

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RAILROAD WORKER FATALITY

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AT EVERGREEN PACKAGING PLANT

\* Docket No.: DCA-15-FR-007

PINE BLUFF, ARKANSAS

\*

APRIL 3, 2015

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Interview of: JUSTIN COSTELLO

Holiday Inn Express  
Pine Bluff, Arkansas

Friday,  
April 10, 2015

The above-captioned matter convened, pursuant to notice.

BEFORE: JOEY RHINE  
Investigator-in-Charge

## APPEARANCES:

JOEY RHINE, Investigator-in-Charge  
National Transportation Safety Board

GEORGETTA GREGORY, Railroad Division Chief  
National Transportation Safety Board

DANA SANZO, Survival Factors Investigator  
National Transportation Safety Board

ARDELL CARTER, Operating Practices Inspector  
Federal Railroad Administration  
Region 5 - Arkansas

PAT COSTELLO  
(On behalf of Justin Costello)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Justin Costello:		
By Mr. Carter		5
By Ms. Gregory		33
By Ms. Sanzo		33
By Mr. Carter		36
By Mr. Rhine		37

I N T E R V I E W

1  
2 MR. RHINE: All right. My name is Joey Rhine and I am  
3 the NTSB investigator in charge for this accident. We are here  
4 today, on April 10, 2015, at the Holiday Inn Express in Pine  
5 Bluff, Arkansas to conduct an interview with Mr. Justin Costello,  
6 who works for Railroad Switching Services, Incorporated. This  
7 interview is in conjunction with NTSB's investigation where an  
8 employee of Railroad Switching Services, Incorporated was fatally  
9 injured while performing railcar switching duties at the Evergreen  
10 Packaging Plant on the evening of April 3, 2015 in the city of  
11 Pine Bluff, Arkansas, Jefferson County. The NTSB accident  
12 reference number is DCA-15-FR-007.

13 Before we begin our interview and questions, let's go  
14 around the table and introduce ourselves. Please spell your last  
15 name, who you are representing, and your title. I would like to  
16 remind everybody to speak clearly so we can get an accurate  
17 recording. I'll start off and then pass off to my right.

18 Again, my name is Joey Rhine. The spelling of my last  
19 name is R-h-i-n-e, and I am the NTSB investigator in charge for  
20 this accident.

21 MR. CARTER: Ardell Carter, C-a-r-t-e-r. Federal  
22 Railroad Administration, Region 5, Operating Practices for the  
23 State of Arkansas.

24 MS. GREGORY: Georgetta Gregory, G-r-e-g-o-r-y, with the  
25 NTSB.

1 MS. SANZO: Dana Sanzo, S-a-n-z-o, with NTSB.

2 MR. RHINE: Okay. Thank you.

3 Do we have your permission to record our discussion with  
4 you today?

5 MR. COSTELLO: Yes.

6 MR. RHINE: And do you wish to have a representative  
7 with you at this interview?

8 MR. COSTELLO: Yes.

9 MR. RHINE: And could you please --

10 MR. PAT COSTELLO: Justin's representative, Pat  
11 Costello, C-o-s-t-e-l-l-o. I'm Justin's dad.

12 MR. RHINE: Okay. I would like to ask everybody to  
13 clearly announce your name and title before questioning and let's  
14 go ahead.

15 INTERVIEW OF JUSTIN COSTELLO

16 BY MR. CARTER:

17 Q. Ardell Carter, FRA. Good morning, Justin.

18 A. Good morning.

19 Q. I have a lot of questions because I absolutely don't  
20 have a clue about a lot of things, like I told Mr. Bearden, so  
21 bear with me. First of all, could you tell me, you previously  
22 worked for Railserve?

23 A. Yes, sir.

24 Q. When did you actually start at Evergreen?

25 A. May 2009.

1 Q. And in what capacity?

2 A. What --

3 Q. What job did you start?

4 A. Switchman, just working the ground.

5 Q. Okay. And what currently is your position with Rail  
6 Switching Services?

7 A. I'm the site leader, the manager.

8 Q. You're the site manager?

9 A. Yes, sir.

10 Q. Are you -- do you hold any other positions?

11 A. Well, I can do all the other positions as well.

12 Q. So you can be assistant manager, operator, leadman, or  
13 helper?

14 A. Yes, sir.

15 Q. Okay. Justin, let's talk a little bit about back 2009.  
16 When did you become qualified as a leadman?

17 A. After about a year being there.

18 Q. And what training did you receive to go from a helper to  
19 a leadman?

20 A. Just follow the, few weeks of following the other person  
21 in that spot around and him showing you everything that needs to  
22 be done. The helper actually does a lot of the same jobs, tasks  
23 that the leadman does. It's just more the responsibility's on the  
24 leadman and the helper is just kind of his assistant.

25 Q. So would I be correct to say you undergo an on-the-job

1 training?

2 A. Yes, sir.

3 Q. And you said a few weeks. Is there a specified period  
4 or --

5 A. It's probably just to the point to where we feel  
6 comfortable enough that they got it. It could be a couple weeks.  
7 It could be a couple months. There's paperwork involved. Of  
8 course, on-site training is very important, but there's also a lot  
9 of computer training that we do in the office and some people take  
10 longer on certain areas than others.

11 Q. And then when did you become -- when did they promote  
12 you to operator? I'm assuming that's a promotion. Is it?

13 A. Yes, sir. I actually -- the situation with that, I  
14 actually was operating pretty quickly because the turnover rate is  
15 quite high, or was, except for this last year we've had the same  
16 people for several years. And my previous boss was Keith Mann.  
17 He said we need an operator as soon as possible, so he shot me  
18 right up there, so --

19 Q. So when did you actually take that position?

20 A. Shortly after I was hired on. Well, I actually did the  
21 operator first, before I became a -- I never actually got to do  
22 the leadman job until we got another operator hired in. But I was  
23 qualified.

