

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RAIL WORKER FATALITY,
ESTILL, SOUTH CAROLINA,
NOVEMBER 30, 2018

* Accident No.: RRD19FR002

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Interview of: NATHANIEL HILL

Estill, South Carolina

Saturday,
December 1, 2018

APPEARANCES:

TOMAS TORRES, Rail Accident Investigator
National Transportation Safety Board

ROBERT "JOE" GORDON, Technical Working Group Chairman
National Transportation Safety Board

MICHAEL HOEPF, Ph.D., Human Performance Investigator
National Transportation Safety Board

NATHAN WOLFE, Operating Practices Inspector
Federal Railroad Administration

STEVE AMMONS, System Road Foreman, Safety
CSX Transportation

MATTHEW MEADOWS, Senior Director of Safety
CSX Transportation

MATT CAMPBELL, Safety Team
SMART Transportation Division

ROY MORRISON, Director of Safety
Brotherhood of Maintenance of Way Employes Division
International Brotherhood of Teamsters (BMWED-IBT)

RANDY DUMEY, Safety Task Force
Brotherhood of Locomotive Engineers and Trainmen (BLET)

JACOB GOHAGAN, Union Representative
(On behalf of Mr. Hill)

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I N T E R V I E W

1
2 MR. TORRES: Okay, this is a NTSB informal interview. My
3 name's Tomas Torres, T-O-M-A-S, T-O-R-R-E-S. Today's date is
4 December 1st, and we are at Estill, South Carolina, interviewing
5 the Conductor in connection with an accident that occurred at
6 Estill, South Carolina, on November 30th, 2018. The NTSB accident
7 number is RRD19FR002.

8 The purpose of the investigation is to increase safety, not
9 to assign fault, blame or liability. The NTSB cannot offer any
10 guarantee of confidentiality or immunity from certificate, from
11 legal or certificate actions. A transcript or summary of the
12 interview will go in the public docket.

13 A representative, the representative may not testify for the
14 interviewee. You have somebody who's going to represent you?

15 MR. HILL: Yes, sir.

16 MR. TORRES: Okay. Do you understand that this interview is
17 being recorded?

18 MR. HILL: Yes, sir.

19 MR. TORRES: Okay. Please state your name and spell it.

20 MR. HILL: Nathaniel Hill, that's N-A-T-H-A-N-I-E-L, Hill, H-
21 I-L-L.

22 MR. GOHAGAN: Vice Local Chairman, Jacob Gohagan, J-A-C-O-B,
23 G-O-H-A-G-A-N.

24 MR. GORDON: NTSB, track and engineering and roadway worker
25 aspects of this accident, Joe Gordon, G-O-R-D-O-N.

1 MR. AMMONS: Steve Ammons, A-M-M-O-N-S, CSX Safety.

2 MR. MEADOWS: Matt Meadows, M-E-A-D-O-W-S, CSX Safety.

3 DR. HOEPF: Mike Hoepf, H-O-E-P-F, with the NTSB.

4 MR. CAMPBELL: Matt Campbell, SMART Transportation Division,
5 National Safety Team.

6 MR. MORRISON: Roy Morrison, M-O-R-R-I-S-O-N, BMWED's
7 Director of Safety.

8 MR. DUMEY: Randy Dumey, R-A-N-D-Y, D-U-M-E-Y, BLET, Safety
9 Task Force.

10 MR. WOLFE: Nathan Wolfe, W-O-L-F-E, FRA.

11 INTERVIEW OF NATHANIEL HILL

12 BY MR. TORRES:

13 Q. Okay, Nathan, this is Tomas Torres with the NTSB. Can you
14 tell us your trip on the day of the accident, as you were
15 approaching the scene?

