

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD

NORFOLK SOUTHERN
TRAIN WRECK IN
GRANITEVILLE, SOUTH
CAROLINA

Case
No.

STATEMENT OF GARY GODFREY

The above entitled matter came on for the taking of the statement of GARY GODFREY, before NATIONAL TRANSPORTATION SAFETY BOARD INVESTIGATORS at CONFERENCE ROOM, RAMADA INN, 640 BROAD STREET, AUGUSTA, GEORGIA, on JANUARY 8, 2005 (SATURDAY), at 11:00 a.m.

A P P E A R A N C E S

RUSSELL GOBER, OPERATIONS GROUP CHAIRMAN
NATIONAL TRANSPORTATION SAFETY BOARD
Suite 3M25
60 Forsyth Street
Atlanta, Georgia 30303
[REDACTED]

TOM DWYER, UNITED STATES TRANSPORTATION UNION
7 North Pinckney Street, Suite 50-c
Madison, Wisconsin 53703-2840
[REDACTED]

DAN BRYSON, DIVISION SUPERINTENDANT
NORFOLK SOUTHERN
1120 West Washington Street
Greenville, South Carolina 29601


RON WRAY, ESQUIRE (represents statement giver)
P.O. Box 10589
Greenville, South Carolina 29603

RICHARD RUSNAK, FEDERAL RAILROAD ADMINISTRATION
614 Old Hollow Road
Clover, South Carolina 29710
[REDACTED]

SAM NOE, FEDERAL RAILROAD ADMINISTRATION
Atlanta Federal Center
Suite 16T20
61 Forsyth Street, SW
Atlanta, Georgia 30303-3104

BEN BLISSETT, BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND
TRAINMEN
425 Creekview Drive
Boones Mill, Virginia 24065
[REDACTED]

RICK NARVEL, HUMAN PERFORMANCE INVESTIGATOR

NATIONAL TRANSPORTATION SAFETY BOARD
490 L'Enfant Plaza, East, SW
Washington, D.C. 20594


EXECUTIVE COURT REPORTERS
SUITE 702
1320 FENWICK LANE
SILVER SPRINGS, MARYLAND 20910
(301) 565-0064

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

2 JANUARY 8, 2005

11:00 a.m.

3 MR. GOBER: Gary, we're here to try to develop the
4 facts, conditions and circumstances around the accident
5 that occurred on the sixth with the train at Avondale
6 Mills. So - -

7 COURT REPORTER: Can I get the witness's name
8 please?

9 MR. GOBER: Yes. I was just fixing to do that.
10 Go ahead and give the Court Reporter your name and work
11 telephone number.

12 THE WITNESS: Gary Godfrey, area code [REDACTED]

13 [REDACTED]

14 MR. GOBER: And Gary's a dispatcher, train
15 dispatcher.

16 COURT REPORTER: G-O-D-F-R-E-Y?

17 THE WITNESS: Yes, Sir.

18 COURT REPORTER. Thank you, Sir.

19 INTERVIEW OF GARY GODFREY

20 BY MR. GOBER:

21 Q Can you tell me what shift you work and what your
22 responsibilities are as a train dispatcher?

1 A I was working second shift and dispatching the
2 Atlanta desk which also handles the Charlotte to
3 Augusta line also.

4 Q And in that, does that cover the switcher that
5 works out of Aiken?

6 A That's correct. It does.

7 Q Did you have any contact at all on the fifth with
8 the crew that was on the Aiken switcher?

9 A No. Only to clear a track warrant that I
10 remember. I don't remember any other time that I
11 talked with them there only to clear his track warrant.

12 Q From a train dispatcher's perspective, what is a
13 normal hours of service, maximum requirements that a
14 train crew can work?

