

NATIONAL TRANSPORTATION SAFETY BOARD

-----:
 IN RE: :
 :
 THE ACCIDENT INVOLVING TWO : NTSB Accident No.
 UNION PACIFIC FREIGHT : DCA16FR005
 TRAINS THAT OCCURRED NEAR :
 GRANGER, WYOMING ON :
 MARCH 14, 2016 :
 :
 -----:

INTERVIEW OF: WES SHIRLEY

Tuesday,
March 15, 2016

Little America Travel Center
Granger, Wyoming

BEFORE

TED TURPIN, NTSB
RAYMOND LINDSEY, Federal Railroad Administration
JOHN MAYSER, Federal Railroad Administration
STEVE LORD, Union Pacific

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

APPEARANCES:

On Behalf of the Interviewee:

JEFF BOYCE  
SMART UTU

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

(Time not disclosed)

MR. TURPIN: All right, my name is Ted Turpin and today is March 15th, 2016, and we're at the Little America Travel Center near Granger, Wyoming, interviewing the conductor on the Local for an accident that occurred near Granger on March 14th, 2016. The NTSB accident number is DCA16FR005. Okay

The purpose of the this investigation is to increase the safety, and not to assign fault, blame, or liability.

The NTSB cannot afford a guarantee of confidentiality though or immunity from certificate actions, like pull a conductor ticket. But we don't do that. That's not what -- but we can't guarantee it won't happen for some other reason.

A transcript of this summary will be -- the interview will be made in a public docket. You're allowed to have one representative which you've chosen to have. Do you understand that this interview is being recorded?

MR. SHIRLEY: Yes.

MR. TURPIN: All right. And if you'd just please state your name and spell it and your title.

MR. SHIRLEY: West Shirley, W-E-S, S-H-I-R-

1 L-E-Y, conductor.

2 MR. TURPIN: And now we'll go around the  
3 room and have everyone introduce themselves.

4 MR. BOYCE: Jeff Boyce, Conductor's Local  
5 Chairman for the SMART Transportation Union. B-O-Y-C-  
6 E.

7 MR. LORD: Steve Lord, Director of Operating  
8 Practices, Northern Region Union Pacific, L-O-R-D.

9 MR. LINDSEY: Raymond Lindsey, L-I-N-D-S-E-  
10 Y, Federal Railroad Administration Operating Practices.

11 MR. MAYSER: John Mayser, M-A-Y-S-E-R.  
12 Federal Railroad Administration Operating Practices.

13 MR. TURPIN: All right, and again, Ted  
14 Turpin, T-U-R-P-I-N. Wes, if you'd just tell us what  
15 happened.

16 MR. SHIRLEY: We, so I guess start at  
17 control point 002. We got flagged into the limits of  
18 the suspended limits there by Pilot Bush.

19 They flagged us down to control point 844.  
20 Told us to pull down there, and we did. We pulled down  
21 to the 844, stopped, and we was just waiting there.

22 We listened to the dispatcher talk to the  
23 pilot at 844, told him that they had the switches lined  
24 from Main 1 to Main 1 for our westbound train.

25 And after the westbound train they was going

1 to let us go down and do our work. We waited for, it  
2 was around 10, 15 minutes, and we were sitting there,  
3 and I, both the engineer and I noticed this at the same  
4 time, that the westbound train was, it was coming.

5 And I was watching it, getting ready to  
6 dismount to do a roll-by, and we noticed it went  
7 through the turnout, and then we all dismounted the  
8 train as fast as we could.

9 MR. TURPIN: Okay. I understand you went on  
10 the north side?

11 MR. SHIRLEY: Yes, I ran on the north side.  
12 The other two went out the back door. As the train was  
13 coming, I just, I didn't think I had time to follow  
14 them out and all of us get off on the same side, so I  
15 chose to go down the front and go to the other side.  
16 Thought I had a little more time to do that than follow  
17 them.