16 A. Starting from the south end of Estill?

17 Q. Yeah.

18 A. We were approaching line speed, 60-mile and hour. We had a
19 50-mile an hour train, running at approximately 45-miles an hour.
20 We knocked down the south end signal, blowing the horn, first
21 crossing. Got to the second crossing. Know that something was in
22 the track. Didn't know what it was at that time. And then once
23 we crossed by the next crossing, which is across the street from
24 Jenks Motor Sport, there's a tree on the east side of the rail
25 that hangs over, a little bit close to the rail, blocking the

1 view. Once we cleared that tree we could see there was a CSX
2 truck parked on the right-hand side, on the east side of the rail.
3 And once we saw the look, lookout, that's when we realized it,
4 more than likely, was a person in the middle of the track. And as
5 we got closer, he was wearing dark clothing, black shirt, blue
6 jeans, bent over. He was, it looked like, to me, he was on his
7 knees facing, he was facing the same direction as travel, facing
8 north. And he was just crouched down so low, I honestly didn't
9 know it was a person until we saw that CSX truck. And after that,
10 it was too late to, I mean, it was just confusion. Both locked-
11 up. And that's when we stuck him.

12 Q. Um-hum. So previous to the incident, you saw something on
13 the track?

14 A. After we had knocked down the south end. Once we got past
15 the first crossing, I could -- you could tell there was something
16 in the track, but we see stuff all the time in the track. Trash,
17 I've hit trash cans before. It honestly looked like a trash bag.
18 Like I said, he was wearing dark clothing, middle of the track, no
19 high-viz. I didn't see a helmet. I mean, I just saw something
20 dark in the middle of the track. And we had no idea anybody was
21 out there working. And I didn't put two and two together until we
22 saw the CSX truck parked on the east side of the rail.

23 Q. So when you saw a truck, what did you see there?

24 A. I saw the truck parked, facing north, and the lookout was
25 standing between the door jam and the frame of the vehicle, facing

1 towards the steering wheel.

2 Q. So he was looking, like, inside the cab?

3 A. Yes, sir. Facing towards the steering wheel.

4 Q. Do you recall what he was wearing?

5 A. He was wearing a high-viz vest.

6 Q. Um-hum. Now, when you noticed, noticed something dark, or in
7 between the rails there, how far back do you think, do you think
8 you were, you know?

9 A. When I first noticed something in the track?

10 Q. Um-hum.

11 A. I don't --

12 Q. I mean, just an estimate.

13 A. Fifty cars, so 2500 feet, 2700 feet.

14 Q. Did you and your engineer communicate anything, you know,
15 between yourself?

16 A. We asked, he said; What is that? And I said; I don't know.
17 And as we got, I mean, running, running at 45 miles an hour, it
18 happened so fast. You approach something, as we're coming uphill,
19 it's hard to see things uphill, and once we kind of leveled out
20 and got closer and closer, that's when you could actually tell it
21 was something in the track. I mean, dark clothing in the middle
22 of the track, I mean, you got, oil, gas, whatever falls in between
23 those tracks, and it's normally dark, so he blended in real well.
24 And, that's what we communicated. I mean, I looked at him, he
25 looked at me, he said; What is that? I said; I don't know. We

1 got closer, saw the truck, and, I mean, word-for-word was, I said,
2 shit, that's a person.

3 Q. Um-hum.

4 A. And by that time we were blowing the horn, continue, I mean,
5 once we clear the crossing, we laid on the horn, laid on the horn,
6 and I stood up to see if he would get out of the way. I mean, we
7 see it every day. There's people out there welding every day.
8 And normally they wait till the last minute and get out the way.
9 And they'll waive at you. And I honestly thought he was going to
10 move, but once I saw the lookout was looking in the truck, he was
11 facing north, they never once turned their head, and they never
12 once acknowledge us being there. And by that time we were, I
13 mean, 50 yards from him and running 45 miles an hour. That's just
14 a snap of the finger.

15 Q. All right, thank you. I'll pass it on to Joe.

16 BY MR. GORDON:

17 Q. Nathaniel, you go by Nate?

18 A. I go by Nate, yes sir.

19 Q. Okay. Okay to call you Nate in the interview?

20 A. Yes, sir.

21 Q. Okay. Yeah, so, you said that you, when you're making these
22 trips you see welders, most commonly its welders that are, that
23 are using this form of protection where they're working up until
24 your train gets close, and they get clear.

25 A. That's correct. That's correct.

1 Q. How often do you, do you see what you would be, what you
2 would consider a near miss, you know, they're too close for
3 comfort as far as your experience?

