

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

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CSX EMPLOYEE FATALITY \*

ACCA YARD, RICHMOND, VIRGINIA \*

Docket No.: DCA-15-FR-006

APRIL 1, 2015 \*

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Interview of: OMAR LEWIS

CSX Acca Yard  
Richmond, Virginia

Thursday,  
April 2, 2015

The above-captioned matter convened, pursuant to notice.

BEFORE: MICHAEL FLANIGON  
Investigator-in-Charge

## APPEARANCES:

MICHAEL FLANIGON, Investigator-in-Charge  
National Transportation Safety Board

STEPHEN JENNER, Ph.D., Human Performance Investigator  
National Transportation Safety Board

GERY WILLIAMS, Vice President - Mechanical  
CSX Transportation

DONALD CASHMAN, Operating Practices Inspector  
Federal Railroad Administration (FRA)  
Richmond, Virginia

SHANE RICHARDSON, Operating Practices Inspector  
Federal Railroad Administration  
Baltimore, Maryland

LARRY KOSTER, Manager Florence Division  
CSX Transportation

DON GRISSOM, General Vice President  
Brotherhood Railway Carmen Division

WILLIAM BATES, Lead Investigator  
SMART/UTU

TROY BRYANT, Local Chairman  
Brotherhood of Locomotive Engineers and Trainmen  
(Representative on behalf of Mr. Lewis)

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I N T E R V I E W

(3:45 p.m.)

1  
2  
3 MR. FLANIGON: Okay, it's April 2nd. We're now about  
4 3:45 in the afternoon. My name's Mike Flanigon, F-l-a-n-i-g-o-n.  
5 We're going to talk now with Mr. Omar Lewis, who is a trainmaster  
6 and was on duty at the time of the incident that we're  
7 investigating.

8 We'll go around the room and let everybody introduce  
9 themselves, spell their names and what organization they're with,  
10 with starting with my colleague, Steve.

11 DR. JENNER: Stephen Jenner with the NTSB.

12 MR. CASHMAN: Don Cashman, FRA.

13 MR. WILLIAMS: Gery Williams, VP Mechanical, CSX.

14 MR. KOSTER: Larry Koster, K-o-s-t-e-r, Florence  
15 Division.

16 MR. GRISSOM: Don Grissom, G-r-i-s-s-o-m, General Vice  
17 President for the Carmen's Division.

18 MR. BATES: William Bates, B-a-t-e-s, SMART/UTU.

19 MR. RICHARDSON: Shane Richardson, R-i-c-h-a-r-d-s-o-n,  
20 with the FRA.

21 MR. FLANIGON: Okay. And before we start, I just want  
22 to confirm I've explained we're going to record the interview and  
23 provide you a transcript?

24 MR. LEWIS: Yes, sir.

25 MR. FLANIGON: Okay, good.

## 1 INTERVIEW OF OMAR LEWIS

2 BY MR. FLANIGON:

3 Q. What we want to do to kick off here is just ask you to  
4 walk us through what happened on the 1st: what you saw, what you  
5 heard, and what kind of communications you might've had with any  
6 of the people involved. Take your time and just tell us -- tell  
7 us what you can about what happened.

8 A. Okay. Tuesday morning is -- Mondays and Tuesdays are  
9 kind of busy here. And we were kind of busy out, and 401 had just  
10 left or was getting ready to leave. Made sure they was good to go  
11 and leaving. And 400 had just pulled in the yard, so I went to  
12 the north end to assist 400 and make sure, you know, they get a  
13 quick in and out.

14 While I was on the north end, Erwin van Beveren -- I  
15 think that's the way you pronounce his name -- I heard him come on  
16 the radio. He said, "Emergency, Emergency, Emergency," Kevin had  
17 been hit. So I proceeded -- I didn't know which way I was going.  
18 I just started driving this way. I called the yardmaster, asked  
19 him what was going on, and he heard the same transmission. Erwin  
20 came on the radio again and said 391 struck him. So I knew which  
21 direction to go.

22 So I called the yardmaster again and told him to go  
23 ahead and call 911. After I got off the phone with him, I called  
24 my supervisor, Mr. Hensley, and told him I had a situation that  
25 Kevin, the car inspector, had got hit. I don't know how bad it

1 is, I'm headed that way. I'll call you when I get more  
2 information.

3           When I got to the south end, the 391 was strung out I  
4 guess about -- out of track 1. I guess it was about eight or nine  
5 cars on the lead. And the conductor on the Y322, he approached me  
6 and asked me what was going on. I said Kevin had just gotten hit.  
7 And I asked him had he seen him or seen Erwin, and he said he  
8 hadn't. So we proceeded to try to find Mr. Erwin. I tried to  
9 call him on the radio and I didn't get a response.

