

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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UNION PACIFIC RAILROAD ROADWAY
WORKER FATALITY IN VAIL,
ARIZONA, ON JANUARY 31, 2021

Accident No.: RRD21LR007

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Interview of: THANE WHITESHEEP, Laborer/Machine Operator
Union Pacific Railroad

Via teleconference

Thursday,
April 8, 2021

APPEARANCES:

ROBERT "JOE" GORDON, Investigator in Charge
National Transportation Safety Board

JOHN MANUTES, Mechanical Group Chairman
National Transportation Safety Board

MICHAEL HOEPF, Operations Group Chairman
National Transportation Safety Board

PATRICK SHARP, Investigator in Charge
Federal Railroad Administration

SHANE MAPES, Track Safety Inspector
Federal Railroad Administration

ANDREW BOKENKAMP, General Director
Union Pacific Railroad

RANDY RUIZ, Manager, Track Program
Union Pacific Railroad

JAY FARRAR, Director, Track Program
Union Pacific Railroad

ADAM ALLEN, Vice Chairman
Brotherhood of Maintenance of Way Employes Division

JOHN GOBERT, Regional Service Manager
Nordco

MIKE HALLGREN, Vice Chairman
Brotherhood of Maintenance of Way Employes Unified
System Division
(On behalf of Mr. Whitesheep)

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I N T E R V I E W

(4:34 p.m.)

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3 MR. MANUTES: Okay, good afternoon. My name is John Manutes,
4 I'm with the National Transportation Safety Board, I'm working as
5 the mechanical group chairman for this accident.

6 We are here today on April 8th at 4:34 p.m. Mountain Time on
7 the phone to conduct an interview with Mr. Thane Whitesheep, who
8 works for the Union Pacific. This interview is in conjunction
9 with NTSB's investigation of the tamper accident near Vail,
10 Arizona, which, as a result of the accident, a track laborer
11 passed away. The NTSB accident reference number is RRD21LR007.
12 The purpose of this investigation is to increase railroad safety,
13 not to assign fault, blame, or liability.

14 Before we begin our interview and questions, let's go around
15 the room or the phone and introduce ourselves. Please spell your
16 last name, who you are representing, and your title. I'd like to
17 remind everybody to speak clearly so we can get an accurate
18 recording. I will start off, and then we'll pass off by
19 organization, starting with the NTSB and then the FRA.

20 Again, my name is John Manutes, the spelling of my last name
21 is M-a-n-u-t-e-s, and I am the NTSB mechanical group chairman for
22 this accident.

23 Joe.

24 MR. GORDON: I'm Joe Gordon, G-o-r-d-o-n, and I am the
25 investigator in charge for this investigation.

1 MR. MANUTES: Thanks.

2 Mike.

3 MR. HOEPF: Hello, I am Mike Hoepf, H-o-e-p-f. I'm the
4 operations group chairman for the NTSB.

5 MR. MANUTES: Thank you, Mike.

6 Pat.

7 MR. SHARP: Hi, this is Patrick Sharp, signal and train
8 control inspector for the FRA in District 7. I am the inspector
9 in charge for this investigation. Our investigation number is
10 FE2021-01.

11 MR. MANUTES: Thank you, Pat.

12 Shane.

13 MR. MAPES: Hi, this is Shane Mapes, track safety inspector,
14 District 6, and assisting with the FRA's inspection. Thank you.

15 MR. MANUTES: Thank you.

16 From the UP, Drew.

17 MR. BOKENKAMP: Drew Bokenkamp, B-o-k-e-n-k-a-m-p, general
18 director for Union Pacific.

19 MR. MANUTES: Thank you.

20 Randy.

21 MR. RUIZ: Randy Ruiz, the last name is spelled R-u-i-z, with
22 Union Pacific Railroad, manager, track program.

23 MR. MANUTES: Thank you, Randy.

24 Jay.

25 MR. FARRAR: Jay Farrar, F-a-r-r-a-r, Union Pacific Railroad,

1 director, track program.

