

NATIONAL TRANSPORTATION SAFETY BOARD

IN RE: :

THE ACCIDENT INVOLVING : NTSB Accident No.

AMTRAK TRAIN #89 AND A : DCA16FR007

BACKHOE IN CHESTER, :

PENNSYLVANIA ON :

APRIL 3, 2016 :

INTERVIEW OF: Errol Heywood

Wednesday,
April 6, 2016

Chester, Pennsylvania

BEFORE

STEPHEN M. JENNER, NTSB
DONALD HILL, BLET
WILLIAM BATES, SMART
JONATHAN HINES, AMTRAK
MELVIN WICHELMANN, BLET
DAVID NICHOLS, AMTRAK
JIM GEE, FRA
RYAN FRIGO, NTSB
BARRY CROSS, ATDA
SHANE TUFFY, AMTRAK

This transcript was produced from audio
provided by the National Transportation Safety Board.

APPEARANCES:

On Behalf of the Interviewee:

JOHN SALVEY
Vice President
American Train Dispatchers Association
4239 W. 150th Street
Cleveland, OH 44135
[REDACTED]

P-R-O-C-E-E-D-I-N-G-S

1
2 MR. JENNER: Good morning. My name is
3 Stephen Jenner. I'm with the National Transportation
4 Safety Board, and I'm an investigator of -- as part of
5 the investigation into the Amtrak accident that
6 happened on July 3rd, 2016, in Chester, Pennsylvania,
7 and we are here talking to one of the train dispatchers
8 from Amtrak.

9 What I'd first like to do is go around the
10 room and have everyone introduce themselves, and please
11 spell your name and say who you're with, and again, my
12 name is Stephen Jenner, S-T-E-P-H-E-N, J-E-N-N-E-R,
13 with the NTSB. We'll start to my left.

14 INTERVIEWER: You said the wrong date.

15 MR. JENNER: Okay, I'm going to correct
16 myself. April. Today is April 6th, and the accident
17 was April 3rd, 2016. Thank you. To my left?

18 MR. BATES: William Bates. W-I-L-L-I-A-M,
19 B-A-T-E-S. SMART National Transportation Safety Team.

20 MR. HILL: Donald Hill, the BLET Safety Task
21 Force. D-O-N-A-L-D, H-I-L-L.

22 MR. NICHOLS: David Nichols, D-A-V-I-D, N-I-
23 C-H-O-L-S, Chief Transportation Officer.

24 MR. CROSS: Barry Cross. B-A-R-R-Y, C-R-O-
25 S-S. ATDA General Chairman.

1 MR. HINES: Jonathan Hines. J-O-N-A-T-H-A-N,
2 H-I-N-E-S. Assistant General Road Foreman for Amtrak.

3 MR. TUFFY: Shane Tuffy. S-H-A-N-E, T-U-F-
4 F-Y. Senior Manager Operating Practices for Amtrak.

5 MR. WICHELMANN: Melvin Wichelmann. M-E-L-
6 V-I-N, W-I-C-H-E-L-M-A-N-N. BLET Safety Task Force.

7 MR. GEE: Jim Gee. G-E-E. FRA
8 Representative Region II.

9 MR. FRIGO: Ryan Frigo. F-R-I-G-O.
10 Investigator in Charge, NTSB.

11 MR. JENNER: And Mr. Heywood?

12 MR. HEYWOOD: Errol Heywood. E-R-R-O-L, H-
13 E-Y-W-O-O-D. Train Inspector, Amtrak.

14 MR. JENNER: Okay, and you have
15 representation today?

16 MR. HEYWOOD: Yes.

17 MR. JENNER: Okay, please introduce
18 yourself.

19 MR. SALVEY: My name is John Salvey. I'm
20 Vice President of the American Train Dispatchers
21 Association.

22 MR. JENNER: Great, thank you very much.
23 The spelling of your last name?

24 MR. SALVEY: S-A-L-V-E-Y.

25 MR. JENNER: Great, thank you. Mr. Heywood,

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1 again, thank you for being here today, and talking to
2 us.

3 What we would like to understand is what
4 your duties were on Sunday, April 3rd, and if you can,
5 first if you can just tell us your job title and
6 overall description of what you do.

7 MR. HEYWOOD: Train inspector.
8 Responsibilities, safe movement of train and also,
9 safety and protecting on rail workers.

10 MR. JENNER: Very good. Can you tell us
11 about your day? Your shift may have started either
12 Saturday night?

13 MR. HEYWOOD: Yes.

14 MR. JENNER: Okay, and if you can just walk
15 us through the beginning of your shift, and if there
16 was some sort of official turnover, and your duties on
17 that day.

18 MR. HEYWOOD: Saturday night. Shift started
19 at about 10:45. When I came in, track was already out
20 of service.

21 MR. JENNER: And if you could describe which
22 track that is.

23 MR. HEYWOOD: That's number two track
24 between Baldwin and Hook.

25 MR. JENNER: What was your understanding why

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1 it was out of service?

2 MR. HEYWOOD: It was a 55 continuous -- 55
3 hour continuous job, started Friday. Suppose to end
4 Sunday.

5 MR. JENNER: Okay, and how did you know that
6 it was out of service?

7 MR. HEYWOOD: My person who work before me,
8 informed me during the turnover session --

9 MR. JENNER: Okay.

10 MR. HEYWOOD: -- that it was.

11 MR. JENNER: Okay, can you -- best you can
12 remember, what some of the things that were discussed
13 during the turnover, related to that work that was
14 being done?

15 MR. HEYWOOD: Track conditions, the foreman
16 that had the track, the Form D, which is the formal
17 paperwork that gave you info, as to track conditions
18 and who had that track out of service.

19 MR. JENNER: Okay, so, track two was out of
20 service. There were four tracks in that area?

21 MR. HEYWOOD: That's correct.

22 MR. JENNER: Okay, what was the status of
23 the other tracks?

24 MR. HEYWOOD: They were still in service,
25 still operative.

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1 MR. JENNER: All the other three tracks?

2 MR. HEYWOOD: All three tracks, yes.

3 MR. JENNER: And do you know the numbers of
4 those other three tracks?

5 MR. HEYWOOD: It's one, three and four.

6 MR. JENNER: Okay, okay, and just if you can
7 walk us through your shift and tell us about -- did the
8 status of those tracks change, in terms of in-service
9 and out of service during your shift?

10 MR. HEYWOOD: Not out of service, but there
11 was fouls, intermittent fouls throughout the course of
12 the night, and a couple of points, it ended up where
13 all tracks were being utilized in lieu of the services
14 being performed on number two track.

15 MR. JENNER: Okay, okay, can you walk me
16 through the process of who you talked to, discussing
17 that track should be in service or out of service or
18 foul time and things like that?

19 MR. HEYWOOD: Track two was out of service,
20 in charge of Foreman Robinson.

21 So, he was the main person who I
22 corresponded with, in terms of authorizing foul times
23 on tracks one, three and four, throughout the course of
24 the evening.

25 MR. JENNER: Okay, when you say

1 intermittent, can you describe what that means?

2 MR. HEYWOOD: Throughout the course of the
3 night we had -- we still had train services.

4 So, in between trains moving north or south,
5 once we had a clear shot, then he had authority to work
6 on those tracks.

7 MR. JENNER: Okay, so, that was Mr. Robinson
8 who you were in discussions --

9 MR. HEYWOOD: Foreman Robinson.

10 MR. JENNER: Right.

11 MR. HEYWOOD: Yes.

12 MR. JENNER: Do you have any sense how many
13 times you had talked to him on the radio during your
14 shift?

15 MR. HEYWOOD: Not the exact number, but it
16 was several times.

17 MR. JENNER: Okay, several? Just your best
18 guess of what several is?

19 MR. HEYWOOD: I couldn't say definitively.

20 MR. JENNER: Okay, more than ten? Less than
21 ten?

22 MR. HEYWOOD: I'd say more than ten.

23 MR. JENNER: Okay, more than ten. Less than
24 20?

25 MR. HEYWOOD: I'd say that, yes.

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1 MR. JENNER: Okay, great, just trying to get
2 a ball park figure.

3 So, can you walk me through the process of
4 what has to happen between you and the foreman for this
5 process -- for the track to be put either out of
6 service or in service, or give foul time and to -- to
7 give it and take it away? What is the conversation?

8 MR. HEYWOOD: Foreman calls and requests a
9 foul time or a track out of service. Track has to be
10 clear of movements, either on track or towards track,
11 and then foul time our track out of service is then
12 authorized with protection by me.

13 Foreman has to copy, repeat back in a clear
14 manner, and then once I authorize it, he copies and
15 repeats it and we're clear, then foul time or track out
16 of service is granted.

17 MR. JENNER: Okay, now, from your end, and
18 in terms of, you've got a bunch of consoles at the
19 dispatch station, at your desk, what do you have to do
20 to make that happen from your end, and I'm asking, do
21 you have any inputs into the software or do you have
22 any written -- written reminders? What do you do?