10           I then approached the foreman on the 391 and asked him.  
11 He didn't know what was going on. I asked him had he seen the car  
12 inspectors, and he said, no. And I looked north, and Erwin was  
13 about 10 cars north in the track. So I ran down there and asked  
14 him what had taken place, and he said that Kevin stepped out in  
15 front of the engine. And I said, well, where's Kevin at? And I  
16 couldn't really make anything out of what he was saying. So we  
17 proceeded to look for him.

18           We saw his hardhat up on a cut of cars right around the  
19 2 switch. And we continued to walk south, and we found him by the  
20 bridge up under the car. And, you know, it was nothing we could  
21 do. And I talked to Erwin, tried to calm him down a little bit.  
22 My remote guy he was tore up.

23           MR. CASHMAN: Just take a minute, Omar.

24           MR. FLANIGON: Yeah, no rush. Want a minute or two?  
25 Okay, we'll take a short break here.

1 (Off the record.)

2 (On the record.)

3 MR. FLANIGON: Okay, continuing on. We're speaking with  
4 Mr. Omar Lewis.

5 BY MR. FLANIGON:

6 Q. And pick up where you left off.

7 A. I called Mr. Hensley back and told him what I found.  
8 And I called Mr. Craig Wilson, and told him. And just tried to  
9 talk to my guys as best I could. And the police and the fire --  
10 the EMS, I think they had showed up about that time. And I called  
11 the DTO, told him what happened. And I think he conferenced  
12 Mr. Koster in at that time. And that's -- let me see what else  
13 happened then. That's about it, you know.

14 Q. Okay. You mentioned the 400 train. I guess that was,  
15 then, a northbound train?

16 A. Yes, sir. Yes, sir.

17 Q. Okay. So you're down at that north end of the yard.  
18 And you just mentioned the DTO, do I have that -- Delta-Tango-  
19 Oscar?

20 A. Yes, sir.

21 Q. And what is that?

22 A. He's the director of train operations in Florence.

23 Q. Okay. Is that -- on other railroads would that be a  
24 dispatcher, or --

25 A. No, sir.

1 Q. Okay.

2 UNIDENTIFIED SPEAKER: It's in the dispatch center, and  
3 basically in charge of the road operations 24 hours a day, 7 days  
4 a week. It's a shift position.

5 MR. FLANIGON: Okay.

6 BY MR. FLANIGON:

7 Q. Okay, so you -- earlier you were saying that, if I head  
8 you right, that you interacted with the individuals involved on a  
9 regular basis.

10 A. Yes, sir.

11 Q. Had you had any communication with any of the -- the  
12 three people I'm thinking of are the two carmen and the RCL. Had  
13 you had any communications with them that night before the  
14 incident?

15 A. My guys, I job brief with them face to face every night.  
16 And I had interacted with them. I seen the car inspectors in  
17 passing. Like I say, it was a busy night. I hadn't had a chance  
18 to talk with them at all that night. But the guys on the ladders,  
19 the 391, the 392, and the 393, I had spoken with them and seen  
20 them face to face.

21 Q. Okay. And when you say my guys, so you're a  
22 trainmaster, meaning you're transportation. And so the  
23 conductors, engineers --

24 A. Yes, sir.

25 Q. -- those folks are the people that you supervise?



1           A.    Yes, sir.

2           Q.    Okay.  So tell us a little about the job briefing.  What  
3 did you discuss?  What came up?

4           A.    We always discuss the big four.  And I always tell the  
5 guys if there's any time they're uncertain about anything, stop  
6 and get some clarity, you know.  In my job briefings I try to talk  
7 to the guys -- you know, I try to get to know the guys a little  
8 bit to see what's going on in their life.  And that way I can tell  
9 if something's bothering them that night or whatever and it tells  
10 me whether or not I need to focus on, you know, this person a  
11 little bit more than everybody else, if he's got something going  
12 on.  But like I said, everybody was good that night.  It was a  
13 busy night, and just talked about being safe and, you know, like I  
14 said we talked about the big four and working, you know,  
15 efficiently.

16          Q.    I don't know the big four.

17          A.    Protecting the shoves, securing equipment, not leaving  
18 anything in the file, and checking the switches.  It's a big part  
19 of what we do.

20          Q.    Okay.  Now, protecting the shove is -- as I've come to  
21 understand, and you correct me if I've got it wrong, but when the  
22 zone is active, you don't have to protect?

23          A.    That's not correct.

24          Q.    No, no, okay.  The shove as opposed to the pull?

25          A.    Right, right.

1 Q. Okay, now I've got it. So anytime they're shoving --

2 A. They have to protect the shove.

3 Q. Either riding it or walking alongside?

4 A. No, not walking. We don't walk beside any moving  
5 equipment anymore.

6 Q. Okay, okay.

7 A. Either proceed to move, shove to them, or ride the move.

8 Q. Okay. And that's the kind of thing you cover in the job  
9 brief?

10 A. Yes, sir. Yes, sir.

11 Q. Okay. So there was a job briefing that night. How  
12 about interactions with the carmen?

13 A. Like I said, that night I hadn't talked to either one of  
14 them. I saw them in passing, but I didn't get a chance to talk to  
15 them that night.

