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: KIRK KELSEY

Office of Regulatory Staff
Columbia, South Carolina

Tuesday,
February 6, 2018

APPEARANCES:

TOMAS TORRES, Rail Accident Investigator
National Transportation Safety Board

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(On behalf of CSX and Mr. Kelsey)

I N D E X

I N T E R V I E W

MR. TORRES: Okay. My name is Tomas Torres, T-O-M-A-S, T-O-R-R-E-S. Today's date is February the 6th, 2018. We are at the Office of Regulatory Staff in Columbia, South Carolina, interviewing trainmaster in connection with an accident that occurred at Cayce, South Carolina, on February the 4th, 2018.

The NTSB accident number is RRD18MR003. The purpose of the investigation is to increase safety, not to assign fault, blame or liability. NTSB cannot offer any guarantee of confidentiality or immunity from legal or certificate actions. A transcript or summary of the interview will go into the public docket.

The interviewee can have one representative for the interviewee's choice. Do you have somebody present?

MR. KELSEY: Yes, Mr. Wray.

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

MR. KELSEY: Yes, sir.

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

MR. KELSEY: Kirk, K-I-R-K, Kelsey, K-E-L-S-E-Y.

MR. TORRES: Mike?

DR. HOEPF: Michael Hoepf, H-O-E-P-F, with the NTSB.

MR. WRAY: My name is Ron Wray, W-R-A-Y. I'm an attorney here on behalf of CSX as representative for the witness.

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

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

MR. LANDY: Marcus Landy with Office of Regulatory Staff, L-A-N-D-Y.

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

MR. ALDRIDGE: Brian Aldridge, BLET, A-L-D-R-I-D-G-E.

MR. RICHARDSON: Shane Richardson, R-I-C-H-A-R-D-S-O-N, Operating Practices with FRA.

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

DR. McKAY: Mary Pat McKay, M-c-K-A-Y with the NTSB.

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

INTERVIEW OF KIRK KELSEY

BY MR. TORRES:

Q. Okay. Kirk, can you please give us a brief history of your work history with CSX?

A. Yes, sir. I have 25 years with the railroad, and my largest capacity with the railroad has been as a trainmaster for 19 years. The last -- going on 2 years in March I've been -- I will have been a trainmaster here at Cayce Yard, which also has responsibility on the CN&L Sub up to Newbury and the Hamlet Sub up to around Luboff-McBee area.

Q. Okay. And so -- and your duties as a trainmaster is?

A. Duties as a trainmaster is the safe, efficient operation of the yards, terminals, line of road, supervise approximately 40 to 50 employees, making sure that we run a safe operation.

Q. Okay. So when you -- when the crews go on duty, what takes place? I mean, do you visit with them? Do you talk to them?
A. Yeah, we have job briefings, job briefings with every crew who goes on duty, either face-to-face or by telephone, you know, however we're doing it. You know, a lot of times we're not at the place, but we'll have a job safety briefing with the crews that come on duty.
Q. Okay. So on the day of the incident, were you -- did you communicate with the crew that was involved in the accident?
A. Yes, sir, I did. Yes, sir.
Q. So can you tell us what took place?
A. Mr. Vargo called me from the office phone in the crew room, had me on the speakerphone with his engineer, and I know there was another engineer in the room with him, Buck Ross, but he wasn't on duty yet. But I heard him talking, so there was -- I know there was three individuals in the room when I had the discussion.

Primary objective of this interview or this job briefing was to talk about the signal suspension that we had on the Columbia Sub. I told Mr. Vargo, you know, the signal switch started at S362.5 at the holdout all the way to the north end of Woodford. I told Mr. Vargo that he would have to get an EC1 authority from the train dispatcher in order to occupy these tracks. Any switches or derails, main line switches and derails that he had to handle where he would have to get permission from the train dispatcher to get -- to use these switches. Also told him that any switches

that he handled on the main line, they would have to fill out the switch position awareness form and they would have to document that time.

Also told him that any switch and derail that they lined or were using, once they were done using that switch or derail, they would have to line it and lock it back for the main line, and also let the dispatcher know that the -- you know, that they had done that.

Their first thing they were supposed to do, I had them going to do was the Q211. I can't remember the date. It wasn't -- the Q211 that was on the main line at the south end of Cayce, it was sitting inside the signal suspension. So I informed Mr. Vargo your train that you're going to get on to take down to Dixiana auto ramp is in the signal suspension, and you're going to need to go ahead and once you get on the train get a -- contact the train dispatcher and get an EC1 authority from him.

Told him that he would also have to get his switches done at the Silica, the switches he was going to have to handle, and let the dispatcher know he's going to have to use those switches to operate in the auto ramp. So after he did that, I asked him if they were, you know, pretty clear on what we had to do, and then he said yes. Also told the crew that if they had any questions, concerns, any hesitation of anything that's going on, stop what you're doing, don't make any moves and please call me. Stop, call me, and we'll re-brief and make sure that we know what we're

doing. If I don't have the answer, I'll find out for you. So that was the end of the conversation.

I don't know how much time went by. The yardmaster called me, said that we had a change -- well, we had an F794 that was inside the signal suspension up at Glenn Road on the Columbia Sub, which is south of Cayce, south of Dixiana. So I didn't have any other jobs, and this job couldn't do what he was going to do anyway until I got that train out of the way in the clear, because he's going to have to come through Dixiana to allow them to work the auto ramp.

So I told dispatch -- or yardmaster, I said tell them to call me; we're going to change up what they're doing. And I think Vargo called me again. And I told him we was going to go up and get the train at Glenn Road and yard it. All right? In that time, he did that, we talked about the signal suspension, said, you know, same things apply.

When he yarded his train, I also called the yardmaster again. I said please have Mr. Vargo call me again, just because his job changed or he was doing something different and we were talking about it. So Mr. Vargo did call me again, and I reiterated the signal suspension and I asked if he had any questions about it, you know, the same things applied, get your switches, everything. And if, you know -- so that was basically the job briefing that I had with him at the time.

Q. Okay. On the signal suspension, how much notice does he get,

you know, in advance?
A. Generally you get -- I'm not exactly sure. I know that -- I'm pretty sure I got an email with a packet a few days prior to the signal suspension outlining what system bulletin's going to come out on it and, you know, has maps and everything that, you know, that the crews might find helpful for them, a job aid type.
Q. And those are provided to the crews?
A. Yes, sir. Yes, sir. I printed out about 20-some-odd copies of it the day prior to the signal suspension and put them in the crew room so the crews would have access to them if we weren't there for any reason. So yeah, it was made available to them.
Q. Did this particular crew have possession of those or do you know?
A. I don't know if they had it with them at the time. I just -- because I didn't ask them that, but it was on -- I know there was some stuff, a packet sitting on the crew room table in there. So I don't know if he was actually looking at it at the time or not.
Q. Okay. So you said you talked to him twice, right?
A. Yes, sir. And it may have been a third time, but I'm -- I know twice for sure.
Q. Okay. So what other -- what's their job? You know, what do they do? I mean --
A. That particular job, 777, is pretty much a job that -- well, spot auto ramps. Now that's not the only thing that they have to do, but their primary focus is we go down to Dixiana, on the

second shift job especially, usually we'll have a 211 show up sometime that morning right around 11, 12, 1:00 in the afternoon that's ready to go down. We have a first shift job that's already spotted some racks and we're waiting for Dixiana, the TDSI group, to unload the auto ramps or auto racks so we can pull the empties and re-spot the load.

So these guys will actually run down to the auto ramp. You can only fit about 45 cars or so at the siding that'll make it fit derail -- or derail to derail, so they'll take 45 into Silica Siding, run back around their train, and they'll go pull the auto ramp empties so they can have room to switch and spot the ramp.

So they'll -- second shift will actually build 210's train, which is the empties. They'll actually pull that out, do a Class 1 brake test on the train, hang a light. If we don't have room at Silica we'll actually throw the cars or we'll shove them back on the Eastman lead, which is a little bit north of TDSI, just a few tenths of a mile up the road. And they'll shove those back and have the train pumping air ready to go. And they'll -- well, they'll have those ready out of the way. Then they'll spot the ramp. They'll actually leave them on Eastman, do the Class 1 brake test, and have the train sitting there for the 210 and the next morning to go get the train.

Q. So on this day what -- how many cars were they -- did they get ahold of, you know, when they took charge of that train?

A. When they took -- are you talking about the 210 that was in

the siding? Or the --
Q. Yeah. Well, you know, they took charge of the train after that --
A. Oh, okay. Yeah. Yeah.
Q. -- right, outside the limits?
A. Yes, sir. It was 30 -- I believe it was 35 auto racks.
Q. Okay. And all of those were going to be spotted in the --
A. Yes, sir.
Q. -- facility?
A. Yes, sir.
Q. And how many were coming out?
A. I believe it was a count of 34. It was supposed to be up -- no, I'm sorry; let me take it back. It was 38 that they were going to spot, loads, and it was 35 empties that they were going to pull. One empty they didn't pull because one of the doors came off the hinge, so they didn't pull that. So it ended up being 34 cars that they put into the siding.
Q. So they were going to do quite a bit of switching?
A. Yes, sir. And I don't know what the switches were. I mean, you got to basically switch it by bi's, you know, bi's and tri's, norths and souths, they got to be together so they can offload it at the ramp. So I don't know exactly what type of switching they had in it because I didn't see the consist. Usually when it comes to us we don't have it booked, so our crews will actually have to walk that train, book it to find out which ones are bi's -- well,

you know what the tri's are because of the car number, but they'll usually find out which ones are norths and souths by the way -- when they go by and walk that train.

Q. So when they're doing switching operations there they -- like, you have tri-levels and bi-levels? Is that what you're saying?

A. Yes, sir.

Q. So and he has to block those cars, you know, like all that tri-levels together and all that stuff?

A. Right. Just so they can put the ramps together and drive the cars off their old ramp.

Q. And they're not always in order?

A. No, sir.

Q. So that it would be quite a bit of switching operations, sorting the cars?

A. Yeah, I mean, it could be -- I mean, yeah, you could have -- most normally you got about 18, 19 switches on it, you know.

