

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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UP AND BNSF TRAIN COLLISION
MAY 25, 2013
NEAR CHAFFEE, MISSOURI

* Docket No.: DCA-13-MR-004

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Telephonic Interview of: TODD HARVEY

May 2013

The above-captioned matter convened, pursuant to notice.

BEFORE: MIKE FLANIGON
Investigator-in-Charge

MIKE FLANIGON, Investigator-in-Charge
National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, D.C. 20594

RICK NARVELL, Human Performance Investigator
National Transportation Safety Board

FRED PRINGLE, Chief Inspector
Federal Railroad Administration (FRA)

BRYAN ALDRIDGE
RANDY DUMEY
Safety Task Force
Brotherhood of Locomotive Engineers
and Trainmen (BLET)

CORY REYNOLDS, Senior Railroad Safety Inspector
Missouri Department of Transportation

KENNETH EDWARDS, Safety Team
United Transportation Union (UTU)

RANCE RANDLE, Operating
Burlington Northern-Santa Fe Railroad (BNSF)

RANDY EARDENSOHN
Union Pacific Railroad (UP)

ROBY BROWN, Safety
UP Railroad

RANDY GLYNN, Senior Manager of Train Dispatching
PHDC

TODD SHELTON, Senior Manager, Rules
PHDC

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I N T E R V I E W

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MR. FLANIGON: Is there a red light on that?

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UNIDENTIFIED SPEAKER: Yep, just like that.

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MR. FLANIGON: All right. We had a glitch the other day with my recorder. Operator error, as a matter of fact.

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This is Mike Flanigon, F-l-a-n-i-g-o-n. I'm with the National Transportation Safety Board and we are interviewing Mr. Todd Harvey, H-a-r-v-e-y. Did I spell your name correctly, Mr. Harvey?

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MR. HARVEY: Yes, sir.

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MR. FLANIGON: He was the UP train dispatcher on duty on the Chester Subdivision on the morning of the accident where this is in relation to our investigation of a collision involving a UP freight train and a BNSF freight train, that occurred on early Saturday morning about 2:30 in the morning, Central Daylight Time, at the Rockview interlocking, which is near Chaffee, C-h-a-f-f-e-e, Missouri.

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And we'll go around and let everybody introduce themselves, but first, I just wanted to confirm, Mr. Harvey, that you understand we're recording the interview?

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MR. HARVEY: Yes, sir.

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MR. FLANIGON: Okay. So I'll start on my far left.

23

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MR. PRINGLE: Fred Pringle, P-r-i-n-g-l-e, FRA, Chief Inspector, St. Louis.

25

MR. ALDRIDGE: Bryan Aldridge A-l-d-r-i-d-g-e, BLET

1 Safety Task Force.

2 MR. REYNOLDS: Cory Reynolds, R-e-y-n-o-l-d-s, Missouri
3 Department of Transportation, Senior Railroad Safety Inspector.

4 MR. DUMEY: Randy Dumey, D-u-m-e-y, BLET Safety Task
5 Force.

6 MR. EDWARDS: Kenneth Edwards, E-d-w-a-r-d-s, UTU Safety
7 Team.

8 MR. RANDLE: Rance Randle, R-a-n-d-l-e, BNSF Operating.

9 MR. EARDENSOHN: Randy Eardenhsohn E-a-r-d-e-n-s-o-h-n,
10 Union Pacific Railroad.

11 MR. NARVELL: And Rick Narvell, Human Performance
12 Investigator with the NTSB.

13 MR. BROWN: And Roby Brown, R-o-b-y, B-r-o-w-n, Safety
14 Union Pacific Railroad.

15 MR. FLANIGON: Okay. Can you go through the people in
16 the room with you? We're doing this interview telephonically.

17 MR. GLYNN: Yeah, you mentioned, you got Todd Harvey in
18 here. I'm Randy Glynn, G-l-y-n-n, Senior Manager of Train
19 Dispatching, HDC.

20 MR. SHELTON: And Pat Shelton, S-h-e-l-t-o-n, Senior
21 Manager, Rules, PHDC.

22 UNIDENTIFIED SPEAKER: (Indiscernible) for HDC.

23 INTERVIEW OF TODD HARVEY:

24 BY MR. FLANIGON:

25 Q. Okay. Well, I appreciate you taking the time to spend

1 with us, Mr. Harvey. I'm sure it's going to be helpful to us.

