

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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UNION PACIFIC COLLISION

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HAYS, KANSAS

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JULY 16, 2013

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Interview of: MAURICIO SANTA

Salina Yard Office
Union Pacific Railroad
Salina, Kansas

Thursday,
July 18, 2013

The above-captioned matter convened, pursuant to notice.

BEFORE: TED T. TURPIN
Accident Investigator

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MR. TURPIN: My name is Ted Turpin. Today is July 18th, 2013. We're at Salina, Kansas, interviewing a crew member from the MSIDV-15 in connection with an accident that occurred at Hays, Kansas, on July 16th, 2013. The NTSB accident number is DCA-03-FR-008 [sic].

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Do you understand that this interview is being recorded?

MR. SANTA: Yes.

MR. TURPIN: All right. Would you please state your name and spell it?

MR. SANTA: Mauricio Santa. M-a-u-r-i-c-i-o; Santa, S-a-n-t-a.

MR. TURPIN: All right. Thank you. Let's go around the room and have everybody --

MR. CLEVELAND: Steve Cleveland, Local Chairman UTU, Salina.

MR. TURPIN: Spell you name.

MR. CLEVELAND: S-t-e-v-e, C-l-e-v-e-l-a-n-d.

MR. TURPIN: All right. Thank you.

MR. DRAGOO: Nile Dragoo, D-r-a-g-o-o, Chairman, UTU Safety Team.

MR. FACKLAM: Steve Facklam, F-a-c-k-l-a-m, BLEET Safety Task Force.

MR. ZAGATA: Zack Zagata, Z-a-g-a-t-a, FRA, Operating Practices.

1 MR. LORD: Steve Lord, L-o-r-d -- Steve Lord, L-o-r-d,
2 General Director of Regional Operations, Northern Region, Union
3 Pacific Railroad.

4 MR. WYKER: John Wyker, W-y-k-e-r, FRA.

5 MR. SOUTHWORTH: Jim Southworth, S-o-u-t-h-w-o-r-t-h,
6 Investigator-in-Charge for the Hays, Kansas accident.

7 MR. TURPIN: All right. Thank you. All right.

8 INTERVIEW OF MAURICIO SANTA

9 BY MR. TURPIN:

10 Q. First thing we do, Mr. Santa, is just have us -- tell us
11 what happened.

12 A. Where exactly, what you want to know?

13 Q. Well, start with when you approached to Hays.

14 A. Well, I remember going to Hays, we saw the distance
15 signal being clear. We had a warrant all the way through. I
16 remember we -- somebody said, you know, out loud, "Clear signal."
17 After that, came down Hays, you know, curve, and noticed targets
18 on the south side being red. And then by the time we got down to
19 the hill, we noticed that the main line switch target was red, and
20 that's when we realized something was wrong and then that's what
21 the engineer screaming. Applied the emergency brake, and after
22 that, it was no time to do anything else, just brace. That was
23 about it. We knew we were going to hit something.

24 Q. Okay.

25 A. And we just brace, and that's when everything happened.

1 So I didn't have the time to, you know, think. Just plugged it
2 and braced. That's about it. So -- okay, the whole story like I
3 remember?

4 Q. Absolutely.

5 A. I said after we noticed something was wrong, he plugged
6 it. I remember jerking. The train went to the side a little bit.
7 I guess that's -- the derails were. And then I remember hitting
8 the first car. I remember the -- the last thing I remember on
9 that car was happened there about 25, 30 feet.

10 And we just -- it happened so fast but at the same time
11 in slow motion. And after that happened, all you see is dark.
12 You know, you hear all the rumble and the noise of stuff crashing
13 and -- after that, I remember was going to the side, because I was
14 in the middle seat. You know, I got the CIT, engineer, and I was
15 in the middle. So I just remember going to the side, closed my
16 eyes. I just know I said it. I don't know if I said it out loud
17 or I thought about it, but I said, "Guardian angel, help us." And
18 after we went on the side, closed my eyes, and that was it.