Q. Okay, yeah. And how many cars do those tracks hold, the racks?

A. I'm sorry?

Q. How many cars? How many auto racks?

A. I think bi's will hold eight. I'm thinking hold -- I think it's 16 on tri's.

Q. Okay. And for this type of job, I mean, with that amount of switching, do you always have a two-man crew?

A. Yes, sir.
Q. They're all two-man crews or --
A. Yeah, we have all two-man crews at Cayce.
Q. And how's the facility there? I mean, is it lit up --
A. Yes, sir.
Q. -- with lighting?
A. Yes, sir. It's well-lit.
Q. And how about near the main track switches and all that stuff?
A. I mean, it's not as well-lit as auto ramp, but it's pretty -- it's lighted pretty well up there, too. I mean, there's good lighting up there.
Q. So in the dark, at night, there's decent visibility there --
A. Yes. I would say --
Q. -- in the working conditions?
A. Yes, sir, I would say it's good visibility.
Q. So you're familiar with the layout of the tracks and everything?
A. Yes, sir.
Q. Can you describe that to us?
A. What are you talking about, the inside of the ramp or you want to talk about the -- just, well, Silica?
Q. Yeah, yeah, yeah. Yeah, Silica, the main track and all that stuff.
A. All right. Well, Silica, let's take it going south. Okay,

to your right, breaking off, that's Silica Siding. That's the north end, okay? And you got a south end of it at the other end, the main line's in the middle. You have a runaround track that is to the left of the main going south.

The runaround track can hold up to 12 racks derail to derail. Silica Siding can hold 45. You can put 46 in between where they come out of the switches running around the train on the main. And then coming down in the lot you've got the first one you come to off the runaround is the A Lot, which is track 1, 2 and 3 going left to right.

Over on the other side you have to pull high and throw the switch going back on the runaround towards B Lot to get that switch. And on B Lot you've got track 4, 5, 6, 7, and 8. Five tracks over there.

Q. Okay. Can you describe the location of the switches and how they're operated?

A. Yeah, the --

Q. And the derails?

A. Yeah. You've got on the north end of the runaround -- it's kind of cattycorner to each other. You've got Silica switch up here that goes to the main line. It's probably, I don't know, two, three, four car lengths further than the runaround switch. So you got the main; you got the first switch you would come to has the time switch, which is about 17 minutes to protect the main line for Amtrak, that you have to wait for it to time to be able

to throw that switch to come in; and then you got to derail.

You've got a switch at the south end of Silica, same thing. It's a time switch that does the same exact thing. You got a time switch on the north end of the runaround, and that's, like I said, a little bit further south if you're -- were looking south, than you are on the Silica Siding switch. So that's also -- protects the main line also, so a time switch with a derail. And the same thing on the south end of the runaround. It's -- you know, they're just a little bit -- the runaround's shorter than the Silica Siding.

Q. Okay. You mentioned it has a time?

A. Yes, sir.

Q. And how does that work?

A. When the crew comes in they take the lock off, they'll step on the switch, and they'll wait for it to time out so they can actually throw the switch. Once it times out on them, it will allow them to throw the switch and then they'll have control of that switch until they close it back up.

Q. And do they always have to let it time out --

A. Yes, they're --

Q. -- every time they throw it?

A. Yeah. I mean, if it's having them time out, they will have them wait for it to time out on it all the time. But when you're sitting there, you've already got the track, I believe they can throw the switch, you know, as much as they want.

Q. Yeah. Say, for example, if it's already lined for the siding, you know, they get in the clear and he wants to line it back to normal, does he have to let it time out?
A. I'm not certain.
Q. That doesn't time out again?
A. I'm not 100 percent certain on that, but I don't think so. I think he could have thrown that switch back.
Q. So only when you're trying to reverse it toward the siding?
A. Yeah, when you're trying to reverse it for --
Q. Main to siding.
A. -- main to siding you have to wait.
Q. Then it times out?
A. Right.
Q. And what's the time frame?
A. I think it's 17 minutes. I'm pretty sure.
Q. Seventeen minutes?
A. Yes, sir. Yes, sir. I mean, I'm pretty sure it's 17 minutes.
Q. During the switching operations how do they leave those switches, you know, I mean, the --
A. During switching operations?
Q. Yeah, yeah.
A. Well, when they're using the switches, they've got control of it so they're -- you know, I'm not sure how they're leaving it all the time, but if we're switching out certain tracks, they'll pull

high and then they'll get the switches when they're done.
Q. But are they required to have them locked?
A. Oh, yeah.
Q. Do they lock them all the time?
A. Yeah. Yeah.
Q. Every time you throw it, the switch has to be locked?
A. Yeah, the switch has to be locked. If it's got a lock, you've got to lock the switch. Yes, sir.
Q. So even during switching operations?
A. Even during switching operation, if he's got it locked over there, then he'll have to lock the switch. Well, continuously switching, he can throw the switch. If he's setting cars out, he can continuously switch without locking it. If he's going to leave Silica, come back towards A Lot or B Lot, he would -- I would certainly expect him to lock that switch.
Q. Okay. You mentioned earlier the form they have to fill out for the switch?
A. Switch position awareness form?
Q. You know, can you describe, explain how -- what they have to do?
A. All right. It comes under the dispatcher messages and it's got certain lines where they -- where the times where they -- the milepost of the switch that they write down and they put the times on what time they normal it -- or reverse it and the times that they would normal it. And then the conductor would, you know,

tell them what time he reversed the switch. Engineer will write down that milepost and the switch, what time he did it, and put his initials on it.

Q. And that's every time they handle the switch, whether it's open or closed?

A. No, it's every time -- the only times he has to write that down is when he reverses a switch, initial move, and when he's done with a switch, giving it -- you know, putting it back for normal operation. So it's just the -- that's the only times that he's required to write those times down.

Q. So the first time he lines it?

A. First time he lines it and pretty much when he's done with the switch the last time he lines it.

Q. Okay, yeah. And what's the interaction between the train crew, you know, with (indiscernible) --

A. Usually the conductor will pretty much switch normal to -- at your time, you know, and the switch number, you know, north end of Silica and they'll read the milepost. You know, they've already got that written down from the dispatcher, so he'll usually tell the engineer switch reversed at this time on your time. And then the engineer will confirm that with him and sign his sheet.

Q. And once they get in the clear?

A. Once they get in the clear and say the switch is lined and locked, derail back on, and your time and, you know, switch is lined and locked for main line movement.

Q. Okay. Well, when once in the clear and then they need to release their EC1 authority, you know, to the train dispatcher, what takes place between the crew members?
A. Well, they -- I mean, I'm guessing -- I assume they're sitting there talking to each other about giving the track back. And either one can give the track back to the dispatcher, but, you know, they'll usually call the dispatcher and tell them what time that the switch is at the north end, the south end, Silica, wherever they're operating from, from the north end Dixiana to south end -- or south end Dixiana to north end Nassau, switches are lined and locked for main line movement. You know, they pretty much tell the dispatcher everything that they handled, that they had a hold of is back in normal position ready for main line movement.
Q. Okay. Were you familiar with the crew members?
A. The engineer I wasn't real familiar with him. I've seen him around Cayce. He was working in Greenwood, sometimes coming to us, so I didn't know him as well as I did Mr. Vargo. I've been at Cayce, like I said, going on 2 years, so I've known Vargo pretty much since I've been there, I guess. Vargo worked -- I guess he worked for -- he was furloughed a little bit, then he came back. But I know Vargo more than I know Mr. James.
Q. Has he worked this particular job often, Vargo?
A. Mr. Vargo, he's -- yeah. I'm pretty sure -- I don't know how many times exactly he's worked the job, but I know he's worked the

ramp jobs, both jobs we've had.
Q. Okay. And how are they qualified on the territory, you know?
A. Well, I mean, basically when you work at Cayce it's three qualification runs on each job that we have there.
Q. I mean, is this just going through there or do they actually get --
A. No, just working the job.
Q. Actually working --
A. Three times working the job.
MR. TORRES: Okay. That's all I have for now. I'll pass it on to Dr. Hoepf.
DR. HOEPF: Actually how about we go this way?
MR. TORRES: Steve?
MR. AMMONS: Okay. Just one second.
MR. KELSEY: Could I get a thing of water?
DR. HOEPF: Sure. Is that --
MR. KELSEY: Yeah. Thank you.
DR. HOEPF: Yeah, sure.
BY MR. AMMONS:
Q. Are you ready?
A. Yes, sir.
Q. Ken, how were you made aware of this incident?
A. I'm Kirk.
Q. Kirk, I'm sorry. I get you and your brother mixed up. Steve Ammons, CSX. Thank you, Tomas. Kirk, I do it every year in face-

to-face rules class, too.
A. Yes, sir. I'm used to it.
Q. How were you made aware of this incident?
A. I was called by Trainmaster Marcus Fox, who was up in Florence in the yardmaster office at the time. He told me basically that we had a major incident down at the Dixiana.
Q. Once you took that call, what did you do?
A. First thing I did was call Mr. Betts, just to get him started that way and get, you know, for both of us. We were both going to go that way. Went and started brushing my teeth, get ready, started getting ready to go. At that time I think my boss, Mr. Canady, called me first and was asking, you know, what I knew at the time, which I really didn't know anything at the time because it was -- you know, just to me, I just noticed or just found out.

Then start walking again -- out the door, again, Mr. Brown called me and I started talking to him again. So then I got my vehicle and came down to the scene.
Q. Were you aware of the seriousness of the situation before you got there or --
A. Absolutely. Yes, sir.
Q. Okay. What did you -- once you arrived on the scene, what did you -- can you describe what you saw or what you did?
A. Well, the first thing when I got to the scene, the first thing I -- I mean, I was trying to get back to the scene. There

was so much police -- there was so much emergency people there, so I was trying to figure out -- in my mind I was thinking it was the south end of Dixiana or south end of Silica. And then, you know, so there was no way of getting back through there, so I came back through the ramp and walked up from A Lot up to C. And the first thing I saw was Amtrak engine, which was totally, totally demolished. I mean, it was bad.

But, and then I seen Mr. Betts bringing the crew across the engine over towards where I was at. And that's -- you know, I seen Mr. Vargo and Mr. James. That's the first time I seen them, right when I -- pretty much right when I got there. They were walking across the engine with Mr. Betts to come down. And then Mr. Betts went back up on the engine. I think he was getting ready to do a download or do something.

Q. Did you have any discussions with the crew?

A. Yes. First thing I asked was, one, were they okay? You know, did you need any medical assistance? Mr. Vargo was, he was -- he told me he was, you know, okay, he didn't need anything. The engineer kept kind of pointing to the back of his head. Looking, you know, I couldn't see what was on the back of his head, but, you know, they were both pretty shook up. Kind of asked them, you know, well, what happened, you know, after I determined that they didn't need medical attention immediately right then. And Mr. Vargo was telling me he was pretty confident and pretty positive that he got the switch back.

And the engineer told me that, you know -- both of them were telling me what happened. You know, of course, where Mr. Vargo was, Mr. Vargo was also telling me he was getting pinched, you know, up on the walkway -- you know, fell down and then whatever moved was able to get him free and get to the ground. And he was covered in diesel fuel.