23 MR. HEYWOOD: Two things. Block has to be
24 applied. Blocking -- yes, block has to be applied. It
25 has to be accepted correctly by the system.

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1 Then we also have what is known as a foul
2 sheet. It has to be recorded by person requesting
3 track limits, time and how long each foul lasts.

4 MR. JENNER: Okay, now, for the first one,
5 the block has to be applied and accepted. So, you have
6 to make some sort of input?

7 MR. HEYWOOD: Yes.

8 MR. JENNER: And what sort of feedback do
9 you get from the system, that it has been applied?

10 MR. HEYWOOD: It will tell you if the block
11 has been accepted or if, in trying to apply it, the
12 request has failed.

13 MR. JENNER: Okay, how long does that
14 process take from the moment you start inputting until
15 you get feedback?

16 MR. HEYWOOD: Not too long. I'd say 15
17 seconds.

18 MR. JENNER: Very quickly. During your
19 shift that night, was there any -- ever any
20 complication that you had applying or getting the
21 system to accept?

22 MR. HEYWOOD: No. I had one issue where I
23 ran a train south -- no, north on three, and it had
24 left what is known as a TOL, which is a track occupancy
25 light on three track, which would indicate that the

1 track is occupied.

2 So, that was the only complication that I
3 can recall --

4 MR. JENNER: Okay.

5 MR. HEYWOOD: -- happening during that time.

6 MR. JENNER: Okay, and if you can describe
7 that a little more. What was the nature of the problem
8 and how was it resolved?

9 MR. HEYWOOD: When I swung traffic --
10 because three track, we usually use it to go south.

11 So, I swung traffic, it's 261 territory,
12 which means we can use it either way.

13 So, when I swung traffic to go north and the
14 train went through, it left a light on. So, then what
15 I had to do was to swing traffic to go back south, and
16 then that cleared up a lot.

17 MR. JENNER: Okay, great. Now, the second
18 thing you mentioned is the foul sheet.

19 MR. HEYWOOD: Yes.

20 MR. JENNER: So, what gets entered in the
21 foul sheet?

22 MR. HEYWOOD: The foreman requesting, the
23 track, limits of the foul, time that it's authorized,
24 and for how long, and also if you're applying blocking
25 devices.

1 MR. JENNER: Okay.

2 MR. HEYWOOD: And then once you clear, it's
3 almost the same process in reverse.

4 MR. JENNER: Okay, so, from your perspective
5 that evening, did your shift go pretty much routine, as
6 normal in terms of the work was being done in this
7 area?

8 MR. HEYWOOD: Work being done, I'd say yes.
9 But through the course of the night, I had issues where
10 the radio would sometimes be clear and then moments
11 where the radio wouldn't be clear.

12 MR. JENNER: Is that radio conversation
13 between you and --

14 MR. HEYWOOD: Between me and --

15 MR. JENNER: -- Mr. Robinson?

16 MR. HEYWOOD: -- Mr. Robinson, yes.

17 MR. JENNER: Do you have any idea why that
18 was?

19 MR. HEYWOOD: I couldn't speculate. Could
20 be where he was at the time. Could be that his
21 batteries were no good. I don't -- I couldn't say
22 definitely why.

23 MR. JENNER: Okay, how did that affect your
24 operations?

25 MR. HEYWOOD: It didn't because I insisted

1 that before authority was granted, that we had a clear
2 understanding as to what each one was trying to get
3 accomplished.

4 MR. JENNER: Okay, do you -- have you worked
5 -- had communications with Mr. Robinson before the day
6 that we're talking about? Had you worked with him in
7 the past?

8 MR. HEYWOOD: Oh, yes.

9 MR. JENNER: Okay.

10 MR. HEYWOOD: Yes.

11 MR. JENNER: Did things on this day -- were
12 they similar to things on previous occasions?

13 MR. HEYWOOD: For the most part, yes.

14 MR. JENNER: Okay, so, I guess I'm asking
15 you know, was procedure pretty similar to other times?
16 Was his mannerisms, as far as you can tell, pretty
17 similar? Was there anything that you had concerns
18 about?

19 MR. HEYWOOD: No.

20 MR. JENNER: Okay, okay. Let me take your
21 toward the end of your shift, and what is the official
22 time that your shift ends?

23 MR. HEYWOOD: I think it was about 6:43 or
24 6:45.

25 MR. JENNER: Okay.

1 MR. HEYWOOD: Somewhere in there.

2 MR. JENNER: Okay.

3 MR. HEYWOOD: Oh, well, it's carry-over to
4 7:00 or 7:30. I think it's 7:30.

5 MR. TUFFY: I believe it is 7:30, 3:30 and
6 11:30 and the train dispatchers are allowed to relieve
7 up to 30 minutes in advance. So, they say seven, three
8 and eleven.

9 MR. JENNER: Okay.

10 MR. TUFFY: But the official scheduled time
11 is 7:30, 3:30 and 11:30.

12 MR. JENNER: Okay, I'm just going to have
13 you introduce yourself for the record.

14 MR. TUFFY: Shane Tuffy.

15 MR. JENNER: Great.

16 MR. TUFFY: S-H-A-N-E, T-U-F-F-Y.

17 MR. JENNER: Great, thank you, Mr. Tuffy.
18 Okay, Mr. Heywood, so, we think your shift officially
19 ended about 7:30, okay.

20 MR. HEYWOOD: Yes.

21 MR. JENNER: There is a turnover process?

22 MR. HEYWOOD: Yes.

23 MR. JENNER: Okay, if you can walk me
24 through the best you can, when that started and what
25 information was exchanged.

1 MR. HEYWOOD: Turnover process, the
2 relieving dispatcher, when he gets in, first we have
3 things that are written down, track conditions that are
4 written down, if there is any Form D's in effect, if
5 there is any plate orders in effect, if there is any
6 TSRB that was added overnight, that was fresh.

7 If there is any memo, current memos out. If
8 there is any new paperwork, irrespective TSRB memos,
9 CNS39, that's all noted on the turnover sheet, and
10 current bulletin orders, all of that.

11 Then we do a face-to-face turnover, which
12 you kind of go again, over what's happening out there,
13 what the track conditions are.

14 MR. JENNER: Okay, do you remember any
15 specifics during the turnover, related to this gang
16 that was out there?

17 MR. HEYWOOD: When I was doing my turnover,
18 Mr. Robinson still had all four tracks -- he had two
19 track out and it was following one, three and four.

20 So, at that moment, he had all four tracks
21 that -- he was utilizing all four tracks.

22 MR. JENNER: Okay, let me back track a
23 little. Under those conditions, then so, he's utilizing
24 all four. Number two is out.

25 So, what is the process for getting a train

1 to travel through that area?

2 MR. HEYWOOD: Well, if he -- the
3 conversation that we had was, he needed at least five
4 minutes notice prior to clearing.

5 So, when a train was at 30th Street, or when
6 a train was in Wilmington and was calling to say, "Hey,
7 I need to be clear."

8 MR. JENNER: Okay, so, did that happen
9 during this -- during your shift?

10 MR. HEYWOOD: During the turnover?

11 MR. JENNER: During -- any time during the
12 shift.

13 MR. HEYWOOD: Yes, yes.

14 MR. JENNER: Okay.

15 MR. HEYWOOD: Yes.

16 MR. JENNER: Any problem getting a hold of
17 Mr. Robinson during those occasions?

18 MR. HEYWOOD: Not that I can recall.

19 MR. JENNER: Okay, and any problems
20 executing your plan?

21 So, you give him a call and you give him a
22 few minutes to get equipment off the track? Is that
23 what I --

24 MR. HEYWOOD: Not that I can recall, no.

25 MR. JENNER: Okay, so, everything went

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1 according to plan?

2 MR. HEYWOOD: Yes.

3 MR. JENNER: Okay, so, that's what -- that's
4 the process? If you have a train that's approaching
5 Wilmington or --

6 MR. HEYWOOD: Or 30th Street.

7 MR. JENNER: -- 30th Street --

8 MR. HEYWOOD: Yes.

9 MR. JENNER: -- you'll give Mr. Robinson a
10 call, the foreman, ask him to clear up how many tracks?
11 Just one?

12 MR. HEYWOOD: Well, depending on what track
13 I'll need, because with trains going south, I usually
14 try to keep them on three, and then trains coming
15 north, depending on what I have going on, I utilize
16 number one track, or I try to use number three also,
17 because three track is a faster track than one track
18 is.

19 MR. JENNER: Okay.

20 MR. HEYWOOD: So.

21 MR. JENNER: Okay, so, at the time of your
22 turnover -- when does the turnover process begin?

23 MR. HEYWOOD: It's about 6:45.

24 MR. JENNER: And how long does it usually
25 take?

1 MR. HEYWOOD: The time varies. The time,
2 depending on how much information you need to pass onto
3 the incoming dispatcher, time varies.