2 MR. MANUTES: Thank you, Jay.

3 From BMWED, Adam.

4 MR. ALLEN: Adam Allen, A-l-l-e-n. I'm a vice chairman with
5 BMW.

6 MR. MANUTES: All right, thank you.

7 Mr. Hallgren, we're going to come back to you in just a
8 second.

9 So from Nordco, John Gorbert -- Gobert.

10 MR. GOBERT: John Gobert, G-o-b-e-r-t. I'm the Nordco
11 regional service manager.

12 MR. MANUTES: Okay, thank you.

13 And Thane, Mr. Whitesheep, if you could do the same for us,
14 just your name, title, organization, and spell your last name for
15 us.

16 MR. WHITESHEEP: Thane Whitesheep, the last name's
17 W-h-i-t-e-s-h-e-e-p, and I'm working for Union Pacific for 27
18 years as a machine operator.

19 MR. MANUTES: Okay, thank you very much. And Mr. Whitesheep,
20 do we have your permission to record our discussion today?

21 MR. WHITESHEEP: Yes.

22 MR. MANUTES: Thank you. And you understand that the
23 transcriptions will be part of the public docket and as such, we
24 cannot guarantee any confidentiality? Do you understand?

25 MR. WHITESHEEP: Yeah.

1 MR. MANUTES: Thank you. And as we discussed, you do have a
2 representative with you today, Mr. Mike Hallgren, is that correct?

3 MR. WHITESHEEP: Yes, sir.

4 MR. MANUTES: Okay, thank you.

5 So, Mr. Hallgren, could you please introduce yourself, spell
6 your name and give us your title and organization?

7 MR. HALLGREN: My name is Mike Hallgren, H-a-l-l-g-r-e-n.
8 I'm the vice chairman for the Brotherhood of Maintenance of Way
9 Unified System Division, a representative of Mr. Whitesheep this
10 afternoon.

11 MR. MANUTES: Okay, thank you very much.

12 So as we proceed today, I just ask that everybody clearly
13 announce your name and title, or at least your name and
14 organization, before you ask any questions so that the
15 transcriptionist can catch everything that we say accurately. So
16 let's proceed.

17 INTERVIEW OF THANE WHITESHEEP

18 BY MR. MANUTES:

19 Q. Mr. Whitesheep, this is John Manutes, NTSB. Mr. Whitesheep,
20 could you please briefly give us a synopsis of your work
21 experience that has led you to your present job with Union
22 Pacific? Let us know how long you've been in your current
23 position and, you know, when you started, a little bit about your
24 background.

25 A. I started working for Union Pacific Railroad March of '93 and

1 started out as a laborer and became an operator off and on all
2 through these years.

3 Q. Okay, thank you. When would you say that you began -- I'm
4 sorry, let me rephrase that. On the day of the accident, were you
5 working as a machine operator?

6 A. No, I was working on the ground.

7 Q. Okay. And could you describe a little bit about what that
8 means, working on the ground?

9 A. I was working as a laborer passing plates behind the pup
10 tamper.

11 Q. Okay, so you were working -- sorry, go ahead.

12 A. Straighten out plates. Straighten out plates.

13 Q. Okay. So what I would like to start with is if you could
14 take us back maybe -- maybe it's to the hotel that day, maybe it's
15 how you, you know, left the hole and got out to the work area, but
16 you know, pick a spot, if you can sort of close your eyes and take
17 your mind back to that time.

18 I know it's been 2 months, it's a long time, but as best you
19 can recall, pick a spot during the day before the accident where
20 you can bring our group with you and let us know how the work was
21 going, what you were doing as you left the hole or what you were
22 doing leading up to sometime before the accident, what you saw,
23 what you smelled, what you heard, what you felt, I mean, where you
24 were working in relation to everything around you. Is there a
25 spot where you can sort of just take us back to that day, you

1 know, when -- early in the day and walk us through sort of what it
2 was like out there in Arizona that morning?

3 A. Well, that day, it was clear and it was kind of cold, and we
4 were behind the pup tamper and starting up, and me and two other
5 laborers that were working there and expecting nothing like this
6 was going to happen and -- and we were just, you know, talking or
7 talking back there and just -- just our normal stuff, and I was --
8 the weather was okay, and there was nothing wrong, and so we were
9 just out there. Like every day we'd go out there and be ready to
10 work.

11 Q. So when you were out there ready to work, the pup tamper is
12 in front of you and what -- and there are three other laborers
13 around you?