Mr. James, he told me -- basically he said he was lucky to be alive because he actually was off the engine. He told me he was off the engine walking up to check the switch, and when he saw the Amtrak headlights coming he -- I don't think, I don't think -- remember him telling me if he knew which way the switch was lined or not, but when he saw the engine coming he started running up the hill.

And Mr. Vargo then kind of started telling the rest of his story. He said, you know, he was on the engine, saw the Amtrak train engine or Amtrak train coming in, make the turn into the siding. Mr. Vargo said he grabbed his cell phone and started running out the back engineer's door, out the back. And then that's when, you know, that.

So by that time Mr. Betts come down there and, you know, we wanted to just make sure the crew was okay and get them down and away, so I think Mr. Betts told the crew go get in his truck. And then that was basically the interaction I had with the crew at the scene.

Q. You mentioned earlier about the job briefing that you had

with the crew. Sounds like multiple job briefings with Mr. Vargo especially --

A. Yes, sir.

Q. -- during -- at the beginning of their shift. Would you consider -- I mean, rate that job briefing. Would you consider that job briefing that you had that day with that crew normal as far as the extent of what was discussed and the length? Or was it more than normal or less than normal? Could you describe that job briefing as it relates to --

A. It was --

Q. -- a typical job briefing you would have with the crew?

A. It was more than a typical job briefing because it was a signal suspension. You know, the only difference in what we, you know, that we're doing is that area is signal territory versus not going to -- changing from signal to non-signal territory. So, I mean, it was just a change in the authority for movement for these guys. I wanted to make sure that their heads were on right, that they were focused in the right direction.

So, you know, I just wanted to make sure they knew exactly everything that they had to do and not to make any moves that were going to be unnecessary, and I didn't want them to play superhero basically to make moves out there just to make moves. I wanted them to understand the work's got to be done, but we got to do it safely.

Q. Do you recall if the crew had any questions specifically

about the signal suspension, the bulletins around the signal suspension, the operations that they had to perform under the signal suspension?

A. No, sir. I do not recall that.

Q. Do you recall was there any misunderstanding -- do you think there was any misunderstandings of your instructions or the bulletins with the crew?

A. Not to my knowledge, no, sir.

Q. Okay. You mentioned a job aid that you had produced and printed out copies there and put in the crew room for the crews. Does that job aid, did it include milepost locations of all the switches, the power-operated switches?

A. It included the switches for the absolute signals and the power switches for those. Yes, sir, it did, but not -- it did not include the switches at the north and south end, Dixiana or Silica.

Q. Is there any other documentation that would provide a crew such as Vargo and James the milepost locations of those electric lock switches there, like in Silica Siding?

A. Yes, sir, timetable.

Q. Timetable? When you were describing to Mr. Torres earlier about locking switches and derails during switching operations, the last move of that night, can you just -- can you describe the last movement of that night? Are you aware of the last movement that that job made from the facility back into Silica Siding?

A. Yeah. From what I gathered, the information that I received -- I didn't know exactly what -- I gathered this information later, that they were actually finished spotting B Lot, that was their last moves. They would come back up engines light. From what I understand, Mr. Vargo pulled them high, got the derail and the switch on the north end of the runaround, and then pulled them up high of the Silica, Silica north end switch, and had him shove back.

Q. So when he, when Vargo pulled James high of the Silica, the north end of Silica Siding switch, he would have been -- operated the switch in the reverse direction into Silica Siding; is that correct?

A. Yes, sir. Well, I mean, he may have possibly left that switch from the siding to the main, which he would -- yeah, he would've had to throw that switch, yes, sir. Right.

Q. Because in order to pull high --

A. Yeah, that --

Q. -- that switch would've had to been restored for normal.

A. Yes, sir. He threw the switch back so he could -- absolutely.

Q. So then he would have to line the switch in a reverse direction --

A. Yes, sir.

Q. -- to back James into the siding?

A. Yes, sir.

Q. Okay. So when he lined that switch in a reverse direction to back James into the siding, where would you have expected James or Vargo, the conductor, to be at, at that time?
A. When he backed him in I would expect to have seen him probably at the switch to put it back in normal.
Q. To restore it to --
A. To restore the switch back for the main line.
Q. So when he lined that switch in reverse direction, would you expect him, if he was going to man that switch and stay there till James was backed into the siding, would you expect Vargo to lock that switch while he was standing there --
A. Yes.
Q. -- for that backup move? But you would have expected him to lock the switch and then unlock it again to restore it?
A. No, I would've expected him to throw the switch back for the main line and then lock it.
Q. So he would have only locked the switch one time and that was when he restored it?
A. Well, no. When he had the switch he would -- no. He would've had to lock the switch twice. I guess I'm not following what you're asking.
Q. Okay. So he's attending the switch.
A. Right.
Q. You would expect him to attend the switch?
A. Right.

Q. And so it's a quick move to pull high, reverse the switch, shove in the siding, and then restore the switch?
A. Right.
Q. It would be the normal operation there, right?
A. Right, right. Yes, sir.
Q. So in that normal operation and him manning the switch, would you expect him to lock the switch when it was reversed or only lock it the final time when --
A. Final time to the main line.
Q. Okay. Thank you. Did you inspect the switch?
A. I did not. I never went down there.
Q. Okay. In your duties as a trainmaster, you mentioned, you know, making sure you run a safe operation. Have you ever tested crews on tester -- yeah, tested crews on lining switches properly and reporting switches such as, you know, dark territory types of operations?
A. Yeah, I have done it before. I can't recall the last time I -- I just can't recall the last time we've done the dark territory switches. I know me and Mr. Brown had tested, and I'm not sure if I put the test in when we were up at Eastover. Just a few weeks ago, 3 or 4 weeks ago we were testing crews in dark territory up there.
Q. So you've been a part of the test team or testing, and you yourself, on --
A. Yes, sir.

Q. -- crews in dark territory lines which is restoring switches?
A. Yes, sir.
Q. Have you ever audited a crew's switch position awareness form?
A. I have in the past. I'm not -- I can't tell you when the last time I've audited somebody though.
MR. AMMONS: That's all I've got at this time.
BY DR. McKAY:
Q. Mary Pat McKay, NTSB. I too have some questions about the normal operation with the signals functioning, about the switching and the timing out. So you're coming up to the switch, everything's lined for normal operations and you want to use the siding. You unlock it -- this is the switch at the north end of the Silica Siding.
A. Yes, ma'am.
Q. You unlock it and there's a delay before you can throw the switch --
A. Yes, ma'am.
Q. -- of 15, 17 minutes, something like that.
A. Yeah, something, something in there.
Q. Okay. Now you know that you're going to be coming in and out of the siding because you're moving a whole bunch of cars around and maybe it's going to take you several hours, take the crew several hours, in this case, to do all the work that they needed to do. Do you leave that switch unlocked for that period of time?

A. Like if we pull into the siding and we're moving -- we're going to run around?
Q. You pull into the siding, you're going to go around to the runaround and then you're going to get some more cars and put them here, put them there, blah, blah, blah.
A. Well, it depends on what they're doing. You know, the crew will usually, if they're going to pull into Silica Siding, they'll leave the switch unlocked until they get back around to the other side. So yeah, they'll leave it open, and once they go do anything else they'll get the switch back up there. I mean, they'll use that switch, and provided what their moves are that they're making -- if they're switch off the main line, it's going to be different. If they're switching off Silica, it'll be different. So they're -- I mean, as long as they're using those switches, they're going to -- they won't lock them up, you know, to --
Q. So would it be fair to say it would be typical to unlock the switches that you're using while you're doing all these switching operations and only lock them up again when you're done? In other words, you unlock -- you may flip the switch any number of times --
A. Right.
Q. -- but you're only going to relock it and re-engage the timeout, right --
A. Right.

Q. -- when you're done with the job?
A. Yes, ma'am. I mean, that's right.
Q. Okay. And so in this particular case if the -- if they pulled out onto the main track and gone high, right, so they flipped the switch to the main, right, to normal operations, but then to put the locomotives back on the siding, they've got to switch it.
A. Yes, ma'am.
Q. Right?
A. Right.
Q. The thing -- the correct thing to do would be to wait until the engines had gone in, flipped the switch back to main and lock it. Is that correct?
A. Yes, ma'am.
Q. Okay. We heard from the crew that after they dealt with putting the engines back into the Silica Siding, they went back over to the runaround switch and flipped it back to main. So they came out of the runaround, pulled high, got into the siding, and then went back and put the runaround switch back to main. Is that a normal process? In other words, would you kind of leave it open sitting there aimed at the siding for the amount of time it took you to run up the track and do all these other things?
A. I'm sorry. I'm sorry, one more time, ma'am?
Q. Okay. I'm sorry. It's complicated, right?
A. Yeah.

Q. So they came out of the B Lot, right. They came up the runaround and they came onto the main track. So at that point the switch at the top of the runaround was aimed to the siding, right? It was aimed to the runaround, from the runaround to the main.
A. I assume that because, I mean, that's what I was kind of told, but yeah.
Q. Right. That's what we understand at this point, right?
A. Right.
Q. We've been told the same thing.
A. Yes, ma'am.
Q. But then you pull high and you go and you deal with getting the engines back onto the Silica Siding on the other side, the other siding, and deal with that switch and that derail before going back to the runaround switch. Is that an expected process? Is that a normal process?
A. That would --
Q. What would you expect see, in other words?
A. That would be a normal process for them to make.
Q. Okay.
A. Yeah.
Q. Okay. And I know -- we know that Mr. Vargo had been on furlough and that Mr. James really wasn't working on a regular basis in the Cayce system. He was working in Greenwood.
A. Yes, ma'am. That's right.
Q. So did you have any sense that this particular crew was more

or less familiar with operating under the dark territory rules than other crews in your area?

A. No, ma'am, I wasn't. Mr. Vargo -- I mean, we have dark territory. All of our crews that we work at Cayce deal with dark territory every day. We work over on the Eastover Sub where you've got to get EC1 authority. And we've got a local F768 that we're working the EC1 territory to, you know, do our work with customers up there. So --

Q. So there's no reason for you to be particularly concerned about this crew versus any other crew that got assigned this job --

A. No, ma'am, that --

Q. -- being able to manage the signal suspension?

A. No. Mr. Vargo was from Spartanburg when he hired out and Mr. James, he also worked at Spartanburg. That's all EC1 territory.

Q. Okay. And did you have any particular sense that either of these two crew members were particularly stressed about anything, having a bad day, upset with one another, any sort of other things going on that you were aware of after speaking with them?