4 A. Frequently. Too frequent.

5 Q. And how long, how long have you been in transportation?

6 A. Five years.

7 Q. Five years.

8 A. A little over five years, yes, sir.

9 Q. All your railroad experience, transportation?

10 A. Yes, sir.

11 Q. Okay. Okay, and about how often, how often do you run out on
12 the main track? Are you on a extra board? Or, --

13 A. Yes, sir.

14 Q. Okay.

15 A. My seniority, it keeps me between the yard and the road.

16 Q. Okay.

17 A. But a majority of my career's been on the road.

18 Q. Been on, oh, on the road.

19 A. Yes, sir.

20 Q. Okay. So in a given trip, and I know it's going to vary by
21 season and different things like that, but, but in a given trip,
22 how many, how many times do you, would you say you see workers
23 that are using that form of protection?

24 A. I mean it depends on the location. It depends on, it depends
25 on the season.

1 Q. Um-hum.

2 A. I mean, the track, the traffic on the rail, on that
3 particular rail. It really depends on location.

4 Q. Yeah.

5 A. This particular trip, Savannah to Casey, maybe once every
6 three trips, once every two trips.

7 Q. Okay. And how about at that location? At that north end --

8 A. North end of Estill?

9 Q. Yeah.

10 A. I can't say I've ever seen anybody there. I, I can't recall.

11 Q. Okay. So it's, that's not a particular location where --

12 A. No, sir.

13 Q. -- it's normal to see --

14 A. No, sir.

15 Q. Okay. All right. That's all that I have right now.

16 MR. GORDON: Mr. Ammons?

17 BY MR. AMMONS:

18 Q. Yeah, I've only got one quick thing, and I think it's, this
19 is more for the group than it is for you, but --

20 A. Yes, sir.

21 Q. -- maybe you can help the group. The thing about this is, we
22 didn't talk with Shawn about it, so, from the type of locomotive
23 you were sitting on there, I believe it was an SD-40 --

24 A. Yes, sir.

25 Q. -- which is an old conventional style cab, where were you

1 sitting at?

2 A. The conductor's seat, the, the rear seat.

3 Q. The rear seat. So that's on the left-hand side of the cab, -

4 -

5 A. Where we stuck him.

6 Q. -- you were facing. Was the locomotive short nose forward?

7 A. Yes, sir.

8 Q. So your view was, you had the best view you could have.

9 A. Yes, sir.

10 Q. But the way that the locomotive was positioned.

11 A. Yes, sir.

12 Q. So with you sitting on the left-hand side of the cab, Shawn
13 would have been on the far-right hand side of the cab, --

14 A. Yes, sir.

15 Q. -- behind the engineer control stand.

16 A. Yes, sir.

17 Q. And, I'm an engineer, so in my experience and being familiar
18 with those types of cabs, is it safe to say that possibly, with
19 you on the left-hand side of the cab and the position of that
20 truck, --

21 A. Yes, sir.

22 Q. -- that, that you might have saw that truck a little bit
23 before Shawn?

24 A. Yes, sir, that's safe to say.

25 Q. Okay. Did that, seeing that truck and that worker over

1 there, did that distract your, I hate to use the term distract,
2 but did that get your attention momentarily over there first, and
3 then you were focusing back on the guy in the track? Or the
4 object in the track? Or, I mean, can you talk about that at all?
5 Do you feel like that maybe --

6 A. That's what, that's what lead me to believe, that's what made
7 me realize, more than likely that's a person in the track.

8 Q. Okay. But it wasn't until that last crossing, which is just
9 south of where the individual was stuck at, that you realized that
10 that was a person?

11 A. Yes, sir.

12 Q. Okay. All right. You talked about the near misses, how
13 frequently they happen, and --

14 A. Yes, sir.

15 Q. -- and if they happen too often, things (indiscernible) --

16 A. Yes, sir.

17 Q. Do you report these near misses when they happen, or?

18 A. No sir. It's, it's, it's common, I mean.

19 Q. Are you aware that there's a, a mechanism for doing that?
20 Just for future benefits.

21 A. Yes, sir.

22 Q. Okay,

23 A. Yes, sir.

24 Q. All right. That's all I got.

25 BY DR. HOEPF:

1 Q. Doing okay Nate?

2 A. Yes, sir.

3 Q. Okay. This is Mike with the NTSB. So, just, you've already
4 described it, but just, just to kind of pull this apart and see if
5 we can jog any more memory details, you know, out of going through
6 it. You've already kind of walked us through, you know, what you
7 saw and everything. So, you know, so you, eventually at some
8 point you noticed there was a person there. What did, what would
9 be your guess as to what the person was doing?