15 A I believe it's 12 hours.

16 Q However, this 12 hours, you can work up to nine
17 hours. Is that correct?

18 A That's correct.

19 Q Can you perform any service after the nine hours?

20 A I'm not aware of any that we can perform. I've
21 never been put in that situation before, so I - -

22 Q So you've never done it.

1 A No.

2 Q If, can you issue a track warrant after your hours
3 of service is up?

4 A Yeah, (Positive response). I could.

5 Q Would that be legal?

6 A No, it would be a violation.

7 Q Could you take a clearance from a train crew to
8 clear up their track warrants, say they've gone off
9 duty and you're typing in the computer that they're off
10 duty at 7:53, 7:54 p.m. after you had finished up your
11 nine hours of duty?

12 A There again, it would be a violation.

13 Q The reason I'm asking this, can you do anything to
14 control the movement of trains or talk about the ending
15 movements of a train while you're not functioning under
16 the hours of service law?

17 A No.

18 Q And even though train crews are different and they
19 work under different hours, they're also required to
20 work by the regulations and within the time parameters
21 of the regulation. Is that correct?

22 A That's correct.

1 Q And the reason we're asking all this is that we
2 understand that the Aiken switcher went on duty at 7:00
3 a.m. Is that what time they went on duty as far as the
4 records would show?

5 A I'd have to look at the train sheet.

6 Q We know that they went on duty at 7:00 a.m. And
7 we understand that they relinquished their last track
8 warrant clearing up, showing that they were off duty
9 and no longer occupying the track at, somewhere around
10 7:53 to 7:54 p.m. The conductor on the job said that
11 he made a phone call at 8:11 p.m. So if he went on
12 duty at 7:00, he's supposed to be off by 7:00 in order
13 to comply with hours of service regulations. Would
14 that be a normal procedure?

15 A I don't know about how they handle their paperwork
16 and - -

17 Q You don't know whether it applies to the hours of
18 service or not.

19 A No.

20 Q I'm trying to find out if it does myself. So the,
21 the train actually got, the crew got off the train
22 about 6:57 p.m. and got a taxicab and left the site.

1 And did you have any radio communications with them at
2 that time?

3 A I don't remember having any with them.

4 Q Did you make any phone calls to call a cab for the
5 - -

6 A No.

7 Q For the crew? The crews can do that themselves?

8 A Yeah, (Positive response). Yeah, (Positive
9 response), they can call - - sometimes they might have
10 a local cab company that they work with. So if that be
11 the case, they usually would call them themselves and
12 sometimes they would call the call office in - -

13 Q If they're going to type on - - before they get to
14 their final terminal, is it a normal requirement they
15 would call the train dispatcher and tell them they're
16 going to do that?

17 A Sometimes they would call, they would tell you
18 they tied up at a certain location and they're going to
19 report back there in the morning. And - -

20 Q So they don't, I mean, they don't have to ask you
21 - -

22 A No.

1 Q If they're going to tie up? Getting back to the
2 time they rode their cab back to Aiken from the
3 Avondale Mills and after they got back to Aiken, then
4 they called you on the telephone and relinquished the
5 track warrants. Do you know whether that's true or
6 not?

7 A No, I don't know where they were when they, when
8 he cleared his track warrant.

9 Q But did he clear it by telephone?

10 A Yes. Yes, he cleared it by telephone.

11 Q But you know he did clear up the track

12 A Yes.

13 Q To you.

14 A Yes.

15 Q Do you remember what time that was?

16 A No, not without - -

17 Q Whenever you accept a clearance, do you check to
18 see if, on your train sheets whether or not they're
19 within their hours of duty or not?

20 A No.

21 Q You don't check that.

22 A No.

1 Q Is it a requirement - -

2 A No.

3 Q To know that? Do you have any knowledge at all of

4 this accident from a work standpoint? I mean, you may

5 have heard about it, but were you told about it from

6 INS?

7 A I didn't find out about it till I came in the next

8 day. Or that day, the day it happened. I hadn't seen

9 the news or anything and I was just, you know, from

10 what I was told. At work.

11 Q The, since it's dark territory and they operate by

12 track warrants, do you have anything on your board at

13 all that shows whenever they line switches back or

14 anything like that?

15 A No.

16 Q I asked the other train dispatcher to read a rule

17 for me, and I'll ask you to read the same one just so

18 you can tell me what you think this rule means. It's

19 rule 181. Just read this first long paragraph.

