

DCA-06-FR-004

**Norfolk Southern Rear-end Collision
Derailment**

Train No. 226 & Train No. 22R

Lincoln, AL

January 18, 2006

**Interview (2/1/06) of Conductor of
Train No. 226**

73 pages, including cover sheet

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of: *
*
NORFOLK SOUTHERN REAR-END *
COLLISION * Docket No.: DCA-06-FR-004
LINCOLN, ALABAMA *
JANUARY 18, 2006 *
*
* * * * *

Interview of: MONTE QUINN

Holiday Inn
Birmingham, Alabama

Wednesday
February 1, 2006

The above-captioned matter convened, pursuant to
notice.

BEFORE: RICHARD A. HIPSKIND

APPEARANCES:

RICHARD A. HIPSKIND, Investigator-in-Charge
National Transportation Safety Board
DuPage County Airport
31 West 775 North Avenue
West Chicago, IL 60185
[REDACTED]

RUSSELL GOBER, Operations Group Chairman
National Transportation Safety Board
Atlanta, GA

NORRIS FULFORD, Operating Practice Inspector
Federal Railroad Administration

SANDY CAMPBELL
Norfolk Southern

BEN BLISSETT, Safety Task Force, Investigator
Brotherhood of Locomotive Engineers and Trainmen

CURTIS WALL, Safety Team, Investigator
United Transportation Union

LARRY BARCLAY, Vice Local Chairman 622
United Transportation Union
Representative for Mr. Quinn

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I N T E R V I E W

1
2 MR. HIPSKIND: My name is Richard Hipkind. I am a
3 Railroad Accident Investigator for the National Transportation
4 Safety Board, and I am the Investigator-in-Charge of our
5 investigation of the collision or derailment of two NS freight
6 trains on January 18, 2006, at the Coosa siding in Lincoln,
7 Alabama.

8 The NTSB reference number for this accident is DCA-
9 06-FR-004.

10 I am here today, on February 1, 2006, located at the
11 Holiday Inn in Birmingham, Alabama, to conduct interviews with
12 the crew of Train 226A117, and I am accompanied with other NTSB
13 party representatives.

14 We are recording these interviews, and I would ask
15 that each of us identify ourselves before we begin speaking and
16 also as an introduction by providing your name, spelling of
17 your last name, your title and who you represent. Remember to
18 speak clearly and loud enough for the recording. I will, I
19 will begin, and we can continue going to my right with the
20 introductions.

21 Again, my name is Richard Hipkind. The spelling of
22 my last name is H I P S K I N D. I'm with NTSB, Investigator-
23 in-Charge.

24 MR. FULFORD: Norris Fulford. Last name is
25 F U L F O R D. I'm an Operating Practice Inspector, with the

1 Federal Railroad Administration.

2 MR. CAMPBELL: Sandy Campbell, last name spelled
3 C A M P B E L L. I'm Assistant -- Superintendent, at Norris
4 Yard, and represent Norfolk Southern.

5 MR. GOBER: I'm Russell Gober, NTSB, Operations
6 Investigator, in Atlanta.

7 MR. BLISSETT: Ben Blissett, I'm an Investigator the
8 Safety Task Force, for the Brotherhood of Locomotive Engineers
9 and Trainmen. The spelling of my last name is B L I S S E T T.

10 MR. WALL: Curtis Wall, W A L L, with United
11 Transportation Union, Safety Team, Investigator.

12 MR. HIPSKIND: And if we could have the interviewee,
13 if you'll identify yourself please.

14 MR. QUINN: Monte Quinn, last name spelled Q U I N N.
15 I was Conductor on the Train 226.

16 MR. HIPSKIND: And, Mr. Quinn, do you have a
17 representative here with you today?

18 MR. QUINN: Yes, sir.

19 MR. BARCLAY: My name is Larry Barclay, last name
20 B A R C L A Y, Vice Local Chairman, Local 622, United
21 Transportation Union.

22 MR. HIPSKIND: Okay. Good morning, Mr. Quinn. And
23 for the purpose of this interview, do you mind if I refer to
24 you as Monte?

25 MR. QUINN: That's fine.

1 MR. HIPSKIND: Okay. Thank you.

2 INTERVIEW OF MONTE QUINN

3 BY MR. HIPSKIND:

4 Q. Let's talk a little bit about your employment history
5 and could you tell us a little bit -- two things. When did you
6 hire out with the Norfolk Southern and give us some of those
7 dates and take us through your promotions, but also, if you
8 worked on another railroad prior to that, if you could include
9 that in your answer as well.

10 A. Okay. I was employed with Norfolk Southern April of
11 last year. I haven't been employed a year yet. I've been
12 through several training exercises, went to McDonough, Georgia
13 for a week, come back and worked in my home territory for three
14 or four months, and then went back to McDonough again for
15 another week of classroom and on-the-job training and then I
16 came back to Birmingham to work on my home territory. And I
17 qualified the 26th of September. And my current status is
18 Conductor.

19 Q. And, and when you hired out, did you hire out as a
20 Conductor?

21 A. A trainee.

22 Q. A trainee.

23 A. Yes, sir, a trainee.

24 Q. And do you recall about what time you were promoted
25 to the Conductor's position?

1 A. September 26th.

2 Q. Okay. And can you tell us a little bit about the
3 duties and responsibilities of a Conductor's position?

4 A. Yes, sir. My duties and responsibilities involve
5 keeping up with train concepts, be responsible on what we're
6 carrying, different duties of picking up cars, dropping cars,
7 tying hand brakes, and any other thing that's asked of me, more
8 or less the foreman.

9 Q. Okay.

10 MR. HIPSKIND: Those are all the questions I have.
11 Let me turn it over to the group. Russ, do you have any follow
12 up on employment history?

13 MR. GOBER: I don't have any on the employment
14 history.

15 MR. HIPSKIND: And, Mr. Fulford?

16 MR. FULFORD: No, I don't have anything.

17 MR. CAMPBELL: No questions.

18 MR. BLISSETT: No questions, BLET.

19 MR. WALL: UTU, no questions.

20 (Off the record.)

21 (On the record.)

22 BY MR. HIPSKIND:

23 Q. Monte, if we could continue. I need to talk with you
24 a little bit about the 72 hours prior to the day that you
25 reported, the day of the incident. So everything that we're

1 talking about here, we're trying to just get a greater
2 understanding about that 72 hours of work/rest cycle prior to
3 the day of the accident. So if you can, to the best of your
4 recollection, tell us about, if you worked each day, and about
5 how long you worked, when you reported for work, and give us
6 some idea of how many hours you were off duty?

7 A. Okay. My last, my last trip, I come in from Atlanta.
8 I'm not quite sure exactly the date, but the Company has
9 records of it. But I come in from Atlanta and took my rest,
10 and I got my rest and I was called for a yard job, and I worked
11 a yard job, and that was my seventh consecutive stomp, and I
12 took my 24 hours rest before I was called for this particular
13 job here on 226. So I had been off 24 hours.

14 Q. Okay. Let me see if I can decode that. You had
15 worked each day for the prior seven days. Is that correct?

16 A. Yes.

17 Q. And the first day prior to the day of the incident,
18 you had worked a yard job that previous day.

19 A. Yes, sir.

20 Q. And then prior to that, a road trip from Atlanta to
21 what? Birmingham?

22 A. Birmingham, yes.

23 Q. Okay. And again, you say check the records. Let me
24 ask you, just in general terms, how should we know and
25 understand when you're off duty, about how many hours of sleep

1 do you get?

2 A. At eight, nine sometimes. Sometimes more.

3 Q. Okay. The next thing, again, prior to the incident,
4 were you taking any medications or prescription drugs?

5 A. No, sir.

6 Q. And could you just kind of describe your physical
7 health in general terms for us?

8 A. I'd say good shape.

9 Q. Okay. And can you give us some idea of the last time
10 that you had your eyesight and/or your hearing examined?

11 A. Yes, it was April of last year when I was hired on at
12 the railroad. I took a physical. They checked my eyesight and
13 hearing.

14 Q. And you passed all that?

15 A. Oh, yes, sir.

16 Q. Okay. And again, I, I don't mean to be personal or
17 anything, and I don't want you to take this the wrong way, but
18 were there any issues or any problems in your life, any
19 particular events?

20 A. No, sir.

21 Q. Okay.

22 MR. HIPSKIND: That's all the questions I have.
23 Russ, do you have any follow up?

24 MR. GOBER: Not on the work/rest.

25 MR. HIPSKIND: Okay. And Mr. Fulford?

1 MR. FULFORD: Yes.

2 BY MR. FULFORD:

3 Q. Norris Fulford, FRA. What is your regular job
4 assignment?

5 A. Normally I'm a road Conductor from Birmingham to
6 Atlanta.

7 Q. On the extra board?

8 A. Yes, sir.

9 Q. Okay. And were you taking any over-the-counter
10 medications?

11 A. No.

12 Q. Had you been taking any?

13 A. Tylenol or something like that, you know.

14 Q. For what?

15 A. Like a headache or something, you know, sinus
16 infection.

17 Q. Had you taken some during the time previous to this
18 trip or during the trip?

19 A. No, sir.

20 MR. FULFORD: That's all the questions I have.

21 MR. HIPSKIND: Sandy?

22 MR. CAMPBELL: No questions from NS.

23 MR. BLISSETT: No questions, BLET.

24 MR. WALL: No questions, UTU.

25 MR. HIPSKIND: Okay. Thank you, gentlemen.

1 BY MR. HIPSKIND:

2 Q. Let's move on and I think maybe, Monte, you've
3 covered some of this, but I just want to go over it one more
4 time. Tell us again a little bit about your qualifications and
5 training and when you talk about the training, kind of give us
6 an idea of the number of days and where some of this training
7 occurred that, that led you to be a Conductor recently.

