



NATIONAL TRANSPORTATION SAFETY BOARD
Investigative Hearing

Washington Metropolitan Area Transit Authority Metrorail train 302 that encountered heavy smoke in the tunnel between the L'Enfant Plaza Station and the Potomac River Bridge on January 12, 2015

GROUP	
EXHIBIT	

Agency / Organization

Title

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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WMATA INCIDENT AT L'ENFANT PLAZA
STATION, WASHINGTON, D.C.
JANUARY 12, 2015

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* Docket No.: DCA-15-FR-004

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Interview of: HERCULES BALLARD

WMATA Headquarters
Jackson Graham Building
Washington, D.C.

Wednesday,
April 15, 2015

The above-captioned matter convened, pursuant to notice.

BEFORE: MICHAEL FLANIGON
Railroad Accident Investigator

The interviewee was afforded an opportunity to review this transcript for accuracy. No corrections were received.

APPEARANCES:

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National Transportation Safety Board

ROBERT "JOE" GORDON, Investigator-in-Charge
National Transportation Safety Board

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National Transportation Safety Board

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1 I N T E R V I E W

2 MR. FLANIGON: All right. It's April 15, 2015. My name
3 is Mike Flanigon, F-l-a-n-i-g-o-n. I'm with National
4 Transportation Safety Board. And today we're at WMATA
5 interviewing Mr. Hercules Ballard, B-a-l-l-a-r-d. How do you
6 spell your first name, Hercules?

7 MR. BALLARD: H-e-r-c-u-l-e-s.

8 MR. FLANIGON: Okay. Hercules. And this is in regard
9 to the January 12th smoke and arcing incident at L'Enfant Plaza.
10 And I'll go around the room and ask my colleagues to introduce
11 themselves.

12 MR. NARVELL: Rick Narvell. It's N like in Nancy-a-r-v
13 like in Victor-e-l-l, with NTSB.

14 DR. GROFF: Loren Groff, L-o-r-e-n, G-r-o-f-f, NTSB.

15 MR. GORDON: Joe Gordon, G-o-r-d-o-n, NTSB.

16 MR. FLANIGON: And just to confirm, you know, we'll
17 record the interview and give you a transcript --

18 MR. BALLARD: Okay.

19 MR. FLANIGON: -- to look at and verify.

20 INTERVIEW OF HERCULES BALLARD

21 BY MR. FLANIGON:

22 Q. Well, to start out, can you tell us a little bit about
23 your work history, when you went to work for WMATA, what you've
24 done over the years and what your current job involves?

25 A. Okay. I started at WMATA in 1974 as a bus operator for

1 approximately 10 years. Then in 1984, I became a train operator.
2 I was a train operator for about a year then I became a rail
3 transportation supervisor. A rail transportation supervisor,
4 managing train operators, station managers, working the terminal
5 at the end of the line, managing train operators at the end of the
6 line, tower supervisor, dispatching trains, managing folks, moving
7 trains around in the rail yards.

8 Then I became a central control supervisor, working the
9 control center, managing the movement of trains through the
10 system, managing the maintenance work that occurs, doing the main
11 line at night after revenue service.

12 And then I became incident analysis manager
13 investigating incidents for the operations -- the deputy general
14 manager of operations: bus incidents, maintenance incidents, rail
15 incidents.

16 And then I went back to Rail OCC as a superintendent of
17 Rail OCC. At that point I was the manager. The superintendent
18 was the manager of Rail OCC, managing, you know, the station
19 section room, the -- well, the station section room, the train
20 section room.

21 And then in 1999, I went to work for Bechtel in Athens,
22 Greece. I was there to hire and train the staff for the Rail
23 Operation Control Center.

24 In 2002, I returned to Washington Metro. I was tasked
25 with assisting and bringing on the new SCADA system. They were

1 trying to upgrade the new SCADA system. Initially they were going
2 to port the information from ROCCs to a new computer. We
3 convinced the managers to, instead, buy a new system, which is
4 AIM.

5 From that position, I became the superintendent field
6 operations. I managed station managers, train operators,
7 interlocking operators at the field level.

8 Then I returned to OCC as the superintendent of OCC.
9 Then I became the assistant director of Rail OCC. They created an
10 assistant director position. And then I became the director of
11 OCC, and then I became the managing director of rail
12 transportation back in 2010.

13 As the managing director of rail transportation, I'm
14 responsible for Rail Operation Control Center, rail training,
15 training for station managers, any position within rail
16 transportation. I manage the director of scheduling, training and
17 scheduling, scheduling group. They prepare all of the work
18 schedules for station managers, train operators, and also
19 scheduling the movement of the trains in the system. Also I have
20 a QA group within rail transportation.

21 I have, of course, the train station section of the rail
22 transportation. And we have rail infrastructure. Basically what
23 the rail infrastructure group does is to support the station
24 managers, making sure that the station managers have all the
25 equipment and things that they need within the station, making

1 sure that the facility itself is kept up. And that's basically
2 the group we have within rail transportation is comprised of
3 approximately, a little over 1600 people in rail transportation.

4 Q. Sounds like it keeps you busy.

5 A. Keeps you busy. Keeps you up at night.

6 Q. Yeah.

7 A. Uh-huh.

8 Q. So over the years of your career you've obviously seen a
9 lot of changes at WMATA.

10 A. Yes.

11 Q. And there's been some high points and some low points
12 and certainly, you know, some of the low points have involved, you
13 know, a string of serious accidents happened 6, 7 years ago. Over
14 that 6, 7, 8 year period, what kind of changes have you seen with
15 regard to safety at WMATA, safety of operations? For the good,
16 for the bad, for the -- you know, what's changed and what's been
17 the impact of that?

18 A. I think we've seen a lot of positive changes after the
19 accidents that we had 6, 7 years ago. The Roadway Worker
20 Protection Program is one of the, I guess, the high points of the
21 changes that we've made over the last few years. We've always
22 said, you know, safety was our core value, but we didn't always
23 practice that, you know.

24 And I think, you know, once Mr. Sarles came on board,
25 that it was more emphasis, you know, on safety. Of course, you

1 know, it's very difficult to change a culture and it takes it very
2 slow, and I'm not sure everyone was always on board, you know. I
3 think that the senior level, executive level management, you know,
4 they would focus on safety, but I'm not sure if that always got
5 down to the people actually I would have boots on the ground. I
6 don't think all of them were always exercising the most safest
7 practices at all times.

8 So I think just getting that message down to everyone
9 and making sure that they practice that consistently has been a
10 challenge for management. And even some folks maybe at the
11 supervisory level, you know, I think some folks were still focused
12 on getting the work done more so, you know, than always having
13 safety at the forefront. But I think we are a lot better at
14 making sure that we do things safely than we were in the past.

15 Q. Okay. Well, I think what you described there is
16 probably a challenge in every organization, is how you -- how do
17 you get from the sort of top level vision of what should be down
18 to what is? So what are the things that are in place to try to
19 make that transition to change the view, the worldview of folks
20 lower on the management chain as well as the line level folks?

21 A. Well, I think having DuPont here and getting folks to --
22 the local safety committee groups. Right? I think that's helped
23 because there's a lot more discussion, you know, about safety at
24 the lower levels, right? So people have more of a say in getting
25 things done, getting things changed than ever before. So now with

1 the local safety committees, they can push things up to the area
2 safety committee and then we go up to the ELT.

3 So I think that's made things better. That's made the
4 folks at the lower level come to understand that the executives
5 are concerned about them and their safety. And so I think that's
6 helped a lot. But even some of these safety contacts that we're
7 supposed to have in the beginning every meeting, I think that
8 keeps us safety at the forefront. You know, we're always talking
9 safety at that meeting. So I think all of that helps.