19 The next thing I know, we -- like I said, I don't know
20 how many -- I don't know if they're -- I closed my eyes how --
21 minutes, seconds, after actually open my eyes and realize that,
22 you know, we have stopped. And after that, like I said,
23 everything was dark. I opened my eyes and I started looking
24 around. I saw my engineer. And I said, "You okay?" He was like,
25 "Yeah."

1 And after that, I look out the north side, that's the
2 window. Like at that point I noticed we're upside down. So I
3 look in this window, north side, and I -- it was closed, but it
4 was just debris going everywhere and just in flames. But then I
5 look at this window, which that time is the engineer side, try to
6 open it. I was like -- at that time I'm facing back looking at
7 the flames. I tried to open at the side, but it was bent, so I
8 couldn't open it. And my engineer was trying to open the other
9 one.

10 At that time, we didn't realize that our student was
11 already outside. I don't know how he got out, through which
12 window. He's like, "Guys, the engine is on fire. Get out." So
13 after that, engineer went around me. I got up, went on my back,
14 got the lantern, so I just flashed, you know, pointing at stuff.
15 I was able to get my keys and wallet, and while the engineer was
16 getting out, just started throwing shit out the window. And then
17 we just crawled through here, the windshield.

18 And we crawled, we just jumped. Just started walking
19 through, you know, rails and all the debris around. And when we
20 got a safe location, we just -- don't know if we hugged, we shook
21 hands. But I say, you know, "Guys, we alive."

22 Then after that, we turn around and -- I don't know --
23 30 seconds, then we just saw a big -- you know, heard a big bomb,
24 you know, boom, and that's when we saw the engines, you know,
25 exploded or whatever was next to it. Then I guess after that, he

1 -- he had his cell phone with him on the -- in the lunch box, and
2 called the dispatcher. And after that, I think he called the
3 manager. I don't know who else he called after that. He called
4 dispatcher and told him what was going on. And at that time we
5 saw cops, you know, sirens being around and we just started moving
6 away from the debris towards the street. That's about it.

7 Q. Did you talk to the firemen or cops?

8 A. They just asked us what happened. I said, "I don't
9 know, man. Just lucky to be alive." That's pretty much about it.
10 I mean, we're in shock that day. And like I say, we're just
11 amazed that we were able to walk out of that deal.

12 Q. Did you have your consist with you or your paperwork on
13 your train?

14 A. No.

15 Q. You didn't have it?

16 A. I didn't have anything. Like I said, I just -- at that
17 time as I -- when that happened, realized what happened, we just
18 started throwing shit out. We just left.

19 Q. Okay. Did he ask what was on the train?

20 A. Who was that?

21 Q. The firemen?

22 A. They did ask us and we told them, and the -- Magley was
23 calling -- because we knew we had, you know, hazmat stuff. So
24 Magley call and we try to find out at what point the cars were and
25 try to get a train list. And they finally got one. We explained

1 to them, you know, what we had on the train.

2 Q. Okay.

3 A. We knew there was nothing close to the head end, but we
4 didn't know exactly what if every -- the whole train was on fire;
5 we didn't know anything. But after we got the information, we
6 told him what was going on.

7 Q. So your engineer called -- who did he call to get the --

8 A. I don't know if he called the yard trying to get
9 information because I guess that was the only -- you know, at
10 least they can pull it up in, you know, in front of them and tell
11 us, you know, how far they are and stuff like that.

12 Q. Yeah. When you say the yard, where?

13 A. I'm thinking Salina Yard.

14 Q. At Salina?

15 A. I believe -- yeah, that's --

16 Q. Right.

17 A. Yeah, Salina yard.

18 Q. That'd be the nearest place somebody would man a
19 computer to be able to do that?

20 A. Yeah, I mean, we had a depot there, but there's no way
21 we could've get close to that, you know.

22 Q. Right. Okay. Okay, very good. Thank you. Thank you.

23 So let's back up and we'll just work through a little
24 bit of the detail. You said you were in the middle seat?

25 A. I was in the middle seat.

1 Q. Okay. You obviously could see the targets?

2 A. Yes. Said I -- like I say, in the middle you got the
3 bar, but, you know, you go to the side and get a view from one
4 side; you get a view from the other side. Like I said, we --
5 because everybody was aware what was going on. We just had a --

6 Q. Okay.

7 A. -- we just said, you know, "Clear signal" way before
8 coming over the curve, because you can see that distance signal.

