

NATIONAL TRANSPORTATION SAFETY BOARD

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 IN RE: :
 :
 THE ACCIDENT INVOLVING : NTSB Accident No.
 AMTRAK TRAIN #89 AND MOW : DCA16FR007
 EQUIPMENT AND EMPLOYEES :
 NEAR CHESTER, PENNSYLVANIA :
 ON APRIL 3, 2016 :
 :
 -----:

INTERVIEW OF: FRANK KRUSE

Thursday,
 April 7, 2016

Sheraton Suites
 Philadelphia, Pennsylvania

BEFORE

RICHARD HIPSKIND, NTSB
 DAVID KANNENBERG, FRA
 STEVE STEARN, BMW
 MICHAEL TRAINA, AMTRAK
 ANDREW KEEFE, AMTRAK
 MATTHEW PORTO, AMTRAK
 LOU TOMASSONE, FRA
 FRAN WALKER, FRA
 TERRY SPRATT, AMTRAK

This transcript was produced from audio
 provided by the National Transportation Safety Board.



I, FRANK KRUSE, have read the foregoing pages of a copy of my testimony given during an interview pertaining to the collision of Amtrak Train 89 with maintenance of way equipment and employees resulting in a derailment with passenger injuries on April 3, 2016, at about 7:50 a.m. in Chester, PA 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>7</u>	<u>10</u>	<u>RACE INSTEAD OF "RAY"</u>
<u>7</u>	<u>11</u>	<u>BEAR INSTEAD OF "BAIRE"</u>
<u>8</u>	<u>6</u>	<u>BALLAST INSTEAD OF "BALANCE"</u>
<u>8</u>	<u>19</u>	<u>VAC INSTEAD OF "BACK" FOULED INSTEAD OF "VALVE"</u>
<u>8</u>	<u>20</u>	<u>BALLAST INSTEAD OF "BALANCE"</u>
<u>10</u>	<u>3</u>	<u>CAR INSTEAD OF "PART"</u>
<u>12</u>	<u>18</u>	<u>CAT POLES INSTEAD OF "CAR-POLES, BOOTH INST/"INAUDIBLE"</u>
<u>14</u>	<u>11</u>	<u>GOT INSTEAD OF "DID"</u>
<u>16</u>	<u>9</u>	<u>YAGER INSTEAD OF "YAEGER"</u>
<u>18</u>	<u>4</u>	<u>SUNDAY INSTEAD OF "SATURDAY"</u>
<u>26</u>	<u>13</u>	<u>SURFACING INSTEAD OF "SERVICING"</u>
<u>27</u>	<u>24</u>	<u>GP-6A INSTEAD OF "6A-6P" 2ND X</u>
<u>36</u>	<u>10</u>	<u>ON INSTEAD OF "ONE"</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: 5/16/16

Witness: [Redacted Signature]

<u>51</u>	<u>15</u>	<u>NORAC INSTEAD OF "NORAD"</u>
<u>55</u>	<u>6</u>	<u>BID INSTEAD OF "BIG"</u>
<u>55</u>	<u>8</u>	<u>CAR INSTEAD OF "CARD"</u>
<u>64</u>	<u>19</u>	<u>VIA INSTEAD OF "BIO"</u>
<u>X</u>	<u>X</u>	<u>X</u>

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

{time not provided}

MR. HIPSKIND: Good afternoon, everybody.

My name is Richard Hipkind, and I am the Track and Engineering Group Chairman for NTSB, for this accident.

We are here today on April 7th, 2016, at the Sheraton Suites Hotel in Philadelphia, Pennsylvania, to conduct an interview with Mr. Frank Kruse, who works for the National Railroad Passenger Corporation, or Amtrak.

This interview is in conjunction with NTSB's investigation of a collision of Amtrak Train 89 with maintenance-of-way equipment and employees on April 3rd, 2016 at Mile Post 15.7 on Amtrak's PW line near Chester, Pennsylvania in Delaware County.

The NTSB accident reference number is DCA16FR007.

Before we begin in our interview and questions, let's go around the table and introduce ourselves. Please spell your last name and please identify who you are representing, and your title.

I would remind everybody to speak loudly and clearly enough, so we can get an accurate recording. I'll lead off and then pass off to my right.

Again, my name is Richard Hipkind. The

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1 spelling of my last name is H-I-P-S-K-I-N-D. I am the
2 Track and Engineering Group Chairman for the NTSB on
3 this accident.

4 MR. KANNENBERG: David Kannenberg, K-A-N-N-
5 E-N-B-E-R-G, Deputy Regional Administrator, Region II,
6 which we're in, Federal Railroad Administration.

7 MR. STEARN: Steve Stearn. S-T-E-A-R-N.
8 Vice Chairman with the Brotherhood of Maintenance of
9 Way Employees, and party spokesman for that
10 organization.

11 MR. TRAINA: Michael Traina, T-R-A-I-N-A.
12 ARASA President, also Amtrak Supervisor.

13 MR. KEEFE: Andrew Keefe, K-E-E-F-E. I am
14 with Amtrak, Deputy Chief Engineer of Maintenance.

15 MR. PORTO: Matthew Porto, P-O-R-T-O,
16 Director of Safety Amtrak.

17 MR. WALKER: Fran Walker, FRA Track Safety
18 Inspector.

19 MR. TOMASSONE: Lou Tomassone, T-O-M-A-S-S-
20 O-N-E, Region II Track Safety Inspector.

21 MR. FRIGO: Ryan Frigo, F-R-I-G-O. NTSB
22 Investigator in Charge.

23 MR. HIPSKIND: Mr. Kruse?

24 MR. KRUSE: Frank Kruse, K-R-U-S-E. I'm
25 Assistant Division Engineer of Track for Philadelphia

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1 and Wilmington Sub-Divisions, Amtrak.

2 MR. HIPSKIND: And Terry, you're still
3 sitting posting on these interviews. Would you please
4 introduce yourself for the record?

5 MR. SPRATT: Terry Spratt, S-P-R-A-T-T.
6 Amtrak's Director of Operating Practices. I'm here as
7 an observer, representing the Office of the Chief
8 Transportation Officer.

9 MR. HIPSKIND: Okay, thank you, everybody.
10 Mr. Kruse, do you mind if we proceed on a first name
11 basis?

12 MR. KRUSE: No, I don't.

13 MR. HIPSKIND: All right, thank you, Frank.
14 I've got to ask you these couple of questions.

15 Do we have your permission to record our
16 discussion, our interview with you today?

17 MR. KRUSE: Yes, you do.

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

20 MR. KRUSE: No, I don't.

21 MR. HIPSKIND: Okay, Frank, let's go ahead.
22 How about just go kind of how long you've been
23 railroading, what you've been doing and hit the
24 highlights of some of the positions you've held, with
25 the intent of getting us up to your current present

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1 position, and what you do in that position.

2 MR. KRUSE: Okay, two weeks from now, I'll
3 have 39 years with Amtrak. I started April 21st, 1977,
4 as a track man in Philadelphia.

5 In the track department, I've held, you
6 know, positions ranging from track man, machine
7 operator, heavy equipment operator, welder, paver,
8 track foreman, welding foreman, progressively moved up,
9 you know, to the different skilled crafts throughout my
10 career. Been in a "supervisory role" for over 25 years
11 now.

12 Been a track foreman from track -- from
13 welding foreman, from welding foreman I went into
14 assistant supervisor with ARASA, track supervisor with
15 ARASA.

16 I also was a -- one of the first RWP
17 instructors on the Mid Atlantic Division, when we
18 brought RWP onboard, back on -- I believe it was the
19 summer of 1996. I think it went full-time with us in
20 1997. I did that for three years as a network
21 instructor in the Mid Atlantic Division.

22 Like I said, I finished up with supervisory
23 in the Philadelphia, Wilmington area, and then from
24 there, I went into management in March of 2014, March
25 17th, 2014, I become assistant division engineer.

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1 That's my present position. Present
2 position I have right now, I oversee approximately 130
3 employees, ranging from BMW, ARASA and clerical. I'm
4 responsible for the track maintenance, construction and
5 inspection in Philadelphia and the Wilmington sub-
6 divisions.

7 MR. HIPSKIND: Okay, and Frank, give us some
8 kind of picture of how big your territory is.

9 MR. KRUSE: My territory runs from the -- on
10 the AN line, which would be the Jersey line, from mile
11 post 76 in Northeast Philadelphia, down to mile post
12 29.3, which is down in New Castle County, down there
13 Regan interlock and just north of Regan interlock, and
14 I stop, which includes the terminal and all of that and
15 Philadelphia and Wilmington areas, and out to -- on the
16 Harrisburg line, out to mile post 21.

17 MR. HIPSKIND: I'm sure you've tallied this
18 up many times. How many route miles or how many main
19 track miles are we talking about, just in ballpark?

20 MR. KRUSE: Just off the top of my head from
21 76 to 87, yes, it's about -- well, there's four main
22 line tracks. So, you -- you know, that's approximately
23 40 main line linear miles, I guess you would say.

24 Harrisburg line is 21 miles. That's a four
25 track territory as well, and then from 30th Street

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1 station down to 29, you're talking -- that's another 29
2 miles, and that's primarily -- the bulk of that is four
3 track territory, as well.

4 MR. HIPSKIND: So, it's in excess of 100
5 miles of main track?

6 MR. KRUSE: Absolutely, yes.

7 MR. HIPSKIND: And then (inaudible) tracks,
8 yards and all of that.

9 MR. KRUSE: Yes, I have Wilmington yard,
10 Penn Coach yard, Ray Street engine house, QX yard,
11 Wilmington shops, Baire, Delaware.

12 MR. HIPSKIND: Okay, and I don't want to
13 think about you exercising supervisor or managerial
14 things.

15 Everything that you talked about was pretty
16 much on the track maintenance side. Does it also
17 include the catenary? Does it include B&B?

18 MR. KRUSE: No, it does not --

19 MR. HIPSKIND: Building --

20 MR. KRUSE: No, it does not. No, I'm
21 strictly track, engineering track, primarily
22 maintenance -- all maintenance.