10 But, you know, again, it's still going to be a challenge
11 of making sure that things that have been done unsafe, you know,
12 in the past and make sure that we always go back and look at those
13 things and when we see people doing those things, challenge them
14 to, you know, to not do those things. And I think having the
15 worker having the ability to challenge a manager and say, you
16 know, good faith challenge say, hey, I don't think that that's
17 safe, you know. We weren't able to do that before, you know. And
18 so I think all of that has improved safety here. And hopefully,
19 you know, all of that will continue into the future.

20 Q. Okay. When was the DuPont program implemented about?
21 If you --

22 A. In the -- maybe the 2007/8 time frame, I would think.

23 Q. Okay. And that, and that's when the safety committee
24 structure was --

25 A. Yes.

1 Q. -- reorganized or --

2 A. Oh, basically created.

3 Q. Created. Okay.

4 A. Right.

5 Q. And you mentioned -- well, you mentioned good faith
6 challenge. Now, does that apply to pretty much all the crafts?

7 A. Yes. All crafts.

8 Q. So train operators?

9 A. Yes.

10 Q. Controllers?

11 A. Yes.

12 Q. As well as the roadway worker?

13 A. Yes.

14 Q. Great. Okay. And you also mentioned something about
15 safety contacts. Can you talk a little bit about what that is?

16 A. It's -- at the beginning of every meeting, we have -- we
17 start the meeting with safety contact. So you say something about
18 safety.

19 At Rob Troup's meeting this morning, I'm trying to
20 remember the safety contact. It was basically folks would
21 normally think that during the winter months that most of the
22 incident accidents would occur, whereas during the warmer month
23 periods of the year that you have more incidents and accidents
24 because people have a tendency to be out doing more, involved in
25 more things, that kind of -- so these kinds of things that we have

1 at the beginning of every group meeting.

2 Q. Okay. And you're, I'm sure, aware of the close call
3 program you guys have here?

4 A. Yes.

5 Q. What kind of information flows out of that process that
6 you can use? I mean, I understand that it's confidential, so you
7 don't get --

8 A. Right. Right.

9 Q. -- names and addresses, but you get de-identified
10 information.

11 A. Right.

12 Q. So what does that look like and how do you use that?

13 A. Basically what it is, is if an employee -- and it's not
14 for all employees at Metro yet. I think they're trying to include
15 bus now. The maintenance groups, the rail group, if you witness
16 or become aware of an incident that's unsafe, then you can call
17 that information in or use your computer to submit that
18 information to the close call program and then it's investigated.

19 And then I think the information is given to -- from the
20 committee, close call committee to the executives and then they
21 follow up to come up with -- after the recommendations are made,
22 they come and come up with a plan on how to execute those
23 recommendations.

24 One I remember, and I don't know when exactly, but it
25 had to do something with trains going in and out of rail shops,

1 maintenance shops. And as a result, we had to put out signs and
2 those type things because someone working in the rail shops felt
3 that it was something we were doing unsafe. So out of that, I
4 think now instead of having one person flagging a train in, we
5 have a person at the door flagging and someone at the extreme end
6 where the train was stopped, plus there's signage on the shop
7 door. So some positive changes have occurred as a result of the
8 close call program.

9 Q. And the idea there, if I understand it, is if I would
10 see -- you know, say, I work in a shop and I see the train coming
11 in or I had to jump out of the way or something --

12 A. Yes.

13 Q. -- and I don't want to turn myself in for maybe not
14 being as attentive as I should be and I don't want to turn my
15 brother or sister in who might have been going a little too fast
16 or whatever, I just kind of report it and then it gets de-
17 identified and turned into a sort of more generic issue that --

18 A. Right.

19 Q. -- that gets dealt with. That --

20 A. Right. And that's basically it. And once you report
21 that information and then you, if your manager were to find out,
22 you know, about it as a result of some information they got that
23 they needed to correct something, that you cannot be disciplined
24 as a result of it. So I think, initially, I think the workers
25 were a little bit unsure that the information that they were going

1 to submit would be held in confidence, right. But I think now
2 more folks are getting more comfortable with the program. And I
3 think they're starting to get more reports, so it's pretty
4 positive.

5 Q. Okay. Within your realm -- well, I know, I wanted -- I
6 did want to clarify one thing when you were talking about the
7 responsibility. You mentioned an infrastructure group. And is
8 that different than the sort of maintenance and engineering
9 infrastructure group?

10 A. Yes. We -- prior to about -- prior to March, the group
11 was called station operations. But it was confusing because I
12 have a director who's in charge of station and trains. And folks
13 would contact the station operations group to voice concerns about
14 the station managers. And so I needed to change the name of that
15 group to something else. So we call it rail infrastructure,
16 station infrastructure.

17 And basically what they have is they have what they call
18 station supplier runners, and they take out, like, all the
19 different supplies and materials to station managers. And they
20 support us in making sure that things that are broken in the
21 station, that they, you know, they go between us and, like, the
22 maintenance groups to make sure things get taken care of within
23 the station.

24 Q. Okay. Okay. So of those people that kind of fall under
25 your area of responsibility, how many of them, if any, go through

1 -- I'm going to call it either training on incident command or
2 National Incident Management System, NIMS, which is, you know, the
3 fire department's incident commander --

4 A. Right. Right.

5 Q. -- and how that transitions? Who gets trained on that?

6 A. There is no specific NIMS training for our groups. We
7 basically follow what's laid out in MSRPH. And so we have not
8 actually sent our staff to receive NIMS training. But it's kind
9 of laid out what the roles are in our rule book. But there's no
10 specific training, I think, that we give our people.

11 Q. Okay. And MSRPH stands for? Metro --

12 A. Rail Safety Rule Handbook of Procedures.

13 Q. Okay. Great. Thanks. Okay. That's NIMS.

14 I'm going to guess the -- I'm going to predict the
15 future here that the answer will be yes. Are you familiar with
16 the Tri-state Oversight Committee?

17 A. Yes.

18 Q. Yeah.

19 A. Yes.

20 Q. And how often would you say you see them on the
21 property?

22 A. I see them on the property -- well, we meet monthly.
23 Well, we meet with them at least twice monthly. But for me to
24 actually see them other than, you know, doing those meetings, I
25 don't because I'm located at Greenbelt. So I don't see them other

1 times other than those meetings.

2 Q. Okay. And another question about one of the systems in
3 use here. Besides the confidential close call system, there's an
4 employee hotline or a safety hotline, I think it's called.

5 A. Safety hotline, yes.

6 Q. And on that system, what kind of outputs do you see that
7 -- you know, what data comes to you that allows you to address
8 things?

9 A. If there's something related to rail transportation on
10 there, I'll get a call from safety and then they'll call me and
11 then I'll have to follow up or they give me a correction action
12 plan to follow up and get back to them, with them, you know, once
13 I'm able to take care of whatever the matter was.

14 So they'll give me a call and then they'll tell me what
15 the issue was and then give me a time frame to get it corrected.

16 Q. Okay. So it's sort of a case by case? If it --

17 A. Yes. Case by case.

18 Q. So they're sort of the dealers. They get --

19 A. Yes.

20 Q. -- they get these inputs and, you know, it might be
21 yours or it might be maintenance or it might be somebody else.

22 A. Yes.

23 Q. They kind of deal them out and manage them or monitor
24 them.

25 A. Yes. Yes.

1 Q. Okay. And then how about the Safety Management
2 System? Kind of the same question, what data comes to you to
3 operationalize changes and so forth?

4 A. Well, it's -- I guess, basically we input stuff when we
5 have incidents, right. In rail transportation, we input
6 information into the system, in SMS. And when Safety contacts me,
7 I'm not sure that information is coming out of SMS or if it's
8 coming from a hotline. It's just to say we've got this issue that
9 we need for you to address.