9 Q. Right.

10 A. And like I say, once we came down and saw that something
11 was wrong for our track, that's when the engineer plugged it.

12 Q. Could you tell if it was the engineer or the student
13 that take a hold the train?

14 A. It was the engineer.

15 Q. Engineer?

16 A. Engineer.

17 Q. Okay.

18 A. It was the engineer the one that plugged the train
19 after, you know, realized that something was wrong.

20 MR. TURPIN: All right. All right. We'll stay with
21 just the accident, and we'll do some backup information later.
22 But we'll go around the room right now if anybody has any
23 questions specific to the accident itself. Nile?

24 MR. DRAGOO: Nile Dragoo, UTU.

25 BY MR. DRAGOO:

1 Q. Is it Marico?

2 A. Mauricio.

3 Q. Mauricio. Okay.

4 A. Mo, if you want to.

5 Q. Mo?

6 A. Yeah. If it make it a little easier --

7 Q. Is it okay if I call you Mo?

8 A. Yeah. Mo is --

9 Q. That'd be easier for me.

10 A. Easier for everybody, I guess.

11 Q. Mo, did -- you was running on track warrants, I assume?

12 A. Yes.

13 Q. Did you guys -- were you following that local or was
14 that around there? Or did you hear it?

15 A. Local was -- like is say, it's -- we had a warrant from
16 I believe it was 269 to Collyer. So they had to be in the clear
17 by then.

18 Q. Okay. Did you hear -- at any time in your trip, did you
19 hear the local talking, like, over the radio --

20 A. Yes.

21 Q. -- or doing switching?

22 A. Doing switching, I believe Russell, doing some
23 switching.

24 Q. Okay. Did you hear them when they were at Hays there?

25 A. No. Didn't hear then.

1 Q. And you could see the targets pretty well, right --

2 A. Yeah.

3 Q. -- when you come around there?

4 A. Well, our target after coming down the curve, yeah, then
5 we saw it was red. But it's not like a straight track that you
6 can see, you know. It's a curve. But you can see the ones on the
7 south side.

8 Q. Yeah.

9 A. The one on the main is pretty much the last one you get
10 to see.

11 MR. DRAGOO: You know, really, I don't have anything
12 more at this time. Thank you.

13 MR. FACKLAM: Steve Facklam, BLET, Safety Task Force.
14 Just following up on the intention when you got to Salina.

15 BY MR. FACKLAM:

16 Q. So, if I get this right, you're coming down the hill,
17 and before the curve, you can see the distance signal?

18 A. Yeah, way before. Yeah, you can see the --

19 Q. Okay.

20 A. -- distance signal.

21 Q. And then it wasn't until you came around the curve that
22 you noticed the switch targets?

23 A. Yes.

24 Q. Did you notice ETD in the --

25 A. What was that --

1 Q. -- in the track?

2 UNIDENTIFIED SPEAKER: FRED.

3 MR. SANTA: Oh, EOT. I'm sorry.

4 BY MR. FACKLAM:

5 Q. FRED.

6 A. Yeah.

7 Q. FRED. Different terminology.

8 A. Okay. That's when I'm like, yeah, EOT. Yes. We saw
9 the -- Freddy was flashing.

10 Q. Was there a -- what order did you see -- saw the
11 distance target, the distance signal first?

12 A. The distance signal first. Like I said, that's --

13 Q. Okay.

14 A. -- way up there because before you come, you know,
15 around the curve, you can see it. Then you come around the
16 corner, then you can see, you know, south track, then Freddy.
17 Like I said, it was red. Freddy was flashing. And then when you
18 get -- come to straight rail, that's when we saw the main line
19 switch, that it was something wrong with that.

20 Q. Okay.

21 A. That's when, you know, we noticed something's wrong.

22 Q. Okay. So the --

23 A. But first you see the south, you know, middle track.
24 Then when you get, like, close to it, then that's when you see
25 that the main line switch.