24 Q. And your training as an operator, was that also OJT?

25 A. Yes, sir, on-the-job training. Yes, sir.

1 Q. All right. At any time, Justin, on any one of these  
2 promotions as you worked your way up -- and congratulations on  
3 getting where you are --

4 A. Thank you.

5 Q. -- were you ever required to take any kind of written  
6 exams on the company rules or safety procedures?

7 A. Yes, sir. They had a standard set of tests that we're  
8 taking, quarters, test per quarter on different tasks. Also had  
9 -- when we first got hired, we had, you know, 60-day, 90-day  
10 exams, and then just kind of once a year as, you know --

11 Q. Okay. Justin, normally what shift do -- are you -- you  
12 work? You assign -- you do the shift assignments, don't you?

13 A. Yes, sir.

14 Q. And you're assigned what hours?

15 A. I'm on salary so I don't have set hours. I just -- I'm  
16 there as needed until the job's done. First to leave -- first to  
17 be there, last to leave. I just -- I want to make sure  
18 everything's done.

19 Q. And as the manager, are you responsible for shift  
20 assignment for your employees?

21 A. Yes, sir.

22 Q. Let me ask you first, how many employees do you have  
23 under you?

24 A. Under me is 11.

25 Q. Eleven employees?

1 A. There's one assistant manager and 10 hourly, so --

2 Q. Okay. You're going to think I'm crazy on this question,  
3 but could you tell me what -- is there a set -- do you use a  
4 template schedule or how do you schedule work?

5 A. Yes, sir. I'll take a -- say, the week we're on now,  
6 for example, and I'll have a blank one in front of that. And I'll  
7 plan accordingly of how long someone, somebody has worked, and I  
8 want to try to give them a reasonable number of off days that  
9 coincide with what they've already worked. So I'll compare and  
10 I'll take that and look at the calendar and see who needs off for  
11 a doctor's appointment or a kid's football game or whatever they  
12 had requested off for. Because to be honest with you, even though  
13 I'm not that old yet, it's hard for me to remember everybody that  
14 wants off this day, this day, and this day. So I just try to plan  
15 that accordingly.

16 Q. Is this a 24 by 7 operation --

17 A. Yes, it is.

18 Q. -- the mill? And how many shifts do you work people?

19 A. Oh, we have two shifts. They have days, 6 a.m. to 4  
20 p.m., and night shift is 5 p.m. to 3 a.m. So there's 4 hours in  
21 the day that nobody's present. But to be fair, I -- from a  
22 rewards system, I usually do the standard work 4 and off 3. So I  
23 combine that together and they work 8, but then they're off 6. So  
24 they're off a week every other week and they alternate weekends.  
25 So everybody gets a weekend off, spend time with their wives and

1 kids.

2 Q. So the standard template is 4 on, 3 off?

3 A. Yes, sir.

4 Q. And you double it up to give them a little more time?

5 A. Yes, sir. Because you have to coincide the weeks for  
6 pay too. That way they can get their full time. Because I never  
7 short anybody their hours. They're guaranteed 40 hours for sure,  
8 so --

9 Q. So if I work for you, then if I just said I came back  
10 from being off, as a manager of scheduling, you know I've been off  
11 how many days?

12 A. I have it set on there so I know you've been off however  
13 long, whether it was 4 or 5 or however many.

14 Q. Well, what's the shortest amount of turnaround time a  
15 person would be experiencing -- have to come back to work?

16 A. It depends on the situation. Say something of this  
17 magnitude or say somebody got sick, for a sick day, I'd at least  
18 have 2 days in between just to get a turnaround.

19 Q. So a minimum of -- and that's, you -- do the guys move  
20 from one shift to the other or are they pretty much stable?

21 A. Pretty much stable. I try to keep them if they're going  
22 to work nights, then they work straight nights. If they work  
23 days, straight days. Unless, again, a situation may happen where  
24 somebody's sick or don't show up or --

25 Q. Was Mr. Stewart a -- was he on regular nights?

1           A.    He had worked nights for a good year or more during the  
2 course of his time. He was almost there 3 years and I had just  
3 had him on days, but he volunteered to go back to nights because  
4 some of the night guys wanted to go back to days to spend time  
5 with their families and get back on a normal schedule.

6           Q.    And he had been on the night schedule, what did you say?  
7 How many -- how long?

8           A.    Probably a good solid year.

9           Q.    Okay.

10          A.    He knew the routine.

11          Q.    Were you working the day of the accident?

12          A.    Yes, sir. I worked that day --

13          Q.    Okay.

14          A.    -- in the morning.

15          Q.    Would you start when you arrived at work and just walk  
16 us through your day --

17          A.    Yes, sir.

18          Q.    -- up to the time of the accident?

19          A.    Yes, sir. I get there and sign in and do the morning  
20 paperwork. It was the end of the week, so I was working on end of  
21 the week paperwork for inbound for the cars that BNSF and Union  
22 Pacific brought us, how many cars that we delivered to them for  
23 that week. And off the top of my head I could not tell you what  
24 those numbers were, but I'm sure we could look it up if we needed  
25 to.

1           I had a few phone calls that day. The crew needed me to  
2 do some things, and it was Good Friday that day, so nobody was in  
3 the office of the paper mill. They respect the -- for that type  
4 of holiday. So that was kind of laid back. It was actually kind  
5 of an easy day, I would call it, for office work.