10 Q. Okay.

11 A. And then, you know, that's basically how we, you know,
12 communicate, interact with Safety.

13 Q. Okay. Now the SMS, is that a system you can go into and
14 query it if you want to?

15 A. But -- I guess we could. We don't necessarily get a lot
16 of information. I don't get a lot of information out of SMS. I'd
17 say right now, we basically input incidents into SMS, but I don't
18 necessarily get a lot of reports out of SMS that I use.

19 Q. Okay. I guess I'm looking for any data source that
20 would allow you to kind of look at a bigger picture of what might
21 be trending in one direction or another.

22 A. And that would probably come out of SMS, but I'm not
23 getting that information.

24 Q. Okay. Specifically, I mean, we're, of course, very
25 interested in the smoke and arcing incident. Did you in the past

1 or do you now get any kind of information on the frequency of
2 those kind of events?

3 A. Well, I know about them because I'm OCC.

4 Q. Yeah.

5 A. So when we have -- every day we get, you know, daily
6 report of all the incidents. I get phone calls, all right. So
7 I'm aware whenever we have these incidents in the system. But I'm
8 not sure if that's disseminated through, throughout the
9 organization. But I get it.

10 Q. Yeah. And besides the individual events themselves, do
11 you have any way of telling whether that's an increase or a
12 decrease or things are getting better, things are getting worse,
13 or you have to -- just have to sort of work that out on your own?

14 A. Well, the information is entered into MAXIMO. And so
15 I've got, like, an analyst and I can get that information, you
16 know, because everything has a trouble code. And based on that
17 trouble code, we can do like a query and then we can, you know,
18 research and see, you know, how -- what the frequency is of
19 different type of incidents. So I can get that information.

20 Q. Okay. Do you know if anyone's done that?

21 A. I'm not sure. Probably the maintenance groups, but --
22 no, I'm not sure.

23 Q. Yeah. I think we asked them that --

24 A. Because we all have access to MAXIMO.

25 Q. I think we asked them for that, right? So I'm sure

1 somebody has those --

2 A. Yeah.

3 Q. -- to get a sense -- okay. You know, we've asked pretty
4 much everybody about how they thought the WMATA radio system
5 worked and, you know, I don't think anybody's said it's perfect.

6 A. No.

7 Q. What's your take on the radio system?

8 A. We have challenges. I mean, we've always had challenges
9 with the radio system. And some of the reported problems are
10 exaggerated. We had one operator who reported that he traveled
11 the system and for 12 stations he couldn't communicate, right?
12 And so we put a supervisor on the train with her just to find out
13 exactly what her issue was. And so it was exaggerated. I mean,
14 it wasn't as bad as she said it was.

15 But there are issues, there are spots where we have
16 trouble communicating. And once we get a call in OCC that a train
17 operator can't communicate with OCC, OCC can't communicate with
18 train operator, then we report that to the communications group
19 and then they go out and they troubleshoot. And, you know, a lot
20 of cases they are able to correct the issue.

21 And in some places, there are just areas that we know
22 that things aren't working well and they don't ever seem to be
23 able to get those corrected. And so I met with the communications
24 group last week and now we've got this display in OCC that will
25 allow us to be able to see these dead spots real time, all right.

1 And some of them are problem areas that may not get fixed.

2 And as we get reports in OCC that there's a new area,
3 then we put the information in the MAXIMO maintenance system and
4 that would also populate onto that display in OCC. So what that's
5 going to allow us to be able to do, is if there's a known area,
6 then the plan is to start communicating that to the operators
7 prior to them coming on the line so they know that they're in a
8 particular area and they can't -- it's maybe a problem
9 communicating with OCC. They know that, you know, as they travel
10 on system, then they have options they can always, instead of
11 using their handset, they can use the train radio. If that does
12 not work, they can go to ETS box, the Emergency Trip Station, you
13 know, every 800 feet, you know, to communicate.

14 And, if for some reason that can't work, if they have a
15 cell phone, which they should not keep on their person, but we
16 know everyone has a cell phone, then they can always use a cell
17 phone to communicate with OCC. So even if there is an issue, we
18 should, in most cases still be able to communicate.

19 Q. Okay. Are you familiar with the System Safety Program
20 Plan --

21 A. Yes.

22 Q. -- at the WMATA end?

23 A. Yes.

24 Q. And what are your responsibilities under that plan?

25 A. I review it when it's revised and to make sure that

1 information for rail transportation, primarily OCC, is accurate.
2 And I'll get, you know, the opportunity to provide input to it. I
3 make sure that the staff and ATRA, you know, Rail OCC, that they
4 have their copy and they're aware of it and they actually
5 understand what their responsibilities are as laid out in that
6 document.

7 Q. Okay. As being in charge of the transportation function
8 pretty much from soup to nuts, the safety of those operations
9 really rely a great deal on a lot of different people following
10 certain critical procedures and doing them the right way every
11 time.

12 A. Right.

13 Q. What are the mechanisms you have in place to verify or
14 confirm that those are being implemented the way they should be?

15 A. I have approximately 100 supervisors, transportation
16 supervisors. And so for the field staff, for the train operators
17 and station managers, they are out in the system, communicating
18 with the station managers and the train operators on a daily
19 basis. And they're supposed to make contact with and document
20 that contact on a daily basis. So if we have a new rule or
21 procedure that we've sent out, the supervisor -- we can tell the
22 supervisor that today we want you to talk about SOP 1.

23 You know, so they'll go out and they'll go in and talk
24 to the operators and station managers and they'll have that
25 discussion with them, all right. Also with the supervisors, they

1 have what we call these BlackBerry push. They'll go out and make
2 sure that operators are making their announcements, operators are
3 opening doors. They're sticking their head out of the window and
4 waiting 5 seconds, thereabout, to make sure that they are on the
5 proper side of the train before initiating the door open command.

6 So we've got supervisors out there every day checking on
7 the staff to make sure they are following the procedures as
8 written, right. And what we also have is the quality assurance
9 group in rail transportation. And what they will do is they'll go
10 out and they'll check on station managers and train operators and
11 supervisors and also to make sure that they're doing -- you know,
12 they're following the rules and procedures, you know, making sure
13 that, you know, we are blowing the horn on the train when we pass
14 workers on the wayside. So, and we get the managers who is
15 supposed to go and check on the staff in the field on a regular
16 basis, like going to a tower every week. The assistant
17 superintendent's supposed to go to the rail tower to check on the
18 interlocking operator and make sure that that person is doing what
19 they're supposed to be doing.

20 We've recently gotten a person in the interlocking group
21 to start going out and checking on the interlocking operators on a
22 regular basis, making sure that they are following the rules and
23 procedures, that, you know, they are doing what they're supposed
24 to do. So we have a lot of checks involved.

25 In OCC, we've got the assistant superintendent there to

1 make sure the operators are -- the controllers are doing what
2 they're supposed to be doing. And the assistant superintendents
3 are supposed to be performing audits, you know, of the performance
4 of the controllers in the control center. So we feel that, you
5 know, we are doing a relatively good job checking to make sure,
6 you know, that staff, you know, they're doing what they're
7 supposed to do.

8 Of course, you know, there's always the possibility
9 that, you know, the one off, you know, people getting lax and not
10 doing what they're supposed to do and that getting missed, but,
11 you know, but we think we're doing a lot to check to make sure
12 that they are following the rules.

13 Q. And do -- is that system you've described -- how do you
14 at your level make sure it's working? Do you see any reports? Do
15 things get documented?

16 A. Yes. In the QA group, they send reports back to me.

17 Q. Which group?

18 A. The Quality Assurance group.

19 Q. QA. Okay.

20 A. QA group. They send me reports on audits that they
21 performed. And I look at the ones from OCC to make sure that
22 they're performing their audits.

