

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CRUDE OIL TRAIN DERAILMENT WITH
HAZARDOUS MATERIALS RELEASE
APRIL 30, 2014
LYNCHBURG, VIRGINIA

* Docket No. DCA-14-FR-008

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Interview of: ERNEST "BENNY" CAPPS

SpringHill Suites Inn
Lynchburg, Virginia

Friday,
May 2, 2014

The above-captioned matter convened, pursuant to notice.

BEFORE: RICHARD HIPSKIND
Railroad Accident Investigator

APPEARANCES:

RICHARD HIPSKIND, Railroad Accident Investigator
Chairman, Track and Engineering Group
National Transportation Safety Board
Washington, D.C.

JAMES SOUTHWORTH, Investigator-in-Charge
National Transportation Safety Board
Washington, D.C.

ROBERT "JOE" GORDON, Track Inspector
Office of Safety
Federal Railroad Administration

JIM GRUPPOSO, Director
Train Accident Investigation and Prevention
CSX Transportation

BRAD SPENCER, Engineer of Rail Services
CSX Transportation

RUSSELL FARMER, Vice Chairman
Allied Federation
Brotherhood of Maintenance of Way Employes
Division (BMWED)
(Representative on behalf of Mr. Capps)

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Legend:

(ph.) = phonetic spelling

I N T E R V I E W

1
2 MR. HIPSKIND: Good morning. My name is Richard
3 Hipskind and I am the Track and Engineering Chairman for NTSB for
4 this accident. We are here today on May 2, 2014 at SpringHill
5 Suites Inn in Lynchburg, Virginia to conduct an interview with
6 Mr. Benny Capps, who works for CSX Transportation or CSX. This
7 interview is in conjunction with NTSB's investigation of a crude
8 oil train derailment with hazardous materials released on CSX's
9 James River Subdivision in Lynchburg, Virginia on April 30, 2014.
10 The NTSB accident reference number is DCA-14-FR-008.

11 Before we begin our interview and questions, let's go
12 around the table and introduce ourselves. Please spell your last
13 name and please identify who you are representing and your title.
14 I would remind everybody to speak clearly so we can get an
15 accurate recording. I'll lead off and then pass off to my left.
16 Again, my name is Richard Hipskind. The spelling of my last name
17 is H-i-p-s-k-i-n-d. I am a railroad accident investigator and
18 Track and Engineering Group Chairman for NTSB on this accident.

19 MR. FARMER: Russell Farmer, Vice Chairman, Allied
20 Federation -- Farmer, F-a-r-m-e-r -- representing BMW.

21 MR. SPENCER: Brad Spencer, CSX Transportation, rail
22 testing.

23 MR. GORDON: Robert Gordon, FRA Office of Safety, Track
24 Inspection, G-o-r-d-o-n.

25 MR. GRUPPOSO: Jim Grupposo, G-r-u-p-p-o-s-o, Director

1 of Train Accident Investigation and Prevention for CSX
2 Transportation.

3 MR. HIPSKIND: And our witness, would you please
4 introduce yourself?

5 MR. CAPPS: Ernest Capps, C-a-p-p-s, known and called
6 out in this interview by Benny, CSX employee 39 years, grapple
7 truck operator. I work directly under Joe Jackson.

8 MR. HIPSKIND: Okay. And, Mr. Capps, if you don't mind,
9 we can be on a first-name basis? Okay. Thank you, Benny.

10 Do we have your permission to record our discussion, our
11 interview with you today?

12 MR. CAPPS: Yes.

13 MR. HIPSKIND: And do you wish to have a representative
14 with you at this interview?

15 MR. CAPPS: Mr. Farmer can represent me, if that's okay?

16 MR. HIPSKIND: That's okay.

17 And, Mr. Farmer, are you agreeable to that?

18 MR. FARMER: Yes.

19 MR. HIPSKIND: Okay. Let's proceed with our interview.

20 INTERVIEW OF ERNEST CAPPS

21 BY MR. HIPSKIND:

22 Q. Benny, kind of give us a synopsis of your work
23 experience and take us up to your present job and let us know how
24 long you've been at that position?