8 A. Okay. Like I stated earlier, the Company had sent me
9 to a school. They've got a school in McDonough, Georgia, where
10 they go over all the basics of safety, (indiscernible)
11 qualifications, duties, responsibilities, and they emphasize
12 safety. I'll give them that. It's a good course. And I went
13 there for a week, come back to Birmingham, and -- as a trainee,
14 and they put you with another Conductor, an experienced
15 Conductor, and you follow him around and he shows you the
16 ropes, responsibilities, what to do, what not to do, and I done
17 that for probably three months and then I went back to
18 McDonough, Georgia, for phase three, and that was more training
19 on safety, you know, job duties and qualifications, and I
20 passed and qualified it. Come back to Birmingham, and worked
21 again under an experienced Conductor, and I done that for
22 probably six months total, until I qualified on September 26th
23 of this past year, which I took a test, signal test and job
24 qualifications and passed it, and I was placed on the extra
25 board.

1 Q. And, Monte, you mentioned phase three, and I'm going
2 to hazard a guess here, and tell me if I'm close to being
3 right. Is phase one, is that that initial week that you go
4 down to McDonough?

5 A. Yes, sir, that's correct.

6 Q. And is phase two then when you -- after you leave
7 McDonough and you come out and you do the on-the-job training
8 with a Conductor, and he's kind of your mentor? That's phase
9 two.

10 A. Yes, sir. That's correct.

11 Q. Okay. Great. And in the course of your
12 qualifications, do you have to pass annual exams, book of
13 rules, safety, exams like that? And if you do, could you tell
14 us a little bit about that?

15 A. Yes, sir. Well, both times you go to McDonough, it's
16 an intensive training program where you study and learn the
17 operating rules of the Company, safety practices, job
18 procedures. More or less, well, both times, you know, you need
19 to be qualified, and you come back to Birmingham and like I
20 say, you work under an experienced Conductor, under his
21 tutelage, like an apprenticeship sort of thing.

22 Q. And in the intense training, they go over operating
23 rules, safety rules, signal aspects and meaning and indication,
24 all that kind of stuff?

25 A. Yes, sir. That's correct.

1 Q. Okay, Monte. Thanks, thanks for answering those
2 questions.

3 MR. HIPSKIND: I'll turn it over to the group. Russ,
4 any follow up?

5 BY MR. GOBER:

6 Q. You, you said it was intense. Did you feel like you
7 understood the rules whenever you left the training program?

8 A. Yes, sir.

9 Q. Did you have to take a written examination?

10 A. Yes, sir, I sure did.

11 Q. Do you remember what the score was that you did?

12 A. It was over 80 percent. You had to make a certain
13 percentage to pass the course.

14 Q. Is it 80 percent?

15 A. Yes, sir.

16 Q. Had you ridden any trains with trainmasters or other
17 officials?

18 A. Yes, sir.

19 Q. Did they comment about your work?

20 A. Yes, sir, they tell us we're doing a good job.

21 Q. Or do they tell you if you're not?

22 A. Yes, sir. They do that also.

23 Q. Okay. Do you have yearly follow up training or do
24 you have safety and operating rules classes?

25 A. Yes, sir, every year.

1 Q. Okay. Have you had them for 2006 yet?

2 A. No, sir, not yet.

3 Q. Okay. But because you started in 2005, did you have
4 the normal 2005 training?

5 A. No, sir.

6 Q. Okay. So you're scheduled in 2006 for follow up?

7 A. Yes, sir.

8 Q. Okay.

9 MR. GOBER: I don't have any further questions.

10 BY MR. FULFORD:

11 Q. Norris Fulford, FRA. I believe you stated you were a
12 road Conductor?

13 A. Yes, sir.

14 Q. And I also heard you say that you worked a yard job
15 the previous trip? Did you --

16 A. Yes, sir. Sometimes when they have manpower
17 shortages or having problems getting people, they'll call you
18 off the Conductor's extra board, the road board, to work a yard
19 job.

20 Q. But you've mainly worked on the East End since you've
21 worked there?

22 A. Yes sir.

23 MR. FULFORD: That's all I have.

24 MR. HIPSKIND: Sandy?

25 MR. CAMPBELL: No questions.

1 MR. HIPSKIND: Ben?

2 MR. BLISSETT: BLET, no questions.

3 MR. WALL: UTU, no questions.

4 MR. HIPSKIND: Okay. Thank you, gentlemen.

5 BY MR. HIPSKIND:

6 Q. Monte, what I would like for you to do now is, and
7 I'll give you a little bit of what we need to know. I want you
8 to take us through the day of the incident, and if you could
9 begin, give us some idea of the time of day that you were
10 called and then really just kind of paint the picture. We want
11 to sit back and listen to you talk for a while. Just take us
12 through and describe the day, where you reported to work, what
13 you did at the Birmingham yard, and then kind of tell us
14 everything that you know that happened that day and we'll just
15 kind of sit back and, and have you talk to us for a while.
16 Okay.

17 A. Okay.

18 Q. Thanks.

19 A. Okay. That morning, my rest was up, and I was
20 expecting to get called to work, and they had called initially
21 for another job and called and busted the call. The train
22 wasn't close to Birmingham evidently. And I laid around, fixed
23 my lunch, got my work stuff ready, and the phone rang again,
24 about an hour and a half, two hours later, and I was told to
25 report for 374. And I got my stuff together and I believe the

1 call time was around 1:00 if I'm not mistaken. I got my stuff
2 together and made my way down to my truck, and I left my house,
3 12 North Shore, and after I got to Norris Yard, I always check
4 my bulletins on the computer and I went to the computer to see
5 if -- I was told I was going to have a conductor trainee that
6 day, and I looked to make sure he was on the ticket, you know.
7 And he was. I got my paperwork and the conductor trainee
8 showed up, and I went over the paperwork with him, explained to
9 him what we were going to have to do, showed him the bulletins,
10 job -- stuff he had to have, and we waited probably another
11 hour and a half, two hours for the train to get there. And we
12 were taxied, you know, went to the yard, out to the mainline,
13 and got on the train, got everything ready, and left Irondale
14 Junction on the approach board.

15 Q. Do you know about what time that was?

16 A. I would say around 2:30. And -- but anyway, we left
17 the Junction there on an approach. We come on around, still on
18 approach -- got around to Lovick (ph.) and we got a stop
19 indication. We stopped and waited, and during this time, there
20 was some signal problems or they said the signal had failed and
21 it come back up and failed again, and we sat there and watched
22 it probably two or three times. We finally got another
23 approach and then we left. And I heard the dispatcher talking
24 to 198, and they had the -- clear at Central. We were
25 following them, you know, plus 22R because they left before we

1 had, and we had left on the approach board, was making our way
2 around and come to Henrietta, got an approach, through Leeds,
3 same approach indication, and they was clear. Everything was
4 going good, and I was sitting in the second seat. The
5 conductor trainee was sitting in the front seat. And I was
6 going over the paperwork with him. We were talking about
7 signals, calling signals, you know, things like that. And the
8 day was going normal. Everything was good, and we went through
9 Leeds on approach, just on the mainline, just slowly following
10 22R, you know, and through Cook Springs, I believe at Cook
11 Springs or at Roberts, one, I heard the dispatcher, we all
12 heard the dispatcher, tell 22R, that she was going to run them
13 in the siding at Coosa so we could get around them. We were on
14 a priority train. And just like I say, we followed them on
15 approach, you know, at an authorized speed, and we come through
16 Leeds on approach, and we got to Pell City on the approach
17 board, at authorized speed. We were going around and the
18 conductor trainee had stepped outside the engine on the long
19 hood side, behind the engineer, to smoke a cigarette. That's
20 how slow we were going. We were just creeping along, and he
21 come back in, and at this time, we were coming up on the signal
22 at Riverside, and he come back in, and the engineer had done
23 called the signal clear, and I had asked him which I let, you
24 know, the best way to train somebody with signals, I mean if
25 it's on the job, that's the way I learned and all the older

1 Conductors would get me to call the signal, and I asked the
2 trainee what the signal was, and he told us it was clear. And
3 at that time, the engineer called a clear signal on the radio
4 at Riverside. As we departed Riverside on a clear signal, the
5 engineer notched up and picked up speed on the signal
6 indication. We had come around the corner there at Coosa, and
7 the engineer had shouted that the switch was open in the
8 siding, and I jumped up and looked, and I couldn't believe it.
9 I was in a state of shock, and the next thing I know, the
10 engineer shoots the brakes on the train. We all braced and
11 held on and prayed, and the next thing I know we hit the back
12 of 22R.

13 Q. Do you have any idea how fast you were going?

14 A. Not to be exact. I would say between 40 and 50. I
15 couldn't exactly see the speedometer.

16 Q. You said -- go ahead. Finish telling the story.

17 A. And after the time it took for us to stop, all the
18 tumbling, tossing and crashing, after we did get stopped, we
19 all made sure that we was all right. We simultaneously asked
20 each other is everybody okay. And everybody was, you know, and
21 we made it out the engineer's side window, got down and crawled
22 around and helped each other out of the woods, and walked up
23 the road. There was a little house, and I guess the people
24 that lived there in that house had already called the police
25 department, and the fire department because they showed up just

1 simultaneously just as we got there, the emergency services.