23 Q. Okay. Okay. In that program, do -- if you know, do the
24 -- either the supervisor or the QA evaluator, auditor, do they let
25 people know that they were observed and that they did okay or they

1 -- I presume if they didn't do okay, they make contact. Do they
2 make contact kind of good or bad or just if there's an exception?

3 A. What we, what they do -- I think, the tendency is if
4 they don't do well, you make contact. All right. I'm not sure if
5 we always do a great job of contacting folks when they're doing
6 the right thing.

7 Q. Yeah.

8 A. So we may be falling down in the area of giving positive
9 reinforcement. Say, hey, you did a great job, you know, keep up
10 the good work. I think we try to do it for, like, for station
11 managers and train operators when we get reports of them doing
12 something positive. If a train operator's, you know, making the
13 required announcements and doing what they're supposed to do, what
14 we'll do is we'll have them go down to OCC and make an
15 announcement, and then we play it on the PA system for, like, a
16 month, you know, to try and encourage other train operators to do
17 the same thing.

18 For station managers, we got the HEARTS program, HEARTS
19 program. And what we do is we recognize a station manager from
20 each division every month, you know, based on their performance.
21 And then annually we have an awards ceremony where we recognize,
22 you know, folks in regards to safety. We've got peer-to-peer
23 where one station manager -- station managers get the opportunity
24 to recommend other station managers to be recognized.

25 So we try to do better about recognizing our employees.

1 We're working on having a "Division of the Month" awards program,
2 where we're going to be able to recognize more folks monthly at
3 the division rather than waiting on the annual ceremony. So, but
4 we can always do better.

5 Q. Okay. Good. To explore a little bit some specifics
6 related to the January 12th incident, not so much the incident
7 itself but kind of things around it. And one of them has to do
8 with a smoke alarm and where it sounds an alarm. So there is a
9 smoke alarm in the vent shaft structure above or right adjacent to
10 where that arcing incident occurred between L'Enfant Plaza and the
11 portal. Do you know where that alarms to? Does it go somewhere
12 in OCC or does it go where? If you know.

13 A. I don't know.

14 Q. Okay.

15 A. Yeah. That I don't know.

16 Q. Okay. When we spoke with Mr. Bitar earlier this
17 morning, he didn't know either for sure and he said he was going
18 to try to find out for us --

19 A. Okay.

20 Q. -- but I thought I'd see if you had that.

21 A. Yeah. I'm not sure.

22 Q. Yeah.

23 A. Because in OCC they get alarms, but we are not involved
24 in the actual testing of individual alarms. I think they do it,
25 like, on startup when you start the system. But, like I said,

1 like on a monthly basis they don't come to OCC as tests, alarms,
2 to see if we're actually getting them in OCC, those alarms.

3 Q. Okay. Now, one of the things that came out of examining
4 how the vent fan maintenance process worked was there's a
5 requirement on the checklist that the technician out in the field
6 contact the control center and have them remotely exercise --

7 A. Yes.

8 Q. -- you know, to confirm that they can take control and
9 operate the fans as they need to. And that didn't always happen,
10 at least on the fans that we looked at. And I'm told that there
11 was some challenges in sort of coordinating that with the control
12 center. Do you have a sense of what that would be other than just
13 being busy? I mean --

14 A. And that's probably what it is. Because the maintenance
15 group, they've got their schedule, and you know how it is in the
16 control room that incidents occur at any time. So if an incident
17 were to occur and a maintenance guy, person came and requested OCC
18 to stop what they were doing and actually start exercising fan,
19 you may get some pushback. You know, stand by, wait, you know,
20 till we've completed, then we'll get back to you, that type thing.

21 But other than that, normally I would think they will
22 support, you know, the maintenance groups in exercising that.
23 Because it's a pretty easy process. You just send a command and
24 then, you know, wait until you get the call back to change the
25 direction of the fan. So it's not, you know, a lot of effort

1 involved. So I don't see why control would not do that if they
2 were not busy.

3 Q. Is there a particular time that you think would work
4 best for doing that?

5 A. We try to get them to do a lot of the maintenance
6 between the rush hours, normally around between 10 a.m. until
7 2 p.m. And then normally after that we don't necessarily, you
8 know, support activity doing those type things during rush hour.
9 And the maintenance groups know that so they get a lot of their
10 work done during the off-peak periods. And, of course, they do
11 some at night and, yeah, some on the weekend.

12 Q. See, we knew that. That's why we scheduled you about
13 where we are right now; it's between 10 and 2. See?

14 A. Right. Right. Right.

15 Q. We didn't want to mess up your rush hour. Let's see. I
16 asked you that.

17 Has WMATA ever put on for the folks that would be tasked
18 with responding to a L'Enfant Plaza type of incident, controllers,
19 field supervisors, police, ever put on any training for them
20 jointly to kind of exercise those procedures like a tabletop or
21 a --

22 A. We've had a few tabletops. We've had where we had the
23 fire and police come in at night, you know, to do some exercises,
24 drills. Maybe not often, but we've had some. And because it's at
25 night, you know, it could be -- you try not to impact revenue

1 service that -- in order to let a few individuals are involved in
2 those, the folks who happened to be working during that particular
3 time.

4 Q. And when was that, that one of these was --

5 A. I'm not sure, because normally the control center's
6 involved in that. But I'm not sure the last time they did that.
7 Of course, you know, we had some drills during for the startup of
8 the Silver Line, you know. But prior to the Silver Line I'm not
9 sure.

10 Q. I know after the January 12th incident, one of the
11 changes that WMATA made was to give train operators direct
12 authority on their own initiative to shut off the train
13 ventilation. How is that rolled out from the concept where -- I'm
14 sure, you know, the executive level folks and the right people sat
15 around the table and kind of drafted it up and --

16 A. Right.

17 Q. -- worked it through, but then how did it get rolled
18 out?

19 A. And we created what's called a permit order. At some
20 point when we republish the rule book, it will be added into the
21 rule book. But the document itself, it went out to the divisions
22 to train operators. The train operators received it. They were
23 given to them and they were talked to. Same thing with the
24 control center. And they were to initial that they read,
25 understood the document that was given to them. So there was a

1 sign-off for that actual permit order.

2 Q. So it involved more than just, here, sign for this.

3 There was a conversation that was --

4 A. It was supposed to be a conversation with the person
5 giving them the document to explain to them, you know, what it was
6 and why it was.

7 Q. Okay. What's your sense of, you know, that could be one
8 of those things where, you know, there's an intention but maybe
9 with how many people work for you, 1500 --

10 A. 1600, yeah.

11 Q. -- 1600. Maybe it doesn't work that way 1600 times, but
12 what's your sense of how, you know, how well that actually worked
13 with the conversations?

14 A. We all know that everybody's not going to do what
15 they're supposed to all the time. And what we're looking for,
16 we're working towards anyway, is to when we roll new things out,
17 we want to roll them out as a CBT, right. And so you sit down in
18 front of a computer. You know, you'll give you information and
19 then you have to answer and pass that CBT, you know.

20 And that's the only way we're going to be able to
21 guarantee that you got the information and that you understood the
22 information that you received, because asking folks -- you give a
23 person a document, you know, some folks, you know, may be
24 distracted, you know. Some folks just want you to give it to
25 them, you know, and they don't want to sign off, you know.

1 So I think that's the only way we can reasonably
2 guarantee, you know. And that's what we're doing with some of the
3 things that we have. We're going more CBT. But I only got one
4 person and we doing lots of things. But that's what I'm looking
5 to do to make sure that these that are being read and understood.

6 Q. Yeah, that's a good thought. In terms of training, not
7 only computer-based but, you know, other types, how -- we talked a
8 little bit about the incident command type training. But for the
9 general emergency response type training that people get on the
10 rule book where there's the SOPs in there on how to deal with a
11 fire, how to deal with this or that or the other thing, how does
12 that training get accomplished? And training, if I understood
13 you, was -- that kind of training was within your realm of
14 responsibility.