25 A. I started in June 25, 1975 as a trackman. I've worked

1 in the track department for 39 years. I've ran tampers, 6700s,
2 CATs. I've done numerous track jobs, so I feel pretty comfortable
3 in what I do. Right now I'm a material handler. I work directly
4 underneath Joe Jackson. Out on the James River this week, I was
5 just preparing the sub for the production that is coming.

6 Q. Okay. And as a material handler, you've been doing that
7 for about how long, just roughly?

8 A. Fourteen years.

9 Q. Okay. So Benny, let's just cut to the quick. You know
10 we're out here on account of the train derailment and we're
11 somewhat aware that there was a Sperry car running across the
12 territory, James River territory Monday and Tuesday. And so why
13 don't you just hit the treetops and tell us a little bit about
14 what you did in general on Monday and then kind of carry over and
15 just keep talking about some of the things that you did on
16 Tuesday. And you know we kind of already talked about we want to
17 know toward the end of the day what track you were on, what
18 material you had, and take us through some of that. So you've got
19 the floor.

20 A. Okay.

21 Q. We'll just sit back and listen.

22 A. Monday there was -- I went down to Balcony Falls and I
23 listened to their job briefings, and basically I let them all say
24 where they were going to work: the tie unloader, the ballast, the
25 Sperry car, the servicing gang. I let everybody put out where

1 they were going to work at because I had so much work to do, I
2 could find an available spot. My available spot was at Reusens,
3 between Perch and Southern Crossing.

4 Q. Can you spell that for us?

5 A. Perch or --

6 Q. Perch and Reusens.

7 A. Perch, P-e-r-c-h, and Reusens is R-u-s-e-n-d-s [sic].

8 Q. Thank you for that, Benny.

9 A. Reusens is a -- there's a siding and a main at Reusens
10 and there's a car shop that works on cars at Reusens. Southern
11 Crossing is the start of the double track in Lynchburg. And
12 that's also, once you get into that, there's a Southern exchange,
13 which runs through the N&W.

14 To go back, Monday, a lot of rain. So the first thing
15 I'm thinking is less traction, stopping ability. And it worked
16 out that the section from Eagle Rock also wanted to work in that
17 area, so I changed my plan up a little bit and went to Perch and
18 got with him and let him get the time. They were going to work at
19 156. I was going to concentrate on 154 and getting that rail --
20 there's some tested rail there. I was going to get that rail out
21 and stack it at Reusens or take it back to Lynchburg. That was my
22 focus. And that worked out Monday. Still more work there, so I
23 said this is my option for to Tuesday. I said I'll come back to
24 this place.

25 Tuesday, job briefing, same thing. Eagle Rock section

1 is coming there, they're working on more defects. I'm still
2 trying to get the rail out at 154. Track time was a problem, so
3 we sat there. We didn't get track time till 1330. Joe Jackson,
4 we heard on the radio, got time from Perch to Reusens, to the east
5 switch at Reusens on the main. And the local was in front of him,
6 so we knew we had to wait for the local and maybe for him.

7 The local went by. I told the foreman of the Eagle Rock
8 section, Matt Campern (ph.), that maybe you need to get track time
9 in the siding and come out the east end of Reusens and follow that
10 local to Southern Crossing and take number 2 track to Washington
11 Street, and that'll be our plan. We'll just go right out; you all
12 can fix the defect behind me. And they suggested that I set a
13 rail off at 46.5 or 46.3 to -- but I wasn't in detail about the
14 location because I knew the place would be painted yellow to mark
15 a defect.