2 Q. And then tell us about -- did you go to a hospital
3 and do tox testing and all that kind of stuff?

4 A. Yes. I went to the hospital. The ambulance pulled
5 up simultaneously. We were all hurting pretty bad. We were
6 all in pretty bad shape. The ambulance transported all three
7 of us together, and when we got to the hospital, the emergency
8 room, -- and the emergency room staff started taking care of
9 us, you know, kind of assessing our problems.

10 Q. Okay. Thanks. Thanks for that, Monte. Let me, let
11 me go back to the beginning here, and I just want to increase
12 my understanding. You, you get about a what? An hour and a
13 half call time to report to Norris Yard. That's the normal
14 thing?

15 A. Yes, sir, that's right.

16 Q. And you reported to Norris Yard at about what? At
17 about 1:00 or 2:30?

18 A. Around 1:00 I believe.

19 Q. Okay. And you had some time that you waited there.
20 What I want to know is, the train that you were called for,
21 that's not the train that you eventually got on, right?

22 A. No, sir. It was changed and sometimes this happens,
23 not a lot, but when I looked at the computer to see if the
24 conductor trainee, I looked on my ticket, and my ticket had
25 been changed to 226.

1 Q. What is a ticket? What is that?

2 A. That's just a page on the computer that shows the
3 engineer and the conductor, what time you're called for duty
4 and the train number. It's like a -- and when you get ready to
5 get off in the afternoon or whenever the shift is over with,
6 you go back to the screen and put off on it. It's just a
7 visual display of who you're working with and what train number
8 you're on.

9 Q. And the ticket told you what? That you were going to
10 be on Train 226?

11 A. Yes, sir.

12 Q. And was this just kind of a swap out, where you got
13 your paperwork, you did your job briefing, you get in a van and
14 as the crew's getting off of the 226 that arrived, your crew
15 gets on the 226 and then you proceed out of the yard?

16 A. Yes, sir. That's correct. 226 is a mainline swap.
17 It's not put together in the yard. You taxi to the mainline
18 and the other crew gets off and you get on.

19 Q. Did you have any conversation with the crew that was
20 leaving the 226?

21 A. No, sir, nothing other than a brief hello, how you
22 doing. That was the extent of it.

23 Q. Did they indicate whether there was anything to be
24 concerned about with the train?

25 A. No, sir. No problems were indicated whatsoever.

1 Q. In your recollection, you talked about that
2 everything was kind of normal. How am I to understand that?
3 Did the train operate okay? I mean you didn't have any
4 problems with it?

5 A. No, sir. We didn't experience no problems
6 mechanical.

7 Q. And you also mentioned that you had -- did you
8 observe the signal changing at I think you said Lovick?

9 A. Yes, sir.

10 Q. Paint the colors for us. Tell us the signal
11 indication.

12 A. Okay. We had -- we come around there and stopped,
13 you know, we had a stop indication. We were sitting there, and
14 I was looking at it, and the conductor trainee was not looking
15 at it, and it went from a stop to an approach to a clear and
16 then back to a red signal.

17 Q. So it started out red, and then you saw what?

18 A. Approach.

19 Q. A yellow.

20 A. Yes, sir, yellow.

21 Q. You're talking about just a single aspect on a single
22 signal head?

23 A. Double aspect at Lovick I believe.

24 Q. So it was a red over a red?

25 A. Yes.

1 Q. A stop.

2 A. Yes, sir.

3 Q. And then it was approach. How was it displayed?

4 A. Yellow over red.

5 Q. And then did you see any other changes in that
6 signal?

7 A. Green over red, and then it went back to stop.

8 Q. Okay. Did you call the dispatcher about any of that
9 or -- I mean how did you feel comfortable that, okay, now I'm
10 getting a signal and it's time to leave?

11 A. We sat there for a minute, and we listened to the
12 dispatcher, and we knew that 198 was in front of us, and I
13 heard them call the -- clear at Central and we sat there for a
14 minute, and the signal finally -- I mean it popped up and
15 stayed as an approach, and I don't know, probably about a
16 minute or two we sat there and just made sure that it was going
17 to stay, you know, the color it was.

18 Q. So you departed the Birmingham Norris Yard area on an
19 approach?

20 A. Yes, sir.

21 Q. Single mainline?

22 A. Yes, sir.

23 Q. And did you take -- did you stay on the mainline the
24 entire time up to Coosa?

25 A. Yes, sir. That's correct.

1 Q. Never took a siding?

2 A. No, sir.

3 Q. Did you happen to pass any trains along the way? Do
4 you recall that?

5 A. No, sir, I don't recall.

6 Q. And the radio, do you recall whether anybody did any
7 kind of radio checks, either with the locomotive radio or did
8 you have a handset with you, anything like that?

9 A. No, sir. I usually carry a handset. My handset was
10 broken, but the engineer did call the dispatcher, and did ask
11 the dispatcher if we could get a better signal on approach.
12 The radio was working because the dispatcher come back and they
13 were talking, you know.

14 Q. Was that at Lovick?

15 A. No, sir, that was at Norris Junction.

16 Q. Okay. All right. When -- you indicated that when
17 you got to Pell City, and I guess what I understand is that
18 between Birmingham and Pell City, you didn't get a clear signal
19 at each and every opportunity?

20 A. No, sir.

21 Q. So how should we understand that? Was it like 50/50?
22 Sometimes you got a clear, sometimes you got an approach.

23 A. It was more or less -- most of the time it was
24 approach. I mean I can -- to the best of my memory, it was an
25 approach board most of the way until we got to Riverside.

1 Q. Well, what's your best guess. I mean how, how fast
2 could you have traveled and what's the authorized speed out
3 there? I mean kind of give us an idea of how fast you think
4 you were traveling?

5 A. Well, on the approach board in the territory, you
6 have to -- well, the engineer has to have the train under
7 control to brake and stop, you know, and it was more or less a
8 slow pace. We were just crawling because the territory is
9 hilly and I'm not an engineer, but I know you have to have
10 knowledge of the territory to be able to stop a train in a
11 controlled manner, a safe manner.

12 Q. I don't want to put words in your mouth, but is the
13 reason that you kept getting those approaches, that you figured
14 that there was a train ahead and so you just have to go slow
15 until you get either an approach or a clear?

16 A. Yes, sir. That's correct.

17 Q. And the normal course, when you see a signal, what is
18 it that you do?

19 A. We call it amongst us -- amongst each other in the
20 cab, the engineer and the conductor and, you know, if there's a
21 conductor trainee, you know, we all call to make sure that the
22 signal -- everybody has a mutual understanding of what we see.

23 Q. And were you complying with those instructions that
24 day?

25 A. Yes, sir.

1 Q. Are there any signals where you may have been going
2 down through there that you guys didn't call out to each other?

3 A. No, sir. I called all of them, and the engineer did,
4 too.

5 Q. And when you talk about the engineer calling them
6 out, do you mean that he called them out over the radio?

7 A. Yes, sir, both. I mean we all called it amongst
8 ourselves in the cab, and plus he called on the radio the
9 signal that we had.

10 Q. Okay. So was there any confusion about how you were
11 perceiving the signals that day? And I'm not talking about the
12 ones closer to that. I'm just talking about in general.

13 A. No, sir, there was no confusion.

14 Q. Okay. What, what kind of weather conditions did you
15 have? Was it bright, sunny? Was it cloudy?

16 A. It was clear.

17 Q. And were you able to see the signals clearly?

18 A. Yes, sir.

19 Q. Okay. I want to -- you've been very descriptive
20 about the incident, but I want to ask you, after you guys,
21 after the wreck, after the derailment, and you exited the
22 locomotive and you made your way up to the house, did you meet
23 any of the people from the fire and rescue or did you have any
24 conversation with them?

25 A. Yes.

1 Q. Okay. Tell us a little bit about that?

2 A. We had -- after we had got up to the house, we all
3 had to sit down there for a minute to collect our thoughts. We
4 was all understandably pretty bad shook up, you know. And the
5 first aid people, the paramedics were there, and they were
6 assessing our condition, and we told them what was wrong with
7 us, the fire department, and I had a gentleman, I'm not sure if
8 he was with the emergency management or fire department, one,
9 he had asked me, well, were you hauling any kind of passengers,
10 chemicals or anything that could be dangerous, and I
11 communicated to him that there was, you know, because I had
12 looked in my paperwork. I always do before I leave the yard,
13 to make sure of what I'm carrying, you know, just in case of a
14 circumstance like this. And I communicated with the gentleman
15 and told him that we had some sodium cyanide, and he asked, you
16 know, where they were at in the train. To the best of my
17 knowledge I told him, and after that, the medical emergency
18 people were taking care of us. Shortly after that, they all
19 put us in an ambulance, and we went to the hospital.

20 Q. And, and when you were on the train, when you boarded
21 the train, did you have the paperwork that told you about the
22 sodium cyanide or any other hazardous materials in the train?

23 A. Yes, sir.

24 Q. Did, did you happen to have that with you when you
25 were talking to the emergency responder?

1 A. No, sir, I did not.

2 Q. That's one of the things you left behind?

3 A. Yes, sir. The engine was on fire and I was more or
4 less trying to help get my crew out of the -- off the train. I
5 wanted to get to safety.