A. No, ma'am. Oh, you mean after the incident or before?

Q. Well, no, no, no.

A. Before. Before. Right, yeah.

Q. You spoke with them during the job briefing.

A. I'm sorry.

Q. Yeah.
A. No, I had -- there was not -- I wasn't aware of any issues that they were having.
DR. McKAY: Okay. I think that's all I have. Thank you.
BY MR. DRAKULIC:
Q. Greg Drakulic, FRA. The first job that the crew had was to go out to Glenn Road and bring in 794, correct?
A. Yes, sir.
Q. And after they completed that, the next job was to -- was the loaded auto racks already in the yard?
A. The loaded auto racks were on the main line at the south end of Cayce.
Q. And they were taxied?
A. Yeah, they were. Yes, sir.
Q. To the local --
A. They were taxied to Glenn Road.
Q. Okay. Okay. I just needed that clarification.
When they got down on the main with the loads and they ran around the Silica Siding and they first switched to A Lot and then they switched to B Lot last, with 38 cars, how long does that normally take?
A. I mean, it just depends on, number one, the conductor. It depends on how many switches they have. I'm not sure in this particular train because I don't know how many switches they had. I never asked them. But if it's straight shove-ins, if you don't

have any switches on the train, you can -- 38 cars, you can get that done I'd say within an hour and a half to 2 hours.
Q. Okay.
A. Shoving in. Switching the cut, I would say, you know, depending on what they've got to do. I mean, the train comes different every day. You know, you're probably looking at maybe 3 hours by what they're doing.
Q. All right. And going back, talking about the switch on the main going into Silica Siding on the north end. On a normal switching operation, you operate the switch, you shove the locomotives in past the switch. In this particular move they operated the switch and then the next, he got to derail locked back, then he went over to the runaround track and flopped that switch. And then, but from the switch to the derail, would you ride that on a normal operation? Because you're talking, what, 50 feet?
A. From the switch to the derail? No, I wouldn't -- normally I wouldn't ride it up there if he's already back. I wouldn't ride up there.
Q. And if you would ride it, you'd have to have the locomotive pull by the switch, clear the switch points and everything?
A. Right.
Q. And by the time you're there, what are you? Now you're even less --
A. I'm sorry. Let me --

Q. I'm sorry.
A. -- understand.
Q. Okay. Once you pull the engine by the switch points and everything else and lock that switch, then to walk down and get on a locomotive and ride it to the derail, so many feet --
A. I mean, I'm not sure what the footage is between the derail and the switch, but I mean with efficiency, I mean, it -- I wouldn't expect -- I mean, I wouldn't expect him to go -- you know, have him back up past the derail and then throw your switch, line the derail. That's what I would -- I mean, that's what I would expect.

MR. DRAKULIC: All right. Okay, that's all I have.

BY MR. RICHARDSON:

Q. Shane Richardson, FRA. When you first seen the crew, you discussed that the engineer told you he was off the locomotive going to check the switch.
A. Yes, sir.
Q. Did that not seem extremely strange to you?
A. Yes, sir.
Q. Why -- did you ask him why he was checking, off to check the switch at that point?
A. I wasn't there to press the crew or really get into an investigation moment with those guys at the time because I was more concerned with their --
Q. Yeah, I think there was a whole --

A. -- what was going through their head.
Q. -- lot more (indiscernible).
A. But I wasn't -- at that point I wasn't really there to question them about all that. I mean, my first inkling was are you okay and get a generalization of what happened, you know. But yeah, that did sort of --
Q. But at some point before they come off -- went off duty, I'm sure somebody interviewed them, correct?
A. Yes, sir.
Q. They did -- they filled out a statement, I'm sure.
A. Yeah, I wasn't a party to that.
Q. You wasn't a part of that?
A. No, sir.
Q. Okay. I guess the next question, through all this, when he come out at the end of the day under light motors, he pulled high and then he restored the derail and restored the switch out of the runaround. Is it normal for them to leave that derail off the whole time they're down at that car lot switching?
Because the purpose of the derail, I assume, would be in case them empty auto racks rolled out from the siding onto the main. And it seems it was off for the entire time, I guess, what, when they runaround the train --
A. Are you talking about the runaround, sir?
Q. No, the Silica Siding.
A. Silica Siding? Yeah --

Q. Would you take exception to that if you would have been doing efficiency testing?
A. If I had cars in the siding, absolutely, I probably would. You know, I'd say, you know, you need to have the -- well, I'm not -- no, I'm not sure I would, sir, to be honest. Because we normally operate that way.
Q. Okay. I mean, that's a one-way derail specifically designed to keep the cars --
A. Right.
Q. -- in that siding from leaving that siding.
A. Right. I mean, I've been down there, so I haven't really -- you know, I don't know if I would have at the time or not, to be honest, sir. I'd have to check my rules on that to make sure.
Q. And just a question -- I asked this yesterday also, but when you do rules testing, efficiency testing, if you check a crew to see if they are properly filling out their SPAF form when they're operating in dark territory, is there any way you can record that you tested that crew with that?
A. I'm sorry, sir? What do you mean recorded?
Q. When you, when -- like if I pull your efficiency testing for the last year --
A. Right.
Q. -- and I want to see what you've been checking crews on --
A. Right.
Q. -- see what your efficiency testing has been testing, is

there any way that I would know that you in your entire career have ever tested somebody on the SPAF form?
A. In my entire career?
Q. In the computer system, CSX's computer system, is there a rule number that you enter into the computer when you check somebody's SPAF form?
A. I believe there is. Yes, sir, there is a rule. I'm not sure what the rule is, but I believe there is a rule that -- for the SPAF form for the switches in dark territory that you're going to throw.
Q. So it would be normal to think that any employee that works for CSX, any conductor that operates in EC1 territory should have a test in their records for a SPAF form being filled out properly?
A. Yeah. I would say, you know, you would expect people in your territory to have a test done on a SPAF.
MR. RICHARDSON: Okay. That's all I have for right now.
BY MR. ALDRIDGE:
Q. Bryan Aldridge, BLET, getting back to talking about the derail and Silica Siding on the south end where they were building their train. If they were going in and out of there in that derail would they lock that off or just throw if off?
A. They would throw it off and lock -- put the lock back in.
Q. Same way if a switch was reversed as well; is that correct?
A. Yes, sir. That's correct.
Q. Okay.

BY MR. CAMPBELL:
Q. Matt Campbell, SMART Transportation Division, just want to kind of touch base. The job briefing you had with this crew, Mr. Vargo and James, was over the phone?
A. Yes, sir.
Q. Is that a normal operation for a job briefing? Are they usually done over the phone or face-to-face?
A. They're done both ways. We, you know, like I said before, we've got multiple territories, we've got places we're at, you know, but it's done either way.
Q. Would the phone and not being able to be there face-to-face, I guess that's because you're covering something else or in another location working?
A. Yes, sir.
Q. Is that something that's -- is that a normal practice over the years or is that something recently where you were covering more territory than normal? I mean, is there less of your position now than there was, say, a year to two ago?
A. No. I mean -- no, sir. It's pretty much a normal process everywhere I've been, on the territories I've worked, because I'm -- mostly I've worked in terminal with line of road responsibilities, so you're not always there to talk to everybody.
Q. Do you know if there's any discussion or in your trainmaster career as far as the benefits of the job briefing or the positive outcome comparing -- is there anything looked at to see whether a

face-to-face that where you're there with an employee to walk through things versus a phone, which one is -- provides better outcomes?

A. I'm sorry, sir? One more time.

Q. Has there been any discussion amongst the trainmasters or in general, you know, amongst crews, to see which is more beneficial, a phone or a radio job briefing or something face-to-face?

A. We haven't had any discussions like that. No, sir.

Q. Well, I'm --

A. I mean --

Q. When you're -- in your view, what do you think? Do you think there's any advantage to one or the other?

A. Well, the advantage for a face-to-face is you get to see the crew and see -- like, one of the questions asked is, you know, how they are? I mean, you can generally see that a little bit better than you can hear it sometimes. So, I mean, yeah -- I mean, obviously it would be better face-to-face.

Q. I understand. Okay. That makes sense to me. Well, do you know -- well, Mr. Richardson from FRA asked about the switch position awareness form testing? Are you aware if Mr. Vargo or Mr. James had been tested on using this form any time in February?

A. I'm not sure, sir.

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

BY MR. LANDY:

Q. Marcus Landy, Office of Regulatory Staff. In the 2 years

you've been here, Mr. Kelsey, and guys working that route and Mr. Vargo had been furloughed for a while. I think he came back to the Columbia area about July of last year.

A. That sounds about right, yes, sir.

Q. In that time frame are you familiar with him working the auto ramp job down at Dixiana?

A. Yeah. Yes, sir, I know I'm -- I can't tell you the days, but I know that he's worked the auto ramp at Dixiana.

Q. A sufficient amount of times?

A. Yes, sir.

Q. And during those times he had no -- during the job briefings you had were there ever any concerns or issues that he expressed to you about being unfamiliar with the milepost and knowing exactly what the switches were called as it relates to potentially filling out a SPAF form?

A. He did mention that in the job briefing. I was getting ready to tell him timetable, but there was another engineer that was in the room at the time, Mr. Ross, told him he had the switches, and then Mr. Vargo said that he would get them from Buck.

Q. And that -- did that pose a concern to you or trigger a thought in your mind that this gentleman may be unclear with this particular territory?

A. No, sir. I took it that he would have more referred to it as his north end, south end, Silica, north end, south end runaround and just didn't know exactly what the mileposts were.

MR. LANDY: Okay. Thank you. No other questions.

BY MR. HINES:

Q. Mr. Kelsey, how are you?

A. Yes, sir.

Q. Doing all right?

A. Yes, sir. Thank you.

Q. Okay. So one area I just want to clear up for me is the qualifying runs. I'm a conductor, promoted and I bid or bump into Cayce Yard. And you said there was three -- you work three jobs or three trips?

A. Well, we do --

Q. To qualify is what I mean.

A. To get qualified, a new hire conductor --

Q. Okay.

A. -- three trips per job, you know, all the jobs that we have.

Somebody bumps in and comes in, I'm going to -- you know, they're obviously qualified conductors so you may give them -- you know, I allow them, you know, to tell me basically when they're ready, but we will give them the same amount of time, the three trips. If a guy's competent on what he's doing and says he doesn't need it, then I may just have a quiz with him and find out how he's feeling about it. I mean, you know, but we generally pretty much stay with the three trips for somebody new to the territory.