23 MR. HIPSKIND: Okay. Frank, one of the
24 things that we're talked about, or I've talked about
25 with the larger investigating group is, elements of

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1 data that you collect and how you develop and put
2 programs together.

3 So, if I haven't been too cryptic there, can
4 you talk about it in your words? How do you decide
5 where things are going to be, and especially if you
6 want to address like, balance cleaning projects and
7 things of that nature? I think that would be helpful.

8 MR. KRUSE: Okay. Well, on the maintenance
9 side what we do primarily, we draw our work and the
10 scope of our work primarily from our inspections, and I
11 work of that, you know.

12 Also, we have a track geometry car that runs
13 every two weeks. I'm sure you're aware of that, and
14 you know, we address the level one's and level two's on
15 that, for track geometry.

16 The FRA, they come out and walk with us and
17 they identify mud spots, that is what would be the --
18 you know, the reason why we are out there with the rail
19 back or with the backhoe, cleaning the mud valve
20 balance.

21 But primarily, everything that's driven here
22 is through our inspections and what we gather from our
23 inspections, and we address it to maintain class.

24 MR. HIPSKIND: Do they Acela train sets, do
25 they provide you data? Do they provide you

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1 information?

2 MR. KRUSE: Yes, Acela train sets, yes. We
3 have Accelerometers on them, which is, we get an RMS
4 report, which comes out daily, and I'm not exactly sure
5 how many train sets are equipped with it, but we do get
6 a report and I review it every day, and it shows me
7 quality issues, whether it be car-body lateral to car-
8 body vertical's on my sub-division, and there has been
9 -- 15.7 has been a thorn in my side, so to speak, for
10 quite some time.

11 MR. HIPSKIND: Okay, let's go backwards here
12 a little bit. How about just elaborate a little bit
13 and explain to me, what a level one is and how that
14 differs from a level two, and if you want to just keep
15 talking RMS, explain that a little bit too, what that
16 is.

17 MR. KRUSE: A level one -- yes, level one
18 defect would mean that whatever the defect may be does
19 not meet class, and in order to -- level two is in the
20 safety realm, you know, it's still within class, but
21 it's going to be something that will be needing
22 attention.

23 Level one is when we get the level one
24 defects on the geometry car. We have a window of
25 opportunity to field verify it, fix it, prior to the

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1 next TSRB, temporary speed restriction bulletin, which
2 comes out every morning at 5:00 a.m., and that's how we
3 address our level ones, with the geometry part, which
4 runs every two weeks.

5 The RMS log that comes out on a daily basis,
6 that shows us where we have issues. There is three
7 types and there is just a -- not an alert. God, I'm
8 losing my thought here.

9 The baseline, there's a baseline. There's
10 an alert and then there's an alarm, and if you get two
11 alarms on the same coordinates, then they automatically
12 drop it one class, if you get two alarms within a 24
13 hour period. They're rare. An alarm --

14 MR. HIPSKIND: Precautionary.

15 MR. KRUSE: Yes, yes, and so, off of that
16 list, that's another thing that we would go and we try
17 to address with our high speed surfacing gang. I have a
18 surfacing gang out of Philadelphia, which covers
19 Philadelphia and Wilmington, and that's another driver
20 of our work.

21 MR. HIPSKIND: Okay, fair to say things get
22 looked at more than on just a regular basis?

23 MR. KRUSE: Yes, yes.

24 MR. HIPSKIND: Okay, and these testing
25 parameters, like geometry and what not, valuable data?

1 MR. KRUSE: Yes.

2 MR. HIPSKIND: Keeps you out of trouble?

3 MR. KRUSE: That's what it's there for, yes,
4 sir.

5 MR. HIPSKIND: All right, keeps you out of
6 trouble, all right.

7 Well, I think some of what we've learned is
8 that as you said, the two track 15.7, kind of a thorn
9 in your side.

10 MR. KRUSE: Yes.

11 MR. HIPSKIND: And somewhat of a drainage
12 problem and what not.

13 So, from time to time, you develop an
14 outage, a program. Tell me a little bit about the
15 development and how you structure the manpower,
16 etcetera, for those kinds of outages.

17 MR. KRUSE: These types of outages that I
18 used just this past weekend, for the job that we were
19 doing up there on two track at 15.7, this is something
20 that -- I'll just use my own terminology, where we --
21 we could have worked on it. We do this daily, nightly.

22 We take the VAC train out on a nightly
23 basis, whether it be in Philadelphia or Wilmington, to
24 address different mud spots.

25 This one 15.7 has been a problem because of

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1 the fixed structure, the open-deck ridge, the
2 topography, the grade coming into it and the grade
3 coming out of it, and we were getting hard -- we were
4 getting car-body -- car-body vertical's on that there.

5 So, what we planned on doing, and it's been
6 talked about, how we're going to address it. Are we
7 going to shim the bridge? We can't shim the bridge
8 because we want to keep -- to maintain the speed -- you
9 know, Class 6 railroad, we can't shim.

10 We want to order larger bridge timbers to
11 address the issue, and then the other issue was brought
12 up and primarily, it was brought up and recommended by
13 Pete, why don't we use the VAC train to try to undercut
14 the north end of the bridge, because that's where we're
15 getting out hits, on the north end of the bridge, and
16 it was between the north end of the bridge and the old
17 signal structure, which is approximately -- I think it
18 was just cap-holes north of (inaudible) street under-
19 grade bridge.

20 So, that was something we were looking at.
21 We also have a project down at Regan which we call --
22 refer to as the third track project. They're
23 constantly getting outages. So, it's a juggling thing
24 with transportation of when we could get it.

25 Pete and I discussed attacking the job.

1 We'll do it. We could do it on a 55 hour outage. I'll
2 ask transportation, Mr. Cavannagh, if he'll approve an
3 outage for us, that it would work for us and it would
4 not impact the third track project, because that's a
5 state-run project, and we're having issues with that,
6 as well, you know, just for track usage-wise.

7 So, Pete and I discussed it. We talked
8 about it. We looked at when we could possibly do it. I
9 called transportation. Transportation okay'ed the
10 outage for this weekend, and go ahead.

11 MR. HIPSKIND: No. I was just going to say
12 that it -- you do have involvement from the local
13 supervision, and these are things that you work out?

14 MR. KRUSE: Yes.

15 MR. HIPSKIND: And the details with the
16 operations part, you take on that, and then does your
17 supervisor Pete, he works with the logistics of the
18 manpower end of it?

19 MR. KRUSE: Yes, that's exactly what
20 happens, yes. Pete asked me for what he can do. We
21 also have to put in an overtime request, which we do.
22 I talk about that, but Pete was the one that would, you
23 know, get the consist of the gang, and we have the
24 Loram people there all the time. We brought them back
25 on the property, I want to say it March 7th. We

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1 activated them back into service.

2 We had them shut down for the Christmas New
3 Year holiday, and we'd reactivate -- at least the LRV-
4 11 anyway, my rail VAC.

5 MR. HIPSKIND: The Loram superintendent
6 thought that they transferred off of NS back onto the
7 Amtrak property, back in the summer. Is that --

8 MR. KRUSE: That's very possible, yes,
9 because when he came, I believe it was back in the
10 summer, late summer, maybe -- yes, late summer
11 probably, that we did the LRV back.

12 The LRV worked with me up until Christmas
13 time. They took their break for the Thanksgiving
14 holiday, and then they come back. They work up until
15 Christmas, New Year -- Christmas, New Year holiday, and
16 then it would be up to me, whether to keep them working
17 through the winter months.

18 Last year, it didn't pan out for me too well
19 because I believe we have to give them a two week heads
20 notice before we would shut them down and you know,
21 because of the weather, the ground freeze and what have
22 you.

23 So, this year, I decided I didn't want to
24 roll the dice and have to -- you know, spend money that
25 -- you know, throw good money after bad. So, I decided

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1 to shut them down, let them take their break and then
2 we reactivated them, I believe it was March 7th, if
3 memory serves me correct.

4 MR. HIPSKIND: Okay, and if it gets back
5 around to me, we might want to talk about some of the
6 procedures and some of the training.

7 But Frank, thank you for everything you've
8 discussed with me so far. But let me bring my
9 colleagues in on this, okay?

10 MR. KRUSE: Absolutely.

11 MR. HIPSKIND: Dave?

12 MR. KANNENBERG: All right, and good to see
13 you again, Frank, and last time I saw you, it was a lot
14 worse circumstances.

15 MR. KRUSE: Absolutely.

16 MR. KANNENBERG: I'm going to -- I'm not
17 going to talk around the issues or something.

18 MR. KRUSE: All right.

19 MR. KANNENBERG: You seem like a pretty
20 direct guy, pretty direct guy.

21 Let's just talk, can you just tell me where
22 you think -- where you think the things fell apart on
23 Sunday morning, and maybe what could be done to fix
24 them, and that's all I'm going to have for both rounds
25 right there.

1 MR. KRUSE: Where do I think things fell
2 apart?

3 MR. KANNENBERG: Yes.

4 MR. KRUSE: Well, it's painfully obvious it
5 fell apart on the turnover between the nighttime
6 foremen and the daytime foremen.

7 You know, I had -- you know, very
8 experienced people out there, as you know. I had John
9 Yaeger. I've known John since he got hired. John got
10 hired right before me, and we all came up together.

11 Pete ADAMOVICH {phonetic} I remember when
12 Pete got hired, you know, when he came out here as a
13 management associate back in -- I guess it was 1978, I
14 believe it was, late 70's, it was, you know, and I
15 worked with Pete many years, and same thing with Joe
16 Carter, you know, J.D. Moore.

17 But you know, Will Robinson is a young
18 foreman. Will just graduated from our foremen training
19 program in the Fall. We have two of them a year. One
20 in the Fall and one in the Spring time.

21 He just graduated, and didn't -- and in my
22 opinion, Will Robinson seemed to be one of those guys
23 that were interested, showed some initiative. He seemed
24 like he would be a good foreman and could be, you know,
25 molded into a -- you know, a good leader, a good

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1 foreman with -- you know, with time, in time.