1 MR. FACKLAM: Okay. That's all I have right now.

2 MR. ZAGATA: I don't have anything.

3 MR. TURPIN: Okay.

4 BY MR. LORD:

5 Q. Do you remember about when it was that --

6 MR. TURPIN: Louder.

7 MR. LORD: I'm sorry?

8 MR. TURPIN: Louder.

9 MR. LORD: Oh, I'm sorry.

10 BY MR. LORD:

11 Q. Do you remember about when it was that the engineer
12 plugged them? Was it on that switch or -- because when you say
13 when you got the straight --

14 A. Uh-huh.

15 Q. -- you could see the main line switch at that point. Do
16 you remember about when he plugged them?

17 A. As soon as we know there was something wrong.

18 Q. Okay.

19 A. As soon we see that there was something wrong, you know,
20 the main, that's when --

21 Q. Right.

22 A. -- that's when he plugged it.

23 Q. So he reacted as soon as he saw something?

24 A. As soon as we saw, like I say, yeah.

25 Q. But you're not sure exactly where that was?

1 A. At what location, no. Like I said, as soon as we
2 noticed that there was something wrong, that's when he plugged it.

3 MR. LORD: Thank you.

4 MR. SANTA: Okay.

5 BY UNIDENTIFIED SPEAKER:

6 Q. Track speed in the territory is what?

7 A. It's dark territory.

8 Q. Right. Do you know what track speed is right there?

9 A. It depends. The train that we had it was a 49-mile-an-
10 hour train.

11 Q. Were you going about 49 or?

12 A. We were going about 45, 46. We didn't have any slow
13 orders through there. We had a warrant, so yeah, myself, the last
14 speed that I remember was that, about that speed.

15 BY MR. TURPIN:

16 Q. Was there a speedometer display on your side, on the
17 conductor's side?

18 A. On the engineer side.

19 Q. Just over on the --

20 A. He had one -- one, but it's not electronic one. The one
21 just the dots go around --

22 Q. Okay.

23 A. -- the engineer.

24 Q. So you were able to see it once in a while?

25 A. Oh, yeah, I see it. Yeah, both of them.

1 Q. Okay. Oh, both of them?

2 A. Yeah.

3 Q. From the middle?

4 A. From the middle.

5 Q. All right. Well, let's -- let's back up now and just
6 kind of get some history. When did you hire out?

7 A. January '08, 2008.

8 Q. As? In what position?

9 A. I was CI -- COTIT. Or BIT when I started. Conductor.

10 Q. Okay.

11 A. Okay.

12 Q. Okay. So how long was your training?

13 A. For the conductor I think about six months, I believe.

14 Q. Okay.

15 A. Six, seven months.

16 Q. All right. And are you remote qualified?

17 A. Yeah.

18 Q. And not engineer?

19 A. Engineer qualified.

20 Q. You are engineer qualified?

21 A. Yes.

22 Q. Oh, okay. When did you take that?

23 A. Last year. June, I believe -- we finished in June, so
24 it had to be -- we started I think in November of 2011, if I'm not
25 mistaken. So I just got it done last year, June.