18 MR. TURPIN: Okay. How far did you get  
19 away?

20 MR. SHIRLEY: I made -- I didn't make it to  
21 the right-of-way fence. I don't know how far that is  
22 for sure.

23 MR. TURPIN: Okay.

24 MR. SHIRLEY: Almost to the fence.

25 MR. TURPIN: All right. We'll back up. You

1 mentioned the conversation. So you talked to Pilot  
2 Bush.

3 MR. SHIRLEY: Yes.

4 MR. TURPIN: And he gave you the  
5 authorization to enter in the suspension?

6 MR. SHIRLEY: Yes.

7 MR. TURPIN: And how does he tell you to,  
8 does he just say stop at 844?

9 MR. SHIRLEY: He told us we had, he talked  
10 to his, the employee in charge I guess.

11 MR. TURPIN: Okay.

12 MR. SHIRLEY: And the employee in charge  
13 told him that they had us cleared all the way down to  
14 844.

15 So he told us to proceed from 002 to 844 and  
16 told us a speed that we could go that way and, yes,  
17 they told --

18 MR. TURPIN: What was the speed?

19 MR. SHIRLEY: Maximum of 49 MPH.

20 MR. TURPIN: Okay. And when he says go to  
21 844, you obviously, that means just stop short of the  
22 control point.

23 MR. SHIRLEY: Yes.

24 MR. TURPIN: Got you. So he was talking to  
25 the EIC who we understand his name is Litteral. Did

1 you hear that conversation or he just told you that he  
2 had gotten --

3 MR. SHIRLEY: No, we heard it.

4 MR. TURPIN: You heard the conversation?

5 MR. SHIRLEY: Yes.

6 MR. TURPIN: Okay. And that was before you  
7 got to 2, right?

8 MR. SHIRLEY: Yes. Yes, we, I called Pilot  
9 Bush and told him we were approaching the limits and he  
10 told us to stand by and he contacted, I guess, Litteral  
11 and they had their conversation. Then he got back to  
12 us.

13 MR. TURPIN: Okay. So you almost hear it  
14 twice?

15 MR. SHIRLEY: Yes.

16 MR. TURPIN: What your permission's going to  
17 be.

18 MR. SHIRLEY: Yes.

19 MR. TURPIN: And then he relays. Okay. All  
20 right. So what time do you think you pulled in there  
21 and stopped?

22 MR. SHIRLEY: Around 9:20 probably.

23 MR. TURPIN: Okay. And the conversation you  
24 heard with the other pilot at 8:44, the one-to-one  
25 conversation?

1 MR. SHIRLEY: Yes.

2 MR. TURPIN: When do you think you heard  
3 that?

4 MR. SHIRLEY: Shortly after that, right  
5 almost as soon as we stopped. They were, the  
6 dispatcher and the employee, or that, yes, the pilot,  
7 they were discussing the next move and told him that we  
8 were going to be waiting there in the siding.

9 He was going to run that westbound and then  
10 they was going to let us out. He told him that he had  
11 -- she had the switches lined from Main 1 to Main 1.

12 MR. TURPIN: Okay, so the dispatcher said  
13 that too then?

14 MR. SHIRLEY: Yes.

15 MR. TURPIN: Okay.

16 MR. SHIRLEY: The dispatcher said it too.

17 MR. TURPIN: Okay. So the westbound was  
18 probably, that was, that would have been 40 minutes  
19 before you even showed up, right?

20 MR. SHIRLEY: No, I don't think it was that  
21 long. Maybe --

22 MR. TURPIN: Actually it's 20, I'm sorry.

23 MR. SHIRLEY: Yes, maybe.

24 MR. TURPIN: We've got 9:20 to 9:40, all  
25 right, about the two times.



1 MR. SHIRLEY: Yes, maybe 20 minutes, yes.

2 MR. TURPIN: So how far out would he have  
3 been then do you think?

4 MR. SHIRLEY: I don't know for sure. Maybe,  
5 I don't know, maybe seven, eight miles. I'm not sure.

6 MR. TURPIN: Okay.

7 MR. SHIRLEY: I don't remember how fast they  
8 were going or.

9 MR. TURPIN: It's why we interview them too,  
10 so I'm just curious if you had a feel for it. Okay.  
11 You almost positive it was Clark and the dispatcher  
12 talking? You can tell their voices?