Q. Okay.

A. That's never been there. If somebody -- I guess that's what I'm trying to say. Anybody that comes new to the territory is going to get the three. Anybody that's been to the territory and has been away for a while, they, you know, they might not get the three if they don't need them.
Q. I got you. So they will work with another conductor --
A. Right.
Q. -- on that job? Is that -- is there an instructor conductor?
A. No, it's a -- he's going to be -- the conductor is qualifying him, so he's working as a qualifier.
Q. And that quiz, what would that quiz consist of?
A. Well, it's just verbal. It's just their oral talking, you know, find out their comfort zone with what they're doing. And, you know, we may come out and say, hey, you know, you may need one more trip or something. It just basically depends on that.
Q. Okay. So that's to evaluate their knowledge of the -- qualification purposes, the physical characteristics --
A. Yes, sir.
Q. -- for the job? And is that documented anywhere?
A. Well, yeah, they take PODS every year on the physical characteristics of their territory that they're operating on. So yeah, that's in -- that should be in there, in their history.
Q. Back to the efficiency testing, what can you tell me about your efficiency testing program? What's your protocol? As a trainmaster what's your responsibilities?

A. One, my first responsibility is to meet the system requirements and the division requirements, so that's that line. So we've got to make sure that we abide by that. Second requirements would be to hit areas that we feel we're deficient in, switches, you know, anywhere around yards, anywhere we're doing some type of moving, switching, you know, something that keeps us from tearing things up and derailing, things like that.

Q. Okay. So what -- you have the system requirements then you have the division requirements?

A. Yes, sir.

Q. So what are the system requirements?

A. I believe the system requirements are, I want to say it's 60 -- I think it's 60 per month on -- you've got to have -- and I can't remember all of them. There's quite a few requirements that we've got to have. There's drug and alcohol; there's cell phone use; there's handling switches, shove moves. I mean, I would have to really look at the system bulletin to refresh my memory on it, but there's quite a -- there's -- and banners; we've got to have five or six different -- you know, there's just -- maybe a little more than that. There's a spreadsheet that we keep, but I don't have it with me. I just can't remember all of them.

Q. Sure. Sure. Maybe we can get that.

How about the division requirements? What would that consist of?

A. Well, you know, I'll take it back. I'm not sure if the

division requirements are out, and then I'd have to look at it.
Q. Okay.
A. I know they've been sending us spreadsheets what we're supposed to do. I mean, I have to really look at it. I know I try to keep up with the spreadsheet Mr. Edwards sends to us to make sure I'm meeting my goals and stuff on that. But I know we used to have division. I'm not sure if we do have it or not now. I'd just have to look at it.
Q. Got you. So someone will send you a spreadsheet to let you know where you're at with your quota?
A. Yeah, they'll just to -- you know, it's a -- yeah, pretty much. Not, you know, not necessarily a quota, but to let us know, you know, what we're deficient in for the month so we can meet our requirements. Probably 9 times out of 10 you're going to do more than the system requirements.
Q. Right. Which is 60 tests of --
A. I believe it's 60, yes, sir. Right.
Q. Okay. And when have you performed or you've done efficiency tests on Mr. Vargo and Mr. James?
A. I can't recall if I've done Mr. James yet. I know I have done an efficiency test on Mr. Vargo.
Q. Do you remember when that was?
A. I can't remember the last time, sir.
Q. Is there a minimum requirement to test tenant railroads, such as Amtrak or any other tenant that would operate over CSX?

A. I can't answer that right now. I know there used to be requirements to test Amtrak trains. I'm just not -- I haven't tested an Amtrak train in a while.
Q. Okay. Out of your time, and it sounds like you've got a lot of responsibilities, how much of your time do you spend conducting efficiency testing or out monitoring a crew's performance service?
A. Well, we try to do efficiency tests every day. Every day you're out there, you're pretty much efficiency testing, keeping your eyes open. Whether I put that in or not, you know -- you know, I might not. But you're constantly focused on what these guys are doing and making sure -- every time you're watching it's an efficiency test. When you're on a test team, when you're actually going to put -- I'm going to put this test in right here; I'm watching this crew specifically for this.

I try not to be there more -- I try to be there 30 minutes or so, 40 minutes. Other than that, you know, you could sit there and badger. And me, if you're longer, you can a guy that will sit there and you can watch him until he messes up. So I really try to be fair to the guys when I say, when I'm testing, I will spend maybe 30, 40 minutes depending on what type of test. It might take a little bit longer. In that 30, 45 minutes or whatever I pretty much know how this guy's operating and have a good idea and understanding that he's got it or, you know, how he's doing.
Q. Okay. So Mr. Vargo, you said you performed more tests on him and you said you didn't perform any on Mr. James, but have you

ever taken any exceptions to any of his performance?
A. I don't think I have. I'm not sure, but I'm -- don't think I have with Mr. Vargo.
MR. HINES: Thank you.
BY MR. REAVES:
Q. Stephen Reaves with Amtrak. A couple questions. So you mentioned you conducted a job briefing with the crew and you told them about filling out the switch position awareness form.
A. Yes, sir.
Q. So that you did bring that up at the job briefing?
A. Yeah, I told them to make sure that they covered the switch position awareness forms and that they communicated with each other and filled the form out.
Q. Okay. The instructions for the signal suspension, got an email with the instructions, do you know if those instructions had any information on filling out the switch position awareness form?
A. I'd have to read it, but I don't remember seeing anything about the switch position awareness form on it. I'd just have to read it.
MR. REAVES: Could we get a copy of those instructions?
UNIDENTIFIED SPEAKER: Yeah.
BY MR. REAVES:
Q. As far as the switch position awareness form, who's responsible for filling that out?
A. The engineer pretty much will fill that out and initial it.

Q. Okay. So the engineer would fill it out and put their initials on it --
A. Yes, sir.
Q. -- once it's filled out. Is the conductor required to have a switch position awareness form filled out as well?
A. No, he just uses what the --
Q. Engineer has.
A. -- engineer has basically.
Q. As far as the testing news, efficiency testing, have you tested or checked any of the crews the past year on switch position awareness form to see if they were filled out correctly?
A. Sir, I don't think I have. No, sir.
Q. How long are they required to keep that?
A. I believe it was changed. I think it's the next tour of duty.
Q. As far as the training on the job, you have three times working a job before I guess they're considered qualified on the job or assignment?
A. Yeah. Yes, sir. And not everybody's the same.
Q. Yeah.
A. So we set it up and our crew train in the Gateway. We will assign them, you know, the three slots for each job that we have. If a conductor or engineer or somebody is concerned or they have any type of issues, I mean, we'll allow more training. We'll set it up for more training.

Q. Good. So if, say, a brand new conductor just got marked up and working a job, could they potentially be training a person that transfers in? Do you look at that and say, well, this person just marked up yesterday and is working a job, we don't want him training somebody to work?
A. I mean, potentially yes, they could.
MR. REAVES: That was all I had. Thank you.
BY DR. HOEPF:
Q. Hey, Kirk.
A. Yes, sir.
Q. Still doing okay?
A. Yes, sir, I'm fine.
Q. All right, great. And appreciate you talking to us. This is Mike from the NTSB. I got sort of, kind of -- sorry to bounce around a little bit, just filling in some holes here based on some of the other conversations we've had with everybody else, so if you can just hang with us.
Can you just tell me a little bit about who reports to, who do you report to kind of thing? So how many people were you in charge of and who do the people consist of?
A. I don't know the exact number. It's anywhere between 30 and 50 people, I would say. I mean, between yardmasters and conductors, engineers, you know, a lot of road guys when they come in from other territories, they will report to us also.
Q. Okay, got you. We've also had a conversation with Eric

Betts.
A. Yes, sir.
Q. Is he like -- he's your co-worker?
A. Yeah, he's a -- he's my co-worker. Me and him cover the same territory.
Q. Okay. So the same people who report to you also report to him?
A. Yes, sir.
Q. Okay. So do you talk to him on a regular basis?
A. Yes, I talk to him just about daily.
Q. Okay, got you. I mean, I'm just trying to get an idea of how should I understand. Is it, you know, when you're not on duty, he is, and you kind of have the same job?
A. Well, generally the way we work it now is I'll work day shift and he'll work nights. We're pretty much a 7/24-hour operation. We're on call most of the time. We do try to give each other off days. Generally he'll take Fridays and Saturdays; I'll have Sundays and Mondays. If it's something that I can, you know -- of course, with the incident, you know, we're working, you know, something like that. So --
Q. Right.
A. We do try to generally give us -- give ourselves some free time.
Q. Okay. Sounds good. I'm just trying to get an idea. Thanks for that. Okay. And then, yeah, so who do you report to then?

A. My immediate boss is Rodney Brown.
Q. Rodney Brown? Okay. Just B-O -- B-R-O --
A. B-R-O-W-N.
Q. Yeah, okay. So how often do you talk to Rodney?
A. Pretty much daily unless, you know, if I'm on an off day or considered on an off day. You know, I may not talk to him on that day, but I pretty much talk to him daily.
Q. Okay, got you. All right. So does CSX have a safety department?
A. Yes, sir.
Q. Okay, and so how does safety information get communicated throughout CSX?
A. Safety's communicated and we do it multiple ways. You know, you'll do it through the Gateway, through communication through email. They'll send out the bulletins, you know, for the daily operations that we have. It's communicated, you know, multiple facets: email, phone, you know, you name it, it's communicated out.
Q. Okay. Does Mr. Brown, does he relay safety information to you or is it somebody from the safety department come and talk to you, generally just speaking -- just in generally speaking?
A. No, in general, we generally do not speak with the safety department. They'll put things out and when we usually get more information from my boss, you know, about things that we're going to be doing and things like that.

Q. So Mr. Brown will --
A. Yeah, I mean --
Q. -- relay that?
A. You know, we'll talk about what kind -- what are you doing for safety today and, you know, things like that. But I generally don't talk to the safety department unless something's, you know, needed, that I have questions about, you know, as far as rules and misunderstandings around interpretation. So --
Q. Okay, got you. Do you consider yourself to have a safety role?
A. Yes, sir, absolutely.
Q. Okay. But you don't work for the safety department, do you?
A. No. Well, I'm -- no, sir. I don't work for the safety department. I'm a trainmaster. But our primary goal and objective is safety first and foremost.
Q. Okay. I'm just trying to get a general idea of how information, you know, safety information flows throughout the organization. And then I kind of wanted to pivot to the topic of -- sort of just to clarify a little bit. So there's a signal suspension going on Saturday -- on Saturday.
A. Yes, sir.
Q. Right? And do you know what time that started?
A. 0800 on Saturday.
Q. Okay, okay. Just kind of for the record, if we could talk a little bit about -- I've heard signal suspension, which is

different than a signal outage, which is different than dark territory, or are those all the same thing in your mind? Can you -- I mean, I'm kind of -- I'm asking you a very broad, open-ended question, but if you could just kind of like talk for a minute or two just kind of open-endedly about, you know, what terms you use and what specifically do they mean or do those all mean the same thing? Does that make sense?