14 A. No, two, two other laborers.

15 Q. Two others.

16 A. Including myself, there's three of us.

17 Q. And are you all doing the same work or do you have different
18 jobs?

19 A. Yeah. We were doing the same.

20 Q. And what is the next thing behind you?

21 A. There is a spiker machine, a gauger/spiker I guess you'd call
22 that, that was behind us.

23 Q. Okay, so can you give me an idea of the distances between --
24 so what's the distance between you and the pup tamper in front of
25 you and the distance between you and the machine behind you?

1 A. From myself to the pup tamper, I was like a little bit over
2 70 feet because it has the sticker on there that we have to be
3 clear behind the pup tamper 70 feet, and the spiker was probably
4 like maybe two poles behind us.

5 Q. Okay. I'm sorry, for the uninitiated, two poles, about 200
6 feet?

7 A. Yeah, something like that.

8 Q. I shouldn't have put words in your mouth. How would you
9 describe two poles? Are those signal poles?

10 A. Yeah, the telephone pole on the side.

11 Q. Yeah, okay. So I didn't mean to say 200. What would you
12 estimate that in feet, roughly?

13 A. Probably about 150 to 200 feet.

14 Q. Okay, thank you. I'm sorry. And the distance between you
15 and the pup tamper ahead of you, whose responsibility is it to
16 make sure that stays at 70 feet or more, like the sticker says?

17 A. Myself.

18 Q. It's not the pup tamper's job to stay out in front of you;
19 it's your job to not get too close to it?

20 A. Yes, sir.

21 Q. Okay. Did you notice, prior to the accident, any noise or
22 vibration or movement from the pup tamper that was not normal, not
23 what you're used to seeing from the pup tamper?

24 A. Well, from 70 feet and with the earplugs in my ears, all I
25 hear is the loud noise of the engines, so I don't know. If

1 there's anything like that wrong with it, maybe only the operator
2 knows.

3 Q. Okay. But you didn't notice anything, for --

4 A. No.

5 Q. -- any number of reasons, you didn't see or hear anything,
6 okay.

7 A. No.

8 Q. What was the first sign that you had that something was going
9 wrong or something had gone wrong?

10 A. Well, like I said, I was passing plates that day behind, and
11 I just heard a loud bang, and when I looked up, that's when I saw
12 a person under the machine.

13 Q. What did you do next?

14 A. So we looked up, and me and my other coworkers, we start
15 yelling, waving our hands, to get the operator's attention and
16 then the one behind us, the spiker was behind us, so we were
17 yelling and trying to wave our hand, and one of my coworkers named
18 Donnie Begay, he started running towards the spiker behind us.

19 Q. Okay. And then?

20 A. So I was just standing there and trying to yell, but -- and
21 then Donnie walked -- ran to the spiker and then we seen -- what's
22 his name, Danny Wood and Sheppard, Kevin Sheppard, was walking
23 right there in front of it. So including myself, with my
24 religious -- I didn't want to go up there and, you know, look at
25 the scene.

1 Q. Okay. So you saw Danny and Kevin fairly quickly after the
2 work heads hit the ground?

3 A. Yeah.

4 Q. And did you see the tamper operator in the cab or exit the
5 cab at all?

6 A. No.

7 Q. Okay.

8 A. After a while, yeah, I seen him coming out.

9 Q. And what did he do when he came out of the cab?

10 A. I think he got off and went in front, and then he came back
11 and then went to the side, and then he went back in the machine,
12 and I think he turned it off or something.

13 Q. Okay. Did you speak -- his name was Ray, I believe. Did you
14 speak with the operator, Ray, at all after the accident?

15 A. No. We just keep our distance, me and the other two
16 coworkers, we just stayed behind.

17 Q. Okay. How close do you think the tamper got to the machine
18 ahead of it? I believe it was a rail lifter.

19 A. I don't know.

20 Q. You don't know, okay.

21 A. I don't know, I was in the back.

22 MR. MANUTES: Okay. Okay, so Mr. Whitesheep, what I would
23 like to do now is give everybody in our investigation team an
24 opportunity to ask a question or several questions if they have
25 some. So I'm going to slowly go around everybody on our list

1 here, starting with the NTSB, we'll go by organization and we'll
2 see if anybody has any questions, okay?