20 A Do you want me to read it out loud? Or just - -

21 Q Read it into the record.

22 A A track warrant, once in effect remains in effect

1 till a crew member, or the operator, or employee in
2 charge of on track equipment reports clear the limits
3 of the track warrant is voided, or the track warrant is
4 voided.

5 A crew member, or operator, or employee in charge
6 of on track equipment, must report to the dispatcher
7 when the train or equipment has cleared the limits.
8 When clearing at a point where switch must be returned
9 to normal position, clear must not be given until
10 switch has been locked in normal position.

11 Q From a dispatcher's perspective, what does that
12 mean to you?

13 A That, well, I don't know. Let's see here. This
14 means that he can't, when, that I cannot clear a track
15 warrant until he has reported it clear. That, I mean,
16 if it's a certain time, I can't just void out the track
17 warrant or something. He has to report this clear.

18 Q So he's still a train until he reports it clear to
19 you.

20 A Yes. Yes, or whether it's a track man or - -

21 Q And the track is still occupied as far as you're
22 concerned.

1 A Yeah, (Positive response).

2 Q Until it's reported clear.

3 A That's correct.

4 MR. GOBER: I just want to make sure I understand

5 how you perceive it to be. And that's the way I would

6 understand it.

7 Anybody have any questions about that rule and

8 that question? Mr. Narvell, do you have any questions?

9 MR. NARVELL: Yes.

10 BY MR. NARVELL:

11 Q High, Gary. Rick Narvell with the safety board.

12 Just a few here. At some point during your shift, you

13 indicated you cleared a track warrant for the P-22. Is

14 that correct?

15 A That's correct.

16 Q But you're not sure what time.

17 A No.

18 Q Did you issue that track warrant?

19 A No.

20 Q Do you know when it was issued?

21 A No, I don't.

22 Q But it would have to have been some time before

1 you came on duty.

2 A Before 3:00.

3 Q Before 3:00. So they would have that up to 2:59
4 or somewhere back. So they had it for a while.

5 A Yeah, (Positive response). I know that there was
6 a train ahead of them. I think it was 191 that they
7 had to OS his track warrant to, in order for the local
8 to get out of a mainline.

9 MR. GOBER: So that people that might read this
10 later know what OS means, what does that mean?

11 THE WITNESS: They reported clear of track of the
12 three miles, or where the rear of their train was at,
13 they reported that track clear. And that way, we can
14 put out, put another train out there for him to come
15 out and work.

16 Q Do you recall the, again, I know we're going on
17 memory. A lot of things have happened. This track
18 warrant that you closed out, do you recall anything
19 about it, what boxes were checked, or what it was
20 requiring them to do?

21 A No.

22 Q You just closed it out at some point in the

1 evening.

2 A Yeah, (Positive response). I'm, Yeah, (Positive
3 response). I just closed it out. Reported it clear.

4 Q Had you had any radio contact with them from 3:00
5 p.m. until the time - -

6 A I don't remember having any contact with them
7 until they cleared the track warrant.

8 Q Do you know any of these crew members personally?

9 A Just, no not personally. Just by name.

10 Q But you talked to them all, or any of them on the
11 radio prior?

12 A Oh, Yeah, (Positive response). Yeah, (Positive
13 response).

14 Q Last area here. When a track warrant is closed
15 out, is there a time requirement for the crews to do
16 that? Let's say for example that they complete their
17 track warrant, all the boxes, whatever they are at
18 noon. Is there a time requirement for them to tell you
19 that they relinquished it? Should it be 12:05, can it
20 be hours later?

21 A No.

22 Q There's no time requirement.

1 A Not that I'm aware of.

2 Q Do you know with this crew, if you do know, from
3 past experience, how have they operated? Do you know?
4 Do they call you closely, shortly thereafter they're
5 done with it, or do they wait, or do you know?

6 A I don't know really how they operate as far as, I
7 know I've heard them say they're back at the depot when
8 I'm talking to them on the telephone.