A. Sure. Yeah.

Q. Okay.

A. Well, a signal outage I would say would be something that happened when the signals go out in normal operations. A signal suspension is a planned suspension to change a signal system or change something with the signal system. And what was the third?

Q. Dark territory.

A. EC1, that's a method of operation that we use it. You got signals and non-signals.

Q. EC1 is --

A. Oh, I'm sorry. Authority for movements is what you got.

Q. EC1, does that stand for something?

A. God, I don't know what it stands for. I just know it as EC1.

Q. Acronyms, yeah, I know. Okay. So EC1 authority is synonymous with dark territory then for you?

A. I mean, I'm an old head, so, yeah, dark territory, non-signaled dark territory EC1.

Q. So dark territory is not an official term? That's just --

A. That's -- no. You know, you will not find dark territory anywhere in the rulebook.
Q. Okay. Is a signal outage an official term or is that just --
A. I'm not sure if it's an official term or not. I just know they -- when they say signal outage. But I would put that as something that happened, you know.
Q. Okay. So when we're talking about those terms, we're talking about just what that means to you. So a signal outage to you and most railroaders, you would -- that you would talk to would just mean that the signals are out maybe due to a storm or something like that?
A. That's what I would, that's what I would think of.
Q. Okay. And then dark territory, explain to me. So dark territory doesn't mean EC1 authority exactly. Could you -- sorry. I'm not making myself clear.
A. When I say dark territory, you're operating in non-signal territory.
Q. In non-signal territory.
A. Right.
Q. And therefore you have to use EC1 on those?
A. Yes, sir.
Q. Okay, okay. So the similarities between these different things would be that you would use EC1 authority if there's a signal suspension going on if the signals are out or if it's just dark territory. In any one of those three different scenarios,

you would need to use EC1 authority. Is that correct or am I incorrect?
A. Yes, sir. You need EC1 authority from the dispatcher.
Q. Okay. So on Saturday, there was a signal suspension going on --
A. Right.
Q. -- which is a planned outage and therefore you guys -- everyone was using EC1 authority. Is that correct?
A. Yes, sir.
Q. Okay, thanks. Okay. So you've got this planned suspension, signal suspension going on. Does that present any unique challenges?
A. When you've got a planned suspension? No, sir. I mean, the only unique challenge I would say for anything is that you took in what our normal operation was, was a signal territory and you're changing it to non-signal territory. I don't think it was a particularly tough challenge or anything like that.

The only thing is, is a re-focus of these guys' minds, what used to be what they do every day on this certain part of the territory to now you're doing non-signal territory. I expect everybody to understand and operate safely on non-signal territory with EC1 authority. So I don't think it's a dramatic change as far as those being overwhelmed because we're in a signal suspension.
Q. Um-hum.

A. Like they should be able to operate because they operate at EC1 territory everywhere, you know? Well, not everywhere, but, you know, certain territories. Most of them operate on EC1 territory.
Q. Right, right. So your assessment of that would be they're -- and correct me if I'm wrong here, but would you say it's a fair characterization to say that there would be a slight increased workload because it's a slight deviation from normal operating procedures? However, you think that because they're trained in EC -- using EC1 authority, your crews should be able to handle it without an issue?
A. Yeah, I would expect them to handle it without issues. You know, there is going to be some more -- a matter of time, you know, consuming because there's more communication involved, more writing, you know, with the dispatcher instead of calling the dispatcher, getting a signal and then leave all signal indication. You know, there's just a difference with that. And, you know, but I had confidence in these -- in everybody that when we did the signal suspension they knew what I was talking about --
Q. Right.
A. -- and were ready to do the job.
Q. Okay. So again, you had confidence in the crew, but you did acknowledge that it would take additional time to -- because of the paperwork required with the EC1 authority, that you would expect there to be more that they had to do than what they usually

had to do?
A. Not necessarily. I mean, well, when I say that, you know, the operation on running with signals you're -- call the dispatcher and he's going to give you a signal to get, you know, signal indication. You're going to operate based on signals. You get EC1, it's a one-time deal. I mean, it's certainly a little bit longer to get -- to handwrite, you know, your EC1 form out the dispatcher's reading to you, than saying, all right, can you line me out to south end? Yeah, come on my signal indication.
So there's a little bit longer time, but the dispatcher gives them the EC1 from milepost to milepost, certain locations, so he's got that track. Once he has that track, he's operating as if he was in signal territory. I mean, he's going to be operating, you know, with his -- it's his track. He's going to be able to move it.
Q. Okay. So --
A. I would say that --
Q. -- you're sort of saying it's going to take a little bit longer but not significantly?
A. The little bit longer that I'm talking about is the beginning of trying to get the track from the dispatcher.
Q. Okay.
A. Okay. I mean, you're talking, instead of typing in the computer to get a signal, you're talking about reading off an EC1 form. So however long that takes. I mean, it's probably a couple

of minutes.
Q. Okay. So you'd characterize it as a, more of a minor inconvenience?
A. Yeah, it's -- yes.
Q. Okay.
A. Yeah.
Q. Okay. I'm just trying to get an idea of does CSX have some precautions that they take when they're going to be operating under a signal suspension? Is there, is there some sort of safety device or -- I know there's a difference in the operations from -- excuse me -- from the procedures that you do when you're operating under EC1 authority as opposed to standard signaling. But I'm just wondering is there something, is there a need to mitigate risk associated with operating during a signal suspension?
A. I'm not -- I'm really not following you on that, but we're --
Q. Okay. So when we talk, -- excuse me; I need some water myself. So we're talking about system safety. You know, you identify a hazard. You've got, you know, trains coming through the area. And one of the things you need to do generally is identify when there's an increased risk. And what you need to do is you need to mitigate that risk by implementing controls.
And so I'm wondering from CSX perspective did anybody communicate to you, whether that's Mr. Brown or somebody else from the safety department, that because you've got a planned signal suspension and you're going to be operating without the signals

that you usually have, is there something you need to do to be more careful to make sure that an accident doesn't occur? Does it change? Is there anything you need to do to mitigate that risk?
A. No, sir. We've got -- we've already got rules and procedures in place to handle that. I mean, you know, you get the EC1 from the dispatcher; you get your switches from the dispatcher. I mean, it's all covered in the rules and procedures that's already in place for it. So there's no -- I mean, you know, the rules are there to protect what we're supposed to be doing out there.
Q. Okay. So it's really just an issue of you've got this set of operating rules and now you're going to switch the set -- you're going to go to this set of operating rules for EC1 authority, and that should take care of it?
A. Yes, sir. I mean, basically you're just refocusing them from a signal to a non-signal territory operation.
Q. Okay. And okay, and so when you had a job briefing you talked -- you mentioned the signal suspension but it was really just a matter of telling them that instead of using your standard operating procedures you're going to be using -- you're going to be operating using EC1 authority and be careful. Is that -- was that -- is that a fair characterization --
A. Yeah, basically --
Q. -- to say that's the extent of it? There was no other special ---
A. No, there wasn't no other special instructions other than to,

you know, lay out where the signal suspension was. If you're in this territory, these rules apply, and that you will need to operate under EC1 territory.

Q. Okay, okay, awesome. Thanks. Okay. And then just a couple other really small things, and this has already come up. So talked about there being a physical padlock on a switch. Can you explain to me what the purpose of putting the physical padlock on a switch would be?

A. Just so nobody can tamper or vandalize the switch. When I say vandalize, they can come out there and throw it, you know, just by it being out there. I mean, it's protecting the switch.

Q. Okay. And so when would you expect a conductor to put a padlock on a switch and lock it?

A. Anytime it's going to be left unattended.

Q. Anytime it's going to be left unattended.

A. Yes.

Q. Okay. And that's any amount of time or that's 5 minutes or 2 days?

A. Yeah, any unattended switch. If he's not physically going to be using that switch in a switching operation, I would expect that switch to be locked.

Q. Okay. So just typically, you know, if somebody's out there and they're working a job in a given area, would you expect that they would put the padlock on at the end of their shift?

A. Yes.

Q. Okay. Would you expect that they would put it on at any other time during their shift, assuming that they're there?
A. If they were to leave -- well, if they're there, I mean --
Q. Yeah, not like if they went out to lunch or something, but like --
A. No. No, I mean, if they're using the switch I wouldn't expect them to, you know -- like if they're -- when I say attending I'm saying they're right there with the switch. I mean, even if they're not using it, they're with the switch, but I -- when you're done with the switch and when you're -- you know, I would expect it to be locked.
Q. Okay. So that's kind of -- put yourself in the conductor's shoes. You snap that padlock on there. In your mind you're done with the switch. You've concluded your work with that switch for the day?
A. Yes.
Q. Okay. Okay, and then this is the last question I've got. I know that, you know, you responded to a pretty chaotic scene. You know, it was Sunday, early in the morning, and appreciate you talking to us about that. I'm sure it was really difficult.

Is there anything about those conversations that you recall that hasn't already come up? In particular, do you remember speaking to Mr. Vargo about did he talk at all about what he, what he saw or did or anything like that? Did he recall making any statements about the position of the switch or anything along

those lines?
A. Yes, sir. When I talked to Mr. Vargo, Mr. Vargo was pretty confident and sure of himself that he had lined that switch back for main line movement and then he -- also his conversation was what -- what was going on. But he was -- his conversation was he was pretty confident that he threw that switch.
DR. HOEPF: Okay. Thanks, Kirk. Tomas?
MR. TORRES: I don't have any questions.
Steve?
BY MR. AMMONS:
Q. Yes, I've got -- Steve Ammons, CSX. I've got a couple follow-up questions for Mr. Kelsey. Going back to the questions that you were just asked about your role, your interaction with the safety department, you said you've been a trainmaster for 19 years. Not looking back at the whole 19 years, but who would you receive, personally receive face-to-face training from over the last several years?
A. You.
Q. What department do I work in?
A. The safety department.
Q. Thank you.
A. Yeah. And I get that every year and, you know, I'm sorry if I missed that, but I had a face-to-face rules class set up in Richmond, Virginia, I think it was in November or December. So yeah --

Q. Yeah.
A. I apologize I missed that.
Q. That's okay. I just wanted to clarify for the record.
A. Yeah.
Q. Yeah, that's -- if there's any unusual or significant rule changes going on the system, is it unusual or is it common -- let me rephrase that -- is it common that you and other managers would be invited to attend a conference call with the safety department held by the safety department to go over all the rule changes and make sure there's any questions and answers asked and answered?
A. Yes, sir.
Q. Is that a common practice to say that?
A. Very common practice.
Q. Okay.
A. Yeah.
Q. I'm just trying to establish there is a relationship between the safety department and field officers. Does the safety department send out weekly safety alerts, safety briefings?
A. Yes, sir, every week. Every week we do get the safety alerts.
Q. Okay.
A. And that was part of my generalization about emails and stuff you all send.
Q. Right. I figured that's what you were talking about, so --
A. Right.