10 A. He was working on the rail, obviously. He was bent down. He
11 was either on his knees, or bent down, crouching low.

12 Q. Um-hum.

13 A. And he had, he had his butt up in the air and his shoulders
14 were down. I mean, once I saw the truck and looked back towards
15 him, you could tell he was, you know. I don't know exactly what
16 he was doing. I never saw his hands.

17 Q. Um-hum.

18 A. And, like I said, he never, his head never swayed either
19 direction. He stayed down. I mean, he was working.

20 Q. Um-hum. Um-hum. Okay. Okay, got ya. That's helpful,
21 that's helpful, so. Did, did you notice any, like, equipment, or
22 machines, or anything laying around? Any like cables going from,
23 you know, going from the track to --

24 A. I did not.

25 Q. No, oh, okay, no cables. Okay. Well, let me say it -- let

1 me ask that differently too. Do you think you would have noticed
2 if there were cables that were going from, I mean, at some -- you
3 know, not that you would have been able to stop or anything, but I
4 mean, do you think you think that you would have picked that up?
5 Or what, would --

6 A. No, sir.

7 Q. -- so fast that --

8 A. No, like I said, it happened so fast I didn't realize we were
9 up on him until the last second and running that speed you can't.

10 Q. Right, right. And then so, as far as the, the welding truck.
11 You said there was an individual there, standing there with a vest
12 and you said the door, you, you said the door was open?

13 A. That's correct.

14 Q. Okay. And so he's, he's standing there, and he's sort of
15 pointed toward the steering wheel?

16 A. That's correct.

17 Q. Could you, could you tell if there was any movement in terms
18 of what that, what that person was doing? I mean, were they just
19 standing there? Were they kind of leaning? Were they in the
20 process of entering the vehicle? Or you couldn't tell?

21 A. I couldn't tell. I can't.

22 Q. Okay. Okay. All right. Anything else significant, I mean,
23 that you noticed that was, might be of interest?

24 A. No, sir.

25 Q. Okay. I'm just going to go ahead and ask all these questions

1 in this first round. You just save a couple, but it's, just in
2 basic human performance questions, how's your vision? Do you wear
3 contact?

4 A. I wear contacts.

5 Q. Okay. And you see okay with your contacts?

6 A. Yes, sir.

7 Q. Any other, anything that would have impacted your ability to
8 do your job?

9 A. No, sir.

10 Q. From, did you get enough rest?

11 A. Yes, sir.

12 Q. Okay. And then, just while we're talking about it, you know,
13 the, you know, you said there's sort of these events where a
14 little bit, you know, I guess you can call them a near miss, but
15 some of these events that are too close for comfort and, you know,
16 that happens it, I don't want to like mischaracterize what you're
17 saying, but, you know, it sounds like you're saying it happens so
18 often, you know, that it's -- you know, I'm wondering why you're
19 not, you know, shy, you wouldn't report that? Is it because you
20 feel like nobody would do anything with that information? Because
21 it's just a common thing that happens? Or --

22 A. It's been happening since I hired out. I mean, I -- it's not
23 out of the ordinary to me. It's not, it's -- I mean, they're
24 doing their job, they're working. From my understanding, the
25 lookout, you know, lets him know somebody's coming. I don't --

1 I've never been on their side, their crafts, so I don't know what
2 their procedures are. I don't know if the dispatcher communicates
3 with them; Hey, there's 794 coming north. I have no idea. I
4 can't speak for them. I've only seen what I've seen.