3 MR. WHITESHEEP: Okay.

4 MR. MANUTES: Okay, Mike.

5 MR. HOEPF: Yes, thanks. Thanks, John.

6 BY MR. HOEPF:

7 Q. And thank you, Mr. Whitesheep, for being able to talk to us
8 today, I appreciate it. As John said, I'm Mike from the NTSB. I
9 think, you know, John covered a lot of it, I don't anticipate a
10 long interview today. I just kind of want to see if we can get a
11 little bit more details from you, if you don't mind.

12 First, I'm just a little bit curious to hear a little bit
13 more about your work process, just kind of in general, if you
14 could just tell me about how it works. So when you're working,
15 what is it like to maintain a distance of a certain number of feet
16 behind a piece of equipment? Is that something that you find easy
17 to do or something that's difficult to do?

18 A. Well, it's easy to do because we always remind each other --
19 well, me and my other coworkers, we remind each other to keep our
20 distance if we start getting close, and then he'll tell us or tap
21 our shoulder and say, hey, you know, move back a little.

22 Q. Um-hum, um-hum. Is it different -- I guess you're a machine
23 operator, as well. Is it more challenging when you're in a
24 machine than when you're on foot?

25 A. I'd say when you're on foot it's more, you know, challenging

1 because you have to be alert and attentive at all times, I guess.

2 Q. Um-hum. And I'm wondering, do you ever have trouble with
3 pacing in terms of, you know, you've got the work done and you
4 could move ahead, but it's not safe to move forward because
5 there's somebody in front of you?

6 A. I wasn't the operator, so I can't answer that question. I
7 don't know.

8 Q. Well, I mean, not really -- I shouldn't say -- you know,
9 obviously on foot, you're not posing a significant risk to the
10 person in the machine in front of you, but I just mean just in
11 terms -- just in terms of the work pace, you know, regardless of
12 safety, do you find yourself being completed with your work and
13 ready to move forward, but you can't because there's somebody or
14 some piece of machine in front of you that's, you know, slowing
15 you down?

16 A. Well, we're supposed to keep 50 feet in between machines.

17 Q. Right. So maybe I'm not being clear, I'm just -- I'm not
18 really talking about, you know, specific to the day of the
19 incident or anything like that, but I'm just wondering, I'm just
20 trying to get a feel for how you pace yourself as you're working
21 in this lineup, and I'm just trying to understand, is it -- do you
22 all generally advance about the same rate or are there certain
23 machines and people that work quicker than others?

24 A. Well, it all kind of depends on what machine you're on.

25 Q. Yeah, so what would be -- what would be a faster machine?

1 A. I don't know, I can't tell you that, but I think they're all
2 the same.

3 Q. Okay, so it sounds like everything generally moves along
4 about the same pace then, is that --

5 A. Yeah.

6 Q. -- a fair characterization? Okay. And what pace would you
7 say that would be, 3 miles an hour or 5 miles an hour or 2 miles
8 an hour?

9 A. In the work mode, probably less than two.

10 Q. Okay, great, that's helpful. Thank you, thank you. So do
11 you recall on the day of the incident what time you guys got
12 started working?

13 A. We started working -- well, our startup was at 4:00, 4:00 in
14 the morning.

15 Q. Okay.

16 A. And we started working -- I don't recall the time, but it was
17 daylight.

18 Q. Okay. And did you take any breaks throughout the day?

19 A. Yeah.

20 Q. Okay. Do you think you can recall what times you took
21 breaks?

22 A. Any time, because sometimes the machines, sometimes they slow
23 down, or when a machine breaks down, and they all stop, and that's
24 when we take our breaks.

25 Q. Okay. Do you recall if you took a lunch break?

1 A. Lunch break? We take our lunch any time. We have it like
2 when they're slowing down or when they stop.

3 Q. Okay. On the day of the incident, do you remember if you had
4 -- do you remember you ate lunch?

5 A. No, we didn't, there was no -- it wasn't lunchtime then.
6 They didn't say lunch.

7 Q. Okay. So when the incident had happened, you hadn't -- you
8 had not had lunch, you had not had your lunch --

9 A. No.

10 Q. -- break yet, is that -- okay, all right. Thank you, thank
11 you. Now, I just want to clarify a couple things. We got your
12 statement, which we appreciate, after the -- you know, after the
13 incident, and I just wanted to clarify, it says you heard a loud
14 bang, and I'm wondering, what was your -- you know, what was your
15 interpretation of what happened when you heard that?

