

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

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COLLISION OF AMTRAK TRAIN #91 AND \*

\*

A STATIONARY CSX TRANSPORTATION \*

TRAIN NEAR CAYCE, SOUTH CAROLINA \* Accident No.: RRD18MR003

FEBRUARY 4, 2018 \*

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Interview of: MARK JAMES

Columbia, South Carolina

Monday,  
February 5, 2018

## APPEARANCES:

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National Transportation Safety Board

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National Transportation Safety Board

MARY PAT McKAY, M.D., Chief Medical Officer  
National Transportation Safety Board

SHANE RICHARDSON, Operating Practices Inspector  
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I N T E R V I E W

1  
2 MR. TORRES: Okay. This is a NTSB informal interview. My  
3 name is Tomas Torres, T-O-M-A-S, T-O-R-R-E-S. Today's date,  
4 February 5th, 2018. We are at 1401 Main Street, Columbia, South  
5 Carolina, interviewing the engineer in connection with an accident  
6 that occurred at Cayce, South Carolina on February the 5th, 2018.  
7 The NTSB accident number is RRD18MR003.

8 The purpose of the investigation is to increase safety, not  
9 to assign fault, blame or liability. NTSB cannot offer any  
10 guarantee of confidentiality or immunity from legal or certificate  
11 actions. A transcript or summary of the interview will go into  
12 the public docket.

13 The interviewee can have one representative of the  
14 interviewee's choice. Do you have a representative?

15 MR. JAMES: No.

16 MR. TORRES: Okay. Do you understand this interview is being  
17 recorded?

18 MR. JAMES: Yes.

19 MR. TORRES: Okay. Please state your name and spell it?

20 MR. JAMES: Mark James, M-A-R-K, J-A-M-E-S.

21 MR. TORRES: Thank you.

22 DR. HOEPF: Michael Hoepf, NTSB. Last name is H-O-E-P-F.

23 MR. AMMONS: Steve Ammons, A-M-M-O-N-S, CSX.

24 DR. MCKAY: Mary Pat McKay, M-C, capital K-A-Y, NTSB.

25 MR. DRAKULIC: Gregory Drakulic, D-R-A-K-U-L-I-C, FRA, Chief

1 Inspector.

2 MR. RICHARDSON: Shane Richardson, R-I-C-H-A-R-D-S-O-N, FRA,  
3 Operating Inspector.

4 MR. ALDRIDGE: Brian Aldridge, A-L-D-R-I-D-G-E, BLET Safety  
5 Task Force.

6 MR. CAMPBELL: Matt Campbell, SMART Transportation Division.  
7 C-A-M-P-B-E-L-L.

8 MR. LANDY: Marcus Landy, Office of Regulatory Staff,  
9 Operating Practices Inspector. L-A-N-D-Y.

10 MR. HINES: Jonathan Hines, Amtrak. H-I-N-E-S.

11 MR. REAVES: Stephen Reaves, Amtrak. R-E-A-V-E-S.

12 MR. TRUESDALE: Jamie Truesdale, J-A-M-I-E,  
13 T-R-U-E-S-D-A-L-E, Local Chairman, BLET.

14 MR. TORRES: Okay. Tomas Torres with the NTSB.

15 INTERVIEW OF MARK JAMES

16 BY MR. TORRES:

17 Q. James, can you give us a brief description of your work  
18 history with Amtrak?

19 A. CSX.

20 Q. CSX. I'm sorry.

21 A. Yeah. Hired out November 26, 2000 as a conductor, went to  
22 the engineer school in 2005. After getting qualified, I was  
23 furloughed -- not furloughed, but cut back (indiscernible) at that  
24 time, been running pretty often since the last 4, 5 years.

25 Q. So you worked steady for the --

1 A. Yes.

2 Q. -- last 5 years?

3 A. Yes.

4 Q. As an engineer?

5 A. Mostly, yes.

6 Q. Okay. So how long have you been, like, steady engineer?

7 Two, 3 years or --

8 A. Last 5 years.

9 Q. Five years?

10 A. Five. Yeah.

11 Q. Okay. On the day of the accident, can you tell us what time  
12 you went on duty and what took place, you know, when you reported  
13 to work?

14 A. Went to work at 1500, got a train (indiscernible), went over  
15 there and job briefed. Had 707s up there on the work lines to  
16 deal with and there was, had signal suspension. Went over to  
17 that, had a job briefing with the trainmaster about all this, and  
18 that's pretty much the first --

19 Q. Do you remember what he --

20 A. -- hour.

21 Q. -- do you remember what he told you or what he explained to  
22 you?

23 A. Said we're going to have to operate under dark territory  
24 because of the signal suspension and our job changed. We had to  
25 go get a train, first thing, that was about 9 miles down the road,

1 bring it in before we took our train to Dixiana. Just a job brief  
2 about all that.

3 Q. Okay. So when you operate in dark territory, what rules  
4 apply? Can you give us a description or --

5 A. You got to get EC1 from the train dispatcher, you know, you  
6 disregard signals.

7 Q. So EC1 is to --

8 A. Give you track authority.

9 Q. Track authority on main track?

10 A. Yeah.

11 Q. And you disregard the signals?

12 A. Disregard the signals, yes.

13 Q. Would they be lit up or --

14 A. Yes. I think all of them, they were red.

15 Q. All of them?

16 A. But, yeah, you disregard them.

17 Q. Okay. So you went to go get a train? Was that your first  
18 move?

19 A. Yes.

20 Q. Was that, like, a relief type of job, or what?

21 A. Yes. We was relieving a crew that had been on  
22 (indiscernible).

23 Q. And then you came back, brought it into the yard?

24 A. Yes.

25 Q. And then what took place after that?

1 A. We had to put it away in what they call 0 scale track and 1  
2 track. Tied everything down, went inside, and that's when we were  
3 told to go get on the train going to Dixiana. It was -- the job's  
4 a F777 03, and we were getting on Q210 -- no Q211, and taking auto  
5 racks to Dixiana to switch out the empties, put the loads in.

6 Q. So that train was already there? I mean --

7 A. Yes.

8 Q. I mean, so they -- you got transported by van?

9 A. Yes.

10 Q. Oh, so you didn't take power out there?

11 A. No, we didn't take power on it.

12 Q. So once you get to the ramps, right, that's where the auto  
13 racks are?

14 A. Yes.

15 Q. That's where you get -- doing all the switching? Where were  
16 the locomotives? I mean, when you got -- when you arrived there,  
17 you know, what did you guys -- or how did --

18 A. We were --

19 Q. -- you guys take charge of the equipment and stuff?

20 A. We went -- the train was tied down at the south end of Cayce.  
21 We get on and get track, go down, we leave the cars on the main  
22 line and run around through Silica Siding to get to the other end,  
23 because you switch them facing north.

24 Q. Okay. I want to show you a track chart so we can have a  
25 better understanding of what you're describing to us. So where



1 did you take charge of your train?

2 A. About here. Yeah, south end of Cayce where we got on the  
3 train.

4 Q. So you got on there and then you pulled out?

5 A. Yes. We was on main line.

6 Q. So you went that direction?

7 A. Yes.

8 Q. And then what happened after you got --

9 A. Left the cars on the main line, the one in the middle. Ran  
10 the engines back around this way and came out --

11 Q. You used this track?

12 A. Yes. That's the plant lead, auto ramp lead. That's A Lot, B  
13 Lot.

14 Q. So you ran around this way?

15 A. Um-hum. Ran around this way. So that way.

16 Q. Oh, this way?

17 A. Yeah.

18 Q. Okay. To the siding.

19 A. To Silica Siding, yeah.

20 Q. And then you came against the train in this -- on the main  
21 track or what?

22 A. Nope. We went in and got the empties first. We got the  
23 empties out of A, and then got the empties out of B Lot, and then  
24 we shoved them in here, because that's where we were tying those  
25 down at.

1 Q. So you went back to the siding?

2 A. Yes.

3 Q. And then what happened after that?

4 A. We come back to the main line and get the loads. And then we  
5 come down and we spot A Lot first, and there's some switching  
6 involved to get them right. And then we put the rest of them in B  
7 Lot.