15 A. Yes. Yes. Yes, and basically we train new hires, new
16 controllers, new station managers, new train operators. And
17 training for controllers is 26 weeks; I think for station managers
18 is about 10, 11 weeks; for train operators maybe 16 to 18 weeks
19 training. And as part of that training, you know, they train the
20 technical part, how to operate the train for train operators, how
21 to operate the train, how to troubleshoot a train, all the rules
22 and procedures. You know, they're tested on all of that, right.
23 Same thing for station managers, controllers, basically the same
24 thing there.

25 And train operators are recertified every 2 years.

1 Station managers about the same, about every 2 years.
2 Controllers, what we're finding is that we were recertifying them
3 but their recertification basically involved in being retested on
4 the procedures. And so we're looking at more of a practical
5 portion being added to the recertification for the controllers.

6 We don't have the best simulator, all right. So we're
7 looking to purchase hopefully a simulator where we can actually
8 bring the controller in and actually run them through the paces to
9 make sure they understand how to do all the things, you know,
10 we're required to do. Because we know when you're in the control
11 center, some tasks you perform on a regular basis and some you
12 don't for months or years, right.

13 And so we're looking to add that to their
14 recertification. What Mr. Troup has done is, he's given us
15 additional controller positions, and with that, that's going to
16 allow us to do a lot more training of the controllers because
17 we've been short staffed. And so what we're looking to do is
18 bring controllers in on a more regular basis. You know, train
19 them after an incident. Now what we do is when there is a
20 situation that we feel that controllers need to be made aware,
21 after rush hour, the assistant superintendent will bring them in
22 upstairs in the control room and actually, you know, go over the
23 incident, you know, talk to them about it and make sure they
24 understand, you know, what occurred and what their role is and
25 what they should have done. But having additional bodies, you

1 know, is going to allow us to do a lot more training than we've
2 been able to do in the past.

3 Q. Okay. What is the controller recertification cycle?

4 A. Every year, I think it is.

5 Q. Every year?

6 A. They have to be tested every year.

7 Q. Okay. Now the -- either the TOC -- it sounds like the
8 oversight, both the external, like the TOC, and the internal, like
9 the safety group --

10 A. Right.

11 Q. -- that does reviews or audits and the QA group that
12 does reviews and audits. If you know, when was the last audit of
13 the control center?

14 A. The control -- by TOC or by safety?

15 Q. Or both?

16 A. I'm not sure. I know safety's involved in the audits.
17 The assistant superintendents perform regular audits of the staff,
18 the controllers, right. And I could probably get you the date of
19 the last ones that they did there. All right? But I'm not sure
20 the last one that safety did. And I'm not sure if TOC is doing --
21 they've ever done an audit of the control room floor.

22 Q. I'm looking to my colleague here. I think -- did we
23 request those audit reports? I think we did.

24 UNIDENTIFIED SPEAKER: That the TOC would have
25 conducted?

1 MR. FLANIGON: Yeah. Or the internal WMATA safety
2 audits or reviews.

3 UNIDENTIFIED SPEAKER: Yes, we did.

4 MR. BALLARD: Okay.

5 MR. FLANIGON: Okay.

6 MR. BALLARD: Okay.

7 MR. FLANIGON: All right, got that.

8 BY MR. FLANIGON:

9 Q. Last question here for now from me. We've heard about a
10 discipline matrix. And I wonder if you can tell me what it is,
11 how it works?

12 A. Okay.

13 Q. From your standpoint, and who it applies to.

14 A. Okay. Right now it only applies to Local 689 employees
15 in bus transportation, rail transportation. The reasoning behind
16 that was that we found that different superintendents were
17 assessing different discipline for the same type of incident. So
18 we wanted to be more consistent, you know, in how we assign
19 discipline to individuals.

20 The other problem was that the bus operators -- our
21 station managers and train operators, they come from bus. Most of
22 them are former bus operators. That's our pool of individuals who
23 become station managers and operators. What we find is that when
24 bus operators were coming over to rail transportation, a lot of
25 them had been in -- had a pretty poor work record, safety record.

1 And so they were basically getting a clean slate moving
2 from bus to rail. And so we partnered with bus and what we say we
3 wanted to do was, we wanted to track employees from the time they
4 were hired in bus until they left the authority. And so we
5 collaborated and we got this discipline matrix. So all of the
6 violations that you can incur on bus, all the violations that you
7 can incur on rail is on this discipline matrix.

8 And so what we've done is, say, that in the past if you
9 had a traffic -- let's say, a red signal violation, a traffic
10 light violation and a red signal violation on rail. Before, the
11 union was saying these were different type of violations and so
12 you can't use that, you know, to get a person -- you know, you
13 couldn't group them together. And so what we've done is that
14 rather than charging people with an individual type violation, it
15 could be a red signal, but it's in a category now. So you could
16 probably have one safety violation, a critical safety violation,
17 and then you're terminated, right.

18 So now I have to say you got to have four red signal
19 violations on rail and you can have four traffic light violations
20 on bus. So what it allows us to do is by grouping -- because we
21 got, like, four categories, right. And so we let them know that
22 -- before we implemented this, right, we brought all of the
23 employees in. We sat them down. And we showed where they fell
24 within that discipline matrix group.

25 And so they know, now if I get another violation of this

1 type, then it could lead to me moving to the next level or me
2 being terminated, right. And so the intent of that was to make
3 sure that we -- if we identify someone as being an unsafe bus
4 driver, that we don't allow this person to come over to rail and
5 be an unsafe rail operator and then build up a bad record here and
6 then go back to bus.

7 Because most of these incidents, these are violations
8 that at some point they have to drop off their record. And that's
9 what they were doing. They were playing the system. What they
10 were doing was that I built a bad record on the bus, I went over
11 to rail and let my violations drop off on bus, and then I go back
12 to bus. I go back and forth, back and forth, right. And so no
13 longer are you going to be able to do that.

14 And so the operators are concerned now because we're
15 tracking them, you know, throughout their operation career and so
16 going forward it'd be very difficult for someone who is unsafe to
17 remain here employed.

18 Q. Okay. Good.

19 A. And we just implemented that in February.

20 Q. Okay. I'm going to pass it off to my colleague there.

21 BY MR. NARVELL:

22 Q. This is Rick Narvell from NTBS. Mr. Ballard, you've
23 been here a long time.

24 A. A long time.

25 Q. A long time. Seen a lot of the stuff we talked about.

1 A. Yes.

2 Q. And what we'll call recent history, last 4 or 5 years,
3 and we'll go from the Fort Totten, which is coming up on, as you
4 know, 6 years. What keeps you up at night? What are you saying
5 in terms of safety issues or concerns in the last 4 or 5, 6 years?

6 A. I think what keeps me up at night, the level of
7 inexperience that we have in the system. I don't think that --
8 because we've gotten so many new employees within the last few
9 years, that I'm not sure if we have done a real good job of
10 transferring and knowledge and information to these people that we
11 recently hired.

12 And we just went back to automatic train operation on
13 Monday. And the majority of the operators, they never ran ATO. I
14 mean, for me it's safer, but that just shows me that within that
15 short time period all the experience that we've lost.

16 Q. And that's only been 6 years ago.

17 A. It's only been 6 years.

18 Q. So coming up on this June?

19 A. Yep. Yep. So I think that's the thing that keeps me up
20 at night. I didn't always think that, you know, we were doing the
21 best job of training so I had to make some management training --
22 management changes in training, right. Because -- and I tell the
23 staff that it's our responsibility to give the employees the best
24 chance to succeed, right. So we got to do what we got to do to
25 make sure that they're getting what we supposed to give them.