1 Q. Caught a job yet?

2 A. What's that?

3 Q. Have you worked as engineer yet?

4 A. No, not yet. I'm still a conductor, but I have run --

5 Q. You have got a job?

6 A. No, I'm not --

7 Q. You haven't done -- you've been --

8 A. Maybe in --

9 Q. Engineers have let you run, but you actually been called
10 as an engineer yet?

11 A. No, not yet. I'm --

12 Q. Not yet?

13 A. No.

14 Q. Okay.

15 A. Not yet.

16 Q. Okay. What's your primary work? Where do you work
17 normally?

18 A. Out of Salina, going to Sharon Springs.

19 Q. For how long?

20 A. All together probably -- I've been in Salina 2½ years
21 between the X4 and the west ends.

22 Q. Okay. You ever worked the Hays local?

23 A. Yes.

24 Q. Have you tied up at Hays?

25 A. Yes.

1 Q. How many times you think you've worked it?

2 A. All together, let me say five, six times, all together.

3 Q. Have you actually lined up behind there at Hays, used
4 those switches?

5 A. Oh, yeah, we have used those switches.

6 Q. You personally have? Or were you conductor --

7 A. I don't remember to be honest. To be honest, I don't
8 remember.

9 Q. That's fair. Is that the normal process, to pull in,
10 cut the crossing, line up behind, and tie everything down?

11 A. That I can remember, yes. You go in there and then,
12 yes, you cut crossings, yes.

13 Q. If you fit, you go ahead and just pull in past Vine?

14 A. If you fit, yes. I think that's the process. We just
15 stop, you know, put it on the clear, and then if you're long
16 enough, cut the crossing, put the engine on the other side of the
17 first crossing there.

18 Q. Okay. We asked -- and we have the paperwork to support,
19 but we're going to get it from the whole crew. What time did you
20 go on duty?

21 A. 1610.

22 Q. Okay. And when did you depart Salina?

23 A. 1840, I think -- 50.

24 Q. Okay. This isn't a test for you memory because --

25 A. Yeah.

1 Q. -- I know we can get it. So it's okay.

2 A. Somewhere down the line, but --

3 Q. Yeah, yeah.

4 A. -- we were here for (indiscernible).

5 Q. Do you remember what the delay was?

6 A. I believe there were still maintenance of way out here
7 trying to fix the track, and we had to wait for westbounder and
8 the local and we had to follow them, so --

9 Q. Okay. So you knew you were following the local out of
10 Salina?

11 A. Yeah. We knew we were trying -- we were following the
12 local.

13 Q. Do you remember about when they left?

14 A. No. No. I don't remember. Like I said, that day was a
15 lot of maintenance of away and -- so I don't remember exactly what
16 time they left.

17 Q. Okay. So on duty at 4:10, 1610, on -- that would've
18 been on Monday.

19 A. Uh-huh.

20 Q. What did you do during the day Monday?

21 A. In the morning, I just paid a few bills. When I knew I
22 was going to work, went to Walmart, got a few things ready for
23 going to work, and just went back home.

24 Q. When did you get up Monday morning?

25 A. About 9:00 in the morning.

1 Q. And when did you go to bed?

2 A. Before -- I think about 11, 11:30 by the time I tie up
3 and went home.

4 Q. Had you come off of a job?

5 A. I'm sorry?

6 Q. You came off a job? You worked --

7 A. Yes, that day I came --

8 Q. -- Sunday?

9 A. Yeah.

10 Q. What was the time on duty that day?

11 A. 11 -- about 10:30. I remember the night before we had
12 some held-away. So about 10:30 in the morning going in to work.

13 Q. So it was a 12-hour trip?

14 A. About 10 hours, about --

15 Q. Okay.

16 A. -- 10, 10½.

17 Q. This gets tougher. We're going to move back. So
18 Monday, you had basically all day until you got called, but you
19 got a good night's sleep --

20 A. Uh-huh.

21 Q. -- Sunday night.

22 A. Uh-huh.

23 Q. Sunday you worked 10-hour day. We're moving into
24 Saturday now.

25 A. Okay.

1 Q. Did you sleep all Saturday night?

2 A. I was rested.

3 Q. Okay. Was that in Salina -- I'm sorry -- in --

4 A. Sharon, Sharon Springs.

5 Q. Okay. So the Sunday trip was a return?

6 A. Yeah. It was -- it was coming back, yeah.

7 Q. Okay. What was the trip Saturday like? What times?

8 A. I don't know what time -- actually, Saturday we dead
9 head at Sharon Springs.

10 Q. Dead headed.

11 A. If I'm not mistaken, we dead headed there, then had
12 about 23 hours held away.

13 Q. Oh, okay.

14 A. So, it was --

15 Q. Did you sleep the beginning part of that, or towards the
16 end?

17 A. Yes. All day, we stayed up a little bit and went to
18 bed, then got up and told me that we're going to be there, so just
19 stay up watching TV and check the boards, make sure, you know, and
20 take naps. We're there for a while.