16 A. I just looked up, and I seen the machine stopped. And just
17 like I said, then I seen a person laying underneath the machine.

18 Q. Yeah. And in your statement, it says, you were with a couple
19 of your coworkers, and it says you started yelling and waving your
20 -- I think it says your hands in the air, trying to get the -- it
21 looks like it says trying to get the operator's attention. Can
22 you describe, you know, why you were trying to get his attention?

23 A. Because we didn't have a radio on us, and we were waving our
24 hand to get the back operator's attention so he could get on the
25 phone -- not the phone, the radio.

1 Q. I'm sorry, say that again. You were trying to -- you were
2 trying to get the tamper operator's attention?

3 A. Spiker, the one behind us.

4 Q. Oh, okay, okay. So in your statement, when you're saying you
5 were trying to get the operator's attention, you were talking
6 about the spike operator behind you?

7 A. Yes.

8 Q. Okay, okay. I got you, I got you. And so I believe you
9 indicated that you did not proceed to Mr. Morgan to provide first
10 aid or anything like that?

11 A. No.

12 Q. And I don't ask that as a judgment, I'm just wondering, you
13 know, maybe you can give me an estimate of what the closest you
14 came to that tamper would be at any point in the incident. Did
15 you ever approach the tamper at any point, or Mr. Morgan?

16 A. No. No, sir.

17 MR. HOEPF: Okay, okay. Thank you, Mr. Whitesheep, that is
18 actually all the questions I have for now. I'm going to turn it
19 back over to John.

20 MR. MANUTES: Thank you, Mike.

21 Thank you, Mr. Whitesheep.

22 Let me get my list here. FRA, Pat, do you have any
23 questions? Oh, I'm sorry. Go ahead, Pat.

24 MR. SHARP: Yeah, I think you missed Joe.

25 MR. MANUTES: I did miss Joe. I'm so sorry.

1 Joe, why don't you go ahead since Pat corrected me.

2 Thank you, Pat.

3 MR. GORDON: No, that's okay. I know it's been a long
4 afternoon.

5 BY MR. GORDON:

6 Q. No, Mr. Whitesheep, I just want to reiterate what these guys
7 have said, you know, thank you for coming in and spending some
8 time with us. I know it's a very difficult thing to have to
9 relive, so we do appreciate it.

10 The only question that I have is dealing with the
11 relationship between the operator and ground crews since you've
12 done both of those jobs. Have you ever experienced a near miss
13 with your time on the gang, as far as either being on the ground
14 and having a machine that got in too close or being in the
15 machine, you know, and have you ever had an experience where you
16 had a near miss, something where you almost got two pieces of
17 equipment together or had a piece of equipment get too close to
18 you? That you can recall.

19 A. No.

20 MR. GORDON: Okay. And then I think you mentioned that you
21 guys kind of use the buddy system to watch out for each other.
22 You know, we appreciate that, and thank you guys for looking out
23 for one another's safety when you're out there.

24 That's all I have, John.

25 MR. MANUTES: Okay, Joe. And again, I apologize for skipping

1 you.

2 FRA, Pat.

3 BY MR. SHARP:

4 Q. Hi, Pat Sharp with the FRA. Mr. Whitesheep, I just -- I'd
5 like to go back just a little bit prior to the accident where
6 Mr. Morgan was struck. Can you tell me if you noticed anything
7 different about the tamper operation just prior to the accident,
8 if you noticed it speed up maybe a little bit or was it running
9 about the same speed that it had been maintaining up to that point
10 just prior to the accident? So if you can kind of think about
11 that for a second, did he kind of run away from you a little bit,
12 or did it appear that it was just continuously the same amount of
13 pace that you'd been on prior to that?

14 A. He was working it normal. He had his own pace.

15 Q. Okay, so it didn't -- it didn't speed up or slow down or
16 anything just prior to the accident, that's what I was kind of
17 looking for. So he stayed on the same pace?