2 Let's start with a very general question, asking you to
3 walk us through what happened from your perspective, with
4 particular attention to any communications or interactions you
5 might have had, either verbally, over radio, other communication
6 methods, or in terms of your train control equipment there in the
7 dispatch center, with the UP train. Basically, kind of walk us
8 through what happened that morning.

9 A. Just more or less, come to work, do my job and had a
10 curfew with a tie gang out there, and getting my northbound trains
11 ready. And this second ASMAR running southbound on the Chester
12 out of (indiscernible) and doing our thing, dupo (ph.) going, and
13 as far as communication goes, I'm not 100 percent sure what my
14 communication was with them during the trip.

15 I just know right before the collision happened, I
16 talked to a train that was probably 3 miles from him on the same
17 radio tower, that had went into an emergency from hitting a deer.
18 And as far as that, in my mind, that's the only communication I
19 can really know that I've had, I mean, exactly as far as being on
20 radio chatter.

21 I mean, I do talk on the radio quite a bit, so, you
22 know, as far as I can recall, that -- just getting my line-ups
23 ready, and getting my trains and stuff ready, and, you know,
24 that's -- as far as I know, that's really the only thing I can
25 recall, as far as, you know, up to that point. If you want me to

1 go further from that point on, that's where I'm at on that, over.
2 I said, "over," but anyway --

3 Q. Yeah. Roger.

4 (Laughter.)

5 MR. HARVEY: Yeah, you're going to get a lot of that,
6 sorry.

7 BY MR. FLANIGON:

8 Q. Yeah, that's all right. I know, it's ingrained, and
9 that's a testimony to your training.

10 Okay, well, that's before the accident. So go ahead and
11 walk us through what happened next.

12 A. Well, right after I got done with that call, and it
13 probably wasn't -- I don't -- I think it was less than 2 minutes
14 of the train at Elmo, the local hitting the deer, I -- it wasn't
15 -- and I said emergency, it actually got the dragger there, the
16 deer hit the dragger. Whenever they hit it, he was right in front
17 of the dragger and he got that dragger there, I think, like I
18 said, 3 or 4 miles away.

19 So then, I was monitoring the railroad -- the radio,
20 listening to the chatter, and actually, at that point, somebody
21 had thought they had -- I'd heard somebody say they got some bags
22 and stuff for the deer. And I actually thought, and you know, I
23 don't know if you -- I ever want to use the word assume. We don't
24 really use that here. So -- but if you want to use it at this
25 point, I will, that the person saying they had some bags actually

1 was the auto train, because I do think communication is important.

2 So at that point, I thought that was them, so I
3 continued on with my work progress, which what we do. And like I
4 said, I got the emergency light, and actually, at the emergency
5 light, I believe I was actually on the radio at the same time.
6 I'm not 100 percent positive of that, to say that we had hit
7 something and we need help, and that's whenever I responded back.

8 And actually, I haven't listened to the tapes. I'm just
9 doing this off memory. I responded back that, you know, he was --
10 that "go ahead, over," again. And he responded that this is the
11 auto train, or a train, and here we've had a collision with the --
12 with another train here at the Rockview interlocker. So from that
13 point, everything just kicks in. That's what I've been trained to
14 do and what we do here.

15 I don't know at that point that I was really worried
16 about -- my rules say that I'm supposed to worry about which side
17 of the something you're on. But given the territory and knowledge
18 of that point, I really wasn't -- and that they had a collision
19 with the -- the only way they could have a collision with another
20 train there is to hit it in the side, because it is an
21 interlocker. It's not like a head-on collision.

22 So it, you know, it could've been with the two units,
23 but pretty well knew that it was a side collision with another
24 train there since it was at the interlocker. I tried to get on
25 the emergency as far as I could, to RMCC, give them all the

1 pertinent information that I thought they needed to get people
2 heading that way. And again, I'm pretty sure that -- when I
3 talked to them, I said send everything and everybody you can,
4 because it's not a good thing. So -- and then, get all the
5 information and get it to them. And then we just discussed from
6 there. Do you want me to keep going, or --

7 Q. Sure. Yeah, keep going, at your own pace and in your
8 own words, the best that, you know -- best way to tell a story,
9 and then we'll drill down.

10 A. Okay. And then, you know, after we got all that
11 information there, when we get back to the crew, and start talking
12 to him and getting the information from him, and after that, RMCC
13 had pretty well told me that, you know, and before I hung up with
14 them, that they had everything that they needed, and had my books
15 and stuff down like we're supposed, my RMCC, my -- well, our
16 emergency response book that we have here at the desk, I took it
17 down. I took my timetable down, which shows me the milepost and
18 exact location that corresponds with the control point there at
19 Rockview, at the interlocker.