4 MR. JENNER: Okay, I'm going to ask you to
5 give me an estimate, general range, how much it varies
6 between --

7 MR. HEYWOOD: Could take a couple minutes.
8 It could take 10 minutes.

9 MR. JENNER: So, what is the longest it
10 might take?

11 MR. HEYWOOD: I'd say could take 10 or 15
12 minutes at a top.

13 MR. JENNER: Okay, so, given that it started
14 about 6:45, by 7:00, the turnover would have been
15 completed?

16 MR. HEYWOOD: Yes.

17 MR. JENNER: Okay, what did you do then?
18 Let's say it's about 7:00.

19 MR. HEYWOOD: It's about 7:00? Usually, if
20 it takes that long, then once the turnover has been
21 completed, and it has been accepted, and you have all
22 the information that needs to be carried over and
23 passed on, has been given and accepted, then you leave.

24 MR. JENNER: Okay, is that what you did, or
25 did you hang around for a while?

1 MR. HEYWOOD: Maybe I had a couple of
2 minutes of conversation before I left turnover and just
3 conversation-wise.

4 MR. JENNER: Okay, was the conversation work
5 related or just casual?

6 MR. HEYWOOD: Work related and casual.

7 MR. JENNER: Okay, so, what time do you
8 think that you may have -- that may have ended?

9 MR. HEYWOOD: Probably 7:15, thereabouts.

10 MR. JENNER: Okay, 7:15, okay, and Mr.
11 Franklin?

12 MR. HEYWOOD: Yes.

13 MR. JENNER: Did he have any -- during the
14 turnover process, did things go smoothly, or did he
15 have any questions for you that you could not answer?

16 MR. HEYWOOD: No.

17 MR. JENNER: So, a routine turnover?

18 MR. HEYWOOD: Routine turnover, yes.

19 MR. JENNER: Okay, okay. I'm not sure what
20 else. Okay, when you were on -- this was a 55 hour --

21 MR. HEYWOOD: Outage.

22 MR. JENNER: -- outage. Did you work the
23 previous three days, two or three days?

24 MR. HEYWOOD: I think I actually started
25 Friday.

1 MR. JENNER: So, you worked Friday night --

2 MR. HEYWOOD: Yes.

3 MR. JENNER: -- and Saturday night.

4 MR. HEYWOOD: Saturday night.

5 MR. JENNER: Okay, was Mr. Robinson the
6 foreman?

7 MR. HEYWOOD: No, it was that Foreman SMOOT
8 {phonetic}, I think that took it Friday.

9 MR. JENNER: Okay, now, were you ever on
10 duty when there was a -- a turnover from the -- from
11 the gang, in a sense, of the -- if the night foreman
12 went off duty and a daytime foreman came on duty, were
13 you ever -- were you ever on duty at that time?

14 MR. HEYWOOD: Yes.

15 MR. JENNER: I'd like for you to walk me
16 through that process. What has to happen, from the
17 person who is going off duty in terms of -- do they
18 have to communicate with you and what do they have to
19 communicate and what is your expectations for
20 communicating with the relieving person?

21 MR. HEYWOOD: Yes, they have to communicate
22 with us, because they have to inform us that they're
23 being relieved of duty, and once they have informed us
24 of the paperwork that they have with us, that also has
25 to be relinquished.

1 So, if they have a Form D, they have to give
2 up that Form D, but before that happens, the foreman
3 that's coming on also has to call us, and then they get
4 the Form D in their name, and then we take
5 responsibility from the previous guy.

6 MR. JENNER: Okay.

7 MR. HEYWOOD: If he has fouls, he has to
8 give up those fouls before he can leave.

9 MR. JENNER: Okay, here is the scenario.
10 Let's say the outgoing person -- the incoming person on
11 the gang, wants things to remain exactly the same?

12 MR. HEYWOOD: They can remain the same, but
13 he has to take responsibility.

14 MR. JENNER: So, okay, if he wants things --
15 if he does want things to remain the same, and in this
16 case, like you know, one, three and four, that they
17 still have foul time, can the new guy coming in just
18 say to you --

19 MR. HEYWOOD: No.

20 MR. JENNER: Okay, so, then again, just --
21 if they want it to be a very quick turnover and very
22 efficient, what's the best way to do that?

23 MR. HEYWOOD: Call us. Get permission for
24 what they're seeking, and then we relieve the outgoing
25 foreman of their responsibilities.

1 MR. JENNER: Okay, so, the outgoing foreman
2 has to call you and give up --

3 MR. HEYWOOD: Give up whatever he has.

4 MR. JENNER: And the new person has to come
5 in and --

6 MR. HEYWOOD: Well, he calls before. The
7 new person calls before. He has to get whatever he
8 needs before.

9 Like, if you wanted a track out of service,
10 he has to get a Form D. He has to get paperwork that
11 gives him that authority.

12 MR. JENNER: The incoming person should call
13 first?

14 MR. HEYWOOD: Yes.

15 INTERVIEWER: It doesn't really matter. It
16 just has to take place, correct?

17 MR. HEYWOOD: Okay.

18 MR. JENNER: Okay, I'll ask the same -- can
19 we pause for a second?

20 (Off the record.)

21 MR. JENNER: And we're back on the record.
22 I'm going to continue my questioning. This is Steve
23 Jenner.

24 Next question is, it two foremen, an
25 outgoing and an incoming, want to keep foul time going

1 uninterrupted, what is the process for that to occur?

2 MR. HEYWOOD: Outgoing foreman has to
3 relinquish his foul time, make sure that the track that
4 is being requested is clear, and then the incoming
5 foreman has to request his own foul time.

6 MR. JENNER: Okay, while you were there, up
7 to about 7:15 a.m, did you hear any of that going on
8 over the radio? Were you in a position to hear that? I
9 asked a bad question.

10 The -- was your answer no, you did not hear
11 it?

12 MR. HEYWOOD: The transfer between phone
13 time between --

14 MR. JENNER: Yes.

15 MR. HEYWOOD: No, I didn't.

16 MR. JENNER: Okay.

17 MR. HEYWOOD: No, I did not.

18 MR. JENNER: Were you in a position to hear
19 it? If it did occur, would you have been able to hear
20 it?

21 MR. HEYWOOD: Yes.

22 MR. JENNER: Okay.

23 MR. HEYWOOD: If it did occur, yes.

24 MR. JENNER: Okay, thank you. That is all
25 the questions I have right now.

1 What we'd like to do is go around and have
2 other people as follow up questions. Do you need a
3 break?

4 MR. SALVEY: Can I confer with him first?

5 MR. JENNER: Okay, we're going off record
6 for one second.

7 (Off the record.)

8 MR. JENNER: Okay, we're back on the record.
9 I'm going to ask for -- if there are any follow up
10 questions, going to my right.

11 MR. GEE: Jim Gee, FRA Inspector, and Mr.
12 Heywood, I'm out of Region II. I'm the local
13 inspector, and thank you for allowing us the
14 opportunity to interview you.

15 MR. HEYWOOD: You're welcome.

16 MR. GEE: Okay, Mr. Heywood, how long have
17 you been a dispatcher?

18 MR. HEYWOOD: Since 2007. Started out in
19 the blocks and came up.

20 MR. GEE: Okay, what is your qualification -
21 - what is your qualifications to be train dispatcher,
22 in order to work your job?

23 MR. HEYWOOD: Overall?

24 MR. GEE: Yes.

25 MR. HEYWOOD: Schooling.

1 MR. GEE: And that's with your book of
2 rules?

3 MR. HEYWOOD: Yes, book of rules and all of
4 that.

5 MR. GEE: Right.

6 MR. HEYWOOD: Physical well-being, healthy.

7 MR. GEE: Okay, another part of -- and how
8 often are you qualified, re-qualified?

9 MR. HEYWOOD: Every year.

10 MR. GEE: Every year?

11 MR. HEYWOOD: Every year.

12 MR. GEE: Once on your book of rules?

13 MR. HEYWOOD: Yes.

14 MR. GEE: Okay, you talked about your book
15 of rules. Are there any other areas that you have to
16 be qualified on?

17 MR. HEYWOOD: The MT2.

18 MR. GEE: What's the MT2?

19 MR. HEYWOOD: In the traction.

20 MR. GEE: Okay.

21 MR. SALVEY: That's AMT2.

22 MR. HEYWOOD: AMT2.

23 MR. GEE: AMT2, okay.

24 MR. HEYWOOD: AMT2.

25 MR. GEE: Okay, are you qualified on the

1 railroad?

2 MR. HEYWOOD: Physical characteristics of
3 the territory that you work, yes.

4 MR. GEE: Okay, can you describe to me what
5 you mean by physical characteristics?

6 MR. HEYWOOD: You have to be qualified under
7 physical characters that affix each territory on which
8 you're qualified. Like, you have to know where the
9 turn-outs are, the switches are, your interlockings,
10 your sightings, you know, what each track looks like.