2 You know, he's not going to come out of
3 foremen's school and end up being, you know, like a
4 John Yaeger or Joe McKeever, or what have you, you
5 know. I mean, these are guys that have been foremen
6 since 1977/1978. So, they got plenty of experience.

7 But it's painfully obvious that, you know,
8 what happened on Saturday, if I understand it correctly
9 with John just showing up at the job site some time
10 after 7:00, between 7:00 and 7:15, and Will being
11 there, obviously, supplemental shunting devices,
12 definitely in my opinion, would have prevented this
13 whole tragedy.

14 Regardless of what Will did after the fact,
15 you know, whether he gave the track back or the foul
16 back, that's forget -- not the track, but like, you
17 know, Will giving the foul back, you know, regardless
18 if he gave it back or not, if he gave it back and we
19 had a shunt on, you know, we would not be sitting here
20 today, in my opinion.

21 MR. HIPSKIND: Frank, you mentioned Saturday
22 morning and I think you meant --

23 MR. KRUSE: Sunday.

24 MR. HIPSKIND: -- Sunday morning.

25 MR. KRUSE: Sunday morning, I'm sorry. If I

1 did say Saturday, I meant Sunday morning, yes, because
2 these guys came in, you know, Will -- Will Robinson and
3 Kyle and that group came in Saturday evening and worked
4 into Saturday morning, and then John came on. He was
5 scheduled to start at 6:00 a.m. Sunday morning in
6 Wilmington, and --

7 But definitely, definitely the turnover
8 between -- and I believe, you know, having a senior
9 foreman, a very seasoned foreman and a new foreman, I
10 don't want to put words in either one of their mouths,
11 but maybe John might have assumed he knew, and Will
12 maybe thought he knew, but definitely, the turnover was
13 a disaster, obviously, and the SSD's. That's the lynch
14 pin.

15 MR. KANNENBERG: Do you think job briefings
16 might have helped it?

17 MR. KRUSE: Absolutely. Yes. Yes.
18 Absolutely, job briefings, yes, on track briefings,
19 specifically.

20 MR. KANNENBERG: On track safety briefings.
21 We'll kind of use those --

22 MR. KRUSE: Okay.

23 MR. KANNENBERG: Yes. So, you're going
24 right down our line of thinking also. Appreciate it.
25 Can't imagine I'll have any other questions, but I'll

1 give it up to Mr. Stearn now.

2 MR. KRUSE: Thank you.

3 MR. KANNENBERG: Thanks.

4 MR. STEARN: Thanks, Frank. Thanks for
5 coming in. To back up a little bit, in your -- in your
6 -- in some of your earlier comments, you mentioned RMS
7 logs, and maybe you could just expand on that a little
8 bit. Clarify that acronym and give me an idea of what
9 they are.

10 MR. KRUSE: Okay, now, you're putting me on
11 the spot, Steve.

12 MR. STEARN: I didn't mean to.

13 MR. KRUSE: I'm not really sure exactly what
14 RMS stands for.

15 INTERVIEWER: Route mean square or
16 something.

17 MR. KRUSE: What is it? Oh, stop it. Yes.
18 You know, the report that comes out, the (inaudible)
19 that come out every morning.

20 MR. HIPSKIND: Time out.

21 INTERVIEWER: We can show you what it is.

22 MR. HIPSKIND: Time out, guys. Only one can
23 talk. That's all the transcription can hear.

24 MR. KRUSE: Okay.

25 MR. HIPSKIND: So, but --

1 MR. STEARN: If it's a problem, Frank,
2 should I pull the question?

3 INTERVIEWER: No.

4 MR. KRUSE: No, no. It's a -- it comes from
5 -- it's generated by the accelerometer that's on the
6 head end of our power cars, the Acela train set, and
7 I'm sorry, I don't know what the initials stand for
8 though, but it gives us the track geometry, primarily
9 car-body vertical's which would be profile, and what
10 they call CBL car-body lateral, which is side to side,
11 and they give us three different parameters, the
12 baseline, an alert and an alarm. Alarm is the one that
13 you really got to pay attention to. The other ones are
14 leading up to that.

15 MR. STEARN: Thank you, Frank, and you had
16 indicated that you were somewhat familiar with Foreman
17 Robinson, that you had some experiences with him, that
18 he -- you said that he seemed to be one of those guys
19 that was interested.

20 Apparently, you consider him to have a
21 correct aptitude for a foreman type position.

22 Have you had experiences with other foremen
23 who are recent graduates from foremen training, who you
24 would give an evaluation to, not by name, but you know?

25 MR. KRUSE: Yes. I've -- yes, it's -- the -

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1 - it's definitely a mixed bag. I mean, you have some
2 guys, I don't know how they got through the MW1000, to
3 be perfectly honest with you. I don't know how they
4 got through the class.

5 Then you have other individuals that do show
6 a good interest, and what was referring to, Will, one
7 of the pre-requisites when you get into -- when you --
8 when you bid foremen training, prior to entering the
9 classroom training for the MW1000, they allow the
10 people that are awarded that training, up to 30 days to
11 acquire the physical characteristics for the section,
12 because each job that was put up for foremen training
13 is by section, by territory.

14 So, they give those individuals up to 30
15 days to acquire that territory, and that's a pre-
16 requisite, to get into this classroom setting.

17 Will not only got the PC's that he bid for,
18 but he also got two additional, which I -- you know, I
19 looked fondly upon that, because I mean, there goes a
20 guy that not only did what he needed to do, he went
21 over and above with the characteristics to get what he
22 -- you know, that's what he wanted to do and it
23 benefitted him in the long run.

24 So, you know, I know Will from working up in
25 the Philadelphia sub-division. That's where Will is

1 out of, Philadelphia. He did some -- little bit of tie
2 down in Wilmington, but primarily he's been a Phillie
3 guy, and I've never really had no negative experiences
4 with him.

5 But there are other guys that -- you know,
6 there's other guys that I -- they -- they're -- they
7 need a lot of training, lot of help.

8 MR. STEARN: And thank you, Frank, and I'd
9 like to --you know, I'd like to discuss that a little
10 bit, but before I do, I want to back up and you had
11 referenced the PC's, and would we all be correct in
12 understanding that PC's mean physical characteristics?

13 MR. KRUSE: Yes, I'm sorry about that, yes,
14 physical characteristics of the --

15 MR. STEARN: And --

16 MR. KRUSE: Yes.

17 MR. STEARN: And maybe you could describe
18 for us what physical characteristics are.

19 MR. KRUSE: Okay, we'll take for instance,
20 the territory up in the Philadelphia area. That's
21 called -- what we would call Zone 4.

22 That territory is from mile post 76, south
23 to 6.3, down near Darby train station, and it also
24 includes west on the Harrisburg line from the terminal
25 area, which is Zoo & Penn, out to mile post 21, which

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1 is out of PAOLE {phonetic}.

2 Physical characteristics, an employee has --
3 there are study guides for them that they can get from
4 operating rules, up in 30th Street. They can get maps.
5 There is also online training, that they -- you know,
6 that would look at, visual maps, you know, it's like
7 you're sitting on the head end of a train. You can
8 look at that online. That's available to all our
9 employees on the Amtrak intranet.

10 Characteristics, they need to know the lay
11 of the land. They need to know their stations. Their
12 interlock's, whether it's a complete interlock, and
13 incomplete interlock, and they need to know the current
14 of traffic.

15 They need to know track speeds, freight
16 speeds, they need to know the freight speeds.

17 It's quite intense, and the Philadelphia
18 area is a little intimidating to a lot of people
19 because you have the terminal up there. You have North
20 Penn, South Penn, Zoo, Girard and (inaudible) and but,
21 that's primarily what physical characteristics are, and
22 that's something that every qualified employee that
23 holds physical characteristics has to go in on an
24 annual basis, and they have to re-qualify during the
25 quarter of their birth up at operating rules, and I

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1 hope I answered your question.

2 MR. STEARN: Pretty good, in fact. Thank
3 you, and then you had commented that -- I don't know if
4 you used the word impressed, but I seem to get the
5 sense that you were impressed with Foreman Robinson,
6 not only completed the requisite portion of the
7 physical characteristics associated with his training,
8 but went above and beyond it and acquired additional
9 characteristics.

10 MR. KRUSE: Yes, he did.

11 MR. STEARN: And it seems like you're saying
12 though others are not able to do that somehow. So,
13 maybe you can say why.

14 MR. KRUSE: I really don't know why, but I
15 know for a fact, the -- I took a -- I guess you would
16 say maybe a pro-active approach to the foremen training
17 that was awarded this Fall, and in that class, there
18 might have been a -- I want to say at least five
19 individuals that I had responsibility for, that was in
20 that class in one way or the other.

21 I just wanted to stay on top of them, to
22 make sure that they were doing what they were suppose
23 to do during their PC period, and there was a -- quite
24 a few -- I ended up throwing four people out of class
25 and I brought charges against two of them for not doing

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1 what they were suppose to be doing during that 30 day
2 period, to put it -- just to cut to the chase.

3 There were some people that just think it
4 was a 30 day holiday and they don't need it before
5 class, and that was not the approach I was taking. So,
6 I threw -- I believe it was four people out of class,
7 two of which I brought charges against them for
8 dishonesty.

9 MR. STEARN: Thank you, Frank, and I'd like
10 to ask my good friend Mike, if he would have any
11 questions.

12 MR. TRAINA: Yes, actually I do, Frank. How
13 are you doing? Mike Traina.

14 As far as -- you said Pete spoke to you in
15 regards to the job, the 55 hour outage. I guess he
16 pretty much planned the job on his own, and just keep
17 you in the loop?

18 MR. KRUSE: Primarily. I mean, I know what
19 the job was going to entail. I knew, you know, like I
20 was saying earlier, I believe I said that, you know,
21 the rail VAC is a maintenance machine that we use to
22 eliminate mud foul (inaudible) and provide a better
23 ride quality.

24 This area up there is an area that we knew
25 if we tried to do it on a night to night basis, would

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1 take a month of Sunday's to complete.