20 Then, you know, more or less, after that, we just turned
21 into a mode where nothing material really matters. It's all about
22 taking care of the crew and stuff. So being on the radio and
23 talking to him, and just making sure him and the engineer -- and I
24 say "him" because I was talking to Blanchard, making sure him and
25 the engineer was okay. And once you get that, just stay on there

1 with them and, like we did. So we just hung in there together,
2 and they did a great job, and we got that done.

3 And finally, whenever, you know, everybody dispersed
4 here from the railroad that needed to disperse, the managers and
5 stuff, they confirmed that with me that that was good. They
6 confirmed behind me that there was no HAZMAT. They had contacted
7 the BNSF, that there was no HAZMAT, and my corridor had confirmed
8 that for the BNSF. He talked to somebody on that side, saying, I
9 think he said, it was scrap metal.

10 And I knew we were autos, I checked that, that General
11 Motors and the Ford and stuff was on that train. So pretty well
12 followed the process we're supposed to follow here. And, you
13 know, then, the human aspect of it, like I said, was talking to
14 the conductor and doing that, keeping him on the line and making
15 sure he needed every -- had everything that we could possibly give
16 him, you know? And sometimes, at that point, I think you just
17 need a good voice to talk to and that's it.

18 And I don't know how much further you want me to go, but
19 that was pretty well the emergency showed up and got it done.

20 Q. Okay. A couple of things to clarify. You said RMCC;
21 can you explain what that is?

22 A. And I think it stands for risk management -- I was
23 saying the risk management control center, I think that's what it
24 stands for.

25 Q. Uh huh.

1 A. So I was asking Raney (ph.) and Pat that. I mean,
2 that's what I -- it's more or less our 911 here for the Union
3 Pacific Railroad that, as soon as we get a call and we get the
4 information we need, we feed it to them. And simultaneously, no
5 matter what we're giving to them, they're already dispersing
6 people to be on the scene. So as soon as I give him the mile post
7 and the sub, no matter what information he still take -- he or she
8 is still taking from me, there's already somebody else in the
9 background calling and dispersing the people we need to take care
10 of it as quick as we can.

11 UNIDENTIFIED SPEAKER: I can give you a breakdown of
12 that, too.

13 BY MR. FLANIGON:

14 Q. Okay. And is that where the local emergency authorities
15 get notified, through that RMCC, or do you call the local 911
16 center?

17 A. Nope, they do that. RMCC does every bit of that, and
18 that's what's kind of neat about here, is they got all that
19 information and stuff, and they can do it quicker and more
20 efficient than I can.

21 Q. Um-hum.

22 A. That way, we can focus on, like I said, what's the on
23 trains and stuff like that, and what we have on the scene there,
24 so we can take care of our end. It's really, to me, a really
25 quicker process.

1 Q. Um-hum. Okay. And you mentioned someone calling the
2 BNSF dispatcher, not you, but another person in the center; who
3 would have made that call?

4 A. The corridor manager that sits behind me. He's directly
5 behind me, in a cubicle right behind me, and he made that call.

6 Q. Okay, good. And you mentioned an emergency light; can
7 you explain that a little further?

8 A. Whenever there's anybody in the field that needs us for
9 any reason to super-exceed any phone call, they can, in the field,
10 on their radios dial 911, and that immediately alerts us. We have
11 a red light system that we test periodically here at the UP, that
12 goes off, and we answer that more than any -- that's the number
13 one priority we have at our desk. Because like I said earlier,
14 life is the number one, so we answer that and we get to it.

15 And nothing -- and our rules say that it supersedes
16 anything that we do during the daily activities. And also, if
17 you're dialing in from a phone or something like that, and when we
18 pick up, it gives you two choices. Number one lets you talk to
19 me, and then, if you push 9 during that -- anytime during that
20 call, or whenever you first answer, I should say, 9, it sends off
21 an emergency light also, the same light that makes me respond to
22 that. And on our Avtec, it's -- the icon we have will flash
23 emergency, along with the light and we know which tower you're on,
24 if you're on a radio tower, or which phone line you're on. And
25 that lets us go right to that. And our rules tell us to stop all

1 duties and get right to it, right away.

