



NATIONAL TRANSPORTATION SAFETY BOARD - **Public Hearing**

Conrail Derailment in Paulsboro, NJ with Vinyl Chloride Release

<b>GROUP</b>	<b>3</b>
<b>EXHIBIT</b>	
<b>BI</b>	

Agency / Organization

National Transportation Safety Board

Title

**NTSB Interview of  
Conrail Chief Risk Officer**

DCA13MR002  
Conrail - Shared Assets  
Derailment/Hazardous Material Release  
Paulsboro, New Jersey  
November 30, 2012

# NTSB - Interview of Conrail Chief Risk Officer

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CONRAIL DERAILMENT/HAZARDOUS

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MATERIAL RELEASE

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Docket No.: DCA-13-MR-002

PAULSBORO, NEW JERSEY

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NOVEMBER 30, 2012

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Interview of: NEIL FERRONE

Consolidated Rail Corporation  
Pavonia Yard  
1516 River Road  
Camden, New Jersey

Wednesday,  
January 30, 2013

The above-captioned matter convened, pursuant to notice.

BEFORE: MUHAMED EL-ZOGHBI  
Accident Investigator

## APPEARANCES:

MUHAMED EL-ZOGHBI, Accident Investigator  
Office of Railroad, Pipeline and Hazardous  
Materials Investigations  
National Transportation Safety Board  
490 L'Enfant Plaza East, S.W.  
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National Transportation Safety Board  
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I N T E R V I E W

(3:15 p.m.)

1  
2  
3 MR. EL-ZOGHBI: This is Muhamed El-Zoghbi, a Hazardous  
4 Materials Accident Investigator with the National Transportation  
5 Safety Board. Today is January 30, 2013. It is currently 3:15.  
6 We're at Conrail's Pavonia Yard in an office to conduct an  
7 interview regarding the Paulsboro derailment, Paulsboro, New  
8 Jersey derailment.

9 In the room here, please introduce yourself.

10 MR. FERRONE: Neil Ferrone, Chief Risk Officer with  
11 Conrail.

12 MR. STANCIL: Paul Stancil, Hazardous Materials Accident  
13 Investigator, National Transportation Safety Board.

INTERVIEW OF NEIL FERRONE

14  
15 BY MR. EL-ZOGHBI:

16 Q. Mr. Ferrone, I want to talk about events that occurred  
17 on November 30th. If you can recollect, and in your own words, in  
18 your own narration, describe what occurred and what you -- how you  
19 were involved and any observations you want to share.

20 A. Sure. It was approximately 7:10 a.m. on the morning of  
21 November 30th. I was in the conference room, just finishing up a  
22 morning meeting with our engineering department, when my cell  
23 phone rang and I was told by our operations desk that there was a  
24 derailment at Paulsboro involving the CA-11 and they believed  
25 there may be a vapor cloud from one of the cars. I immediately

1 hung up. My office is a few feet away from the conference room.  
2 I picked up my briefcase, my jacket, and I headed out to get in my  
3 car to drive down to Paulsboro.

4 The first phone call I made after that was to my manager  
5 of hazardous material, Allen Richter, and I told him, I don't know  
6 what your plans were for today, but things are changing, head to  
7 Paulsboro, that we had a derailment with CA-11 and I need you down  
8 there. I drove down. It took me approximately, max, a half hour.  
9 It had to be about 7:40 when I arrived on scene.

10 I came off of Route 295 South at the second Paulsboro  
11 exit, which brings you right out onto Route 44. I hung the left,  
12 drove down 44 to get into Paulsboro. There was a vehicle in front  
13 of me and the next thing I know, we were into some dense fog,  
14 which appeared to be fog.

15 Once I cleared the highway bridge and got up Commerce  
16 Street up to the railroad, through the railroad right-of-way,  
17 there was no fog. The area was clear. It was, you know, a nice  
18 morning. I drove up to the -- up the road towards the bridge. I  
19 got out of my car. I looked at the derailment scene, just to see  
20 what was there, and I did notice what appeared to be a breach of  
21 one car. I wrote that number down on a piece of paper.

22 I immediately got back in my car, went down the road,  
23 noticed a fire chief and standing -- he was adjacent to the south  
24 side of the deputy fire chief's house, a yellow house up on an  
25 embankment. My Conrail trainmaster was in the area right near

1 there, Gary Fillingame, and I asked him if he had the paperwork  
2 for the train, the consist, and he did. Gary and I then proceeded  
3 up to the fire chief with the consist and paperwork. I introduced  
4 myself to the chief. I told him who I was.