13 MR. SHIRLEY: I can tell the dispatcher's  
14 voice, yes, I know who the dispatcher was. But, no, I  
15 don't know the names of those guys that are working  
16 there.

17 MR. TURPIN: Does he say I'm the pilot at  
18 844, does he give his location when he talks?

19 MR. SHIRLEY: Yes, yes.

20 MR. TURPIN: And that was the --

21 MR. SHIRLEY: Yes.

22 MR. TURPIN: ID?

23 MR. SHIRLEY: Yes, he ID'd himself as, at  
24 844.

25 MR. TURPIN: Okay. So it wasn't a

1 conversation with the EIC? With the dispatcher?

2 MR. SHIRLEY: No, not with the dispatcher.

3 MR. TURPIN: I got you, okay. Okay.

4 MR. BOYCE: It's good to go second. I may  
5 have less questions for you. No, I'm good. I'll go  
6 around the table.

7 MR. LORD: Wes, Steve Lord. You got your  
8 instructions from the Pilot Bush off the exit correct?

9 MR. SHIRLEY: Correct.

10 MR. LORD: Then you also talked to the 844  
11 pilot?

12 MR. SHIRLEY: No, we never did talk to him.  
13 We pulled down there and stopped and we had listened to  
14 the dispatcher have a conversation with him about the  
15 westbound train, and we knew we were waiting.

16 MR. LORD: Did you -- was it just a  
17 conversation that the dispatcher was having with the  
18 westbound that this was their plans or was it actually  
19 you're good to go one-to-one?

20 MR. SHIRLEY: Between the dispatcher and the  
21 pilot?

22 MR. LORD: Yes.

23 MR. SHIRLEY: That was the plan, yes. They  
24 was going to run that train from Main 1 to Main 1.

25 MR. LORD: Did she actually say we're going

1 to do it now or that's our next move, or was it just  
2 conversation that she was having with the pilot to kind  
3 of line up several moves?

4 MR. SHIRLEY: No, I don't think they was  
5 lining up several moves. That's the move they was  
6 talking about, so I, that was the next one.

7 MR. LORD: Did you hear the pilot talk to  
8 the westbound?

9 MR. SHIRLEY: Yes.

10 MR. LORD: Did you tell him that it was his  
11 turn?

12 MR. SHIRLEY: Yes.

13 MR. LORD: Give him the authority?

14 MR. SHIRLEY: Yes.

15 MR. LORD: Didn't have him stop (inaudible)?

16 MR. SHIRLEY: No, they didn't stop.

17 MR. LORD: And you guys didn't stop when you  
18 approached 002?

19 MR. SHIRLEY: No, we didn't stop either.

20 MR. LORD: And the lights were red?

21 MR. SHIRLEY: Yes.

22 MR. LORD: So to talk a little bit about the  
23 Form C. Form C gave you instructions to talk to Bush?

24 MR. SHIRLEY: Yes.

25 MR. LORD: Did you get permission to --

1 MR. SHIRLEY: To enter those limits.

2 MR. LORD: Enter those limits. And he got  
3 his instructions from the EIC then, right?

4 MR. SHIRLEY: Yes, well, he had a job  
5 briefing with the EIC and that's, that's what they  
6 decided. The track was clear at 844 so that's what  
7 they had us do, go to 844.