2 Q. Okay.

3 A. And that's --

4 Q. You used a phrase there, Avtech, A-v-t-e-c-h; is that
5 what that is?

6 A. No H.

7 Q. I'm sorry, I didn't hear you.

8 A. A-v-t-e-c.

9 Q. Avtec, okay.

10 A. That's our radio communication system, used in the air
11 (indiscernible).

12 Q. Okay. Do you work this territory on a regular basis?

13 A. I do. I've been there for 3½ weeks. It's my regular
14 job now at midnights.

15 Q. Three weeks?

16 A. Monday through Friday.

17 Q. And had you worked that ever, in the past? I'm trying
18 to get an idea of how your familiarity with the territory and the
19 people and so forth.

20 A. I have not worked it in the past. I worked it for three
21 weeks on third trick. I bid the job in and that's it.

22 Q. Okay. And how about train dispatcher experience, how
23 long have you been doing that?

24 A. Since 2001. I'm not good with math, so -- I'd say 12
25 years.

1 Q. Okay, a while. In the three weeks, or possibly working
2 other desks, have you had any previous interactions with either
3 the engineer or conductor involved in -- who are running that
4 train, the auto train?

5 A. I'm not 100 percent sure.

6 Q. Okay. I think that's it for me. I'm going to pass it
7 to my colleague.

8 BY MR. NARVELL:

9 Q. This is Rick Narvell, Mr. Harvey, with the NTSB. Just a
10 couple -- were you only talking after the incident with the
11 conductor?

12 A. That is correct. I talked to the engineer one time and
13 he got on the -- Hawkins got on the radio one time and said, "This
14 is Hawkins, the engineer, and I'm okay."

15 Q. Okay. And was it more logistically, as far as what he
16 was asking for? Or what did he actually say when he rang you up,
17 when you actually first started speaking with the conductor, if
18 you can recall?

19 A. You know, this -- he said that we had a collision with
20 another train, and I'm pretty sure he said, "I'm bleeding from the
21 head and we need help."

22 Q. Right. And that's when you started your process with
23 RMCC and whatnot, correct?

24 A. That is correct.

25 Q. Okay. Do you happen to know about a time where things

1 kind of wrapped on your end with this incident up there at the
2 HDC?

3 A. As far as -- when you say wrap up, are you talking about
4 when they're in the ambulance, and I know that that's all that
5 really matters?

6 Q. Yes.

7 A. Yeah, 3:04.

8 Q. Okay. So it came in -- the call came in about what
9 time?

10 A. The call came in at 2:27, and he called me at 3:04 from
11 the ambulance telling me that he was in the ambulance and
12 everybody's okay.

13 Q. So just about half hour and some change was the whole
14 thing for you, correct?

15 A. That is a correct statement --

16 Q. Okay.

17 A. -- as far as the incident goes.

18 Q. All right. And just to recap here, this is, I believe,
19 already said, looking at my chicken scratches. You've been
20 working the third trick for about 3½ weeks, Monday through Friday,
21 and your rest days are the weekends; is that correct?

22 A. That is correct.

23 Q. Okay, great. That's all I have right now, thank you.

24 A. Thanks, Rick.

25 MR. SHELTON: This is Pat Shelton. Just make sure we've

1 got it correct, the RMCC is the Response Management Communication
2 Center.

3 MR. FLANIGON: Okay, that's great. Thanks.

4 MR. SHELTON: Yep.

5 MR. FLANIGON: Ken?

6 MR. EDWARDS: No.

7 MR. FLANIGON: No?

8 BY MR. RANDLE:

9 Q. Just -- this is Rance Randle, BNSF. Rick had just asked
10 you, you said "he" called you back at 3:04; who was "he"?

11 A. "He" is the conductor, Hawkins -- I mean, sorry,
12 Blanchard.

13 MR. NARVELL: Well, no, Hawkins is the conductor.

14 MR. HARVEY: Oh, Hawkins is the conductor? Hawkins is
15 the one I was talking to the whole time then.

16 MR. RANDLE: Okay.

17 BY MR. REYNOLDS:

18 Q. Did you have any -- I'm sorry, Cory Reynolds, Missouri
19 DOT. Did you have much communication at all with this crew
20 through this trip prior to the accident?

21 A. Back earlier, I can't recall. Just that one about when
22 I was talking to local, I know that they was within earshot of
23 that radio tower.

24 Q. Okay. And you --

25 A. And actually, I thought they were the ones talking to

1 the local and that's all I can tell you on that.

2 Q. Can you confirm how many train meets they had?

3 A. I cannot.

4 MR. FLANIGON: Who else have we -- yeah, go ahead.

5 BY MR. EARDENSOHN:

6 Q. Randy Eardensohn, Union Pacific. Todd --

7 A. Yes?

8 Q. -- there was some -- when we were talking to the crew,
9 we knew that there was some conversation about shutting down the
10 locomotive. And we just wanted to know if that was a conversation
11 with you or somebody else, a mechanical department, or what? Do
12 you know about that?