Q. In the annual training that you've received that the safety department or you as an officer may provide to engineers and conductors annually regarding methods of operation, signal territory, what we refer to as dark territory is the track warning territory, signal suspensions, is that common to see that material covered in an annual rules class with T&E?
A. Yes, sir.
Q. Is it correct to say that even in signal territory when the signals are not suspended and they're working as intended, is it true to say that employees still have to from time to time use EC1s to record mandatory directives from our train dispatcher?
A. Yes, sir.
Q. So it's not -- EC1s are not exclusive to dark territory?
A. No, sir. And I apologize for that. I know I've been saying EC1 territory. I just --
Q. I think we've all said it over the last day and a half, but I just wanted to make sure that everybody understood.
A. Yeah. No, yeah, EC1s are for mandatory directives from the dispatcher.
Q. And that can occur in dark territory --
A. Dark, signal --
Q. -- or signal territory?
A. Yeah, it can -- it will occur on both.
MR. AMMONS: Okay. All right. That's all I've got. Thank you.

BY DR. McKAY:

Q. I do have a few more questions. This is Mary Pat McKay, NTSB. We've talked at length about restoring the switch on these sidings back to the main line, putting them back in a normal position.

A. Um-hum.

Q. My question is if you're working in the yard, so you're working not on a main line, you're working in a yard and you're putting away equipment, and your shift is over, you know, it's time to go home. Which direction is the switch typically in for entering or leaving the yard? Is it aimed into the yard or is it aimed back at the siding?

A. We're talking about switches in the yard?

Q. From the siding into the yard, not into each of the --

A. You're talking about -- are we talking about Silica?

Q. No. No.

A. Oh, oh, from sidings to yards it's going to be lined for main line.

Q. It's going to be lined for main line?

A. Yes, ma'am. Or the siding tracks will be lined for main. All the -- the main line tracks will be lined for main line.

Q. Okay. And then the yard tracks will be lined?

A. If it's got a main line or going like that, it's going to be -- yard tracks have no normal position.

Q. They have no normal position, okay.

A. Right.
Q. So the answer is really it depends?
A. Yeah, I mean, I guess I was confused when you were --
Q. Okay.
A. -- talking about that. I'm thinking of Cayce Yard. When I look in my yard, I don't have a normal position for switches in the yard, right.
Q. All right. So you leave them where --
A. Yeah.
Q. -- it's appropriate for the situation?
A. Yes, ma'am.
Q. Okay. You've been doing this a long time. You've obviously been through signal suspensions. You have crews operating in dark territory normally. Have you experienced any other events under those conditions, signal suspension or dark territory, involving a misplaced switch?
A. During a signal suspension or --
Q. Yeah, either way, dark territory or a signal suspension?
A. Oh, yeah. Yeah, I've been involved with an improperly lined switch, yes, ma'am.
Q. And how were those discovered?
A. Train accidents. You know, derailment, something, you know, run-through.
Q. Okay.
A. That's usually when those pop up.

Q. Okay. So I want to talk a little bit about expectations about how these things get discovered in three situations. Normal operation in signal territory, signals are on and working, somebody misaligns a switch, says it's one way but it's not physically in that position it's supposed to be in. How does that get discovered? Signals are on, everything's working.
A. Oh, the signal's on and everything's working, there would have been a track light on. Dispatcher --
Q. Okay. And what happens if the track light goes on?
A. Dispatch will see that. Then we give a different type of signal to somebody that had the signal that was coming through that territory. And we'd give them something, you know, like a restricting or something coming to them.
Q. Okay. And if a track light goes on for the dispatcher, what do you expect would then happen?
A. For the dispatcher, if a track light came on, he's going to probably report that to -- depending on the situation, where it's at, it could be the signal department, maintenance of way, somebody, because we've got a track light out there for -- if it's unknown reason, it could be a broken rail, could be something.
Q. Okay. And how soon does that get investigated?
A. I mean, it varies. I know that the -- you know, you want a good response time to try to find out what's causing the track light to make sure that we can move trains. So I would expect that it would be an, you know, expedient type of move to try to

find out what's going on.
Q. Okay. So in this situation where the switch was misaligned, the crew calls and says it's lined, signals are on, everything's working normally, is it your expectation that would cause a track light to go off at the dispatcher?
A. In this situation yes, ma'am. I think that they would have seen this.
Q. And what would you have expected then the next step to be?
A. I mean, I would guess the dispatcher would probably call down and say, you know, say something to the crew, like -- you know, you gave the track back to me or whatever and we've got a track light; you know, what have we got?
Q. Okay.
A. So --
Q. So same situation, switch is misaligned, there's a signal suspension. Crew gives the information back to the dispatcher that they're giving back the track. They're returning the track. So they -- the signals are suspended, so really this situation would you expect the dispatcher to get a track light or any other information that would tell them there's a problem?
A. You know, I have to go back here, because I might be speaking wrong here. Because I know we've got -- when we have signals in the crew on the Eastman Lead, for instance, they have to come out -- and I may have to check on this, but when they come out they have to give the track back to the dispatcher every time that's

lined and locked for the main line. So I'm not real sure if they would get a track light, to be honest with you, in that situation. I'm not sure because I know we operate that way, so I just don't know the answer to that.

Q. So if someone in the Eastman section that's normally dark --

A. Um-hum. Well, it -- you're coming out on a main line switch and you're -- you know, you have to get permission from the dispatcher to come out from other than the main track over to the main line.

Q. Okay. And so same situation, the dispatcher's told the switch is in one position, it's actually in another position. Is there any other system in effect to catch that, find that, and send people to go look at it and figure out what the problem is?

A. Yeah. I mean, like I said, I would assume that you would get a track light on anything that was open on the main line on signal suspension -- not signal or whatever. I would think that you would get a track light because it's throwing -- you know, it's not -- it's just showing. So maybe I'm confusing myself when I'm answering this question, but I would assume that you're going to get a track light from that.

Q. Okay.

A. And I --

Q. Have you had any training in Positive Train Control, the way that's going to work through the system?

A. I've had some, yes, ma'am. I'm not, you know 100 percent

with it, but --
Q. Well, I know it's not operational in your current jurisdiction, if you would. But once PTC is in place, what would you expect to have happen when there's a switch misaligned?
A. Just by what I know, I would expect that the train would have stopped if it had been an improperly lined switch.
Q. So would there have been a signal to the engineer in the locomotive or --
A. I'm not sure how that would work.
Q. Okay. Okay. Even when PTC is turned on and functional, some magical day in the future, there are going to be needs to do signal work inside the system. Is it your understanding that that will still result in a signal suspension period where the signals aren't working and therefore PTC is not working?
A. I'm not sure, ma'am.
Q. Okay. One of the things that we heard about is that several people asked, double-checked with this conductor about the switch. The dispatcher double-checked and the engineer double-checked a couple times and then got off the train to go have a look. In your experience, 25 years on the railroad, is that a common occurrence?
A. No, ma'am. No.
Q. And do you have any sense of what might cause someone to double-check with their conductor in that way?
A. I'm sorry. One more time?

Q. What might cause the engineer or the dispatcher to double-check with the conductor in that way?
A. Just -- I mean, just for the engineer's peace of mind, what he's thinking. I mean, you know, I don't know what they were thinking with each other that night because I didn't talk to them about it. But, I mean, just the engineer getting a peace of mind on his own accord. You know, that's the only reason why I would think he would, unless he -- because if he didn't see him do it or whatever, then he might question it.
DR. McKAY: Okay. All right. That's all the questions I have.
UNIDENTIFIED SPEAKER: Okay. You can go ahead --
BY MR. RICHARDSON:
Q. Just a quick thought here. It's been passed around the room, it's been around that people were asking, it was kind of thought that the conductor's thought maybe he jumped -- got on the locomotive after he threw that switch at the Silica Siding and rode to the derail.
A. Um-hum.
Q. Where would he in this picture have to have his locomotive before he would be allowed by regulations to throw that switch back to the main? What would be his clearance point?
A. In the clear past the derail.
Q. So how would he have got on that engine and rode to the derail and thrown that switch?

A. I can't answer that, sir. I mean, yeah, he -- I mean, that's why I said before I would expect him to walk from the switch back to the derail.

Q. So does -- I guess what I'm saying is, I don't think there's any physical way to return that switch to the main and ride to that derail. There's just not enough room there to make all that happen.

A. Right. I mean, I think I answered that I would expect him to walk.

Q. Okay. All right. That's my question.

And another question is who is Shawn Hester?

A. Shawn Hester? You may have to refresh my --

Q. We have a statement from him, but it doesn't say who he is.

UNIDENTIFIED SPEAKER: Yeah, we have his statement --

UNIDENTIFIED SPEAKER: That's the chief dispatcher.

UNIDENTIFIED SPEAKER: Oh, okay. Thank you.

MR. KELSEY: Okay, yeah. I would just know him as chief.

BY MR. RICHARDSON:

Q. So in your opinion, though, he would have to be at least past the derail to be allowed to throw that switch back to the main --

A. Yes.

Q. -- mode?

A. Yes, sir.

MR. RICHARDSON: Okay. That's all the questions I have.

BY MR. ALDRIDGE:

Q. Bryan Aldridge, BLET. You said that you received a annual face-to-face rules class this year, this year?
A. Yes, sir. It was in the Richmond ACCA Virginia --
Q. Okay.
A. -- or Richmond, Virginia in ACCA Yard.
Q. But I know in the past that T&E employees on CSX have had a yearly PODS training each year and a yearly face-to-face over the past 5 or 6 years.
A. Yes, sir.
Q. Is that correct?
A. That's correct.
Q. Do you know if there's any plans to continue those or are we going to get our rules class every 3 years for our certification?
A. From my understanding is the face-to-face -- you'll have a -- you'll be required to do a POD training annually, but you're required -- the face-to-face you'll pretty much get, from my understanding, is when you do your recert.
Q. We will do POD training this year though?
A. I believe there will be some POD training, yes. I'm not 100 percent on that, but I believe there is, yes.
MR. ALDRIDGE: Okay, thank you.
BY MR. CAMPBELL:
Q. Matt Campbell, SMART Transportation. Just want to ask you, during the day -- I guess it would be the day when the Saturday crew came on duty, during that period of time, were there -- are

you aware of any other jobs, trains that worked under that same signal suspension work in the territory, you know, that came through the territory or would have been in contact with the dispatcher that you'd seen?