9 Q How about other crews? I mean, just from your
10 experience? Do they, do they do it shortly thereafter,
11 or do they wait extended periods of time?

12 A Those certain crews, knowing the territory,
13 somebody else has to be out there. And they, when
14 they, they will report clear of it as soon as they are
15 through with it. If they know nobody else is down
16 there, if there are no other trains down there in the
17 area there, they might not, you know, they might, you
18 know, like I say, go back to the depot or do work on
19 some paperwork or something and then call in clear.
20 They know that if I need that track I'll call them. On
21 the radio.

22 Q I understand. But there's no rule or provision or

1 requirement that stipulates X number of minutes or
2 whatever.

3 A No.

4 Q Or just whenever they can, perhaps based on
5 workload or when they get to a phone or whatever.

6 A Yeah, (Positive response). That's when they'll
7 call.

8 Q When you, when that, when you talked to a crew
9 member and gave up that track warrant that evening,
10 whenever it was, do you know who you talked with?

11 A Ford.

12 Q And was this via, if you know, was it a cell phone
13 or a land line?

14 A Land line.

15 Q How long was your conversation with him?

16 A I'm sure probably no more than a minute, just to
17 clear out, get through track warrants and - -

18 Q Did you detect anything unusual in his voice or
19 anything?

20 A No, Sir.

21 MR. NARVELL: That's all I have right now.

22 BY MR. GOBER:

1 Q We talked about these things yesterday with other
2 people and does a train crew have the authority for say
3 one person to take a track warrant and a different
4 person to clear it? Is that acceptable?

5 A Yeah, (Positive response).

6 Q I think the question was asked earlier but, to
7 clear it in my mind, were there any other trains
8 operating on the territory there that would cover the
9 main track by Avondale Mills during the period of time
10 after this local went off duty?

11 A There was nothing out there from the time he
12 cleared his track warrant until 11:00 p.m. Because I
13 didn't issue any track warrants out there.

14 Q So nothing was done until a new train dispatcher
15 came on duty and no other trains out there?

16 A Right. Right.

17 MR. GOBER: Mr. Noe for FRA?

18 BY MR. NOE:

19 Q Mr. Godfrey, when you came in for your shift, did
20 you do a transfer?

21 A Yes.

22 Q And in that transfer, was there discussion made of

1 this local that was working out on that portion of
2 track?

3 A I wasn't the one that made the transfer. I was
4 told that he had two track warrants and where they were
5 at.

6 Q And there was another train?

7 A Yeah, (Positive response). There was a train that
8 was ahead - - or southbound coming into Augusta.

9 Q So only two trains operating on that line segment
10 at that time?

11 A Yeah, (Positive response). At that time there was
12 only two out there at that - - there was another local
13 that comes out of Columbia, the P-75. But he only
14 comes down to the 150 mile post. So, I mean, - -

15 Q He was never in the area of Avondale?

16 A No. No.

17 Q Mills?

18 A No.

19 Q Information that you record as train dispatcher,
20 you've obviously been a train dispatcher since when?

21 A '92.

22 Q '92. And you've probably seen the evolution from

1 the train sheet to the computer.

2 A Yes.

3 Q Information that you keep or are required to keep
4 on the train sheet and now on the computer, would it
5 include the crew's names?

6 A Yes.

7 Q Their time on duty?

8 A No. Time on duty, no.

9 Q Does not include that?

10 A No. Well, there is a train sheet in the computer.

11 Q With that information.

12 A With that information on it.

13 Q And again, you allowed no trains or person's
14 authority on that portion of track from the time that
15 the two track warrants were cleared by the local until
16 you went off duty.

17 A I don't remember of anybody that would come out
18 there.

19 MR. GOBER: Mr. Noe, just so that you have an
20 opportunity to get everything you need, have we covered
21 everything you need from the personnel rules and that
22 kind of stuff about his work?

1 Q When was your last operating rules class?

2 A It was, would have been first of last year. I

3 don't remember the date.

4 Q And when you attended that rules class, was that

5 directly after a tour of duty?