8 Q. So the overflow went to B Lot, or --

9 A. No, it's just --

10 Q. -- or they were scheduled to go there?

11 A. Yeah, that just, it fills it up most of the time.

12 Q. And what happened after that?

13 A. Let's see. That's when we came back out of here and shoved  
14 back and got up against the empties. The cars already tied down.  
15 We tied the engines down. I went to the bottom to isolate the  
16 engines and get it, you know, set up right and then came back to  
17 the head and that's when he was giving up the track.

18 Q. So when you went back, you're locomotives only? Light  
19 engine?

20 A. Light engines.

21 Q. So you stopped there at the switch so he can line you into  
22 the siding?

23 A. Yes.

24 Q. And what'd the conductor do there, you know, once --

25 A. Okay. He lined me in and then he called me back, and there's

1 a overpass somewhere around here and we knew -- the cars were back  
2 here. So he pulled me back -- shoves me back clear to derail.  
3 I'm looking in the mirror, you know, behind us because I can see  
4 the cars right there and all that. I get turned back around and  
5 then I just -- he's up here at the derail, so I didn't visually  
6 see him get that switch. And that's when I asked him, hey, man,  
7 did you get the main line switch? And he said, yes, I got it. I  
8 said, okay, you got it? Yup.

9 He gets over here, lines us derail -- lined the switch to  
10 derail, and then comes back -- he comes back and couples us up to  
11 the cars. And then he ties the lead engine down. I hear him over  
12 there tying, so I tied the trailing unit down.

13 Q. Okay. So, and you're operating on this end, right?

14 A. Yeah. This is northbound now.

15 Q. So when you came out here, he was going to line you in there,  
16 right? You stopped light engine? He lines the switch?

17 A. Two engines. Yes, two light engines.

18 Q. Did he get on the locomotive when he shoved back or --

19 A. Didn't think so. I didn't see him, you know, because I'm up  
20 here and he's back here at the switch. I didn't see him. I was  
21 shoving back, looking in the mirror, watching where I was going.

22 Q. So how was he protecting the shove if he was -- if he didn't  
23 get on there?

24 A. It was two locomotives. Cars were back here and he could see  
25 it from the ground.

1 Q. Okay.

2 A. But he's the one called me back and told me where to stop.  
3 But I was watching through the mirror where I was going.

4 Q. And when you stopped where did you see him? Where was he at  
5 when you saw him?

6 A. When I seen him, he was up here at the derail.

7 Q. Yeah, like --

8 A. Yeah, kind of.

9 Q. -- on this side?

10 A. Yeah, he's on --

11 Q. On the -- over here on this side of the tracks?

12 A. Yeah, he was on, he was on this side, yes. And the derail's  
13 right back here. So he -- when I turned around, he was coming up  
14 here to the derail.

15 Q. Was he walking towards you or was he already there?

16 A. No, I noticed he was already there. That's the reason I  
17 asked him did he get the switch. And he said yes, he got it. So  
18 when I was shoving back, I guess when I cleared the switch --  
19 because we shoved probably about five, five or six cars back to  
20 clear the derail, the clearance on the derail.

21 Q. And as soon as you cleared the derail, he was already there,  
22 standing at the derail?

23 A. By the time I turned my attention back, he was -- I couldn't  
24 really see him all that well when he was off on this side, but I  
25 noticed he was over here.

1 Q. He was in the vicinity of the derail already?

2 A. Yeah. He was over on that side.

3 Q. And then he did what?

4 A. He threw the derail on, threw that switch, that derail, and  
5 then he walked back here and we -- no, walked right back here and  
6 we coupled up to the empties we'd already left that was clear the  
7 overpass.

8 Q. So once you made the coupling, what took place?

9 A. He made the coupling, car's already tied down. I walk out  
10 the back to tie the engines down, but he was getting the lead  
11 locomotive. He was already tying it. So I walked over on the  
12 other side and got the rear locomotive and I tied it down. Then I  
13 get back up to here and that's when he's giving up the track and  
14 the switch times.

15 Q. Okay. Did you guys discuss the switch?

16 A. Yes, once he's got up there. And I asked him about the  
17 switch key and he said that he got it, to hit the button 3, tones  
18 up dispatch and he gives the times and the track, said that we was  
19 in the clear.

20 Q. Now what did the dispatcher say? I mean, do you recall the  
21 communication?

22 A. He said, okay, I got those switch times, ready for release.  
23 And then that was for that day.

24 Q. And once you released it, what were you guys doing? I mean,  
25 was there anything else for you to do?

1 A. No. We were done.

2 Q. So you were waiting for a ride, or what?

3 A. Yes. Waiting for rail crew. They called rail crew. Rail  
4 crew was going to be a while because they were searching for  
5 hotels, available hotel rooms. So we were kind of fussing because  
6 we was going to be out there a little while. Then we just hanging  
7 out. That's when I hear -- we hanging out there for a little  
8 while and then I hear Amtrak calling our dispatcher on 66 asking  
9 could he get in touch with our train dispatcher because he  
10 couldn't get the dark territory, the EC1, and that he'd be on 20.  
11 They'd be on 20.

12 That's when I asked him again, you know, did you get the  
13 switch? And he said yeah; he assured me he got the switch, all  
14 that stuff. So we we're sitting around, whatever, and still  
15 waiting, and I come to the -- for some reason I had said to him,  
16 I'm going to get off and walk down to the switch and double check  
17 it anyway, you know, just get off the engine, move around some.  
18 And that's -- he said, well, there's lights coming around the  
19 curve, you know. And I don't remember what was said, but I'm  
20 like, well, I'll just -- I'll watch him by, you know, head that  
21 way, watch him by.

22 So I got down and I'm watching them and they're getting  
23 closer, and that's when I seen it hit that switch and I took off  
24 running up the hill. And seen the collision, and I run on up the  
25 hill, jump out in the highway trying to get someone to stop so I

1 could use -- phone 911, or get somebody to call 911. Nobody  
2 stopped.

3       Go back down there, I didn't know what to do. So didn't see  
4 nobody getting -- I seen people in there moving around, and that's  
5 when I see Vargo standing up by that second unit. And somehow, he  
6 got out the back door and he was covered in diesel fuel. Went up  
7 there and he was swearing he did get the switch and he's -- you  
8 know. And, I don't know, he was -- but we were both kind of out  
9 of it at that point.

10       We stood around waiting on everybody. I did hear somebody on  
11 Amtrak calling emergency and reporting it through the rail crew  
12 van. They had shown up, and heard them reporting and I think  
13 Vargo got in touch with the train dispatcher or was trying -- not  
14 train dispatch -- with the yard, he was calling the yardmaster and  
15 the Trainmaster Kirk, from what I recollect.

16 Q.   So you said there's a curve as Amtrak's coming. How far is  
17 that curve from --

18 A.   You see the lights and it's probably -- I'm not real -- I'm  
19 not sure but --

20 Q.   Mile, half mile?

21 A.   Dixiana's probably -- yeah, you can probably see the light  
22 from, you know, hitting the trees about a mile away.

23 Q.   So you sort of see as he approached, you see him when he hit  
24 the switch. Did the engine sway? Is that what you saw?

25 A.   Well, you can tell when it and took the other track.

- 1 Q. Oh --
- 2 A. It hits the switch and it --
- 3 Q. You saw when it diverted?
- 4 A. Yes. And that's when I ran up the hill.
- 5 Q. How far were you from your locomotive?
- 6 A. Well, there's a bridge there. So when I got down -- I was  
7 standing beside the track bridge. Locomotive's probably 10, 15  
8 feet behind me.
- 9 Q. So you just barely stepped down?
- 10 A. Yes. And I was up 10 feet, back -- I was back toward the  
11 bridge.
- 12 Q. Okay. Going back to the diagram here. You came from this  
13 direction. Is there a signal somewhere anywhere?
- 14 A. Yeah. Dixiana, this is Dixiana right here. You got the  
15 north end, south end.
- 16 Q. So there would have been a signal there?
- 17 A. Yes.
- 18 Q. And what color -- when you came down here, I know it's  
19 suspended, you know, but --
- 20 A. It was all red.
- 21 Q. It was all red?
- 22 A. Yeah.
- 23 Q. It was just red?
- 24 A. All of them red.
- 25 Q. Is it like a double signal or a single lens or what?