5 I had the clipboard with the consist. I explained to  
6 him that these cars 6 through 12 were derailed, and it looked like  
7 car number 9 was breached, and then showed him the car number and  
8 told him that it looked like it was a vinyl chloride car. It was  
9 a vinyl chloride car, not look like a vinyl chloride car. It was  
10 a vinyl chloride car.

11 His response to me was, well, what does it -- what do we  
12 do with that? And I pulled -- in the consist is a hazardous  
13 description, almost like a small MSDS sheet, for lack of a better  
14 word. It's a haz description of everything, and I read it to him,  
15 that it says that if it's not involved in a fire, it requires a  
16 half mile evacuation. If it's involved in a fire, it's  
17 recommended a mile evacuation.

18 To my remembrance, he basically said, I don't think  
19 we're going to do that. And I said, well, that's your call; you  
20 are the fire chief. You are the incident commander.

21 I told him at that point I had assistance coming. I had  
22 some of the best contractors in the East heading to this site to  
23 assist Conrail in the wrecking and re-railing process.

24 Then I excused myself with the trainmaster and told him  
25 we would be back, that we were going to the north end of the



1 derailment because I wanted to walk in from the north end to the  
2 bridge. Because I knew there was five chlorine cars in that  
3 train, I was concerned about where they were and what condition  
4 they were in. And then I also wanted to get the hind end of that  
5 train cut clear to open up some of the crossings at Paradise Road.

6           So the trainmaster and I drove to the north end in my  
7 car. We walked in. The mechanical superintendent was already at  
8 Paradise Road. So the three of us walked in on each side of the  
9 derailment from Paradise Road into the bridge, realized the entire  
10 hind end of the train was intact, nothing was derailed. We then  
11 had a locomotive couple to the north end of the -- or the hind end  
12 of the train. We secured car 13. It was an anchor car. I wanted  
13 that car to secure car 12 that was on the bridge because it was  
14 leaning kind of cocked with its trucks up in the air. So I used  
15 car 13 as an anchor, secured handbrakes on that car, and then we  
16 cut away from car 14 back to I think it was 82 or 84, I'm not  
17 sure, and we pulled the train out.

18           I then got back in my car, drove back to the south end  
19 of the derailment scene, went back up towards the fire chief. At  
20 this time they were all congregated in the church. The chief at  
21 that point was having a meeting with everybody that was on scene,  
22 a lot of the first responders, to discuss what he had, what we got  
23 and what had going. That's when I got a phone call from Office of  
24 Homeland Security to tell me they had questions with Secret  
25 Service because the President happened to be coming into the area

1 and they wanted to know how this impacted him. So that's kind of  
2 where that was.

3 En route down here, I should have told you earlier, en  
4 route down to the derailment, I was concerned about the magnitude,  
5 the possibility of vapor cloud. So I called one of my owning  
6 railroads, CSX, and asked them for some -- if they could make some  
7 phone calls for me from a contractual standpoint and get me  
8 contractors. I wanted one in particular, CTEH, center for health  
9 and toxicology, because I know they've done a lot of air  
10 monitoring at derailment sites in the past.

11 I asked for somebody that, being it was in the creek and  
12 the water, I asked them to get me a company called EnviroScience,  
13 which these guys are experts in fish and wildlife, if you will. I  
14 asked them to make a phone call for me calling ARCADIS, which is  
15 one of my big environmental contractors for any soil or water  
16 remediation we may have to do. And I called one more company --  
17 he's local -- was HEPACO/REACT. And I had Allen, I told Allen to  
18 call him and get him heading that way because he does a lot of my  
19 hazmat and local environmental and he's there; he's only in  
20 Gloucester City so he was close.

21 So that's kind of where that was at, at that point at  
22 the firehouse. And then a lot of people started showing up.  
23 Phones were ringing. Things were kind of -- I was being pulled in  
24 a lot of different directions. I was then told NTSB was en route.  
25 I was also told the Coast Guard was en route. I was told the

1 Coast Guard wants nothing touched. The Coast Guard is going to be  
2 in command of the scene. Do nothing until the Coast Guard  
3 arrives. Leave everything left alone. That was the instructions,  
4 and I even -- at that point, I've got to admit, I second guessed  
5 those instructions because I honestly thought the NTSB was going  
6 to be the lead investigator in this, not the Coast Guard. But I  
7 said I'm not going to get in the political games, let them figure  
8 it out when they get here.