16 Q. Okay. When you saw them in passing, anything jump out  
17 at you as unusual or of concern?

18 A. No, sir.

19 Q. Okay. Now, how about in -- you told me, I think, off  
20 the tape that you'd been here about a year --

21 A. Yes, sir.

22 Q. -- as a trainmaster. Over that year -- and have you  
23 mostly worked nights?

24 A. Yes, sir.

25 Q. And that's a seniority thing, even though you don't have

1 seniority, is that how that works?

2 A. Well, actually my family still lives in Rocky Mountain,  
3 and I tell the guys it don't matter which shift I work because  
4 when I got off I don't go home --

5 Q. Yeah.

6 A. -- until, you know, my off days.

7 Q. Yeah.

8 A. So --

9 Q. Okay. So over the year you've been here, what kind of  
10 interactions have you had with the two individuals who were the  
11 carmen that night?

12 A. Talked to them -- you know, whenever I'm around them,  
13 you know, I always, you know, would tell them, you know, I  
14 appreciate what they do, you know. And whenever, you know, I'm  
15 feeding my guys, I always would, you know, get them something too.  
16 Yeah, because -- you know. But on a personal level, just mainly  
17 work related.

18 Q. Have you ever taken exception to any of their work  
19 practices or safety engagement?

20 A. No, sir.

21 Q. Has anyone ever come to you and expressed concern about  
22 their --

23 A. No, sir.

24 Q. -- work practices or anything about their job  
25 performance or safety practices?

1 A. No, sir.

2 Q. No. Okay.

3 A. I know a lot of the times we want the tracks a little  
4 bit quicker.

5 Q. Yeah.

6 A. But, no -- nothing negative.

7 Q. Now, you do -- part of your job you do operational  
8 testing?

9 A. Yes, sir.

10 Q. And is that limited to the transportation folks or do  
11 you do any tests with the car department?

12 A. Mainly transportation people, but if we see them, you  
13 know, doing something out of the norm, we would speak to them  
14 about it. But I hadn't encountered anything like that.

15 Q. Okay. So I know we're going to get the actual records  
16 of the testing of the RCL operator, may even have them already.  
17 But any problems or exceptions with his performance or safety  
18 engagement?

19 A. The RCL?

20 Q. Yeah.

21 A. No, sir.

22 Q. Yeah, Mr. --

23 A. Seth?

24 Q. Seth, yeah.

25 MR. FLANIGON: Okay. I think that does it for me.

1 DR. JENNER:

2 Q. I really don't have any questions about that evening.  
3 I was just curious, you've been a trainmaster for 1 year here.

4 A. Yes, sir.

5 Q. What were you doing before?

6 A. I was a conductor in Rocky Mountain. Well, out of that  
7 -- the area. I actually -- I never worked out of Rocky Mountain.  
8 I always worked outlying points, but I was a conductor for about  
9 7, well, been about 17 years.

10 Q. What made you -- how'd you end up becoming a  
11 trainmaster?

12 A. Well, I got two girls. And everybody I talked to when I  
13 was -- I was in the military before I came out here. And I --  
14 everybody I talked to said they missed out on their kids growing  
15 up. And I had pretty good seniority as a conductor. And my  
16 oldest daughter's in college now. My baby girl's in 11th grade.  
17 So I figured it was time to step out a little bit, you know. I  
18 wanted to see them grow up, so -- they're a little bit older now,  
19 and I just wanted to, you know, progress in the company a little  
20 bit.

21 Q. In the last year that you've been trainmaster here have  
22 you implemented any new rules or procedures?

23 A. No, sir. I haven't.

24 Q. Okay. Have you made recommendations to others about,  
25 you know, maybe we should test people differently or do things a

1 little differently?

2 A. No, sir.

3 DR. JENNER: Okay. I think that's it. Thank you.

4 MR. LEWIS: Thank you.

5 MR. FLANIGON: Mr. Bates?

6 MR. BATES: No. Well --

7 BY MR. BATES:

8 Q. Just one question. Have you -- in your year here, have  
9 any employee ever come to you about a near miss or said that they  
10 had a near miss on their shift or anything?

11 A. Not on the yard, no, sir.

12 MR. BATES: Okay, thank you.

13 MR. FLANIGON: Well, I think that does it for us then.  
14 Thank you.

15 MR. LEWIS: Sorry about that a little earlier.

16 UNIDENTIFIED SPEAKER: Omar, don't worry about that.

17 MR. FLANIGON: No.

18 (Whereupon, the interview was concluded.)  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CSX EMPLOYEE FATALITY  
ACCA YARD, RICHMOND, VIRGINIA  
APRIL 1, 2015  
Interview of Omar Lewis

DOCKET NUMBER: DCA-15-FR-006

PLACE: Richmond, Virginia

DATE: April 2, 2015

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

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Keith J. Maurer  
Transcriber