1 A. No, it's a -- I think it's got a three, three lights, I  
2 think. But they got all new signals up there.

3 Q. When you were out there, did you see any signal personnel out  
4 there working during the day?

5 A. Yes. They were there all day, up until 1900.

6 Q. So they cleared up at 1900?

7 A. Yeah.

8 Q. Did they have flagmen while they were out there or --

9 A. No.

10 MR. TORRES: Okay. At this time I'm going to pass it to  
11 Dr. Hoepf.

12 DR. HOEPF: Thanks, Tomas.

13 BY DR. HOEPF:

14 Q. Hey, James. So, just, you know, we're talking about the day  
15 of, maybe just give me a couple more details on just some  
16 different things throughout the day. So your on-duty time was  
17 3:00?

18 A. 3 p.m.

19 Q. 3:00 p.m. Okay. And then, so you show up and do you have a  
20 job briefing?

21 A. Yes.

22 Q. Was that like immediately or 3:30?

23 A. It wasn't very -- it was sooner than 3:30. It was probably  
24 10 minutes after we're on duty we already got our orders or --

25 Q. Okay. And so, can you tell me about the job briefing? I

1 mean, who held it? What did you talk about? How long did it  
2 take? You know, what -- anything specific you remember from that?

3 A. We go over our orders. You know, we discuss the 707s and  
4 what else is out there. We talked about he was going to be signal  
5 suspension. Then the trainmaster called. We had job briefing  
6 with him. You know, you operating under dark territory and all  
7 this.

8 And I actually thought they was going to turn the signals  
9 back on at 1900, and that changed. I think he called three or  
10 four times to talk to the conductor. But at one time he was like,  
11 there's no need to go out there until 1900, but you all go get on  
12 the train, that kind of thing. But we was like, there's no need  
13 to go out there. We didn't have a ride at the time, you know,  
14 I -- why would -- you know, if you can't do nothing till 1900,  
15 make no sense go up there and sit around.

16 But then he called back and said we was -- the plans had  
17 changed. We were not going to operate under dark -- signal --  
18 they're not going to turn them back on. It's going to be dark  
19 territory tonight with signal switch.

20 Q. Got you. Got you.

21 A. I think that's the last one that we had.

22 Q. Okay. You said the trainmaster --

23 A. Kirk.

24 Q. Kirk Kelsey?

25 A. Yes.

1 Q. Okay.

2 A. He was (indiscernible).

3 Q. You said he called in?

4 A. He called.

5 Q. Okay. So he wasn't physically there? He was --

6 A. No. He was out doing other stuff. He called in by phone.

7 Q. Okay. And so you were at the job briefing; the conductor was

8 at the job briefing?

9 A. Yes.

10 Q. Was anybody else there?

11 A. There was other crews around during this.

12 Q. Oh, okay. I'm just trying to get a general --

13 A. Yeah.

14 Q. -- idea of, you know, how this kind of shakes out. So

15 there's a signal suspension going on, dark territory, so all the

16 signals are showing up as red?

17 A. Yes.

18 Q. Okay. So are you used to operating in dark territory? Is

19 that a common thing?

20 A. Not -- yeah, well, certain areas. I hadn't done it in

21 probably 2½ years or so, 3 years.

22 Q. Two and a half to 3 years since you --

23 A. Well, not what -- you go out to -- been around the Y, then at

24 Cayce, and you have to get EC1 because it's dark territory.

25 Q. Oh, okay.

1 A. But you get signal to run the Y. But small areas of dark  
2 territory around.

3 Q. Okay. So does that present any -- is that more difficult  
4 than, you know --

5 A. Different operating rules.

6 Q. Okay.

7 A. More talking to the dispatcher, you know, getting track  
8 authority.

9 Q. So and would you say it's more challenging?

10 A. Yes. Oh, yeah, there's more stuff on -- yeah.

11 Q. Yeah. Okay. So do you take any special precautions when  
12 you're operating in dark territory?

13 A. Just the operating rules.

14 Q. Okay. Can you clarify what you mean by operating rules?

15 A. It's just a whole different set of rules, where you go by  
16 signals, now you got to go by track segments to occupy the main  
17 track.

18 Q. Okay. I'm just trying to get a general idea of --

19 A. Okay. I understand.

20 Q. -- you know -- you know, you show up for work, you kind of  
21 got routine, you know, you do your thing and sometimes -- you  
22 know, sometimes it's snowing, sometimes it's raining, sometimes  
23 it's -- you know, I mean, any number of things can happen.

24 A. Draw your attention.

25 Q. So you show up to work and you got -- you know, so it's --

1 you hear -- you go to a job briefing, you hear, okay, signal  
2 suspension's going on. I'm just wondering what does that mean to  
3 you as an engineer? So that's going to be -- so it's going to  
4 present some challenges. You got to operate by a different set of  
5 rules. Is that all a fair characterization? I mean, is there  
6 anything -- I mean, is there any other considerations that go into  
7 that?

8 A. Yeah. Some different -- like I say, it's just whole  
9 different tasks. And it's just a different way of occupy the main  
10 track and getting your work done.

11 Q. So you have to contact the dispatcher more?

12 A. Dispatcher, yeah.

13 Q. Can you think of any other examples? I mean, are there  
14 things you would have to do differently? Do you have to operate  
15 at a different speed?

16 A. No. It's track speed.

17 Q. It's track speed?

18 A. Yeah.

19 Q. Okay. Again, I'm just trying to get a feel for --

20 A. I understand.

21 Q. -- you know, what that, what that's like.

22 So your conductor on Saturday, Mr. Vargo, do you know him  
23 very well?

24 A. I worked with him four or five times that, and then I worked  
25 with him at Spartanburg at times. Probably 10 times I would say.

1 Q. Okay. Is that a lot or is that a little bit? I mean, is  
2 that -- do you feel like you know him pretty well or --

3 A. I'm not sure when he hired out, but that's not a lot for --  
4 we worked in different areas. I worked in Greenwood for almost 2  
5 years now.

6 Q. Okay. So would you characterize that as a close working  
7 relationship or more of a just -- not so much?

8 A. No. We don't -- I mean, we haven't worked together a lot  
9 compared to the time that we've been out here.

10 Q. Yeah.

11 A. Just a different location.

12 Q. Okay. How is your communication with Mr. Vargo?

13 A. Good.

14 Q. Good?

15 A. Yeah.

16 Q. Okay.

17 A. You talking about on --

18 Q. Just working things, you know, when you're going about your  
19 business, you guys get along okay?

20 A. Oh, yes. Yeah, we get along great.

21 Q. Yeah. Cool. Okay. So I -- if we could just kind of go back  
22 to, say, around the 1 a.m. time frame, 1 to 3, 3 a.m. time frame.  
23 So you guys wrapped up everything you wanted to do and you guys  
24 were -- were you just kind of hanging out? I mean, can you walk  
25 me through the time frame? I mean, you had the different tasks

1 you had to do. It sounds like you were -- kind of wrapped those  
2 up and then you had -- you were going to go walk over to verify  
3 that the switch was lined back to the main. Did I get that right?  
4 Just to the best of your recollection.

5 A. We were already done, considered everything's done, waiting  
6 on a ride.

7 Q. Okay.

8 A. As far as me and that switch, I don't know how I had that  
9 intuition or whatever. But we was just sitting on the engine  
10 waiting on a ride.

11 Q. Okay.

12 A. And then, I don't know, something just -- I hate I didn't get  
13 to that switch in time, didn't do it sooner. But I just -- it  
14 just finally hit -- I mean, I didn't visually see him throw it. I  
15 was looking behind me. And, I don't know, I just -- I had a  
16 feeling. I just wanted to go check it.

17 It seems like just seconds from the time they was trying to  
18 talk to the dispatcher until they were there. But I don't know,  
19 we -- you know. But the time got if the engine, I didn't -- they  
20 were coming, and it's a bridge and I didn't want to go in this  
21 way. I didn't want to go over around the top behind the little  
22 wall, support wall right there. So I stood here, back a way  
23 further in, and I couldn't get there in time to throw the switch.  
24 So I stood there and said I'll just watch him by. I told him that  
25 before I got off the engine.

1           So they were coming, and then I went ahead and got down and  
2 said I'd watch them by. And then when I seen him head in on our  
3 track, I took off up the hill running.

4 Q.    So do you have like a general idea what time it might have  
5 been when you wrapped up your work and you guys were just sitting  
6 on the engine there?

7 A.    Now from the interview yesterday, they had some times and  
8 they said it was 1:50. But as far as -- I didn't -- at that time  
9 I didn't really -- I knew we were going to go on lull at 3 and --  
10 but other than that, no, I didn't really know the exact time.