18 A. Yeah.

19 Q. Okay.

20 A. And I don't recall if he speeded up or not because I was busy
21 back there working.

22 Q. Right. Yeah, I know you guys get busy, and it's just
23 sometimes, somebody might say, hey, he kind of ran away from us or
24 something. You know, I didn't know if we'd had any of that, but
25 if he kept about the same pace, that's what I was looking for

1 there and --

2 A. Yes.

3 MR. SHARP: Okay, all right. And prior to this -- well, I
4 think that's all I'm going to have right now, I think that's it.
5 I just wanted to kind of see if things were -- had changed prior
6 to the accident. I think that's all I've got. Thank you,
7 Mr. Whitesheep, very much for helping us out here.

8 MR. WHITESHEEP: Yeah.

9 MR. MANUTES: Okay. Thank you, Pat.

10 Shane.

11 BY MR. MAPES:

12 Q. Hi, Shane Mapes, FRA. Thanks for your time there,
13 Mr. Whitesheep. I was just kind of curious about the -- when
14 you're taking your guys' breaks, is there like a certain machine,
15 either the tamper or the equipment behind you, the spiker, that
16 you guys put maybe your lunch pail or your burritos in or when you
17 take your breaks? And also, when you get out to the gang, do you
18 travel in a certain piece of equipment on the way out to your
19 worksite?

20 A. In the morning, we take the bus or the van, and we leave our
21 lunch on the pup tamper.

22 Q. Okay, so the tamper that was ahead of you, that's where you
23 leave your lunch?

24 A. Yeah.

25 MR. MAPES: Okay, I appreciate it. Thank you.

1 MR. MANUTES: Okay. Thank you, Shane.

2 From the Union Pacific, Drew, do you have anything?

3 MR. BOKENKAMP: Yeah, just a quick question. Drew Bokenkamp.

4 BY MR. BOKENKAMP:

5 Q. Hey, Thane, just a quick question for you. When Ray got off,
6 did you actually see him after you heard it, and I know you guys
7 were trying to stop the machine behind, but did you see him
8 actually get off the machine?

9 A. Yeah.

10 Q. Did he look under the machine or did he go directly in front?
11 I mean, what did he do when he got off the machine?

12 A. He went in the front, went around.

13 Q. Okay, so he got off the machine and went to the front. If
14 you're back and you're looking up towards the machine, was Ray on
15 the left-hand side of the machine or the right-hand side of the
16 machine?

17 A. He got off on the right side and he went towards the front
18 and he went around.

19 Q. And then when he came back to get back on the machine, was he
20 on the left-hand side or the right-hand side when he got on the
21 machine?

22 A. The left side.

23 Q. And then when Danny and Kevin were there, were they on the
24 left-hand side or right-hand side of the machine?

25 A. The left side.

1 MR. BOKENKAMP: Okay. Okay, that's all I got. Thanks,
2 Thane.

3 MR. WHITESHEEP: Um-hum.

4 MR. MANUTES: All right. Thank you, Drew.
5 Randy.

6 BY MR. RUIZ:

7 Q. Yeah, Thane. Thanks. This is Randy Ruiz, Union Pacific.
8 Thane, thank you for your time here. I just want to make one
9 little clarification. I know we've got two projects to go, and
10 our last project on the Gila sub, we were starting at 0400, but I
11 have written down here, on the Lordsburg sub, where we were
12 working there in Vail, I have we started at 0800, and we took the
13 track that day at 0928. Does that sound right to you?

14 A. Yeah. Okay, yes.

15 MR. RUIZ: Okay, I just wanted to clarify that. I know it's
16 2 months ago and two projects ago and --

17 MR. WHITESHEEP: Yeah.

18 MR. RUIZ: -- we have projects at different times. So I just
19 wanted to clarify that to make sure we're all on the same page
20 here. That's the only question I have.