11 MR. GEE: How do you keep those
12 qualifications up?

13 MR. HEYWOOD: We do what's known as road-
14 days, where intermittent, we're given out to go ride
15 the trains and look at the territory on which you work.

16 MR. GEE: Okay, how many road days are you
17 allowed?

18 MR. HEYWOOD: Three per year, up to four.
19 Three, up to four.

20 MR. GEE: Okay, when was your last road day
21 on this particular territory?

22 MR. HEYWOOD: Some time last year.

23 MR. GEE: Okay.

24 MR. HEYWOOD: Some time last year. No, I
25 had one on Sunday, does that count?

1 MR. GEE: Pardon me?

2 MR. HEYWOOD: I had one Sunday. Does that
3 count?

4 MR. GEE: Sure, it does.

5 MR. HEYWOOD: Okay, okay, Sunday. Sunday.

6 MR. GEE: Now, you had spoken with Mr.
7 Jenner, you described what a train dispatcher transfer
8 is, you share information, and this sharing of
9 information is for an ongoing dispatcher going to work
10 and one going off work, correct?

11 MR. HEYWOOD: That's correct.

12 MR. GEE: What is your responsibilities when
13 you go off duty?

14 MR. HEYWOOD: I'm not sure I understand the
15 question.

16 MR. GEE: Okay, what do you have to ensure
17 that's being done when you go off duty and hand it off
18 to the other dispatcher?

19 MR. HEYWOOD: That he has a clear
20 understanding, if that's what you mean.

21 MR. GEE: Right, okay, and how is that done?

22 MR. HEYWOOD: It's read, acknowledged and
23 signed.

24 MR. GEE: Okay.

25 MR. HEYWOOD: It's read, heard and signed.

1 MR. GEE: Okay, okay, and you said at what
2 time -- what time -- about what time did you arrive
3 when you come to work that night? That Saturday night.

4 MR. SALVEY: Do you remember?

5 MR. HEYWOOD: Between MR. GEE: 40 and MR.
6 GEE: 50.

7 MR. SALVEY: That's right.

8 MR. GEE: When you did your turnover, about
9 how long did that take, you figure?

10 MR. HEYWOOD: I couldn't definitively say.

11 MR. GEE: Ten minutes?

12 MR. HEYWOOD: About ten minutes, yes.

13 MR. GEE: About ten minutes. Are you
14 familiar with an Amtrak rule that reads, I believe it's
15 special instructions, that if a foul -- if a track is
16 going to be fouled, not new or anything, but are you
17 familiar with a rule that if Amtrak's RWP folks are
18 going to go out there and foul a track for more than
19 five minutes, that they're recommended to shunt the
20 track?

21 MR. HEYWOOD: Yes, I think I am.

22 MR. GEE: Okay, what do you know about the
23 rule?

24 MR. HEYWOOD: If you're going to be --

25 MR. SALVEY: Can I take a minute with him

1 please?

2 MR. JENNER: Hold on a second. We'll go off
3 the record.

4 (Off the record.)

5 MR. JENNER: Okay, we're back on the record.
6 Mr. Gee?

7 MR. GEE: Okay, Jim Gee, G-E-E. We were
8 talking about if you knew about -- a little bit about
9 that Amtrak rule and special instructions about if the
10 track is going to be fouled for more than give minutes,
11 they should use a shunt, and you said, "I kind of know
12 a little about it," and then I asked you what do you
13 know about the rule, and then you --

14 MR. HEYWOOD: I heard about it in passing.

15 MR. GEE: Okay.

16 MR. HEYWOOD: But not -- I couldn't say that
17 I've been trained on it or --

18 MR. GEE: Okay, thank you.

19 MR. HEYWOOD: You're welcome.

20 MR. GEE: Thank you. Okay, that night,
21 Saturday night into Sunday morning, came into work and
22 you had your 10 minute or so transfer. Sounds like it
23 was a pretty smooth transfer. You know, it wasn't a big
24 thing.

25 Then you came to work. When you came to

1 work, there was no foul time in effect?

2 MR. HEYWOOD: Not to my knowledge.

3 MR. GEE: Right, okay, so, then in the
4 course of your night, you communicated with Mr.
5 Robinson to establish foul time.

6 MR. HEYWOOD: That's correct.

7 MR. GEE: From time to time.

8 MR. HEYWOOD: That's correct.

9 MR. GEE: Either one main, four main or
10 three main?

11 MR. HEYWOOD: That's correct also.

12 MR. GEE: Okay, now during those times and
13 those tracks that he wanted foul time, how did Mr.
14 Robinson get in -- contact you?

15 MR. HEYWOOD: Sometimes we use the radio,
16 and then when it became tough to get the communication
17 going on the radio, he call me on the telephone.

18 MR. GEE: Okay, could you please describe to
19 me what's tough over the radio?

20 MR. HEYWOOD: He couldn't hear what I was
21 saying or I couldn't hear what he was saying.

22 MR. GEE: Okay, during the night, was there
23 a lot of radio traffic?

24 MR. HEYWOOD: For stretches, yes.

25 MR. GEE: For stretches?

1 MR. HEYWOOD: So, sometimes the radio is --
2 of other sections kind of bleed over into --

3 MR. GEE: Okay.

4 MR. HEYWOOD: -- Section 4's radio.

5 MR. GEE: I understand. When a foreman asks
6 you not in particular Mr. Robinson, but when a foreman
7 asks you for foul time, you guys establish where it is,
8 and what track, the limits of it and what time you're
9 going to grant it. Is that a true statement?

10 MR. HEYWOOD: Yes.

11 MR. GEE: Okay.

12 MR. HEYWOOD: Yes.

13 MR. GEE: Is it ever discussed how long he
14 wants the track time?

15 MR. HEYWOOD: Sometimes, yes.

16 MR. GEE: Sometimes, yes?

17 MR. HEYWOOD: Yes.

18 MR. GEE: Okay, did Mr. Robinson, that
19 night, ever make mention of how long he wanted foul
20 time?

21 MR. HEYWOOD: Well, my question to him would
22 be, depending on what I had going on, how long do you
23 think you need it and how long it will take you to
24 clear?

25 MR. GEE: Right. Okay, as you confirmed

1 earlier, two foremen can the Form D at the same time,
2 for the same track, out of service.

3 MR. HEYWOOD: For short periods of time,
4 yes.

5 MR. GEE: All right. Now, in this instance
6 with Mr. Yeager and Mister --

7 MR. HEYWOOD: I wasn't there for Mr.
8 Yeager's. I was with Mr. Robinson all night.

9 MR. GEE: Oh, that's right.

10 MR. HEYWOOD: Yes.

11 MR. GEE: You were off duty?

12 MR. HEYWOOD: Yes.

13 MR. GEE: At?

14 MR. HEYWOOD: About 7:15, yes.

15 MR. GEE: Seven-fifteen?

16 MR. HEYWOOD: Yes.

17 MR. GEE: Okay, now okay, we'll have to --
18 I'll look at that, okay, 7:15.

19 Okay, and then to confirm, just so I know
20 too, but like you said, two people can have the
21 overlapping out of service, you know, Form D. They
22 each -- because they both could have track two out of
23 service.

24 But foremen cannot have overlapping track
25 authority. That's got to be given up one -- one given

1 up and the other guy getting it, correct?

2 MR. HEYWOOD: Under what circumstances?

3 MR. TUFFY: As he explained earlier, during
4 foul time.

5 MR. HEYWOOD: Foul time, okay.

6 MR. TUFFY: He's asking you about foul time.

7 MR. GEE: Yes, foul time. Yes, you cannot
8 overlap foul time. They've got to give it up and get
9 it. It's got to be separation of church and state, but
10 out of service, they can share it?

11 MR. HEYWOOD: Yes.

12 MR. GEE: Okay, good. Last question. No, I
13 think it's been answered. Thank you. I have no more
14 questions, Mr. Heywood.

15 MR. WICHELMANN: This is Melvin Wichelmann,
16 W-I-C-H-E-L-M-A-N-N, BLET Safety Task Force. Again,
17 thank you for being here and talking with us. Couple
18 questions.

19 That particular night, the trains were
20 running on time?

21 MR. HEYWOOD: A couple of trains were out of
22 service.

23 MR. WICHELMANN: Okay, how was -- how was
24 the work load that night?

25 MR. HEYWOOD: For me?

1 MR. WICHELMANN: Yes.

2 MR. HEYWOOD: It wasn't a lot of work.

3 MR. WICHELMANN: Not a lot of work?

4 MR. HEYWOOD: No.

5 MR. WICHELMANN: So, the weather played no
6 role in changing your workload for that night and what
7 was going on with the trains and the workers?

