



I, Dustin Dickey, have read the foregoing pages of a copy of my testimony given during an interview relating to the accident that occurred on March 10, 2017, near Graettinger, IA and these pages constitute a true and accurate transcription of same with the exception of the following amendments, additions, deletions or corrections:

PAGE NO:    LINE NO:    CHANGE AND REASON FOR CHANGE

6                    14                    inspection to inspector \_\_\_\_\_

14                    6                    wind chill to windshield \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare that I have read my statements and that it is true and correct subject to any changes in the form or substance entered here.

Date: 4-16-17 \_\_\_\_\_

Witness: \_\_\_\_\_

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

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DERAILMENT OF UNION PACIFIC TRAIN

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NUMBER UEGKOT 09 NEAR GRAETTINGER,  
IOWA ON MARCH 10, 2017

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\*  
\*

Accident No.: DCA17MR007

\* \* \* \* \*

Interview of: DUSTIN DICKEY

Spencer, Iowa

Wednesday

March 15, 2017

## APPEARANCES:

JOE GORDON, Track and Engineering Group Chairman  
National Transportation Safety Board (NTSB)

TOM BROWN, Track Safety Inspector  
Federal Railroad Administration (FRA)

TIM SANDUSKY, Track Safety Inspector  
Iowa Department of Transportation

MIKE GEKAS, Party Representative  
Brotherhood of Maintenance of Way Employes Division-  
International Brotherhood of Teamsters (BMWED-IBT)

JAMES "BUTCH" MOELLER, General Director, Maintenance  
of Way, Northern Region  
Union Pacific Railroad

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I N T E R V I E W

1  
2 MR. GORDON: Good morning. My name is Joe Gordon, and I'm  
3 the NTSB Track and Engineering Group Chairman for this accident.  
4 We are here today on March 15th in Spencer, Iowa, to conduct an  
5 interview with Mr. Dustin Dickey -- is that correct -- with  
6 Mr. Dustin Dickey. And this interview is in conjunction with the  
7 NTSB investigation where eastbound Union Pacific loaded ethanol  
8 train UEGKOT 09<sup>1</sup> derailed near the bridge over Jack Creek near  
9 Graettinger, Iowa. The NTSB accident reference number is  
10 DCA17MR007.

11 Before we begin the interview, we'll go around the table and  
12 introduce ourselves. Please spell your last name, who you are  
13 representing and your title. I would like to remind everybody to  
14 speak clearly so we can get an accurate recording. I'll start  
15 off, and then I'll pass off to my right.

16 Again, my name is Joe Gordon. The spelling of the last name  
17 is G-o-r-d-o-n. And I'm an NTSB Track and Engineering Group  
18 Chairman for this accident.

19 MR. GEKAS: Mike Gekas, G-e-k-a-s. Party representative for  
20 the Brotherhood of Maintenance of Way Employes Division of the  
21 IBT.

22 MR. BROWN: Tom Brown, Federal Railroad Administration, track  
23 safety inspector, B-r-o-w-n.

24 MR. DICKEY: Dustin Dickey, D-i-c-k-e-y, section foreman for

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<sup>1</sup> Corrected train ID

1 Union Pacific.

2 MR. MOELLER: Butch Moeller, Jim -- spelling of last name,  
3 M-o-e-l-l-e-r, general director, maintenance of way for Union  
4 Pacific Railroad.

5 MR. GORDON: All right, and thank you.

6 Before we get started here, let me get this into the record.  
7 So the purpose of the investigation is to increase safety. We're  
8 not here to assign any fault or blame. NTSB cannot guarantee any  
9 confidentiality or immunity from any legal or certificate action.  
10 A transcript and a summary of this interview will be entered into  
11 the public docket. That's after you get a chance to review it and  
12 ask for any corrections.

13 And, Mr. Dickey, you can have a representative. Do you have  
14 a representative in the room with you today?

15 MR. DICKEY: No, I do not.

16 MR. GORDON: Thank you. And is it okay during the interview  
17 if I call you Dustin?

18 MR. DICKEY: Yes, sir.

19 MR. GORDON: I appreciate that.

20 INTERVIEW OF DUSTIN DICKEY

21 BY MR. GORDON:

22 Q. As we get started, if you could just give us kind of a  
23 background, when you came to work for the railroad, and what  
24 you've been doing since you came to work?