2 So, we decided to talk to transportation to
3 see if we could get a 55 hour outage, instead of taking
4 20 bites of the apple, we could do it in one weekend,
5 which we were unfortunately, right on schedule to do
6 that, and I knew that we were going to have the rail
7 VAC out there.

8 We even ordered an extra crew from Loram, to
9 come in, so we could do night and day (inaudible)
10 because they're limited to just 12 hours. So, we set
11 up for the added expense, to bring in an extra crew,
12 which we did.

13 We had our servicing gang lined up, and also
14 with a KP crew to bring some balance down for us on
15 Sunday evening. That is something that we talked
16 about, and pretty much, that was the extent of it, and
17 then I let Pete do his thing.

18 MR. TRAINA: Okay, when you say Pete do his
19 thing, Pete solely in charge of the scheduling of the
20 men --

21 MR. KRUSE: Yes.

22 MR. TRAINA: -- that he was in charge of?

23 MR. KRUSE: Yes, he -- yes, Pete is the one
24 that decided to make the shifts, you know, what time
25 the tour of duty would start and the consist of the

1 shift -- of the gangs that he brought in, and it was a
2 small crew, and you really don't need a -- you know,
3 it's nothing that you need a big crew with.

4 The Loram people, primarily, they're doing
5 all the work. We have a backhoe that we obviously were
6 going to be using. So, it was just going to be a small
7 crew. You know, I just keep saying -- I was ready to
8 say easy thing, but you know, with what happened, it
9 didn't turn out to be an easy thing.

10 MR. TRAINA: No, I understand. What I'm --
11 what I'm trying to understand is the -- there was -- it
12 was some changes in the scheduling.

13 MR. KRUSE: Yes, there was, which I found
14 out after the fact.

15 MR. TRAINA: Yes.

16 MR. KRUSE: Yes.

17 MR. TRAINA: Okay.

18 MR. KRUSE: Yes, I did not know that until,
19 you know, after talking with John on Sunday, because
20 John told me he didn't even expect Joe Carter to be
21 there.

22 John worked -- I believe John worked
23 Saturday and shifts were set up 12 hour shifts, you
24 know, 6A to 6P, 6A to 6P, and this is hearsay, but this
25 is what I was told.

1 You know, Kyle was -- Kyle Snyder is the
2 assistant supervisor. He worked Friday night. Pete
3 was scheduled to work Saturday 6A to 6P, but from what
4 I was told, he told -- you know, he decided to work 14,
5 because under our engineering policy, we're limiting
6 our people to working no more than 14 hours.

7 So, Pete wanted every minute of that 14.
8 So, he told Kyle, which I didn't know this until --
9 like I'm saying, everything I'm telling you right now,
10 I found out after the fact on Sunday after the tragedy.

11 Pete worked from 6A to 8P on Saturday. Told
12 Kyle to come in at eight, and also, Joe Carter was
13 scheduled on the board, because I have a screen shot of
14 -- we have a white board down in the Wilmington track,
15 a dry erase board and you know, we have a job like
16 that, where it's multiple shifts, we put up what we're
17 looking for and people put their initials, and then on
18 Friday, they erase the junior guys and leave the senior
19 guys there.

20 So, Joe Carter was scheduled to work
21 Saturday evening from 6P to 6A. He would have been
22 done 6:00 a.m. Sunday morning. John Yaeger wasn't due
23 on until 6:00 a.m. Sunday morning, and obviously, some
24 time during the tour of duty on Saturday, Pete, for
25 whatever reason, decided to change Joe's tour of duty

1 from 6A to 6P -- or from 6P to 6A, telling him don't
2 come in until 11:00 p.m. Saturday night.

3 Like I said, John was not aware of that. I
4 definitely was not aware of that and --

5 MR. TRAINA: And Kyle was not aware of that?

6 MR. KRUSE: Kyle was not aware of that no --
7 no, not until he got in. Not until he got in, and I
8 don't know what time he was notified of that. I can't
9 speak on what time he was notified that Joe is not
10 coming in at six, you know, because like I say, Kyle
11 was scheduled to be in at six. Pete told him, from
12 what I was told, don't come in until eight.

13 When Kyle showed up at eight, I can only
14 assume that's when he was told Carter wasn't coming in
15 until 11:00.

16 MR. TRAINA: You know, one more question. I
17 guess it would just be your opinion, how would you
18 describe the relationship between Kyle and Pete?

19 MR. KRUSE: There was none. There was no
20 relationship between Kyle and Pete.

21 Kyle, like I said, I became an ADE here in
22 Philadelphia, assistant division engineering Phillie,
23 and I accepted the position. I started on March 17th,
24 2014.

25 I believe Kyle came over to us in the

1 management associate program. I don't know if he came
2 right when I started or right before, but right around
3 the same time I did, and I took a liking to Kyle,
4 because I was showing him around. I had him out there
5 with the switch under-cutter that Mr. PIELI {phonetic}
6 brought onboard, thought that would be a good thing for
7 us and it was a demo type, you know, a program -- a
8 demo program, to see if it would be something that we
9 could use.

10 You know, Kyle just seemed to impress me.
11 You know, he was a young kid. He's got a degree in
12 engineering, I believe from Pittsburgh, University of
13 Pittsburgh, and he seemed to be like a quick starter,
14 you know.

15 I mean, he seemed -- you know, like he had a
16 good game plan going there, you know, and sit with Kyle
17 for days, talking to him and all that, you know, and
18 you know, he was talking about money and all that
19 stuff, and I was the one that, you know, suggested to
20 him, you know, well, why don't you look, you know, we
21 need supervisors. You know, we need assistants. Did
22 he ever think maybe going into ARASA? Yes, you know.

23 You know, obviously, I mean, you know, to be
24 perfectly honest with you, you know, the money -- money
25 speaks, you know, and I mean, we're all here to make a

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1 living, you know, and bring home some money so we can
2 have a nice life, and I guess he wasn't making as much
3 as he would like to make, as a management associate and
4 seen what an assistant supervisor could make, it was
5 appealing to him, and that's the route Kyle went.

6 I thought -- and I totally regret this with
7 every ounce of my body, that you know, putting Kyle
8 down there with Pete, because I thought Pete would take
9 him under his wing, you know, knowing that Pete came in
10 as a management associate and they both came in the
11 same way and they're both taking the same route, and I
12 just thought Pete would take a liking to him and take
13 him under his wing and mentor him, and it was
14 everything, but that, unfortunately.

15 For whatever reason, I don't know why. I
16 just know -- I talked to Pete when I found out that
17 there was issues between the two of them. I tried to
18 talk to Pete, and he never really gave me an answer of
19 why. He just -- he just didn't care for the guy.

20 MR. TRAINA: I'm done. Thank you. Thank
21 you, Frank.

22 MR. HIPSKIND: Thank you, Mike. Matt?

23 MR. PORTO: Sure.

24 MR. HIPSKIND: You're going to have to speak
25 up.

1 MR. PORTO: I will. I'll try speaking up.
2 Hopefully it picks it up.

3 Part of your responsibilities as a manager,
4 do you perform inspections out there on your work
5 gangs?

6 MR. KRUSE: What type of inspection are you
7 referring to?

8 MR. PORTO: Just --

9 MR. KRUSE: Like just safety --

10 MR. PORTO: Observations?

11 MR. KRUSE: Yes, absolutely I do, on a
12 weekly basis. Yes. I go out. I try to get out in the
13 field as much as I can. A lot of times we're bogged
14 down with administrative stuff. So, you really don't
15 get out in the field as much as you would like.

16 But we do -- I do make every effort to get
17 out in the field, and you know, whether it's going up
18 to see the Phillie guys, shooting down to the
19 Wilmington guys, but yes, I do.

20 MR. PORTO: Do you ever see SSD's being used
21 out in those gangs?

22 MR. KRUSE: Yes, well, primarily, yes. To
23 answer your question, yes.

24 I think I was sharing this earlier. One job
25 -- I know since training -- bringing up another bad

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1 scene, right?

2 Train 188 up at Frankfort Curve, after the
3 derailment up there, my sub-division Phillie track was
4 charged with completing the whole curve up there, not
5 just the tracks that were damaged during the derailment
6 on one and two, but they wanted us to install new CWR
7 on one through four, through the whole curve up there,
8 curve 298.

9 You know, it was something that -- it was
10 big undertaking for my sub-division, you know, because
11 we don't have the equipment, and you know, primarily
12 the production gangs had that. So, we had to reach
13 out, get the equipment from them.

14 So, I would stop in, you know, and see
15 what's going on out there, and I know on a couple
16 weekends I went out there, I was pleasantly surprised,
17 they did not need them, but they were using them
18 because they just had fouls on the adjacent track, and
19 I was a little impressed with that, and that was my
20 foreman Smoot, you know, and he was the guy that was up
21 there giving the job briefings through that whole
22 derailment episode up there.

23 But yes, I have been on job sites where I
24 have seen SSD's applied, but there is not -- like on
25 our daytime, which that's primarily out there is on the

1 daytime, we really don't have the -- I'll say the
2 opportunity to use them, because we don't take backhoes
3 and all that out there during the daytime. That's
4 primarily all of our night work.

5 I do go out. I do go out occasionally, not
6 a whole lot at night, once in a while, but primarily,
7 I'm out here using -- on the daytime, and I have seen
8 them, and that's one thing I was talking about earlier,
9 that I was impressed because they were not needed.
10 There was no on-track equipment, such as a backhoe or
11 loader, but they were just getting the SSD's and they
12 had them for their fouls on the adjacent tracks up
13 there when we were changing rail, which I thought was a
14 good thing.

15 MR. PORTO: Thank you. That's all I have.

16 MR. HIPSKIND: Thanks, Matt.

17 MR. WALKER: Fran Walker. So, in your past
18 history, say as a maintenance foreman or welder
19 foreman, were SSD's always available at the supervisors
20 office, that gangs could pick them up if they needed
21 them?

