

NATIONAL TRANSPORTATION SAFETY BOARD

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IN RE: :

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THE ACCIDENT INVOLVING TWO : NTSB Accident No.

UNION PACIFIC FREIGHT : DCA16FR005

TRAINS THAT OCCURRED NEAR :

GRANGER, WYOMING ON :

MARCH 14, 2016 :

:

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INTERVIEW OF: MATTHEW LITTERAL

Tuesday,

March 15, 2016

Little America Travel Center

Granger, Wyoming

BEFORE

TED TURPIN, NTSB

RICK NARVELL, NTSB

BRIAN FRANSEN, BLET

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.

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

(Time not disclosed)

MR. TURPIN: All right.

MR. FRANSEN: Do me a quick favor. Get his stuff.

MR. TURPIN: My name is Ted Turpin. Today is March 15, 2016, and we're at the Little America Travel Center interviewing the employee in charge in connection with an accident that occurred near Granger, Wyoming, March 14, 2016.

The NTSB accident number is DCA16FR005, and the purpose of this investigation is to increase safety, not to assign fault or liability. And we cannot guarantee confidentiality because we're going to take this transcript and put it in a public docket for other people to read.

We cannot grant immunity or guarantee immunity if there is some sort of certificate that people want to pull, like a conductor's ticket or whatever, because we don't actually do that. You're allowed to have a representative. I understand that you've declined the need for a representative. And do you understand that this is being recorded?

MR. LITTERAL: Yes.

MR. TURPIN: All right. Very good. Now if

1 you'll state your name and spell it please.

2 MR. LITTERAL: Matthew Brian (phonetic)
3 Litteral. L-I-T-T-E-R-A-L.

4 MR. TURPIN: Okay. Thank you. We'll go
5 around the room.

6 MR. FRANSEN: Brian Fransen, BLET. B-R-I-A-
7 N, F-R-A-N-S-E-N.

8 MR. LORD: Steve Lord, L-O-R-D. Union
9 Pacific Railroad, General Director of Operating
10 Practices for the region.

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

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

16 MR. NARVELL: Rick Narvell. N-A-R-V-E-L-L.
17 Human Performance, NTSB.

18 MR. TURPIN: And again, Ted Turpin. T-U-R-
19 P-I-N. You mind if I call you Matthew?

20 MR. LITTERAL: Yes, that's fine. Yes.

21 MR. TURPIN: Okay. Just tell us what
22 happened.

23 MR. LITTERAL: Leading, I mean, as in
24 starting out when I came on shift?

25 MR. TURPIN: If you'd like. Sure.

1 MR. LITTERAL: Me and Conductor Pilot
2 Aldridge (phonetic), he was also in charge of the
3 single track, or the single suspension over the pilots
4 during the day shift. I come in. We had a job
5 briefing. It lasted approximately, I'd say an hour and
6 15 minutes or so. A lot longer than I anticipated.

7 And then at the, at the same time, we have a
8 pilot working CP G002. That one was informed, he is
9 off of Pocatello, that the director of road operations
10 out of Pocatello says he has to return to Montpelier
11 ASAP and get tied up, because they have no rested
12 people in Montpelier.

13 So we asked where, well, where's our other
14 pilot, and it was Jerry (phonetic), the MOP out of
15 Pocatello.

16 MR. TURPIN: Linquist (phonetic)?

17 MR. LITTERAL: Linquist. Jerry Linquist.
18 And Jerry was a great guy. He stayed at CP G002 all
19 day with us, but our pilot that we had for Verne, the
20 CP G, I believe 854, we had to move him to CP G002
21 because we were going to run a bunch of westbound short
22 line trains, and we wouldn't have had anybody there to
23 protect the switches, make sure the switches was lined
24 like we're supposed to do.

25 And so we moved, it was Tel Carter. We

1 moved him over there. So I moved down to 847, CP G847,
2 and the dispatcher would, I don't have my sheet,
3 because it was a continuously running log for the day,
4 and we would just keep transferring it over, and, of
5 what trains it had run, but I believe it was
6 approximately five, I think five short line trains in a
7 row, east and west.

8 And she told us the, is it 5155, I believe.
9 It was the second Kemmerer, the train. She'll be
10 bringing it, CP G002, OSL Main to long siding down to
11 CP G844, and we had to hold it at 844 because she did
12 not have a track to leave 844, because there was a
13 train at Westvaco working on Main 2 that had to pull
14 out westbound, out onto the Main, and show up eastbound
15 back to CP G833, so she could not take the second
16 Kemmerer at 844.

17 When she told me that, I called the second
18 Kemmerer on the radio, and asked them if they'd heard
19 that, that she was going to hold them at 844. He says,
20 absolutely, we are stopping now. And they stopped.

21 She commenced to telling us that she was
22 going to run two trains. One west and one east. Main
23 1 to Main 1 at CP G844, Main 1 to Main 1 CP G847, Main
24 2 to Main 2 at CP G864, and Main 2 to Main 2 at 847, up
25 to CP G844 on Main 2. Okay?

1 My impression of that conversation right
2 there, the eastbound train on Main 2, she, the way she
3 made it sound, she was not taking that train past CP
4 G844. She was going to hold that train on Main 2 at
5 844. As far as Main 1, we was running westbound, Main
6 1 to Main 1 at 844 and at 847.