1 And so we're re-evaluating how we're doing, you know,
2 training. Make sure we giving the staff what they need. So what
3 we're going to do, we creating a committee to go back and -- we're
4 starting with the station manager training. We got a committee
5 person from OCC, a person from quality assurance, a person --
6 train instructor, or some other folks and a recent station manager
7 graduate. All right.

8 Q. Um-hum.

9 A. And so we're going to go back and look at that training
10 program, you know, the complete program to see what worked well,
11 what did not work well and try to revise it. You know, what I
12 envision happening and what I like to see is I like consistency.
13 All right. And so I want to move to, actually once we decide on
14 what needs to be taught and we build the modules, then I want to
15 get someone standing in front of a camera and record that, right.

16 And then I can be assured that everybody is going to at
17 least get that. You know, because when we got different
18 instructors teaching different things, you know, good days, bad
19 days, you know, I put emphasis on this today, I put emphasis on
20 that tomorrow. So everybody's not getting the same information
21 the same way, right.

22 Q. Right.

23 A. So I think that's what we need to move towards doing
24 something like that. So I think it's just new people and making
25 sure that they're being trained. And, you know, like I said, it's

1 CBT type thing, right, because things are constantly changing,
2 right. And it's very difficult for us to get information out the
3 way we need to to all of our staff we want it disbursed. Right.

4 And so we just got to find a way to record this stuff,
5 CBT, video, whatever, and pass this information around to
6 everybody. So it's making sure that people have a complete
7 understanding of what we supposed to -- let me give you an
8 example. Yesterday, I put out a personnel notice about ATO. And
9 I get a call from OCC that someone misinterpreted what it said.
10 All right. And so I had to explain to them, you know, no, that's
11 not it. And then when they looked at it and they read it, they
12 said, okay, yeah. And so, you give individuals a document and you
13 kind of explain to them what it is and they, I guess, sometime
14 when they interpret what you said or what they reading and they
15 come out with a different interpretation than what you thought
16 that they would have understood.

17 And sometimes you say, do you understand what I'm
18 saying? And yeah, yeah, yeah, yeah. But they don't really
19 understand what you're saying, you know. And so, I mean, so I
20 think that's a challenge, making sure that the right message is
21 being passed out, you know, consistently.

22 Q. Okay. Is it a fair statement to say that -- we talked
23 about the level of inexperience, does that go hand in glove with
24 retirements?

25 A. Yes.

1 Q. Okay. And the reason I'm asking that is that the two
2 words I'm going to say next, succession planning. Are you dealing
3 or addressing succession planning here at WMATA?

4 A. Yes. There is a corporate succession program. But we
5 built new internal succession program in rail transportation
6 because I feel that the corporate understanding of the needs --
7 that their needs aren't necessarily my needs. Right? I've got to
8 have people prepared and in the pipeline to move into these
9 positions.

10 And so what we -- I'll give you an example of what we've
11 done. We had for rail transportation supervisors, we had two
12 levels. We had an LS-7 and an LS-8. And the job description was
13 basically the same, right. Except that for some reason, some
14 people were hired or promoted to LS-8 but what they did was no
15 different than what the LS-7 did, right, but they were getting
16 paid more money.

17 Q. Paid more money. Right.

18 A. Getting paid more money. Right. And so what we did was
19 we rewrote the job description. And so now what the LS-8 does,
20 supervisor, rail transportation supervisor does is this person,
21 they're responsible for refresher training at the division. So if
22 an operator is out for a couple of days and they need to be
23 refreshed on a rule or whatever, then this person is responsible
24 for being able to train these people on that rule and procedure.

25 Also when one of the managers, we got -- at the division

1 we got an assistant superintendent, superintendent. So when the
2 assistant superintendent is out then this LS-8 is the person who
3 fills in for that person, right.

4 Q. Right.

5 A. And so when the job becomes available as an assistant
6 superintendent, then this person is able to step up and get ready
7 to move into that position. And so we're looking at the other
8 roles that we have to make sure that we've prepared people to be
9 able to step up to the next level when that opportunity becomes
10 available.

11 Q. So this is all an evolving process?

12 A. All an evolving process.

13 Q. I don't want to assume anything. I'm just --

14 A. Yes. Yes. It's evolving. Yes.

15 Q. Okay. Good.

16 A. Yes, yes.

17 Q. One last area here briefly from me. Mike had mentioned
18 the talk. You're familiar with the TOC.

19 A. Yes.

20 Q. And I'll ask the same question with respect to FTA. Do
21 you see FTA representatives here on the property or interface with
22 them at all?

23 A. No. I don't interface with FTA unless there's an
24 incident. Other than that, not on a regular basis, no.

25 Q. Okay. Great.

1 A. Not on a normal basis, no.

2 Q. All right. Thank you.

3 BY DR. GROFF:

4 Q. Hi.

5 A. Hi.

6 Q. Loren Groff, NTSB. My questions are all sort of follow
7 up to some of the things that were already discussed. You
8 mentioned DuPont coming in around 2007, 2008, something like that.

9 A. They probably left around 2007, 2008. But, yes.

10 Q. Is that system of local safety committees --

11 A. Area?

12 Q. -- department and --

13 A. Right.

14 Q. That's something that DuPont helped develop?

15 A. Yep. Yeah. Create that. Yes.

16 Q. In that process or maybe there's another process, is
17 there any mechanism to address things that maybe are areas of
18 concern that might come up between interactions between one
19 activity and another. And as an example maybe use -- as Mike
20 mentioned, the discussions we've had with regard to scheduling of
21 the cycling of the fans. It's not an incident. It's not even
22 maybe even something that's recognized as a close call. But it's
23 more of a "I have a hard time doing my job because I need you to
24 do something and, you know, maybe we're not talking." Is there
25 anywhere in that process that would capture that or is there

1 another process where maybe they could raise concerns on where the
2 activities cross paths?

3 A. Using the fans as an example, there's always an
4 assistant superintendent on the floor of the control center. So
5 at any point that the technician feels that they're not being
6 adequately supported, that they're encouraged to call the
7 assistant superintendent. And even if they didn't want to do
8 that, they could always call their supervisor and have their
9 supervisor to call, you know, the managers in the control center
10 to get, you know, better support. So there is -- they can always
11 elevate their concerns right there. I mean, immediately if
12 necessary.

13 Q. Would there be any resistance? Let's say it's not
14 something like I want to get somebody in trouble or I don't want
15 to turn this into a major issue, but we just want to have a
16 conversation about how we could work together better. Would there
17 be any resistance to using that kind of a mechanism? Is that
18 going too far to say, you know, I'm not getting the help I need?
19 And it may be not be that far that -- it may not be that serious.
20 It may just be, hey, can we find a way to work together? I'm not
21 -- I don't want to get anybody in trouble, but --

22 A. And we've had that on night shift when the maintenance
23 groups go out and they don't feel that they're getting out quickly
24 enough, they'll elevate it. And if a manager sees that there's a
25 recurring problem, you know, they'll give the director a call,

1 they'll give me a call and say, hey, you know, you guys aren't
2 supporting us the way that we need supported; we need for you to
3 help out, you know, make sure that happens.

4 So, there's an avenue for them to air their concerns so
5 it's never a point that they can't get something done. And no one
6 is going to get in trouble. Let me say that. If you got someone
7 who is consistently not doing what they're supposed to do, then we
8 have a responsibility to bring that person in, you know, and let
9 them know that they have to do better, you know, and what they're
10 not doing.

11 But I'm not sure if everyone always uses that, you know,
12 avenue. Sometimes it's easier to say, I can't get the support and
13 then walk away.

14 Q. Yeah. Yeah.

15 A. You know? But, no. We can always get things done.

16 Q. In general, how would you characterize the relationship
17 between the controllers and the train operators and the folks out
18 on the track?

