEAKER: Twenty five a day?

7 MR. CAPPS: Yes.

8 UNIDENTIFIED SPEAKER: Is that by phone --

9 MR. CAPPS: If you go by phone, it is probably  
10 more than that.

11 UNIDENTIFIED SPEAKER: Okay.

12 MR. CAPPS: I talk to all, all the crews, I  
13 contact every crew every day, if they are going on duty  
14 or on a crew, if I have to talk to the locals on the  
15 cell phone, that is what I do.

16 UNIDENTIFIED SPEAKER: Okay.

17 MR. CAPPS: Just try to keep up with --

18 MR. GOBER: Is that a company requirement or  
19 do you do that through your personal?

20 MR. CAPPS: I am kind of, you know, a hands on  
21 kind. I like to know what is going on. I don't like  
22 anybody --

23 UNIDENTIFIED SPEAKER: What does the company  
24 require, what is it in that sense?

25 MR. CAPPS: Have to be contacted every

1       quarter.

2               UNIDENTIFIED SPEAKER: At least every quarter.

3               MR. CAPPS: Right.

4               UNIDENTIFIED SPEAKER: Okay.

5               MR. GOBER: I didn't ask you how many trains  
6       operate on this territory, on the track section where  
7       the accident occurred, how many train movements would  
8       be on that per day?

9               MR. CAPPS: Five.

10              MR. GOBER: What are they?

11              MR. CAPPS: Okay, 155 and 156, and 191 and  
12       192. The -- trains go through there, but you cannot  
13       say that they are regular.

14              MR. CAPPS: That is right.

15              MR. GOBER: What it amounts to is you have two  
16       sets of turnarounds and one local.

17              MR. CAPPS: Right.

18              MR. GOBER: And where are those turnarounds  
19       operated?

20              MR. CAPPS: Columbia to Augusta.

21              MR. GOBER: All of them.

22              MR. CAPPS: Right.

23              MR. GOBER: Okay. Sam Knoie(ph), do you have  
24       any questions?

25              MR. KNOIE: Yes. Sam Knoie, Federal Railroad

1       Administration, Operating Practice out of Atlanta,  
2       Georgia.

3               Just a couple of questions. You say you talk  
4       to the crews daily. Did you ever talk to --

5               MR. CAPPS: I talked to the conductor on the  
6       cell phone that morning?

7               MR. KNOIE: About what time did you talk to  
8       him?

9               MR. CAPPS: I really don't, I couldn't tell  
10      you.

11              MR. KNOIE: Can you --

12              MR. CAPPS: I want to say it was about 8:30 in  
13      the morning, and asked him what he had lined up and I  
14      had talked to one of our sales reps that morning. We  
15      have a customer down there that, you know, hasn't been  
16      much of a, given us anything that great, and all of a  
17      sudden they got a contract and they need to the cars,  
18      and it is a steel plant that we have, and I told him to  
19      make sure that we gave him a switch because we were  
20      getting too many cars, and we didn't have any place to  
21      put them.

22              MR. KNOIE: What is the name of that company?

23              MR. CAPPS: It is T-H-E-E-Y-S-E-N Steel, I  
24      believe that is, Theysen Steel or Theysen Metal.

25              MR. KNOIE: Okay. And what --

1                   MR. CAPPS: We get four in and four out.

2                   MR. KNOIE: Okay.

3                   MR. CAPPS: I mean, if we can stock four cars  
4                   in there.

5                   MR. KNOIE: Okay. And --

6                   MR. CAPPS: I just told him to make sure that  
7                   they worked, that we got things -- and that is in  
8                   Aiken, so you could --

9                   MR. KNOIE: Okay. Would that include --

10                  MR. CAPPS: Well, you can, you can transport  
11                  over --

12                  MR. KNOIE: Let me give you an example and you  
13                  answer the question -- Off duty point, once they reach  
14                  the off duty point --

15                  MR. CAPPS: They have five minutes to get off,  
16                  to register off. If that is what you are talking about,  
17                  getting the computer and register off, yes.

18                  MR. KNOIE: Okay.

19                  MR. CAPPS: No, sir, I don't.

20                  MR. KNOIE: What is the milepost location at  
21                  the switch, into Avondale Mills?

22                  MR. CAPPS: That is the R-177.2 or 3. It is  
23                  45.

24                  MR. KNOIE: And that 45, what, what requires  
25                  the 45, is that a temporary restriction?

1           MR. CAPPS: No, that is, it is, actually you  
2           can operate 49 miles an hour but it is 45 mile an hour  
3           curve.

4           MR. KNOIE: Okay. So, it is a permanent curve  
5           restriction.

6           MR. CAPPS: Yes, sir.

7           MR. KNOIE: Are there any signals in that  
8           area?

9           MR. CAPPS: The only signal does not apply  
10          here. It is a signal that, it is dark territory, track  
11          one, there is a signal prior to that that will let you  
12          know the train switch, that the train switch is lined  
13          with the next siding.