7 So we have an EIC of the signal department,
8 and at the time it was Lance Burman (phonetic). I
9 can't remember his name. Burham (phonetic)? Lance
10 Burham. But anyway, we was in constant contact with
11 him because he had workers on the track, Main 1, Main
12 2, sometime, you know, sometimes both. And sometimes
13 they wasn't working on the track at all.

14 So before we could, dispatcher would tell me
15 what move she wanted to make. I would contact Lance
16 and tell him, okay, we're going to go Main 1, Main 1 at
17 CP G844, Main 1, Main 1 CP G847, all the way to
18 Hampton, and then also on the eastbound. Main 2, Main
19 2 at Hampton, Main 2, Main 2 844 up to, or 847 up to
20 844.

21 He would tell me, okay, I got men on number
22 2 track, you know, give me 10 minutes, I'll call you
23 back. Or he would tell me, he doesn't have any men on
24 the track. And at the time, they had no men on the
25 track.

1 We was going to run both trains and it, I
2 let Hampton know what we was, or Hampton acknowledged.
3 They heard, they heard what needed to be done. 844
4 acknowledged him. He heard the dispatcher.

5 I go out, check 847, our route, Main 1, Main
6 1, the line, Main 2, Main 2's line. I come back. I
7 tell 844, when that train comes there, you can run him.

8 And train shows up, 844 calls him, and next
9 thing I know, the dispatcher's calling me, telling me
10 he has an occupancy in the OS at 844 on the OSL siding,
11 or on the long siding, and I said, absolutely. The
12 second Kemmerer is sitting in the, in the long siding.

13 And at that time, he called the westbound
14 train and says, stop your train immediately. And the
15 crew says, we hit the train in the long siding. So
16 that's as far as we got.

17 MR. TURPIN: Okay. I want to, I want to
18 back up to when the, when the local was stopped in the
19 long siding. You said that that point is when the
20 dispatcher talked to you, and she told you the moves
21 that were being made. What specifically did she say?

22 MR. LITTERAL: She told us she was going to
23 run, at first she said she was going to run the second
24 Kemmerer, and she says, no, I cannot do that. I do not
25 have a track for the, for the, I can't remember the

1 unit numbers, and I left my paperwork in the truck.
2 But it was the second Kemmerer, the coal train.

3 And so she says, I'm going to hold that
4 train at CP G844 on the long siding. And I says, okay.
5 Second Kemmerer, or 5155, whatever it was, I said, did
6 you copy that? And I don't know, engineer, conductor,
7 brakeman, who it was, somebody acknowledged, yes, we
8 heard that. We are going to stop.

9 MR. TURPIN: Okay.

10 MR. LITTERAL: And she told us, she says, I
11 want to run Main 1 to Main 1. I want to run Main 2,
12 Main 2, eastbound.

13 MR. TURPIN: Okay.

14 MR. LITTERAL: So Main 1, Main 1 westbound,
15 Main 2, Main 2 eastbound.

16 MR. TURPIN: And once you got that
17 instruction, the next person you call is the signal
18 EIC?

19 MR. LITTERAL: The EIC of the signal
20 suspension.

21 MR. TURPIN: Okay.

22 MR. LITTERAL: And they are the same as
23 like, I was over the pilots, he is over all of the
24 signal workers.

25 MR. TURPIN: Okay.

1 MR. LITTERAL: So you're not having to talk
2 to 50 people.

3 MR. TURPIN: Right. And you explained to
4 him what the dispatcher wants to run.

5 MR. LITTERAL: Yes.

6 MR. TURPIN: What if he says, we're not
7 ready?

8 MR. LITTERAL: Then we don't run them.

9 MR. TURPIN: Okay. And that's, and that
10 happens?

11 MR. LITTERAL: And if I can back up, I
12 recall now, it was not Lance Burnam. It was Bernie
13 Summers (phonetic).

14 MR. TURPIN: Okay.

15 MR. LITTERAL: Because Lance, it was, it was
16 late, and Lance had called me earlier and told me, he
17 says, I'm almost out of here. He said, Bernie Summers
18 is coming to replace me, and I would say 45 minutes
19 before this happened, Bernie Summers was there.

20 MR. TURPIN: Okay.

21 MR. LITTERAL: At 847, CP G847.

22 MR. TURPIN: Okay. In general, how often, I
23 mean, it goes both ways. You call them up and they say
24 they're in the clear, you call them up and they say
25 they have more work to do. How often? Is it, which

1 way?

2 MR. LITTERAL: It, as in yesterday, the
3 Pocatello, the short line trains, they, signal was
4 never even a question. They was, they was not working
5 at, around the OSL main, the long siding, the OSL
6 siding.

7 They was not working from CP G847 to 844,
8 actually physically on the track. Every time, before
9 Bernie got there, and we held trains. We actually held
10 trains before.