6 Q. So your paperwork and your grips and everything, you
7 left those in the cab and you guys were on the way to get out
8 of the locomotive?

9 A. Yes, sir.

10 Q. Do you, do you know what the emergency responders
11 were doing at that time? Were you able to see what they were
12 doing in terms of the fire and, and what, after you talked to
13 this guy, tell us a little bit. Did they change what they were
14 doing or anything like that?

15 A. Yes, sir. They was initially -- I think initially,
16 from what I gathered, were going to try to, you know, put the
17 fire out and when I told them that we had some hazardous
18 chemicals, that there might be a chemical danger, they
19 proceeded to evacuate the area, and told everyone they were
20 going to have to evacuate.

21 Q. Is that what happened?

22 A. To my knowledge, that's what happened because while
23 they were doing this, they put us in the ambulance, and we left
24 the scene, but there were still emergency response people there
25 when we left.

1 Q. Okay. So you departed maybe before the evacuation
2 was fully implemented?

3 A. Yes, sir.

4 Q. Okay. Well, again, thanks for answering my
5 questions.

6 MR. HIPSKIND: Russ, I know you have some.

7 BY MR. GOBER:

8 Q. Okay. I'll just talk about from Pell City to the
9 accident. You told us about the signals at Lovick, and we
10 followed up on that. So whenever you got your approach at Pell
11 City, you said the conductor trainee smoked a cigarette?

12 A. Yes, sir.

13 Q. Did he go out on the foot board or just stand in the
14 step behind the engineer?

15 A. He went out on the foot board behind the engineer.

16 Q. Okay. You said that he called signals and part of it
17 was your training process to make sure he knew what he was
18 doing. Do you believe that he understood what a clear was
19 whenever he called it out?

20 A. Yes, sir, fully.

21 Q. Okay. We talked to Blake yesterday and he told us
22 that he had had a clear, and that he said that he was in
23 training recently and he understood what it was. Can you
24 describe to us what the signal looked like at Riverside?

25 A. Yes, sir. It was -- at Riverside, it was a green

1 over red.

2 Q. Okay. In your operating rules, I think it's Rule 34,
3 requires that you look at the signal and identify it and call
4 it out. Is that correct?

5 A. Yes, sir. That's correct.

6 Q. Okay. Does it mean that you follow that signal all
7 the way through the block to make sure it says the same?

8 A. Yes, sir. That's correct.

9 Q. Okay. Do you have any rules that talks about
10 irregular signals or irregularities in the signal? Say one
11 that's flashing like you said you had at Lovick.

12 A. Yes.

13 Q. What does that tell you to do?

14 A. You're supposed to stop and any kind of irregularity
15 or a signal blackout, immediately stop and communicate with the
16 dispatcher and figure out what's going on. You don't proceed
17 on an irregular or erratic flashing signal.

18 Q. You said that you have been qualified since what?
19 November last year.

20 A. September.

21 Q. September.

22 A. Yes.

23 Q. Okay. So that tells me if you're running the East
24 Side you've gone through Riverside several times over the past
25 four or five months.

1 A. Yes, sir. That's correct.

2 Q. So have they changed the signal system at all through
3 Riverside since you've been running out there?

4 A. No, sir.

5 Q. If they do change a signal head or do any work on it,
6 do they notify the train crews?

7 A. Yes, sir. It's posted on bulletins.

8 Q. Okay. Did you have any bulletins on signals in the
9 areas?

10 A. No, sir, not that particular area.

11 Q. Okay. Whenever you looked at a signal indication
12 that's displayed, you have your signal aspects which are the
13 light around those, and you have different style signal heads
14 out there. Does NS tell you in advance what type lights you
15 should have on a signal?

16 A. They give you a -- during training, they give you
17 a -- I should have brought it to show you guys, but they give
18 you a signal call, and it has all the signals, the indications,
19 definitions, the colors and it's great, you know.

20 Q. Is it somewhat like you have in your operating rule
21 book?

22 A. Yes, sir, exactly.

23 Q. It's exactly like you have in your operation rule
24 book?

25 A. Yes, sir.

1 Q. So did you believe from what you saw at Riverside
2 that you had a perfectly displayed indication?

3 A. Yes, I know what I saw.

4 Q. What did you see?

5 A. I seen a clear, a clear signal.

6 Q. What did that clear indicate to you? What lights did
7 you see?

8 A. I seen a green over a red.

9 Q. Is that what you always see at Riverside when it's
10 clear?

11 A. Yes, sir.

12 Q. Was it any different that day than any other day?

13 A. No, sir.

14 Q. Okay. Did you feel comfortable at Riverside when the
15 engineer resumed speed?

16 A. Yes, sir. If I hadn't, we wouldn't have, you know,
17 we wouldn't have moved.

18 Q. Do you have a way to stop him if you feel like
19 something unusual is going on?

20 A. Yes, sir. I've got an emergency brake lever on my
21 side of the cab, too.

22 Q. Would you hesitate to pull it if you felt like --

23 A. No, sir, not at the least.

24 Q. Okay. Did you feel like that your engineer was
25 operating normally as far as the way he handled the train?

1 A. Yes, sir.

2 Q. Okay. I know it doesn't really matter to you, but we
3 had that you had 3 locomotives, 22 loads and 1 empty. Is that
4 about right?

5 A. Yes, sir.

6 Q. Okay. And the train was, was handling routinely?

7 A. Nothing out of the ordinary.

8 Q. And you -- had you had an opportunity to use your
9 brakes at anytime before that?

10 A. Hopefully the engineer does, you know, but --

11 Q. Yeah.

12 A. -- I don't use the emergency brake lever.

13 Q. Yeah. I mean did his brakes work okay? Did he
14 have -- did he use his automatic brake at anytime that you were
15 aware of on that trip?

16 A. No, sir, not that I'm aware of.

17 Q. Okay. So he was just operating slow.

18 A. Right.

19 Q. Okay. You said that Trains 198 and 22R were ahead of
20 you.

21 A. Yes, sir.

22 Q. Was 198 ahead of 22R?

23 A. I think 22R was in front of 198. It was like three
24 trains and we were the rear train.

25 Q. Okay. Where would you have run around 198?

1 A. Well, we didn't run around 198. 198 is a train that
2 goes to -- Georgia. There's a side track that runs and leads
3 off our mainline.

4 Q. Okay. So he turned off --

5 A. Yes, sir.

6 Q. -- the track that you were on. He was not ahead of
7 you between say Leeds and, and Riverside?

8 A. No, sir.

9 Q. Okay. So we, we did hear it in his radio
10 conversations but we didn't know where he went. All right.
11 And you said that you heard the train dispatcher identify 22R,
12 tell him that he was going to head in at Coosa.

13 A. Yes, sir. That's correct.

14 Q. So because you said you were a priority train, you
15 expected to pass him at Coosa?

16 A. Yes, sir. That's normal practice.

17 Q. Okay. And have you ever passed him there before?

18 A. I passed a lot of trains there before.

19 Q. Okay. When you do that, what kind of signal do you
20 normally get at Riverside?

21 A. A clear. A clear signal.

22 Q. Okay. If you were going to have other than clear,
23 what kind of a signal would you normally get there?

24 A. Approach.

25 Q. An approach. What would cause you to have a

1 restricted signal at Riverside?

2 A. Waiting on a train that wasn't all the way into a
3 siding, something that was blocking your way in front of you
4 more or less.

5 Q. Have you ever had a restricting there?

6 A. Yes, sir.

7 Q. Okay. Is there any way that you could have a
8 restricting and think that you had a clear?

9 A. No, sir.

10 Q. Okay.

11 A. It's two totally different signals.

12 Q. Okay.

13 MR. GOBER: I have no further questions.

14 MR. HIPSKIND: Thanks, Russ. Norris.

15 BY MR. FULFORD:

16 Q. Norris Fulford, FRA. Backing up to when you went on
17 duty, I recall you said you had -- you talked with the
18 conductor trainee?

19 A. Yes, sir.

20 Q. Are you required when you come on duty, before you
21 leave, to have a briefing with all job -- all crew members?

22 A. Yes, sir.

23 Q. What are you required to -- what do you do during
24 that job briefing as a conductor?

25 A. We go over our concepts list.

1 Q. Did you do that with the engineer sitting there, too?

2 A. I did it with the conductor trainee, and went over
3 the list with him, and explained to him what we were going to
4 do when we got to Atlanta. This is the train, when you get to
5 Atlanta, it's got to be broken down in several pieces.

6 Q. Did you have a briefing with the engineer?

7 A. No, sir.

8 Q. Are you required to?

9 A. If things change, but everything was normal. There
10 was nothing to discuss with engineer.

11 Q. Did you notice anything wrong with the engineer, as
12 far as they're tired or drugs, alcohol? Did you notice
13 anything?

14 A. No, sir.

15 Q. Okay. Are you required to wear safety glasses?

16 A. Yes, sir.

17 Q. Were you wearing safety glasses?

18 A. Yes, sir.

19 Q. Was the engineer wearing safety glasses?

20 A. Yes, sir.

21 Q. How about the conductor trainee?

22 A. Yes, sir.

23 Q. Were any of the crew members wearing tinted safety
24 glasses?

25 A. No, sir.

1 Q. They were all clear?

2 A. Yes, sir.

3 Q. The aspect at Riverside, when you say it was clear,
4 was it a bright clear? Did you notice any difference in that
5 signal as far as clear in any other signals that you're used
6 to?