25 A. I hired out September 2nd, 2001. I've been a section foreman

1 probably the last 12 years out of Rolfe, Iowa, run machines, work  
2 with the surfacing gang a little bit, did a little track  
3 inspecting. That's pretty much it.

4 Q. And track inspections -- I'm not familiar with Union Pacific,  
5 but is that a separate seniority roster? Do you have to bid a  
6 track inspection?

7 A. That is correct.

8 Q. All right. And so what do you know about the increased  
9 frequencies of inspections that -- it sounds like maybe they're  
10 looking for some help filling frequencies with you?

11 A. For the Class 3 track, we got to run it twice a week now. So  
12 that's kind of where I fall into place. I've been inspecting  
13 track to help out the regular inspector.

14 Q. And so when you established your track inspection rights, was  
15 that -- did you actually have an assigned territory and do that  
16 inspection job for some time?

17 A. Yes. I was kind of a relief inspector at the time I got my  
18 rights. But now I'm just a section foreman.

19 Q. All right. And what was -- when you were a relief, kind of  
20 similar to what you're doing now?

21 A. Correct.

22 Q. If they needed a run --

23 A. Correct. Fill in for if a guy's on vacation, in a meeting,  
24 stuff like that.

25 Q. All right. Well, let's go to the -- well, I guess, tell us

1 about the last inspection, not necessarily on the Estherville Sub,  
2 but just the last inspection, the last time that you were asked to  
3 inspect to help out with those frequencies. You know, if you  
4 remember the dates and where you -- what you were covering?

5 A. Well, I believe the last inspection I did was on that section  
6 of track, milepost 78.4 down to milepost 48, I believe. I mean,  
7 get out and walk the joints that you think are bad or need  
8 attention. Walk the switches if you think -- checking for visual  
9 defects. Pretty much looking for the obvious.

10 Q. And how long ago was that inspection?

11 A. I believe that was on Tuesday.

12 Q. Tuesday of last week?

13 A. Correct.

14 Q. All right. So --

15 A. It was either Monday or Tuesday.

16 Q. So you had done an inspection over there last week, and then  
17 after you did an inspection, the regular inspector --

18 A. Yep. And then we had to have a day in between, and then Gary  
19 -- to get our frequencies right.

20 Q. So let's talk about that inspection. Just, do you do that  
21 from your section truck? Do you take --

22 A. Correct.

23 Q. Section truck. And what type of -- do you mainly do a hi-  
24 rail inspection?

25 A. Correct. Then you get out and walk if --



1 Q. If you --

2 A. If you feel that you need to visually inspect something on  
3 the ground.

4 Q. And on that inspection from Superior back into the 48 or  
5 whatever the ending milepost was, do you remember anything? Did  
6 you take any exceptions that day?

7 A. No, I did not.

8 Q. Do you remember seeing anything in that bridge location there  
9 at Jack Creek?

10 A. No.

11 MR. GORDON: All right, I don't have anything further right  
12 now. I'll pass it over.

13 MR. GEKAS: I have no questions.

14 BY MR. BROWN:

15 Q. Tom Brown, FRA. When you said you take your truck, is that  
16 -- what size is it? I mean, is it --

17 A. I got a --

18 Q. -- are we talking a boom truck?

19 A. No. It's a 5500 Dodge crew cab. I either take that truck,  
20 my section truck, or we have an extra truck, would be an inspector  
21 truck. Actually, I think on that day I did have that truck, the  
22 extra truck, the -- it would be Gary's old truck.

23 Q. So it would have been a regular inspection truck?

24 A. Correct. It just depends on if I got --

25 Q. But if you took the 5500, the crew cab, it's really similar

1 size or just -- I mean, slightly bigger than what the track  
2 inspector's --

3 A. Correct. Correct.

4 Q. It's not a big boom truck where you're --

5 A. Right. Correct.

6 Q. -- climbing up in a step -- okay.

7 MR. BROWN: That's the only question FRA has at this time.

8 BY MR. GORDON:

9 Q. As you inspect, when you're doing these fill-in inspections,  
10 do you see a lot of the different subdivisions on your assigned  
11 territory?