11 MR. TURPIN: Okay. Now is that, do you call
12 the dispatcher immediately and say, you know, we can't
13 run them yet?

14 MR. LITTERAL: No, I do not tell the
15 dispatcher that we're not going to run the train.

16 MR. TURPIN: Okay.

17 MR. LITTERAL: We hold the train.

18 MR. TURPIN: Okay.

19 MR. LITTERAL: After the dispatcher tells us
20 what trains she wants to run or he wants to run.

21 MR. TURPIN: You just don't relay the
22 authorization?

23 MR. LITTERAL: No. We will not run that
24 train until everybody is in the clear of the limits.

25 MR. TURPIN: Okay. I got you.

1 MR. LITTERAL: And Lance Burham, he had guys
2 working on Main 1 and Main 2 earlier, and I held a
3 train at 847, and I remember, it was railroad time, and
4 he says, give me 10 minutes and I'll be in the clear,
5 and 30 minutes later --

6 MR. TURPIN: Yes.

7 MR. LITTERAL: -- we ran the train. But
8 that was west of 844.

9 MR. TURPIN: Okay.

10 MR. LITTERAL: I stopped him at 847.

11 MR. TURPIN: All right. Little different
12 here now. You've had the conversation with the
13 dispatcher. She said, west 1 to 1, east 2 to 2.

14 You called up the EIC signal guy. He said,
15 okay, we're fine. We're actually in the clear now.
16 Whatever they want to run, they can run. So then you
17 called pilot 844. What, specifically, did you say to
18 him?

19 MR. LITTERAL: I don't believe, I don't
20 believe, originally, when the dispatcher told me, Main
21 1, Main 1, Main 2, Main 2, Hampton acknowledge on the
22 radio, they copied that. They're ready. And 844 says,
23 I copy that too.

24 MR. TURPIN: Okay.

25 MR. LITTERAL: And so after I talked to

1 signal, and they told, and actually it was Bernie, and
2 I pulled, Bernie was on the road, and I was down past
3 him, and I, and I seen him.

4 I don't remember if I tried to call him on
5 the radio and he didn't answer and that's why I pulled
6 up next to his truck. But he says, I copied that. I'm
7 monitoring the dispatcher. He says, I heard that.
8 Westbound, Main 1, Main 1, eastbound, Main 2 to Main 2.

9 MR. TURPIN: And that was --

10 MR. LITTERAL: And he says, I have
11 absolutely nobody out there working on the track, and
12 will not the rest of the night.

13 MR. TURPIN: Okay. That was, that was
14 Bernie. I wanted to make sure that there was a
15 confirmation with 844 pilot.

16 MR. LITTERAL: Yes. And after I talked to
17 Bernie, and he said they was in the clear, I told 844,
18 run that train when he gets there.

19 MR. TURPIN: Okay. Okay. And it was
20 understood from the previous conversation, that meant
21 running 1 to 1.

22 MR. LITTERAL: Correct.

23 MR. TURPIN: I got you.

24 MR. LITTERAL: Correct.

25 MR. TURPIN: Okay.

1 MR. LITTERAL: Because it was westbound
2 train.

3 MR. TURPIN: Okay. Good. We've had, we've
4 had some discussions, and we're trying to pin down some
5 issues about the communication between the dispatcher
6 and the EIC or the pilot.

7 And we're trying to understand if there's a
8 distinction between a dispatcher kind of planning out
9 loud and talking with you, and when a dispatcher is
10 definitively saying, this is how we're going to run the
11 trains. And do those two different kinds of
12 conversations happen with the dispatcher?

13 MR. LITTERAL: I've been a conductor pilot
14 for 10 years. When the dispatcher gives you a UP train
15 number, you are running that train, or you are holding
16 that train.

17 He will tell you, your next move is a UP
18 5300. You're also going to have a UP 5200 east. Hold
19 that train. You know, there's never, maybe we'll run
20 this one, maybe we won't.

21 MR. TURPIN: You don't, you don't hear that
22 kind of --

23 MR. LITTERAL: Never.

24 MR. TURPIN: -- conversation?

25 MR. LITTERAL: No. No.

1 MR. TURPIN: He doesn't say something about,
2 well, the first west may go this way, and the next,
3 without an engine number?

4 MR. LITTERAL: They, yes, they will say
5 that.

6 MR. TURPIN: Okay.

7 MR. LITTERAL: If they give you unit
8 numbers, you're running that train.

9 MR. TURPIN: Okay. So that's the
10 distinction between a formal conversation and an
11 informal one --

12 MR. LITTERAL: Yes.

13 MR. TURPIN: -- is the presence of the
14 engine number.

15 MR. LITTERAL: Because sometimes you will
16 get, he will tell you a 5300 west, next thing you know,
17 there's a 5100 west calling you, and you call, and you
18 don't run it.

19 MR. TURPIN: Right.

20 MR. LITTERAL: You hold up here, get a hold
21 of the dispatcher. Dispatcher, my mistake. He's a
22 5100. Run him, you know.

23 MR. TURPIN: Do you think there was kind of
24 an informal discussion about the local and the, because
25 she changed her mind on it.

1 MR. LITTERAL: At first, when he was first
2 pulling down to the long siding, she, I honestly think
3 she had plans on taking it.

4 MR. TURPIN: Okay.

5 MR. LITTERAL: Because, and then she says,
6 well, no. I'm going to, I can't remember her exact
7 words, but I remember her saying, no, we'll hold him at
8 844. I do not have a track for him.

9 MR. TURPIN: Right. Westvaco was --

10 MR. LITTERAL: And then, and that's when, I
11 mean, you could actually hear Westvaco, the train at
12 Westvaco making their move.

13 MR. TURPIN: Okay.

14 MR. LITTERAL: And that's, and right when
15 she said that, I understood exactly why she wanted to
16 hold that train.

17 MR. TURPIN: Okay. Okay. I'm going to go
18 around the room now. Ask questions about the accident
19 or anything else.

20 MR. LORD: Matthew, Steve Lord. First,
21 start of your conversation, you said, she told us she
22 was going to go, she was going to run 1 to 1 and 2 to
23 2. There's no other numbers I heard you say. And then
24 you talked about, your 844 pilot said, you copied that,
25 and someone else said, I copied that.

