

DCA13MR002  
Conrail - Shared Assets  
Derailment/Hazardous Material Release  
Paulsboro, New Jersey  
November 30, 2012

## NTSB - Interview of Conrail Risk Manager

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CONRAIL DERAILMENT/HAZARDOUS  
MATERIAL RELEASE  
PAULSBORO, NEW JERSEY  
NOVEMBER 30, 2012

Docket No.: DCA-13-MR-002

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Interview of: ALLEN RICHTER

Consolidated Rail Corporation  
Pavonia Yard  
1516 River Road  
Camden, New Jersey

Wednesday,  
January 30, 2013

The above-captioned matter convened, pursuant to notice.

BEFORE: MUHAMED EL-ZOGHBI  
Accident Investigator

## APPEARANCES:

MUHAMED EL-ZOGHBI, Accident Investigator  
Office of Railroad, Pipeline and Hazardous  
Materials Investigations  
National Transportation Safety Board  
490 L'Enfant Plaza East, S.W.  
Washington, D.C. 20594

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PAUL L. STANCIL, Senior Accident Investigator  
National Transportation Safety Board  
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I N T E R V I E W

(4:05 p.m.)

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2  
3 MR. EL-ZOGHBI: This is Muhamed El-Zoghbi, a Hazardous  
4 Materials Accident Investigator with the National Transportation  
5 Safety Board. Today is January 30th, 2013. It is currently 4:05  
6 p.m. We are at Pavonia Yard in an office to conduct an interview  
7 regarding the Paulsboro, New Jersey derailment that occurred on  
8 November 30th, 2012.

9 In the room here is -- and please introduce yourself.

10 MR. RICHTER: Allen Richter.

11 MR. EL-ZOGHBI: Can you state your position?

12 MR. RICHTER: Yeah, it's Risk Manager.

13 MR. EL-ZOGHBI: Excellent.

14 MR. STANCIL: I'm Paul Stancil, Hazardous Materials  
15 Accident Investigator with the National Transportation Safety  
16 Board.

17 MR. EL-ZOGHBI: And just for the record, I'd like to  
18 note that we are recording this --

19 MR. RICHTER: Uh-huh.

20 MR. EL-ZOGHBI: -- and you have no objections to this  
21 recording?

22 MR. RICHTER: No objection.

23 MR. EL-ZOGHBI: Excellent.

24 INTERVIEW OF ALLEN RICHTER

25 BY MR. EL-ZOGHBI:

1           Q.    If you could please describe to us what your  
2 responsibilities are at CONRAIL and your experience and  
3 involvement with hazardous materials?

4           A.    My primary duties are to do anything that my boss Neil  
5 Ferrone, the chief risk officer, directs me to do. We handle  
6 everything in our department that has to do with safety, security,  
7 hazardous materials, environmental issues, and that's about the  
8 most that I would get involved in. We do a lot of interacting  
9 with practically all the departments on the railroad.

10                   My hazmat background started in 1981 with the  
11 Association of American Railroads, Bureau of Explosives. I was  
12 hired as a district inspector based out of Philadelphia area, and  
13 we had a territory and it was -- what you had to do was learn the  
14 hazmat regs, 49 CFR, and we would do DOT compliance inspections on  
15 both -- the member railroads of the Association of American  
16 Railroads, make sure that they were doing what they were supposed  
17 to be doing.

18                   We had chemical facilities, explosives plants, tank car  
19 shops, anybody who shipped hazmat, really, were members and they  
20 would basically pay us to come in and do third-party inspections  
21 and training for them. We also did a lot of training with the  
22 railroads or go in and do compliance training for the chemical  
23 industry, loading/unloading tank cars primarily.

24                   Emergency response, I did a lot of training with the  
25 railroads. They would have me come in and assist them to do

1 training, whether it be community training or internal training or  
2 whatever the case was. And go out and do inspections of the tank  
3 car shops. It was just like an annual shop inspection. And that  
4 was -- other than that, I had nothing to do.

5 Q. Excellent. I want to go back to November 30th, 2012,  
6 and --

7 A. I don't recall. (Laughing.)

8 Q. If you could take a moment and think back to -- and  
9 describe to us in your own words, and please narrate, anything  
10 that you observed, your involvement and activities you were  
11 involved in on that day?

12 A. Sure. And I don't know exactly what time Neil had  
13 notified me by phone. I had planned to be up in North Jersey that  
14 day and was literally backing down the driveway, literally -- it  
15 was after 7, I know that, but -- when he called me and told me of  
16 the incident at Paulsboro Bridge. At that time I can't recall if  
17 he -- they knew what was involved or not involved. It was just a  
18 wreck; there was a release. That's what I know.

19 And based on my working here with CONRAIL I knew what  
20 train was involved and I knew it was a very high incidence of  
21 chemicals on that train that were shipped. I knew that they were  
22 all loads, you know, in the morning going, going south down the  
23 Penns Grove secondary. So the odds of anything bad -- you know,  
24 there was a lot of potential.

25 So the unfortunate thing is it took me a long time to

1 get here because it put me right in the middle of Philly rush-hour  
2 traffic. I was receiving multiple calls in my journey here. It  
3 probably took me almost 2 hours to get here because of traffic  
4 jams.

5           So when I did finally show up, I think I was directed  
6 down to -- and I did speak to somebody and I don't know who it  
7 was, but they directed me to go to a church, which turned out to  
8 be -- well, what looked to me like a hall right next to the fire  
9 marshal's house there at the end of the -- right near the dead-end  
10 there. To go in there, talk.

11           In the meantime, Mike Austin from CSX hazmat out of the  
12 Baltimore area, he had come up. And we went in -- I can't  
13 remember if he was there before or after the initial meeting that  
14 we had inside that hall. And I -- there were a lot of people in  
15 there. I can't remember. I remember the mayor of Paulsboro being  
16 there. I remember there were representatives of Oxy, there were  
17 representatives of DuPont, and a bevy of other emergency response  
18 people. I don't really know who it was.

19           And, you know, they started asking me questions and I  
20 hadn't seen the derailment yet. Even though it was right around  
21 the corner, I hadn't seen it. So we -- you know, I told them to  
22 hold off and just let me take a look and see what we had.

23           So we got -- it was Mike, myself, and Ron Gould from  
24 HEPACO/REACT went out in the boat on -- that was supplied by  
25 Miller Environmental, right there at the dock. And we started,



1 you know, pulling up and just trying to assess everything.