6           So I got out in the field, and I always check on my guys  
7 to make sure they need any water or anything. Got through at  
8 normal time, which was about 4:00. I left a little early because  
9 it was laid back and everybody was done already. If the job's  
10 done, like I said, I stay till it's done. If I know it's done and  
11 they got it, then I take off. I got off about 4, went to spend  
12 some time with my parents and we went to church that night. And  
13 then -- you want all the way through to what happened -- okay.

14           We got done with church at about I think 7:30 or 8,  
15 somewhere around there, and we came back home. I laid around and  
16 watched some TV and tried to go -- I went to bed early, and that's  
17 when I got the text message from one of my guys saying something  
18 happened; you need to come to the yard.

19           Q.    What time was that, do you know?

20           A.    It was about 9:30. And for -- to let you all know how  
21 in close proximity I live, I live about a mile and a half away  
22 from the paper mill, so I can get there fairly quick. And I told  
23 him I'd be right there and threw my clothes on, changed clothes.

24           And I drove out there, but I didn't know what end of the  
25 yard they're on, so I drove to the other end, which is the east

1 end of that -- where it happened was the west end of the yard.  
2 And on my way to get out there, I drove up on Kye and saw him when  
3 I was trying to find everybody.

4 Q. Okay. Two questions. I know this is difficult for you.

5 A. Yes, sir.

6 Q. Who was it that sent you the text message?

7 A. Jon Scoles. His phone -- we have it -- we give the  
8 other phone to the shift foreman because he's -- you know, may  
9 need to make calls when he needs to and answer calls for orders.  
10 Jon only has text, so he -- that's the only way he could get in  
11 touch with me. He don't have minutes on his phone to call. Some  
12 people go through that, so -- but I couldn't decipher what exactly  
13 was wrong based on that, so I really didn't know. So I started  
14 calling the crew phone and I know now why nobody answered, because  
15 it was on Kye. So --

16 Q. Okay. Stop me if I put words in your mouth. Are you  
17 driving from the east end of the yard to the west end of the yard  
18 in the class yard road just south of the --

19 A. The track. Yes, sir.

20 Q. -- switch lead number 7 -- or 6?

21 A. Yes, sir.

22 Q. And you said as you were coming up, you happened upon  
23 the body of the victim?

24 A. Yes, sir.

25 Q. So Mr. Stewart was laying to the field side, the switch

1 side?

2 A. Parts of him were, I saw. Yes, sir.

3 Q. Okay. Can you remember who was on the scene at the  
4 time?

5 A. I was the first one to get there.

6 Q. Other than the -- Mr. Scoles?

7 A. Oh, I saw Jon, yes, sir. I saw Jon after I saw Kye. I  
8 saw Jon first of the two that were still there, of course. And  
9 Bradley was behind me. He came up. He didn't know what happened  
10 either yet.

11 Q. Okay. So you were the first, you were the first person  
12 to arrive at the scene besides the operator, Mr. Scoles?

13 A. Yes, sir. He, from what I gathered from him, he had  
14 looked for him, did a, like a, I guess, a -- just a check to see  
15 where he was at because he didn't hear from him and he came up on  
16 Kye first. But I didn't know without contact from Jon, so I just  
17 was the first one to get out there. But --

18 Q. Okay. Are you okay?

19 A. He was in shock. Yes, sir, I'm fine.

20 Q. All right. Do you remember, relative to the cut of  
21 cars, where Mr. Stewart's body was? Under what car or --

22 A. One of -- part, one part of him was under the ninth car.  
23 And it's kind of fuzzy on the rest of him, where he was at. I  
24 know his hardhat was three or four cars above that.

25 Q. When you say above that, what direction are you

1 speaking?

2 A. To the west.

3 Q. Towards the engine?

4 A. Toward the engine, yes, sir.

5 Q. Three or four cars?

6 A. Yes, sir.

7 Q. Okay.

8 A. So his hardhat was there and then different parts of  
9 him.

10 Q. Did you and Mr. Scoles have a discussion about what had  
11 occurred?

12 A. Yes, sir. After we settled down and everything, because  
13 I don't think any of us were prepared for what was going on in our  
14 minds or going on at the time. I, of course, asked him -- well,  
15 first I called 911, obviously. And I was -- I can't tell you  
16 exactly the time. It was before 10 because I didn't take me long  
17 to get out there.

18 And I called my, one of my bosses, Dustin Grace. He was  
19 the next phone call I did. And during the course of being on the  
20 phone with him, Danny Robinson called me, but I was already on the  
21 phone, so I -- in between not being on the phone, I was trying to  
22 talk to Jon what happened, because I didn't want any more time to  
23 go by not doing what I needed to do. I guess the shock and  
24 adrenaline was going on at that time and then it started to hit me  
25 what was going on.

1 Q. And in the -- what were you able to determine from  
2 Mr. Scoles?

3 A. They were in the middle of a shove of cars and he was --  
4 well, it's really hard to understand what he was saying because he  
5 was, like, very, very in shock and just broken up about it. And  
6 he said that he heard -- the last communication he heard was three  
7 cars. I still don't even know what they were doing at the moment.  
8 I can only determine from what I saw, but he said three, and when  
9 we don't hear from -- our standard rule for communication is you  
10 don't hear from them for a short period of time, you stop the  
11 movement and find out, you know, what's going on. Is there a  
12 problem? Hey, man, talk to me. And he said he didn't hear  
13 anything from him.

14 He stopped the train and he got down and started walking  
15 and he was hollering for him on the radio and no answer. He was  
16 shouting his name, no answer. And he stumbled up on Kye like I  
17 did. That's why we have that rule there, though. Something might  
18 happen in between, but --

19 Q. So, and I'm trying to get my head around this, and I  
20 understand -- I can identify with what you're talking about, the  
21 shock of what happened. But you never really got into a  
22 discussion of the moves that were begin made?