16 So that happened. We got the time and -- we didn't have
17 a lot of time. They had time to fix one defect and I had time to
18 fix that rail, and I set the rail off at that place. When I
19 stopped and untied my rail, I was looking around at the situation.
20 There was a field weld on the west end of that spot and then a set
21 of joint bars that had fairly new looking track bolts in them, so
22 that meant it hadn't been done long, and then another field weld
23 in front of that. My biggest concern was do I have a rail long
24 enough to take all this out of it. When you put a rail in, you
25 want to take out the field welds and anything that -- you want to

1 make the track better. So that was accomplished because this rail
2 was 40 foot long.

3 And before I left, though, I decided I would measure the
4 rail height and the top of the rail to see if my rail was a good
5 match, and the rail was 6 and 3/4 inches tall and it was 2 and 3/4
6 wide at the top with a curve worn edge on it. The rail I had set
7 off was 7 inches tall with a 3-inch flat top ball. And so I made
8 note that the next morning when we had our job briefing that they
9 should be able -- that rail would work, but I would -- if I had
10 another rail that was closer to those dimensions, I would use it
11 and cut out a lot of work; be a better match.

12 Basically, just looking around, I didn't see anything
13 that would alarm me of the track conditions. The ties looked
14 good. The surface looked good. I didn't see any excessive mud.
15 Everything looked fine. Just that it was a defect there and it --
16 they said it was 30 percent defect. That's what I was told. So I
17 thought, well, you know, I don't -- nothing really raised a red
18 flag to me and I thought the surface condition of the track got
19 better once I hit double track than back on single track.

20 So I went down to Washington Street, got off the track,
21 told them that I was in the clear and I was going to go down and
22 unload the rest of the rail at the yard office. And the next
23 morning on the call, when they get ready to do their job briefing,
24 I told them exactly what I just told you about the rail height and
25 that I would pick out a better rail.

1 Q. Okay. Let me, Benny, let me button up a couple things
2 for people who will be reading this and not familiar with what you
3 know and kind of what I know.

4 A. Right.

5 Q. When we -- just in general, is it fair to say that
6 Monday and Tuesday's efforts was in support of following gangs and
7 following the Sperry test truck?

8 A. Never had contact with the Sperry truck.

9 Q. Okay.

10 A. I knew the Sperry truck was ahead of us. I knew the
11 Sperry truck was working from Tyree to Gladstone. That's where
12 they were testing, so I knew that I was fairly far behind them.
13 They didn't really say, hey, this is your job to follow the Sperry
14 car this week. My job was to get the tested rail out of 154,
15 which was about 20 sticks in there, twenty 40-foot sticks. My job
16 was to get that rail out of there so it would be available for
17 them to get it to work --

18 Q. To use --

19 A. -- to use to repair Sperry defects.

20 Q. Okay. And I think the other thing that may have been
21 lost in some of your explanation is -- why don't you spend just a
22 little bit of time talking about the piece of equipment you use
23 and whether you're on the track most of the time, and just take us
24 through some of that.

25 A. Oh, okay. My truck is a grapple truck. It is 40-foot

1 long with heavy duty hi-rail gear on it. It's a dual axles in the
2 back. It weighs 40,000 pounds empty. I can carry six 40-foot
3 pieces of rail in the top rack at a time. It has stabilizers legs
4 to put on -- you know, that I put down when I use my crane. I can
5 pick up -- I can handle a piece of rail with no problem, 40 foot,
6 60 foot long. It requires a large crossing, at least 30 foot, to
7 get on and off the track. It normally sets the signals up when
8 I'm running down the rail. It's unpredictable in that part, but
9 it will probably set the signals up at time.

10 But that's what I do. I usually try to get -- put out
11 material. I'm not really in the part of correcting, you know,
12 track conditions. I'm usually just putting out material to make
13 it easier for them.

14 Q. Okay. And let's go back to Tuesday and slow down a
15 little bit. You were talking about maybe some challenges you had
16 getting track and time and talking with other gang foreman. But I
17 want to know specifically, when you did talk about moving down the
18 track, you went from the single onto 2 main near the Lynchburg
19 Depot?