2 Now, in my drive down all I was hearing were stories  
3 from our area manager of field operations here, Neil, somebody  
4 from the Gloucester County Prosecutor's Office, who we know real  
5 well through the security element that we deal with -- there might  
6 have been one other phone call -- but calling me and saying  
7 there's an increasing fog over the water. I don't recall that  
8 they said that it had any odor at the time. I don't know that.  
9 But my initial reaction to them -- am I allowed to say anything on  
10 here? I don't want to --

11 Q. Yeah, absolutely.

12 A. -- was "Get the \*\*\*\* out. Just get away from it." And  
13 at that time I think they did identify that it was vinyl chloride  
14 that was involved.

15 Q. Uh-huh.

16 A. And I had had an experience years ago out here with a  
17 breached vinyl chloride car. So when -- and we lost a lot in a  
18 very short period of time here, very similar to that situation,  
19 out of a much smaller hole. And so I knew -- that was my only  
20 experience with vinyl chloride but it was, you know, big. And the  
21 fortunate thing there was it was a very hot day, very, very windy.  
22 So as it came out and flashed off to a vapor it quickly dissipated  
23 without finding a source of ignition. And, you know, so when I  
24 got down here, the environment that we were in was relative -- it  
25 was clear. There was a lot of ice all over the cars, some chunks

1 floating in the water, which I assumed to be auto-refrigerated  
2 vinyl chloride.

3           So we went and tried to make a visual assessment of what  
4 was going on. I didn't know how much anybody else had been  
5 around. I know that we did have some of our people from the track  
6 department were up on the north side of the derailment, you know,  
7 milling around where the marsh and everything was right at the  
8 bridge.

9           So then we had the boat come over to the gray car -- and  
10 off the top of my head, I can't remember the car number but, you  
11 know, the gray car -- that had seemingly punctured the breach car.  
12 And in its position we had to pull up and then kind of shimmy up  
13 the side rail of that tank car, and unfortunately we weren't  
14 wearing any respiratory protection. We were outfitted in Nomex  
15 and life jackets and things but we had no respiratory protection,  
16 but -- so, but, you know, detecting no odor -- false sense of  
17 security maybe, but I really wasn't too concerned about it. But I  
18 did jokingly express that to Mr. Austin and said, "We're kind of  
19 stupid here, huh?" And he said, "Well, maybe."

20           So we just continued with the assessment. We didn't see  
21 much of a hole at that time. My initial assessment, when I got  
22 back, the hole -- I think I might have reported to everybody that  
23 what I saw was about a 1 foot by 2 foot area. You know, not  
24 exactly like that but -- you know, it was irregular. And that's  
25 about all I could see from that. And then couldn't really see in

1 the hole at all. I wasn't going to press my luck and really put  
2 my face up into the hole to see if I could look in, but --

3           So then we got back in the boat and then went around to  
4 the other side, which -- and then we kind of climbed up onto the  
5 fender system on the -- would have been the east side of the  
6 bridge, railroad east side, to access the rocket car, what we  
7 called the rocket car.

8           Climbed out over -- as the way it was sitting in the  
9 water, and the water was down below the protective housing. We  
10 had access to the housing so we opened up the housing just to  
11 check valve settings and that kind of thing. We did not take the  
12 pressure reading at that time.

13           I think -- I'm trying to think if we -- I don't know if  
14 we could assess -- no, we had to get back in the boat, I think,  
15 and move over kind of toward the north end of the bridge, the  
16 railroad north end of the bridge, and then assess back up --  
17 access back up onto the railroad and climb underneath the cars  
18 trying to just take a real quick visual of anything.

19           We did eventually gain access to the breach car. We  
20 climbed up and then ended up going up -- pretty much we were under  
21 the A-frame where the protective housing was. And we were able to  
22 -- I think we were able to get in there or at least put our hands  
23 in to check valves and fittings and that kind of thing, just kind  
24 of peek in. I can't recall if we even opened up that housing or  
25 we could open up the housing. I can't remember. I can't remember

1 that.

2           So after we got down off there, we assessed -- you know,  
3 just kind of looked and crawled around and looked for basic  
4 things. You know the biggest thing at that time was the breach,  
5 and not knowing how much was left in the car. We figured that,  
6 you know, we lost a lot and then whatever else had been in there,  
7 it had been refrigerated. So it was almost like, yeah, well, it  
8 gave us some time to figure out what we're going to do.

9           And, quite honestly, right after that I think we went to  
10 a meeting. In the meantime, the command post or whatever that was  
11 in that church had been moved -- I think it was to the township  
12 building a couple blocks away?

13         Q.    Yeah.

14         A.    So we went back there and I think we -- I seem to  
15 recall, you know, standing there in front of a bunch of people.  
16 Like I don't even remember who was all there at the time and gave  
17 an assessment -- just a real quick and dirty general assessment of  
18 what we had seen. And, quite honestly, after that everything's a  
19 blur as to what went on. I mean, a lot of activity. We had  
20 already contacted our primary emergency response contractor, REACT  
21 -- HEPACO/REACT. So we knew they were en route.

22           But I had numerous discussions with Neil. He already  
23 told me that he had reached out to CSX for resources. You know,  
24 they were kind enough already to send up Mike Austin from  
25 Baltimore to assist and he turned out to be a real big key player

1 for us. And their hazmat manager out of -- jeez, where's -- Chris  
2 Mecklenburg (ph.). He's from the south. I can't remember if he's  
3 out of Alabama or Mississippi. I can't remember which one. He  
4 was, he was coming up. And I, I just know that there was a lot of  
5 resources coming in from the outside. People that we had worked  
6 with in the past and -- for air monitoring CT, HRK just to kind of  
7 do an overall management -- you know, environmental management  
8 type thing of everything.

9           And then I just -- it was just like going back and  
10 forth. It was a series of meetings. It was then go back out to  
11 the field. It was a series of meetings, go back out to the field.  
12 It was like -- and so for a while nothing was getting  
13 accomplished, although we were still trying to figure out, you  
14 know, what are we going to do with this hole.

15           We did have a lot of railroad vehicles down along the  
16 right-of-way on the south side of the bridge. And I think we were  
17 eventually told you need to get out of here because the, you know,  
18 the readings were pretty high. So we did that.

19           And then it was just a lot of -- you know, for the first  
20 couple days it just seemed like it was a lot of back and forth.  
21 Luckily Neil took on the task of kind of being the liaison with --  
22 from CONRAIL with unified command. So he was doing nothing -- it  
23 seemed like he was doing nothing but going to meetings. And plus,  
24 you know, the internal conference calls and that kind of thing  
25 throughout the incident, throughout the entire incident.