8 MR. HEYWOOD: Not to my knowledge.

9 MR. WICHELMANN: Okay. Now, you were
10 talking about your book of rules. You talked about --
11 when did you take that last?

12 MR. HEYWOOD: I think last February or
13 March, I think.

14 MR. WICHELMANN: February or March of last
15 year?

16 MR. HEYWOOD: March.

17 MR. WICHELMANN: March of last year?

18 MR. HEYWOOD: Yes.

19 MR. WICHELMANN: Now, you did say you have
20 the qual -- which is your qualifications, your physical
21 characteristics. That's done -- is that done on your --
22 - is that done after road day that you --

23 MR. HEYWOOD: It's done before. You have to
24 qualify. You have to qualify on the physical
25 characteristics.

1 MR. WICHELMANN: Okay.

2 MR. HEYWOOD: Before you do anything else.

3 MR. WICHELMANN: Okay.

4 MR. HEYWOOD: So, once you have a section,
5 you have to qualify, the physical characteristics.

6 MR. WICHELMANN: Okay, so, then the road
7 days, as you were talking about, where you go out and
8 ride, that's afterwards then?

9 MR. HEYWOOD: After qualification, yes.

10 MR. WICHELMANN: Okay, yes, because that
11 seems to be a little backwards.

12 INTERVIEWER: I have questions that can
13 clear that up.

14 MR. WICHELMANN: Okay, okay.

15 MR. HEYWOOD: You keep refreshing yourself.

16 MR. WICHELMANN: Okay, all right. Just like
17 I said, getting qualified on characteristics, but yet,
18 you don't go out on them until afterwards. That's why
19 I was asking.

20 MR. HEYWOOD: No, you have to go right
21 before you get qualified on characteristics.

22 MR. WICHELMANN: Okay, thank you. That
23 clarifies -- that's what I was asking.

24 MR. HEYWOOD: Okay, right.

25 MR. WICHELMANN: Thank you. Thank you. Who

1 was your dispatcher in charge that night?

2 MR. HEYWOOD: MTO?

3 MR. WICHELMANN: I guess.

4 MR. HEYWOOD: John MONTANOGO {phonetic}.

5 INTERVIEWER: Saturday.

6 MR. HEYWOOD: Saturday, no, right, we had
7 nobody here.

8 MR. WICHELMANN: Okay, and what is your off
9 days?

10 MR. HEYWOOD: Right now, it's Monday and
11 Tuesday.

12 MR. WICHELMANN: Monday and Tuesday?

13 MR. HEYWOOD: Yes.

14 MR. WICHELMANN: And I do -- you did say
15 that you worked with this foreman several other times -
16 -

17 MR. HEYWOOD: That's correct.

18 MR. WICHELMANN: -- and kind of know how
19 things work between the two of you, that things work
20 well?

21 MR. HEYWOOD: That's correct.

22 MR. WICHELMANN: Okay, no further questions.

23 MR. TUFFY: Good morning, Errol.

24 MR. HEYWOOD: Good morning.

25 MR. TUFFY: Shane Tuffy, Amtrak operating

1 practices, and the only reason I'm going to ask you a
2 few questions, just to kind of add clarity to some of
3 the questions that have already been asked, okay?

4 So, being that I'm a train dispatcher by
5 craft, I understand fully, you know, what the goal is
6 here.

7 So, I guess I'll start backwards. When you
8 say nobody was here, who is in charge when the MTO is
9 not in the office?

10 MR. HEYWOOD: Assistant chiefs.

11 MR. TUFFY: So, do the assistant chiefs have
12 supervisory authority --

13 MR. HEYWOOD: Yes, they do.

14 MR. TUFFY: -- over the train dispatchers?

15 MR. HEYWOOD: Yes, they do.

16 MR. TUFFY: Okay, the next question, and
17 it's going back to the beginning of when we started
18 talking to you this morning.

19 You said you hired in 2007 as a block
20 operator.

21 MR. HEYWOOD: Yes.

22 MR. TUFFY: How many years were you a block
23 operator?

24 MR. HEYWOOD: I think from 2009, two years.

25 MR. TUFFY: So, you spent two years as a

1 block operator, and then what happened after that?

2 MR. HEYWOOD: I got promoted.

3 MR. TUFFY: Okay, and what did you do to get
4 promoted to train dispatcher, assuming it was train
5 dispatcher you were promoted to.

6 MR. HEYWOOD: Yes, we had to -- we had to --
7 I mean, go to school.

8 MR. TUFFY: Right.

9 MR. HEYWOOD: We had to go to school.

10 MR. TUFFY: Okay, so, you had to go to a
11 class --

12 MR. HEYWOOD: Yes.

13 MR. TUFFY: -- for train dispatcher.

14 MR. HEYWOOD: Yes.

15 MR. TUFFY: And then so, that was the period
16 of time that you started as a train dispatcher until
17 now?

18 MR. HEYWOOD: Yes.

19 MR. TUFFY: Okay.

20 MR. HEYWOOD: That's correct.

21 MR. TUFFY: They also asked, you know, how
22 do you know that a block is applied, and you discussed
23 the way that you know that a block fails.

24 But can you explain to everyone, other ways
25 that you know that a block is applied in the field?

1 MR. HEYWOOD: When you make the request,
2 there's a blue line, blue page that comes up, and that
3 blue page usually stays up.

4 MR. TUFFY: Okay, so, you have a visual of
5 the fact that a block is applied?

6 MR. HEYWOOD: Yes.

7 MR. TUFFY: If the block is not applied,
8 what do you see visually?

9 MR. HEYWOOD: It flashes.

10 MR. TUFFY: It flashes?

11 MR. HEYWOOD: It flashes, yes.

12 MR. TUFFY: And is that the only case that
13 you'd have, if a block was not applied? Let's say, you
14 did not request the block, what color would it be?

15 MR. HEYWOOD: It would be white.

16 MR. TUFFY: Okay.

17 MR. HEYWOOD: Any track is white when it's
18 not --

19 MR. TUFFY: Okay.

20 MR. HEYWOOD: -- occupied.

21 MR. TUFFY: Very good. Another question
22 that was asked. Foreman fouling on the same track.

23 Would you ever have to foremen fouling on
24 the same track at the same location?

25 MR. HEYWOOD: It can happen, but that has to

1 be between the foremen, not us.

2 MR. TUFFY: Okay, so, okay. So, in that
3 instance, would there be one foreman that's in charge
4 and then like a piggy-back, or like a second foreman
5 that would be -- how does that work?

6 MR. HEYWOOD: A foreman requests a portion
7 of track --

8 MR. TUFFY: Right.

9 MR. HEYWOOD: -- and then the second foreman
10 would have to talk to that foreman, to get authority.

11 MR. TUFFY: So, it's not two authorities --

12 MR. HEYWOOD: No, it's just one.

13 MR. TUFFY: -- coming up --

14 MR. HEYWOOD: No, just one.

15 MR. TUFFY: Okay. So, is it possible for
16 two foremen to foul at different locations on the same
17 track?

18 MR. HEYWOOD: Yes.

19 MR. TUFFY: Okay. So, I just wanted to make
20 that clear for everybody.

21 When we're talking about Form D's, and we're
22 talking about overlapping Form D's, where I think it
23 was explained earlier that we have that, can you
24 explain how long do those Form D's usually overlap for?

25 MR. HEYWOOD: No long time.

1 MR. TUFFY: Okay, and why do you think that?

2 MR. HEYWOOD: Not a long time.

3 MR. TUFFY: Why do you think that is?

4 MR. HEYWOOD: Because then two people can't
5 have same authority on the same track.

6 MR. TUFFY: Okay, and the purpose of making
7 sure that we overlap them is --

8 MR. HEYWOOD: Is that there is no lapse in
9 protection on that track.

10 MR. TUFFY: Thank you very much. Okay, have
11 you ever had a foreman ask you if they had a positive
12 shunt on the track --

13 MR. HEYWOOD: Yes.

14 MR. TUFFY: -- when they were fouling?

15 MR. HEYWOOD: Yes, I have.

16 MR. TUFFY: Okay, do you have any way as a
17 dispatcher, to know what -- what devices they use or
18 need to perform their duties?

19 MR. HEYWOOD: No.

20 MR. TUFFY: Okay.

21 MR. HEYWOOD: I don't.

22 MR. TUFFY: Do you have any way of knowing,
23 other than a job briefing, how long it will take them,
24 if you say you're going to call them on the radio to
25 clear and they say, you know, "I need so many minutes

1 to clear." Do you know how long they intend to foul?

2 MR. HEYWOOD: No.

3 MR. TUFFY: Okay, so, it could be more than
4 five minutes?

5 MR. HEYWOOD: Could be more. Could be less.

6 MR. TUFFY: Could be less, okay, and then
7 lastly, during initial qualifications, you had
8 mentioned road days, okay, and I think you said you get
9 three road days a year.

10 Did you get road days when you -- before you
11 took the position and -- what was the section you were
12 working that night?