7 A. No, sir, nothing out of the ordinary.

8 Q. When you arrived at the hospital, you were drug
9 tested, right?

10 A. Yes, sir.

11 Q. How long -- do you recall how long you were there
12 before you were tested?

13 A. Maybe an hour, 30 minutes, at the most.

14 Q. Were you informed what type of test you were --

15 A. Yes, sir.

16 Q. What was it?

17 A. FRA drug screen.

18 Q. Were you administrated any pain medication prior to
19 the test?

20 A. No, sir, I don't believe so.

21 Q. And do you recall what time you actually went off
22 duty or did you --

23 A. We didn't put ourselves off duty.

24 MR. FULFORD: All right. That's all I have right
25 now.

1 MR. HIPSKIND: Sandy, any questions?

2 MR. CAMPBELL: No questions.

3 MR. HIPSKIND: Ben, any questions?

4 MR. BLISSETT: BLET, no questions.

5 MR. HIPSKIND: Curtis?

6 MR. WALL: No questions, UTU.

7 BY MR. HIPSKIND:

8 Q. Okay. Monte, let me -- I know we've asked you a lot
9 of questions, and is there anything that we're leaving out? Is
10 there anything that we're not fully understanding about the day
11 of the incident? Take a minute and think if there's something
12 else that we need to know about before we kind of leave this
13 subject.

14 A. No, sir, I think we pretty much covered it.

15 Q. All right. Let's move on to -- I want to talk about
16 the operations of the train, and I want to talk about what I
17 understand and see if you agree or disagree. Before you left
18 Birmingham, Russ had asked you about whether the engineer had
19 performed any braking of the equipment or train. Did you guys
20 have some kind of braking test that you performed at Birmingham
21 before you departed?

22 A. When you put a train together, if it's not -- if it
23 comes into the yard, you know, from line of road, it had a
24 brake test from its -- terminal, and we don't do one like that,
25 but if you put one together in the yard, you have to have a

1 break test before done on the train.

2 Q. Okay. And as you traversed the territory from
3 Birmingham up to Coosa, did you notice any exceptions with the
4 train, with the train handling? Everything seemed fine.

5 A. Everything was fine.

6 Q. And we had asked you about the consist, and you had
7 indicated 23 cars, 22 loads and 1 empty. When we talk about a
8 car, are some of these cars, as a single count, are they
9 multiple platforms. In other words, like three packs, five
10 packs, seven packs?

11 A. Yes, sir. That's correct.

12 Q. And is that all delineated in your paperwork that you
13 receive?

14 A. Yes, sir.

15 Q. So your total car length on the train, if we just
16 talk about platforms was somewhere in the neighborhood of about
17 how many? Do you just want to kind of guess?

18 A. I would say at least 100.

19 Q. Okay. But much more than when we're talking about 22
20 or 23 cars?

21 A. Yes, sir. A spine car, sometimes you'll have five
22 cars connected, you know, that's considered as one unit.
23 Sometimes three cars together, you know.

24 Q. And in terms of going down over the road, I guess
25 what I'm understanding there is if the tracks speed is 50 or 55

1 miles an hour, most of the -- most of that time and most of
2 that distance, between Birmingham and Riverside, you guys were
3 operating well below the authorized speed?

4 A. Yes, sir.

5 Q. And that was a function of getting approach signals
6 and/or clears or whatever, but you were taking additional time
7 through the signal system?

8 A. That's correct.

9 Q. All right. And, and when you came around the curve
10 at Riverside, what -- when did you guys call that signal? I
11 mean when you first see, after you're already rounding the
12 curve. Kind of give us some timing on that.

13 A. You're supposed to call them when you see them, you
14 know, as soon as you can make a visual determination of what
15 the signal is. We called it, you know, as soon as we saw it,
16 you know.

17 Q. Okay. And did anybody call a second time or did you
18 call it again as you -- just before you pass it? Did
19 anybody --

20 A. Yes, sir, we all -- I told you about the conductor
21 trainee coming back inside. And I asked him for him to call
22 it, and we called it again. And the engineer called it on the
23 radio, just right before we went beside it.

24 Q. Well, since you brought up the radio, let me ask you
25 something about that. Are there dead spots out over the

1 territory, I mean where you call out something and, and maybe
2 you can't hear another train or nobody's hearing your radio?
3 Are you aware of those?

4 A. No, sir.

5 Q. Okay. And let me also -- I want to kind of go into
6 detail on this. When you -- after you left Riverside --

7 A. Uh-huh.

8 Q. -- so you proceed on a clear signal and you're going
9 another two, two and a half miles up to Coosa. There's a curve
10 that you come around before you get to the Coosa switch and
11 signal light, right?

12 A. That's correct.

13 Q. When you're coming around that curve, do you recall
14 whether anybody called out any signal at Coosa?

15 A. No, sir, I don't recall.

16 Q. Did you call out a signal at Coosa?

17 A. No, sir. I had looked at the signal but at the same
18 time, the engineer had mentioned the switch, and I was in a
19 state of shock at the switch.

20 Q. Okay. And again, coming around that curve at Coosa,
21 and getting up on the switch, et cetera, that all happened,
22 what are we talking? Seconds here.

23 A. Yes, sir. It was quick. There was very little
24 response time.

25 Q. Do you remember -- what did you duck when you were in

1 the locomotive cab and the collision was eminent? Where did
2 you end up?

3 A. I didn't duck. Actually I stood up and sit down and
4 placed my feet against the running board, the headboard of the
5 engine. More or less I was on the floor.

6 Q. Okay. Did, did the engine compartment compress? Did
7 it cave in on you?

8 A. Yes, sir, at certain spots it was.

9 Q. And you were able to get out, what did you say, the
10 engineer's side?

11 A. Yes, sir. The engineer's side.

12 Q. Okay.

13 MR. HIPSKIND: That's all the questions I have on the
14 operation of the train. Russ, do you have some follow up on
15 that?

16 BY MR. GOBER:

17 Q. Just because it was so far down to the ground, how
18 did you all -- how did you drop out of that thing without
19 getting hurt further?

20 A. Well, the engine was sitting kind of at an angle, and
21 there were some trees, and we just went outside the engine and
22 we didn't jump or anything. We eased ourselves down on some
23 trees, and I believe there was a piece of metal or something
24 there, I stepped down if I remember correctly. So it wasn't a
25 big jump or anything like that, you know.

1 Q. Okay. Mr. Mashburn had a broken leg. Were you all
2 able to -- did you help him?

3 A. Yes, sir. We had to. Me and the engineer both took
4 turns helping him to get out of the woods because he couldn't
5 walk on his leg.

6 Q. Okay. From the operations standpoint, you're staying
7 pretty specific.

8 MR. GOBER: I think I've asked everything I need.

9 MR. HIPSKIND: Norris, any follow up on that?

10 MR. FULFORD: Yes.

11 BY MR. FULFORD:

12 Q. Norris Fulford, FRA. On a normal train, who calls
13 signal on the radio?

14 A. Normally the conductor does.

15 Q. Okay. Do you recall the last radio conversation
16 before the collision?

17 A. The last radio communication that I do remember is
18 the engineer calling the signal at Riverside, and that was it.

19 Q. All right. A few more questions on post-accident
20 testing. Who -- was it a nurse or do you recall who tested
21 you?

22 A. A nurse.

23 Q. Did you take any exceptions?

24 A. Oh, no, sir.

25 Q. Were you able to sign the testing control form?

1 A. Yes, sir.

2 Q. And you were also able to initial the labels?

3 A. Yes, that's correct.

4 MR. FULFORD: That's all I have.

5 MR. HIPSKIND: Sandy, anything?

6 MR. CAMPBELL: No questions.

7 MR. HIPSKIND: And Ben?

8 MR. BLISSETT: BLET, no questions.

9 MR. HIPSKIND: Curtis?

10 BY MR. WALL:

11 Q. I have one question for you, Monte. On calling the
12 signals, you said the engineer was calling signals?

13 A. Yes, sir.

14 Q. On the radio?

15 A. Yes, sir.

16 Q. Why were you not calling them?

17 A. My handset was broken. It didn't work.

18 Q. Okay.

19 MR. WALL: That's all UTU has.

20 BY MR. HIPSKIND:

21 Q. Okay. That prompts me to ask this question. What is
22 the purpose of somebody calling out the signals? Has anybody
23 explained that to you?

24 A. I know what the purpose is.

25 Q. Please explain that to me.

1 A. Okay. The purpose of calling out signals is to make
2 sure everyone understands and there's no mistakes made, you
3 know. It's a serious matter. I take it seriously, and the
4 reason it's called on the radio, in cases just like this,
5 oncoming trains, you know, if there was an accident going to
6 happen, maybe you could do something about it, you know.

7 Q. Well, forgive me for this expression, but is this a
8 little bit of a bell on a cat, so that people know where a
9 particular train is and is this kind of an informal, hey, I
10 heard 22R, I know where he's at. 22R says I heard 226, I know
11 where he's at. Is that, is that a secondary or --

12 A. Yes, sir. A secondary safety.

13 Q. Okay. And -- well, I'm curious then. If you have
14 your handset, and it was working, what, what's the range of --
15 I guess I'm thinking that a console radio on a locomotive might
16 have a greater range in transmission that maybe a handset. Am
17 I correct in that?