1 MR. LITTERAL: No. I can, I can get you the
2 exact unit numbers she told me if you'll give me two
3 minutes.

4 MR. LORD: No, that's not necessary.

5 MR. LITTERAL: Okay. Then I guess --

6 MR. LORD: I'm kind of, kind of going on
7 what Ted was talking about. She'll have a plan with
8 you.

9 MR. LITTERAL: Okay.

10 MR. LORD: Or the dispatcher will have a
11 plan with you, kind of lay out a plan of what we're
12 going to do. And is there a possibility that that plan
13 got confused with what she really wanted you to do?

14 MR. LITTERAL: With what? Who wanted to do?

15 MR. LORD: The dispatcher. So she's
16 talking, just say she's talking to EIC. You or
17 whoever. That would be you this time.

18 MR. LITTERAL: Yes.

19 MR. LORD: She's saying I'm going to go, I'd
20 like to go 1 to 1 and 2 to 2, and then I may want to
21 take that local off the siding, but she hasn't really
22 decided to do that yet.

23 Is there a possibility that you may have
24 assumed that she was going to go, or that she wasn't
25 really ready to take that guy 1 to 1? Or do you --

1 MR. LITTERAL: Not, if she gave me a unit
2 number, and I should've brought my paper in with me,
3 but --

4 MR. LORD: That's okay.

5 MR. LITTERAL: I have the unit numbers wrote
6 down that she told me to take on our daily log.

7 MR. LORD: I believe you.

8 MR. LITTERAL: If she gives me a unit
9 number, and she will tell me the route to run that unit
10 number, and she told me Main 1 to Main 1 at CP G844,
11 Main 1 to Main 1 at CP G847, and also a, I believe it
12 was a 7212 or east at 864, we're going to run him Main
13 2 to Main 2, to CP G844. Okay? When she says that, I
14 --

15 MR. LORD: You're going to do it.

16 MR. LITTERAL: I'm going to tell this
17 eastbound train, he's not going to have a light at 844.

18 MR. LORD: Okay.

19 MR. LITTERAL: The way that sounded.

20 MR. LORD: Okay. So you start off your
21 conversation about being ensured that all the switches
22 were aligned.

23 MR. LITTERAL: Correct.

24 MR. LORD: And how do we not ensure that the
25 siding, the 1 to 1 was not lighted?

1 MR. LITTERAL: That's a good question for CP
2 G844. That is our job. Absolutely our job. I mean, I
3 was at CP G847 before I can run a train. I mean, that
4 is your job. There, it is a suspended signal system.

5 MR. LORD: When we talked to 844 pilot, he
6 was under the understanding he didn't have to do that.
7 He was sitting up on the hill. And you're saying that
8 that's your job. That's what a pilot does or the
9 flagger does. Make sure that the switches are
10 (inaudible).

11 MR. LITTERAL: Every day. That is your job.
12 We had a job briefing Sunday, in this room right over
13 here with Mr. Bob Thompson (phonetic), with the pilots.

14 MR. LORD: So before you run anything, she
15 tells you 1 to 1. You check the switches.

16 MR. LITTERAL: Absolutely. Absolutely. And
17 that was brought up in this job briefing with the
18 signals team before we went to work. We had this
19 meeting on Sunday, went to work on Monday.

20 MR. LORD: So they specifically said --

21 MR. LITTERAL: Absolutely.

22 MR. LORD: Check the switches no matter
23 what.

24 MR. LITTERAL: Absolutely. And that is, I,
25 it floors me, that is (inaudible). Why would you not

1 check the switch? I mean, I'm the guy in charge of
2 four pilots out there that just about got five guys
3 killed. And I had no control over looking at that
4 switch. And if he would've looked at that switch --

5 MR. LORD: We wouldn't be here.

6 MR. LITTERAL: That train would've never got
7 talked through CP G844.

8 MR. LORD: And we wouldn't be here.

9 MR. LITTERAL: Westbound. Correct. I don't
10 have a problem with somebody making a mistake. That's
11 unacceptable for the type of job we're out there doing
12 right now. That we went to this meeting for this
13 signal cut over, and Bob Thompson says, this is the
14 big, biggest project they have ever done.

15 And there was so many different places for
16 people, for the pilots to be, that you have to be on
17 you're a game. There's no room for error. And it's
18 obvious, there was no room for error last night.

19 It, I've done many a signal cut overs, and
20 never, never had a problem. And I mean, it's always
21 been the same team. Wasn't the same team this time.
22 We had a few extra players.

23 MR. LORD: So how do you think that switch
24 was not restored to normal? Why do you think it was
25 not restored to normal? Do you think she had plans of

1 getting the local out of there and --

2 MR. LITTERAL: No. No, that's another thing
3 that kind of surprised me, was we was talking to, I
4 believe it's MKR, Missy (phonetic), and she had been
5 calling me, and after she gives us the Main 1, Main 1,
6 Main 2, Main 2, and we run the Main 1, it's a guy's
7 voice calling me, you know, calling, I got an
8 occupancy. And I mean --

9 MR. LORD: But nevertheless, you feel --

10 MR. LITTERAL: Shift change, I don't know.

11 MR. LORD: -- that if the, if the pilot
12 would've checked his switches, we wouldn't be here.

13 MR. LITTERAL: One hundred percent.
14 There's, I haven't slept all day. And I knew why.

15 MR. LORD: Well, we appreciate you talking
16 with us.

17 MR. LITTERAL: I mean, I don't, I have
18 nothing against that guy. First time I've ever worked
19 with him. I've never met him a day, you know, until
20 yesterday. But he was, he, they was supposedly
21 qualified conductor pilots off of this Green River
22 side.