23 A. No, sir.

24 Q. All right.

25 A. I'm grasping -- trying to wrap my head around it too. I

1 was -- I'm getting -- once everybody got there, it was kind of a  
2 circus, just a bunch of people asking questions and I didn't have  
3 answers, and trying to deal with what happened and just a chain of  
4 events. And I never really got around to having a sit-down with  
5 them because they got taken off to be a random drug test and I  
6 never saw them again that night.

7 Q. Well, Mr. Williams would've been the third person on the  
8 scene?

9 A. Yes, sir.

10 Q. And then can you tell me -- think back, who was the next  
11 one on the scene?

12 A. Dustin Grace, because he was the next one I called after  
13 911. He lives about 10 minutes away, so we can get -- me and him  
14 both can get there very quick, depending on the circumstance.

15 Q. And then behind Mr. Grace?

16 A. The paper mill has on-site EMTs that are guards. They  
17 showed up right after with their own ambulance, but it was kind of  
18 -- defeated the purpose of what's needed.

19 Q. And then after the mill's ERT team, do you remember who  
20 showed up?

21 A. My parents. I was in distress and I called them too  
22 to -- they live next door to me, so they could get there fairly  
23 quick too.

24 Q. And then can you keep going?

25 A. Sheriff got there fairly quick.

1 Q. Do you know who the sheriff deputy was?

2 A. No, sir.

3 Q. Okay.

4 A. He was a very nice guy, though. He called me several  
5 times since the days after. I would like to find out who that was  
6 and thank him because he checked up on me. I was just in kind of  
7 a different state of mind, not remembering names and everything.

8 Q. Okay.

9 A. After that there was a slew of people out there, the  
10 coroner and different people.

11 Q. All right. We're going to shift gears a little bit  
12 here.

13 A. Okay.

14 Q. As an operator, even as a manager, do you have occasion,  
15 because of personnel shortages, to operate?

16 A. Yes, sir. Just there's certain people that are only  
17 qualified to do that task because it takes a while for -- certain  
18 people can grasp it quicker than others, so -- just like the  
19 computer, some people can't even grasp it, so there's no point in  
20 making them. We put them in a position to be a leadman if they  
21 can't get that part down of it. They may be able to do the  
22 physical work, no problem, but as far as putting it into the  
23 system, it kind of -- it's kind of a you got to do that to do the  
24 other.

25 Q. Do you guys have a certificate or anything or you just

1 know who's been qualified?

2 A. Yes, sir. We don't -- Railserve never had a certificate  
3 and RSS doesn't, as far as I know. I've only been working with  
4 them since March 1st, so we're still trying to filter out what we  
5 need to do to -- what we've already carried over to still use and  
6 what new things we're trying to do.

7 Q. Okay. If I come on the property and I'm hired and I  
8 tell you, hey, I know how to run locomotives, do you just say,  
9 hey, you're hired as an operator? Or do you have some sort of a  
10 procedure you put somebody to, to make sure they're qualified?

11 A. We have a procedure. I'd put -- if you told me -- if I  
12 hired you and you told me you were qualified to run the engine,  
13 I'd put you with my assistant manager, Joseph Bearden [sic], and  
14 he's more than capable to determine and -- not to discredit you,  
15 but if he said no, he can't handle it, I would take his word over  
16 yours, even though, you know, you told me you were qualified.

17 Q. Is there any kind of a -- is there anywhere in Railserve  
18 or in RSS's paperwork which shows that the designation operator  
19 has been accepted and this person's an operator?

20 A. Yes, sir. Railserve had training records on everybody  
21 that was hired. I'm pretty sure it had the request from whoever  
22 there. I don't really have contact with them anymore because of  
23 the circumstance, but --

24 Q. Okay. It's my understanding the night of the accident  
25 the crew was using a Union Pacific lease or rented locomotive, a

1 UP 1912?

2 A. Yes, sir. The other engine, I think 1143, we had been  
3 waiting on it for a while and it didn't have any water in it yet  
4 and we weren't going to run it without making sure everything was  
5 good on it with the water, the oil, the pressure oil, different --  
6 make sure it was ready to run. And we might as well use what  
7 we're paying for already, so we were just running the lease until  
8 the lease was out.

9 Q. And let me ask you, as an operator, you've been around a  
10 while. What are the functional differences between the GP60 UP  
11 unit and what you traditionally use in the mill?

12 A. Other than the weight, it's fairly similar. It's a lot  
13 bigger, so you have to take that into consideration. But all the  
14 other functions, just from my standpoint on it, it's fairly  
15 similar. I mean, it's -- I'm not saying it's exactly the same,  
16 but, you know, the throttle is the same notches, you know, fills  
17 the air the same way. Some -- well, it's different, faster than  
18 the other, but that's because it's bigger horsepower and it's able  
19 to do a lot more. But it's fairly similar.

20 Q. This is kind of a personal preference question because I  
21 was an engineer. Compared to -- what engine do you normally use  
22 at Evergreen, outside of the UP engine?

23 A. We had -- we also had Geeps. I think we had a 7 or a 9,  
24 and they loaded up a lot faster than what the UP did.

25 Q. And this is a taste preference, but for switching

1 services around here, did you -- was there a problem with the 1912  
2 as far is being a larger unit?