9 About that time, I went back towards the firehouse and  
10 it was decided they were going to move everything towards the -- I  
11 think that's when the Coast Guard arrived. They decided they were  
12 going to move everything towards the town hall, the town hall, and  
13 it was a couple blocks away. So they -- we were all ordered over  
14 there for a meet with the Coast Guard. And that's when I went in  
15 there and I was actually in a meeting with a lot of the first  
16 responders from state, fire, Coast Guard, and I believe that's  
17 when you guys first arrived at that meeting as well. Sometime  
18 that afternoon, we were literally meeting, but not a lot happened  
19 from 8:30 or so when I got back to the south end, after cutting  
20 that train away, until the Coast Guard arrived and let us do  
21 anything, because we were told not to do anything and not to  
22 disturb anything. So we were just lining up equipment and people  
23 and assets we needed to help clear up this wreck.

24 That's it. I mean it turned into a full-blown incident  
25 command system that winded up being moved to about 10 miles away

1 from the actual site. We had a lot of people in there, had a lot  
2 of control. The process of their unified command system or their  
3 NIMS process, as I know it, in my opinion left to be desired from  
4 a flexibility standpoint. We were pretty much not allowed to do  
5 what we could do in any other derailment.

6           You had to write detailed plans on everything you wanted  
7 to do 48 hours in advance. If something changed, then you had to  
8 make another 16 or 20 amendments that had to go through a 6-step  
9 approval process, and then even after all that detailed stuff was  
10 approved and you thought you were ready to go to work, then they  
11 would call you up and say, no, now we want a contingency plan to  
12 your plan just in case. So you spent more time writing plans and  
13 trying to justify what you were going to do than actually doing  
14 it, which in my opinion, delays everything. It delayed the  
15 upsetness of the community. It delayed the response time. It  
16 delayed everything. And a derailment of this magnitude should  
17 have, in my opinion, should have never taken 18 days to clear up.

18           I mean, we had -- once we got approval, Sunday morning  
19 -- I shouldn't actually say Sunday, because all day Sunday, we  
20 extracted -- once they approved what we were going to do to  
21 extract the 3- to 5,000 gallons of vinyl chloride left in the  
22 breached car, once that was all approved, we finished that up  
23 about 4:30 Monday morning in the a.m.

24           We then had to wait like another bunch of hours, at  
25 least 6 hours. Then we had to approve a plan -- because we were

1 still getting readings even after we took about 3- to 5,000  
2 gallons out of that tank. We still had about 6- to 800 gallons in  
3 the heel, of vinyl chloride in there, which was still, with  
4 atmospheric changes, giving off vapor readings. So we spent  
5 pretty much Monday designing what we were going to do to get that  
6 remaining 6- to 800 gallons out of there.

7           We concocted a plan working with Oxy's chemists, some  
8 other chemists we knew, okay, because the original thought was  
9 after we took the breached car product out, they wanted us to  
10 flush it with water. The concern we had is if we flush it with  
11 water, are we going to create another vapor cloud equal to what we  
12 had Friday morning.

13           So talking to different chemists, we were advised to use  
14 an alcohol-based product, to inject it into the car, let it mix  
15 with the vinyl chloride. You'll knock the vinyl chloride vapors  
16 down. You may get some high flammable vapors, but you can control  
17 them easier.

18           So one of my response contractors, SPSI, we brought in  
19 empty tanks from Vinyl under pressure. We brought in about 5,000  
20 gallons of acetone. We brought in a steam generator and a boiler.  
21 We brought in some rack pumps and some carbon cylinders and some  
22 nitrogen and basically what we were doing was injecting the  
23 acetone into the breached car. As it was mixing with it, we were  
24 pulling the product back out, controlling both the flammable and  
25 the vinyl vapors into the tank cars and in through the scrubbing

1 system.

2           We did that once with about 3,000 gallons of acetone  
3 injected. Things sounded good, and then we hit it again with  
4 about another 2500 gallons and did that a second time. We felt we  
5 got a lot more out because we knew what we pumped in, and we got  
6 about 600 gallons more out than what we pumped in. So we figured  
7 we had it all at that point.

8           We then fired up the steam generator and boiler, put it  
9 in through the intake pipes up top, and left the car on steam for  
10 12 hours. Once the car was steamed, we hit it with a nitrogen  
11 blanket and we were told we had to have like a 24-hour moratorium  
12 to make sure there was no more vapors coming out of that car  
13 before we could do anything else.

14           So that left us from Tuesday afternoon at about noon  
15 when we finished up all that cleaning and purging, I'll call it,  
16 of that car, removing the remaining product out of that heel, to  
17 the next day, noon on Wednesday before we could do anything.