23 MR. LORD: So to be clear, it was
24 extensively covered in your job briefing with Bob
25 Thompson?

1 MR. LITTERAL: Absolutely, 100 percent.

2 MR. LORD: The words were spoken --

3 MR. LITTERAL: Absolutely.

4 MR. LORD: Please check the switches.

5 MR. LITTERAL: Absolutely.

6 MR. LORD: Okay.

7 MR. LITTERAL: Yes.

8 MR. LORD: That's all I have.

9 MR. LINDSEY: Ray Lindsey. Was every pilot
10 that, to be assigned, at that job briefing on Sunday?

11 MR. LITTERAL: No. The midnight shift was
12 not. The --

13 MR. LINDSEY: The midnight shift, just to
14 clarify --

15 MR. LITTERAL: There's three, we was having
16 three shifts. Your morning shift, your afternoon
17 shift, and your night shift.

18 MR. LINDSEY: Okay, got you.

19 MR. LITTERAL: The midnight shift was not.
20 We had, we had two pilots from Green River, Jim
21 Hartford (phonetic) and Jeremy Clark was at the
22 meeting.

23 MR. LINDSEY: Okay.

24 MR. LITTERAL: And then we had six from
25 Ogden, and the Pocatello, and (inaudible), Jerry --

1 MR. LINDSEY: Linquist.

2 MR. LITTERAL: Linquist, was at the meeting.

3 Jerry Linquist was there. But the night shift was not.

4 MR. LINDSEY: Okay.

5 MR. LITTERAL: Midnight shift.

6 MR. LINDSEY: Yes.

7 MR. MAYSER: John Mayser, FRA. May I? Now

8 847, those switches were off power, right?

9 MR. LITTERAL: 847 was off power, and it was
10 all locked with signal locks --

11 MR. MAYSER: Okay.

12 MR. LITTERAL: -- on hand operation.

13 MR. MAYSER: So those switches are off
14 power. G002 and 844 were on power, correct?

15 MR. LITTERAL: That's correct.

16 MR. MAYSER: Okay. So in the, in the
17 briefing you guys got Sunday from signal, there was no,
18 they specified that all switches, I'm asking you, I'm
19 not trying to put words in your mouth.

20 Did they specify that all switches, whether
21 they're on power or off power, had to be checked?

22 MR. LITTERAL: Yes.

23 MR. MAYSER: Okay. All switches?

24 MR. LITTERAL: All switches for your move,
25 for your route.

1 MR. MAYSER: Okay. Your, the pilots that
2 were under your control, did you physically know where
3 they were located, like 84, I, the reason I'm asking
4 this, is 844 was in his truck off set, away from the
5 switches. He couldn't actually --

6 MR. LITTERAL: No.

7 MR. MAYSER: -- see his switches.

8 MR. LITTERAL: No. All I knew was our pilot
9 was at CP G844. Our pilot was at CP G002, and our
10 pilot was at CP G864.

11 MR. MAYSER: When you guys communicate
12 amongst yourselves, do you refer to each other as, you
13 know, Fred, Tom Joe? Or do you refer to each other as
14 CP G40, 844?

15 MR. LITTERAL: Both. It, not necessarily --

16 MR. MAYSER: Give me an example of how you
17 would --

18 MR. LITTERAL: Are you ready to make that
19 move at 844, Jeremy? You know. Or are you ready to
20 make that move at 864, or is Hampton ready, Ryan?

21 Or, you know, I mean, it, it's sometimes
22 it's 844, sometimes it's Jeremy, sometimes it's Carter,
23 Hampton, you know, wherever you're at.

24 And I, but I mean, I remember, you know, I
25 called 844 a few times that night. But for the most

1 part, if I remember correctly, and Jeremy was always
2 saying 844 got that, I believe is what he was saying.
3 And I mean, I probably might, my fault for not calling
4 CP G844 or, you know --

5 MR. MAYSER: I'm just asking.

6 MR. LITTERAL: Yes.

7 MR. MAYSER: Okay.

8 MR. LITTERAL: But no, it's, it, sometimes
9 I'll call 844, sometimes I'll call Jeremy, or sometimes
10 I'll call Tel and, you know, and, but that's the way
11 the signal guys call us too.

12 MR. MAYSER: When, it seems like it's
13 pretty, you know, you've got it pretty hard that all
14 switches are going to be checked, whether they're power
15 switches or power off switches.

16 MR. LITTERAL: Yes.

17 MR. MAYSER: Is that anything that, other
18 than verbal guidance, or is there anything written, to
19 your knowledge, that says, when performing pilot
20 duties, all switches will be checked? Or it's just
21 verbal guidance from the job briefing?

22 MR. LITTERAL: Yes. Yes, it's the job
23 briefing.

24 MR. MAYSER: Okay.

25 MR. LITTERAL: I mean, I have to, I have to

1 go back to this. We, this, these signal guys that's
2 out here, we've worked with them since Ogden, you know?