1           My job basically was to sit and work with the  
2 contractors on whatever processes that we came up with to transfer  
3 remaining product out of the car, try to get the car cleaned and  
4 purged before we made any picks, because we knew that we weren't  
5 really going to be able to do much of anything until we got that  
6 accomplished. And that took -- it seemed like forever. I think  
7 it was -- I don't even know how long it took, a week, I think, by  
8 the time we started doing something to the time we actually  
9 declared, okay, it's done. So that took a long time.

10           Oxy had sent -- oh, they had four or five guys up, a  
11 couple guys from Texas, two or three people from their plant. And  
12 we were constantly -- they were -- you know, we were constantly  
13 feeding off them trying to get -- you know, working together  
14 trying to get information about, you know, about vinyl chloride,  
15 you know.

16           Of course, they were kind of giving it to us from a, you  
17 know, a controlled plant aspect, you know, and not -- it was kind  
18 of tough to equate it to an emergency response, but -- but we were  
19 all -- you know, that's pretty much what it was. It was just  
20 REACT and then eventually SPSI came in, who primarily took the  
21 lead on all the transfer processes. And so between SPSI, HEPACO,  
22 Oxy and Neil and myself, we were kind of the ones focusing in on  
23 trying to get rid of whatever was in there and trying to really  
24 think outside the box on any idea on how to do it.

25           You know, we'd think about something for -- you know,

1 we'd be up till 10:00, 11:00, 12:00 at night sitting outside by  
2 the crossing on Commerce Street just talking out stuff, trying to  
3 figure out some things. And, you know, flushing the car out with  
4 water was one of the things that we talked about. Flaring the  
5 car, flaring whatever was remaining in the car was an option,  
6 which is what, you know, brought my comment up during the initial  
7 meeting with your agency, you know, that fire sometimes is good.  
8 That's what I had in mind, but it was probably taken out of  
9 context, so --

10           But so that's pretty much what it was. It was kind of  
11 being a liaison between CONRAIL and the contractors and just --  
12 not managing them because they're professionals; they know what  
13 they're doing. We put our, you know, ourselves in their hands  
14 many a time before and -- but I, you know, I've worked a lot with  
15 them over the years, so -- so that's pretty much what it was, just  
16 another hand, another set of eyes doing whatever it took.

17           Then we, we had brought -- I remember whatever -- I  
18 don't even remember how many days it was, but then they -- Neil  
19 told me we were going to have divers come in to take a look at the  
20 cars from a, you know, rigging standpoint that -- you know,  
21 underwater, see what they could do. So when they came in I  
22 brought them down to the crossing. We had already spotted --  
23 excuse me -- Oxy had sent up, I think it was six tank cars that  
24 were under vacuum. They had unloaded and they pulled a vacuum on  
25 the cars. So they had already -- in the meantime we had spotted

1 those cars and I brought the guys from EnviroScience, I think it  
2 was, EnviroScience, over to the cars and had them take a look at  
3 the cars so they'd be more familiar with -- you know, they had  
4 questions about car construction and where -- you know, where  
5 could they do things and what was it that we were looking for them  
6 to do in the water, you know, that we couldn't do. So, you know,  
7 they just want to get a feel for the cars and that kind of thing,  
8 so we walked them around the cars, did that kind of thing. Looked  
9 -- you know, I took a couple trips out on the boat.

10           When they eventually did go in the water, myself and  
11 then one of the guys that -- my, one of my very good friends in  
12 the business who has since retired, we contracted with him,  
13 brought him back. He's one of the top tank car guys in the  
14 industry still. So he ended up doing a lot with the divers and  
15 Miller and -- on Miller's boat and going out and working with  
16 them, trying to help them along with what to look for and those  
17 kinds of things. We were trying to assess what was underneath  
18 too, while we were dealing with what we had up top.

19           So eventually, you know, we did transfer the product and  
20 then we, you know, we wanted to do a flush out of what was in the  
21 car, so we ended up doing a very -- I couldn't even give you a  
22 detailed synopsis of it because I don't deal with vinyl chloride a  
23 lot. This is only my second time. And the other time was back in  
24 the late '80s.

25           But we ended up introducing -- I think it was acetone



1 into the tank car, the breached car, because, you know, the  
2 research that one of the contractors had done told them that the  
3 vinyl chloride was a lot more soluble -- it wasn't soluble in  
4 water at all so it was going to be the acetone. Because we  
5 figured, well, if it mixes with the acetone it cuts -- or mixes  
6 with the vinyl chloride, then what it'll do is it'll take it from  
7 a flammable gas down to a flammable liquid, you know, which we  
8 figured would take that toxicity part out of them, a little bit  
9 anyway.

10           So, anyway, in that process of doing that and the way  
11 everything was set up, that ended up being very successful. And,  
12 you know, we got the desired outcome. You know, we got the car  
13 cleaned and purged.

14           And then it was a matter of coordinating everything in  
15 the meantime. The crane had come in down the creek -- creek, it's  
16 a river. I don't know what the definition of a creek or a river  
17 is but this thing was moving fast. That impressed me more than  
18 anything just watching it -- how the water worked. I probably  
19 learned more about water in 3 weeks than everything, you know.  
20 But it was interesting. It was very interesting.

21           But the -- so then it was working with the -- with Eric  
22 and the contractors on the rerailing process or wrecking and, you  
23 know, what are we going to do, how are we going to do it? You  
24 know, we had constant meetings about, you know, let's do this car  
25 first. You know, the breach car was always the first priority,

1 get that car out and put it on a barge. And initially the plan --  
2 and that was the other thing too, the plans constantly kept  
3 changing.

4           Initially what we were going to do was reraill the cars  
5 on the barge or barges. And then we were in a quandary because  
6 then we said, well, where are we going to transfer them? You  
7 know, because it was -- you know, the thought process hadn't hit  
8 me yet that once we hit the barge then we're going to reraill them  
9 again. You know, usually in all my years I've never had to reraill  
10 cars twice. It's usually just been once, done, and you're either  
11 on the railroad or you're there to transfer it right there, but --  
12 so this kind of brought up a different unique situation.

13           And we considered a plan of getting the cars out of  
14 Paulsboro -- perception, get the hazard away so that they could  
15 bring their people back, you know, and get their quality of life  
16 back to what it was, you know, before. And so we even -- we were  
17 contemplating barging the cars across the river into Philly to  
18 property that we own, but leased out, but to a wharf across the  
19 river right near one of our yards over there and transfer them  
20 over there. Bring cars -- rail cars up because we had rail  
21 access. Bringing rail cars up, transferring a car at a time, you  
22 know, doing it over there.

23           That was nixed. In fact, we -- there was a couple  
24 carloads of us went over there that day to assess the area. And  
25 we no sooner pulled up and put our hands on the fence and we were

1 told the plan is not acceptable, come back. So we did and that  
2 plan went out the window.