18           And at that point, I couldn't even get the barge cranes  
19 to come down the river to start getting the pilings out of the way  
20 because, until they were 100 percent positive there was no vapor  
21 clouds left in that car, we weren't going to be able do anything.

22           So that kind of -- and after that happened, it just --  
23 things started to move. We had to take all the pilings, the  
24 fender system out, and then we were able to start convincing them  
25 to re-rail and everything else. But decisions were being made on

1 when we can work, 7 in the morning to only 2 in the afternoon when  
2 the kids were getting out of school. We tried to convince them to  
3 keep the kids in school longer so we could -- you know, it would  
4 be safer if the kids were in school, they could be sheltered in  
5 place. But that stuff didn't fly. It was a very, very difficult  
6 process to work through to try to get anything done from a pure  
7 work standpoint, and that's really about where -- that's about all  
8 I can say on the response side at this point.

9 MR. STANCIL: Let's go back to when you first made  
10 contact with the incident commander and you were reading to him  
11 the MSDS sheet as you explained to us earlier. And he said that,  
12 you know, we're not going to do a half a mile evacuation. Can you  
13 tell us a little bit more about that conversation?

14 MR. FERRONE: No, he just said I don't think that's  
15 needed and then we're not going to do that and, you know, he said  
16 we're going to the church, I believe. That's all he said.

17 MR. STANCIL: Okay.

18 MR. FERRONE: And that's when I said, well, it's his  
19 call. He's the incident commander. I can't, you know, tell him  
20 what to do. And that's when I said, okay, I'm leaving to go get  
21 the balance of the train out, to do what I need to do and I'll be  
22 back.

23 BY MR. EL-ZOGHBI:

24 Q. At that point when that conversation occurred, had you  
25 and Mr. Fillingame already done an assessment of the number of

1 tank cars, and you said one was breached?

2 A. Yes.

3 Q. Was that information conveyed as well during that --

4 A. Yes, it was because the consist, the consist I had, that  
5 I was going over with him, it was a little box next to car 9, 10,  
6 11, 12, 13. This one was breached. This is in the water. This  
7 is in the water. This is in the water. That was all explained.  
8 And so basically he knew he had a pellet car, a lumber car, an  
9 alcohol car, vinyl chloride car, a vinyl chloride car breached, a  
10 vinyl chloride car in the water, and a vinyl chloride car up in  
11 the air.

12 Q. How soon after you first arrived did that conversation  
13 probably occur?

14 A. It had to be 8:45, the latest, that morning. And like I  
15 said, I know Gary Fillingame was already there ahead of me because  
16 he's local, and like I said, he already had the consist marked up  
17 for me and for the chief. I believe he already went over that  
18 with the chief, and I know, if I remember correctly, the train  
19 crew members had already talked to the local police, I thought it  
20 was, because they were the first ones on scene, that went over the  
21 same type of paperwork with them to my knowledge. But Gary and I  
22 definitely went over it with the fire chief and the people that  
23 were around him, and I believe it was his assistant chief and  
24 there were some other people around him.

25 Q. Did you provide copies of the consist at that point?



1           A.    We offered them the consist. Gary had it, and they  
2 could have had it if they wanted it. They didn't want it. They  
3 didn't ask for it, and we didn't give it to them. Gary kept it.

4           Q.    Did you receive any requests for information from the  
5 responding hazmat units that were there?

6           A.    No, I never received any requests from anybody nor did  
7 anybody from the first emergency responders tell us, Conrail,  
8 anything either as to what they knew. They didn't share anything  
9 with us either. So, I mean, there were people around. We offered  
10 that. I told them I had help coming, and as a matter of fact, the  
11 chief made a comment that -- he said, thank you, I was the first  
12 one there today that didn't try to tell him what to do, I just  
13 told him that I was offering help.

14          Q.    So when you first arrived, you met Gary Fillingame and  
15 looked at the tanks?

16          A.    No, I looked at the tanks by myself. I drove my car up  
17 towards the bridge, looked at the tanks myself, penciled the  
18 number real quick, what I thought was breached, then headed back  
19 down the road. It's only a couple of hundred yards.

20          Q.    Okay.

21          A.    And Gary was -- happened to be in eyesight of me when I  
22 got back out of my car to start the walk to the chief, and that's  
23 when I called Gary over and we went, because he had the paperwork.  
24 Gary happened to be on that side road, same side I was on, but he  
25 was a little farther south of the bridge. But Gary had already

1 looked it because he had the consist all marked. So I know Gary  
2 had already looked at it.