22 MR. KRUSE: Yes, absolutely. SSD's are
23 always available, either in the supervisors office or
24 if they didn't have them, I mean, they're right there
25 at material control, and Wilmington and Phillie are

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1 fortunate enough to have material control depros right
2 at their headquarters.

3 MR. WALKER: So, I mean, they're not locked
4 up? I mean, if a guy says, "I think I'm going to need
5 one," he can easily access it before he leaves the
6 headquarters in the morning?

7 MR. KRUSE: Absolutely, yes.

8 MR. WALKER: Or at night? I mean, are there
9 --

10 MR. KRUSE: Yes, I would say so, yes.

11 MR. WALKER: All right. When you done any of
12 these efficiency tests, where you say -- you mentioned
13 you went to North Phillie, and you observed Smoot
14 having the SSD, did you document that on the 1872 and
15 it would show you've checked on your men, complying
16 with a rule like that?

17 MR. KRUSE: Honestly, no.

18 MR. WALKER: Okay.

19 MR. KRUSE: No, I did not.

20 MR. WALKER: Do you ever remember
21 documenting any 1872's revolving -- involving SSD's?

22 MR. KRUSE: No, I don't.

23 MR. WALKER: Okay, all right, that's all I
24 have.

25 MR. TOMASSONE: Lou Tomassone. How you

1 doing, Frank?

2 MR. KRUSE: How you doing, Lou?

3 MR. TOMASSONE: As far as the assistant
4 supervisor Kyle Snyder, I know he was night and you
5 said that you don't get to go out at night as much as
6 you would like to.

7 Have you observed him in his assistant
8 supervisor capacity at nighttime, working with the
9 gangs?

10 MR. KRUSE: One a few occasions.

11 MR. TOMASSONE: And have you taken any
12 exception to the protection being provided to the
13 gangs, while he was supervising them?

14 MR. KRUSE: No, I did not, no.

15 MR. TOMASSONE: Okay. That's all I got.

16 MR. FRIGO: Okay, Ryan Frigo, NTSB. Mr.
17 Kruse.

18 MR. HIPSKIND: Frank.

19 MR. FRIGO: Frank, thank you. I just want
20 to talk a little bit about, not necessarily related to
21 this accident, but in your experience and with your
22 grasp of knowledge, both in your position and again,
23 previous positions on the railroad.

24 You talked to -- a little bit about earlier,
25 about tools that you have available to you, to monitor

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1 the health of your infrastructure.

2 MR. KRUSE: Yes.

3 MR. FRIGO: You know, the accelerometers,
4 the geometry car, various other data collection tools.

5 Can you talk a little bit about tools that
6 you might have to monitor the health of the safety
7 performance of work groups?

8 MR. KRUSE: With the work crew, primarily
9 there are on track briefings, there are job briefings.
10 Site visits. I don't have it with my person. I do
11 have one out in my vehicle though. But I made up a --
12 for -- when we go out to do audits, you know, onsite
13 audits, corrective actions, as we call them. You know,
14 that's what our management team is looking for.

15 Upper management is asking us to go out,
16 which we do, to go out, just do field site visits, and
17 you know, and what kind of corrective actions have you
18 taken this week, and I've made up a -- like a punch
19 list of the -- all kind of items that would pertain to
20 a job. I use that.

21 The 1872 is another tool that we use to
22 monitor safety. Primarily, is the presence of being
23 out there.

24 MR. FRIGO: Do you -- is there a methodology
25 that you use, to determine where you're going to visit,

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1 who you're going to test for compliance, when you're
2 going to do it? Is there anything that feeds that
3 thought process?

4 MR. KRUSE: Primarily I would go out, and if
5 I had groups that are out on the tracks or out at a
6 certain location doing a job, what would motivate me to
7 go to one group over another is who the foreman in
8 charge would be.

9 If I had a younger foreman in charge, I
10 would pay more attention to what they're doing. Then I
11 would more so than a senior foreman.

12 But the way situation -- the way things are
13 now, with the foremen that we have available, the
14 amount of vacancies that we have in the foremen
15 capacity, primarily are track inspection duties. I can
16 speak for just what I do here in Philadelphia and
17 Wilmington.

18 Wilmington, I'm lucky that I do have a full
19 crew. I only have three inspectors in Wilmington, and
20 they're -- all positions are filled.

21 Okay, and I only have one maintenance gang
22 on daylight and I only have -- like at night, two
23 maintenance gangs at night.

24 But up in the Philadelphia area, it's a
25 bigger group of people. It's a bigger territory. It's

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1 a lot more interlocking's up there and I have no
2 inspectors, very, very few.

3 So, my senior foreman primarily are doing my
4 inspection duties. My younger foremen are the ones
5 that are with the gang. So, I tend to spend more time
6 checking on them if I go out in the field, my younger
7 guys, just to make sure that they're okay and make sure
8 that they're doing what they're suppose to be doing.

9 MR. FRIGO: Thank you. Do you ever receive
10 any -- any information when things aren't going great
11 out in the field? Maybe a near-miss? Maybe a close
12 call? Is there anything that ever makes its way to you
13 related to that?

14 MR. KRUSE: Some things get to me. But
15 there is a -- you know, the guys in the field, they
16 tend to want to keep things in the field. You know?

17 You know, there's a saying that a lot of the
18 guys, you know, some things you need to know, some
19 things, you don't need to know, and you know, but there
20 is a lot of times I do find things out. You know, I do
21 have my little -- which I refer to as my little birdies
22 out in the field, and they -- you know, they tell me
23 things, you know, and I do have ways of finding things
24 out.

25 But primarily, the guys would like to keep

1 their house together. They don't need to have, you
2 know, guys like myself coming down and bird-dogging
3 them all the time. So, they tend to keep things to
4 themselves, but I do find things out.

5 MR. FRIGO: Do you know if there is a -- if
6 there are any ways for those employees in the field to
7 anonymously report unsafe conditions or any near-misses
8 or close calls?

9 MR. KRUSE: I believe there is a program,
10 and I don't know -- the BMW signed onto it or not, the
11 close call, the NASA --

12 INTERVIEWER: C3RS.

13 MR. KRUSE: Yes, I don't know the BMW
14 actually participates in that, but I'm sure if someone
15 wanted to drop a note in there, that they would be able
16 to do that.

17 MR. FRIGO: But you can't recall receiving
18 any feedback --

19 MR. KRUSE: No, myself --

20 MR. FRIGO: -- from a program --

21 MR. KRUSE: No, I have not. No, I have
22 never received any feedback from any type of program,
23 telling me about any unsafe actions in the field, no.

24 MR. FRIGO: Okay, do you have any
25 interaction with Amtrak's systems safety group?

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1 MR. KRUSE: Yes. Yes, I do.

2 MR. FRIGO: And can you talk a little bit
3 about that interaction?

4 MR. KRUSE: Well, I interact with Matt. I
5 interact with Jamie Macmillan. Jamie Macmillan us up
6 his -- you know, one of his offices is right across the
7 -- the floor from where I am located at 30th Street.

8 I have safety liaisons that I speak with on
9 somewhat, a regular basis. I'm not going to say on a
10 daily basis, or maybe sometimes not even a weekly basis
11 though, but I do have interaction with -- you know.

12 You know, we just revamped our safety
13 program and they got a new group of liaisons in and
14 I've spoke with him. Also, some of the guys that used
15 to safety liaisons, that are full-time union officer
16 now, I talk to him quite often and I do have
17 interaction with the safety department, yes.

18 MR. FRIGO: Okay, great. Frank, thank you
19 for answering my questions.

20 MR. KRUSE: You're welcome.

21 MR. HIPSKIND: Frank, you ready to do a
22 second round?

23 MR. KRUSE: There's two rounds?

24 MR. HIPSKIND: Yes, there's two.

25 MR. KRUSE: Okay.

1 MR. HIPSKIND: Probably won't be three, but
2 there's two.

3 MR. KRUSE: Okay, let's go with it. Let's
4 do it.

5 MR. HIPSKIND: I'm just curious about your
6 thoughts about training.

7 I realize you mentioned that you were a
8 trainer at one time and a roadway worker trainer.

9 Back then, did the roadway worker manual --
10 how did it discuss foul time? What was the procedure
11 back when you were training? Do you recall?

12 MR. KRUSE: Yes, pretty much it's the same
13 as it is now. I mean, to obtain a foul, the person
14 requesting the foul would have to call the dispatch,
15 call CTEC.

16 They would request a section of track,
17 whether it be between mile posts or the whole block,
18 say number three track, Holmes to Shore.

19 They would give their location. Get the
20 foul from CTEC. They would repeat it back. They would
21 document it.

22 I believe back then, we did not actually
23 have -- when I -- when RWP started, I don't think -- I
24 might be mis-speaking here, but I don't believe we
25 actually had what you would call a foul time log book,

1 like we have nowadays, but a foul was required -- it
2 was required to be recorded, anyway, whether you wrote
3 on the back of your Form D, if you wrote it on the back
4 of matches, as long as you would record it.

5 You would take that section of track. You
6 would have that foul by the dispatcher. When you were
7 done doing what you were doing, you would call CTEC up
8 and you would release that foul and they would confirm
9 what time it is, and you would confirm back to him,
10 yes, that's a Roger. All clear, foul on number three
11 track at 10:26 in the a.m. That's a Roger at 10:26
12 a.m. Thank you. Crew is out, and that was the end of
13 that.

14 Now, we have foul time log books, which
15 makes it a little bit easier for the foremen.

16 MR. HIPSKIND: And this foul time example
17 process that you gave, that was for more minor work,
18 work that certainly that --

19 MR. KRUSE: When we would get a foul, and
20 I'm cutting you off which I shouldn't do --

21 MR. HIPSKIND: That's fine. I like that.

22 MR. KRUSE: When we get a foul, we would be
23 getting a foul only to do something where the
24 dispatcher wanted the track, we would be able to give
25 it back to them in a timely manner at track speed. We

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1 wouldn't be disturbing the infrastructure to, you know,
2 prevent trains from having to safe passage at schedule
3 speed, with the foul.