3 I mean, this isn't the first day we worked
4 with them. We worked with them in Ogden. The same
5 guys. And we had the same job briefing down there with
6 them, you know?

7 And, but I mean, we had other guys on our
8 team that's never done it, and that supposedly had done
9 it, but we had never worked with them.

10 MR. MAYSER: So, just the last question I
11 have, so the first time you heard the male dispatcher
12 was after the impact had already occurred. Is that
13 correct?

14 MR. LITTERAL: No. No, he called me and
15 says he had an occupancy --

16 MR. MAYSER: Oh, that's right.

17 MR. LITTERAL: -- in the long siding. And I
18 says, that second Kemmerer's there. And he never said
19 nothing back to me. He told that train, called that
20 train by number. Stop your train immediately. And
21 that's when the crew says, we made, we just hit it.
22 Just hit the train.

23 MR. MAYSER: When you said stop that train,
24 you're referring to the westbound?

25 MR. LITTERAL: Yes.

1 MR. MAYSER: Okay.

2 MR. LITTERAL: Yes, the westbound. The
3 eastbound had never even showed up to our limits at CP
4 G864 yet to run. The dispatcher actually got a hold of
5 it and stopped it at Carter.

6 MR. MAYSER: Thanks, man.

7 MR. TURPIN: I just had one more kind of
8 follow up and then, I know we talk about this a lot,
9 but, and I understand, you are very adamant about
10 checking all the switches.

11 But have you ever had discussions with other
12 EIC's or other pilot, conductor pilots, and they made
13 the distinction between a powered switch and a locked
14 switch or a manual, you know, that they make a
15 distinction between the two, whether the power's on or
16 power off? Whether they inspect them or they don't
17 inspect them?

18 MR. LITTERAL: No. No.

19 MR. TURPIN: Okay.

20 MR. LITTERAL: No. All my switches at 847
21 was all in hand operation.

22 MR. TURPIN: Right.

23 MR. LITTERAL: Locked.

24 MR. TURPIN: Right.

25 MR. LITTERAL: With a signal lock. And no,

1 it's practiced. I mean --

2 MR. TURPIN: Have you ever had to ask a
3 pilot conductor out there that, in the past, have you
4 ever said, did you, you know, verify with them, did you
5 check the switches?

6 MR. LITTERAL: No.

7 MR. TURPIN: You ever had to tell them to go
8 down and check the switches?

9 MR. LITTERAL: No.

10 MR. TURPIN: Okay. Okay. That's fine.

11 MR. NARVELL: You get to finish up with me,
12 Matt. And I'm going to ask you some questions not
13 related to the accident. These are kind of like some
14 background type questions about you, and if you don't
15 know, you don't know.

16 And I've been asking these to all the
17 fellows, and be no different here now. Would you be
18 able to give us, and if you can't do it tonight, you
19 can send me the information if, you got email?

20 MR. LITTERAL: Yes.

21 MR. NARVELL: Okay. Kind of a little work
22 rest history from the 11th, Friday, up until the time
23 you went on duty. What time you got, went to bed, what
24 time you got up, what time you got put in on duty.
25 Those kinds of things.

1 MR. LITTERAL: Friday --

2 MR. NARVELL: Friday up until Monday. I can
3 write it down if you know it. If not, you can send it
4 to me.

5 MR. LITTERAL: Yes. It, I'm burnt out.

6 MR. NARVELL: That's okay. You want to send
7 it to me?

8 MR. LITTERAL: I, yes. That would --

9 MR. NARVELL: Yes.

10 MR. LITTERAL: So Friday to Monday?

11 MR. NARVELL: So Friday the 11th, to Monday
12 the 14th, here it is, we're almost on a Wednesday, so
13 yes. And that, it would be, like times to bed and time
14 up. Clock times of course. And then if you worked
15 those days, I mean, we know you did, what time you went
16 on duty and off duty.

17 MR. LITTERAL: Off duty. Okay.

18 MR. NARVELL: And if you had any days off,
19 put that on there too. Just for that time period.

20 MR. LITTERAL: Let's see, Friday --

21 MR. NARVELL: Friday the 11th to Monday the
22 14th.

23 MR. LITTERAL: I was off Friday and
24 Saturday.

25 MR. NARVELL: Well, there's half the battle

1 right there.

2 MR. LITTERAL: Because I'm on the extra
3 board.

4 MR. NARVELL: Okay.

5 MR. LITTERAL: And they, we had that, it was
6 an employee involvement meeting with the signal guys
7 right here on Sunday.

8 MR. NARVELL: Okay.

9 MR. LITTERAL: They pulled me off the board.

10 MR. NARVELL: You can put that in your, in
11 your thing. Just, yes.

12 MR. LITTERAL: Okay.

13 MR. NARVELL: All that. That's good.
14 That's good to know. Okay. Just a few other questions
15 and we'll wrap up here I think. Can you give us just a
16 general idea of your health? Good, bad, average?

17 MR. LITTERAL: I'm 51, and some days I feel
18 like I'm 70. And there's days I feel like I'm 40. No
19 health issues.

20 MR. NARVELL: Okay then?

21 MR. LITTERAL: Yes.

22 MR. NARVELL: All right. And do you
23 remember when your last physical was?

24 MR. LITTERAL: No, I do not.

25 MR. NARVELL: Does the UP require you to

1 have one?