3 Q. At the time you were around the tank cars, did you  
4 notice a fog or any -- could you describe maybe the weather  
5 conditions that --

6 A. Well, it was a nice day. It was warm, sunny but, yeah,  
7 there was a -- like I said, there was what I believe a fog bank at  
8 the time, but it was coming -- it was going from the bridge  
9 towards the highway bridge on 44 and up towards the north to the  
10 marshlands. The backside or the side of the -- the backside of  
11 the derailment that faces the Delaware River entrance was clear.  
12 There was no fog. The road that I drove up to from Commerce  
13 Street to the bridge, the railroad right-of-way road I'll call it,  
14 there was no fog. That was clear as a bell.

15 The only fog I had seen that day or what appeared to be  
16 fog or a vapor cloud was going down the river from the bridge to  
17 the highway bridge and up north towards the marsh. And by the  
18 time we got to the north end of Paradise Road and walked in and  
19 got to the bridge to cut that hind end of the train away, that fog  
20 bank was gone completely. So by 8:30, that fog bank was almost  
21 all gone. And it was a beautiful, warm day. It wasn't cold at  
22 all. It was a beautiful, warm, sunny day after that.

23 BY MR. STANCIL:

24 Q. So you had access to the chemical data from the MSDS.  
25 What decisions did you make for your own people concerning levels

1 of protection or distance from the accident scene?

2 A. I chased all my people out of there and told them to  
3 leave. All my people I had chased out. Anybody that was there  
4 with Conrail, I had chased out of there and told them to leave,  
5 with the exception of Mr. Fillingame and myself, and then  
6 obviously when I got to Paradise Road, there was a couple of  
7 mechanical guys there so we could get the back end of the train  
8 pulled. But I wanted all my people out there until I knew what I  
9 had, until my experts could get there. And that was, that was my  
10 plan, wait until my emergency response contractors got there to  
11 help me assess what I had.

12 Q. How many people did you have on scene at that point?

13 A. Early in the morning, I chased two or three out of  
14 there. That was it. I remember, you know, I chased two or three  
15 people out of there. That was it. And they were down at the  
16 crossing at Commerce Street when I pulled in and I just told them,  
17 leave. There's no reason -- there's nothing for you to do here,  
18 leave.

19 Q. So after you did that, who was left?

20 A. Me, Gary Fillingame, and like I said, I ran into Eric  
21 Levin, our mechanical locomotive superintendent, at Paradise Road.  
22 And so really there was like three of us, maybe four tops, you  
23 know, because Allen Richter hadn't even arrived yet.

24 Q. What's the relationship between Conrail and CSX? I  
25 realize they had some of their people respond as well?

1           A.    Yeah.  As you -- you know, Conrail's owned by Norfolk  
2 Southern and CSX, but Conrail uses -- being we're owned by them,  
3 we use what we call service provider agreements.  I have, as  
4 Conrail's chief risk officer, I have a service provider agreement  
5 with CSX Transportation for environmental issues, okay,  
6 environmental management, I guess, where I pay them a fee to  
7 utilize their environmental department to help me manage my  
8 environmental issues.

9                        So knowing I had a derailment, had possible  
10 environmental implications, I called my contact at CSX and asked  
11 him to start getting me some help with these environmental  
12 response contractors.  And obviously we have two basic customers,  
13 Norfolk Southern and CSX.  If you looked at the paperwork, we knew  
14 that the cars involved in the derailment were also in what I call  
15 a CSX account, which means they were CSX's account cars which, how  
16 do I want to say this?  A customer can do business with NS, CSX or  
17 both.  So he can order cars from both or individually from one or  
18 the other.  That's their competitive edge.  Conrail's not involved  
19 in that, but each car we move is either going to be in the Norfolk  
20 Southern account or a CSX account, which means they have the  
21 business with that customer.  These cars that were derailed all  
22 happened to be in CSX's account, which means that was CSX's  
23 business partner where they were destined to.

24                        So that was just another reason to call CSX and say,  
25 hey, I've got a breached tank car here.  Your damage prevention

1 people need to get involved. I've got, you know -- but as a part  
2 owner, a subsidiary -- yeah. As a parent company owner of me,  
3 they also sent some of their hazmat guys in and, you know, to  
4 assist because they know that it was just -- on Conrail, it's  
5 Allen Richter and myself, and Allen's really the only true hazmat  
6 guy I've got.