21 Q. But it was a day trip coming back, 10:30 a.m.?

22 A. Yeah, 10:30 a.m.

23 Q. Okay.

24 A. Or 11. I mean, but somewhere around there. I don't
25 remember the times, but yeah.

1 Q. Yeah.

2 A. Daylight trip.

3 Q. Yep. Okay. So we're back to Saturday dead head. You
4 remember Friday?

5 A. No.

6 Q. Okay. So did you feel rested on Sunday, the day trip?

7 A. Yeah.

8 Q. Okay. Did you feel rested the night of the manifest?

9 A. (No audible response.)

10 Q. So you're in your first three-year cycle of 240 then,
11 right? So you got your first stamp for 240 certification is June
12 12th, is that -- when you finished your training, you got a --
13 your engineer license starts June --

14 A. Yes.

15 Q. -- 2012?

16 A. I believe so, yeah. Right? Think so.

17 Q. It should be close to that time, yeah. Did you take one
18 qualifying trip there, road foreman ride with you?

19 A. Yeah.

20 Q. Yeah. Okay.

21 MR. TURPIN: All right. I'm good for that portion.

22 We'll start around again. So let's start with Nile.

23 MR. DRAGOO: Nile Dragoo, UTU.

24 BY MR. DRAGOO:

25 Q. Mo, are you on the X board?

1 A. No.

2 Q. All right. Is this a regular assigned pool?

3 A. Yes, my regular --

4 Q. You said you did work that local at times?

5 A. Yeah, at times when I was on the extra board.

6 Q. Okay. So you're pretty familiar with the area in
7 regards to where the accident was at?

8 A. Oh, yeah.

9 Q. What is -- you think down there by that switch is there
10 sufficient lighting or?

11 A. No. Definitely not.

12 Q. Okay. Has it been reported to the carrier?

13 A. I don't know if it has, to be honest. But I know it's
14 not sufficient lighting.

15 Q. And why do you think there's not sufficient lighting
16 there?

17 A. I -- to be honest, I don't know. I know it's the depot
18 there, but I don't know if they have those big lights, the
19 overhead lights. But, yeah, it's not enough lighting there.

20 MR. DRAGOO: Okay. That's all I have. Thanks, Mo.

21 MR. SANTA: Okay.

22 MR. FACKLAM: Steve Facklam, BLET.

23 BY MR. FACKLAM:

24 Q. I'm going back on your routine. Roughly, just, you --
25 just estimate a rough -- what are your average times on duty for

1 your trips between Salina and Sharon Springs?

2 A. Like what time normally we're on duty?

3 Q. Yeah, total time on duty, just for maybe the last month.

4 A. Oh, the last month, I probably -- we have gone dead a
5 couple of times because all the maintenance of way going on. So,
6 yeah, we got to, you know, stop at a siding and wait, you know.
7 Or sometimes they call you on your rest coming out of there and
8 just put you on a hold and just wait forever. But the past month,
9 I would say about 11½ hours.

10 Q. Based on an average just --

11 A. Yeah, on an average --

12 Q. -- for that last month?

13 A. -- right now with all this going on.

14 Q. And on the pool turn you're on, is it -- would you say
15 that you normally work a trip every day or?

16 A. No. You get a day, day and a half in between trips
17 normally. Sometimes two days.

18 Q. And so in your -- how much -- is there an average about
19 how much time you have at your home terminal?

20 A. Oh, home terminal. You mean home? Thirty-six --

21 Q. Thirty-six (indiscernible)?

22 A. -- hours, something like that. Yes. Pretty much so.
23 Yeah, you go out there, stay for a little bit, come home, and --
24 that's one of the things I like it, because at least you'd be able
25 to spend time at home. You know, you get some time off at home.