4 We always used to use an analogy, which I
5 thought was corny, but it did make sense. I think it
6 was something like, you know, you take track out of
7 service under Form D, it's like you own it, you know,
8 if you're just getting a foul, you're just renting the
9 track, you know and you know, all those little corny
10 little things we used to do, you know, in camp.

11 But you know, it makes sense and it's a good
12 analogy for the guys to understand when we were doing
13 that, but --

14 MR. HIPSKIND: Okay, but back in your
15 training days --

16 MR. KRUSE: Yes.

17 MR. HIPSKIND: -- RWP, you certainly
18 probably -- let me just say -- did you talk about
19 different levels of foul time?

20 In other words, not just going over into the
21 track and doing something minor in nature, not
22 disturbing the track and readily able to get out of the
23 track if the dispatcher wanted to run a train. Not the
24 kind of foul time.

25 But the kind of foul time where, we're going

1 to put a backhoe up in a track --

2 MR. KRUSE: Oh, yes.

3 MR. HIPSKIND: -- and we're going to be
4 fouling other tracks --

5 MR. KRUSE: No, we definitely --

6 MR. HIPSKIND: -- same process, same
7 everything or just --

8 MR. KRUSE: Same process. You would call
9 CTEC. You would get the foul. You're going to tell
10 them you're taking a piece of equipment out there, I'm
11 going to need -- you know, give me five minutes notice.
12 I'm going to need to clear a piece of equipment.

13 But under those circumstances, if you do
14 have a piece of off track equipment, if you want to
15 call it that, but that's going to be on track, rubber
16 tire, backhoe, front-end loader, whatever the case may
17 be, if you were going to foul track for more than five
18 minutes, with on track equipment, it's not a
19 suggestion. It's not a -- you know, would be a nice
20 thing to do. It's a requirement that you apply
21 supplemental shunting devices, and it's also a
22 requirement that you call and confirm that the shunt is
23 showing in the dispatch office.

24 MR. HIPSKIND: And that's what you taught --

25 MR. KRUSE: Yes.

1 MR. HIPSKIND: -- back then?

2 MR. KRUSE: Yes.

3 MR. HIPSKIND: Give me a clue. What? Circa
4 what? Back then is really what? What years?

5 MR. KRUSE: Late 90's. Early 2000's.

6 MR. HIPSKIND: Are you -- has that
7 procedure, this last one that we talked about, has that
8 changed over time?

9 MR. KRUSE: Not to my knowledge, it hasn't.
10 It's always -- as far as I know, it's always been like
11 that if you're going to foul with the equipment, you
12 got to apply shunts.

13 MR. HIPSKIND: And again, not optional?

14 MR. KRUSE: If you're going to be fouling on
15 track with equipment, for more than five minutes, it's
16 a requirement.

17 MR. HIPSKIND: And the business about the --
18 the track occupancy light, what -- that's a
19 conversation between the person requesting the foul
20 time and the dispatcher?

21 MR. KRUSE: Yes, sir.

22 MR. HIPSKIND: Was that written in? I mean,
23 was that language that was actually in the rule, the
24 process, the procedure?

25 MR. KRUSE: Now, I know I said it was back

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1 in the late 90's, early 2000's, I'm not exactly sure
2 when that came in, the verbiage about confirming your
3 shunt. I'm not -- I'm pretty sure it was at the same
4 time. I may be wrong on that, but yes, that is
5 language that's in there, that you're suppose to
6 confirm your shunt --

7 MR. HIPSKIND: Well, what is --

8 MR. KRUSE: -- and we even have it, if I'm
9 not -- no, I'm not, I'm going to say I'm mistaken or
10 not, I know for a fact, it's on our on track safety
11 briefing.

12 MR. HIPSKIND: Well, let's handle it this
13 way. That might be something I'd want to research,
14 right?

15 MR. KRUSE: Yes.

16 MR. HIPSKIND: The progression of --

17 MR. KRUSE: Yes.

18 MR. HIPSKIND: -- the --

19 MR. KRUSE: Yes.

20 MR. HIPSKIND: -- we've got something on the
21 track, it's going to be for more than five minutes.
22 It's substantial. It's not something we can readily
23 get off, but it's in that category of shunts aren't
24 optional, got to put it on the --

25 MR. KRUSE: No, that's in our RWP. That's

1 in our RWP regulations. I don't know the number of it
2 --

3 MR. HIPSKIND: No.

4 MR. KRUSE: -- and forgive me on that.

5 MR. HIPSKIND: Regulation or rule? Amtrak
6 rule or FRA regulation?

7 MR. KRUSE: I believe it's an FRA
8 regulation.

9 MR. HIPSKIND: Okay.

10 INTERVIEWER: Say it again.

11 MR. HIPSKIND: Shunts are --

12 INTERVIEWER: That was a good question.

13 INTERVIEWER: He just --

14 MR. HIPSKIND: Let's not have open
15 discussion while we're recording, okay? Please. Thank
16 you.

17 So, that's -- I'll just bring it to a close.
18 That is something I'll look into.

19 I think it's interesting that language has
20 evolved and maybe the process or procedure maybe has,
21 you know, evolved over time.

22 That's all I've got for right now. Dave,
23 any questions from you?

24 MR. KANNENBERG: Yes, I got a couple pages
25 that I just jotted down in between rounds here, but in

1 all seriousness, Frank.

2 You did -- couple of things came to mind,
3 when you were just talking about foul time and the five
4 minutes. I did ask -- I think I know the answer. I'm
5 going to ask it, just so it's on the tape.

6 Is there anything on the foul time log book
7 that would tell somebody or remind somebody that after
8 five minutes with machinery on track, you would need
9 shunts?

10 MR. KRUSE: The foul time log book?

11 MR. KANNENBERG: Yes.

12 MR. KRUSE: I don't believe so.

13 MR. KANNENBERG: And I didn't see one. I
14 don't know if that's the only form, but I know there is
15 not one on that form, and then also --

16 MR. KRUSE: No.

17 MR. KANNENBERG: -- on the job safety
18 briefing form, I know it mentions shunts, but does it
19 mention anything about five minutes with machinery
20 needing shunts?

21 MR. KRUSE: On the on track briefing, I
22 don't believe it mentions the five minute.

23 MR. KANNENBERG: Or machinery.

24 MR. KRUSE: Or machinery, but it does ask if
25 an -- forgive me, I don't -- I can't read it verbatim

1 in my head, but I know it's like, if you are going to
2 acquire foul time, will SSD's be applied, yes or no.

3 MR. KANNENBERG: Yes.

4 MR. KRUSE: Then it's asking shunt
5 confirmed. I know for a fact, that's on there, but the
6 verbiage leading up to that, I mean, I'm just
7 paraphrasing but --

8 MR. KANNENBERG: Yes, and with --

9 MR. KRUSE: -- it might be slightly
10 different, as it's written, but I think that's what it
11 is.

12 MR. KANNENBERG: More of an observation,
13 than a question. With all the horse-power from Amtrak
14 in this room, that may be an opportunity for a memory
15 jogger, if a guy is out there, he's got something in
16 front of him that says hey, I'm going to be out there
17 for five minutes with a piece of machinery. I got to
18 get an SSD.

19 That might be an opportunity, for you guys
20 to look at, just occurred to me.

21 The -- how -- how else would somebody
22 reference the five minute machinery rule if they were
23 out on track, not necessarily -- anybody on the --
24 anybody that's on the gang --

25 MR. KRUSE: When you're referring to how

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1 would they reference, how would they determine if
2 they're going to be there for more than five minutes or
3 --

4 MR. KANNENBERG: How would they determine
5 what the rule is?

6 MR. KRUSE: How would they determine what
7 the rule -- well, if they're RWP qualified, they should
8 know what the rule is. It's in our RWP training and
9 it's something that we go in, on a yearly basis.

10 MR. KANNENBERG: Okay, we were talking --
11 and I'm not playing gotcha here.

12 MR. KRUSE: I understand.

13 MR. KANNENBERG: We were talking earlier,
14 it's not in the RWP on track safety manual. It's in
15 the NORAD book, which is not in the on track safety
16 manual. Correct?

17 MR. KRUSE: It's in RWP., also.

18 MR. KANNENBERG: Okay, but not in the on
19 track safety book?

20 INTERVIEWER: If you know, fine. If you
21 don't, that's fine too.

22 MR. KRUSE: Okay.

23 MR. KANNENBERG: That's fine.

24 MR. KRUSE: Okay.

25 MR. KANNENBERG: So, I was just saying,

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1 anyhow, I thought maybe this would be a way for people
2 to understand that.

3 INTERVIEWER: And we'll talk about
4 efficiency testing later outside of this.

5 MR. KRUSE: Okay.

6 INTERVIEWER: Because we're going to -- for
7 another -- for something completely unrelated.

8 MR. KRUSE: Okay.

9 MR. HIPSKIND: Okay, Steve, anything?

10 MR. STEARN: Just a little bit. In some of
11 your comments, it seemed to me, and I don't know if the
12 others got the -- the same feeling, that for whatever
13 reason, you seem to feel more comfortable with your
14 older or senior or more experienced foremen than your
15 newer or fresh out of training type of foreman type.
16 Would that be like correct?

17 MR. KRUSE: That would be a fair assessment,
18 yes.

19 MR. STEARN: And is it just because of the
20 experience or that you know those folks or is there
21 something that you could correlate with the quality of
22 training or the product that we're producing in the
23 end, that may be concerning to you?

24 MR. KRUSE: The biggest motivating factor
25 for me is that, you know, like I said, I have 39 years

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1 with Amtrak and I would say probably 36 ½ of them have
2 been spent in the Philadelphia sub-division.

3 So, the foremen that are in the Philadelphia
4 sub-division, it all came up with me, I'm very
5 comfortable with them. I know who they are. I know who
6 the cowboys are and I know who the, you know, the guys
7 that really know their craft, and most of -- you know,
8 there's not a whole lot of them left.