13 MR. HEYWOOD: Four.

14 MR. TUFFY: Okay, so, for CTEC 4, did you
15 have a period of time for physical characteristics,
16 going out and looking at the territory before you
17 actually sat at the desk?

18 MR. HEYWOOD: Yes.

19 MR. TUFFY: Okay.

20 MR. HEYWOOD: Yes.

21 MR. TUFFY: Do you remember how many days
22 you got for that?

23 MR. HEYWOOD: You took 30 days to qualify.

24 MR. TUFFY: Right, but how many days did you
25 actually go out and look?

1 MR. HEYWOOD: Five.

2 MR. TUFFY: Okay, so, you had five days up
3 front, before you even sat down --

4 MR. HEYWOOD: Yes.

5 MR. TUFFY: -- and you had -- did you have
6 on the job training, as well?

7 MR. HEYWOOD: Yes.

8 MR. TUFFY: Okay, and then every year after
9 that, you had your road days?

10 MR. HEYWOOD: Yes.

11 MR. TUFFY: Okay. That's all my questions.

12 MR. JENNER: Okay, thank you. Willie Bates?

13 MR. BATES: Willie Bates, B-A-T-E-S. Thank
14 you for being here, Errol. I've just got a couple
15 questions for you.

16 Okay, what are you -- you called? You're a
17 CTEC 1 or CTEC 2, CTEC 4?

18 MR. HEYWOOD: Yes.

19 MR. BATES: What's your section called?

20 MR. HEYWOOD: I was working CTEC 4 that
21 night.

22 MR. BATES: And what is the -- between what
23 points does that cover?

24 MR. HEYWOOD: It's between South Penn and
25 Reagan.

1 MR. BATES: Okay, and you've been qualified
2 on that territory since 2009 or --

3 MR. HEYWOOD: Yes, that's the first section
4 I qualified.

5 MR. BATES: Qualified, okay. Okay, we
6 talked about it earlier, about shunts being on the
7 tracks.

8 Is there any indication that you know, by
9 looking at your board, that the tracks have been
10 shunted?

11 INTERVIEWER: Can you clarify your question?

12 MR. BATES: Okay.

13 INTERVIEWER: I mean, are you talking what
14 is -- are you talking about a specific type of shunt or
15 any shunt at all?

16 MR. BATES: Yes, any shunt at all is -- if
17 an employee shunts a track, is there any way that you
18 can tell on your board that the track has been shunted?

19 INTERVIEWER: You're talking -- I understand
20 the confusion here.

21 MR. JENNER: Do you want to go off the
22 record?

23 INTERVIEWER: I would, yes.

24 INTERVIEWER: I think we ought to go off the
25 record.

1 MR. JENNER: We'll go off the record.

2 INTERVIEWER: For clarification purposes.

3 INTERVIEWER: Yes.

4 INTERVIEWER: Yes, we need to clarify.

5 MR. JENNER: Okay.

6 (Off the record.)

7 MR. JENNER: Okay, we're back on the record.

8 Mr. Bates?

9 MR. BATES: Mr. Heywood.

10 MR. HEYWOOD: Yes.

11 MR. BATES: Back to my earlier question. Is
12 there indication that you -- that you see on the board
13 if a track has been shunted?

14 MR. HEYWOOD: Yes.

15 MR. BATES: Okay, thank you.

16 MR. HEYWOOD: You're welcome.

17 MR. BATES: Okay, what indication is that?

18 MR. HEYWOOD: Track turns blue and red.

19 MR. BATES: All right, thank you.

20 MR. HEYWOOD: Okay.

21 MR. BATES: That's all the questions I have.

22 MR. FRIGO: Okay, Ryan Frigo, NTSB. Just to
23 clarify on the previous question.

24 Once a BDA has been applied, your board --
25 you will see blue?

1 MR. HEYWOOD: Yes.

2 MR. FRIGO: Once you see blue, indicating
3 that a BDA has been applied, if a shunt device is
4 applied in the field in that location, what color will
5 you see on the board?

6 MR. HEYWOOD: Red and blue.

7 MR. FRIGO: Red and blue, thank you, and
8 also to clarify, white appears on your board -- on your
9 board as an unoccupied block?

10 MR. HEYWOOD: That's correct.

11 MR. FRIGO: If a shunt device is applied to
12 an unoccupied block, what color will that appear on
13 your board?

14 MR. HEYWOOD: Red.

15 MR. FRIGO: Thank you, sir. Just moving
16 forward, I'd like to -- I'd like to go back to your
17 work with Mr. SMOOT {phonetic} on Friday into Saturday.

18 Do you remember -- so, track two, can you
19 describe track two in the -- the authority that was in
20 place on track two? Was that through --

21 MR. HEYWOOD: Friday night?

22 MR. FRIGO: On Friday night.

23 MR. HEYWOOD: Okay, Friday night, I actually
24 gave him the track from Baldwin through Hook
25 Interlocking to Holly.

1 MR. FRIGO: On two?

2 MR. HEYWOOD: On two, yes.

3 MR. FRIGO: And was that through a Form D or
4 through -- or did Mr. SMOOT request a foul?

5 MR. HEYWOOD: Form D.

6 MR. FRIGO: Through a Form D?

7 MR. HEYWOOD: Yes.

8 MR. FRIGO: Okay, in the -- in that same
9 area, did Mr. SMOOT request any other tracks through a
10 Form D or a foul?

11 MR. HEYWOOD: I think he did have foul time.

12 MR. FRIGO: Okay, can you recall on what
13 tracks he requested foul time?

14 MR. HEYWOOD: I think one, three and four.

15 MR. FRIGO: One, three and four?

16 MR. HEYWOOD: And four.

17 MR. FRIGO: Do you recall if when Mr. SMOOT
18 requested foul time, did you apply a blocking device?

19 MR. HEYWOOD: Yes, I did.

20 MR. FRIGO: And at any time after applying
21 that blocking device, did you -- do you recall seeing
22 the red and blue, indicating that a shunt was applied
23 in the field?

24 MR. HEYWOOD: I couldn't say definitively.

25 MR. FRIGO: Okay, do you know what type of

1 work that Mr. SMOOT was doing?

2 MR. HEYWOOD: I'm not sure. I'm not sure.

3 MR. FRIGO: Okay, can you recall if Mr.
4 SMOOT communicated with you that he would be using any
5 -- any on track equipment or any other heavy equipment
6 that would be fouling any of the tracks?

7 MR. HEYWOOD: Based on my recollection, I
8 thought he said he had a backhoe.

9 MR. FRIGO: Okay, do you recall what track
10 he might have been utilizing with that backhoe?

11 MR. HEYWOOD: Again, I couldn't say
12 definitively, but I would -- no, I couldn't say
13 definitely.

14 MR. FRIGO: Okay, thank you. Now, I would
15 just like to move to the night -- to the overnight --
16 the early morning before the incident, when Mr.
17 Robinson had the -- had the Form D on two and had
18 intermittent fouls on one, three and four.

19 You mentioned that during the operation, you
20 have to move trains through the area intermittently.

21 MR. HEYWOOD: That's correct.

22 MR. FRIGO: Can you please walk me through
23 your operating plan for that evening?

24 MR. HEYWOOD: Sure. I try as much to
25 utilize the faster track, which was number three, but

1 in the event that I had an opposing move, then I use
2 one or four.

3 So, with the discussion with Mr. Robinson,
4 he told me he needed at least five minutes notice to
5 clear.

6 So, my plan was, when that train hits
7 Wilmington or 30th Street, I felt like I wanted to give
8 him enough time to clear, so I'd inform him, I need
9 whatever track that I intended to utilize, and then
10 he'd clear and we'd communicate such. I'd take it back
11 from him, and then I utilize it accordingly.

12 MR. FRIGO: And when you say take it back
13 from him, did you disengage the BDA?

14 MR. HEYWOOD: Yes.

15 MR. FRIGO: And when you would re-
16 communicate with Mr. Robinson, is it correct to say
17 that he then requested the fouls back?

18 MR. HEYWOOD: Yes.

19 MR. FRIGO: And after requesting the fouls
20 back, did you reapply the BDA?

21 MR. HEYWOOD: Yes, I did.

22 MR. FRIGO: And at any of those times
23 throughout that evening, do you recall seeing the red
24 and blue line on your board, indicating that a shunt
25 device had been applied in the field?

1 MR. HEYWOOD: Again, I couldn't say
2 definitively, except for that one incident that I had,
3 where I had what would appear to be a TOL on the three
4 track, once I saw the traffic.

5 MR. FRIGO: Okay.

6 MR. HEYWOOD: And --

7 MR. FRIGO: Let's go to that -- to the TOL
8 that appeared on three.

9 Again, if you could -- just to clarify,
10 prior to that -- that movement of a northbound train,
11 was Mr. Robinson in possession of one, three and four
12 utilizing a foul?