19 A. I think with the folks on the track, at night is
20 probably a better working relationship because I think there's
21 more interaction between them because during the day I don't think
22 there's a lot of interaction between the maintenance workers and
23 OCC except to call on duty and call off duty, you know, request
24 access to the tracks.

25 The train operators, I think there is some, not

1 necessarily the best relationship with all controllers. And we
2 recognize that. And what we do when we find out, we get a report
3 from a train operator that there was something that was said that
4 should not have been said. And we recognize that there was
5 something said that should not have been said. And what we do is
6 we will review the recording, original recording.

7 And if we find that, you know, the controller was at
8 fault, then we take the appropriate actions against that
9 controller. So we disciplined controllers previously. In fact,
10 there was a controller when I was down in control center and this
11 person was a little bit short with a lot of controllers and so
12 what I did was I sent him out to the field to have a meeting with
13 those guys, right.

14 And it's easy to sit in the control center, you know,
15 and mouth off, you know, at the staff, but you're not going to go
16 out there and look them face to face, you know. And so we take
17 those reports seriously, you know, because we don't want to be
18 disrespectful to the train operators. And we don't want the back
19 and forth over the radio between train operators and controllers.

20 So there has not always been the best relationship
21 between certain controllers -- not all controllers, some
22 controllers, and some of the train operators in the field. So we
23 working to do what we can do to make that a better working
24 relationship, you know, when we find out.

25 And I think -- and I haven't really figured out what we

1 need to do. What we could probably do is get the person who was
2 making complaint to come down to the control center and actually
3 see, you know, what actually occurs in the control center because
4 the train operators don't understand urgency of the situation
5 sometimes.

6 And the controller may not come across as being as
7 patient as some folks would like them to be, right, that sometimes
8 they get offended by that. But there are legitimate times that
9 controllers are out of line, you know. And we try to deal with
10 those. But there's work to be done in that area.

11 Q. Thank you for that. Just one thing with regarding the
12 close call reporting system and the disciplinary matrix. Is there
13 a mechanism within the disciplinary matrix to recognize someone
14 that's made a close call report? You mentioned that if the close
15 call reporting system there is some ability to recognize that and
16 discipline --

17 A. Well, the close call, because it's confidential, we
18 don't know who made the report.

19 Q. Okay.

20 A. So that's --

21 Q. So there wouldn't be any concern? If I make a close
22 call report, I don't -- there's no concern that I, by telling on
23 myself, that that may cause me problems as far as discipline?

24 A. No. No.

25 Q. Okay.

1 A. And if managers find out that you were -- that you
2 actually -- if they were able to recognize the incident and who
3 was involved, then they can't come back and retaliate against you
4 because you made the report.

5 Q. Okay. They can't use that.

6 A. Right.

7 Q. If they were --

8 A. Right.

9 Q. -- I can imagine there's situations if I report it, it's
10 kind of pretty easy to tell even if it doesn't have my name on it,
11 you know, what we're talking about.

12 A. Yes. Yes. Some of them, yes. Yes.

13 Q. I think that's all I have for now.

14 A. Okay.

15 Q. Thank you.

16 MR. FLANIGON: Thank you.

17 BY MR. GORDON:

18 Q. Joe Gordon, NTSB. You spoke about one of your primary
19 concerns as being the new employees and the, you know, the lack of
20 the -- or the institutional knowledge kind of going out the door
21 and the new guys coming in. For your new controllers coming on,
22 is there a written training plan for those controllers right now?
23 Is there -- that's something that currently exists?

24 A. Yes. Let me see. I came into the job in late 2010. In
25 2011, we got a vendor to come in and to build us a training module

1 for controllers. And so it took OCC a while because the managers
2 were involved along with the vendor in building that training
3 module for the controllers.

4 And after the accident, incident at L'Enfant Plaza, went
5 back to look at that, and -- because of the issue with the fans.
6 And we see that there are areas that weren't necessarily covered
7 that should have been covered that should have been covered in
8 that, right. And so what we're doing is we're going back and
9 we're relooking at that.

10 And we're going to revise it to make sure all of the
11 important areas are being -- that should have been covered that
12 they are being covered to make sure that the new controllers are
13 given all the information that we feel that they should be given,
14 because right now I was talking to the new manager in the control
15 center and I was telling him, you know, the concern now is that we
16 don't know what the folks in OCC don't know.

17 We don't know what they don't know, right. And so now
18 we've got to go back and look at, you know, different areas. So
19 right now what we working with is trying to make sure everyone
20 understands the power system. You know, how that works and, you
21 know, make sure they have a proper understanding of sort of
22 recognize, you know, what they're looking at, you know.

23 And so we'll just have to go to different areas,
24 selecting, and work our way through to make sure -- and some
25 people will be insulted, you know. Say, well, you know, you're

1 teaching me stuff I already know. But I don't know that they
2 know, right. So that's where we have to go back to the basics and
3 make sure that everybody knows. Because I was surprised when I
4 found out that folks didn't understand how to configure the fans.
5 I mean, I was surprised, you know.

6 And so we had to go back and start, you know, retraining
7 some folks and training some folks on how to configure the fans.
8 So honestly, that was an eye opener for me.

9 Q. Okay. Thank you for that. We'll want to get a copy of
10 that 2011 training module as it was prior to the accident.

11 A. Okay.

12 Q. I don't think that's something that we've requested. So
13 if we could a copy of that then we'd appreciate that.

14 We've heard some mention of Standard Operating Procedure
15 No. 6 dealing with smoke --

16 A. Right.

17 Q. -- ahead of a train. And that procedure as it was
18 written prior to the January 12th accident, do you feel like it
19 was adequate to address a situation like we ended up with at
20 L'Enfant?

21 A. I'm trying to remember. It's basically saying that if a
22 train has a fire, we can't send it into a portal. Fire on train,
23 inside the train, we keep the doors open underneath the train,
24 close the doors. It may not be adequate to address that. But I
25 think with the incident on the 12th, that when the operator -- I

1 mean, terminal operator reported that there was a fire ahead of
2 the train, that the only avenue that would have been available to
3 us would have been to reverse the train and bring it back out of
4 that area.

5 So I'm not sure if any of our procedures could cover all
6 instances that could possibly occur. I think it gives us a basic
7 guideline on how to manage when we have, you know, different types
8 of incidents. And when we find that there are areas that need to
9 be covered that were not covered we try to write it broad enough
10 to make sure it covers that and other areas that may be similar to
11 that.

12 Q. Okay. You mentioned the good faith challenge and I
13 think Mike already spoke about this. That doesn't just relate to
14 the roadway worker. That's available to any employee that's out
15 there. Is that a formal -- when it goes to a good faith
16 challenge, is that something in writing or can a good faith
17 challenge just be a conversation between, you know, an employee
18 and a manager or is -- if it gets to the level of calling it a
19 good faith challenge, is it actually a written procedure?

20 A. In the rule book it basically says that, you know, at
21 any point that you're told to do something, that you have the
22 opportunity to challenge that, right. But if it's not unsafe,
23 right, if it's not unsafe then you're required to go ahead and do
24 it. Right. So the exact wording I don't remember verbatim, but
25 it's in the rule book, MSRPH.

1 Q. Okay. Okay. And those good faith challenge, how many
2 of those would you say you've had direct, you know, dealing with
3 as far as the -- is it something that's pretty common to have
4 something raised as a good faith challenge?

5 A. Oh, yes. If an operator, if you're asking an operator
6 to do something they don't feel that they want to do or they feel
7 that it's unsafe, they'll let you know, the majority of them will.
8 And the same thing at control center. If you're on the floor and
9 you're asking controllers to do -- you know, make -- take an
10 action that they don't feel comfortable with or they feel goes,
11 you know, counter to their training, they'll let you know.