3           So then we were going to -- then we were going to rerail  
4 onto the barges, transfer the cars directly from the barges with  
5 other cars that had been brought -- that Oxy had arranged to have  
6 shipped down from Canada, also under a vacuum. And they were  
7 sitting up in Camden for the better part of a week, I think. And  
8 the idea was to have the cars -- pull up as close as we could on  
9 the barge and then one car at a time transfer right onto, onto the  
10 cars on the bridge, after they had gotten it roadworthy, and then  
11 ship them down to Oxy.

12           I don't know how long that was around but that didn't  
13 last long, that plan, because they didn't want -- you know, we  
14 still -- the cars were there. And whatever, whatever was done,  
15 you know, there was just a lot of changes in what we were going to  
16 do. So what I found out is, you know, you had to be very, very  
17 flexible in this whole operation.

18           I've been involved in Incident Command before but not at  
19 this width and breadth -- never. Usually the Incident Command  
20 that I deal with is -- you know, if we have a -- if we had a leak  
21 here at the yard and I call the fire department here at Camden and  
22 the county comes out, that's the Incident Command structure,  
23 you're dealing with the fire chief or you're dealing with the  
24 county OEM.

25           Q. Uh-huh.

1           A.    And it's short, it's very -- here you are, here's our  
2 problem, and here we are working on it. This was through the  
3 channels. I've been in Incident Command classes before, I've been  
4 in tabletop exercises, what we had discussed at lunch with a  
5 contractor that we have that we use to present tabletop exercises,  
6 which they're unique. He brings a lot of energy and, you know,  
7 all the bells and whistles. It's great. It's good because it  
8 gets people involved and everything, but -- and it was -- I was  
9 joking with myself in the very beginning of this for about the  
10 first 3 or 4 days. I'm waiting any day now for Bill, this  
11 contractor, to say, okay, the drill is over, hang up the phones  
12 and turn off the radios. And I kept saying to myself, oh, this is  
13 real, oh, okay.

14                    So that was the -- the biggest thing for me, and I  
15 didn't really have any direct involvement other than every once in  
16 a while just heading up either, you know, at Neil's request, hey,  
17 you know, I need you to come to a meeting or something like that.  
18 That was, that was about it.

19           Q.    Can I ask you, when you mentioned the Incident Command  
20 experience --

21           A.    Uh-huh.

22           Q.    -- can you think back to on the day of the incident how  
23 the Incident Command structure was at the church and involvement  
24 with the fire chief and describe how did that differ than most  
25 other experiences you've had?

1           A.    Well, I mean, initially it was just local.  You know, it  
2 was what I was used to dealing with, the fire chief -- who is a  
3 great guy.  And I couldn't even tell you his name now, but he was  
4 an Italian -- but great guy.

5           Q.    Giampaola?

6           A.    Huh?

7           Q.    Giampaola?

8           A.    Yeah.

9           Q.    Alfons.

10          A.    Alfons.

11          Q.    Uh-huh.

12          A.    Right.  With him and the fire marshal, and I think he  
13 was the -- either the chief at Gibbstown?

14          Q.    Are you thinking of Pat Robinson?

15          A.    No, not Pat.  I'd seen Pat.

16          Q.    Okay.

17          A.    I had seen Pat initially at the incident.  I saw him up  
18 at the -- I think I remember seeing -- running into him at the  
19 church.  I've known Pat for years.

20          Q.    Uh-huh.

21          A.    When, even back -- going back into my AER days, going  
22 into the refinery over here and doing inspections and stuff.  I've  
23 known Pat.  And we've done some training together.  He's had me --  
24 years ago he used to have me come in and do training for him and  
25 everything when it was Mobil.

1           But, anyway -- so, and that Incident Command structure,  
2 such as it was, was what I was used to dealing with: This is what  
3 we're going to do; this is what we'd like to do; and we have these  
4 people coming in and doing all this and everybody was okay. And  
5 then I don't really recall when the Coast Guard set this up, the  
6 unified command over at Clarksboro, whatever it was, at the county  
7 facility. I can't remember exactly even what day that was. Was  
8 it the first day, the second day?

9           Q. I believe it was -- things were just getting set up  
10 around the first day.

11          A. Late, late that day, late that afternoon?

12          Q. Yeah.

13          A. And I -- yeah, I do -- I think I remember coming in at  
14 one of the initial meetings and they were saying, well, we need  
15 people at CONRAIL to be here in the command. And I said, well,  
16 you know, with -- given our structure and how very condensed and  
17 small we are, I don't know that we have those people for -- you  
18 know, to sit here. Because I even, you know, I even made -- they  
19 even said, well, we should have somebody from CONRAIL come in to  
20 be on the finance side. And I made a joke. I said, well, just  
21 have somebody keep good records and grab their receipts and I said  
22 we'll pay it, you know, just -- whatever. But, you know, luckily,  
23 little did I know that it was just going to go and expand.

24                 So, you know, eventually, I mean, that's why we were  
25 bringing other people in, you know, both on our side on the

1 railroad. Contractors come in and fill those spots as a  
2 representative of CONRAIL, you know, to be there to help, you  
3 know, satisfy their request to have more CONRAIL representation in  
4 command. And, you know, also to -- so we could get a better idea  
5 what was going on there.

6 Q. With the first meeting that you attended, you said that  
7 you were being asked about the status of the derailment and for  
8 information regarding the chemical; is that correct?

9 A. Yeah. Well, when we had -- I'm sorry.

10 Q. Who was asking?

11 A. Faces in the crowd. Whoever was at that original  
12 meeting that I was at, at that church or that meeting room or  
13 whatever it was right by the fire marshal's house. I'm not really  
14 sure. I know we answered some questions. I know the mayor had  
15 some questions, you know, but there were a lot of -- you know,  
16 luckily there were representatives of Oxy there already. So any  
17 chemical-specific questions that were asked, I said, they're the  
18 experts. I mean, that's what I do, I rely on, you know, the  
19 people that are there who manufacture the product. So they were  
20 there.

21 Q. Did they ask -- did anybody ask you about like scene  
22 characterization, any -- with your experience in hazmat, did  
23 anybody ask for assistance in terms of determining hot zones, to  
24 the extent maybe of damage to the other tank cars?

25 A. Well, they would ask about damage and that kind of

1 things. But hot zones and those kinds of things, I don't have  
2 that background with air monitoring and all that to be able to  
3 make that. And I think I made that clear to -- somebody had asked  
4 something similar to that and I said, I can't help you out there.  
5 I said, but we have people coming in that can answer those  
6 questions, I said.

