

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD

INVESTIGATION OF:

WMATA INCIDENT AT L'ENFANT
PLAZA STATION, WASHINGTON, D.C.
JANUARY 12, 2015

DOCKET NO.: DCA-15-FR-004

Answers to Interrogatories

1. Please provide your full name, occupation, current employer and current position.

ANSWER: These answers to interrogatories are being provided by Louis Brown, Acting Chief Safety Officer, WMATA, Department of Safety and Environmental Management in my capacity as the WMATA contact in the National Transportation Safety Board investigation of the January 12, 2015 incident. In providing this information, it is assumed that the questions are directed to Hercules Ballard, Managing Director of Rail Transportation for the Washington Area Metropolitan Transit Authority ("WMATA") who testified before the NTSB on June 23, 2015. Because Mr. Ballard was not present in the Rail Operations Control Center on January 12, 2015, all information provided by him regarding the incident is based upon information, including interviews, meetings and documents, obtained and/or reviewed by Mr. Ballard in preparation for testifying before the NTSB.

Preparing for Hearing Testimony

2. How did you prepare for your testimony on June 23, 2015, at the NTSB hearing into the January 12, 2015, incident at the L'Enfant Plaza Station?

ANSWER: Mr. Ballard reviewed materials generated in the course of the NTSB's investigation, reviewed topics provided by Mr. Blackistone, participated in meetings with consultants retained by WMATA's insurer, specifically O'Neill & Associates and Hill & Knowlton. Mr. Ballard also met with counsel for WMATA, members of the Executive Leadership Team including General Manager Jack Requa, Chief of Staff Barbara Richardson, Deputy General Manager of Operations A. Robert Troup, Assistant General Manager Lynn Bowersox, James Dougherty former WMATA Chief Safety Officer and Marcel Malloy Assistant Superintendent of Rail Operations Control Center.

3. Did you participate in or attend the investigators' interviews of the OCC controller and/or operator of Train 302 on duty at the time of the January 12, 2015, incident?

ANSWER: Yes. Please refer to the January 15, 2015 transcripts of the interviews of James Curley and Vale're White.

4. Did you take notes during the interviews referenced in Interrogatory No. 3?

ANSWER: Yes, Mr. Ballard did take notes during the interviews referenced in Interrogatory No. 3.

5. If your answer to Interrogatory No. 4 is in the affirmative, please provide copies of those notes, and describe in detail the extent to which you reviewed those notes prior to testifying on June 23, 2015 at the NTSB hearing into the January 12, 2015, incident at the L'Enfant Plaza Station.

ANSWER: Copies of the notes were previously provided to the NTSB and are also attached hereto. Mr. Ballard did not review those notes prior to testifying on June 23, 2015.

6. Prior to testifying on June 23, 2015, at the NTSB hearing into the January 12, 2015, incident at the L'Enfant Plaza Station, did you review the transcripts of the investigators' interviews with the OCC controller and/or operator of Train 302 on duty at the time of the January 12, 2015, incident?

ANSWER: Yes.

7. Prior to testifying on June 23, 2015, at the NTSB hearing into the January 12, 2015, incident at the L'Enfant Plaza Station, did you review the transcript of the OCC main radio (ops 3) communications related to the January 12, 2015, incident?

ANSWER: Mr. Ballard listened to a portion of the audio tape.

Preparing for Interrogatories

8. How have you prepared to answer these interrogatories?

ANSWER: These interrogatory answers were prepared with the assistance of counsel. Some of the phrasing and wording is that of counsel. In preparing these answers, materials assembled and generated as a result of the NTSB in its investigation of the January 12, 2015 incident have been reviewed. The interrogatories are being answered by Acting Chief Safety Officer who is the primary contact in WMATA regarding the investigation being conducted by the NTSB.

9. Identify every individual with whom you communicated in preparing the answers to these interrogatories.

ANSWER: Mr. Ballard communicated with counsel and A. Robert Troup.

10. In answering these interrogatories, have you reviewed your testimony on June 23, 2015, during the NTSB hearing into the January 12, 2015, incident at the L'Enfant Plaza Station?

ANSWER: Yes, Mr. Ballard did review his testimony.

11. In answering these interrogatories, have you reviewed the transcripts of the investigators' interviews with the OCC controller and operator of Train 302 on duty at the time of the January 12, 2015, incident at the L'Enfant Plaza Station?

ANSWER: Yes, Mr. Ballard did review these transcripts.