11 Q.    Okay. That's okay. I'm just trying to get, I'm just trying  
12 to get an idea.

13           So you asked the conductor, hey, did you check that switch?  
14 And you remember he said --

15 A.    I asked him did he get the switch back and he said, yeah, I  
16 got it back. And he was adamant that he got it back. And when we  
17 were talking about it before I got off the engine, he said, man,  
18 I'm a hundred percent sure I got it back, you know. And then he  
19 actually like -- but turn the lights on and make sure, turn the  
20 lights on. You can't switch -- see the switch points. I couldn't  
21 see them none. Don't have a target, you know, to look at to even  
22 question whether -- which way the points are. But he was like, I  
23 got them back. I ain't never left a main line switch before, you  
24 know, there's no way. Okay.

25           And like I say, I don't know why I got off the engine and was



1 going to go check the switch, but -- I don't know.

2 Q. Yeah. So any idea of the time frame from when, you know,  
3 when he assured you that he had got the switch, from when you had  
4 gotten up to go walk down there? Was that like a 5-minute -- 10  
5 minutes, 20 minutes, half hour? I mean, or is that like a matter  
6 of seconds between those conversations and when you started  
7 walking over there?

8 A. We were probably done, sitting on the locomotive for maybe  
9 10, 15, 20 minutes before. I don't know. And like I say, when I  
10 heard Amtrak trying to get in touch with our dispatcher and talk  
11 to the yardmaster, we was still sitting around and whatever,  
12 talking, and -- I knew they were coming up, but I don't know  
13 why -- I wanted to get down and make sure for some reason.

14 Q. Yeah. Yeah, no, and fair enough, you know. Yeah, I was  
15 just -- I was just trying to get an idea, you know, like how long  
16 you guys were sitting there. Is there -- you know, did you maybe  
17 see something, maybe heard something, maybe just -- you know,  
18 anything that might have tipped you off or, you know. I don't  
19 know if you guys -- if you remember what you guys were talking  
20 about or that, you know, anything seem out of the ordinary or --

21 A. No. It was -- I don't know the exact times or time limits.  
22 I mean, we sit around a lot and just knew we was going to be there  
23 a while. And, you know, you talk about different things and -- I  
24 don't know how much time had went by. I really don't. But, you  
25 know, I'd say 10, 15, we was sitting up there. And, no, actually

1 I don't know why I got off.

2 Q. Okay. Yeah, I -- fair enough, yeah.

3 DR. HOEPF: Thanks. That's all the questions I got for now,  
4 James.

5 MR. AMMONS: Okay. Steve Ammons, CSX.

6 BY MR. AMMONS:

7 Q. Describe that sequence again, Mark, where you were talking  
8 about that this -- that final move and you're in Silica Siding now  
9 with the locomotives. And prior to Michael coupling you back to  
10 those empty auto racks, that's when he lined the derail and lined  
11 the runaround switch to your -- which I guess would have been to  
12 your right. Is that correct? The runaround track switch?

13 A. Let's see. I'm facing north, the plant's over here; the auto  
14 ramp, I believe, is on the right.

15 Q. To your right? Yeah.

16 A. Yeah. Silica lead is on the left.

17 Q. Right. But you're in Silica now is what I'm saying. You're  
18 in the siding. He's backed you into the siding --

19 A. Okay, we in the siding.

20 Q. -- clear of the derail.

21 A. Yeah.

22 Q. And I thought I heard you say that he -- the sequence of that  
23 was he lined that derail and then walked over, back over to the  
24 runaround track switch and lined that main track switch. Is that,  
25 is that what you told me?

1 A. No.

2 Q. No? I misunderstood that. Okay.

3 A. Okay. I backed up into Silica Siding where the empties --

4 Q. Right, right.

5 A. -- were stacked. I'm backing up, you know, mirrors, and he

6 can see that far and --

7 Q. Sure, yeah.

8 A. -- know where the track and (indiscernible). So this is the

9 -- okay, Cayce is there. We're here.

10 Q. Yup.

11 A. He's backing me up --

12 Q. Right.

13 A. -- and the derail's on up here, so --

14 Q. Correct. Yup.

15 A. So he backs me on up and I'm shoving back. I didn't see him

16 throw the switch. When I get done backing up and stopped, I

17 notice him over here on this side.

18 Q. Right.

19 A. And he gets the derail for the Silica Siding.

20 Q. Okay.

21 A. And then he walks over here and gets the plant lead and the

22 derail.

23 Q. So what you said earlier is he gets the plant lead and the

24 derail. It wasn't a main line switch over there he got?

25 A. No. He didn't get a derail order switch until I was done

1 backed up in here. He backed me up. He threw the switch for me  
2 to make a reverse move into here. And then he supposedly lined  
3 that one, is what he told me. And then he was up here when I  
4 first seen him again, because I didn't -- there's the next --

5 Q. Did you see him handle that derail?

6 A. Yes. I could see him on the left side of the derail.

7 Q. So he -- when he reapplied the derail, what did he do next?

8 A. He walked over here and lined these.

9 Q. That's what I'm asking. So you saw him do that also, the  
10 plant, what you're calling --

11 A. Yes.

12 Q. -- the plant lead?

13 A. Over at the plant.

14 Q. Now that plant lead switch, is that the main line switch?

15 A. Yeah, it's main line.

16 Q. So that's what I'm saying. I was calling it the runaround.  
17 I apologize.

18 A. Okay.

19 Q. I thought they told me that was the runaround track and so  
20 that's why --

21 A. Yeah, that's -- they call it Silica Siding, it's a little  
22 storage. That's right, that's the runaround. He lined -- my bad.  
23 I thought you was calling this runaround.

24 Q. No, no, no. No.

25 A. But that --

1 Q. So you saw him --

2 A. I say, I call it the switch (indiscernible).

3 Q. You saw him line the one main line switch?

4 A. Yes, on the right.

5 Q. On the right?

6 A. I saw him line this, this derail and this derail.

7 Q. Right. You saw him do that after he backed you clear of the  
8 derail and after he reapplied the derail?

9 A. Cleared the derail.

10 Q. When he lined that, when he -- when you saw him line that  
11 plant lead, runaround track switch, whatever you call that main  
12 line switch to your right --

13 A. Yeah.

14 Q. -- did he announce a time to you over the radio that he lined  
15 that switch?

16 A. No.

17 Q. He didn't? Okay. Did he announce -- did he ever announce a  
18 time to you when he thought he lined the Silica Siding main line  
19 switch?

20 A. No.

21 Q. Did he ever announce a time to you at all for the switch  
22 position awareness form?

23 A. He didn't tell me the time. He told me he got it back  
24 normal.

25 Q. Okay. Well, but -- I'm sorry. Did he -- so did he ever

1 announce that the switches were restored normal for main track?

2 A. I think he did for this one.

3 Q. Okay.

4 A. I asked him about this one and he told me he got it. But  
5 after he got this derail and all in, he said everything's lined  
6 and locked normal.

7 Q. So when he told you it was lined and locked normal, did you  
8 write a time down?

9 A. I don't think I did.

10 Q. Okay.

11 A. Well, no, I didn't. Because he had the thing and then he put  
12 the -- he had my form and I think he put the time on there.

13 Q. Okay.

14 A. I did the reverse. We reversed it when we come out here. I  
15 can't remember what time it was. And then when he lined it back,  
16 I put a time there and then I scribbled it out. And then I put a  
17 arrow and a time down under it when I thought we got it back.

18 Q. Okay. But the final -- so the final move in there, though,  
19 he never gave you a time? He just told you the switches were  
20 restored?

21 A. Yeah.

22 Q. And then you didn't write a time down when he told you that?

23 A. I think I wrote a time for that, yeah. But I can't -- I  
24 really --

25 Q. That's fine. I'm just, I'm just trying to clarify.

1 A. Yeah. But he got up here and he got -- like I say, he tied  
2 the lead down, I tied that one, and I went back here to isolate  
3 the engines and all this. And then when I got back up here, he  
4 had my switch position awareness form and I don't know if he put a  
5 time in there or whatever.

6 Q. When you got back from the trailing locomotive?

7 A. Yeah. But he told me to tone up dispatch on 3. He already  
8 had it on 20 and I hit the 3. And that's when we gave up. And  
9 they said it was about 1:50 in the morning when we did that.