7           You know, and then I had deferred to Oxy on a couple of  
8 those, you know, based on they would know the physical  
9 characteristics of the products better than I, that they can make  
10 that determination. But, you know, I said, you know, right now  
11 you can go off of whatever you've got on the paperwork and the  
12 ERGs to base your initial assessment and your initial -- make your  
13 initial decisions on what you want to do as far as pulling people  
14 away or shelter in place or whatever the case is, I said. But  
15 anything more specific, I said, I can't help you out.

16           And then, you know, I was trying to give them some ideas  
17 on the cars were constructed, because we were only basically  
18 working with two different types of cars, the low pressure general  
19 service car and a pressure car, and they were all the same  
20 specification. So I was trying to educate them a little bit about  
21 those cars, you know. And then based on what I saw, you know,  
22 when I initially came back to the township building. I think when  
23 we came back after the -- after doing the initial assessment, we  
24 went back to that township building that I referred to before and  
25 gave them a, you know, a basic size up of what we had.



1 Q. Uh-huh. Did anybody from the fire department ask for a  
2 status or a risk assessment on the other tank cars besides the  
3 breached one? Did anybody ask for expertise from CONRAIL  
4 regarding --

5 A. They would ask, ask questions about cars and, you know,  
6 the unfortunate thing is I didn't really think -- I started to  
7 take notes as we were pulling up in the boat doing the initial  
8 assessment. And, you know, I'm a stick figure kind of guy, all  
9 right. And it got to the point where I was so overwhelmed of what  
10 I saw, I stopped taking notes and was just kind of just looking  
11 and seeing what we had and seeing where we were and --

12 Specifically, I don't recall any specific questions. I  
13 was answering questions about the tank cars and what I saw from a  
14 lot of different sources. But I don't remember who asked me or --  
15 you know, what it was that they were specifically asking for. I  
16 don't, I don't remember.

17 Q. Okay.

18 BY MR. STANCIL:

19 Q. In that meeting at the forward command post or at the  
20 church --

21 A. The church.

22 Q. -- that you attended, can you tell us more about what  
23 was being discussed in there and specifically with respect to the  
24 chemical hazards and what should be done?

25 A. The only thing, the only thing that I can really

1 remember anybody -- you know, they were asking -- I think there  
2 were some issues because of the -- you know, earlier they had the  
3 big fog. But anytime they would just bring up air monitoring  
4 questions or things like that, I would just say, I have to be  
5 honest with you, I don't know. I don't know, I said.

6           You know, I said, right now I think we're in a state --  
7 I said, I think we're in a state of auto-refrigeration. And I  
8 said, you know, I don't think we're going to -- because we don't  
9 have any pressure, so whatever product's remaining in there is  
10 basically ice at this point. You know, and our task is going to  
11 be to try to get that out of the car somehow. And but that's what  
12 we had to -- you know, we had to -- I said, you know, that there's  
13 nothing we can do. I've got to wait for my contractor so we can  
14 put our heads together and figure out how we're going to do that.

15           But, you know, specific and who? Off the top of my  
16 head, I mean, I really can't remember.

17           Q. Did you hear anyone else offering advice as to what the  
18 isolation distances should be or what the chemical hazards are?

19           A. I think there were -- I seem to remember people -- you  
20 know, and like I said, they were faces; I don't remember who they  
21 were -- suggesting different things based on this or based on  
22 that. I was like, well, they're your resource guys. I said, I  
23 would refer to the same, so you do what you've got to do.

24           Q. Like what specifically?

25           A. Well, like -- I don't know if they're -- if -- and I'm

1 going to make an assumption here. There might have been questions  
2 about, you know, sheltering in place versus evacuation and that  
3 kind of thing. I said -- and again, my pat answer, that's not my  
4 call. That's not the railroad's call. That's your call as  
5 emergency services.

6 I said, you know, all we can do is -- I said, you have  
7 the experts here at Oxy who work with the product all the time and  
8 I said, you know, and whatever we can bring to the table as far as  
9 a resource for you, for you to make that decision on what you do.

10 Q. Well, for instance, what did the Oxy representative  
11 state at this meeting?

12 A. I don't even, I don't even remember. I know that a  
13 couple of questions had come up and I referred them to the Oxy  
14 guys and the Oxy guys responded. But specifically what the  
15 questions were, Paul, my head was -- it was like buzzing trying  
16 to, trying to process what I had already seen or what I was told  
17 before I saw, before I saw the wreck. So anytime something like  
18 that would come up, I said, well, Oxy has -- I'm going to have to  
19 defer to Oxy on that one.

20 Q. Okay. But was there any feeling about the Incident  
21 Command Post being situated too close to the accident scene?

22 A. Well, I think when we came back from the initial  
23 assessment and, you know, like I said, at this point, as railroad  
24 people do, they see other people walking around without protection  
25 and they figure, I guess it's -- we're okay. Because Richter, the

1 hazmat guy, is not running down like -- flailing his legs and arms  
2 and screaming.

3           So, you know, it started to look like a normal railroad  
4 incident site where, you know, people start to gather and start to  
5 figure out what they've got to do and everything. And when we got  
6 done the assessment and we got back, we're like -- I think, I  
7 think at that point when we're getting off the boat they said,  
8 well, we moved the command post back because they were -- I  
9 thought I -- I thought I remember somebody saying, they're getting  
10 readings so we're moving away from the church and moving it back  
11 to the township building. I'll call it the township building for  
12 want of a better term. I'm pretty sure that's what it was.

13           And that's, that's where it was until -- jeez, when did  
14 we set up -- I think, you know, we were basically just setting up  
15 over car hoods and things like that. And, you know, that was -- I  
16 don't even remember where we were meeting other than the crossing  
17 and that township building, until either one or two days into this  
18 thing Neil and I decided it would be a good idea -- we asked  
19 Miller and they had a mobile unit, you know, like we could use as  
20 a command type thing where we could get our stuff together. And  
21 so we had that, and that was initially in the parking lot of the  
22 bank, the Wells Fargo Bank, that we operated out of for at least a  
23 few days. And then we opted -- then we moved from there, because  
24 I think they had lifted some of the evacuation zone and the bank  
25 was going to open, so then we had to move next -- I guess next

1 door. I think it was the library parking lot or something like  
2 that that was next door.

3 Q. Going back to when you and Mr. Austin were on the boat  
4 and you said you commented to him, I guess we should be wearing  
5 respiratory protection.