A. For the whole day?

Q. Yes.

A. Yes, sir. We had a morning ramp job that worked. F779 worked the ramp that day. I believe F756 went through there out of the yard going to Savannah. F780 worked going to DAK Chemical over off the Eastman Lead. And of course the F794, which is this crew, pulled that train in that was coming from Savannah. I'm not sure about any others, but --

Q. So these other crews, these other trains, would have operated in that territory in a similar manner, the same manner --

A. Yes, sir.

Q. -- under EC -- using an EC1 form, EC1 authority?

A. Yes, sir.

Q. Okay. And I know it was mentioned that EC1, the EC1 form in that procedure is also used for in-signal territory, and an instance of that was, just so I can kind of paint a picture, would be such as you're running under signal control and up ahead there's a signal that's not working properly or something. And then a dispatcher would notify you and give you permission to pass that signal using an EC1 form. Is that --

A. Say that again, sir. I'm sorry.

Q. An example of using an EC1 form in signal territory.
A. Yeah, I got it now. Yeah.
Q. You got it?
A. Yeah, you would get permission from the dispatcher. It would be a mandatory directive.
Q. And you would at the time over the radio copy those instructions, just an example: Dispatcher JDD gives train such and such permission by the signal, line the switch, and --
A. Right.
Q. -- you copy all that to the engineer and the conductor. And then as soon as you're done with it, you repeat back that you're clear of it and -- kind of the same thing they had to do tonight, but it's just that this just happened to be under a signal suspension?
A. That's right. Yes, sir.
Q. There was a question, you know, a concern, I guess, from everyone about the double-checking. The dispatcher said he double-checked about the switch. The engineer, obviously, was concerned about the switch. In your opinion, do you think that possibly that since the double-check, triple-check would have been because of the gravity of the situation of what could have happened, what did happen? In other words, you're switching out there, doing an operation, switching move, whatever you want to call it, on a stretch of track under different circumstances than what normally you would have operated on and also you have a

passenger train coming. You know, in your opinion, could you think that would have been the reason for those guys to double-check to make sure everything was lined up right?

A. Yes, sir.

Q. Then I know you did a job briefing via phone with the crew and touched on the EC1 form and what all they would have to do, but in those kind of scenarios on other days or any other time when you're changing the course you normally do and when you're changing the directive you're going to be working on around the territory or a job, is there -- I mean, is there ever any more special emphasis put on stressing those guys know what they need to do, other than their yearly POD training?

A. I'm sorry, sir, one more time?

Q. I mean, if we look at this accident, you know, like I was just saying -- I don't know the correct word other than the gravity of how catastrophic it is, and it could be the result from someone -- you know, I guess the investigation once it's done will tell -- not following all the procedures. You know, if you look at the whole picture, this is a pretty big event, you know, having the crews working under an authority they don't normally operate under on that stretch of track. I'm just trying to figure out if, you know, in your opinion should there have been, not necessarily on your end but overall, possibly more training or information based on that, you know?

A. I mean, they get -- like I said, we -- they've been trained

on the methods of operation that we have or method of authority for movement. I don't know of any -- not that I'm aware of any other training that we should supply other than, you know, these guys work in this type of territory or dark territory they're working in all the time.

Q. And not necessarily thinking about this crew in particular, you know, going back. I'm thinking about, you know, forward something that we could do more employee side in, leader side, who -- all parties involved, you know, looking forward to help prevent this, some type of like risk reduction plan, you know, we do other things, analyze it and then move forward. I guess a better method of double-checking than just asking each other --

A. Right.

Q. -- if we did what we're supposed to do?

A. Well, regardless, in my opinion, and regardless of putting anything in there, you're never going to hurt double-checking anything, you know? It's always going to be positive of what you're doing. The most important thing is to follow the rules that we've got. They're designed to protect us from what happened here, so -- and I understand in the conductor's mind he, you know, whatever he said happened. But, you know, I believe the rules are in place for us to protect ourselves against these matters.

Q. As far as looking forward, does CSX have any type of risk reduction plan? Is there any type of discussion on implementing one?

A. What do you mean risk reduction?
Q. Well, I know other railroads have something called a risk reduction plan.
A. Yeah, I'm not aware of that. I mean, I know -- I'm not aware of one, no, sir.
MR. CAMPBELL: I don't have anything else.
UNIDENTIFIED SPEAKER: I don't have any questions.
UNIDENTIFIED SPEAKER: Questions?
UNIDENTIFIED SPEAKER: None from me.
DR. HOEPF: Kirk, you still all right?
MR. KELSEY: Yes, sir.
BY DR. HOEPF:
Q. Okay, we're almost done. We're almost done. Just a quick circle -- let me just circle back to one quick topic, and we've covered this pretty extensively, so no need to go over what you've already talked about. But okay, so again, there's signal suspensions, planned outages, then there's outages that could be an emergency situation and then there's dark territory, which is just territory that there's usually no signals, and that's just -- that's just how it is; there's no signals and that's just normal for dark territory to acquire EC1 authority. Does that sound about right?
A. Yes, sir.
Q. Okay. Can you just give me a general idea in terms of the area that you cover what percent of the area is dark territory,

just roughly?
A. Hamlet Sub is signaled. CN&L is not signal territory. Around Cayce, the Columbia Sub that we pretty much operate, that we concern ourselves with up to Nassau is signal territory. And then we are turning engines daily over at the Y and off the Eastover Sub, which is EC1. Percentage-wise you're talking, just a guess -- I mean, not a guess. I mean, I've got far more signal territory than I do -- I'd say 20 percent, 30 percent if you're talking about the magnitude of what I have is non-signal and signal.
Q. Okay. So maybe 25 percent is dark territory and 80, 75 --
A. I mean, if you're talking about all the territories we have, I would put it at about that. I mean, you've got 60 miles -- 68 miles of track on the CN&L from Cayce, and we've got quite a few customers up there. You've got 60-something miles on the Hamlet Sub going up to McBee, and you've got, you know, approximately 10, 12 miles that we do at Nassau that are signals. So I would -- I mean, that's a fair assessment. It's pretty close.
Q. It doesn't have to be precise, yeah. I just --
A. I've got more signal territory than I do non-signal.
Q. Okay, okay, I got you. But so enough that dark territory is not something that's uncommon? I mean --
A. No.
Q. -- it's you would expect your -- most of your crew or all of your crew is pretty comfortable operating in dark territory.

Would you say that's a fair characterization?
A. Yes, sir.
Q. Okay, okay. Signal outages due to emergency situations, how often does that happen? Is that like once in a blue moon or is that, like, every other day?
A. I mean, no, that's once in a blue moon.
Q. Okay, okay, so that's pretty rare. So let's --
A. Yeah.
Q. -- not really talk about that.
Signal suspensions, is that once in a blue moon or is that, you know, every other day?
A. I'm trying to think. I've had probably -- we probably went through two or three signal suspensions here within the last year just on the Columbia Sub. Before that, I can't -- it's not as often as you'd think. It's -- I mean, it's -- I think the last one was back when I was in Knoxville, Tennessee and Richmond, so you're talking about 5 or 6 years ago. So it's not a usual -- I mean, it doesn't happen all the time, no.
Q. Okay, okay. And don't let me paint you into a corner here or anything. I'm just kind of wondering did I -- did you kind of suggest that your crews are comfortable, generally speaking, with EC1 authority because they're used to using EC1 authority in dark territory?
A. I mean, they use it daily when we work over on Eastover Sub, so, you know, it's a part of their daily routine that we do for

this crew based in Cayce.
Q. It's part of their daily --
A. I mean, we work with non-signal territory just daily.
Q. Okay, okay. Well, I guess, I guess that what I'm trying to just kind of make the case is, EC1 authority is something that you would expect people to be comfortable with because they use it all the time, but they use it for dark territory, which is a different reason than signal suspension, but they use the EC1 authority all the time so they're comfortable with it. Is that kind of a fair summary of --
A. Yes.
Q. -- what you said? Okay.
A. Yes, sir.
Q. Okay. So they're -- I mean, they were using it for a different reason, but they've got experience using it.
A. Yes, sir.
Q. I mean, just like I play golf. I play golf in Florida, I get pretty good -- well, I can't play golf -- but if you go out to Arizona and you're playing golf, you're still going to know how to swing a club.
A. Right.
Q. So now you see the analogy? Okay.
A. Yeah.
Q. Okay, okay. I just wanted to make that point that you wouldn't expect that people are comfortable with EC1 -- they

haven't used EC1 authority necessarily in this particular, you know, where this accident occurred, but they've used it elsewhere.
A. Right. Yeah. I mean --
Q. Okay. That's the only thing, that's what -- I just kind of wanted to clarify that. Okay. That's actually all that I've got. I know Tomas is going to have some concluding questions for you.
A. Sure.
Q. Before we get to that, I just want to ask, your summary, you know, looking at this, do you have any recommendations, any suggestions to increase safety, whether it's related to this or otherwise? Any ideas?
A. No, sir, not right now. I don't have anything at this time.
DR. HOEPF: Okay. Tomas or anybody else?
MR. TORRES: Anybody has any questions? Steve?
BY MR. TORRES:
Q. I'm just going to ask you some basic questions. Some of them may or may not pertain to you. What was the job number of this particular incident?
A. This job was F777-03.
Q. Okay. Are you a conductor/engineer? Do you have a certification?
A. I carry a conductor certification card.
Q. When's the last time you got certified?
A. Last year.
Q. Last year, okay. And do you ever get evaluated by somebody

else, like your superior?
A. Yes. I mean, performance evaluation, yes.
Q. And what's that based on? I mean --
A. It's based on safety. It's based on calls, you know, intangibles. I mean, when I say intangibles, you know -- I can't remember what they're called, but they're -- it's, you know, your based off pretty much how you manage.
Q. Now you mentioned safety. How do they rate that? I mean, how --
A. Well, it's basically your safety could be a certain percentage of less human factor derailments, less injuries, less something. You know, you're always looking to improve it every year, so -- yes, sir.
Q. Okay. Did your training prepare you for your job?
A. Yes, sir.
Q. Is this a safe place to work?
A. Yes, sir.
Q. Okay. Is there anything else you would like to add?
A. Not at this time, sir.
MR. TORRES: Nobody? Okay, this will conclude the interview. Thank you very much, appreciate it.
DR. HOEPF: Hey, thanks so much.
MR. KELSEY: No problem, sir. Thank you.
(Whereupon, the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:	COLLISION OF AMTRAK `TRAIN #91 AND A STATIONARY CSX TRANSPORTATION TRAIN NEAR CAYCE, SOUTH CAROLINA FEBRUARY 4, 2018 Interview of Kirk Kelsey
ACCIDENT NUMBER:	RRD18MR003
PLACE:	Columbia, South Carolina
DATE:	February 6, 2018

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.

Transcriber