10 Q. Okay. When you were sitting on the locomotive after all that  
11 was said and done and you questioned -- you had questioned him  
12 about the main line switch again and at some point you indicated  
13 that he told you to turn the headlight on?

14 A. Yes.

15 Q. To verify? And obviously you guys couldn't see it?

16 A. Yeah. We couldn't see the points.

17 Q. Did you leave -- when you got down to get off the locomotive,  
18 was the headlight still on or had you turned it back off, or what  
19 was the status of the headlight?

20 A. No, I turned it back off.

21 Q. Completely off?

22 A. Yeah. I turned it on just to check. We couldn't see. I  
23 turned it back off.

24 Q. Okay. Do you recall, when you saw the Amtrak train coming  
25 towards you prior to it entering the switch there at Silica, or

1 even after entering the switch, was its headlight still on? Was  
2 his headlight on, do you remember?

3 A. Yes.

4 Q. So he never extinguished his. Did he dim it?

5 A. No.

6 Q. No? So it was bright?

7 A. Yes.

8 Q. Okay.

9 A. As far my -- as far as I can remember, yes.

10 Q. Okay.

11 A. But I tried to get down and -- I was getting down to go check  
12 the switch, you know, putting my vest or getting everything ready.  
13 And I got my flashlight out and I was going to go check the  
14 switch. And then that's when he said, well, the headlight's  
15 coming around the thing and -- well, then I'm not going -- I'll  
16 watch him by then.

17 Q. Right.

18 A. So I continued to get down.

19 Q. Did you guys -- when I say you guys, you and Michael, did you  
20 ever have any conversations with the Amtrak crew?

21 A. No.

22 Q. No? I didn't understand earlier what you were talking about.  
23 I thought that you said that you had talked to them about getting  
24 ahold of the dispatcher for them or something?

25 A. No. I heard them on the radio on channel 66 calling our



1 yardmaster.

2 Q. Your yardmaster. Okay.

3 A. So -- because they couldn't get the dispatcher to answer.

4 Q. So the yard -- they were inquiring to the yardmaster for help  
5 to get --

6 A. Yes.

7 Q. -- the dispatcher. I got you. Okay.

8 A. You call your dispatcher and, you know, tell him we'll be  
9 over on 20.

10 Q. Did you at any time, whether it was during the job briefing  
11 initially with -- did you say -- who did you say the trainmaster  
12 was?

13 A. Kirk Kelsey.

14 Q. Kirk Kelsey? Okay. At any time, whether it was during the  
15 job briefing, after you went on duty, any time during the day or  
16 the night, did you ever have any concerns or confusion about the  
17 signal suspension and where it was at and how to operate?

18 A. No.

19 Q. You felt comfortable with it?

20 A. Well, I mean, I've run on signal and I wasn't actually --  
21 didn't actually -- you know, we knew how to get EC1 and I ran dark  
22 territory before. It ain't like -- but little more aggravating,  
23 like I say, talking to the dispatcher more and --

24 Q. Other than the aggravation because, yes, you are talking to  
25 the dispatcher more and constantly filling out EC1s and updating

1 and cancelling, whatever, is there any -- is it -- is there any  
2 concerns? I mean, have you ever had any concerns about it or  
3 anything as far as the safety or doing it that way, or --

4 A. No.

5 Q. No. Just a little more inconvenient than signals?

6 A. Yeah.

7 Q. Did your conductor express any concerns or confusion, maybe,  
8 about anything with the signal suspension?

9 A. No.

10 MR. AMMONS: I believe that's it for me.

11 BY DR. MCKAY:

12 Q. I just got a couple questions, Mark. This is a job, this  
13 F777, moving these cars in and out of this particular siding --

14 A. Yeah.

15 Q. -- it's pretty common now.

16 A. Yeah. Every day.

17 Q. It's part of every day we understand.

18 A. Pretty much, yes.

19 Q. Is this a job that you've done a fair bit?

20 A. Used to be a yard job, but, yeah, I've done it probably 10,  
21 12 times.

22 Q. In what period of time?

23 A. Let's see. I've been -- it's the first time I've done it in  
24 probably a year and a half or so.

25 Q. Okay.

1 A. Close to 2 years in there, but now I've been down that way.

2 Q. Meaning you've been down at Greenwood?

3 A. I went to Greenwood, but I still got seniority, so I come  
4 down and claim yard jobs at Cayce sometimes to change it up, to  
5 keep my qualifications and stuff like that.

6 Q. Okay. And so -- I'm trying to get at somehow you had this  
7 feeling. I don't know a better word --

8 A. Intuition, about the switch?

9 Q. Yeah, that something wasn't quite right. And so, but if you  
10 hadn't done this in a year and a half and it was your first time  
11 since you hadn't been doing it, and it's dark territory, it's  
12 nothing like signals, I don't know what would have given you that  
13 feeling. Do you have any sense of just -- obviously you've worked  
14 with a lot of conductors and moved a lot of other cars around.

15 A. Yeah.

16 Q. So you have a sense of how long it takes somebody to get from  
17 point A to point B and do their --

18 A. Yes.

19 Q. -- whatever the task is?

20 A. Yes.

21 Q. Can you give us a guess or do you have any other thoughts  
22 about why it is that you might have had that intuition?

23 A. Well, I didn't see him actually throw the switch, and it is a  
24 main line switch. But he didn't say -- he didn't say nothing  
25 about it at that time. A lot of times they'll get the switch and

1 derails, say everything is lined and locked normal. But I didn't  
2 see him throw the switch. Like I say, he was -- he's -- now some  
3 conductors are slow; some conductors are faster, quicker. And  
4 that's the reason I asked because he was already up here. And I'm  
5 like, I didn't see him throw it. I'm like, you know. So I guess  
6 that's one thing. But when I asked, he said yes, he did get it.  
7 Like I say, I think I asked three times that night and then -- I  
8 don't know why I got down to go check it, but --

9 Q. Okay.

10 A. It's just a feeling at that moment, I guess. I don't know.

11 Q. Okay. Any other significant stressors going on in your life?  
12 It sounds like you -- I mean, pretty busy with work but nothing  
13 going on financially, family, any of that stuff?

14 A. No.

15 Q. And any chronic medical problems? Anything you take medicine  
16 for every day?

17 A. No. Oh, my blood pressure and just regular --

18 Q. Yeah, that's the --

19 A. Yeah, just --

20 Q. -- the kind of stuff I'm talking about. Blood pressure.  
21 Anything else?

22 A. Got blood pressure. It's generic Prilosec called omeprazole.  
23 Then I got allopurinol for gout.

24 Q. When was the last time you had a bout of the gout?

25 A. It flares up once a month, maybe, if I eat red meats around

1 this -- according on what you --

2 Q. Sure. Okay. And take any over-the-counter medicine, herbal  
3 medicine, diet medicine, anything you might have taken medicine  
4 for a week or so before then?

5 A. I can't recall.

6 DR. MCKAY: Okay. That's all I've got. Thank you.

7 MR. JAMES: Okay.

8 BY MR. DRAKULIC:

9 Q. This is Greg Drakulic with the FRA. On the timeline, do you  
10 have an idea of what time you were taxied from Cayce down to  
11 Dixiana to get on the train?

12 A. No, we didn't take -- we took a train to Dixiana.

13 Q. Oh. It was, it was --

14 A. Yeah.

15 Q. Okay.

16 A. The other train was the F794 03 was about 9 miles south of  
17 Cayce Yard, south of the Cayce Yard.

18 Q. Oh, okay.

19 A. He was down around the 69.8. It has digits -- 69.8.

20 MR. AMMONS: This is Ammons. I think I can clarify what  
21 you're thinking about. You guys took a ride from the yard office  
22 to the south end of Cayce, right, to get on that train?

23 MR. JAMES: Oh. The south end. Okay. He said Dixiana.

24 MR. AMMONS: Yeah. No, but I think that's what he was  
25 thinking.

1 MR. JAMES: Oh, okay. Yeah.

2 MR. DRAKULIC: Yeah. Thank you.

3 BY MR. DRAKULIC:

4 Q. And do you have an idea of what time that was?

5 A. It was dark. We were -- the 707 left, so it was right after  
6 1900. It was after 7:00 that evening, because we didn't have to  
7 talk to them before we left. It had expired.

8 Q. Okay. Oh, and when you got off your locomotive at the very  
9 end, what side of the bridge were you on? By your locomotives or  
10 did you cross? Were you on the other side?