2 MR. LITTERAL: No.

3 MR. NARVELL: So no railroad one and no
4 personal one?

5 MR. LITTERAL: No.

6 MR. NARVELL: Of the late?

7 MR. LITTERAL: No. Other than that lady
8 taking my blood last night.

9 MR. NARVELL: Oh, we'll get to that in a
10 second. Medications?

11 MR. LITTERAL: No.

12 MR. NARVELL: Okay. Over the counter
13 prescription?

14 MR. LITTERAL: No.

15 MR. NARVELL: Okay. And again, standard
16 question here, alcohol and drug use --

17 MR. LITTERAL: No.

18 MR. NARVELL: -- for the, okay. So now
19 we'll talk about the lady yesterday. Did you submit to
20 post accident drug testing, drug and alcohol?

21 MR. LITTERAL: Yes.

22 MR. NARVELL: Okay. Tell us a little bit
23 about that. What they took and what times.

24 MR. LITTERAL: I have them papers in my
25 truck.

1 MR. NARVELL: Again, if you don't know for
2 sure, that's fine.

3 MR. LITTERAL: It would've been, let's see,
4 we got back here --

5 MR. MAYSER: You could put that on the
6 email.

7 MR. NARVELL: Want to put that on the email
8 too? Or do you want to put that on your --

9 MR. LITTERAL: Okay. Okay.

10 MR. NARVELL: Add that on there too.

11 MR. LITTERAL: But yes, they took a
12 breathalyzer.

13 MR. NARVELL: Okay.

14 MR. LITTERAL: Urinalysis.

15 MR. NARVELL: All right.

16 MR. LITTERAL: And drew --

17 MR. NARVELL: Blood?

18 MR. LITTERAL: -- two vials of my precious
19 blood.

20 MR. NARVELL: Okay. That's standard
21 procedure that FRA does.

22 MR. LITTERAL: That's, I was a first for me.
23 First I'd ever --

24 MR. NARVELL: They do that. They do that.

25 MR. LITTERAL: I don't have a problem. I've

1 never had a problem with the --

2 MR. NARVELL: Just tag that on too, Matt, if
3 you don't mind.

4 MR. LITTERAL: Okay.

5 MR. NARVELL: The times and the date.

6 MR. LITTERAL: For, what did they call that?

7 MR. NARVELL: Toxicology. Specimens.

8 MR. LITTERAL: Yes, they called it
9 something. Tox box or something.

10 MR. NARVELL: Yes, tox box.

11 MR. TURPIN: The tox box.

12 MR. NARVELL: Okay. Just a few more and
13 we'll be done. Any problems with hearing?

14 MR. LITTERAL: No.

15 MR. NARVELL: Okay. And vision? I see you
16 wear your glasses. They were glasses --

17 MR. LITTERAL: Prescription. Yes.

18 MR. NARVELL: Okay. Were you wearing them
19 the night before?

20 MR. LITTERAL: Yes. Oh, yes, I can't, yes.

21 MR. NARVELL: Do you know what your vision
22 rating is? 20/20, 20/30?

23 MR. LITTERAL: No I don't. These are
24 actually new glasses there. They're only three months
25 old.

1 MR. NARVELL: Okay.

2 MR. LITTERAL: And I don't know, remember
3 what it was.

4 MR. NARVELL: That's fine. Workload, can
5 you give us a little description of your workload,
6 meaning, was it a busy night? Was it average?

7 MR. LITTERAL: It, actually, it was a
8 Monday, and Monday's are slow days. And no, it was, it
9 was, I believe me and Tel counted up 22 or 23 trains on
10 Monday there, between that signal suspension started,
11 and the time this happened. And that's a lot.

12 MR. NARVELL: Busy?

13 MR. LITTERAL: Uh-huh.

14 MR. NARVELL: Okay. Good.

15 MR. LITTERAL: And it's basically, I mean,
16 five, I believe it was five in a row off the short
17 line.

18 MR. NARVELL: Okay.

19 MR. LITTERAL: And that's, I mean, the Ogden
20 crew, we don't call them short lines, but something
21 else, but --

22 MR. NARVELL: Okay. Any problems with your
23 equipment that night? Radio issues? Anything?

24 MR. LITTERAL: No sir. No.

25 MR. NARVELL: Okay. Do you remember what

1 the weather was like?

2 MR. LITTERAL: It was cloudy and dark. It
3 was absolutely dark that night.

4 MR. NARVELL: Okay. Okay. And the last
5 question here I have, cell phones, do you have a cell
6 phone?

7 MR. LITTERAL: Yes.

8 MR. NARVELL: Okay, where, did you use it
9 that night prior to the incident?

10 MR. LITTERAL: Yes.

11 MR. NARVELL: Okay.

12 MR. LITTERAL: Talking to the Hampton and
13 the signal guys. That Lance Burham and also I talked
14 to Bernie Summers on it, and I talked to 844.

15 MR. NARVELL: Okay. What's the UP's policy
16 on cell phones?

17 MR. LITTERAL: As pilots, we can use our
18 cell phones.

19 MR. NARVELL: You can?

20 MR. LITTERAL: Yes.

21 MR. NARVELL: For work related?

22 MR. LITTERAL: Work related, yes sir.

23 MR. NARVELL: Okay. Great, thank you.

24 That's all I have.

25 MR. TURPIN: One last thing. Start your

1 railroad career. Where you've hired out, what you've
2 done, where you've been.