1 Then you go out there and come back, so --

2 MR. FACKLAM: All right. That's all I have for right
3 now.

4 MR. TURPIN: Okay.

5 MR. ZAGATA: Zack Zagata, FRA.

6 BY MR. ZAGATA:

7 Q. Do you remember the last time you had some testing?

8 A. My what? I'm sorry?

9 Q. The last time you were tested FTX?

10 A. For -- on the train?

11 Q. Yes.

12 A. Maybe a week ago, if I'm not mistaken.

13 Q. And they notified you of how you did on it?

14 A. Yes. Yes.

15 MR. ZAGATA: That's all I got.

16 MR. SANTA: Okay.

17 MR. TURPIN: Okay. This seems like it just goes
18 endless, round and round now. We -- everybody asks something, and
19 it makes somebody think of something else to ask, so it's kind of
20 a process. It's a little bit of brainstorming.

21 BY MR. TURPIN:

22 Q. You mentioned the darkness at the switch. So how do
23 you report, like, a safety issue? What process is in place?

24 A. What do you mean by that?

25 Q. Let's say you find something unsafe. Let's say you find

1 a switch hard to throw, maybe it takes two guys or something. Is
2 there some way you report that or let somebody know?

3 A. Yeah. You can tell the manager, you know, about that.

4 Q. Okay.

5 A. And normally, you'll write a note and leave it at the
6 depot, put it out there, put it on a safety hotline deal.

7 Q. There is a safety hotline?

8 A. Yes.

9 Q. Have you ever reported anything?

10 A. Not out here that I can recall.

11 Q. Is that because there's never been anything to report?

12 A. No, I just -- after this, I mean, like I just -- I
13 haven't seen anything like that. I mean, I would pay attention
14 about the light there, to this.

15 Q. Okay. Okay. Now you just were in a train wreck, so
16 this sounds kind of interesting as a question. But is this a safe
17 place to work?

18 A. Meaning what? Union Pacific or --

19 Q. Yeah. Union Pacific. Working on the railroad, Union
20 Pacific, working in this territory. Do you feel it's safe?

21 A. After all this, I know there can be a lot of
22 improvements.

23 Q. Okay. Do you have any to contribute? Do you have any
24 ideas?

25 A. On the -- first of all, I don't -- right now, I

1 personally think that out here in the dark side, about the five
2 miles that we have to write down, you know, every five miles our
3 speed, location, and time, I think -- I think that's unsafe,
4 because especially going out there dark. So instead of you
5 looking out the tracks and what's in front of you, actually trying
6 to write it down on your book every five miles.

7 Q. So that's a distraction from actually observing --

8 A. It is some, yeah. I don't know if they want it just
9 keep to the conductor awake. We're getting our rest, and like I
10 said, it's -- we got a lot of island switches and all the sunkens
11 (ph.) and stuff. I think that's a safety issue.

12 Q. Okay.

13 A. They expect -- they want us to be look out there for
14 switches, cars, you know, anything going on, but you're actually
15 looking down, writing down, you know, speed and stuff.

16 Q. And you say the requirement is to do that every five
17 miles?

18 A. Every five miles. Forty-nine entries going to Sharon
19 Springs.

20 Q. That's if you're running greens all the way?

21 A. That's if you're running greens, not counting --

22 Q. If you have to do something, you have to log that as
23 well, right?

24 A. Detectors, distance signals, all that stuff.

25 Q. Right.

1 A. Especially, like I say, going out there.

2 Q. Okay. You feel you've been trained well enough to
3 perform the job safely?

4 A. Yes.

5 Q. Okay.

6 MR. TURPIN: I think that's about it. We can go one
7 more round if anybody has anything else.

8 MR. SOUTHWORTH: Medical, do the (indiscernible).

9 MR. TURPIN: Yeah, I did miss that part. I got reminded
10 by the boss.

11 BY MR. TURPIN:

12 Q. You take any drugs? Prescription drugs?
13 Nonprescription -- Nyquil, Claritin, anything like that?

14 A. (No audible response.)

15 Q. No medical problems. So you use glasses normally?

16 A. Contacts.

17 Q. Contacts? And you were wearing them the day of the
18 accident?

19 A. Yes.

20 Q. Okay. All right. And I did -- I do have one more. Did
21 you use your cell phone during the trip at all?

22 A. Yes. I did at Dole.

23 Q. Okay.

24 A. But we were stopped like an hour, an hour and a half.

25 Q. Okay. And I will ask for your cell phone and provider

1 too. It's a standard procedure for us to do.