13 MR. HEYWOOD: Yes.

14 MR. FRIGO: And what would have been the
15 process, as you stated, at Wilmington? You would call
16 Mr. Robinson if you had the need to move trains through
17 the area?

18 MR. HEYWOOD: That's correct.

19 MR. FRIGO: Okay, so, when that move was
20 occurring, that created the TOL, can you just walk me
21 through what happened when you called Mr. Robinson,
22 when that train was at Wilmington?

23 MR. HEYWOOD: He gave it back. I pulled the
24 signal, as much as I possibly could for that train to
25 go north, and then once he cleared, once the train

1 cleared, the TOL was on number three.

2 Mr. Robinson then requested foul time, to
3 resume on number three track, and I told him that I'm -
4 - because there was a TOL, I could not grant him foul
5 time, until I had it cleared up.

6 So, then I swung traffic, and that took care
7 of the TOL.

8 MR. FRIGO: And can you please describe what
9 you mean by swung traffic?

10 MR. HEYWOOD: When you request a signal
11 north or south, traffic is then directed to the
12 location -- the direction that you're requesting it.

13 So, if you request a signal to go north,
14 then the traffic on track -- because it automatic, that
15 changes the direction of traffic.

16 MR. FRIGO: Am I accurate in saying that
17 after the northbound move had occurred, and the TOL
18 appeared on your board, that you set routing for
19 southbound on track three, to remove the TOL?

20 MR. HEYWOOD: That's correct.

21 MR. FRIGO: Okay, was there a southbound
22 move that actually occurred on track three, after that
23 TOL had cleared?

24 MR. HEYWOOD: Not at that moment. Not at
25 that moment, so no.

1 MR. FRIGO: Okay, was -- did Mister -- after
2 the TOL had cleared, did Mr. Robinson request the foul
3 on one, three and four?

4 MR. HEYWOOD: Yes.

5 MR. FRIGO: Yes, okay. So, then at some
6 point later in the -- later in that -- in your shift,
7 when the southbound move occurred, can you walk me
8 through what happened when that train was at
9 Philadelphia and how you were able to get that train
10 through?

11 MR. HEYWOOD: Again, I informed Mr.
12 Robinson, clear of this particular track, which I
13 intended to utilized, and then once that's been
14 communicated between us, that you know, he's clear, and
15 then that information is recorded, and that BD's have
16 been removed, then I display the signal.

17 MR. FRIGO: Okay, on what track?

18 MR. HEYWOOD: On three.

19 MR. FRIGO: On three?

20 MR. HEYWOOD: Yes.

21 MR. FRIGO: Okay.

22 MR. JENNER: We're going off the record.

23 (Off the record.)

24 MR. JENNER: We're back on the record.

25 MR. FRIGO: Okay, just to clarify. This is

1 Ryan Frigo again, with the NTSB.

2 To clarify my previous question. In
3 reference to Train 65, which is a southbound train, can
4 you please walk me through the process of when that
5 train arrived in Philadelphia, how you communicated
6 with Mr. Robinson?

7 MR. HEYWOOD: I called him on the radio,
8 requested that he clear the three track, which I
9 intended to use, and then once it was communicated that
10 it was cleared, the info was recorded, BDA's were
11 removed and train was routed accordingly.

12 MR. FRIGO: Thank you, and after Train 65
13 had passed through the area where Mr. Robinson had been
14 working all night, did Mr. Robinson request the fouls
15 back?

16 MR. HEYWOOD: Yes, he did.

17 MR. FRIGO: And can you please walk me
18 through that process?

19 MR. HEYWOOD: He called, requesting to
20 resume his foul on number three, and then we went
21 through Foreman -- area to be fouled, time, duration
22 and then blocks were applied and foul time was issued.

23 MR. FRIGO: And after --

24 MR. HEYWOOD: And communicated back.

25 MR. FRIGO: Thank you, and after foul time

1 was established, do you recall -- and blocking devices
2 were applied, do you recall seeing a blue and red light
3 on your board, indicating that a shunt strap had been
4 applied in that area?

5 MR. HEYWOOD: I couldn't say definitely that
6 I did.

7 MR. FRIGO: Okay, thank you. I'd like to
8 ask you some general questions related to your
9 experience working as a train dispatcher.

10 So, these general in nature and not
11 necessarily related to the evening and early morning
12 prior to the accident.

13 Are you -- in your position, able to use a
14 cell phone while on duty to --

15 MR. HEYWOOD: No.

16 MR. FRIGO: No, okay. Is that -- let me
17 clarify. Are you able to use an Amtrak-issued cell
18 phone?

19 MR. HEYWOOD: No, we do not have -- we got a
20 landline.

21 MR. FRIGO: You have a landline?

22 MR. HEYWOOD: Yes.

23 MR. FRIGO: Okay, and okay. Do your duties
24 as a dispatcher include the continuous monitoring of
25 radio communications?

1 MR. HEYWOOD: Yes.

2 MR. FRIGO: Thank you. Is it typical that a
3 foreman or other -- or an employee in charge, is it --
4 is it typical that if the radio is not functioning, so
5 that efficient and accurate communication can be
6 confirmed, is it typical that that employee in charge
7 will utilize your landline to request fouls?

8 MR. HEYWOOD: I couldn't say definitive that
9 it's typical, but it has been done.

10 MR. FRIGO: It has been done, okay. Can you
11 -- do you recall the frequency? Is it -- does it
12 happen one time per shift or ten times?

13 MR. HEYWOOD: Depends. You go shifts where,
14 you know, things are fine and you go periods where
15 communication is non-existent. Radios crash.

16 MR. FRIGO: Okay. Back to the -- the
17 question of -- of shunting devices and track occupancy.

18 Have you ever been asked that you can
19 recall, by an employee in charge who requested a foul,
20 to confirm a TOL once a shunting device has been
21 applied?

22 MR. HEYWOOD: I've been asked to confirm
23 TOL's. A guy request a foul and he says, "Do you see a
24 light on your board?" That has transpired.

25 MR. FRIGO: That has?

1 MR. HEYWOOD: Yes, that has transpired.

2 MR. FRIGO: And in -- can you -- again, with
3 frequency, is that the norm that -- that's -- that an
4 employee in charge would ask you to confirm that, or is
5 that the exception?

6 MR. HEYWOOD: I wouldn't say it's the
7 exception. It happens.

8 MR. FRIGO: Okay, is there -- can you recall
9 any times when you've noticed a TOL, when a foul has
10 been requested, without confirmation?

11 INTERVIEWER: Can you repeat that?

12 MR. HEYWOOD: I'm not sure. Yes, I'm not
13 sure.

14 MR. FRIGO: Okay, I'm interested in knowing
15 if there has been times where after you've applied a
16 blocking device, that you've then seen the blue and red
17 indication, but you weren't -- you did not know that
18 the shunting device was going to be applied prior?

19 MR. HEYWOOD: If that happens then --

20 INTERVIEWER: Can I just interject? I mean,
21 with the way your question is phrased, if he's got no
22 prior knowledge, he would not know if a shunting device
23 had been applied. It could be anything shunting the
24 track.

25 MR. FRIGO: Okay, so --

1 INTERVIEWER: Yes.

2 MR. FRIGO: So, let me rephrase my question.

3 After blocking devices have been applied due to the
4 request of a foul, and it was not communicated during
5 the conversation requesting the foul, that a shunting
6 device would be applied, can you recall seeing an
7 indication on your board, that a shunt had occurred?

8 MR. HEYWOOD: Yes, and then I would inquire,
9 "Hey, there's a light on my board. What is the cause?"

10 MR. FRIGO: And that would be you
11 communicating to the -- the employee who requested the
12 foul?

13 MR. HEYWOOD: Yes.

14 MR. FRIGO: Thank you.

15 MR. HEYWOOD: Can you --

16 MR. JENNER: Off the record.

17 (Off the record.)

18 MR. JENNER: Okay, we're back on the record.

19 MR. FRIGO: So, again, this is Ryan Frigo,
20 NTSB. Just to clarify my last question, Mr. Heywood.

21 In your position as a train dispatcher, are
22 you required to call the employee who requested the
23 foul, and after the blocking devices have been applied,
24 are you required to call that employee if you notice a
25 TOL within that work area on your screen?

1 MR. HEYWOOD: No.

2 MR. FRIGO: Okay, thank you. I don't have
3 any further questions.

4 MR. JENNER: Okay, this is Steve Jenner. I
5 do not have any further questions at this time, but
6 we'll go around the room a second time, to see if there
7 are any follow ups, so we're coming near the end. So,
8 you're doing great. Do you need a break or you want to
9 just finish up?

10 MR. HEYWOOD: No, I'm good.

11 MR. JENNER: Great. Okay, we'll continue
12 on.

13 MR. GEE: Jim Gee, G-E-E. Mr. Heywood, you
14 mentioned in your -- in answering your questions, and
15 thank you, about radio procedure.