13 A. Yeah. Yes, as soon as he told me that he could smell
14 the fuel and stuff, we -- the corridor is listening all the time
15 to the whole conversation also, along with other people. And the
16 corridor said he would take care of that. And usually, I put it
17 through a system, whenever it's just something normal, but he
18 called them right away. And that was mechanical that got on the
19 radio and talked to them about where to shut it down on the back
20 wall there. That was the mechanical department here.

21 Q. Okay. Do you know who it was at the mechanical
22 department?

23 A. I do not.

24 Q. Okay. Would your corridor manager probably know, or --

25 A. He would -- I'll promise you he would not know. It

1 would have to be from the mechanical.

2 Q. Okay. We'll -- okay, we'll find out then. Thank you.
3 That's all I have.

4 MR. FLANIGON: Okay. So who's left? Ken, Ken Edwards
5 had a question.

6 BY MR. EDWARDS:

7 Q. Good morning, Mr. Harvey. Thank you.

8 A. Good morning.

9 Q. Thank you for talking with us this morning. I just had
10 a -- some quick questions about the curfew. I just wanted to know
11 the parameters of that. You mentioned the curfew for the tie
12 gang. What -- when did that start and when did the trains have to
13 be clear of what area?

14 A. It was south of Dexter, down towards, oh, Ives,
15 Missouri, Ives, and it was just a tie gang, a normal working tie
16 gang. I think it started at like 1 or 2, and I'm not for sure,
17 but it ended at 12:45 -- or 12:40. It got done at 12:40 a.m., and
18 then just start running trains.

19 Q. Oh, so they were working in the evening, till --

20 A. Yes, sir.

21 Q. -- till 12:45 in the morning?

22 A. Yes, sir. Just south of Dexter.

23 Q. Do you have a milepost for that?

24 A. I do not.

25 Q. Okay. That's really not a big deal, I just was

1 wondering. Thank you. I appreciate that.

2 A. You bet.

3 MR. FLANIGON: Any other questions from anybody on this
4 end?

5 BY MR. DUMEY:

6 Q. I guess the only one I have, Mr. Harvey -- this is Dumey
7 from BLET -- after that BN train was going to pass, do you -- I
8 mean, is that all -- them signals all stacked up to where it's
9 automatic, or do you control it or --

10 A. It's a manual interlocker, and alls I do is request it,
11 and then the system that we have gives it to them. It's a, as far
12 as I know, first-come, first-serve basis.

13 Q. Okay. That's all I've got.

14 MR. FLANIGON: Yeah.

15 BY MR. RANDLE:

16 Q. Rance Randle, BNSF. When you say manual, is that the
17 General Code of Operating Rules' definition of manual or manual in
18 that you don't directly control it?

19 A. General Code of Operating Rules.

20 Q. Okay.

21 UNIDENTIFIED SPEAKER: It is a manual interlocking, with
22 automatic interlocking characteristics, which -- we show it in the
23 timetable as a Z. There is a box there. So if you have to go up
24 and work your way through it, the box tells them exactly what to
25 do, but it -- we show it as a manual interlocking.

1 MR RANDLE: Okay. We actually show it reverse, so --
2 that's -- so that was my confusion.

3 UNIDENTIFIED SPEAKER: Okay.

4 MR. FLANIGON: Okay, anything else from this end?

5 UNIDENTIFIED SPEAKER: Well, one thing I would like to
6 say and, Todd, great job.

7 UNIDENTIFIED SPEAKER: Hear, hear.

8 MR. HARVEY: I appreciate that.

9 UNIDENTIFIED SPEAKER: I hope in your next 30 years,
10 you're not put in this position again. But you were all over
11 this, and Mr. Glynn and Mr. Shelton, you guys designed the
12 training, nice work.

13 UNIDENTIFIED SPEAKER: Yep.

14 UNIDENTIFIED SPEAKER: Thank you.

15 UNIDENTIFIED SPEAKER: That's all I have.

16 MR. FLANIGON: Okay. Then, I'm going to turn off the
17 tape. I'll say for the record, thank you, appreciate your time,
18 and I'm turning this --

19 (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: UP and BNSF TRAIN COLLISION
 MAY 25, 2013
 NEAR CHAFFEE, MISSOURI
 Interview of Todd Harvey

DOCKET NUMBER: DCA-13-MR-004

PLACE:

DATE:

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.

Valerie R. Baxter
Transcriber