2 A. That's fine. Like I said, I did --

3 Q. We'll get the records on that. And that's fine. We --

4 A. I did make a phone call.

5 Q. -- understand the rule allows for that when the train's
6 stopped.

7 A. Oh, yeah. We were stopped, and went down and made a
8 phone call and turned it off.

9 Q. All right. Do you see cell phones as any sort of an
10 issue in this territory?

11 A. After this happened, I just think it would be safe if
12 we, I don't know, have it at least in our pockets. Because if --
13 like I said, being dark, if it would have happened in the hills
14 that we lost communication and nobody has a cell phone, how do you
15 tell dispatch, how do you tell anybody if something is going on?

16 Q. Right.

17 A. You know, like I said, it happened -- when it happened
18 that people were able to call 911, but if it happen on -- in there
19 through the through the hills, there's no way to communicate with
20 anybody. You know, if it's in our bag, yeah, it's off, but no way
21 communicating to anybody, you know, if we don't have it on us.
22 And I think that's an issue.

23 Q. Right.

24 A. I think that's not safe.

25 Q. Okay. How about on the other end of the spectrum? As a

1 conductor, have you ever had to tell a brakeman, you know, put it
2 away; this isn't the time or place or?

3 A. No.

4 Q. I mean, I don't want you to give people up. I --

5 A. Oh, no, no. I'm saying --

6 Q. -- understand that, but it's just --

7 A. No, I mean, we know out there how to do our job the safe
8 way and never have been an issue with that.

9 Q. We ask questions like that as we go out here because we
10 respond to accidents on all properties, right? So railroads have
11 different cultures out there and there are different levels of
12 respect for different things, you know. There's some areas that
13 people say, "Phones, I leave them in the locker room. I never
14 even" -- you know. And in other places, they're a lot more
15 liberal with it and they -- every time they stop, there's one crew
16 member says, "Yeah, I got to make a call," for whatever reason.
17 So we just want to get a feel for that for different territories
18 and how it's --

19 A. Yeah.

20 Q. -- how it's looked at.

21 A. Yeah. Like I said --

22 Q. But I appreciate your comment on the need for emergency
23 backup for communication, absolutely.

24 A. That was definitely one, especially on that dark
25 territory.

1 MR. TURPIN: Uh-huh. Uh-huh. All right.

2 UNIDENTIFIED SPEAKER: I got one more.

3 MR. TURPIN: Oops.

4 BY UNIDENTIFIED SPEAKER:

5 Q. Just -- I know it's dark territory. Just in all the
6 times that you've gone through there, daylight or nighttime, have
7 you ever come across the target being red where you've had to
8 stop? Or is it always clear and then a dispatcher sets you up,
9 and you get some track warrant and track authority and all that?
10 Have you ever come through at all and ever seen that target turned
11 to red?

12 A. On the main line?

13 Q. Uh-huh.

14 A. No. That's the first time.

15 BY MR. TURPIN:

16 Q. How about the inside switch? Somebody left that wrong
17 sometime? And that wouldn't be wrong, but have you seen a red
18 target on the inside switch?

19 A. Yes.

20 Q. Okay. How about any other hand-throw switch, any other
21 location, you ever had to stop for one?

22 A. Not that I can recall. I can't recall. I don't think
23 so.

24 Q. So pretty much your experience in dark territory when
25 you're running on authority, you've not had a problem with

1 switches lined incorrectly -- or lined against you? I won't say
2 incorrectly, but lined against you where you see in the dark?

3 A. That I can recall.

4 Q. No.

5 MR. TURPIN: Okay. All right. Well, this concludes the
6 interview. Thank you very much.

7 (Whereupon, 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: UNION PACIFIC COLLISION
 HAYS, KANSAS
 JULY 16, 2013
 Interview of Mauricio Santa

DOCKET NUMBER: DCA-13-FR-008

PLACE: Salina, Kansas

DATE: July 18, 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.

Derick Marx Rawls
Transcriber