8 MR. LORD: At no time they were planning on  
9 taking you out of the siding before the westbound?

10 MR. SHIRLEY: No.

11 MR. LORD: That's all for now.

12 MR. TURPIN: Okay.

13 MR. LINDSEY: Ray Lindsey. I've got nothing  
14 now.

15 MR. MAYSER: I just want to have quick, John  
16 Mayser for clarification. So you're listening to the  
17 radio and you're listening to the conversation with the  
18 westbound train approaching 844. Did you hear that  
19 train get talked by the stop boards?

20 MR. SHIRLEY: Yes.

21 MR. MAYSER: Okay, and it was talked by by  
22 Pilot Clark, was that correct?

23 MR. SHIRLEY: Yes. Or whoever the pilot  
24 was. I guess that's his name.

25 MR. MAYSER: Whoever the pilot was at 844.

1 MR. SHIRLEY: Yes.

2 MR. MAYSER: Is what your assumption is  
3 then?

4 MR. SHIRLEY: Yes.

5 MR. MAYSER: Okay. So he was talked by one  
6 to one by the pilot.

7 MR. SHIRLEY: Yes.

8 MR. MAYSER: Okay, thanks, that's it.

9 MR. TURPIN: We're going to hit that one one  
10 more time. As best as you can recall, what was the  
11 actual conversation between pilot 844 and the  
12 westbound?

13 MR. SHIRLEY: The conductor on the westbound  
14 called the pilot at 844. Asked for instructions.

15 The pilot started to relay the instructions  
16 and the conductor stopped him for a minute because, I'm  
17 guessing him and his engineer were having a job  
18 briefing, and then he said I'll get right back to you,  
19 and he did, he got back to him.

20 He repeated the instructions that the pilot  
21 had given him. He told him that was correct. And then  
22 entered the limits.

23 MR. TURPIN: And what were those  
24 instructions?

25 MR. SHIRLEY: They were lined from Main 1 to

1 Main 1.

2 MR. TURPIN: And maximum speed, 49?

3 MR. SHIRLEY: 49 MPH, yes.

4 MR. TURPIN: No stops required?

5 MR. SHIRLEY: No stops required.

6 MR. TURPIN: Okay. That, I was getting to  
7 the actual wording and stuff. We're going to get it  
8 from other people and we have it recorded I believe,  
9 so.

10 MR. SHIRLEY: Yes.

11 MR. TURPIN: Or may have. So to back up  
12 now, we also talked about the conversation you heard,  
13 overhead pilot 844 talk to the dispatcher soon after  
14 you stopped.

15 MR. SHIRLEY: Yes.

16 MR. TURPIN: And you didn't think it was an  
17 informal conversation, you believed it was the actual -  
18 -

19 MR. SHIRLEY: I believe it was them having a  
20 job briefing of the move to come, yes.

21 MR. TURPIN: Of the pending move.

22 MR. SHIRLEY: Yes.

23 MR. TURPIN: And that conversation was soon  
24 after you stopped which would have been soon after  
25 9:20. The conversation with the westbound train, then,

1 from 844 was sometime after that?

2 MR. SHIRLEY: Yes, shortly after that.

3 MR. TURPIN: Shortly after that?

4 MR. SHIRLEY: Well probably maybe 10 minutes  
5 after that, around --

6 MR. TURPIN: Okay.

7 MR. SHIRLEY: -- 9:35 maybe.

8 MR. TURPIN: And how soon before he showed  
9 up? That'll give us --

10 MR. SHIRLEY: Not very long, it was just a  
11 few minutes.

12 MR. TURPIN: Okay. Okay. Then I think  
13 you're probably right, 40 and then 40 in. Okay. Who  
14 noticed him coming in on your siding first?

15 MR. SHIRLEY: Both the engineer and I  
16 noticed it at the same time. We both screamed.

17 MR. TURPIN: Okay.

18 MR. SHIRLEY: At the same time to get off.

19 MR. TURPIN: And you could tell he was going  
20 speed then, or close to?

21 MR. SHIRLEY: Yes.

22 MR. TURPIN: Okay. Okay. Anything else  
23 about the accident? All right.

24 MR. BOYCE: No.

25 MR. TURPIN: I need to go back 72 hours on

1 your rest sleep wake cycle. So did you work on Friday?