20 A. We went from the siding at Reusens, which is milepost
21 150 -- or it's a crossing at 150, and the siding has a crossing on
22 it and the main line has a crossing on it. We got on the siding
23 after the local went by and we followed the local down the track
24 out of the siding onto the main. When we got to Southern Crossing
25 is where you have 1 and a 2 track, and we took number 2 track. I

1 stopped at milepost 146.3 or 4 right across from the depot
2 restaurant and set the 40-foot rail off right at the yellow paint
3 of the defect.

4 Q. Okay. You already answered my next question. You did
5 see the yellow paint and you knew you were in the right area and
6 that's what caused you to set it down. Now, I just want to get to
7 the spot on the spot. So you've got -- and you're going eastbound
8 with your move, right?

9 A. Yes, sir.

10 Q. And so you've got on your left-hand side is 1 main and
11 you're on 2 main?

12 A. Yes, sir.

13 Q. And when you set the rail off, did you set it off
14 outside of 2 track? In other words, there's one of two places you
15 could have --

16 A. Toward the restaurant.

17 Q. Toward the restaurant. So another way of saying that is
18 you didn't put it between the two tracks, you put it to the field
19 side of --

20 A. North side.

21 Q. -- north side of 2 track?

22 A. Yes, sir.

23 Q. And then you went on about your business, set off and
24 closed out your day?

25 A. Yes, sir.

1 MR. GRUPPOSO: That would be south side of 2 track.

2 MR. CAPPS: South side of 2 track.

3 MR. HIPSKIND: Okay.

4 MR. CAPPS: Oh, south side.

5 MR. HIPSKIND: Thanks for that correction, Jimmy.

6 MR. CAPPS: Yeah.

7 MR. HIPSKIND: South side of 2 track. All right.

8 Benny, you did great and that's all the questions I've
9 got for right now. So let me pass it off to my other
10 investigators.

11 MR. FARMER: Benny, the only question I've got --

12 MR. HIPSKIND: And please identify yourself.

13 BY MR. FARMER:

14 Q. Oh, Russell Farmer, Vice Chairman, Allied Federation
15 representing BMW. When you set the rail down in the proximity of
16 the defect, the welds and the joint and the length of the rail,
17 did you center the rail or was -- like, did you have to move the
18 rail to one end to cover everything?

19 A. I didn't center the rail because before I unloaded rail,
20 I measured the height and the width of the rail and I said I'm
21 probably going to have to come back in here and pick this up; this
22 ain't going to work, but it'll work if they can't find anything
23 better. So I set it off, but the yellow paint was still -- it was
24 still workable. You know, the rail still covered the yellow
25 paint, but I slid it back to the west to where I could come in

1 that parking lot and pick it up and not have to get track time and
2 not foul the track.

3 Q. So the end of the plug, and I'm trying to figure the
4 direction --

5 A. The east end of the plug rail was closer to the defect.

6 Q. Okay. All right.

7 MR. HIPSKIND: That it?

8 MR. FARMER: That's it.

9 MR. HIPSKIND: Thank you, Russell.

10 Brad?

11 BY MR. SPENCER:

12 Q. Okay. That was going to be one of my questions. But
13 what -- when Joe Jackson was hi-railing, was he by himself?

14 A. He didn't announce it to me who he had in his vehicle.
15 But working with Joe and talking to Joe on a daily basis, I
16 assumed that who he had in the truck with him were the capital
17 people that was in production: Mark Linksweiler (ph.), Ed Wilhort
18 (ph.).

19 Q. And they were putting those survey stakes out?

20 A. They were looking at where the production was going to
21 go and what they were going to run into, what needed to change
22 before the production started happening.

23 Q. Okay. You don't work for Kenny then, the roadmaster?

24 A. The way it works is I'm directly under Joe Jackson. He
25 sends me to Kenny. He sends me to Kenny Gunner (ph.). He says

1 while you're on Kenny Gunner, do what Kenny Gunner says to do.
2 When he sends me to Steve Bennett, he says you work under Steve
3 Bennett. But he directs what roadmaster I go to and what I do.