14          MR. KNOIE: Now when you say prior, the  
15          direction of the train 192 is moving --

16          MR. CAPPS: Yes.

17          MR. KNOIE: The signal had been between the  
18          switch where the derailment occurred?

19          MR. CAPPS: It does not apply to that switch.  
20          The only thing it applies to is if the switch, at the  
21          siding, is correct. In other words, if any switch lines  
22          any crew or siding, outside, the signal will not, does  
23          not apply to those.

24          MR. KNOIE: What type of switch is that?

25          MR. CAPPS: It let's you know that the spring

1       *switch, that switch is lined for the main line movement*  
2       *at the siding.*

3               *MR. KNOIE: Okay.*

4               *MR. GOBER: Okay. It is a spring switch*  
5       *indicator to show you that once you pass by Avondale*  
6       *Mills, that the spring switch beyond that is going to*  
7       *be properly lined.*

8               *MR. CAPPS: That is correct.*

9               *MR. GOBER: But, if Avondale Mills switch is*  
10       *wide open, that thing could show you a clear and if you*  
11       *didn't know what you were looking at, I mean, it*  
12       *wouldn't have any effect one way or another on Avondale*  
13       *Mills, you could go around there running maximum speed*  
14       *and run into a hole that is open.*

15               *MR. CAPPS: That is correct. It has no*  
16       *bearing, whatsoever, on any of the switches, other than*  
17       *the spring switch --*

18               *MR. GOBER: Okay. And so that I can remember*  
19       *it, which one of the crew members on the northbound*  
20       *freight train, or the freight train was died.*

21               *MR. CAPPS: That was --*

22               *MR. GOBER: Okay. So the conductor is still*  
23       *alive.*

24               *MR. CAPPS: As far as I know.*

25               *MR. GOBER: Okay. Do you have any, anything,*

1       any knowledge about his condition at all?

2               MR. CAPPS: The only thing that I have heard  
3       is he stable.

4               MR. GOBER: Okay.

5               MR. CAPPS: I haven't heard anything --

6               UNIDENTIFIED SPEAKER: Do you have any  
7       knowledge of how the Norfolk Southern was informed that  
8       this accident occurred?

9               MR. CAPPS: When I, when they notified me,  
10       when the chief's office called me, they told me that,  
11       that 192 has been involved in a derailment at  
12       Graniteville and my first response was is everybody all  
13       right? He said that the conductor said that he was  
14       hurt, I mean, excuse me, the engineer said he was hurt.  
15       And I said, I am on my way. He called later and told  
16       me that there was, they were blocking off the area, I  
17       couldn't get in there because of the gas break and  
18       nobody knew what it was at that time, so, and I still  
19       haven't --

20              UNIDENTIFIED SPEAKER: So there was  
21       communication between the engineer of 192 and the  
22       dispatcher.

23              MR. CAPPS: Yes.

24              MR. GOBER: Mr. Bliss(ph), do you have any  
25       questions, Ben Bliss with the BLE?



1                   MR. BLISS:    The only question I have is 155  
2                   and 156 and 191, and 192, they make a trip up and back  
3                   or do they spend the night?

4                   MR. CAPPS: They spend the night.

5                   MR. BLISS: Spend the night.

6                   MR. CAPPS: Yes, sir.

7                   MR. BLISS: Or --

8                   MR. CAPPS: Yes, sir.

9                   MR. BLISS: How often do they run the --

10                  MR. CAPPS: I wish we would run them every  
11                  day, but it is seasonal, you know, and I can't really  
12                  give you a good answer on that. Sometime we run two a  
13                  week and sometime we won't run for a month.

14                  MR. GOBER: How many miles is it between the  
15                  tunnels on the crew plates?

16                  MR. CAPPS: It is, how many miles, 91 miles.

17                  MR. GOBER: Okay. So, when they make that,  
18                  that is a day's work for them. Okay.

19                  Mr. Dwyer, you just came in, but do you have  
20                  any questions? This is the Terminal Superintendent  
21                  that is in charge of territory where the accident  
22                  occurred.

23                  MR. DWYER: No.

24                  MR. GOBER: Mr. Norvell has one follow up.

25                  MR. NOVELL: Did you, after this accident, you

1 spoke with Mr. Ford?

2 MR. CAPPS: No, sir.

3 MR. NOVELL: Oh, you did not.

4 MR. CAPPS: No, sir. The dispatcher.

5 MR. GOBER: Mr. Bryson, NS, do you have any  
6 questions?

7 MR. BRYSON: No, sir, I do not.

8 MR. GOBER: Okay. Okay. I have got a phone  
9 number where I can reach you. Do I have permission to  
10 call you in the event that we have some follow up  
11 question of some kind?

12 MR. CAPPS: Yes, sir.

13 MR. GOBER: Okay. Thank you very much and that  
14 concludes our interview today.

15 (Whereupon, the interview was concluded.)