2 MR. SHIRLEY: Yes.

3 MR. TURPIN: On this job?

4 MR. SHIRLEY: Yes.

5 MR. TURPIN: Okay, and tied up about?

6 MR. SHIRLEY: Friday we tied up I think it  
7 was around 12:30 in the morning. I'm not sure.

8 MR. TURPIN: That's fine. And do you live  
9 nearby or do you have to commute?

10 MR. SHIRLEY: I live about an hour and a  
11 half away.

12 MR. TURPIN: Okay, so you went home and went  
13 to bed?

14 MR. SHIRLEY: Yes.

15 MR. TURPIN: What time did you get up  
16 Saturday?

17 MR. SHIRLEY: I don't -- I didn't get up  
18 until around probably 8:30.

19 MR. TURPIN: Okay. Do anything special  
20 Saturday?

21 MR. SHIRLEY: Oh, yes. I spent most of the  
22 day with my family. My dad and I did the chores, fed  
23 the cows, and I took my wife out to dinner, and spent  
24 the night with the kids.

25 MR. TURPIN: What time did you go to bed



1 Saturday night?

2 MR. SHIRLEY: I think I went to bed early  
3 Saturday night because it was, we change ahead. I  
4 think I was, we went to bed at 9 o'clock.

5 MR. TURPIN: Okay. And Sunday morning?  
6 When did you get up Sunday morning?

7 MR. SHIRLEY: About 7:30.

8 MR. TURPIN: Okay, Sunday, anything special?

9 MR. SHIRLEY: Went to church.

10 MR. TURPIN: Okay.

11 MR. SHIRLEY: Fed the cows. Stayed home.

12 MR. TURPIN: All right. Go to bed what time  
13 Monday night -- or Sunday night?

14 MR. SHIRLEY: Sunday night, we're always in  
15 bed by 9:30, 10:00. We got young kids that go to  
16 school and --

17 MR. TURPIN: Okay.

18 MR. SHIRLEY: -- we go to bed too.

19 MR. TURPIN: And Monday morning?

20 MR. SHIRLEY: Monday morning I got up  
21 probably about 7:30.

22 MR. TURPIN: Okay. And then an hour and a  
23 half commute to work?

24 MR. SHIRLEY: Yes.

25 MR. TURPIN: Went on duty?

1 MR. SHIRLEY: 1400.

2 MR. SHIRLEY: Two o'clock, okay. Feel  
3 rested?

4 MR. SHIRLEY: Yes.

5 MR. TURPIN: Do you have any trouble getting  
6 rest on this job?

7 MR. SHIRLEY: No.

8 MR. TURPIN: How long you been working on  
9 this particular job?

10 MR. SHIRLEY: Since January 5th.

11 MR. TURPIN: Okay. So almost three months,  
12 okay. All right. So now we reach all the way back.  
13 When did you start railroading?

14 MR. SHIRLEY: 2005. June 5th of 2005.

15 MR. TURPIN: Where at?

16 MR. SHIRLEY: Pocatello.

17 MR. TURPIN: So you started the same time as  
18 (phonetic) Brakeland?

19 MR. SHIRLEY: Yes, we hired out together.

20 MR. TURPIN: Okay. And since then where  
21 have you been, what have you done?

22 MR. SHIRLEY: I worked in Pocatello for  
23 several years. I've spent the last five or six years  
24 working in Montpelier. Montpelier and Kemmerer.