6 A. Well, that's not exactly what I said, but that was the  
7 context of it.

8 Q. Okay. Why were you concerned about it then and why  
9 weren't you wearing respiratory protection?

10 A. Well, I guess it was, it was -- you know, to me it was a  
11 perception. Going back historically to this big incident that we  
12 had here years ago. Like I said, I think it was back in the '80s  
13 because I was still with the AER. When I went out to that  
14 incident I smelled vinyl. You know, it had a very distinct odor  
15 to it. When I went here, I didn't smell anything so I thought we  
16 were okay. But it was just being up there, being right up at the  
17 hole, and come to the realization like, we should probably have  
18 worn something, you know. But that's what it was.

19 Q. But was the fact that the other emergency responders,  
20 the fire department, were they not wearing anything; did that  
21 influence your thinking?

22 A. I don't remember the fire department or anybody when I  
23 was there being up -- down close to the bridge being around. They  
24 were mostly all either at the crossing or over there where the  
25 fire marshal's house was. You know, and being in -- and I don't

1 remember the fire department emergency responders being down  
2 close, you know, to the bridge.

3 Q. What was it that gave you a level of comfort that you  
4 thought you could approach --

5 A. Didn't smell it.

6 Q. It was the lack of odor?

7 A. It was that simple. It was that simple. I smelled it  
8 before when we had the big release. I knew what it was. I didn't  
9 smell it here and I figured -- you know, I had no doubt that after  
10 the few -- a lot of phone calls that I was getting back from the  
11 scene trying to give me updates as I was working my way through  
12 traffic that, you know, they had the release and this stuff -- it  
13 was auto- -- it was coming out and flashing off into a vapor and  
14 it was -- you know, it was hovering over the creek and -- but when  
15 I got there everything -- it was clear. It was clear as a bell.  
16 And I didn't see that.

17 You know, I mentioned today that I saw those pictures of  
18 apparently Chopper 6 of ABC -- the ABC News affiliate took of the  
19 initial incident where the fog was really covering that thing up.  
20 So when I got there it was -- I mean, it was a crystal clear day,  
21 really, by the time I got there. False sense of security is  
22 really what it was. I'm not saying it was smart. I'm just saying  
23 it was --

24 BY MR. EL-ZOGHBI:

25 Q. Well, when you decided to go out and do the

1 assessment --

2 A. Uh-huh.

3 Q. -- was that -- was the fire marshal -- oh, that's right,  
4 the deputy fire -- well, the fire chief, deputy fire chief for  
5 operations, did they provide any instructions, scene control --

6 A. No, no.

7 Q. -- information about --

8 A. No.

9 Q. -- you know, what you need to do, what shouldn't be  
10 done?

11 A. No, I didn't -- we didn't get any of that. Very nice  
12 people. You know, I took it from my initial -- my initial thought  
13 was, you know, these guys are saying -- are kind of looking at us  
14 like, what? You know, and -- you know, I said, look, we -- you  
15 know, we're bringing in as many resources as we can. So I said,  
16 you know, you're not in this alone and we're going to help you --  
17 you know, do whatever we can to, you know, bring this thing to a  
18 safe conclusion.

19 And I do remember walking -- I don't know if it was  
20 initially when I was walking down to the dock of the fire marshal  
21 to get on the boat or when we came back up -- I can't remember  
22 when this conversation happened -- but I didn't know that was the  
23 fire marshal's house. So I said, you know, "How long have you  
24 been here?" He says, "Since it happened." I said, "Really?" He  
25 says, "That's my house." He says, "I see this train come over

1 here every day." And he said, and then, you know, I heard -- we  
2 saw the train, started to come over the bridge and we heard this  
3 pounding and then, you know, all hell broke loose.

4 So but, no, I didn't get any indication from any  
5 official, any emergency response agency about you have to wear  
6 this, we're getting this, you know, do that, do that. I didn't,  
7 no.

8 Q. So did you -- you didn't have any dialogue with Pat  
9 Robinson or his group about --

10 A. I talked to Pat initially but I can't specifically  
11 remember the conversation. It was -- I hadn't seen him for a  
12 while so it was, you know, exchanging pleasantries and everything  
13 like that.

14 Q. Okay.

15 A. And then kind of talking about it. In fact, I'm -- I  
16 subscribe to their emergency response -- I forget what they call  
17 it -- where they notify by e-mail and they notify by text  
18 emergency, something going on in or around the plant. That had  
19 come through on my phone initially, I remember, when I was driving  
20 down. But I can't recall our conversation, what was discussed. I  
21 really, I really --

22 Q. At the time you arrived, given your knowledge of the  
23 hazmat and the situation, do you feel that -- or, I guess, what is  
24 your prospective on how the chief was handling the situation or  
25 the information he was receiving?



1           A.    I think in -- I'll tell you what, I thought that the  
2 chief was very calm and very cool.  And, you know, was just saying  
3 -- you know, he was just kind of taking everything in and, you  
4 know, any of the information he was getting from whomever.  And I  
5 thought -- you know, initially I thought, you know, we're getting  
6 along with this guy; this is great.  You know, usually we have --  
7 you know, the railroad does bad things and then, you know, the  
8 fire chief's all over you.  But I didn't sense that at all from  
9 any, from any of the -- the fire chief, the fire marshal, the fire  
10 chief from Gibbstown, anybody.  I didn't get that.

11                    I thought that we had a very good -- I thought -- it  
12 seemed to me that -- I thought, you know, this hopefully will go  
13 pretty good based on, you know, just conversation and feedback,  
14 you know, we're here to try to, you know, get you guys back in  
15 your houses and get this thing cleared up.  You know, because at  
16 that time I didn't know what, you know, what was going to be  
17 involved.  But I didn't have anything but good feelings about how  
18 the thing was going to go, just on a how everybody was getting  
19 along.

20           Q.    Uh-huh.  At the time you arrived, and my understanding  
21 this was probably a little after 10 or so --

22           A.    It was -- it could have been --

23           Q.    -- when you were doing the assessments?

24           A.    Well, it could have been before that.  I don't know what  
25 time I got there, but --

1 Q. Okay. Did you feel that there was an adequate site  
2 assessment that was in place at the time or that they were still  
3 looking to you to fill in or have some gaps, or did they have no  
4 knowledge, or what do you think it was?

5 A. I think -- well, no, I think initially what we did was  
6 we kind of -- when we went back after the assessment is that what  
7 you're talking about? After Mike and I were out there on the boat  
8 and we --

9 Q. Yeah, and prior to the assessment, I mean, for what they  
10 were --

11 A. Prior to, I don't really -- all I remember was -- you  
12 know, of course, I was hearing it all the way down in the car we  
13 have a breached car, you know. And I didn't know small, big. I  
14 didn't know what it was. I just knew we had a release.

15 And I didn't understand what it was until, you know, I  
16 turned the corner -- come out of that church, turned the corner  
17 and started walking down toward the boat and looked at it. I  
18 went, "Holy geez," you know.