18 A. Well, the handset plugs into the engineer's radio.

19 Q. Okay. So you would be broadcasting out with the same
20 wattage and range?

21 A. Yes, sir.

22 Q. All right. Okay. In terms of radio transmissions by
23 the engineer, because it sounds to me like you weren't making
24 any radio transmissions on the day of the accident. Is that
25 correct?

1 A. Yes, that's correct.

2 Q. So my question then is do you recall whether the
3 engineer or your train had any radio transmissions with anybody
4 else prior to the accident?

5 A. No, sir.

6 Q. Other than what? Calling out signals.

7 A. Calling signals.

8 Q. All right. And you had mentioned when we were asking
9 you about the signal being clear, and you said you wish you had
10 a signal card that was given to you when you were in training.

11 Is this some kind of a depiction, a color depiction of what
12 various signals -- is it like some laminated type thing?

13 A. Yes, sir. It's something like that.

14 Q. Okay.

15 A. Just like the rule book, the NS operating rule book
16 has in it. It's just in bigger form. It has definitions
17 and --

18 Q. Okay. I'm going to make a request, and you tell me
19 what I need to do to follow up on this, but I would like to get
20 a copy of the signal card that you're referring to, and share
21 that with our investigator team. Can you get that sometime for
22 me in the near future?

23 A. Yes, sir.

24 Q. All right. That would be helpful.

25 MR. HIPSKIND: I don't have any other questions on

1 the operations of the train. Are there any follow up from
2 anybody? Curtis.

3 BY MR. WALL:

4 Q. UTU, a follow up question. The card that Mr.
5 Hipkind just asked you for, are you going to have to get one
6 from NS or did yours burn up in the crash?

7 A. I've got one at home.

8 Q. Okay. Thank you.

9 MR. HIPSKIND: Thanks for clarifying that, Curtis.
10 Any other questions or comments on the operations of the train
11 in this area?

12 (No response.)

13 BY MR. HIPSKIND:

14 Q. Okay. Let's move along to, and I think we covered
15 this a little bit, but I just, I just kind of understand this.
16 Tell me about your familiarity with the territory. My sense of
17 it is that, that you've gone over this area, but I -- just try
18 to describe it numerically or try to describe it in some kind
19 of frequency per week, about how you get over the road from
20 Birmingham to Atlanta and tell us a little bit more about what
21 you know about the territory.

22 A. I'm over the territory at least every other day.
23 Every day, you know. I work a pretty good bit, a lot, you
24 know, and my job carries me through there, you know. It's like
25 driving to work, you know.

1 Q. Do you feel comfortable knowing the physical
2 characteristics of the territory?

3 A. Yes, sir.

4 Q. And do you feel comfortable with the signal locations
5 and knowing whether they're going to be and all that kind of
6 stuff?

7 A. Yes, sir.

8 Q. Okay. What about your familiarity with the crew?
9 Tell me how often have you worked with the conductor trainee
10 and how often have you worked with the engineer?

11 A. Okay. The conductor trainee was new. This was my
12 first job with him. We just met that day. And I have worked
13 maybe a couple, two or three jobs with Mr. Smith. As an extra
14 board man, you work with a variety of people. You don't have a
15 regular partner all the time.

16 Q. And in terms of communication, cooperation, with your
17 crew that day, did you take any exception? Was everything
18 going okay?

19 A. Everything was normal.

20 Q. And I believe you said earlier that there were not
21 any restrictions. By that, what do you mean? That there
22 weren't any slow orders over the territory?

23 A. Yes, sir.

24 Q. Do you normally get bulletins for that?

25 A. Yes, sir. Every time you go to work, you've got

1 bulletins.

2 Q. But in terms of speed restrictions, if there is a
3 permanent speed restriction on a curved portion of track or
4 something like that, that's not anything you get a bulletin on.
5 That's something you know by virtue of time table information?

6 A. Yes, sir.

7 Q. You were complying with those kinds of speed
8 restrictions?

9 A. Yes, sir.

10 Q. Were there any distractions en route?

11 A. No, sir.

12 Q. And because there are a lot of curves out there, is
13 there anything that you or any of the other crew members do in
14 terms of the operation of the train?

15 A. If everything is operating normally, no, sir. Just
16 ride basically. The conductor rides. The engineer handles the
17 train unless something go wrong, you know.

18 Q. Did you ever have an occasion to look back at the
19 train as you're going through a curve or anything like that?

20 A. Yes, sir.

21 Q. Do you do that from time to time?

22 A. Yes, sir. Visually inspect.

23 Q. How about on the day of the incident? Was that
24 anything that you did that day?

25 A. Yes, sir, I always turn around and look. It's a

1 habit. I always look at my train.

2 Q. And how about the conductor trainee. Is that
3 anything that you school that individual on?

4 A. Yes, sir.

5 Q. Okay. And, and you are aware that you did have some
6 hazardous materials in the train?

7 A. Yes, sir.

8 Q. Now this is not -- I don't mean this to be a trick
9 question or anything, but were you comfortable with your
10 training in knowing what to tell somebody else to do in terms
11 of this incident and the fact that you had the hazardous
12 materials?

13 A. Yes, sir.

14 Q. And so talking to the emergency responder and letting
15 them know what you had on the train and the placement on the
16 train, that -- was that normally what you would do?

17 A. Yes, sir. In any kind of incident like that, it's
18 the conductor's responsibility to know what he's carrying in
19 case of incidents like this.

20 Q. And you felt comfortable with that?

21 A. Yes, sir.

22 MR. HIPSKIND: That's all the questions I have on the
23 familiarity of the territory. Is there any other follow up?

24 MR. GOBER: I'll have a couple of follow up.

25 BY MR. GOBER:

1 Q. Whenever you had the accident, were there any carrier
2 officials on scene before you left the site to go to the
3 hospital?

4 A. Now that I don't know. I'm not sure about that.

5 Q. Okay. With, with your injuries and all, did you tell
6 the fire department who to contact to find out about the hazmat
7 on the train or how did they know?

8 A. I just made the statement and made them aware of it.
9 I don't know how they found or who they contacted or whatever.
10 I was shook up pretty bad, you know, and I just wanted somebody
11 to know so they could find out.

12 Q. Okay. Were you aware that Mr. Tipton, the Road
13 Foreman, was on the 22R ahead of you?

14 A. Yes, sir.

15 Q. Okay. Did you talk to him at all before you went to
16 the hospital?

17 A. Briefly.

18 Q. Okay. Did you tell him about the hazmat?

19 A. Yes, sir.

20 Q. Okay. The -- he possibly talked to some of the
21 emergency responders then, because I talked to him and he said
22 he did.

23 MR. GOBER: So I don't have any further questions.

24 MR. HIPSKIND: Okay. Thanks, Russell. Norris?

25 MR. FULFORD: No questions.

1 MR. HIPSKIND: And Sandy?

2 MR. CAMPBELL: No questions.

3 MR. HIPSKIND: Ben?

4 MR. BLISSETT: No questions, BLET.

5 MR. HIPSKIND: And Curtis?

6 MR. WALL: No questions, UTU.

7 MR. HIPSKIND: Okay. Thanks. I see that we're
8 nearing the end of the tape here. So why don't we go off the
9 record, I'll change the tape and we'll take a short break.
10 Okay. Thank you.

11 (Off the record.)

12 (On the record.)

13 MR. HIPSKIND: This is Richard Hipskind again. This
14 is side two of the tape.

15 BY MR. HIPSKIND:

16 Q. Monte, let's continue our discussion here. I want
17 to, I want to ask you about efficiency testing on the railroad,
18 and tell me, in your own words, how does that system work? How
19 do you, how do you see efficiency testing in your world as an
20 employee?

21 A. On the railroad, NS has a strenuous safety program,
22 and periodically they'll do rule checks, you know, check rule
23 violations and they will banter you sometimes to make sure that
24 you comply with the rules and stop, you know. There's a lot of
25 checks and balances they do to make sure everything is, you

1 know, that everyone is complying with the rules.

2 BY MR. GOBER:

3 Q. Did they ever banter you on the CTC territory?

4 A. No, sir. CTC territory is --

5 Q. Centralized traffic control.

6 A. Yes, sir.

7 Q. Okay. That's a block system --

8 A. Right. I just didn't understand --

9 Q. -- that's controlled by the train dispatcher, --
10 signals?

11 A. Yes, sir.

12 Q. All right. What is a banter?

13 A. It's just a sign to -- if they use like an
14 obstruction or something, to make sure you can get stopped or
15 slowed down in time.

16 Q. Okay. So whenever that's there, it has to be
17 connected to the signal system in some manner, whether it be
18 that they put jumpers on the track or maybe the train
19 dispatcher has been made aware to give you a stop indication
20 but do you know -- do they tell you what they've done when they
21 get through with the test?

22 A. Yes, sir. They talk to you about it, and see if you
23 passed the test or not, if you complied with the rules.

24 Q. If you didn't, what would they do?

25 A. You would be reprimanded.

1 Q. Could you be removed from service?

2 A. Yes, sir.

3 Q. Under what conditions?

4 A. You'd be pulled -- I'm not sure what the extent of
5 the punishment is but I know that you're pulled out of service.

6 Q. Have you ever had an occasion to be disciplined
7 because of an efficiency test?

8 A. No, sir.

9 Q. Have you ever had a caution at all? I mean -- if you
10 haven't been disciplined, does that mean you passed all your
11 efficiency tests?