6 A No. No.

7 Q Or was it an off day?

8 A No. It would have been either on an off day or we

9 wouldn't have, we would have been off that day to

10 attend the rules.

11 Q Why is that?

12 A Hours of service law.

13 Q So it would be considered, would it be considered

14 time on duty, or - -

15 A Time on duty.

16 Q You understand, have you ever heard the term

17 commingled service?

18 A Yes, I've heard the term.

19 Q And do you know what that means?

20 A No. I don't know - - dispatchers - -

21 Q What do you understand that to mean?

22 A Well, I think it's for, what I think it is, it

1 would be actually on a, a train crew performing work
2 and then taxi service.

3 Q But your understanding is if, for example, you
4 work eight hour shift, then you could not go to a rules
5 class for four hours.

6 A Right. Right.

7 Q And you could only work how many hours in a 24-
8 hour period?

9 A Nine hours.

10 MR. GOBER: Any questions?

11 MR. RUSNAK: Yeah, just have one question.

12 Richard Rusnak, FRA.

13 BY MR. RUSNAK:

14 Q This local switch that was involved this day when
15 you were on shift. Did they notify you four hours, or
16 three hours in advance that they would be out-lawing at
17 7:00 p.m.

18 A No, I don't remember any other conversations other
19 than, like I said, other than them clearing the track
20 warrant. I don't remember them notifying me that they
21 would be on the law at 7:00.

22 Q Do you recall, in the number of years you've been

1 working as dispatcher a local switcher calling up and
2 notifying you on hours of service? Was it just
3 strictly a road job?

4 A Just road jobs. I can't remember a local calling.

5 Q Thank you.

6 MR. GOBER: Mr. Dwyer, do you have any question?

7 MR. DWYER: No, Sir.

8 MR. NOE: I'd just like to follow up with one
9 thing if I may.

10 MR. GOBER: Okay.

11 BY MR. NOE:

12 Q Has it been your experience that when, with the
13 job particularly at Aiken, that they call after 12
14 hours to give up their track warrant or clear their
15 track warrant?

16 A I'm, I, you know, I don't know as far as a
17 standard.

18 Q On any occasion prior to the date of the incident,
19 have you had the instant, instance whereby after the
20 expiration of the hours of service, to your knowledge,
21 of the crew, that they called you an extended period
22 after that to clear a track warrant?

1 A I don't remember them, any.

2 MR. GOBER: Mr. Blissett, do you have any

3 questions?

4 BY MR. BLISSETT:

5 Q Mr. Godfrey, have you ever been schooled in hours

6 of service laws for train crews?

7 A No.

8 Q They never told you what would be service, or what

9 would be commingled service or what would be allowed

10 under law?

11 A No.

12 MR. BLISSETT: I have no further questions.

13 MR. GOBER: Rick?

14 BY MR. NARVELL:

15 Q Did these - - crew members have cell phones, do

16 you know? Do they even own them?

17 A I think they have company issued cell phones. As

18 far as - -

19 Q Just local?

20 A If this local has one, I don't know. I don't have

21 their, I don't know their, we have their number. If I

22 needed to get in touch with them there, couldn't get in

1 touch with them by radio, I don't have a number that I
2 could - -

3 Q So did I hear that train crews do get issued
4 company cell phones?

5 A I think they do have cell phones.

6 Q But you're not sure if this particular crew - -

7 A I don't know.

8 MR. NARVELL: That's all.

9 MR. NOE: Can I, again, I'm sorry.

10 BY MR. NOE:

11 Q Along the lines of the question Mr. Blissett had
12 asked, the training issue, if there is an hours of
13 service issue arises, who do you direct your question
14 to about that in the office?

15 A I'll notify the chief dispatcher that a crew has
16 notified me that they're, within a certain period of
17 time will be going on the law, and then they'll decide
18 at that point in time whether to, where to get a crew
19 from.

20 Q Do you know, or is it your opinion, let me just
21 ask, let me clarify that. In your opinion that the
22 chief dispatcher maybe has a better understanding or

1 knowledge of the hours of service law?