4 Q. So your area covers how many roadmasters?

5 A. It covers Rex Carter on the Peninsula. It covers Cliff
6 Orstrowski (ph.) on the Rivanna, Steve Bennett on the James River,
7 and Kenny Gunner on the Allegany. But now if something comes up,
8 I could go support a system gang if their truck went down, if
9 Bobby Ambrose's truck went down and he needed help, I could -- you
10 know, my territory is out there, but I work under Joe Jackson.

11 Q. Okay. That's all I have.

12 MR. HIPSKIND: Thanks, Brad.

13 Joe?

14 BY MR. GORDON:

15 Q. Joe Gordon, FRA Office of Safety.

16 One thing you mentioned was you set off a 40-foot plug
17 and you said that plug would have been long enough to get out two
18 field welds and a set of joint bars, along with the Sperry -- or
19 the internal rail defect that was identified in that area. So
20 that 40-foot would've taken care of two plugs, the joint bars, and
21 the defect that was identified?

22 A. I didn't measure it.

23 Q. Okay.

24 A. I didn't measure the welds. But what I basically did
25 was I set that rail down and I looked at the rail and I said, we

1 got it covered.

2 Q. Okay. All right. And the only other thing, you said
3 that the track condition in the area, you know -- and I know
4 you've got a lot of railroad experience. The track condition in
5 the area, there was nothing that alarmed you in that area as far
6 as geometry, tie condition, anything like that.

7 You stated one time before about the excessive mud. If
8 you do encounter, you know, in your trips up and down the
9 railroad, if you encounter excessive mud, what do you typically --
10 what do you do on a regular basis? What would be the --

11 A. If I get out -- if I see excessive mud and water trapped
12 by mud with foul ballast, if I get out and I look and the surface
13 condition -- and the surface condition is good and there's no slow
14 order and requires no slow order because the surface condition
15 looks good, I will probably open one head up to where the water
16 would drain, maybe open up two or three heads to let the water
17 drain. And I can take my bucket and drag clean ballast back in
18 and might eliminate -- that's the word -- might eliminate bad
19 surface conditions.

20 Q. Try to help with the drainage some?

21 A. Right.

22 Q. I understand. And just one more thing. If you -- you
23 know, and I know you're not a track inspector, you're not charged
24 with protecting track, or you don't have the responsibility of
25 protecting track. But if you see something out there that you

1 felt like required speed restriction, do you feel like you've got
2 the support to do that?

3 A. Yeah. I'm FRA qualified.

4 Q. Okay.

5 A. So I can look at a situation and see if it needs to be
6 slow ordered. And even if it doesn't need to be slow ordered,
7 I'll mention it to my boss.

8 Q. Okay.

9 A. And like on the other scenario, if I would have looked
10 and seen that the muddy spot -- you know, you were talking about
11 if I come up on excessive mud, and the muddy spot did require a
12 slow order, and then I could call the dispatcher up and put a slow
13 order out in that location right there and probably open those
14 head up, drag rock in there, and take my clam bucket and pump that
15 up to make that situation better.

16 Q. Okay. Okay.

17 A. But it would have been slow ordered then because I did,
18 you know, actually work that disturbed the track.

19 Q. Okay. And just so we're clear, in that area, there
20 wasn't any of those concerns that you --

21 A. I thought it got better.

22 Q. Okay.

23 A. I thought once I hit the track at Southern Crossing, I
24 thought conditions really have gotten better --

25 Q. Okay.

1 A. -- as far as track ride.

2 Q. All right. That's all I've got.

3 MR. HIPSKIND: All right. Thank you for that, Joe.

4 BY MR. GRUPPOSO:

5 Q. Benny, Jimmy Grupposo, CSX.

6 Just to help clarify the last question, was there any
7 mud in this area where you set the plug off?

8 A. Nothing that brought up a red flag.

9 Q. Okay. One other question I have in this -- part of this
10 investigation we'll end up doing a rail rebuild, where we take all
11 of the rail that we took out of the track and sort of piece it
12 together beside the track to see if we've got all the rail and to
13 see if we can identify anything that may have caused the
14 derailment. In this area where you set this plug off, you said
15 there was field weld on the west end, there were joint bars, and
16 then there was another field weld. Did you happen to notice just
17 approximately how far from the joint that the defect was
18 identified?