3 A. No, sir, just getting used to the weight. There was a  
4 few things obviously we didn't know about, like on-board computer,  
5 there's a few little minor things that you don't know what these  
6 different gauges are. Nobody gave us a practice course with it.  
7 They made sure we knew -- they didn't -- there's certain things on  
8 there we didn't want to mess with because you don't want to hook  
9 the radio up to the UP and start talking to the Union Pacific.  
10 I'm sure that could get in a whole different -- so we just  
11 disabled the radio when they gave it to us. And as far as the  
12 computer, unless something said something was wrong, we weren't  
13 going to mess with that either.

14 Q. If something were wrong, what were your standard  
15 procedure?

16 A. I would talk to Mr. Mark Shaw whenever something came up  
17 on the display saying, you know, warning or something like that.  
18 And I'd ask him what I needed to do to fix it and he'd walk me  
19 through the process.

20 Q. Okay. What about as an operator, are you qualified to  
21 do daily inspections on your power?

22 A. Yes, sir. We do, per shift, we do inspections on  
23 locomotive.

24 Q. All right. And if you encountered something that you  
25 thought was, for lack of a better term, possibly bad order, what

1 would you do?

2 A. Call the -- if it was me and I wasn't a manager, I'd  
3 call the manager or whoever I can get ahold of and tell them, hey,  
4 we got something wrong with this engine; you might want to come  
5 check it out.

6 Q. Was that kind of a -- I mean, you speak -- did every  
7 operator understand that?

8 A. Yes, sir.

9 Q. Okay.

10 A. If it wouldn't hinder the operation, if it wasn't a  
11 major problem -- like obviously if it was a fuel leak or something  
12 like that, that's a major problem. But if it was just a cosmetic  
13 thing on there, maybe a switch was -- like, a handle was broken or  
14 something like that, you know, they -- they knew when to call and  
15 when not to, I guess is what -- appropriate would say.

16 Q. Okay. Not to put words in your mouth, but I understand  
17 that unit one day wasn't here, the next day it was, and you guys  
18 get on it and ride?

19 A. Right.

20 Q. You didn't have any training, indoctrination or  
21 anything?

22 A. No, sir.

23 Q. Okay.

24 A. I would've liked to, to know more about it.

25 Q. Let's talk about the class yard.

1 A. Okay.

2 Q. Just give me your overall impression of the condition of  
3 the class yard?

4 A. It's a very scary place to work at night. During the  
5 daytime, it's still hazardous and scary, but not as the severity  
6 of -- human nature, you can't see, it kind of puts you on edge as  
7 well. There's lights on the south end of the yard, but there's  
8 not anything on the north, so that spot that Kye was on is a lot  
9 darker.

10 Q. And that -- when you say the south end, you're talking  
11 about the west end?

12 A. Well, yes, sir.

13 Q. On the south side of the --

14 A. The west --

15 Q. -- west end?

16 A. -- south side of the west end, yes, sir.

17 Q. There are lights?

18 A. There's lights strategically placed for more improved  
19 work and for visibility.

20 Q. Do all the lights function?

21 A. Off and on, no. No, sir. There's a good handful on at  
22 a time, but there's been a lot of issues here lately and I've  
23 talked to several people trying to get that fixed.

24 Q. Okay. What is your procedure when that -- when you go  
25 down there and one of the lights is out, what's your procedure

1 for -- who would you talk to?

2 A. I would call the mill and call one of the electricians  
3 or call Cowboy -- that's Dwight Headen (ph.) -- let him know the  
4 situation. He usually takes care of it. And for a while they  
5 were on and then they would go back off. I don't know if there  
6 was a short in the wiring or a fuse setting, but --

7 Q. Okay. Since you've been with Railserve and since March  
8 1st -- previous Railserve, since March 1st of this year with RSS,  
9 have you guys ever conducted or been subjected to any kind of  
10 fatigue awareness training?

11 A. We've gone through -- we call a safety standdown.  
12 That's when we just stop what we're doing and sit down and kind of  
13 evaluate whatever's going on, the severity, whether it's, you  
14 know, the heat, like, especially during the summertime because the  
15 heatstroke level's higher, the dehydration. It just varies, so  
16 different -- various different times a year, the cold. Yes, sir,  
17 we take different meetings for that.

18 Q. Okay. That's good. What I'm specifically talking about  
19 is, on railroad terms, get your rest. Do you talk about proper  
20 rest before you come to work and that sort of thing?

21 A. Yes, sir.

22 Q. What is your understanding of the current cell phone  
23 policy, either that has carried over from Railservice or has been  
24 changed or continues to be under RSS?

25 A. The crew leader has a crew phone. Myself, I have my

1 phone. Anthony has his phone. And the other guys can have their  
2 phone on the engine when they're just not doing anything or --  
3 because, of course, something might happen and the family might  
4 need to get ahold of somebody, so -- but in the field, they're not  
5 supposed to be on it.

6 Q. What are the conditions you tell the guy -- or what are  
7 the conditions that allow me as a crew member to use a cell phone?  
8 What -- in other words, when can I use a cell phone?

9 A. When you're not involved in any kind of movement, you  
10 can step to the side and say, hey, I need -- we call it take two.  
11 That's just take a break, you know, got to step back and do  
12 something, maybe use the bathroom, get some water. And you can  
13 step off, away from work, and do that.

14 Q. And what is either the current RSS or the overriding, I  
15 guess, Railservice policies or -- your drug and alcohol policy?

16 A. Got a zero tolerance.

17 Q. Now let me -- this is kind of a strange question, but --  
18 you just were taken over by another company --

19 A. Yes.

20 Q. -- March 1st. You had -- you yourself were acquainted  
21 with and knowledgeable on rules for 2 or 3 years under Railserve?