25 MR. TURPIN: Okay.

1 MR. SHIRLEY: Working those locals and  
2 that's where I like to work and --

3 MR. TURPIN: Okay.

4 MR. SHIRLEY: -- that's where I live, and --

5 MR. TURPIN: Okay.

6 MR. SHIRLEY: -- that's what I do.

7 MR. TURPIN: That's what you do, okay.

8 MR. SHIRLEY: I like to feed cows.

9 MR. TURPIN: Cool. Certified conductor?

10 MR. SHIRLEY: Yes.

11 MR. TURPIN: Certified engineer?

12 MR. SHIRLEY: Yes.

13 MR. TURPIN: Okay. We get the dates from  
14 the railroad. I usually ask people and they can't get  
15 their dates right. I don't know. Do you take any  
16 prescription drugs?

17 MR. SHIRLEY: No.

18 MR. TURPIN: Non-prescription?

19 MR. SHIRLEY: No. Well, like ibuprofen?

20 MR. TURPIN: Yes, yes.

21 MR. SHIRLEY: Sometimes.

22 MR. TURPIN: Okay. And the day of the  
23 accident?

24 MR. SHIRLEY: Yes.

25 MR. TURPIN: Yes.

1 MR. SHIRLEY: Last night, yes.

2 MR. TURPIN: After or before?

3 MR. SHIRLEY: After.

4 MR. TURPIN: After, okay, fair enough.

5 MR. SHIRLEY: At the hospital.

6 MR. TURPIN: Oh, you had to get checked out?

7 MR. SHIRLEY: Yes.

8 MR. TURPIN: Are you okay?

9 MR. SHIRLEY: Yes.

10 MR. TURPIN: Okay, good. Wear glasses?

11 MR. SHIRLEY: No.

12 MR. TURPIN: Okay. When was the last time a  
13 supervisor rode with you?

14 MR. SHIRLEY: Probably in December.

15 MR. TURPIN: Okay. Not on this job then?

16 MR. SHIRLEY: No.

17 MR. TURPIN: It was before.

18 MR. SHIRLEY: No, before that.

19 MR. TURPIN: Okay. You feel well-trained  
20 and qualified to do the job?

21 MR. SHIRLEY: Yes.

22 MR. TURPIN: Okay, good.

23 MR. SHIRLEY: Safe place to work?

24 MR. SHIRLEY: Most of the time.

25 MR. TURPIN: It's difficult right after an

1 event, but in general?

2 MR. SHIRLEY: Yes.

3 MR. TURPIN: Okay. All right. You worked  
4 any of these suspensions before?

5 MR. SHIRLEY: I don't, not that I can  
6 remember, I don't know.

7 MR. TURPIN: Okay. What were your feelings  
8 coming in here on all these reds and --

9 MR. SHIRLEY: Very uneasy. When we went by  
10 002 I made a comment to the crew that it doesn't feel  
11 right, I don't like this. It just, I was uneasy.

12 MR. TURPIN: About not stopping?

13 MR. SHIRLEY: About not stopping, about the  
14 system, the signals suspended, yes. All of it.

15 MR. TURPIN: Okay, how about the speed?

16 MR. SHIRLEY: We came in slow. We didn't go  
17 maximum authorized speed because I think my engineer  
18 kind of felt the same way. We never, I don't know  
19 exactly but I would bet we never got over 23, 24 miles  
20 an hour.

21 MR. TURPIN: And that didn't bother you?

22 MR. SHIRLEY: Going slow?

23 MR. TURPIN: Right.

24 MR. SHIRLEY: No.

25 MR. TURPIN: No, right. Okay. I think

1 that's it. Go around the room. Anybody have anything  
2 else? All right. Very good, let me shut this off.

3 Thank you. Or do you have anything to add, I'm sorry.

4 MR. BOYCE: No.

5 MR. TURPIN: Okay.

6 (Whereupon, the above-entitled matter went  
7 off the record at an undisclosed time.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

C E R T I F I C A T E

MATTER: Union Pacific Freight Train Accident  
Granger, WY March 14, 2016  
Accident No. DCA16FR005  
Interview of Wes Shirley

DATE: 03-15-16

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.



**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701