11 A. I stayed on the conductor side of the locomotive, the left  
12 side, which would be the east side.

13 Q. East side of the track?

14 A. Yeah.

15 Q. But north or south of the bridge?

16 A. Just south of it.

17 MR. DRAKULIC: Okay. That's all I have.

18 BY MR. RICHARDSON:

19 Q. To clear it up, you mentioned it earlier, but who filled out  
20 the SPAF form?

21 A. I put the --

22 Q. This is Shane Richardson, FRA.

23 A. I put the times in there.

24 Q. So it --

25 A. I think I -- the last one he may have filled out something.

1 He said he had to put something on there.

2 Q. But the form itself was on the locomotive?

3 A. Yes.

4 Q. Okay. You mentioned something earlier about he had it, he  
5 had it with him or something, I think? I could be wrong.

6 A. When we were done and I put the trailing locomotive, isolated  
7 it, when I come back, he had it on his side because he was fixing  
8 to give it up --

9 Q. On the locomotive?

10 A. -- give it up to the dispatcher, yeah.

11 Q. Okay.

12 A. That's the only time he had it in his possession, and he had  
13 mine.

14 Q. Yeah. It's you form that you fill --

15 A. Yeah, yeah.

16 Q. -- out and he was using it to contact the dispatcher to get  
17 the times cleared?

18 A. Yeah.

19 MR. RICHARDSON: Okay. All right. That's all I had. I just  
20 wanted to clear that up.

21 MR. JAMES: Okay.

22 BY MR. ALDRIDGE:

23 Q. Bryan Aldridge, BLET. The hand throw switches and the  
24 electric lock switches in the area, do they all have banners or  
25 some of them don't have banners?

1 A. No. I don't -- I can't recall an electric lock switch that  
2 has a target or a banner.

3 Q. But there are some main track switches that have banners?

4 A. Yeah. They're usually hand throw.

5 MR. ALDRIDGE: All I got.

6 BY MR. CAMPBELL:

7 Q. Did you -- do you carry a switch key with you?

8 A. Yes.

9 Q. Some engineers do, some don't.

10 MR. TORRES: State your name.

11 MR. JAMES: Yes. I still have one.

12 MR. CAMPBELL: Sorry. Matt Campbell, SMART Transportation.

13 MR. JAMES: Yeah. I still have a switch key from when I was  
14 a conductor.

15 BY MR. CAMPBELL:

16 Q. I was just thinking about that intuition, you know, that's  
17 kind of, you know -- that's all I was thinking about, if you were,  
18 you know, up there, would you have been able to line it, you know.  
19 Just because a normal conductor does, you know, do that or  
20 whatever, but getting off --

21 A. Well, if I could have got by the bridge and got closer to the  
22 switch and noticed it, I'd have tried to flag them down or  
23 whatever to keep what happened happening. But with them coming --  
24 they run at a higher rate of speed than we do and that bridge --  
25 you know, Amtrak coming by up there, you going to get back away.



1           So I didn't want to go around in front of that bridge. And  
2 then there's -- if I did run up there, then it's like soft sand  
3 and stuff. I didn't want to go that way.

4           But I couldn't have got there by the time I actually  
5 dismounted from the engine to get -- so I was going to watch it  
6 by. And I still had confidence that -- he was adamant about it  
7 and I consider him a good conductor and I actually was still just,  
8 you know, thought that he was confirmed and a hundred percent sure  
9 that he had gotten it.

10 Q.    Right. But I understand kind of where you're coming from  
11 because I know it's kind of normal procedure -- what normally  
12 happens, like you said, when you're in that situation, the  
13 conductor or switchman will throw the switch and the derail, you  
14 know, switch restored, derailer on --

15 A.    Yeah.

16 Q.    -- you know, I'm in the clear. You didn't get that or don't  
17 recall getting that confirmation, so that might have kind of  
18 played into --

19 A.    Yeah.

20 Q.    -- you kind of wondering and then --

21 A.    And I didn't actually see him.

22 Q.    You didn't see him and then he's here pretty quick. Kind  
23 of --

24 A.    Yeah.

25 Q.    -- hard to second guess --

1 A. And that's the reason I asked him.

2 Q. Yeah.

3 A. He said yeah. And I -- and, you know, he was just there.  
4 You know, I just --

5 Q. Yeah.

6 A. But that whole thing where I didn't actually see him and just  
7 kind of -- no, it had to be something to give me that intuition  
8 but I can't recall exactly why I got off the engine when I did.  
9 But I was tired of sitting on the engine, well, I'll just walk,  
10 you know, walk down there and double check and, you know. Then  
11 when I couldn't get there, I was like, I'll just watch it by.  
12 Never expected that train to come that way.

13 MR. CAMPBELL: That's all I have for right now.

14 BY MR. LANDY:

15 Q. Marcus Landy, Office of Regulatory Staff. One quick  
16 question. I know you said it's been about a year and a half since  
17 you operated what now is the F777. It used to be a yard job?

18 A. Yeah.

19 Q. Did you feel comfortable with your territory qualifications  
20 and familiarized with that territory enough to feel comfortable  
21 doing your job that night?

22 A. Yes. Like I said, I been at Greenwood for I think about 2  
23 years now, but I've came down and worked yard jobs. I think last  
24 time I was down, I can't remember actually going into the ramp,  
25 but I do feel good about the qualification. The night we -- like

1 I said, we just had come by on 794, went down to Nassau and pulled  
2 a train in previously that week. But as far as that, yeah, I was  
3 comfortable there. Like I say, it's normally signals and it was  
4 not normal to work under the dark territory.

5 Q. How comfortable are you working in dark territory and  
6 completing the SPAF forms? Is that something that you feel  
7 comfortable with? Does it makes you uneasy? Or are you confident  
8 in relying that this form, and I'm hearing what this conductor is  
9 telling me, and it's consistent with what really is going on out  
10 in the field?

11 A. Well, like I say, I hadn't had to do a form -- or a SPAF  
12 form, about 2½ years. Like I say, we never have to use one on  
13 this job, so if I may have forgot to write it down or he didn't  
14 say, you know, that -- you know, it showed time and that signal  
15 here and, you know, it could have, just through work routine, it  
16 might not got written down at that moment.

17 MR. LANDY: That's all I have.

18 BY MR. HINES:

19 Q. This is Jon Hines, Amtrak. Mark, you doing all right?

20 A. Yes.

21 Q. Need a break?

22 A. No.

23 Q. Do you feel all right?

24 A. Yes.

25 Q. Okay. So who is your supervisor, Mark? Who do you report

1 to?

2 A. Whichever trainmaster's on duty at Cayce.

3 Q. So, whoever's the --

4 A. Kirk Kelsey.

5 Q. Is there a road foreman that oversees any of this territory?

6 A. I don't think we have many of those around no more.

7 Q. Okay.

8 A. I mean, I don't want --

9 Q. No, understood. So when was the last time you were  
10 recertified?

11 A. I got recertified on a simulator at the (indiscernible) Yard,  
12 first part of January.

13 Q. Okay. Great. Can you tell me --

14 A. I'm finished -- yeah, it's early this year.

15 Q. And what's that process like?

16 A. You get on a simulator. It's like running the engine but you  
17 got your computer screen and you actually run the territory from  
18 Tucker, Georgia to Abbeville. And it's controlling train speed  
19 and buff forces and proper train handling.

20 Q. Is that territory that you currently operate over?

21 A. From --

22 Q. That you're qualified on? When you --

23 A. Yeah.

24 Q. -- just said you took -- it is? Okay. Are you ridden with  
25 by a road foreman or DSLE over the territory or is this -- the

1 recertification itself is done through the simulator?

2 A. Say that again now? What was the first part?

3 Q. Does a DSLE come out and ride with you or perform a skills  
4 performance evaluation on your operating skills over any of the  
5 territory or routes that you operate? Is that part of your  
6 recertification or is it done through the simulator?

7 A. Oh, yes. I've done it through the simulator the last 2  
8 years.

9 Q. Last 2 years. All right. Has a DSLE come out and ridden  
10 with you over any of the territory?

11 A. No. When I was in engineer qualifying training back in '05.  
12 But we haven't had a DSLE in a long time.

13 Q. So when you were standing next to the bridge --

14 UNIDENTIFIED SPEAKER: I'm sorry, Jon. Just to --

15 MR. HINES: Do you want to clarify something?

16 UNIDENTIFIED SPEAKER: Yeah. He may be thinking of DSLE as a  
17 contract trainer and not a supervisor. Those are now called  
18 CSLEs.