22 A. Well, since 2009.

23 Q. Okay, longer than that.

24 A. Yes, sir. I've been there --

25 Q. Five years.

1 A. -- I've been there 7 years. So --

2 Q. Seven years.

3 A. -- it's my seventh year now.

4 Q. Excuse my math.

5 A. Oh, it's all right.

6 Q. What rulebook's in effect right now?

7 A. We carried over a lot of the rules Railserve did  
8 because, just like the main railroad, which I'm sure you're  
9 familiar with, they're all written in blood or way or another, so  
10 take that to heart and just apply that with everything we do. So  
11 we've just kind of adopted everything that what I know and what  
12 everybody else that's been there knows. We don't really have a  
13 set rulebook, but there's set rules in place.

14 Q. So you're -- not putting words in your mouth, you're  
15 still operating under the rules that you were taught before and,  
16 to your knowledge, there's been no addition or revision of those?

17 A. Not unless there's something since I've not been at work  
18 the last week.

19 Q. Yeah. Okay, and what's the -- what is the current  
20 guideline for what we would call a reportable health event? If I  
21 work for you and -- you understand what I'm saying, and I got a  
22 problem at home, I broke a leg or I have to take some medication,  
23 what's the deal? How do you -- what's the procedure?

24 A. We'll give them some time off, I guess, to recover.  
25 Would it be like a long-term they're taking the medicine, or -- so

1 you're saying they're still -- would be taking it?

2 Q. I'm -- I don't know. I'm just saying are they required  
3 to report to you if they have a major change in their medical  
4 condition or something?

5 A. Yes, sir, usually. If they don't tell me, I don't know,  
6 so I won't be able to know.

7 Q. Okay. Do you guys conduct on the rules that -- and I  
8 know you have these quarterly exams. How do you as a manager  
9 check for compliance with rules? What tools do you have?

10 A. I do watch -- I do have a lot of observation. I get  
11 where they can't see me and I make sure things are being practiced  
12 and I get out there with them. I work with the crew. I get out  
13 there on the crew a couple times a week when able to, maybe at  
14 least once a week for sure. And get out there and -- I figure  
15 they do better by watching. If I'm doing it right, they know they  
16 need to do it right, because I'm doing the same thing they're  
17 doing.

18 Q. That's what you called a field audit?

19 A. Yes, sir.

20 Q. And do you keep records of your observation?

21 A. I haven't, but I think I'm going to start doing that  
22 after this.

23 Q. Up to this point, you haven't?

24 A. No, sir. I just kind of pop in and out to where they  
25 don't know I'm there and I'll -- after I watch them, I'll talk to

1 them and --

2 Q. If you see somebody doing something that's contrary to  
3 your -- the rules that you're operating under, how do you -- what  
4 corrective action do you take?

5 A. I will stop movement right then and talk to them, and  
6 whether -- depending on if it's their first offense or, based on  
7 that, they may get a write-up then or verbal, and then the next  
8 time I'll just tell them I'll walk them to the gate.

9 Q. Do you keep documentation when that happens?

10 A. If it's a verbal, no, sir. But if it's a write-up, then  
11 yeah, I'll have you back there.

12 Q. All right. A couple more questions. You doing all  
13 right?

14 A. Yes, sir.

15 Q. Okay. What is the Railserve/RSS policy on footwear?

16 A. It has to be defined heel, which is not -- I guess, 6-  
17 inch minimum, 8-inch is preferable too for more ankle support. It  
18 has to be steel toe with a defined heel.

19 Q. Is there any deviation to that that you know of?

20 A. They told us just as long as it was a defined heel.  
21 They didn't want somebody to just be slipping around.

22 Q. Do the workers -- when I report to work at 1600 hours,  
23 is there a pattern of work that normally occurs? In other words,  
24 I know I'm going to go to this department first and this  
25 department --

1 A. Yes.

2 Q. What is that? I mean, kind of walk me through that, if  
3 you would?

4 A. Per shift or just that for that shift particularly?

5 Q. Well, let's start with second shift.

6 A. Okay. They start at 5. We'll do our -- print a list  
7 off for the computer so that way they know what they're handling  
8 that night. And by 6:00, they're supposed to be over at the  
9 warehouse. That's where the paper's made and we load it into the  
10 cars, and we'll switch that out for hour to 2 hours, depending on  
11 the number of cars. You know, we might get 10 cars out, we might  
12 get 12 cars out. You never know.

13 Q. Are those all loads? Excuse me.

14 A. Yes, sir. They are all loads.

15 Q. Okay. So what you're doing is pulling the load dock?

16 A. Pulling the load and putting --

17 Q. Okay.

18 A. We're pulling the loads and replacing them with empties.

19 Q. Okay.

20 A. Swapping them out, yes, sir. And that's a set standard.

21 Every day there's a 6 p.m. switch there and there's also a 1 p.m.

22 -- I mean, a 1 a.m., excuse me, at the warehouse.

23 Between that time, we build the outbound for Union  
24 Pacific and BNSF. After we do that, we'll go out to the class  
25 yard and you take -- if they're mixed up, we put them all

1 together. So we'll put all of the Union Pacific cars in one  
2 track, say, the farthest north one. We call that 103. And then  
3 the next one next to that is 1 rail; we put all the BNSF cars. So  
4 we'll have it all together. Then they come pick up for the  
5 previous, over the next day.

6 Q. So UP goes in 3 and BNSF goes in 1?

7 A. 103.

8 Q. Or 103? Yeah.

9 A. Yes, sir.

10 Q. So 103 is UP?

11 A. Yes, sir.

12 Q. And 101 is BN.

13 A. 1 rail.

14 Q. 101 is --

15 A. Just 1.

16 Q. I'm sorry, 1 rail. I got you.

17 A. Yes, sir.

18 Q. Is BN. Let me ask you, I got a couple questions here.

19 Do you give -- do you allow -- do the guys get early quits?

20 A. Early quits?

21 Q. You know, they work the whole time they're supposed to  
22 be here?

23 A. Unless -- until the job's done, yes, sir.

24 Q. And that's very rare that the job -- in other words,  
25 there's never a time where they've done everything and there's

1 nothing to do, so go home?