12 A. Yes, sir.

13 Q. Okay. What all do they check to make sure you're
14 aware of?

15 A. General rules compliance, basically everything. I
16 mean from speed restrictions, how you do your job personally,
17 you know, personal safety, you know. That's a major thing.

18 Q. Do they check your watches to see that you have -- if
19 you can tell time or anything like that?

20 A. No, sir, not that I'm aware of.

21 Q. So, so the Southern Railroad -- Norfolk Southern,
22 excuse me, the operating rule book is used to take the tests
23 from?

24 A. To govern, yes, sir.

25 Q. Okay. Do the men ever talk about being efficiency

1 checked or tested?

2 A. Yes, sir, I've heard other people talk about it,
3 being tested.

4 Q. And what kind of an attitude do they have about it?

5 A. Generally good. They're concerned about their safety
6 and everyone else's, you know.

7 Q. Okay. During the efficiency checks, is there any way
8 that you know of that they can check to see if you're complying
9 with a clear signal indication?

10 A. The only way I would know, I mean just for them
11 visually to check you, you know.

12 Q. Could they also monitor simultaneously the radio to
13 see if you called out a signal?

14 A. Yes, sir.

15 Q. All right. If they did that and you didn't call out
16 the signal, what would you be subject to?

17 A. Probably a reprimand.

18 Q. Okay. Is there any mention of the efficiency testing
19 program in your operating rules classes? Was there any
20 training at McDonough?

21 A. Yes, sir. We were all told that you would be quizzed
22 from time to time, each of us, you know, to make sure you was
23 in compliance with the rules. So everyone is aware of that,
24 you know, that they're going to check, you know, those
25 compliance.

1 Q. Okay. I see you've got a Local Chairman as a
2 representative. Does the Union ever talk to you about safety?

3 A. Yes, sir.

4 Q. Okay. What do they tell you about efficiency and
5 efficiency tests?

6 A. Everyone is -- we all try to do our best to be safe,
7 you know, because just in contact with my Local Chairman here,
8 I mean we all talk about it and review it and just make sure
9 we're all safe and complying with the rules, you know. It's a
10 concern of everyone's, you know, from management on down to us.

11 MR. GOBER: I don't have any further questions.

12 MR. HIPSKIND: Norris, before you begin, I just
13 wanted to add a couple of things.

14 BY MR. HIPSKIND:

15 Q. I'm curious on the whole efficiency testing process,
16 how much of that is communicated to you in terms of Trainmaster
17 Smith checked me on such and such day at such and such a time,
18 for -- and then a specific rule, and then if I passed or
19 failed. Do you get any kind of feedback or do you ever get any
20 kind of indication of that kind of a correspondence or
21 communication?

22 A. Yes, sir. You get a positive -- I mean if you're
23 complying with the rules, I mean you'll get positive feedback
24 on it. If you bulk on a rule, you know, there will be a
25 negative reaction and you'll be subject to disciplinary action.

1 Q. I want to be clear on this. In your response right
2 then, are you talking about, is it in writing --

3 A. Yes, sir.

4 Q. -- or is it verbal or both?

5 A. Both.

6 Q. Okay. So you're constantly aware of how you're
7 performing when you're being checked. That's what I'm trying
8 to get at.

9 A. Yes, sir.

10 Q. And in terms of efficiency testing, since you've been
11 on the railroad, do you ever recall whether your -- I know you
12 mentioned the banter, but what I'm asking is, were you ever
13 efficiency tested on the display of a signal?

14 A. No, sir, other than just, you know, working under a
15 conductor, him scolding me for not, you know, when I was
16 learning, in the learning process, you know.

17 Q. But that's a different level of efficiency testing.
18 That's more trainee --

19 A. Right.

20 Q. -- or mentoring.

21 A. That's the only time.

22 Q. But not in an official capacity efficiency testing
23 from a railroad official?

24 A. Not yet, no, sir.

25 Q. Okay. But in talking -- I assume you talk with other

1 crew members about efficiency testing type procedures, et
2 cetera.

3 A. Yes, sir.

4 Q. Has -- do you recall if anybody has ever indicated
5 they were tested on the display of the signal? I'm not talking
6 about communications about the indication of the signal, but
7 the actual physical display of the signal?

8 A. No, sir, I cannot. I can't say that because I mean I
9 haven't even took an efficiency test myself yet, since, you
10 know, last year. I'm scheduled to take one this I'm sure but I
11 don't even know what's on the test.

12 Q. Okay. And just explain for me again, the, the banter
13 procedure. What, what does that entail?

14 A. That entails making sure you're complying with a
15 speed that you can get stopped before you get to the banter.

16 Q. And a banter is something that they place, physically
17 place --

18 A. Lays across the track, yes.

19 Q. -- across the track or along the wayside of the
20 track.

21 A. Yes, sir.

22 Q. And so as you're coming down along the track, you
23 either see this obstruction or you see this thing that's on the
24 wayside there, and then they're checking to see how you react
25 to that visually and then what you do in compliance with the

1 rules?

2 A. Yes, sir, that's correct.

3 Q. Okay. And how often has that happened in your
4 career?

5 A. Three or four times.

6 Q. Did you pass on each of the occasions?

7 A. Yes, sir.

8 Q. Okay. I have some more questions about the signal at
9 Riverside, but I think I'm going to hold off.

10 MR. HIPSKIND: Sorry to interrupt you there, Russ.
11 Do you have a follow up there?

12 MR. GOBER: You asked what I was going to.

13 MR. HIPSKIND: Okay. I know we're both thinking
14 along the same lines. So, Norris, can we pass it off to you
15 then and do you have a question.

16 MR. FULFORD: I've got a couple.

17 BY MR. FULFORD:

18 Q. Norris Fulford, FRA. Was there any discussion
19 between you and the engineer that you might possibly be
20 bantered due to all the approach signals that you were getting?

21 A. No, sir, I don't recall him saying something like
22 that.

23 Q. Are you aware that the carrier is required to do
24 operational and observation tests by the FRA?

25 A. Yes, sir.

1 MR. FULFORD: That's all I have.

2 MR. HIPSKIND: Sandy, anything?

3 MR. CAMPBELL: No questions.

4 MR. HIPSKIND: And, Ben?

5 MR. BLISSETT: No questions, BLET.

6 MR. WALL: No questions, UTU.

7 MR. HIPSKIND: Okay. Before we leave this subject
8 area on efficiency testing, no other questions? Russ.

9 MR. GOBER: No.

10 BY MR. HIPSKIND:

11 Q. All right. I want to talk a little bit now about the
12 day of the incident, and you had said earlier about, and maybe
13 I'm using the wrong term, but that you normally pass 22R and
14 sometimes that happens at Coosa. And I want you to take me
15 back through it again, because I want to understand your
16 thinking about as you're traveling down the track and you've
17 got approach signals and sometimes you have a clear signal.
18 You're not really doing track speed. I mean you get to
19 Riverside and you see a clear signal. Tell me again, how did
20 you put together all these things that are up ahead of you that
21 you're not actually seeing but you figure it out. I need a
22 little better understanding of that.

23 A. I just, in my experience with the railroad, I mean I
24 don't have a whole lot of seniority, but just in time, you
25 know, you learn to recognize certain situations, certain signal

1 situations, that you know what's happening ahead of you plus
2 the radio, you know, and I had heard 22R called diverging
3 approach. So I know they were going in Coosa, you know, and by
4 the time we got around there, the last thing, the clear signal
5 at Riverside, the perception in my head was the train was in
6 the clear, out of the way, you know, and we were lined around
7 them, and that's what, you know, that means.

8 Q. Well, let me put it a different way. That all made
9 sense to you?

10 A. Yes, sir.

11 Q. So you had an approach at Pell City, the train
12 slowing down, slowing down enough that the conductor trainee
13 can stand out on the running board and smoke a cigarette, he
14 comes back in there, you're all three in the cab, you come
15 around the curve at Riverside and you proceed with what you
16 think is a clear signal, and then the reaction of the crew and
17 the engineer is that you picked up the speed and -- I don't
18 want to put words in your mouth -- but as far as you're
19 concerned, you're coming up on Coosa prepared to take main to
20 main and that 22R ahead of you, he's going to be in the siding?

21 A. That's correct.

22 Q. And that's what the signal indication that you
23 perceived at Riverside and the fact that you traveled behind
24 this 22R. That's what's making sense to you?

25 A. Yes, sir.

1 Q. Okay.

2 MR. HIPSKIND: All right. You wanted me to talk
3 about the signal there at Riverside I take it.

4 SPEAKER: Let's talk a little bit about it.

5 MR. HIPSKIND: All right.

6 BY MR. HIPSKIND:

7 Q. All right. Here is page 98 out of the NS operating
8 rules and I think just generally take a look at that. Now what
9 I want to ask you first off is, is that signal card information
10 that you're going to give me, is that, is that going to be very
11 similar to this?

12 A. It's identical.

13 Q. Identical.

14 A. Yes, sir. Except my information is just one big --
15 I've got both but the one I'm telling you about is on a big
16 like piece of poster board. It's got everything, you know, on
17 one page instead of four or five different pages.

18 Q. Well, if you could, would you point out on this page
19 the clear signal? And you're pointing to the top row --

20 A. Yes, sir.

21 Q. -- Rule 301?

22 A. Green over red.

23 Q. And when we talk about the physical makeup of the
24 signal at Riverside, do you see that depiction displayed on
25 this page?