19 MR. JAMES: Oh, yeah, yeah.

20 UNIDENTIFIED SPEAKER: So up until this past year, we had --  
21 we still had road foreman doing what you, which are DSLEs, Mark.

22 MR. JAMES: Yeah.

23 UNIDENTIFIED SPEAKER: So, I --

24 BY MR. HINES:

25 Q. I should state what that is. It's a Designated Supervisor

1 Locomotive Engineer.

2 A. Oh. Is that --

3 Q. So what we refer to as -- most of the time at Amtrak as a  
4 road foreman.

5 A. Okay.

6 Q. Yeah. So -- thank you.

7 So when you were standing next to the bridge and the Amtrak  
8 train is approaching, I know you're running, probably not hearing  
9 a lot, but did you hear the brakes apply at all on the Amtrak  
10 train as it's going by or anything of that nature?

11 A. No. I didn't -- couldn't tell.

12 Q. Okay. And you did state the headlights were on and appeared  
13 to be on bright?

14 A. Yes.

15 Q. Did you notice if the ditch lights were on as well?

16 A. I think that I would have noticed if they weren't on.  
17 There's a crossing right down there. So yeah, then they were on.

18 Q. Okay.

19 A. The light was on bright. I didn't notice anything --

20 Q. Okay.

21 A. -- (indiscernible).

22 MR. HINES: Thank you.

23 BY MR. REAVES:

24 Q. Stephen Reaves with Amtrak. A few questions. When you were  
25 shoving back into the siding to clear up for the night, so the

1 conductor lined a switch into the siding, what instructions did he  
2 give you to back up into the siding?

3 A. Usually clear all tracks -- clear all track switching line.

4 Q. But for you to make the backup move, did he say he switches  
5 lined?

6 A. I think he said back up six. Oh, yeah.

7 Q. So he said back up six cars?

8 A. Yeah. Back up six cars. That's what he said.

9 Q. Were -- when you were backing up, were you looking just to  
10 clear the derail or you just kind of guesstimate --

11 A. Yeah. We were backing up to clear the derail.

12 Q. Did you have a spot on the ground you were kind of looking  
13 for to make sure you cleared the derail?

14 A. No. I could see the cars better.

15 Q. So you stopped --

16 A. I knew they was south of the overpass. I could see in my  
17 rearview mirror that, and go.

18 Q. So did you just back up what you thought was six cars or did  
19 you back up and say I just want to clear the derail?

20 A. No, you can't (indiscernible).

21 Q. So, he was counting you down?

22 A. Yeah, count down.

23 Q. To a stop?

24 A. Yeah.

25 Q. So you stopped, and when you stopped you looked up and he was

1 lining the derail?

2 A. Yeah. He was over here in the derail area. I didn't --

3 Q. Do -- roughly how far from the derail did you stop? Would  
4 you say a car length, half a car?

5 A. Probably half a car or so.

6 Q. Half a car or so. So you could see --

7 A. Yeah, I can --

8 Q. -- you could see the derail being lined at that point?

9 A. I didn't actually see him derail, hit the -- I just seen him  
10 over there and I was doing my thing. I can't really -- didn't sit  
11 there and actually watch it (indiscernible) rails that long.

12 Q. Once he put the derail on, did he go get on the rear  
13 locomotive to couple you up to the cars?

14 A. When he lined the switch and derail up here, then he went to  
15 the rear locomotive.

16 Q. So then he -- once he got on the ringer back there, did he  
17 count you down to a coupling with the cars?

18 A. Yes.

19 Q. So that would have been, I guess, maybe -- what did he give  
20 you? Like four or five cars to the coupling or something like  
21 that?

22 A. Yeah. Three or four.

23 Q. Three or four. Once you coupled up, assume he cut the air in  
24 between the engine and the cars?

25 A. Yeah.



1 Q. Did you do a Class 3 once the air was cut in?

2 A. No.

3 Q. Was --

4 A. We done the brake -- it didn't have a EOT on the bottom.

5 Q. Oh, it didn't?

6 A. Uh-uh. Because it had a bad hose, and I forgot about that.

7 But he actually talked to the yardmaster and was telling him, you

8 guys going to need a screwdriver to get it changed out as well.

9 But now, we done the hand brake test, stuff like that.

10 Q. So when he coupled up, he cut the air in, there was no EOT,

11 so no Class 3, I guess, needed to be done. Assume the next crew

12 that gets on that train would have had to take care of all that?

13 A. They would have to do it, yes.

14 Q. Yeah. So while -- at that point did he come up on the

15 trailing locomotive and start tying the hand brake on that one?

16 A. No. He doesn't need to.

17 Q. So he came up to the lead and that's when you went back to

18 the trail to isolate --

19 A. Yeah.

20 Q. -- tie the hand brakes on there?

21 Just kind of going back to one of the questions Jon asked.

22 On the simulator, so you're qualified between Tucker and

23 Abbeville, Abbeville as well?

24 A. Yes.

25 Q. Okay. When was -- so you said the last 2 years you've done

1 your rides on the simulator. So it's been 3 years since a road  
2 foreman actually rode with you?

3 A. I'm trying to think back that far. My last 2, yeah, would be  
4 in the simulator. I'm not sure about 3 years ago.

5 MR. REAVES: That's all the questions I've got.

6 MR. TORRES: Okay. Tomas here with the NTSB.

7 BY MR. TORRES:

8 Q. On your last move, right, you're coming just with the  
9 locomotives?

10 A. Um-hum.

11 Q. He lined the switch for you guys to go back into the siding.  
12 When you were making the reverse movement, do you know how fast  
13 you were traveling?

14 A. It was way under 10. It was under 10 mile an hour, maybe 6  
15 or 7.

16 Q. Six or 7?

17 A. I mean, that's a guesstimate, but -- yeah.

18 Q. Okay. And then when you were backing up, he was giving you  
19 car counts?

20 A. Yes.

21 Q. And you couldn't see him behind you, like his lantern or  
22 anything like that?

23 A. Couldn't see him behind me because --

24 Q. Yeah, like he was behind you at the switch. Did you ever see  
25 his lantern?

1 A. Behind me at the coupling?

2 Q. No.

3 A. He was only --

4 Q. At the switch as you were coming in. Right? If he's --

5 A. Oh, no, I was on this side. The switch is on -- you talking  
6 about before I reversed into the siding?

7 Q. Yeah. Well, once you're starting making the reverse --

8 A. Yeah. I can't see him.

9 Q. -- movement, I mean, you didn't see his lantern?

10 A. I'm on this side; he's on this side. I couldn't see him.  
11 Couldn't see him at all.

12 Q. So you're operating --

13 A. Northbound, and the switch is over here on this side. So I'm  
14 sitting on this side of the locomotive. He's back here at the  
15 switch, threw the switch. I couldn't see him.

16 Q. Yeah, but when you back up, were you able to see his light,  
17 his lantern?

18 A. I was backing up, you know, using the mirror, watching and  
19 stuff. When I turned around, he was over here. So he had his  
20 lantern.

21 Q. He had his lantern?

22 A. When I first could see him, yeah.

23 Q. Yeah. So, but he was giving you car counts, right? He was  
24 giving you distance stop?

25 A. Yeah. He was --

1 Q. Distance to stop.

2 A. -- counting me down to a stop.

3 Q. And he stopped you pretty much --

4 A. He stopped me, yeah.

5 Q. -- pretty close to the derail?

6 A. Yeah. It wasn't too far.

7 MR. TORRES: Okay. Thank you.

8 Mike?

9 DR. HOEPF: Thanks, Tomas.

10 BY DR. HOEPF:

11 Q. I just got some standard questions. How was the weather?

12 A. It was clear.

13 Q. Clear?

14 A. Yeah. We didn't have nothing (indiscernible).

15 Q. Good visibility?

16 A. It was cold. Visibility was --

17 Q. Well, it's dark out.

18 A. Wasn't no fog. Yeah, just dark.

19 Q. No fog?

20 A. Dark out.

21 Q. You said cold?

22 A. Dark and cold, yes.

23 Q. Yeah. And, of course, we can get a weather report. I'm just  
24 wondering, have any impact on your operation?

25 A. No.

1 Q. Okay. So this is all taking place around, you know, 2 a.m.  
2 Is fatigue an issue at all? You guys feeling alert?

3 A. No, I didn't feel tired or anything.

4 Q. Yeah. Is this your usual shift? I know we talked a little  
5 bit about it.

6 A. Yeah, I work the -- since being at Cayce, I been on second  
7 shift every day.

8 Q. Second shift? Okay. And to, just to kind of like walk back,  
9 you know, from the previous couple days, you know, leading up --  
10 so you went on duty on Saturday at 3:00. Do you commute from your  
11 house when you came into work?