9 But it's primarily because I know them
10 personally, that's why I feel comfortable working with
11 them. But the younger guys, there are some guys in my
12 opinion, that they feel that they just want to get the
13 white hat, the shiny hard hat, and you know, the
14 leather bound notebook, so they can, you know, I'm the
15 boss-man now, and then there are others that truly -- I
16 think they're going to be good guys, but and there are
17 some that I don't think should be foremen, because I
18 don't think they have the aptitude or the understanding
19 of what we're actually doing out there.

20 MR. STEARN: So, have you given any thought
21 to how those two different types might be somehow --

22 MR. KRUSE: I think --

23 MR. STEARN: -- addressed, those who maybe
24 need more help, could be given more help, or those who
25 are not grasping or just looking for the white hat, in

1 your words, could be weeded out, so to speak?

2 MR. KRUSE: Well, I wish -- you know, there
3 are ways to weed them out, but unfortunately, it's --
4 you know, it's something that would have to be, you
5 know, disciplinary wise, you know, and you just can't
6 say, "Hey, I don't think you know what you're doing.
7 I'm going to take your roster date off and I'm taking
8 your hard hat away."

9 There has to be cause, other than to just
10 say, "I don't think this guy knows what he's doing out
11 there."

12 I think that we need to do more with our --
13 we have foremen that -- we have guys that are -- you
14 know, going to foremen school, and one of the pre-
15 requisite is that they have to have a minimum of two
16 years and then next thing, they get their two years,
17 they bid foremen school. If they happen to be the
18 senior bidder, they get into foremen school.

19 They go to their six weeks or seven weeks of
20 classroom training, whatever it might be, and then they
21 come out with an MW1000 card that they're qualified to
22 construct, maintain and inspect Class 1 through 9
23 railroad, but I don't even know they know what that
24 means.

25 You know, I don't think -- I think two years

1 is -- you know, some people have two years worth of
2 experience. Other people might get hired and they
3 might get put on the TLM and they're slinging angle-
4 iron for two years, and they're tired of doing that
5 shit. They're going to -- excuse me, they're tired of
6 doing that, and they're going to big foremen school.

7 So, for two years, they were on a tie-down
8 card, which you're not far from the field. You know,
9 we all refer to it as the rock, you know, and then, you
10 know, they do the same thing, dropping clips or
11 whatever, for two years, and they get their two years
12 in, they bid foremen school, and the next thing you
13 know, they're given to me as an inspector and I'm
14 suppose to let them go out there walk Class 6 or 7
15 territory. I don't feel too comfortable with that.

16 MR. STEARN: Okay, and I can appreciate your
17 comments, and then just one more -- just one other
18 thing, Frank.

19 You know, there's been a lot of discussion
20 in the -- since -- since -- in the investigation,
21 regarding radios and regarding cell phones.

22 So, do you understand that there is a lot of
23 cell phone communication with dispatch going on out
24 there, that maybe should be conducted over radio, where
25 all parties would be --

1 MR. KRUSE: We strongly -- we do not want
2 people conducting movement activities using cell
3 phones. We want everybody to use radios, whether it be
4 a hand-held radio or a fixed radio, whether it be in
5 the pickup truck sitting on the access road, or it's
6 actually in the piece of equipment.

7 The use of cell phones to conduct operations
8 is not -- that's not -- no, that's not -- no, that's
9 not good.

10 MR. STEARN: Wasn't there memos? Wasn't
11 there --

12 MR. KRUSE: Yes, we can use --

13 MR. STEARN: -- polices issued --

14 MR. KRUSE: Yes.

15 MR. STEARN: -- that spoke exactly to that?

16 MR. KRUSE: Yes. Yes, they're not to be
17 used to conduct business, only in emergency situation
18 that you would be able to use, and that's a company-
19 issued cell phone.

20 Obviously, if you have a personal cell phone
21 in your pocket, there's an emergency, yes, use it, but
22 definitely not personal cell phones are to be used out
23 here. The only cell phones that are permissible out
24 here are ones that are company-issued, or if you have
25 written authorization, which I do not -- I'm not going

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1 to give anybody authorization to use their personal
2 cell.

3 MR. STEARN: And thanks, Frank, and thanks
4 for your comments. I appreciate it, and Mike is going
5 to ask a few things.

6 MR. TRAINA: Actually, you struck a cord
7 with me here. You were talking about foremen having
8 two years experience.

9 What do you feel about supervisors, as the
10 supervisor?

11 MR. KRUSE: I feel, for what he -- I know
12 we're referring to Kyle, like I said, I thought Kyle --
13 I felt Kyle to be, and I still do feel that he can be a
14 quick -- you know, quick learner.

15 If I'm not mistaken, I think he was in that
16 realm and I'm not going to swear to that, but I think
17 he did have -- or if not, very close to two years in
18 the management associate program. I'm not sure of
19 that.

20 But I mean, the kid's got a degree in
21 engineering. Like I said, he -- the time I've worked
22 with him, you know, I worked a lot with him. I put him
23 out there at night on his own, you know, to oversee our
24 high speed servicing unit with the -- you know, from
25 the production, with Mike Palumbo, out there at Zoo

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1 interlock, out at JO, and that's a -- you know, it's a
2 pretty tough territory out there, and he worked with an
3 under-cutter that we had out there and he was doing
4 good, and I have -- with my tie gang and all of that.

5 I just thought it was good, but to be honest
6 with you, I never looked at it that way at the time,
7 no.

8 MR. TRAINA: The only reason I'm asking that
9 is because during our interviews, a couple things that
10 just troubled me a little bit.

11 I just think it's something that needs to be
12 looked at a little bit further, not necessarily with
13 him, but in the future. Maybe if you keep that in
14 mind, because there was a little bit of a disconnect
15 there, during the interview that troubled me.

16 MR. KRUSE: With Kyle?

17 MR. TRAINA: Yes. Being -- not being
18 familiar with pretty basic rules.

19 MR. KRUSE: That's troubling, to hear that.

20 MR. TRAINA: Yes, but what's done is done.
21 That's it, Frank.

22 MR. KRUSE: Yes, thank you.

23 MR. HIPSKIND: Thanks, Mike. Matt?

24 MR. PORTO: How often do you receive
25 communications from system -- engineering system

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1 safety?

2 MR. KRUSE: Weekly.

3 MR. PORTO: And how do you leverage those
4 communications as a manager, as far as safety out in
5 the field?

6 MR. KRUSE: Make sure everybody has them,
7 distribute them. Well, they're all distributed via
8 email, though, but just to make sure everybody is aware
9 of what -- like, you know, every week, we get a new
10 safety focus for the week.

11 We have our safety liaison, George, who I
12 work with. You know, it gets filtered down to the
13 field. The field definitely has access to that.

14 MR. PORTO: Do you -- when you receive
15 communications, are you taking them out and as a
16 manager and a leader of the -- of those gangs, discuss
17 that with them?

18 MR. KRUSE: Not on every one, no. I have
19 not on every one, no. I have -- but no, I have
20 discovered -- have discussed those incidents in detail
21 with my crew, whether -- Phillie and Wilmington,
22 sometimes I don't do both of them. I'll charge that
23 with the supervisor to do that though, but I do make
24 sure that they get discussed with the guys.

25 MR. PORTO: Do you receive the (inaudible)

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1 statistical analytics for -- broken down by division?

2 MR. KRUSE: Yes.

3 MR. PORTO: What do you do with those --
4 with that information?

5 MR. KRUSE: Share it with my supervisors.

6 MR. PORTO: Do you leverage it to facilitate
7 and focus (inaudible) observations or is it -- is that
8 at least a separate --

9 MR. KRUSE: It's pretty much separated from
10 that, Matt, to be honest with you, yes.

11 MR. PORTO: Okay. That's all. Thank you.

12 MR. HIPSKIND: Fran.

13 MR. WALKER: Fran Walker. You mentioned
14 there is a written company policy that personal cell
15 phones are not to be used except in emergency.

16 MR. KRUSE: I cannot say for sure that I
17 have it, but I know that is something that we -- yes,
18 it was getting out -- that was something that was put
19 out as a -- I am not going to say as a safety alert or
20 -- but I know that has come out on paper, that personal
21 cell phones -- and it's also part of -- I believe
22 that's part of our RWP training, as well, that cell
23 phones are suppose to be stowed away. You can have them
24 on your person as long as they're stowed away and
25 turned off.

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1 MR. WALKER: Okay, so, would you consider it
2 emergency that when Mr. Robinson called up and cleared
3 his authority with a personal cell phone, that he was
4 complying with company policy? Do you think it was an
5 emergency, that he had to clear up with that -- with a
6 personal cell phone?

7 MR. KRUSE: No, he didn't have to clear up
8 with a personal cell phone at all, no, and there was no
9 emergency to give that track back. We had that track
10 until 5:00 a.m. Monday morning.

11 MR. WALKER: All right, no more questions
12 from me.

13 MR. HIPSKIND: Thank you, Fran. Lou?

14 MR. TOMASSONE: Thanks. Lou Tomassone. Do
15 all the Amtrak trucks have radios equipped with them?

16 MR. KRUSE: No, they do not.

17 MR. TOMASSONE: Is it in the power of the
18 supervisor to get radios installed into the Amtrak
19 vehicles?

20 MR. KRUSE: Supervisor would probably
21 request that from me, that he would want to get them
22 all in there, but no, our trucks are not required to
23 have them all, as long as we have working radios on the
24 job, and all our foremen should be issued our portable
25 radios and then we have just a big change over when we

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1 did the frequency, from the old Motorola's to the
2 Icom's.

3 MR. TOMASSONE: And have you had complaints
4 about reception issues with these hand-held radios?

5 MR. KRUSE: Infrequently.

6 MR. TOMASSONE: Infrequently?

7 MR. KRUSE: Yes.

8 MR. TOMASSONE: Okay, and is there any
9 reason why they wouldn't have a radio installed in each
10 truck?

11 MR. KRUSE: There is no reason why there
12 wouldn't be a radio installed in each truck, but I
13 mean, to outfit every vehicle on the property, I don't
14 really see that as being feasible, but there is no --
15 there is no directive that we cannot.