12 A. Yes.

13 Q. Did you notice anything different over there on the  
14 Estherville as far as tie condition or surface or any of the  
15 things that you're looking at than what you --

16 A. Not generally. I mean, it's pretty much all the same. I  
17 mean, we have better subdivisions than others, but --

18 Q. Right. But nothing --

19 A. Most of it's 90-pound rail, 30-mile an hour track. That's  
20 generally what I run.

21 Q. All right. And talk to us a little bit about if you do find  
22 a defect, and are you looking at -- what standards are you  
23 applying when you're out there as an inspector? Are you looking  
24 at UP standards, FRA minimum standards?

25 A. Well, usually you go to the field maintenance handbook, which

1 is the UP standards, and do what's required in there. Or you go  
2 to the FRA book, or I call Gary Brockman, and ask him or my boss  
3 or another -- there's always people that you can call to get some  
4 knowledge from.

5 Q. All right. And so you're familiar with protecting track  
6 if --

7 A. Correct.

8 Q. -- you see something that's --

9 A. Correct.

10 Q. -- that needs -- a defect that needs --

11 A. Slow order it. Take it out of service. Repair it.

12 MR. GORDON: Okay. I'm going to look around the room one  
13 more time.

14 BY MR. BROWN:

15 Q. Tom Brown, FRA. Then when you make these reports, do you  
16 enter your own report?

17 A. Correct, yeah.

18 Q. When you enter these reports, and I know there's sometimes a  
19 difference between -- I want to be careful how I say it. Just for  
20 layman's terms, sometimes they call it two sets of books, but  
21 there's nothing wrong with it; but you'll have a maintenance side  
22 where it's somebody wants something done, but it's not an FRA  
23 defect or it does not require remedial action, and then you have  
24 your FRA. So, I mean, it's perfectly --

25 A. Right.

1 Q. -- perfectly legit. Are you able to put any of that stuff in  
2 for the --

3 A. Yes.

4 Q. -- what I'd say would be the non-FRA defects?

5 A. Our TMP system.

6 Q. Okay. That's what it's called, okay.

7 A. Track Maintenance Planner.

8 Q. Because I know I've heard Gary and the track inspector talk  
9 about it and other people in my travels.

10 A. Yeah.

11 Q. I just didn't know if they let an actual section foreman, you  
12 know, you're not -- but that's good. Because I have seen places  
13 where section foremen or something run the track, but they never  
14 even put a report in.

15 A. Right.

16 Q. And because they don't really need the report for  
17 frequencies, but then we're missing data sometimes. So this is  
18 good. I just wanted to make sure a document --

19 MR. BROWN: FRA has no more questions at this time.

20 MR. GORDON: Butch, anything?

21 Okay, so, yeah, just to kind of sum everything up. What we  
22 were most interested in was your last trip over there, just to see  
23 if you saw anything out of the ordinary. And so I appreciate you  
24 coming in and sitting down with us. I will say that if anything  
25 comes to mind at a later time -- I'll give you one of my cards --

1 you can give me a call. I think Tom may have one more.

2 BY MR. BROWN:

3 Q. Yeah, I may have -- just touch on a couple more things with  
4 Dustin. And since you are the section foreman on this territory,  
5 a lot of times the track inspector will call you over to do  
6 something or you could be called over because of an EC car,  
7 whatever. Do you ever recall doing any work as a section foreman  
8 around that Jack Creek Bridge? Raising the bridge ends, which is  
9 a common --

10 A. No, I didn't, but I believe that the surfacing gang did  
11 surface in and out of that bridge.

12 Q. Within the last 6 months?

13 A. Yeah, probably.

14 Q. Three months?

15 A. I mean --

16 Q. Which the last 3 months we've been pretty much froze up.

17 A. Right.

18 Q. Your last inspection, though, was the ground unthawed at that  
19 point?

20 A. Well, it was kind of the -- we were really warm, and then it  
21 cooled back down. So I'd say it was kind of in between. You  
22 know, some mud areas are going to be frozen and --

23 Q. And then when we talk about the Estherville Sub, we've been  
24 talking in a sense that we kind of break it up between Goldfield  
25 and Emmetsburg and then Emmetsburg to Superior because of the, I

1 guess -- yeah, Emmetsburg, but because -- yeah, that's a good  
2 breaking point. But, anyway, how often do you say you get called  
3 over by Gary or anybody else to work on this top portion from  
4 Emmetsburg to Superior? Just a ballpark in maybe a month.