2 A. Well, it used to were were doing that, but now the new  
3 policy is RSS wants somebody to be there in case there's  
4 emergency -- sometimes there's emergency switches that need --  
5 they may run out of certain chemical and say, hey, we really need  
6 this right now.

7 Q. Okay.

8 A. So if nobody's there to do it, it kind of defeats the  
9 purpose.

10 Q. All right. You use 103 as your pullback west for  
11 switching, don't you?

12 A. Yes, sir.

13 Q. How many cars westward from the number 1 switch can you  
14 load 103 in order to do multiple track switching?

15 A. Between probably 20 and 25 before you get -- we don't  
16 like to get back to that back crossing back there because there's  
17 traffic. So as long as you don't get close to that -- that's why  
18 there's only paper trucks that deliver and pick up trash and  
19 stuff. But we don't like risking going past that point because  
20 visibility's a lot less with the trees and everything.

21 Q. Okay. A standard crew is three-man?

22 A. Yes, sir.

23 Q. Unless you have somebody that's breaking in, you can  
24 have a four-man crew?

25 A. Oh, breaking? I see what you're saying, training?

1 Q. Training.

2 A. Yes, sir. Yes, sir.

3 Q. And you can train on days and nights?

4 A. Yes, sir. It's preferable we train nights too because,  
5 you know, there's pressure night and day, and that's why, because  
6 there's different tasks that need to be done days, different tasks  
7 done nights.

8 Q. Okay. Under -- is it permissible or is it okay, if  
9 you're a three-man crew, to work with less than three men?

10 A. For RSS policy it is. They have an incentive policy  
11 for, say, somebody had an emergency that night and left. Well, to  
12 promote more money, they just pay the two that stay more money per  
13 hour to -- by them to keep the work going.

14 Q. But previous to RSS March 1st, was that permissible?

15 A. No, sir.

16 Q. Okay. And in the situation, would you take exception to  
17 Mr. Scoles and Mr. Stewart working in the absence of Mr. Williams?

18 A. I would -- and before this happened, I wouldn't have  
19 seen a problem with it because I'm not going to -- for health  
20 reasons, I don't make somebody hold it if they got to use the  
21 bathroom.

22 Q. Oh, yeah.

23 A. If it was me out there, I would've told him to go ahead  
24 and use the bathroom and went ahead and done what I needed to do.  
25 But after this, I would say that's going to change.

1 BY MS. GREGORY:

2 Q. So RSS does -- this is Georgetta Gregory. RSS does  
3 allow a two-man crew?

4 A. Yes, ma'am.

5 Q. And they actually pay an incentive?

6 A. Yes, ma'am.

7 Q. Okay. Thank you.

8 A. It's a lot more work to be done, so they try to reward.

9 Q. Of course.

10 A. Yes, ma'am.

11 MR. CARTER: That's all my questions. Did you have a  
12 question for me?

13 MR. COSTELLO: No, sir.

14 MR. CARTER: Thank you. I appreciate you coming.

15 MR. COSRELLO: Yes, sir.

16 BY MS. SANZO:

17 Q. I just have a few follow-up questions. And prior to  
18 starting with Railserve, what were you doing before that?

19 A. I was actually a 911 operator --

20 Q. Oh, okay.

21 A. -- for a short time. I didn't -- I couldn't handle the  
22 stress from that, so I looked for other work.

23 Q. If I may ask, when you were talking about the  
24 environment at the yard and you said it was a scary place to work  
25 at night, you did talk about the lighting. Are there anything

1 else out there that's concerning to you or to the crews?

2 A. There's just a lot of tripping hazards. You got to  
3 watch your footing at all times, because I've gotten tripped up in  
4 the daytime before if you're just getting caught up in what you're  
5 doing and you may trip over a -- just a rock or something you step  
6 off wrong and there's just different hazards on top of what you're  
7 already dealing with. It's just you have to really be alert.  
8 Anything can happen.

9 Q. Okay. Okay, and when we're talking about doing the  
10 observations or audits of crews, and I just wanted to clarify, at  
11 the time when Railserve was here, were there -- how often were  
12 those observations or audits being done?

13 A. I did them twice a week.

14 Q. Okay. And --

15 A. Once per shift.

16 Q. Okay.

17 A. And that was just a minimum and I did more, as needed,  
18 if I saw -- like I say, for example, a fourth man was working, I  
19 wanted to make sure he was doing what he was being trained to do.

20 Q. And then since RSS is now in charge, what is -- how  
21 often are those being done?

22 A. As needed.

23 Q. As needed?

24 A. I'm still doing -- I've just adopted the same principle,  
25 so --

1 Q. And also talked about there was different tasks that  
2 needed to be done in the dayshift versus the night shift. Can you  
3 just talk about what are the differences, different tasks that  
4 might be done?

5 A. Yes, ma'am. There's -- to make paper, there's different  
6 processes that needs to be done, so we deal with sodium chlorate  
7 and hydrochloric acid. The dayshift does that because of the --  
8 they want -- you don't want to do that at night. You want more  
9 visibility and to be able to handle that, so we do that during the  
10 day.

11 We switch the extruders, which is they make poly -- the  
12 coating of the paper. They melt the wax down; it's a coating. We  
13 give that to them also and then we also give other chemicals to  
14 chemical furnish, and that's part of the paper-making process  
15 also. So dayshift primarily does that, where nights does two  
16 warehouse switches and they build the outbound, and that composes  
17 their night.