12. In answering these interrogatories, have you reviewed the transcript of the OCC main radio (ops 3) during the period of the January 12, 2015, incident at the L'Enfant Plaza Station?

ANSWER: No. Mr. Ballard was not provided with a transcript for review.

WMATA Post-Accident Report

13. Was a post-incident review, analysis or any other document prepared by WMATA or on WMATA's behalf related to the January 12, 2015, incident at the L'Enfant Plaza Station?

ANSWER: A document known to Mr. Ballard as a car equipment analysis of the status of third rail power to Train #302 was prepared. That document is attached hereto and actually titled VMS Data Analysis and Comparison. Mr. Ballard referred to this document in his testimony. This document has previously been provided to the NTSB.

14. If your answer to Interrogatory No. 13 is in the affirmative, identify the post-incident review, analysis or document, and the WMATA employee from whom it may be obtained.

ANSWER: WMATA produced the document to NTSB in the course of the investigation. An additional copy is attached hereto.

15. During your testimony on June 23, 2015, at the NTSB hearing into the January 12, 2015, incident at the L'Enfant Plaza Station, you testified as to the existence of a post-incident report prepared by WMATA, saying: "there is the report, but I'm not sure today what the specific title of that report would be. But once I get that report, then I'll be able to forward that information to you, let you know what the title of the report is." To date, no such information has been received by the NTSB. Please identify the report you described and the WMATA employee from whom it may be obtained.

ANSWER: See Answer Number 13. During Mr. Ballard's testimony the "report" referenced was the report of the status of third rail power.

Operator Authority to Move

16. Please describe in detail any and all circumstances under which an operator of a Metrorail train is authorized to move a train without specific instructions from an OCC controller.

ANSWER: Train operators may move a train absent specific verbal instructions from an OCC controller if the operator is on speed command, that is, has a lunar, or green, signal.

If, upon entering a rail station, a portion of a rail car consist is on the platform, but the remaining consist is not on the platform, the operator may also move the remaining cars in the consist onto the platform absent specific verbal instructions from an OCC controller.

17. Please describe in detail what would have been required of (a) the operator of Train 302; (b) the operator of Train 510; (c) the OCC controller; and (d) any other WMATA or MTPD personnel to move Train 302 to a platform at the L'Enfant Plaza Station after the smoke encounter on January 12, 2015.

ANSWER: Upon information and belief, in order to move Train #302 back into the L'Enfant Plaza Station during the time of the incident, the OCC would communicate the plan to the operators of Train #302 and Train #510. The operator of Train #302 would be required to reverse ends on the train and, if able, move the train back to the platform close enough so that passengers could exit Train #302 either onto the platform or close enough to Train #510 to use that train as a rescue train. OCC would properly align the switches to create a route in order for Train #302 to move back into L'Enfant Plaza station. OCC would give the operator of Train #302 permission to pass a red signal (known as an absolute block). OCC would then give the operator permission to move back onto the L'Enfant Plaza platform by giving permission to the operator to move in stages back to the platform. Train #302 would have needed sufficient third rail power in order to move.

18. When and by whom was the third rail de-energized in the vicinity of Train 302 and the L'Enfant Plaza Station on January 12, 2015?

ANSWER: Upon information and belief, Mr. Ballard's information is that all third rail power in the tunnel in the vicinity of Train #302 was de-energized by OCC when the operator reported that passengers had begun self-evacuating from Train #302. Upon information and belief, power on the platform was de-energized by District of Columbia Fire Department personnel who de-energized power at the platform by activating the Emergency Trip Station (ETS). Upon review of the incident, however, third rail power was depleted, but not completely de-energized, on a section of the rail in contact with Train #302. That fact was not evident to OCC.

19. When and how did the OCC become aware that the third rail had been de-energized in the vicinity of Train 302 and the L'Enfant Plaza Station on January 12, 2015?

ANSWER: Upon information and belief, Mr. Ballard's information is that OCC was unaware that there was insufficient third rail power in some section(s) of the rail in the tunnel in the vicinity of Train #302. Upon information and belief, OCC de-energized third rail power upon receiving information from the operator of Train #302 that passengers were self-evacuating. Power on the platform at L'Enfant Plaza Station was de-energized by District of Columbia Fire Department personnel who de-energized power at the platform by activating the ETS.

20. When, if ever, and by whom, was the operator of Train 302 instructed to reverse ends on January 12, 2015?

ANSWER: Upon information and belief, and based upon testimony in interviews with the NTSB, Operator Curley reported that he was given permission to reverse ends with the intent to move Train #302 back to the L'Enfant Plaza Platform. See Curley Interview portions attached hereto. It is also noted that at 3:18:10 OCC asked Operator Curley to let them know when he had reached the lead car facing L'Enfant Plaza station and at 3:18:50 Operator Curley so reported.