7 Q. So what assistance did they send you and what time did  
8 they arrive?

9 A. Mike Austin was probably the first hazmat manager to  
10 arrive. He's out of Baltimore. He was probably -- Baltimore to  
11 here, two hours. So he was probably here 10:30, 11:00 in the  
12 morning. He was one of the first on scene. And like I said, he's  
13 a full fledged hazmat guy for CSX and also a police officer for  
14 CSX. He was probably the first, and then I really didn't start  
15 tracking when all these other people just starting to arrive.

16 People were coming in. Some of them got delayed  
17 because, like I said, Mr. Obama was flying into Philadelphia so  
18 airspace was -- air traffic into Philly was being delayed. So  
19 people from CTEH trying to get out of Little Rock, Arkansas and  
20 people trying to get out of Ohio, and they were having trouble  
21 getting into the Philadelphia airspace. But I think they -- most  
22 -- a lot of them started arriving 2:00, 3:00 in the afternoon I  
23 would say.

24 BY MR. EL-ZOGHBI:

25 Q. Did the hazmat team or the chief request any assistance

1 with characterization of the scene or try to utilize any of your  
2 assets that early in the morning? I mean, did he specifically  
3 request any assistance?

4 A. No, sir, he did not. Like I said, the chief never asked  
5 anything of Conrail. I told him we had assistance coming, and I  
6 told him what I had coming, and I was never asked for any  
7 assistance, any characterization, anything from them.

8 Q. Now at one point it's my understanding that Mike Austin,  
9 Allen Richter, had gone out on a boat to --

10 A. Yes.

11 Q. -- sort of evaluate the situation. Was that on  
12 Conrail's own initiative or was that, I guess, from, you know --

13 A. Conrail's -- to my knowledge, it was all Conrail's own  
14 initiative. Miller Environmental happens to be right down the end  
15 of Commerce Street in Paulsboro. That's their office  
16 headquarters. I did not call Miller Environmental. Miller  
17 Environmental responded on their own. They had laid booms out on  
18 both sides of the creek with their boats in the water. So being  
19 they had done that and they were already there, I kept them on  
20 scene to assist. They know the Mantua Creek. They had the booms  
21 in the water. They knew the area and the current. So I kept them  
22 on scene and basically utilized them for the next 18 days.

23 But we had Miller there, and I think Mr. Austin and  
24 Mr. Richter had to get a good assessment of what went in there  
25 because, like I said, they're the ones that are trained and

1 knowledgeable. They got the self-contained and they've got all  
2 the appropriate PPE that they need, so they were trained to go in  
3 and I believe they did that on their own. It was not -- to my  
4 knowledge, it was not ordered by anybody but us.

5 Q. And to your knowledge, there was no -- were you, I mean  
6 as you were at the incident command, was there a safety officer or  
7 anybody that was providing guidance regarding PPE that was  
8 necessary for operations within that area?

9 A. Like I said, later that afternoon, yes. I mean -- and I  
10 know ARCADIS, one of my contractors, and CTEH had arrived that  
11 literally at incident command they were -- they wanted air  
12 purifier respirators with vinyl chloride cartridges and they  
13 wanted to make sure everybody was fit tested and everybody had,  
14 and they set up a fit testing center at the incident command. We  
15 were actually fit testing and supplying respirators to anybody  
16 that needed them, whether they were first responders, Conrail,  
17 contractors, whoever needed it was able to get fit tested and get  
18 a respirator right there at the incident command, and I believe  
19 that was later that afternoon. Because I know I went up and got  
20 fit tested and got a respirator from there.

21 Q. Okay. With regards to the meeting at the church, was  
22 there any discussion of monitoring results? Did any of the hazmat  
23 units that were conducting air monitoring reporting out on  
24 findings to the group that you can recall?

25 A. No, sir, not that I recall or heard. I did not hear any

1 of that.

2 Q. Were there any discussions about the relocation of the  
3 incident command post or --

4 A. I don't think that happened until the Coast Guard got  
5 there, and then the Coast Guard said moving everybody to the town  
6 hall. Because I think the Coast Guard was out of Philly was  
7 there, I want to say probably -- I know Mr. Austin was there so it  
8 had to be a little after -- between 11 and 12 they had to be there  
9 by, I believe. It had to be about noon.

10 I mean, I wasn't keeping great time on my watch or  
11 notes. Like I said, between phone calls and being pulled in six  
12 different directions, but the Coast Guard was there fairly early,  
13 and they moved everything to the town hall. And then I was in  
14 meetings with them for the rest of the afternoon and then actually  
15 I had to leave that meeting to get on a conference call with the  
16 NTSB. But, yeah, it was early -- late morning, early afternoon  
17 when the Coast Guard arrived, and I think that's when everything  
18 was moved to the town hall.