12 Q. Okay. And are those tracked? Is that something that
13 would be tracked to where, you know, maybe if you continue to see
14 a pattern with a good faith challenge that addressed one
15 situation, you know, maybe look at a procedure change or a
16 training change or something like that. Are those tracked?

17 A. No. We don't track those.

18 Q. Okay. I think that's all I have at this time.

19 BY MR. FLANIGON:

20 Q. Okay. I just have one or two things to follow up on.
21 You mentioned you made some management changes in the training
22 department. When was that?

23 A. The first --

24 Q. Recently or --

25 A. Recently? Within the last -- let me see, back in 2000-,

1 say, '11, '12, I had a director of rail training. She was
2 technically sound but she didn't have a teaching educational type
3 background. So I brought in a director who is a Ph.D., Education
4 Ph.D., right. So our trainer right now is a Ph.D., right.

5 Found out that the superintendent was not necessarily --
6 well, no, first, I moved an assistant superintendent from OCC into
7 rail training to make sure that -- this person had prior training
8 experience, to go over there and support the superintendent
9 because I didn't think that they were doing the best job of
10 training the staff. When I found out that the superintendent
11 wasn't necessarily allowing the assistant superintendent to do
12 what he needed to do, then I moved the superintendent maybe about
13 three, four (indiscernible) down, and replaced that with another
14 superintendent.

15 When I assumed this position in 2010, around 2011, I
16 rewrote the job description for the instructors because what we
17 were getting, we were getting former train operators and station
18 managers as training instructors. And you and I both know that
19 simply because you're good at being a train operator, station
20 manager, doesn't necessarily mean that you're good at being a
21 instructor, you know.

22 I tell folks all the time, I know a few things, but I'm
23 no training instructor, right. And so what we did was rewrote the
24 job description. And so now we are bringing people into that
25 position who have prior training experience. And so we are trying

1 to marry them up with the people who are already there to make
2 sure that we got a good balance of, you know, the professional
3 trainer with the technically sound individual.

4 And at some point, you know, we'll get a really good
5 instructor out of that group. And so that's basically what we've
6 done to try to shore up that training group.

7 Q. And in terms of as you look at the training for rail
8 controllers going forward, is territory familiarization or right-
9 of-way familiarization one of the things you're looking at?

10 A. Yes. We were not always able to get the controllers
11 out, you know, to ride the system, to get re-familiarized with,
12 you know, what was going on, spending time with the maintenance
13 groups and that type thing. And so what the plan is now that we
14 got these extra positions, right, as part of that training,
15 getting them out. And we have, prior to the accident, sent folks
16 out to the field, you know, and you ride around on a train, you
17 know, and talk to the operators and visit different stations.
18 Right.

19 Same thing on the station side of the room. But I think
20 it needs to be a little bit more deliberate, you know, what they
21 do and what they supposed to see and that type of thing. So, yes,
22 we've got to build that into our training, our periodic training
23 for the controllers and the other groups within OCC.

24 Q. Okay. That's all I have.

25 BY MR. NARVELL:

1 Q. I just have one more, Mr. Ballard.

2 A. Yes, sir.

3 Q. Do you ever have the opportunity to interact with your
4 counterparts or maybe close to your counterparts in other training
5 systems like MARTA or SEPTA or CTA, or --

6 A. No.

7 Q. Okay.

8 A. No.

9 Q. All right. Thank you.

10 A. Thank you.

11 BY MR. GORDON:

12 Q. Yeah. One final question.

13 A. Yes, sir.

14 Q. Joe Gordon, NTSB. The way that the smoke detectors are
15 currently, we touched on those earlier but you know what you --
16 what response or what alarms your controllers see in the control
17 center.

18 A. Right.

19 Q. Do you feel like they -- the way that they're configured
20 now gives your controllers the information that they need to
21 properly configure the fans? I know they're -- you know, you're
22 working on the training of the fan controls but do you feel like
23 the way that the smoke detectors are configured, they're getting
24 all the information they need to make that call to say this is
25 what I need to do to keep smoke away from people?

1 A. No. The system head in Athens made -- it was a lot
2 simpler, right. You could identify where the train was, based on
3 that, the fans automatically were configured. You see folks are
4 going to this location, and you sent the information and so the
5 computer did everything that needed to be done. Basically where
6 we were trained here, years ago, was that we would configure the
7 fans and then once the fire department arrived on the scene that
8 they could possibly reconfigure them based on the prevailing
9 conditions, whatever they decided to do, right.

10 But, no, it's a little bit more complicated here because
11 I've had -- just with this incident, even though the initial
12 report came from the operator that he saw smoke in the tunnel, I
13 don't think there was a clear determination as to where the origin
14 of the smoke was initially. But even with that, yeah, we need to
15 have a better way to configure the fans in these type incidents to
16 keep the smoke away from the public. You know, like, when they on
17 the platform or when they on the train, like, in this incident,
18 you know. There needs to be a better, a simpler way for that to
19 be done.

20 Q. Right. Right. We need to set the controllers up for
21 success in what they're doing there, and they need to have that
22 information.

23 A. Yeah.

24 Q. Okay. All right. I think that was the last one that I
25 had.

1 BY MR. FLANIGON:

2 Q. Okay. Anything you want to add before we wrap up?

3 A. No. I think -- and I've talked to the control center
4 staff, and what we have coming forward and I think you all visited
5 the control center at CTF. And in that facility we have the
6 transit police dispatch center. And what we're going to do is
7 sometime this year, the transit police, they'll move away from
8 there and then we'll occupy that space.

9 And that's going to give us a bigger training facility.
10 Because what we have right now is we've got little room in the
11 control center and it's not necessarily conducive to doing the
12 kind of things that we need to do to train right. And so that's
13 going to help us out. But, you know, we're looking and I think we
14 may be getting a simulator. I think. I think the key to us being
15 able to continue to train, you know, at the level that we need to
16 train is to have that simulator.

17 The one that we have right now, we found out that it may
18 not be as up-to-date on the version. It's version has the aim
19 down on the floor, skate on the floor, eight. So we're working
20 with the maintenance groups to make sure that we get that done.
21 So it's, you know, getting to where we can actually train, you
22 know, on a regular basis and I think that's going to be our
23 solution to get us, you know, better prepared to handle these
24 incidents in the future. So, just getting all of those things
25 done and all the other things done we need to get done.

1 Q. Yeah. What you just brought up triggers a question for
2 you. Having the police close or co-located with the operations
3 control center, I mean, it has certain advantages, you know,
4 during an emergency for ease of communication. So in looking at
5 moving them somewhere further away, what thought has gone into how
6 to maintain that clear, good communication during incidents?

7 A. Because even now we communicate with them, you know, on
8 the telephone because they on the second level; we're on the lower
9 level.

10 Q. Okay.

11 A. And the officer who comes into the control center
12 through an incident, I'm not sure if that officer is actually
13 coming from the dispatch center. And they're only moving across
14 the street so they won't be, you know, too far away from us, you
15 know, during the incident. So they can come across the street and
16 come into the control center.

17 And it's -- communicating with the dispatch center is
18 not really an issue. It's always us communicating with the
19 officers in the field. That's the challenge because you got that
20 go-between, you know, from the control center to dispatch it to
21 the officer on the scene. That's our challenge.

22 MR. FLANIGON: Okay. Well, thank you and we'll wrap up
23 here.

24 (Whereupon, the interview was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: WMATA INCIDENT AT L'ENFANT PLAZA
STATION, WASHINGTON, D.C.
JANUARY 12, 2015
Interview of Hercules Ballard

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PLACE: Washington, D.C.

DATE: April 15, 2015

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Heidi Gardner
Transcriber