21 MR. MANUTES: All right. Randy, thanks for that
22 clarification.

23 Jay.

24 MR. FARRAR: No, I don't think I have any questions.

25 MR. MANUTES: Okay, thank you.

1 So to the BMWED, Adam.

2 MR. ALLEN: Yeah, I don't have any questions for you, Thane.

3 MR. WHITESHEEP: Okay.

4 MR. MANUTES: Thanks, Adam. Since we're on the BMWED, Mike,
5 BMWED Mike, do you have anything, any questions or anything you'd
6 like to say at this point? We'll come back around if we need to.

7 MR. HALLGREN: No.

8 MR. MANUTES: Okay.

9 And John from Nordco.

10 MR. GOBERT: I have no new questions at this time.

11 BY MR. MANUTES:

12 Q. Okay. Okay, so Mr. Whitesheep, I again want to say thanks
13 for taking all the time today and to apologize for everything that
14 you had to go through on this -- express my sympathies; I guess I
15 shouldn't apologize, but express my sympathies for everything
16 you've gone through and for taking the time to do that, and
17 express my apologies for taking 2 months to sort of get back to
18 this and speak to you about it. But you are being very helpful,
19 and I appreciate what you're able to share with us.

20 Could you give me a sense -- and I'm sorry, this is
21 John Manutes with NTSB. Could you give me a sense -- do you have
22 an opinion why you think Ray might have gone to the front of the
23 machine first, after he got off it?

24 A. Maybe to look for the ground man that was in front of him.

25 Q. Okay. And do you think he ever found the ground man? Do you

1 think he ever noticed where he was?

2 A. I don't know.

3 Q. You don't know. You don't know or no? I'm sorry.

4 A. No, I don't know. I don't know if he -- well, from what I
5 had seen there, that he was underneath the machine, I don't know
6 if he -- he probably seen it because he went back on the machine
7 and he turned it off.

8 Q. Okay. And then from what you saw, though, he didn't -- he
9 did not spend time speaking with or laying next to or talking to
10 James?

11 A. I don't know if he did or not, but he was there, and then he
12 went back up to the machine to turn it off.

13 MR. MANUTES: Okay, thank you. I don't have anything else.
14 Maybe we could -- well, let's just go around one more time just to
15 be sure. I know Pat was thinking about a couple of things.

16 So, Mike, do you have anything else you'd like to ask?

17 MR. HOEPF: Thanks. Thanks, John.

18 BY MR. HOEPF:

19 Q. Yeah, Mr. Whitesheep, thank you again. This is Mike from the
20 NTSB. While we're on the topic, just a quick clarifying -- you
21 know, your description of where Mr. Garcia was, was helpful. I
22 just wanted to clarify, based on your perception, so you indicated
23 Mr. Garcia got off the tamper, but the machine was still running,
24 and then he got back into the machine to turn it off. Did I hear
25 you correctly, is that what you said?

1 A. Yeah.

2 Q. Okay. And maybe it would be helpful just to kind of keep
3 from other people needing clarifications or maybe just for my
4 benefit, to the best of your recollection, do you think you could
5 just walk us through your entire understanding of his pattern,
6 just one more time? So he left the machine running, exited the
7 right side of the cab, went to the -- could you just walk us
8 through that one more time, to the best you can recall?

9 A. Well, he got off and went around the machine and got back in
10 and turned it off.

11 Q. Okay, so he got off the right side of the machine, he went to
12 the front of the machine, then he went back and entered the
13 vehicle, the tamper, from the right side again? Is that right?

14 A. Yes.

15 Q. Okay, okay. And once he -- well, okay, before he got back in
16 the machine, did you see him talking to anybody else, any other
17 workers or anything?

18 A. That I didn't see.

19 Q. Okay, okay. So when he was at the front of the machine, the
20 front of the tamper, you couldn't see him?

21 A. No, I just looked over there, and he was doing that, and then
22 I looked the other way, because I don't want to look -- I didn't
23 want to look over there anymore.

24 Q. Yeah, yeah. No, I understand that, I understand that. Okay.
25 So he entered the cab from the right side. So once he entered the

1 cab to turn off the vehicle, do you know how long he stayed in the
2 vehicle?