16 Okay, and those radio problems that you say,
17 from time to time.

18 MR. HEYWOOD: Right.

19 MR. GEE: With the communications between
20 you and -- between you and who? People with portable
21 radios?

22 MR. HEYWOOD: Or the trains.

23 MR. GEE: Or the trains?

24 MR. HEYWOOD: Yes.

25 MR. GEE: Okay, with communication, okay.

1 Are you familiar with a rule in Amtrak special
2 instructions, that the preferred method of operation,
3 when you're -- when somebody calls you up, I'm
4 paraphrasing here, calls you up for -- a written
5 directive or instructions over -- should be over the
6 radio and not the phone?

7 MR. HEYWOOD: Yes.

8 MR. GEE: Okay. Now, I get that, and you
9 have operational issues where it says in there that you
10 use the phone.

11 Okay, and you answered a question earlier,
12 that you were asked the frequency of this problem with
13 the radio, and you go, "It happens." Can you quantify
14 that at all in your work week?

15 MR. HEYWOOD: Are you talking about
16 something specific or just generally?

17 MR. GEE: In general.

18 MR. HEYWOOD: General?

19 MR. GEE: General, sir.

20 MR. HEYWOOD: There will be weeks that goes
21 by where the radios are fine, and then there will be
22 times when the radios just, for some reason, are not --

23 MR. GEE: Right.

24 MR. HEYWOOD: -- work right, as they should.

25 MR. GEE: Okay, is there any specific

1 locations on your railroad where this is more of a
2 problem than other areas?

3 MR. HEYWOOD: Like Section 4, there are some
4 places like (inaudible) are closer up to Penn.

5 MR. GEE: Okay.

6 MR. HEYWOOD: There is a -- those are the
7 general -- I can't remember.

8 MR. GEE: Right, right. Okay, when it seems
9 like it's more than usual, do you think it happens
10 enough on the railroad where, when people call you on
11 the phone and there doesn't appear to be any radio
12 problems, that it's -- it happens so much that it seems
13 like a norm?

14 MR. HEYWOOD: I would disagree.

15 MR. GEE: Okay, okay.

16 MR. HEYWOOD: I would disagree.

17 MR. GEE: Okay, that's fine. Okay, and one
18 last question with the radios is, when you do have
19 radio problems, and you're using the phone because you
20 got radio problems, is that information given to your
21 supervisor?

22 MR. HEYWOOD: Yes.

23 MR. GEE: Okay.

24 MR. HEYWOOD: Yes, it is.

25 MR. GEE: Okay, thank you. No more

1 questions for me.

2 MR. JENNER: Okay, thank you.

3 INTERVIEWER: Can you go off for a second?

4 MR. JENNER: Just a second. Hold on a
5 second. We're going off the record.

6 (Off the record.)

7 MR. JENNER: Okay, we're back on the record.
8 Thank you, Mr. Gee. We'll move on.

9 MR. WICHELMANN: Yes, Melvin Wichelmann,
10 BLET Safety Task Force.

11 One additional question, just to clarify.
12 We were talking earlier in -- two foreman or railroad
13 workers having foul time together, and we were talking
14 about piggy-backing.

15 Is that considered joint occupancy, a JO?
16 Is that how it's referred to?

17 MR. HEYWOOD: No.

18 MR. WICHELMANN: Okay.

19 MR. HEYWOOD: Because once I give -- once I
20 give a foreman authority on a track, what they do is
21 basically their control.

22 MR. WICHELMANN: Okay, so, he doesn't have -
23 - the -- I think what I'm getting at is, it was stated
24 that whatever the foreman does, he can have another
25 foreman with him, working on the same track, because he

1 owns that foul time or that --

2 MR. HEYWOOD: Out of service.

3 MR. WICHELMANN: -- out of service. But
4 does that foreman that owns that, have to report to
5 you, that any joint occupancies, like another foreman,
6 or three foremen, whatever, are clear of that, that he
7 had joint occupancies --

8 MR. HEYWOOD: If he has to --

9 MR. WICHELMANN: -- and he cleared --

10 MR. HEYWOOD: If he has to report to me?

11 MR. WICHELMANN: Yes, that those guys are
12 clear of that also.

13 MR. HEYWOOD: He doesn't have to report to
14 me.

15 MR. WICHELMANN: Okay, thank you.

16 MR. JENNER: All right, thank you. Mr.
17 Bates, do you have anymore questions?

18 MR. BATES: No questions.

19 MR. JENNER: Okay, thank you.

20 INTERVIEWER: So, just to follow up on your
21 question.

22 MR. JENNER: And you are?

23 INTERVIEWER: Just to clarify. When you
24 have a foreman that's working on a track and another
25 foreman - and I'm just going to state what we've

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1 already established and you can tell me if I'm correct,
2 and then I'll ask you the question.

3 You have a foreman that has a foul on a
4 particular track, and then another foreman calls you
5 and wants a foul at the same location or on the same
6 track, if you've got it between A and B, then changes
7 are you're going to tell him, "Well, that foreman has
8 it between A and B. So, you need to work with him,"
9 right? Am I correct?

10 MR. HEYWOOD: As I talk to him --

11 INTERVIEWER: Okay.

12 MR. HEYWOOD: -- who has what --

13 INTERVIEWER: Talk to him. Now, do you know
14 if that foreman actually talks to that other foreman
15 that's in charge of the track?

16 MR. HEYWOOD: No.

17 INTERVIEWER: Okay, because what happens at
18 that point? What would you assume happens at that
19 point?

20 MR. HEYWOOD: That they have spoken.

21 INTERVIEWER: That they have spoken?

22 MR. HEYWOOD: That they have spoken.

23 INTERVIEWER: So, when you call the foreman
24 in charge of the foul to clear the track, do you ask
25 him if the other foreman is clear?

1 MR. HEYWOOD: No, because he's in charge.

2 INTERVIEWER: And do you know if the other
3 foreman ever called him to --

4 MR. HEYWOOD: No.

5 INTERVIEWER: Okay, so as far as you know,
6 there is one foreman in charge of the track, and if
7 anyone joins his gang, it's on that foreman to protect
8 whoever is in -- working within his gang now, so to
9 speak?

10 MR. HEYWOOD: That's correct.

11 INTERVIEWER: Okay, so, I think this -- I
12 think that clears up the question that I had about it,
13 and I think that's all that I have. Thank you.

14 MR. JENNER: Okay, thank you. Do you have
15 any questions?

16 MR. FRIGO: Ryan Frigo. I have no further
17 questions.

18 MR. JENNER: Okay, do we think we need any
19 clarification points? Just say who you are.

20 MR. SALVEY: I don't at this time.

21 INTERVIEWER: Say who you are.

22 MR. SALVEY: John Salvey with ATDA. So, but
23 I would like to -- if everyone else is done with their
24 questions, I'd like to take a short break.

25 MR. JENNER: I do have one more question and

1 it's just open-ended.

2 We asked you a lot of procedural questions
3 and how things are done and your involvement in those.

4 Whether it's related to the circumstances of
5 this accident or any of -- other experiences that
6 you've had, can you think of any ways to make this
7 portion of the railroad operations, the dispatching
8 portions, more safer, in terms of procedures for you or
9 procedures that work crew can use or engineers?

10 So, open-ended question, what, if anything,
11 do you think can be improved to make it a safer system?

12 MR. HEYWOOD: I'm sure that there's a lot of
13 things that can be done. Communication especially. I
14 think that's the key. I think that's the key, because
15 once everybody has been informed as to, you know,
16 what's going on, I think better decisions can be made,
17 in terms of how one approaches the task at hand.

18 MR. JENNER: Okay, I want to ask you
19 specifics since you -- what type of communications are
20 you talking about? Let me just --

21 INTERVIEWER: Can we go off the record
22 please?

23 MR. JENNER: Okay.

24 (Off the record.)

25 MR. JENNER: Okay, we're back on the record.

1 Just continuing the line of questioning.

2 My question really is if you can think of
3 anything at this time, we'd be happy to hear any of
4 your thoughts about that, and if you want to take time
5 to think about it, then we'd like to hear your input in
6 the future.

7 MR. HEYWOOD: I think I'll take some time to
8 think about it.

9 MR. JENNER: Okay.

10 MR. HEYWOOD: Yes.

11 MR. JENNER: Okay, is there anything else we
12 need to discuss on the record?

13 With that said, it is 1:17 and we want to
14 thank you very much for you -- you know, you coming
15 here and talking to us. Great, thank you. We are now
16 off the record.

17 (Whereupon, at 1:17 p.m., the interview was
18 concluded.)

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C E R T I F I C A T E

MATTER: Accident Involving Amtrak Train #89 and a
Backhoe
NTSB Accident No. DCA16FR007
Interview of: Errol Heywood

DATE: 04-06-16

I hereby certify that the attached transcription of page 1 to 67 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



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