19 BY MR. STANCIL:

20 Q. Besides yourself, was there any other organization  
21 concerned about being too close to the accident scene?

22 A. Nobody seemed concerned about it. Like I said, by 8:00,  
23 8:30 in the morning, it was clear. It was sunny and the fog bank  
24 was gone or the vapor cloud, whatever you want to call it, because  
25 I had been there in the past, you know, just driving through the



1 area and have seen fog coming off that creek, you know, that time  
2 in the morning. So personally, nobody seemed alarmed. Nobody  
3 seemed to care. It was cleared up. It was a beautiful sunny day,  
4 and to be honest with you, I didn't smell anything, I didn't taste  
5 anything, and I couldn't see anything. So there was really no --  
6 nobody had any level of concern. I truly don't believe that,  
7 especially once that fog bank disappeared.

8 Q. Prior to that, was there any other concern?

9 A. Not that I've seen, and like I said, I was only with  
10 them a few minutes, going over the paperwork with them inside of  
11 the chief's house, left to do what I had to do, come back, they  
12 were in the firehouse. I didn't see any level of concern in  
13 there.

14 Q. Okay. Can you describe a little bit more this rail  
15 line, what area it services and --

16 A. Sure.

17 Q. -- the volume of hazmat that normally travels on that  
18 line?

19 A. Well, the rail line starts -- actually the Penns Grove  
20 Secondary starts at Woodbury, but the line comes out of our Camden  
21 Yard here in -- Pavonia Yard in Camden. It actually comes out of  
22 Camden and runs on to Vineland Secondary for a while, and then at  
23 Woodbury, the Vineland Secondary goes straight and Penns Grove  
24 Secondary curves off to the right. So the Penns Grove Secondary  
25 then runs all the way down to Carney's Point, New Jersey or at the

1 -- near the Delaware Memorial Bridge at the end and basically dead  
2 ends right there. End of the line is DuPont and there's a cogen  
3 coal plant down there. That's the end of the line. There's a  
4 little yard there at Carney's Point.

5           Pretty much every day, the crew's on duty about 3 a.m.,  
6 the CA-11 train is on duty about 3 a.m. The train usually departs  
7 Camden around 5. It usually hits Paulsboro like clockwork at 7.  
8 It'll make a setoff at Paulsboro, a block of cars. It'll set off  
9 a block of cars at Paulsboro Yard. It'll then proceed down to  
10 DuPont. It'll deliver its cars to Carney's Point DuPont. It'll  
11 pick up the empties at Carney's Point DuPont. It'll proceed back  
12 north. It'll make a pickup at Paulsboro again coming north, of  
13 empties, and then proceed back into Camden Yard -- or Pavonia Yard  
14 in Camden, usually later than afternoon, by 3, 4:00, somewhere in  
15 there. So it's pretty much a 12-hour job down and back.

16           Single track railroad, I call it a cul-de-sac. Like I  
17 said, it dead ends, and you've got to turn around and come back.

18           The CA-11 is usually predominantly all hazmat. Anything  
19 from TIH to, you know, alcohol to -- but it handles a lot of  
20 products, both haz and non-haz products, but the bulk of the train  
21 is hazardous material. It's a pretty bad chemical -- it's a  
22 pretty heavy chemical train because you have companies like  
23 Solvay Solex, Paulsboro Refinery, Farrow, DuPont, OxyVinyl. I  
24 can't remember them all, but they're all hazmat customers and with  
25 a lot of volume.

1 Q. Since this accident, have there been any changes to  
2 operations along that line?

3 A. Well, yeah, you have now. The bridge, the bridge at  
4 Paulsboro, it's a movable bridge. Obviously it's not moving  
5 anymore. The bridge usually stays open for river traffic from  
6 March 1st to December -- well, November 30th actually. Then  
7 December 1st to February 28th, the bridge is usually closed for  
8 rail traffic only. It doesn't -- it stays locked and lined for  
9 railroad only.

10 So right now, I mean the bridge, all of its movable  
11 parts have been kind of removed, and it's lined and welded rail  
12 straight across so the bridge can't move. It's solid welded rail  
13 across the bridge. Trains are operating as intended except that  
14 they don't have to stop there anymore now to key in and  
15 mechanically close the bridge, because the bridge is permanently  
16 closed at this point. Operational-wise, that's about all that has  
17 changed as of now.