18 Q. So is it fair to say that dealing with the hazmats would  
19 be done during the day versus at the night? Is it --

20 A. Yes. Yes, ma'am.

21 Q. -- is it ever a time where it is done at night?

22 A. The time I said where emergency switch, they may run out  
23 of the acid or the chlorate and they really need it and can't wait  
24 until in the morning, that's one of those circumstances you just  
25 kind of have to take precautions and handle.

1 Q. Okay. And with Railserve and the training that was  
2 initially done, was there any training specifically done for the  
3 hazardous materials aspect?

4 A. They all take a -- they take a test to deal with what  
5 smells and different signs to look for in case something ever did  
6 happen. And thankfully, we've never had anything happen and I  
7 hope we don't, but they know what to look for, if a leak or a odor  
8 from a car.

9 Q. Okay. Is that something that is training that was just  
10 done once or is it done every so often?

11 A. It's done every so often.

12 Q. Okay. And about -- do you know about just an  
13 approximate --

14 A. No, I don't.

15 Q. Okay. Thank you. That's no problem. And I'll stop for  
16 now and --

17 BY MR. CARTER:

18 Q. Ardell Carter, FRA. Mr. Costello, Mr. Scoles came to  
19 work for you when?

20 A. Towards middle of March. I think his start date was  
21 the -- before the 20th.

22 Q. Of this year?

23 A. Yes, sir.

24 Q. So middle of March 2015?

25 A. Yes, sir.

1 Q. And he is -- who qualified him as an operator?

2 A. He also previously worked for Railserve for several  
3 years, so I hired him to fill in the slot that we needed, somebody  
4 experienced.

5 Q. Do you know where he worked for Railserve?

6 A. He was with me previously at Railserve.

7 Q. Oh, he worked on this side?

8 A. Yes, sir.

9 Q. Oh. So he went through the qualification like a normal  
10 operator? Okay.

11 A. Yes, sir. He's a previous, previous employee.

12 Q. Thank you. No further questions.

13 BY MR. RHINE:

14 Q. Joey Rhine, NTSB. I had a question about the safety  
15 audits?

16 A. Yes, sir.

17 Q. Did you have a form that you filled out when you  
18 conducted safety audits or the assistant manager or what was  
19 available for that?

20 A. For Railserve we did, but because Railserve ended their  
21 contract, they took all their documents with them. So now we're  
22 just kind of filling in where we need to.

23 Q. Okay.

24 A. That's -- I really am going to start writing them down  
25 now, but I was doing just a visual observation.

1 Q. Could you speak on maybe some other changes that  
2 occurred since March 1 regarding safety rules, safety audits,  
3 since the changeover from Railserve to Rail Switching Services?

4 A. Pretty much just kept -- I wasn't going to reinvent the  
5 wheel, so if it was working before, I just kind of adopted it, you  
6 know, for now. And I've been doing the same things, where you get  
7 out there and watch them each shift, make sure they're doing right  
8 and keeping the same rules and practice for safety. I hadn't  
9 really changed anything yet.

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

11 MS. GREGORY: I don't have anything.

12 MR. RHINE: Is there any more follow-up questions for  
13 Mr. Costello?

14 BY MR. RHINE:

15 Q. Do you have anything that you'd like to add?

16 A. No, sir. Just that we're going to do a lot better and  
17 keep this from ever happening again.

18 MR. CARTER: Can I say something?

19 MR. COSTELLO: Yes, sir.

20 MR. RHINE: Go ahead.

21 MR. CARTER: Justin, we don't think this is your fault.  
22 I don't -- excuse me, I don't think this is your fault. I don't  
23 want you to be saddled with that.

24 MR. COSTELLO: Yes, sir. I appreciate that.

25 MR. RHINE: We may have some follow-up questions. Would

1 you mind if we contacted you in the future with some follow-up  
2 questions?

3 MR. COSTELLO: You're more than welcome to; yes, sir.

4 MR. RHINE: All right. Thank you. On behalf of the  
5 NTSB, I'd like to thank you for your time and your cooperation.

6 (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:            RAILROAD WORKER FATALITY  
                                  AT EVERGREEN PACKAGING PLANT  
                                  PINE BLUFF, ARKANSAS  
                                  APRIL 3, 2015  
                                  Interview of Justin Costello

DOCKET NUMBER:            DCA-15-FR-007

PLACE:                      Pine Bluff, Arkansas

DATE:                        April 10, 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.

---

Karen A. Stockhausen  
Transcriber



I, Justin Costello, have read the foregoing pages of a copy of my testimony given during an interview in the accident investigation of the employee fatality at the Evergreen Paper Mill on March 3, 2015 in Pine Bluff, Arkansas, and these pages constitute a true and accurate transcription of same with the exception of the following amendments, additions, deletions or corrections:

<u>PAGE NO:</u>	<u>LINE NO:</u>	<u>CHANGE AND REASON FOR CHANGE</u>
<u>0</u>	<u>3</u>	<u>Date of incident April 3, 2015 wrong date</u>
<u>17</u>	<u>19</u>	<u>EMT instead of ERT</u>
<u>24</u>	<u>23</u>	<u>Railserve correction from RAILSERVICE</u>
<u>25</u>	<u>15</u>	<u>Railserve correction from RAILSERVICE</u>
<u>26</u>	<u>1</u>	<u>6 correction from 7</u>
<u>26</u>	<u>3</u>	<u>6th correction from 7th</u>

I declare that I have read my statements and that it is true and correct subject to any changes in the form or substance entered here.

Date: 6-4-15

Witness 