

## REPORT OF INTERVIEW

### Person Interviewed

NAME: Patrick Bolton

ADDRESS: [REDACTED]

CITY: [REDACTED]

STATE: [REDACTED]

ZIP: [REDACTED]

PHONE: [REDACTED]

OCCUPATION: Track Inspector

Date of Interview: November 18, 2020

Place of Interview: Alabama Export Railroad Office  
701 Alabama State Dock Rd  
Mobile, AL 36602

Others Present: Byrl McCoy, FRA OP Inspector  
Dillon Ondo, FRA D3 Track Specialist  
Robert Adams, FRA Track Inspector  
Terry Shiver, FRA MP&E Inspector  
Christopher Hester, Alabama Public Service Commission Railway  
Safety Administrator  
Brian McCarthy, Attorney representing ALE and Railroad  
Employees

Interviewed By: Jeremy Moats, FRA Track Inspector

*The above person was interviewed relevant to an investigation being conducted by the Federal Railroad Administration (FRA). The following statements, and/or comments, are provided as part of this investigation, and although not verbatim, reflect the statements and/or comments of the participant.*

On November 18, 2020, an interview was conducted with Patrick Bolton, Alabama Export Railroad (ALE) Track Inspector, in regards to the Roadway Worker Fatality that occurred on November 17, 2020 in Prichard, AL. Mr. Bolton was the Roadway Worker in Charge (RWIC) of the work location where the fatality occurred. Mr. Bolton's attorney, who was present during the interview asked that the interview not be recorded.

On November 17, 2020, Mr. Bolton was the Roadway Worker in Charge (RWIC) of a group of Continental Rails Roadway Workers contractors working on the ALE. The following is a narrative of the interview.

### Interview Narrative

Mr. Bolton stated that he started with the railroad in 1995 and has held positions as a laborer, operator, and track inspector.

Mr. Bolton stated that he has received training as a Roadway Worker in Charge which

consisted of rules and regulations.

Mr. Bolton stated that he arrived at work at 0630. At 0728 Mr. Bolton contacted the dispatcher to verify the Daily Operating Bulletin and got permission to occupy the yard limits. Mr. Bolton and the Continental Rails Roadway Workers began working on switches in the yard installing two head block ties on one of the switches. At 0958 Mr. Bolton talked to another ALE employee (Jamie Elder) on the phone, told him they were in the clear of the switches and were going to milepost 4 for the rest of the day. At milepost 4, Blount Curve, the Roadway Work group was installing ties. Approximately 15 minutes before the accident with only three ties remaining to install, Mr. Bolton left the work location at Blount Curve to travel to Semmes, AL. Mr. Bolton stated that he went to Semmes, AL to meet with another individual to pick up Come-Alongs for dumping ballast the next day, which was not a part of the work being done at milepost 4. Mr. Bolton stated that it was near the end of his work day and he was not planning to go back to the work location at Blount Curve. Prior to leaving, Mr. Bolton told the Roadway Workers when they were finished to pick up the derails and call him when they were in the clear. Mr. Bolton stated that the Foreman and other Roadway Workers understood his directive before he left.

Mr. Bolton stated that if the Roadway Workers needed to contact him they would contact him on the phone, which is how they communicated in the past.

Mr. Bolton stated that he was near Semmes, AL when he received a call from a Foreman that was not at the job site about the accident. He then called the Roadway Workers at the accident location.

Mr. Bolton stated that he conducted a Job Briefing on the jobsite at the curve. The job briefing included the job to be done, that no trains would be moving, and he talked about protection. Mr. Bolton stated that they had derails to the North and South of the work location approximately 100 to 150 feet away from the work. The derails and the locks that were being used were owned by Continental Rail. Mr. Bolton stated that only the Foreman for Continental Rail and himself had keys to the locks on the derails. Mr. Bolton stated one of the Continental Rail roadway workers applied and secured the derails.

Mr. Bolton stated that he was not aware when the derails were removed.

Mr. Bolton stated that the equipment used at milepost 4 was a Backhoe and Boom Truck. Continental Rail owned the equipment and the equipment appeared to be in great condition. Mr. Bolton stated that he was almost positive the lights were flashing on the truck but was unsure about the backhoe.

Mr. Bolton stated Continental Rail Contractors have been providing services for a year for ALE and he has been the Roadway Worker in Charge for them.