21. Please describe in detail the basis for your answer to Interrogatory No. 20.

ANSWER: See attached portions of Operator Curley interview and the response to Interrogatory #20.

22. When, if ever, did the operator of Train 302 perform close end procedures after the smoke encounter on January 12, 2015?

ANSWER: Upon information and belief, "close end procedure" was never performed.

23. Please describe in detail the basis for your answer to Interrogatory No. 22.

ANSWER: Not applicable.

24. When, if ever, did the operator of Train 302 move to the operating position of the car closest to the L'Enfant Plaza Station after the smoke encounter on January 12, 2015?

ANSWER: See attached portion of the Interview with Operator Curley. Also, the audio appears to indicate that at 3:18:50 Operator Curley indicated that he had reversed ends.

25. Please describe in detail the basis for your answer to Interrogatory No. 24.

ANSWER: See interview transcript of Operator Curley and audio transmission.

26. When, if ever, did the operator of Train 302 attempt to key up or power up Train 302 from the end closest to the L'Enfant Plaza Station after the smoke encounter on January 12, 2015?

ANSWER: Upon information and belief, Operator Curley attempted to key up after reversing ends. Upon information and belief, Operator Curley keyed up at 3:18:45. It appears that he reported at 3:25:22 that the brakes were in emergency or BIE'ed and he was unable to move the train.

27. Please describe in detail the basis for your answer to Interrogatory No. 26, and provide details as to the time(s) of any attempts to key up or power up Train 302, and the results of those attempts.

ANSWER: See interview transcript of Operator Curley, audio transmission and the attached data analysis report ("3:18:45 3031 is keyed up").

28. When, if ever, did the operator of Train 302 attempt to move Train 302, from either end, after encountering smoke on January 12, 2015?

ANSWER: Upon information and belief, Operator Curley attempted to key up after reversing ends. It appears that he reported at 3:25:22 that the brakes were in emergency or BIE'ed and he was unable to move the train. In addition, the Operator reported that he returned to two cars of the consist and attempted to release brakes but was unable to do so. All actions being taken by Operator Curley were actions an operator can take in an effort to move the train consist back to, in this case, L'Enfant Plaza platform.

29. Please describe in detail the basis for your answer to Interrogatory No. 28, and provide details as to the time(s) of any attempts to move Train 302, and the results of those attempts.

ANSWER: Upon information and belief, attempts to move Train #302 were unsuccessful. See Answers to Interrogatories #24 through #28 as well as the VMS Data Analysis and Comparison for Train #302 attached hereto.

30. Please describe in detail any and all times when Train 302 moved, whether commanded or not, after the initial smoke encounter. For each occurrence, describe in detail: (a) the circumstances of each movement, to include whether the movement was commanded by the operator; (b) whether the movement was ordered or authorized by the OCC controller or other individuals, whether WMATA employees or not; (c) the estimated distance traveled in each movement; (d) the circumstances and events that caused the movement to stop, to include whether those circumstances and events were commanded by the operator; and (e) whether the stop was ordered or authorized by the OCC controller or other individuals, whether WMATA employees or not.

ANSWER: The Mechanical Report indicated that the train did not move after it came to the initial stop outside L'Enfant Plaza station.

31. For each instance described in your answer to Interrogatory No. 30, please describe your basis for all information provided.

ANSWER: Not applicable.

32. To what extent did the location of Train 510, including as Train 510 approached the L'Enfant Plaza Station and after Train 510 stopped at the platform in the L'Enfant Plaza Station, affect movement of Train 302 after the smoke encounter on January 12, 2015?

ANSWER: Upon information and belief, the position of Train #510 did not affect efforts to move Train #302.

33. Please describe in detail the basis for your answer to Interrogatory No. 32.

ANSWER: Because Train #302 did not have sufficient third rail power to move back to L'Enfant Plaza station, the position of Train #510 did not affect the intended movement of Train #302. Also, upon information and belief, Train #510 was stopped at the 6 car marker on the platform at L'Enfant Plaza which would have allowed Train #302 to move to a position on the platform sufficient to evacuate passengers safely. Also, personnel are able to evacuate trains by moving them close enough to permit evacuation from one train to another. The position of Train #510 on the platform could have permitted an evacuation in that manner.