12 A. Yes.

13 Q. Okay. About how long of a commute do you have?

14 A. It's about an hour 20 minutes.

15 Q. An hour and 20 minutes? Okay. Do you know what you did  
16 earlier in the day? Get some lunch, do you hang at the house?

17 A. Yeah, I had lunch. I had to go get a rental car, then lunch.

18 Q. Yeah. You had to get a rental car?

19 A. Yeah, I got -- my truck got totaled, got run into the side.

20 Q. Oh.

21 A. So I had to go get a rental car that morning and -- I had to  
22 do that and had time to eat lunch before I left, you know, and  
23 then headed down.

24 Q. Got you. Do you remember what time you woke up on Saturday?

25 A. 9:30-ish.

1 Q. 9:30? Okay.

2 A. 9:30, 10:00, somewhere in there.

3 Q. Do you remember what time you went to bed Friday night?

4 A. Friday night, we get off 8 hours. Yeah, it was before 2.

5 Q. All right. So Friday you worked as well?

6 A. Yes.

7 Q. Okay. You got off around, what -- I'm sorry, what time did  
8 you get off Friday night?

9 A. Let's see. I was -- Friday night. I didn't work -- when did  
10 I work? I was off Wednesday, Thursday. Friday was 8 hours.

11 Q. Eight hours.

12 A. Everything's been 8 hours up until this shift.

13 Q. Got you.

14 A. I was up on a third.

15 Q. So, Friday you went to work at 3?

16 A. Went out to work at 3 and got off at -- no, I went to work at  
17 3:30, got off somewhere around 11:30.

18 Q. 11:30?

19 A. A little bit prior to 11:30.

20 DR. HOEPF: Okay. I got you. That's all I got for right  
21 now.

22 BY MR. AMMONS:

23 Q. Just, I think I've just -- this is Ammons, CSX. I just, I  
24 think I've just got one question, depending on what you say, I  
25 guess. But you said you felt comfortable with your -- earlier,

1 with your qualifications in this area and all that; you had worked  
2 it --

3 A. Yeah.

4 Q. -- in the past. Did your conductor there, Michael Vargo, did  
5 he feel or did you, in your professional opinion, did he seem  
6 familiar or comfortable working that job?

7 A. Yes. He'd been working that a good bit here lately and the  
8 switching the plant and all that, he was real good. I was  
9 surprised he got it all done.

10 MR. AMMONS: Good. Thank you. No other questions.

11 BY DR. MCKAY:

12 Q. Mary Pat McKay. I just have one. Can you recall a time  
13 where you questioned a conductor about whether or not he had  
14 actually thrown a switch that he told you he'd thrown?

15 A. I'm pretty sure it has happened, but I can't recall.

16 BY MR. DRAKULIC:

17 Q. Greg Drakulic, FRA. Right before Amtrak went into the siding  
18 and they were heading your way, you didn't happen to notice if  
19 they hit the derailler? If it derailed or the engine, the cars,  
20 what went first?

21 A. I ran up the hill, didn't see it hit the derail or -- you  
22 know, I was turned running, and then when I looked back the -- it  
23 was --

24 Q. It was already in the engine?

25 A. No. I seen the collision. It was -- it hit and come -- like

1 it was going up over that way, off toward -- back toward the main  
2 line. But I don't, couldn't tell you whether the brakes or -- the  
3 derail surely didn't do anything --

4 Q. Okay. That's all.

5 A. -- to the engines and staying on the track, just for a  
6 little bit of the way.

7 UNIDENTIFIED SPEAKER: I don't have anything.

8 BY MR. TORRES:

9 Q. Tomas with the NTSB. I got some questions again. Some of  
10 them you already answered. What was your job number?

11 A. F777 03.

12 Q. And what was your date of hire again?

13 A. November 26, 2000.

14 Q. And what's the last time you got recertified as an engineer?

15 A. That's early January. Oh, no, you talking about my  
16 recertification?

17 Q. Yeah.

18 A. Two years ago. I think I have to do it again next year.

19 Q. When's the last time you were tested by your manager, had an  
20 efficiency test?

21 A. I'm trying to think. I'm trying to think where I was at.

22 Q. Do you recall what you were tested for?

23 A. I don't recall, no. That was somewhat -- you know  
24 (indiscernible), but I can't recall.

25 Q. Do you get tested like for switches, shoving moves, anything



1 like that?

2 A. Switch, shoving moves, brake test.

3 Q. Did your training prepare for the requirements of your job?

4 A. Training?

5 Q. Yeah.

6 A. Yes.

7 Q. Did you use your cell phone while on duty?

8 A. I'm sure I did, yes.

9 Q. Is this a safe place to work?

10 A. Yes. Well, I don't know. I mean, it's just -- well, I  
11 wouldn't -- I don't know how to answer that really.

12 Q. All right. Okay.

13 A. I mean, after what I just seen, you know. And I don't think  
14 -- I wouldn't think railroading in general is --

15 Q. Is there anything you would like to add? Anything you want  
16 to say?

17 A. Yeah. I'm sorry this happened. I wish we'd have done  
18 something different to where this never, wouldn't be doing this,  
19 but -- unbelievable.

20 BY DR. HOEPF:

21 Q. This is Mike, NTSB. I'd just add, I mean, can you think of  
22 any safety improvements? Something maybe that could be done  
23 differently? Is there a procedure change or safety device or  
24 just, I mean, anything you can think that, you know, might improve  
25 safety?

1 A. Okay. Well, PTC, of course. If we're -- the signals, even  
2 if it wasn't PTC, the signal had been on, this would never  
3 happened. And if we had switch targets on all the switches, it  
4 wouldn't have happened.

5 Q. That last one, that was switch --

6 A. Switch target.

7 Q. Could you just talk about that briefly? That's -- what is  
8 that exactly?

9 A. Well, you're not supposed to run by them, but if they --  
10 those color switches had been green if it was for the main line,  
11 normally. And they're easily tampered with so we don't run by  
12 those, but he'd have noticed that while we was on duty but --

13 Q. Oh, so those are on some switches already, but just --

14 A. The hand throw switches.

15 Q. Oh, okay.

16 A. Power switches we usually don't have targets on. Not  
17 usually.

18 Q. Got you.

19 A. But when you're operating in dark territory --

20 Q. Is there anything maybe that could be done differently in  
21 dark territory, maybe, that would be a little bit safer? Speed  
22 restrictions, different type of communication, I mean, just any  
23 ideas? I mean, for --

24 A. Not that I --

25 Q. -- to you, being an engineer, is there anything, you know,

1 that -- or working with a conductor, is there anything that you  
2 see that would make your job easier when you're operating in dark  
3 territory?

4 A. I can't think of anything that would do that.

5 DR. HOEPF: Okay. Well, thanks for talking to us.  
6 Appreciate it.

7 MR. TORRES: Any more questions?

8 Okay. This will complete the interview and thank you. I  
9 appreciate you showing up.

10 MR. JAMES: No worries.

11 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the  
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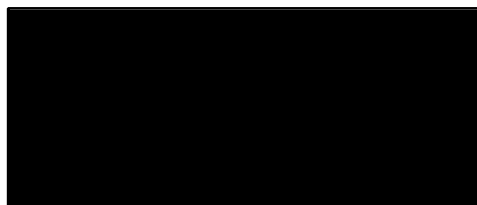
IN THE MATTER OF:            COLLISION OF AMTRAK TRAIN #91 AND  
   A STATIONARY CSX TRANSPORTATION  
   TRAIN NEAR CAYCE, SOUTH CAROLINA  
   FEBRUARY 4, 2018  
   Interview of Mark James

ACCIDENT NUMBER:            RRD18MR003

PLACE:                         Columbia, South Carolina

DATE:                         February 5, 2018

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
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Transcriber