3 A. I don't know. Like I said, I just looked the other way. I
4 don't want to look over there anymore.

5 MR. HOEPF: Okay, okay. I got you, I got you. Okay, thank
6 you, Mr. Whitesheep, I appreciate your time today.

7 That's all the questions I have, John.

8 MR. MANUTES: Okay. Thank you, Mike.

9 Joe.

10 MR. GORDON: No, John, I have nothing further.

11 MR. MANUTES: Okay.

12 Pat, here's your chance, I know you have something on your
13 mind. Do you have any questions?

14 MR. SHARP: No, I think Mr. Whitesheep handled that for me
15 the first time around, I think we're good.

16 MR. MANUTES: Okay, thank you very much.

17 Shane.

18 MR. MAPES: No more questions. Thank you for your time.

19 MR. MANUTES: Drew.

20 BY MR. BOKENKAMP:

21 Q. Yeah, Drew Bokenkamp. Hey, one last question there, Thane.
22 From the time that you heard the noise to the time that Ray got
23 off the machine and went to the front and got back on and shut it
24 off, how long would you say you think that was or thought that
25 was?

1 A. I don't know, but it just happened so quick.

2 Q. I mean, do you think it was seconds or minutes?

3 A. Maybe seconds.

4 MR. BOKENKAMP: Okay, that's all I got.

5 MR. MANUTES: Thanks, Drew.

6 Randy.

7 MR. RUIZ: No, no thank you. Thank you, Thane.

8 MR. WHITESHEEP: Yeah.

9 MR. MANUTES: Jay.

10 BY MR. FARRAR:

11 Q. Thane, before you heard the loud noise -- excuse me,
12 Jay Farrar, UP Railroad. Before you heard the loud noise, did you
13 hear any horn honking or any audible noise or anything out of the
14 ordinary other than when you heard the noise?

15 A. I didn't hear. Like I said, I had -- I was more than 70 feet
16 and I had my earplugs on so that I don't -- I can't tell you if he
17 hit his horn or not.

18 MR. FARRAR: Okay, thank you. That's the only question I
19 had.

20 MR. MANUTES: Thanks, Jay.

21 Adam.

22 MR. ALLEN: No, I don't have anything.

23 MR. MANUTES: Okay. Mr. Hallger -- Hallgren, excuse me.

24 MR. HALLGREN: No.

25 MR. MANUTES: And John, Nordco John.

1 MR. GOBERT: No, I do not have anything.

2 MR. MANUTES: Okay, okay. And I don't think -- I don't think
3 I have any other questions either, at this time. So with that,
4 Mr. Whitesheep, I'd like to ask you, do you have anything that you
5 would like to add or to tell our investigative team here that you
6 think might help us understand better what happened that day or
7 what could be done to improve railroad safety based on what you
8 saw that day?

9 MR. WHITESHEEP: Well, probably communications is the key out
10 there, and I know we do that and the job briefing we do, and we
11 always talk about our spacing, the supervisor or manager gets up
12 there in the morning job briefing and talks to us to keep our
13 space or distance, travel distance. So everything was good,
14 everything was normal that day, so it's just an accident that
15 happened. And that's all I got to say.

16 MR. MANUTES: Okay, thank you. Thank you for adding that.
17 The team may have follow-up questions. Do you mind if we contact
18 you in the future if we have any questions about our talk today?

19 MR. WHITESHEEP: Yes.

20 MR. MANUTES: You do mind or you don't?

21 MR. WHITESHEEP: No, I don't mind.

22 MR. MANUTES: Okay, got it. Thank you.

23 MR. WHITESHEEP: I don't mind.

24 MR. MANUTES: We have to remember these are being transcribed
25 word for word, so just got to be careful. So I appreciate you

1 letting us doing that, thank you. And on behalf of the National
2 Transportation Safety Board, the parties here on the call today, I
3 want to personally thank you for your time, your cooperation, and
4 everything that you've done to help us out today.

5 So with that, I'm going to end the official recording, and we
6 will go off the record.

7 (Whereupon, the interview concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: UNION PACIFIC RAILWAY ROADWAY
WORKER FATALITY IN VAIL,
ARIZONA, ON JANUARY 31, 2021
Interview of Thane Whitesheep

ACCIDENT NO.: RRD21LR007

PLACE: Via teleconference

DATE: April 8, 2021

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

A black rectangular redaction box covers the signature of David A. Martini. The redaction is complete, obscuring all handwritten text and ink.

David A. Martini
Transcriber