16 MR. TOMASSONE: Okay, that's all I got.

17 MR. HIPSKIND: Thank you, Lou. Ryan?

18 MR. FRIGO: Ryan Frigo. Frank, just so I
19 understand better about how the outage is planned. Is
20 that at your level?

21 MR. KRUSE: Yes.

22 MR. FRIGO: Okay, and as part of the -- the
23 planning that goes into that, and the execution of that
24 work, is there any requirement to perform a hazard
25 assessment of the physical location where the work is

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1 going to be performed?

2 MR. KRUSE: We could do a -- we know, from
3 just being familiar with the territory, obviously,
4 we're not one of the groups. A production group who is
5 jumping from section to section, up and down the
6 southern district or northeast corridor, I mean, these
7 guys are very familiar. This is like their backyard.

8 So, we know primarily what we have out
9 there, but if we do have a larger job -- this job, the
10 way we looked at it was like routine maintenance, you
11 know. I mean, Frannie, I walked with Frannie 100,000,
12 and you know, he's writing up these mud spots left and
13 right, and now, he bailed out on us and he left Lou
14 with everything.

15 But you know, Lou identified -- you know,
16 they'll find mud spots and that's what we address, and
17 I am fortunate enough finally to get a VAC train in my
18 territory, and this thing here, this VAC train is just
19 -- it's another maintenance machine for us to -- to do
20 our work.

21 But yes, there is assessments with it, what
22 -- you know, what kind of work are we doing? How big
23 of a job are we going to do and what are we going to
24 need, you know, whether it be, you know, fouls on our
25 adjacent tracks, two tracks out of service, what have

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1 you, but we do talk about that, and I would talk about
2 that with the supervisor.

3 MR. FRIGO: And is there any documentation,
4 formalized documentation that would be between you and
5 the supervisor, that would say for -- for a job such as
6 this, you know, here is the plan?

7 MR. KRUSE: I understand what you're saying,
8 and for this job, no, there was no formal documentation
9 that we used for this job, no, there wasn't.

10 MR. FRIGO: Okay.

11 MR. KRUSE: Moving forward, yes, there will
12 be.

13 MR. FRIGO: Is that something you'll have to
14 create or does that exist already?

15 MR. KRUSE: No, there is something exists,
16 primarily used by the production group, but it's also
17 used by the maintenance side, as well, when we do like
18 -- you know, like for instance, we just recently did in
19 the Fall -- we did the Chester bio-duct. You know, we
20 put in like 900 bridge timbers on an open deck bridge.

21 That is a big project. That is something
22 where we would bring in like a site specific work plan,
23 where it would detail, you know, any kind of like, you
24 know, hazards, you know.

25 Yes, fall protection, we got to supply fall

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1 protection. You know, we got to put the nets under
2 there. We have to have like -- what hospital are we
3 going to? Is there any kind of environmental hazards?
4 Yes, there is a site specific work plan that can be
5 utilized.

6 But like I said, there was none used for
7 this weekend, because, right, wrong or indifferent, it
8 was something that us maintenance guys looked at, I
9 mean, we don't do an SSWP every night, when we take the
10 VAC train out. We're just going out to VAC out a mud
11 spot, and that's what we're doing. You know?

12 MR. FRIGO: So, there's no requirement to do
13 it?

14 MR. KRUSE: That ain't the way we looked at
15 this job, no, and if other people are going to sit back
16 and you know, Monday morning quarter-back and say, I
17 should have had an SSD for that job, then -- but --

18 MR. FRIGO: I'm just trying to understand
19 more of the internal policy and --

20 MR. KRUSE: For big projects -- for big
21 projects, like if we are going to do like major switch
22 installs, when we're ripping out switches, yes, there
23 would be site specific work plans for that.

24 Like, you know, out there at a -- you know,
25 we're going to be getting ready to do a big cut-over

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1 type of job that we're going to be doing out in
2 (inaudible) before the end of the year, where we're
3 going to be putting in three brand new turn outs, over
4 there at the (inaudible) project.

5 We got to do a cut and throw. For big
6 projects, we would do a site specific work plan, and we
7 do have them in the engineering department, and you
8 know, they're primarily, you know, I'm losing the word
9 I'm looking for, like blanks, that you just -- you
10 know, you can fill in the -- fill in the blank, so to
11 speak, you know.

12 But we do have site specific work plans. A
13 format, a format for that.

14 MR. FRIGO: Great. Thank you, Frank.

15 MR. HIPSKIND: Let me just -- Frank, let me
16 just ask you another just general question, then if
17 there is nothing else, we'll go ahead close out the
18 interview.

19 What the -- you got 135 people and over 100
20 miles of territory and a mix of yards and Philadelphia
21 and new employees, old employees, training schedules
22 being pulled in a lot of different directions. You got
23 weather. All kinds of things.

24 So, what are your biggest challenges and how
25 do you tackle it?

1 MR. KRUSE: My biggest challenges are just -
2 - you know, managing the work force is not as difficult
3 as trying to juggle all the administrative duties that
4 are required of an ADE, all the inspection compliance,
5 the safety compliance. Being in the office, being out
6 in the field, being in Wilmington, being in Phillie,
7 being in (inaudible) it's just a challenge to try to
8 have like, you know, it's a -- you know, trying to keep
9 all the balls in the air.

10 You try to do -- the biggest challenge is
11 trying to maintain your administrative work, to keep
12 all that stuff current and up to date, you know, with
13 our inspections, our reports, everything
14 administratively, and also time to get out in the
15 field, and we try to make as much time to get out in
16 the field.

17 Like I said, I've just become a manager two
18 years ago. So, I got 39 years, over 37 of those 39
19 years, I've been out in the field.

20 So, this is a change for me. Honestly,
21 that's the one thing I don't like about this job is, as
22 much as it chains you to a chair in front of a laptop,
23 or you know, your desk. You know, I -- that's the
24 challenge, trying to juggle your administrative work
25 and be out in the field and have the field presence at

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1 the same time.

2 MR. HIPSKIND: I don't think you'll have any
3 problems. I've heard this before.

4 So, all right, if nobody has anything else
5 burning, let me ask you some -- Frank, some of the
6 questions that we kind of reviewed earlier.

7 Is there anything that you'd like to add or
8 change or talk more about in our interview, or
9 discussion with you today?

10 MR. KRUSE: Nothing that's hitting me right
11 now, no, sir.

12 MR. HIPSKIND: Okay, and are there any
13 questions we should have asked, but we did not, or some
14 topic that maybe we should have covered, but did not?

15 MR. KRUSE: No, I don't believe so, no.

16 MR. HIPSKIND: Okay, do you have any
17 suggestions for preventing a reoccurrence, the incident
18 -- the event that happened on Sunday?

19 MR. KRUSE: The only recommendation that I
20 have, which I'm going to -- I don't know if I would be
21 stepping on people's toes or not, but I know we spoke
22 about this.

23 Unfortunately, it's like bad karma, we were
24 talking about this prior to this incident, about SSD's
25 and fouling the track, that right now, under our rules,

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1 SSD's are required to be used only if we're fouling
2 with equipment, and I think moving forward, I think as
3 Amtrak and systems safety, which I -- you know, I was
4 ready to say I'm not part of, but I guess I am, you
5 know.

6 But I think that is something that we should
7 make a requirement for all our people, how we do that?
8 Is it -- where do you draw the line? Like, if we're
9 calling up for a two minute foul, do we put SSD's down?
10 I mean, of course, you can get killed in two minutes.
11 These guys -- you know.

12 Is it something that we should do with the
13 equipment, because I mean, under our rules, I can get a
14 foul right now and put a piece of equipment on the
15 tracks, as long as I know I'm not going to be out there
16 for more than five minutes. So, I'm not required to
17 have SSD's.

18 If I wanted to cross four track territory
19 and said, I need a foul on one, two, three and four
20 between 15 and 16, they'll give it to me and I can ride
21 a backhoe across the tracks. I don't need no SSD's
22 under our rules right now.

23 I think in order to overtake this, I mean, what
24 is the difference if I have a piece of equipment or I
25 have my guys out there? My guys just got killed. I

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1 think moving forward we should have -- that should be a
2 rule, that regard -- if we're going to foul for more
3 than five minutes, regardless of the task or the
4 equipment we're using, I think that should be a
5 requirement to have SSD's applied.

6 MR. HIPSKIND: So, the (inaudible) in your
7 opinion is more restrictive?

8 MR. KRUSE: Yes, yes, absolutely, yes.
9 That's what I would do. If I had sole jurisdiction,
10 that's exactly what I would do. In fact, I am going to
11 be telling my guys in Phillie, that's why I'm saying I
12 don't know if I'd be stepping on people's toes, but
13 that's what I'm going to direct my people in
14 Philadelphia, regardless if they have equipment or not,
15 I want them to use SSD's when they're acquiring foul
16 time on main line track.

17 MR. HIPSKIND: Okay, fair enough, and is
18 there a question -- is there anyone else who we should
19 interview, in your opinion?

20 MR. KRUSE: Not that I'm aware of. I assume
21 you're going to be interviewing everybody that was
22 actually present during the incident, and obviously, I
23 know you interviewed Kyle, and I just heard today that
24 you interviewed Will.

25 So, I don't know if you're interviewing the

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1 other two gentlemen that worked Saturday night or not,
2 but I think the key players been covered.

3 MR. HIPSKIND: Okay, thank you. Any other
4 comments? Questions?

5 All right, listen, I just have a bad habit,
6 we try and set up a sequence of interviews, and I end
7 up making people wait. So, you have my sincere
8 apology, but you also have my sincere thanks, and on
9 behalf of everybody in here, thank you very much for
10 taking some time out of your busy schedule. We just --
11 just bear in mind, we did get you out of the office.

12 MR. KRUSE: Yes, you did.

13 MR. HIPSKIND: Okay, so, thanks very much.

14 {Off the record.}

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C E R T I F I C A T E

MATTER: Amtrak Train 89 Accident
April 3, 2016 near Chester, PA
Accident No. DC16FR007
Interview of Frank Kruse

DATE: 04-07-16

I hereby certify that the attached transcription of page 1 to 72 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



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