Train 510

34. Could Train 302 have been safely moved to the L'Enfant Plaza Station without moving Train 510 from the position where it stopped and the operator [sic] exited the train in the L'Enfant Plaza Station after the smoke encounter on January 12, 2015?

ANSWER: Yes, upon information and belief, there appeared to be sufficient room on the platform at L'Enfant Plaza for a portion of Train #302 to be moved back to the platform such that customers could be evacuated.

35. Please describe in detail all steps, including instructions and commands which would have been required to be issued, for Train 302 to have been safely moved to a platform in the L'Enfant Plaza Station while Train 510 was in the L'Enfant Plaza Station.

ANSWER: OCC would have to grant permission (called a Permissive Block) for Train #302 to move to the interlocking located between Train #302 and L'Enfant Plaza Station. OCC would select a route which would align and lock the switches for a train to move from the tunnel leading to Pentagon Station back to L'Enfant Plaza Station. OCC would then have given Train #302 permission to pass a red signal and move toward the L'Enfant Plaza platform. OCC would have the operator make several safety stops on approach to Train #510 which was stopped on the L'Enfant Plaza platform.

36. Would two-way communications between OCC and the operator of Train 510 have been required prior to reversing Train 302 into the L'Enfant Plaza Station on January 12, 2015?

ANSWER: The safest manner in which to move Train #302 into the L'Enfant Plaza Station would require communication with the operators of each train. However, it is not an absolute requirement.

37. Please describe in detail the reason(s) or purpose(s) behind any and all attempts or instructions to move Train 510 after it stopped at the platform in the L'Enfant Plaza Station.

ANSWER: Upon information and belief, there were no instructions or attempts to move Train #510 after it entered the L'Enfant Plaza Station. WMATA Transit Police Officers evacuated everyone, including the operator of Train #510, from the L'Enfant Plaza Station.

38. Please describe in detail all circumstances which prevented Train 510 from being moved once it stopped at the platform in the L'Enfant Plaza Station on January 12, 2015.

ANSWER: Upon information and belief, Mr. Ballard has learned after the incident that Metro Transit Police evacuated Train #510, including the operator of that train, after it entered L'Enfant Plaza due to the smoky conditions in the station. At or around the same time, DC FEMS personnel triggered the emergency cut-off switch for third rail power at the platform. For specific details, please refer to the NTSB Mechanical, Operations, and Survival Factors working group reports.

39. Please describe in detail what authorization and instructions were required to move Train 510 once it stopped at the platform in the L'Enfant Plaza Station on January 12, 2015.

ANSWER: Upon information and belief, because of the conditions at the time, OCC had to communicate with the operation of Train #510 before that train could be moved.

40. Was the operator of Train 510 ever instructed to stop Train 510 before reaching the platform in the L'Enfant Plaza Station after the smoke encounter on January 12, 2015?

ANSWER: Based upon a review of the audio tapes from OCC on the day of the incident, it appears that OCC Controller White requested that operator of Train #510 stop the train, but is unknown precisely where on the track that train was located when the instruction from OCC was given.

41. If your answer to Interrogatory No. 40 is in the affirmative, please describe in detail when and by whom the instruction was given, and describe in detail how Train 510 arrived at the platform of the L'Enfant Plaza Station.

ANSWER: See above response.

42. Please describe in detail any plan, discussion or communication, whether in the OCC or elsewhere, related to allowing or instructing Train 510 to continue through the L'Enfant Plaza Station, with or without stopping, after Train 302 encountered smoke on January 12, 2015.

ANSWER: Upon information and belief, initially it was the intent of OCC to move Train #510 out of L'Enfant Plaza Station and onto the track leading to the next station on the Green Line without servicing L'Enfant Plaza Station.

Clamping Switches

43. Describe in detail under what circumstances would a switch need to be clamped?

ANSWER: A switch would only need to be clamped under circumstances in which OCC cannot control the switch remotely.


44. Describe in detail what switches, if any, would have to have been clamped to permit Train 302 to safely reverse into the L'Enfant Plaza Station on January 12, 2015.

ANSWER: No switches needed to be clamped.

VERIFICATION

I, have read the foregoing Answers to Interrogatories, which are based on a diligent and reasonable effort by me to obtain information currently available, and I do solemnly declare and affirm under the penalties of perjury that the foregoing Answers to Interrogatories are true and correct to the best of my knowledge, information and belief.

Subscribed and sworn to under the pains and penalties of perjury this 16th day of October 2015.



Louis J. Brown Jr. Acting Chief Safety Officer