1 A. Yes, sir.

2 Q. And show me which one that would be?

3 A. Are you talking about how many bulbs are in the
4 signal? Is that what you're asking me or --

5 Q. Well, not only, not only the bulbs, but how the
6 signal actually looks. I mean whether it's divided. If
7 there's one signal head or two signal heads. Is that shown
8 here on this page?

9 A. Yes, sir.

10 Q. And would you point that out to me?

11 A. It would be A right here.

12 Q. And that would be A meaning the first one on the left
13 under Rule 301?

14 A. Yes, sir.

15 Q. And here's one listed under D, and it shows a green
16 aspect at the top and then it shows a red aspect offset with a
17 number plate. Is that a clear signal to you as well?

18 A. Yes, sir.

19 Q. And is D more like what you had in the field at
20 Riverside or is what you had at Riverside A?

21 A. The one like we had is A. This kind of signal system
22 is not there at Riverside. It's one like this right here with
23 three separate bulbs in it.

24 Q. Okay. And on the day of the incident, did you, in
25 fact, see a green over a red and the red over another red?

1 A. No, sir. All I seen was a green over a red.

2 Q. And, and the lower one being a red, was that at an
3 offset or was that as it's shown here -- actually, are you
4 indicating that what you saw at Riverside is more like what is
5 depicted in E?

6 A. No, sir. I'm talking about -- it's an in line
7 signal. So there's no offsets on it whatsoever. A green over
8 a red.

9 Q. Okay. So now we're talking about D.

10 A. Yes, sir.

11 Q. Okay. All right. Well, again, going back to the
12 signal you saw at Riverside, I guess what I wanted to
13 understand was the way you took that was now I know where 22R
14 is, and if I'm getting a green signal, that meant what to you
15 now?

16 A. That 22R was in the clear and we were lined around
17 it.

18 Q. So the switch would be lined for the main --

19 A. Yes, sir.

20 Q. You guys were going to go main to main, you picked up
21 your speed and you were preparing to go track speed around
22 22R --

23 A. Yes, sir.

24 Q. -- at Coosa?

25 A. That's correct.

1 Q. Did, did you discuss this, what you were thinking --
2 was any of that discussed with the crew, oh, we must have --

3 A. It's a mutual understanding. I mean you just know.
4 You know, it's like driving a car. You're going to stop at a
5 red light, you know, it's just how you proceeded.

6 Q. Okay. And -- but while you were going from
7 Birmingham to Coosa, you and the rest of the crew, did you talk
8 with each other throughout the tour there?

9 A. You mean did we have like a verbal conversation?

10 Q. Sure.

11 A. Oh, yeah. Yeah, we talked.

12 Q. Okay. Was any of that discussion, did that become
13 distracting in nature to the operation of the train?

14 A. No, sir.

15 Q. You're sure of that?

16 A. I'm positive of that.

17 Q. Okay. Everybody's seeing the signals, you're
18 discussing the signals between each other and your recollection
19 is the engineer is calling out the signals over the radio.

20 A. I know he is. I can hear it.

21 Q. And the reason he's calling them out is because your
22 handset, you don't have it with you?

23 A. It's broken.

24 Q. It's broke.

25 A. Yes, sir.

1 Q. But you don't have it with you?

2 A. No, sir.

3 Q. Okay. All right. Thanks for that. I, I think I
4 understand the -- your thinking and, and projection about 22R,
5 and I think you told us earlier that you're hearing some of
6 this over the radio about what they're doing, either through
7 the dispatch or the crew?

8 A. That's right.

9 Q. And that again was confirmation in your mind about
10 where they were at, what they were doing, and the whole timing
11 of that.

12 A. Yes, sir. That's correct.

13 Q. Okay.

14 MR. HIPSKIND: Russ.

15 BY MR. GOBER:

16 Q. Just so I can clear up a little bit in my mind, based
17 on what we saw in the Norfolk Southern operating rule book,
18 with the clear signal, it can be presented to you in more than
19 one different configuration.

20 A. Yes, sir.

21 Q. And what we saw was a green light over a red light in
22 some cases and then a green light over two red light in some
23 cases. Can you remember exactly, trying to go back over the
24 history of your operation over this territory, was the signal
25 at Riverside any different on the day of the accident than it

1 normally is?

2 A. No, sir.

3 Q. Okay. So you -- tell me what you saw again?

4 A. I saw a clear signal.

5 Q. And it was?

6 A. Green over read.

7 Q. Okay. You had two or three lights that were lighted
8 up?

9 A. I had two lights, a green light and a red light.

10 Q. Okay. And that's what you remember?

11 A. Yes, sir.

12 Q. In your training at McDonough or here in Birmingham
13 or in Atlanta, do they give you any track profile books that
14 show the signal mast positions, locations or where they are by
15 mileposts?

16 A. Yes, sir.

17 Q. Does it show you exactly what the signal mast looks
18 like?

19 A. No, sir. It shows the location.

20 Q. So it will say signal at milepost whatever?

21 A. Yes, sir.

22 Q. And you don't know exactly which configuration you're
23 going to see but you would identify it correctly if you saw a
24 clear indication or you would identify it incorrectly and do
25 something about it? What I mean by that is if it was green

1 over red, you would take it as a clear, but if it were not
2 showing what it should be, if it was erratic, what would you
3 do?

4 A. I would call the dispatcher and ask.

5 Q. Would you --

6 A. Stop the train immediately.

7 Q. Okay.

8 MR. GOBER: I have no further questions.

9 MR. HIPSKIND: Norris?

10 MR. FULFORD: I have no questions, FRA.

11 MR. HIPSKIND: Sandy?

12 MR. CAMPBELL: No questions.

13 MR. HIPSKIND: Ben?

14 MR. BLISSETT: No questions, BLET.

15 MR. HIPSKIND: Curtis?

16 MR. WALL: No questions, UTU.

17 MR. HIPSKIND: Okay. Thanks, Monte, for clearing up
18 that 22R business. We needed a better understanding of that.
19 I guess I maybe forgot one small part.

20 BY MR. HIPSKIND:

21 Q. How, how did you know that the road foreman was on
22 22R?

23 A. Because I had seen the crew in the wash room when I
24 get my paperwork ready to go to work --

25 Q. Uh-huh.

1 A. -- and we all work in the same general area, and I
2 had seen him get with them.

3 Q. So again you just figured that's where he was at.

4 A. I knew that's where he was at. I mean I knew he was
5 going to be riding with them.

6 Q. Okay. So that was discussed with you from other crew
7 members of 22R before you ever left Birmingham?

8 A. Yes, sir.

9 Q. Okay.

10 BY MR. GOBER:

11 Q. Let me ask you a question about that. Would you have
12 thought from what you saw that the road foreman road from
13 Norris Yard until the point of the accident?

14 A. I was assuming he was going to, you know.

15 Q. Okay.

16 A. I didn't know.

17 MR. GOBER: I don't have any further questions.

18 MR. HIPSKIND: All right. Anything else on that from
19 anybody?

20 (No response.)

21 MR. HIPSKIND: Okay. Everybody's shaking their head
22 no.

23 BY MR. HIPSKIND:

24 Q. All right. Monte, what, what are the lessons that we
25 are to learn from this accident? And just tell us whatever you

1 need to tell us. What can we do better? What have we got to
2 change? What, what lessons have you learned?

3 A. I'm still trying to figure out what happened because
4 in my mind, I mean everything was right. The scenario, the
5 signal, I mean I'm lost. I mean I don't know what to tell you
6 guys.

7 Q. Okay. And in our NTSB interviews, one of the things
8 that we like to do is give you an opportunity to comment on the
9 investigation, and so I'll ask you this question. What safety
10 recommendations or improvements would you offer or suggest as a
11 result of the incident or to improve safety in general?

12 A. I really don't know because we've got a pretty
13 strenuous safety program, you know, to avoid these kind of
14 situations.

15 Q. Well, in the future if you think of anything, and you
16 want to pass that along to me, you do have my contact
17 information. Now let me ask you again. I think I gave you an
18 opportunity before but is there anything we're missing? You
19 know, we talked briefly before we began the interview about
20 that we really want at the end of the day to know and
21 understand everything we needed to understand about the
22 accident. So are we there? Is there, is there a question
23 we've not asked? Is there a particular topic or subject matter
24 that you want to discuss with us today that maybe for whatever
25 reason we just haven't asked you?

1 A. No, sir. You pretty much covered it. I mean I told
2 you everything that I know.

3 Q. Okay.

4 MR. HIPSKIND: And for all the other interviewers
5 around the table, is there anything else that we need to bring
6 up, any other topic that you'd like to discuss?

7 (No response.)

8 MR. HIPSKIND: I'm seeing heads shaking no. So I'm
9 going to assume we're good to go here.

10 Listen, I want to offer you my sincere appreciation
11 for being with us today, taking the time out of your life to
12 come in here and help us to better understand this accident.
13 And you were helpful, and it's very meaningful for us to be
14 able to interview you today. But if there is nothing further,
15 we'll show that the interview is concluded, and again, thanks a
16 lot, Monte.

17 (Whereupon, the interview in the above-entitled
18 matter was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: Norfolk Southern (NS) Rear-End
Collision
Lincoln, Alabama
January 18, 2006
Interview of Monte Quinn

DOCKET NUMBER: DCA-06-FR-004

PLACE: Birmingham, Alabama

DATE: February 1, 2006

was held according to the record, and that this is the original, complete, true and accurate transcript which has been compared to the recording accomplished at the hearing.

Kathryn A. Mirfin
Transcriber