19 A. I didn't measure because I had the rail to cover --

20 Q. Yeah.

21 A. -- everything. But just from experience, just from
22 looking, I would say from field weld to field weld was probably 15
23 feet.

24 Q. Yeah.

25 A. Because if it would have been longer, my truck wouldn't

1 have been sitting on it.

2 Q. Right. But from the joint to the TD?

3 A. The joint was in the middle of the two welds.

4 Q. Okay.

5 A. And the TD was maybe 2 feet or 3 feet from the joint.

6 Q. Okay.

7 A. But in the middle between them, it was like it was all
8 spaced evenly.

9 Q. Okay. So you -- the distance between the welds was
10 approximately 15 feet and the joint was basically in the middle of
11 that, and then the defect was between the joint and the next weld?

12 A. Yeah.

13 Q. Yeah. Okay. That's all I have.

14 BY MR. HIPSKIND:

15 Q. Okay. Well, that was worth the price of you coming out
16 here. I don't think we had that detailed knowledge about that
17 there were the two welds, probably a plug that was cut in there
18 some other time, the joint bars were between the welds, and that
19 the painted defect was, again, it was near about 2 or 3 feet away
20 from the joint bar. But the other operative thing is it was
21 between those two welds, right?

22 A. Right.

23 Q. We got that? Okay. And here's -- I can't believe we
24 didn't say it, but in everything, there's two rails to the track
25 and the rail that we're talking about is the high rail?

1 A. The high rail.

2 Q. Okay. So we've finally got that.

3 Well, Benny, is there anything else that you want to
4 tell us or share with us about -- I mean, you've been very helpful
5 because we had some ideas, but, I mean, you were the guy on the
6 ground that day and --

7 A. Yeah.

8 Q. -- you saw some stuff, so --

9 A. Like again, I -- it didn't raise any red flags to me
10 because that's a slow, that's a slow speed zone right there
11 anyhow --

12 Q. Well, it's, what, 25 or --

13 A. Yeah.

14 Q. Okay.

15 A. But you got to remember, you're asking me excessive mud
16 and it has rained for I don't know how long. That's why I -- when
17 I came around there, I thought, wow, the track's getting better.
18 It's like it didn't rain down here. You know, it's -- you know,
19 it was -- with all the rain we'd had, I'm surprised, you know,
20 that it looked that good.

21 Q. Okay. That's all I've got. I got a close-out piece to
22 do, but let's see if anybody else has any other questions.

23 MR. HIPSKIND: Russell, anything else?

24 MR. FARMER: Nothing else.

25 MR. HIPSKIND: Brad?

1 BY MR. SPENCER:

2 Q. Just one quick question. The joint bars that was out
3 there, did you go over them and then lay out the rail?

4 A. When I stopped and put my foot down, when I got out of
5 the truck, I was looking at the joint bar.

6 Q. Okay. I was just wondering how -- you said that truck
7 really -- you could, you know, you can really tell how rough the
8 track is by when you're -- did it feel like a rough joint when you
9 went across it? No?

10 A. Like I said, once I hit Southern Crossing and started
11 coming around on double track, it's like things just smoothed out
12 and I thought, wow, track really gotten better.

13 Q. Thank you.

14 MR. HIPSKIND: Joe, anything?

15 BY MR. GORDON:

16 Q. I one more. Going in an east direction from field weld
17 to field weld -- so we had a field weld west, then we've got a
18 joint bar, field weld east. Do you remember, and it's, you know,
19 it's probably going to be kind of hard to remember, but do you
20 remember if the defect was between the joint bar in the east weld
21 or the joint bar in the west weld?