3 MR. LITTERAL: I hired out on the Denver Rio
4 Grande Southern Pacific. I actually worked out of Salt
5 Lake, so they considered me Rio Grande. If I'd worked
6 out of Ogden, I would've been considered Southern
7 Pacific, and they wouldn't let you forget it either.

8 But I hired out in '95, and I worked at
9 Roper, out of Roper in Salt Lake until the merger in, I
10 believe it was '96, '97, and I was living in Ogden the
11 whole time, and my union rep in Roper told me, he says,
12 you have secondary rights in Ogden. And I marked up
13 that day and never went back to Salt Lake.

14 And I've worked out of Ogden, actually the
15 conductor's extra board, I've been on the conductor's
16 extra board for, I would say 19 and a half of my 21
17 years. So --

18 MR. TURPIN: Okay. You like that extra
19 board?

20 MR. LITTERAL: I'm marked up on Elko turn,
21 from Ogden to Elko, and for six months, and I can't do
22 the same thing. It, I have to, I like the variety of
23 the local, coming to Green River, going to Elko. You
24 know, I can't do one straight thing.

25 MR. TURPIN: Okay. And you've gotten an EIC

1 job quite a bit?

2 MR. LITTERAL: No. No. It, well, I can't
3 say, quite a bit, but I mean, I've had, I've had them.

4 MR. TURPIN: Okay.

5 MR. LITTERAL: It was, you know, it was no,
6 there's no problem for me to do it.

7 MR. TURPIN: How do they decide the EIC is,
8 as compared to being the conductor? Is that a
9 seniority job difference?

10 MR. LITTERAL: As in the pilot?

11 MR. TURPIN: Yes.

12 MR. LITTERAL: No. No, there's, it's not
13 seniority at all. It's just, like, Wayne Aldridge
14 (phonetic), he's always an EIC, whatever shift he
15 works.

16 MR. TURPIN: Okay.

17 MR. LITTERAL: And then the afternoon shift,
18 I came in, and it was me and Tel and Ryan and we was
19 all kind of joking around, who's going to be the EIC
20 and they all told me I was, so --

21 MR. TURPIN: Oh, you guys have that option
22 when you show up on the job?

23 MR. LITTERAL: We decide before we get
24 there. And that, you know, and we plan where we're
25 going to, where we're going to work, 844 or, but we

1 knew we had a guy from Green River --

2 MR. TURPIN: Yes.

3 MR. LITTERAL: -- that was going to be
4 working 844. We knew had a guy from Pocatello that was
5 going to be working CP G002, so we had Verne and
6 Hampton, and the EIC was actually going to work 844,
7 because we were short handed men. Or we didn't have
8 enough pilots. They wouldn't let us get any more
9 pilots.

10 MR. TURPIN: And you guys all come out here
11 together? You're deadheaded together?

12 MR. LITTERAL: We came out to the meeting on
13 Sunday, went back to Ogden, and then the day shift guys
14 come back Monday for their shift. We come back for
15 ours.

16 MR. TURPIN: And you're deadheaded out. You
17 don't have to drive out?

18 MR. LITTERAL: No, we drive our own
19 vehicles.

20 MR. TURPIN: Oh, you drive your own? You
21 drive --

22 MR. LITTERAL: We pilot with our own
23 vehicles.

24 MR. TURPIN: Do you drive together? Do you
25 guys come out together?

1 MR. LITTERAL: No, not necessarily.

2 MR. TURPIN: Okay.

3 MR. LITTERAL: Maybe one or two will be
4 together, but no, we don't all just, and actually,
5 yesterday, the day shift guys come up and said it was,
6 it was a bad storm, so we left, myself and Tel, we left
7 early, earlier than we usually would to come up because
8 of the weather. And then by the time we come up, it's
9 all cleared out, so --

10 MR. TURPIN: Just, I know you answered this,
11 but I want to confirm it too. Do you know for sure Mr.
12 Clark was at the meeting Sunday?

13 MR. LITTERAL: Absolutely. Yes sir.

14 MR. TURPIN: Okay. Does there, do you do a
15 sign in roster?

16 MR. LITTERAL: They, I have one. Well, I
17 don't have one, but the pilots, they have a phone
18 roster.

19 MR. TURPIN: Okay.

20 MR. LITTERAL: It has all the signal
21 contacts.

22 MR. TURPIN: No, no, no. I mean, when you
23 go to this thing, this one hour class.

24 MR. LITTERAL: No, but everybody signed,
25 yes, we, that sheet right there.

1 MR. TURPIN: Is that the same thing?

2 MR. LITTERAL: They wrote it, wrote their
3 names down.

4 MR. TURPIN: I got you.

5 MR. LITTERAL: With their phone numbers.

6 MR. TURPIN: Okay.

7 MR. MAYSER: It's also on the time card,
8 right? I mean, (inaudible) is free, so --

9 MR. LITTERAL: Yes. Yes, on your, on your
10 tie up.

11 MR. MAYSER: Right. Yes.

12 MR. LITTERAL: But, yes. Because they did.
13 They put us, employee involvement to go to that
14 meeting.

15 MR. TURPIN: Okay. Right. All right. Let
16 me shut this off. I got one more --

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

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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 Matthew Litteral

DATE: 03-15-16

I hereby certify that the attached transcription of page 1 to 40 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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