19 So I remember going back. And at one point it was  
20 probably back at that township building, kind of real quick  
21 drawing, you know, like sticks just saying, you know, we got this  
22 car, you know, this car, this car, this car. And at this time we  
23 don't think that we have any other type of -- we don't have any of  
24 the other cars releasing product other than the obvious one.

25 And then it was just trying to come up with a plan, you

1 know, of what we're doing. And, you know, in the meantime the  
2 contractors were starting to come in. They tried to come up with  
3 ideas on how we're going to, you know, get rid of that product  
4 so --

5 Q. I have one other question about -- you mentioned earlier  
6 there was discussion of air monitoring and questions about that at  
7 the church.

8 A. Uh-huh.

9 Q. Do you recall what was said?

10 A. No.

11 Q. What specifics or whether there was concern or anybody  
12 came in to discuss that?

13 A. I remember questions and I remember maybe hearing  
14 conversations but I don't remember -- I really don't remember  
15 specifically anything, you know, off the top of my head right now.  
16 I can't remember.

17 Q. But nobody came in and said, get the heck out of here;  
18 this is --

19 A. Not when I was in there.

20 Q. Okay.

21 A. Not when I was in the church. Nobody said that.

22 Q. Okay.

23 A. Because had they said that, I probably wouldn't have  
24 gone down to the boat without a respirator -- you know, without  
25 respiratory protection.

1 Q. Okay.

2 A. You know, they did say -- they apparently -- somebody  
3 had said it after we went out because that's why they moved the --  
4 you know, to the township building. You know, so -- and then  
5 after that it was -- you know, you know, we were working around  
6 that trying to do some things. And the next time I got out to the  
7 cars I was wearing an Air-Pak, by the way, so -- and that was when  
8 we were starting to hook up the transfer lines and do that kind of  
9 thing. Mike and I went up and, you know, was putting the lines in  
10 the car and everything. I did wear an Air-Pak at that point,  
11 so --

12 BY MR. STANCIL:

13 Q. I just have one clean-up point just to clarify something  
14 you had mentioned earlier. I think you were discussing a  
15 conversation you had while you were en route to the scene where  
16 you had told somebody in pretty strong terms to get out of there.

17 A. Right.

18 Q. Who was that you were discussing with?

19 A. Neil.

20 Q. Okay.

21 A. Ryan Keating, our area manager here who oversees  
22 transportation. Bill Donovan, who's the Gloucester County --  
23 works in the Gloucester County Prosecutor's Office, he had called  
24 me. And they were all, the same thing, "I'm in this fog." I  
25 said, "Well, get out of it."

1           Now, I've driven over -- because, you know, there are  
2 times when I will drive down to Paulsboro to watch this train.  
3 You know, I'll have the paperwork with me and I'll go down to  
4 Paulsboro and watch it go by me and just check, make sure the  
5 paperwork's right, make sure it's lined up right and everything.  
6 I've seen fog on that creek. It didn't, it didn't -- you know,  
7 initially when they said there was fog on the creek, I thought,  
8 well, I've seen fog on the creek. You know, I figured, well, you  
9 know, I'm not a weather guy or, you know, a scientist or anything  
10 but it's a beautiful day out and you've got a temperature change  
11 on the water or something, you know, I've seen fog out there.

12           Q. Uh-huh.

13           A. But they were saying, no, this is like -- I think, you  
14 know, like out on 44, the road that runs parallel to the railroad  
15 out there, right where the highway, the highway bridge is, I  
16 remember Ryan Keating saying that he was driving and all of a  
17 sudden he was in this dense fog, that he couldn't see. And he  
18 said -- I seem to remember him saying that he almost drove into  
19 the rear of a police car whose lights were flashing. He didn't  
20 see him until the last, the last second because the fog was so  
21 dense.

22           So they were the three, off the top of my head, that I  
23 remember saying, "Get out. Just get out." You know, and then  
24 Neil and I were having different conversations throughout. You  
25 know, he told me -- he called me back one time and said, "Well,

1 I'm going around the back side of it to pull, pull the cars away  
2 because it's clear."

3 And, you know, I was kind of getting updates from him  
4 that, you know, it was the -- you know, what cars were involved as  
5 far as the number and the train. Because initially when I heard  
6 that the train went down I had visions of nothing but bad things  
7 happening. When they said a release and it was that particular  
8 train, the F -- what we call the FC-42 or the CA-11. And, you  
9 know, I know what's transported on that train, so --

10 And, you know, I told you guys at lunch, you know, one  
11 of the first inspections I ever did as a hazmat guy back in '81  
12 was down here at the Paulsboro Yard office. And I remember  
13 watching the train and saying, boy, this would be my worst  
14 nightmare if this thing ever come off, you know, because of all --  
15 very high volume of hazardous materials because of the industries  
16 that are down there. And I got through 32 years before it finally  
17 happened.

18 So but -- so you know, there was a lot of back and forth  
19 phone calls on the way down about -- you know, Neil was telling  
20 me, you know, we're pulling the rear end from the -- you know,  
21 which usually in a wreck if we can do it and we can do it safely,  
22 that's what we'll do, clear the other cars away so we can get --  
23 you know, kind of focus in on what's involved. And but that's --  
24 to answer your question, that's --

25 BY MR. EL-ZOGHBI:

1 Q. Were you concerned about -- I mean, are you -- first of  
2 all, are you familiar with that geographic area like where the  
3 church was?

4 A. I didn't know there was a church there. I knew -- the  
5 only thing that sticks out in my mind about Paulsboro is -- wasn't  
6 so much specifically the creek, it was just the area. Because I  
7 always envisioned if we have a derailment here, out in that marsh,  
8 how are we going to get equipment out there? You know, it was  
9 just things that I would think about. So I was sort of kind of  
10 familiar with it, yes. I wasn't -- this is the first time I'd  
11 ever seen the bridge. I had never seen the bridge before.

12 A few years back when they had the derailment of the  
13 coal train on the bridge, Neil told me about it but didn't get me  
14 involved because he said, it's coal; don't worry about it. He  
15 says, I'm down here now and -- in case I need you for something  
16 else, you know, don't worry about it; you don't have to come down.

17 So I wasn't familiar with the bridge. But that's the  
18 only part of the environment that I knew. It was just the fact  
19 that the creek, the marsh or whatever you want to call it. And  
20 farther down in -- you know, where it goes through town?

21 Q. Uh-huh.

22 A. You know, right outside our office, the yard office  
23 there and everything, that's about, you know, what I was familiar  
24 with.