22 A. Joint bar in the east weld.

23 Q. Okay.

24 A. I'm not sure if it was 2 feet or whatever, but it was
25 like 15 feet and everything is just, like evenly distributed.

1 Q. Okay. That's all I've got.

2 MR. HIPSKIND: Thanks, Joe.

3 Jim, anything else?

4 MR. GRUPPOSO: I have nothing else.

5 BY MR. HIPSKIND:

6 Q. Okay. Let me just go over some just real quick general
7 stuff. Benny, do you feel comfortable doing the work that you do
8 for the railroad?

9 A. Yeah, I've been doing it for 39 years.

10 Q. Okay. And over the 39 years, do you feel like you've
11 received adequate training to keep you qualified and in touch with
12 the things that you do?

13 A. A lot of it you got to grasp on your own.

14 Q. Grasp on your own?

15 A. Yeah. You got to -- boy that's a hard question.

16 Q. I didn't mean for it to be.

17 A. I understand that. You rely on the people you work with
18 for a lot of your training. And you -- and they -- just like when
19 we were sitting there at Reusens waiting to get that track time
20 and I told that young boy in the truck, I explained to him how to
21 hit that crossing a little bit easier and quicker with that big
22 truck, how to set up better. Those are the little things that you
23 pick up and that's part of your training. You train each other.

24 Q. Okay. It sounds to me like you've got a lot of -- and
25 I'm going to ask you if it's fair to say -- you've got a lot of

1 track savvy? I mean, you see a lot of territory and in a
2 comparative sense, you know when you're on good track versus track
3 that's got other challenges? Fair to say that?

4 A. Fair to say that.

5 Q. Okay. And like you said, 39 years, you've seen and done
6 an awful lot of stuff so you know how to make all kind of repairs
7 and stuff, right?

8 A. Yeah.

9 Q. Okay. Is there -- in closing, I want to give you an
10 opportunity. Is there anything that we need to know or anything
11 that you can think of that would be a transportation safety
12 improvement?

13 A. Well, you know, hindsight's better than foresight.
14 Sometimes, like, when you work on -- when you're finding defects
15 on one track -- double track is always easier to work on because
16 you can find the defects and work on one track and run all your
17 traffic on the other track until you know that you've got all your
18 track where you want it before you start running traffic on it.

19 Q. Okay. And for the work that you were doing Monday and
20 Tuesday, that was not your first time doing that? You were very
21 familiar with the drill and what everybody was kind of doing,
22 right?

23 A. Right.

24 Q. Okay. Anything else you'd like to add in closing?

25 A. No, I -- like I said, I didn't see anything that would

1 raise red flags to me.

2 Q. Okay. So let's leave it this way. You have my business
3 card. You know most of these guys that are here in the interview
4 today. If something comes up later on, you remember something or
5 whatever, don't hesitate, pick up the phone, reach out and let us
6 know what's on your mind.

7 MR. HIPSKIND: But other than that, gentlemen, any final
8 thoughts? Any questions?

9 UNIDENTIFIED SPEAKER: No.

10 MR. HIPSKIND: Then I will tell you on behalf of our
11 investigating team and on behalf of NTSB, we greatly appreciate
12 you coming in and adding value to our investigation.

13 MR. CAPPS: Thank you.

14 MR. HIPSKIND: And with that, we will close the
15 interview.

16 Thanks again, Benny.

17 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CRUDE OIL TRAIL DERAILMENT WITH
 HAZARDOUS MATERIALS RELEASE
 APRIL 30, 2014
 LYNCHBURG, VIRGINIA
 Interview of Ernest "Benny" Capps

DOCKET NUMBER: DCA-14-FR-008

PLACE: Lynchburg, Virginia

DATE: May 2, 2014

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

Karen A. Stockhausen
Transcriber