2 A He would, I think they would deal with it, dealing
3 with the whole division more than just say a dispatcher
4 covering a certain territory.

5 Q But if you do have an instance with an hours of
6 service issue, you contact the chief.

7 A I think the crew contacts the chief. Now if I
8 was, if they contact me and tell me they are on the
9 law, or they have exceeded hours of service, I would
10 just go and contact the - -

11 Q In any instance you automatically contact the
12 chief.

13 A Yes.

14 MR. NOE: Thank you.

15 MR. GOBER: Mr. Bryson, do you have any questions?

16 MR. BRYSON: No, Sir. Thank you.

17 MR. GOBER: Can I ask you a question on the
18 record? Does Norfolk Southern furnish train crew
19 members cell phones for their work?

20 MR. BRYSON: Being very new to this division, I
21 have not, just been transferred here. I could not
22 answer that correctly. I don't know. I could only

1 assume. And no, Sir, I could not tell you.

2 MR. NARVELL: Being on the record then, I'd like
3 to request that that be pursued. And if so, I'd like
4 to have that information please.

5 MR. DWYER: And what information is that?

6 MR. NARVELL: If there are cell phones for this
7 particular crew, I'd like - -

8 MR. DWYER: This particular crew.

9 MR. NARVELL: Know what the numbers are. Mr.
10 Dwyer has a question.

11 MR. DWYER: I wonder if I could ask that gentleman
12 a question on the record.

13 MR. GOBER: Just so long as it's based on the
14 facts of the accident site, Yeah, (Positive response).

15 MR. DWYER: Let me ask the question. I don't know
16 any other way to do this. I wanted to ask this before.

17 MR. GOBER: Let's go off the record just a second.

18 (OFF THE RECORD)

19 MR. GOBER: What's your question?

20 MR. DWYER: My question is this. Was the train
21 dispatcher Derick Cox who was the train dispatcher of
22 record on duty at the time of the accident, tested

1 under the Federal drug and alcohol regulations.

2 MR. GOBER: Mr. Noe, do you know whether that's
3 true or not?

4 MR. NOE: I have no knowledge of him being tested
5 at this point. I understand that no persons dispatcher
6 positions were tested.

7 MR. GOBER: Mr. Bryson, do you have any knowledge
8 of whether or not the train dispatchers that were
9 affecting the movements whenever the accident occurred
10 were tested under the FRA drug and alcohol guidelines?

11 MR. BRYSON: It's my understanding they were not.

12 MR. GOBER: Anybody else have any further
13 questions?

14 MR. NOE: I would ask that, was there a
15 determination made not to test the individual?

16 MR. BRYSON: I was not a part of that process. I
17 cannot answer that.

18 MR. GOBER: We, for the record, I will say that we
19 will establish in the investigation who was tested and
20 who was not tested and that will be made part of the
21 record. If there are no further questions, Mr.
22 Godfrey, we do appreciate so much that you came and

1 gave us your testimony and we thank you for that. And
2 if you have any comments you'd like to make, you are
3 free to do that at this time.

4 THE WITNESS: I have no comments.

5 MR. GOBER: We're going to be off the record then
6 at 11:40.

7 (OFF THE RECORD)

8 (Whereupon, the hearing in the above entitled
9 matter was closed at 11:40 a.m.)

10

11

12

13

14

15

16

17

1
2
3
4

5
6
7
8
9
10
11
12
13

14

C E R T I F I C A T E

This is to certify that the attached
proceedings
before the National Transportation Safety Board

NORFOLK SOUTHERN TRAIN

WRECK IN GRANITEVILLE,

SOUTH CAROLINA

Case

No.

Date: JANUARY 8, 2005

Place: AUGUSTA, GEORGIA

were held according to the record, and that this is the
original, complete, true and accurate transcript which
has been compared to the reporting or recording,
accomplished at the hearing, that the exhibit files
have been checked for completeness and no exhibits
received in evidence or in the rejected exhibit files
are missing.

Bob Addington