18 Now what's going to happen in March when the bridge is  
19 supposed to open, I'm going to leave that to my engineering  
20 department. I know they're going to have to petition the Coast  
21 Guard to keep it closed because there's no way it's going to open  
22 by March 1st.

23 I believe, and I'm not the expert on it, but I believe  
24 there's plans to -- design plans being built right now to install  
25 a new bridge there. And if I remember correctly, that's going to

1 be a lift bridge, not a swing bridge.

2 Q. One thing we'd like to add, if you could tell us a  
3 little bit about your background and your experience?

4 A. Sure. I hired in 1974 with the Central Railroad of New  
5 Jersey as a trackman. I came up through the engineering ranks,  
6 all the way up to track supervisor, always in the East here in New  
7 Jersey at that point for many years. In 1981 or so, I moved into  
8 the safety department in the East and what was then the New Jersey  
9 division and then the Philadelphia division. Then about 1988, I  
10 moved to the Midwest and I was a regional safety superintendent.  
11 I had five divisions on the west end of this railroad. I was  
12 based in Dearborn, Michigan, handling from Chicago to Buffalo down  
13 through almost Indianapolis.

14 I left there right after my daughter was born. So that  
15 was '93, went back to corporate headquarters in Philadelphia, and  
16 I was handling nothing but safety for the engineering department,  
17 the entire engineering department across the system.

18 As Conrail started to get acquired towards '97, I was  
19 pretty much acting as director of safety for what was left of  
20 Conrail at the time. When the acquisition happened in '99, I  
21 didn't want to move anymore. I was tired of moving. I wanted to  
22 stay here. The kids were at that age. So I stayed with what was  
23 called Conrail Shared Assets as their director of safety until  
24 about 2000. Then I ended up picking up the environmental issues  
25 as well as safety. 2001, after 9/11, I winded up picking up all

1 the infrastructure security issues after 9/11. I also had all the  
2 hazmat regulations and transport, all the governmental reporting  
3 regulations. A lot of the third-party property damage to Conrail  
4 was falling under me, so I winded up encompassing this thing  
5 called risk and taking a lot of the risk to the company. And I've  
6 been there ever since and, like I said, it's going on 40 years.

7 Q. And finally, are there important lessons that were  
8 learned by Conrail as a result of this accident?

9 A. Well, I learned I've got to do a lot more training to my  
10 management team on how the NIMS process is going to work going  
11 forward because what I had learned on NIMS and what we've always  
12 taught our people on NIMS, what we witnessed and went through for  
13 18 days was not what we taught. So I've got to retrain and  
14 redesign my training program, and that's already in the works, to  
15 educate my young management team coming up as to how to handle  
16 this stuff in the future, if it ever happens again.

17 I've learned that I need to come back out and  
18 reinstitute training to these local emergency responders that have  
19 not taken up on the offers that we've given them in the past, the  
20 assets we've given them for training on railroad and tank car and  
21 hazmat. So we're going to reissue that. I'm also going to run  
22 some what I call operation lifesaver training with some community  
23 outreach to let these community, police and fire and EMS people  
24 get to know the railroad a little better and get to understand  
25 some of the railroad safety issues and with grade crossings and

1 things of that nature.

2           Really, I mean, we've got to sit down and look at this  
3 and say, you know, how do we handle something like this going  
4 forward, again because this one, in my opinion, just got out of  
5 hand from a process standpoint. And if it happens again, I can't  
6 -- you can't devote 18 days to a small borough. You just can't.

7           Like I said, operationally, you know, things are going  
8 to be different if we do install that new bridge. I know it's in  
9 concept but that'll change the way trains operate through here.

10         Q.    Okay. Is there anything else?

11         A.    No, not that I can think of at this point.

12           MR. EL-ZOGHBI: All right. So I want to thank you, and  
13 it is currently 4:00, and we're terminating this interview. Thank  
14 you.

15           MR. FERRONE: Thank you, gentlemen.

16           MR. STANCIL: Thank you.

17           (Whereupon, at 4:00 p.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            CONRAIL DERAILMENT/HAZARDOUS  
   MATERIAL RELEASE  
   PAULSBORO, NEW JERSEY  
   NOVEMBER 30, 2012  
   Interview of Neil Ferrone

DOCKET NUMBER:            DCA-13-MR-002

PLACE:                        Camden, New Jersey

DATE:                         January 30, 2013

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.

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Kathryn A. Mirfin  
Transcriber