5 A. Maybe once a month. I mean --

6 Q. Once a month, okay. And part of that probably because the  
7 traffic's not --

8 A. Correct. There's not much traffic. I mean, there's a local  
9 up there, but --

10 Q. So you don't --

11 A. There's more traffic between --

12 Q. The percentage of your time as a section foreman, this don't  
13 eat up much of that percentage?

14 A. Correct. For service failures. You know, if for --

15 Q. But even for ties, service failures --

16 A. Oh, for ties, we spend quite a bit of time up there in the  
17 summertime putting in ties.

18 Q. Okay. So you -- seasonal you'll spend more time over --

19 A. Correct.

20 Q. -- there in the summertime.

21 A. But as a service failure or an emergency, broken rail, broken  
22 bars, maybe once a month.

23 Q. And I'm not going to ask you to put a percentage, but you're  
24 not -- because you've got a lot of territory, this, from  
25 Emmetsburg to Superior, is not taking up the biggest portion of

1 your --

2 A. Right.

3 Q. -- your time or -- you're spending a lot of that other  
4 places?

5 A. Correct. We cover a lot of territory.

6 Q. Which gives you a lot of wind chill time.

7 A. Yes.

8 BY MR. GORDON:

9 Q. So to kind of follow up on that, and this is Joe Gordon,  
10 NTSB, what is your territory? What all -- where do you report  
11 and --

12 A. I report in Rolfe, Iowa, and I have the Tara Subdivision from  
13 approximately milepost 46.5 to the end of track, which is  
14 70, milepost 70 roughly. Then I have the Laurens Sub from 0 to  
15 28.5. And then I have the entire Estherville Sub, 0 to 78.4. But  
16 that's -- I mean, we go out on the whole MTM's territory.

17 Q. Right.

18 A. But if there's a service failure on that track, that's -- I  
19 get called first.

20 Q. And then how many people work on your gang? What's --

21 A. I have one other guy.

22 Q. Okay. So it's you and a vehicle operator?

23 A. In the wintertime I have an assistant foreman and in the  
24 summer I'm by myself.

25 Q. And you're doing the routine maintenance, the daily

1 maintenance, the bolts --

2 A. Correct.

3 Q. -- the pulling joints, those --

4 A. Correct.

5 Q. -- different kind of things?

6 MR. GORDON: Okay. Anything?

7 All right. So mostly we were interested in that last run  
8 just to help us understand what was going on in that area. And  
9 but I would like to offer, if you have anything to add? We don't  
10 have any more questions at this time, but if you have anything to  
11 add, you're welcome to do that. Is it okay -- I've got your  
12 contact information. Is it okay if I call you if another question  
13 comes up at some point?

14 MR. DICKEY: Sure can.

15 MR. GORDON: And, you know, we'd like to thank you for coming  
16 in and sitting down with us. It is helpful just to see that there  
17 were more than one set of eyes through that territory and that  
18 there wasn't anything extraordinary around that location that you  
19 guys noted. That's very helpful because -- so 2000, so you've  
20 been railroading for 16 years now?

21 MR. DICKEY: 2001.

22 MR. GORDON: Doesn't seem real, I'm sure.

23 MR. DICKEY: Right.

24 MR. GORDON: Time flies --

25 MR. DICKEY: Yes.



1 MR. GORDON: -- when you're having fun, right? So, yeah,  
2 well, thank you for coming in.

3 And with that, we will go off the record.

4 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:     DERAILMENT OF UNION PACIFIC TRAIN  
                          NUMBER UEGKOT 09 NEAR GRAETTINGER,  
                          IOWA ON MARCH 10, 2017  
                          Interview of Dustin Dickey

ACCIDENT NUMBER:     DCA17MR007

PLACE:                 Spencer, Iowa

DATE:                 March 15, 2017

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.

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Katherine Motley  
Transcriber