25 Q. So in terms of being told to show up to the church

1 location and in the proximity --

2 A. I kind of just worked my way.

3 Q. Okay.

4 A. And when I initially -- I didn't know where the bridge  
5 was specifically.

6 Q. Specific to that. Okay.

7 A. So what I did is, I did what I know, went to the yard  
8 office and then worked my way -- followed the railroad back north.

9 Q. Okay.

10 A. And kind of happened upon it. And then I was kind of  
11 sort of -- I think I was kind of sort of directed somehow to the  
12 church.

13 Q. Okay.

14 A. I didn't know the church. I don't know if I got a call  
15 or somebody said it's on this street. I don't know how I ended up  
16 there but I did.

17 Q. Okay.

18 MR. STANCIL: Yeah.

19 MR. EL-ZOGHBI: Okay --

20 MR. STANCIL: Nope, I'm good.

21 BY MR. STANCIL:

22 Q. Anything else that you can think of that you'd like to  
23 add or --

24 A. I'll tell you what, it has -- you know, I'm used to  
25 emergency response and I've been out to -- in my career I've been



1 out to larger derailments. I've been out to derailments involving  
2 a wide variety of different hazardous materials, non-hazmat and  
3 hazmat. But, you know, this was definitely one of the most unique  
4 situations that I have ever been involved with. And, quite  
5 frankly, you know, since our split thing -- and we told you at  
6 lunch, I'm not used to dealing with that size, that type of, you  
7 know, heightened awareness type derailment.

8           Usually if we have something, it's small. It might be  
9 out here in the yard, you know, or some -- I keep saying here, but  
10 -- you know, if we -- you know, we'll just drop a couple wheels.  
11 We might even roll, you know, a car.

12           When we had to be there to rerailed it, I remember -- I  
13 don't know when it was -- 3, 4 years ago we derailed three or four  
14 LP gas cars out here. It was a broken rail. And very, very cold  
15 weather. In fact, I was down at the Camden County Fire Academy  
16 teaching. I get involved with -- work with the county. Well, not  
17 with the county. They actually run the state hazmat technician  
18 program down there. And they'll have me come in. It's a 2-week  
19 program. So they had me come in like the second Monday of that  
20 program to do kind of like a public liaison to the railroad. So  
21 an introduction to tank cars, that kind of thing. And in the  
22 afternoon they have rotations where we go out and they have valve  
23 stands and that kind of thing, will just go over and touchy feely  
24 and let them, let them see. And I was in the middle of that when  
25 I got the call to come up here for that derailment.

1           And so we ended up -- it was a long process because we  
2 ended up having significant enough damage to the tank cars that we  
3 had to transfer the cars. So we did that right here at the shop.  
4 Ended up flaring the cars, cleaning and purging the cars out right  
5 here. And then we bring the fire department in, the hazmat team  
6 for the county, kind of like an education thing. Hey, we're going  
7 to flare a car, why don't you come down, you know, take a look at  
8 it.

9           So, you know, I'm used to that kind of thing and I  
10 haven't been on a big wreck since 1999. You know, after split  
11 date, everything that I usually respond to was, you know, the  
12 small -- I call them insidious leaks. That's really what we have  
13 now because we're not that big, high volume -- you know, high  
14 speed type railroad like the other class -- like the Class I's  
15 are. So this was, this was a -- you know, trying to bring me back  
16 on, oh, I remember these, you know. So, that's, that's what it  
17 was. That's what it was.

18           It was interesting. It was long. I think that one of  
19 the most frustrating parts was working not so much within the  
20 Incident Command structure, but I've never been involved with this  
21 much documentation before ever, ever. Plans, contingency for the  
22 plans, contingency for the contingency for the plans. I mean, it  
23 was mindboggling, you know.

24           And it would -- you know, because a lot of times we  
25 would just go to the contractors and say, okay, you know, for what

1 we're going to do, you know, this transfer process, I need a plan  
2 right now and I need it in about 4 hours, because we've got to get  
3 it up there because we can't -- they have to approve it and, but  
4 we're not going to be able to do anything -- you know, we were  
5 told in like 24 or 48 hours because it's got to go through a  
6 process of approval. So that really kind of handcuffed us a lot.  
7 Once we'd get momentum and then we'd have to kind of sit back a  
8 little bit. I understand that they have to do what they got to  
9 do. I understand that.

10            Luckily I wasn't really intimately involved with it and  
11 he took it. The boss took it, and I think did a magnificent job,  
12 you know, with what he had to deal with based on -- I've known  
13 Neil for a long, long time, you know, in my days with the AER, he  
14 was still with the railroad. And from what I knew of him then and  
15 what I knew of him now, did an excellent job. Excellent job as  
16 liaison between us and the command. Great job.

17            We're in a process right now of taking a look at our  
18 internal Incident Command structure and starting to say, okay,  
19 based on this, this is what we've got to have in place from now  
20 on. Right? We always said, oh, this may not happen, this isn't  
21 going to happen. You know, like the 100-year storm, it may not  
22 happen until after I retire, which hopefully is in 3 years. But,  
23 you know, we're kind of opening some eyes, not so much for us, but  
24 for Mount Laurel, you know, and senior management and everything.  
25 I can think it kind of -- because it really taxed our resources

1 internally as to what was needed and those kinds of things.

2           So we're starting to set up some things internally  
3 saying -- while it's still fresh in everybody's mind to say this  
4 is what we need, we've got to do it. Because we don't have the  
5 resources. You know, Neil and I talked to you guys yesterday --  
6 last night about it. We're it. And luckily we have good  
7 contractors that we can rely on and they're like just another --  
8 like an appendage of us. But, you know, ultimately, when it comes  
9 down to the decision making and that kind of thing, it's he and I.  
10 That's it.

11           Q.    Uh-huh.

12           A.    So we'll see what happens.

13           MR. EL-ZOGHBI: Excellent. Well, if that's all there --  
14 all you have?

15           MR. STANCIL: Anything else?

16           MR. EL-ZOGHBI: No, I have no other questions.

17           MR. STANCIL: No.

18           MR. EL-ZOGHBI: Then we'll terminate this interview. It  
19 is 5:10 p.m. Thank you.

20           MR. RICHTER: You're welcome.

21           (Whereupon, at 5:10 p.m., the interview was concluded.)

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            CONRAIL DERAILMENT/HAZARDOUS  
   MATERIAL RELEASE  
   PAULSBORO, NEW JERSEY  
   NOVEMBER 30, 2012  
   Interview of Allen Richter

DOCKET NUMBER:            DCA-13-MR-002

PLACE:                        Camden, New Jersey

DATE:                         January 30, 2013

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.

---

Cheryl Farner Donovan  
Transcriber