5 Q. Um-hum.

6 A. Now, I don't report this because, like the day I hired out,
7 that's what I've been seeing since day one. You know --

8 Q. Okay.

9 A. -- I don't know if they know we're coming. I don't know
10 where their head's at.

11 Q. Right.

12 A. All I know is what I've seen, and, I mean, we see it all the
13 time.

14 Q. Got you. So this was a new phenomenon, you know, you might
15 be more willing --

16 A. That's correct.

17 Q. -- you might have been more likely to raise a flag and been
18 like, hey, what's going on out here, we're just getting all these
19 close calls. But this is just how it's always been.

20 A. Yes, sir.

21 Q. As far as your experience goes, so. So this is sort of just
22 normal operating procedures.

23 A. Yes, sir.

24 Q. Okay. When you -- you know, just to -- there's, you know, no
25 situation in particular, we're just kind of generally speaking,

1 you got there's some welders out there, and so you've seen like a
2 similar kind of two-man crew, or it's a welder and then it's a guy
3 watching?

4 A. That's correct.

5 Q. Okay. And then, where does the -- what is the watchman
6 typically doing? Where is he standing relative to the welder?

7 A. Close to the rail. Close to the welder.

8 Q. Okay. So, I mean, and I know that's not your, you know, your
9 craft, I guess they say it, but, you know, do they -- have you
10 ever -- do you see the watchman come up and tap them on the
11 shoulder? Or, you know, have they -- it's usually by the time you
12 get close and they've already been notified? I mean, like, how do
13 you --

14 A. I don't know if they've been notified or not. Like I said,
15 I'm not on their side, so I honestly couldn't tell you.

16 Q. Yeah. I'm just wondering, like, what do you, you know, what
17 -- walk me through a typical close, like close call. Like, just
18 think of the closest call that you've had, other than this. You
19 know, and I'm not sure you could -- I don't need a date of
20 anything, but like, how did that work? There was a guy who was
21 working and just, he just packed up at the last second and got
22 off?

23 A. We're moving along, he's doing his job, he does what he's got
24 to do, I don't know what he's doing, and he gets up, steps off to
25 the side of the rail, waves at us, and I guess they go about their

1 thing, once we clear up.

2 Q. Okay. So from your vantage point. You wouldn't be able to
3 tell where he got the warning from. I mean, he might of seen the
4 train. The watchman could have warned him.

5 A. Yeah, might of said something to him, then, I don't know what
6 they're, I don't know what they're doing.

7 Q. Right. Right. Okay. Really all I'm getting at is, you
8 know, the reason, the whole purpose we're all here today is just
9 to improve safety. You know, that's said, that's all we're trying
10 to do.

11 A. Can I make a suggestion?

12 Q. Yeah, that's exactly, that's --

13 A. It would be, I mean, Mr. Youmans wouldn't be dead right now
14 if there was some kind of rule involved where there's
15 communication between the dispatcher. Just like I was telling
16 Scotty, was, I mean, it's as simple as a dispatcher giving us a
17 false partial, that, which, and we come to a location, approaching
18 at restricted speed, prepared to stop. That's -- it's as simple
19 as that. You know, if this welder calls the dispatcher, hey, I'm
20 working on the north end of Estill, all the dispatcher's got to do
21 is call us, say, false partial the north end of Estill, you know,
22 past the crossing. And we come up and, if the worker's done
23 working, they call the dispatcher and all he's got to do is
24 release that EC-1.

25 Q. Um-hum.

1 A. I mean, I don't, I don't see how that's too difficult.

2 Q. So, in your area, you know, with your typical job experience
3 in that region, that wouldn't be too burdensome for you to --

4 A. Absolutely not, no. It'd save somebody's life.

5 Q. Yeah. Yeah, it makes sense to me. Anything else you want to
6 add?

7 A. No, sir.

8 Q. All right, thanks Nate.

9 MR. CAMPBELL: Hey, Nate. Matt Campbell, SMART Transportation
10 Division. I don't have any questions for you, I just wanted to
11 tell you, I'm sorry for what you've been through and you're doing
12 a great job.

13 BY MR. MORRISON:

14 Q. Roy Morrison, Brotherhood of Maintenance Way. I really just
15 have, just a couple of really quick questions, you know. When you
16 saw the truck, you see these welding trucks frequently? They're,
17 it's a big white truck.

18 A. Yes, sir.

19 Q. Right? And, just behind the cab is, is where the welder's
20 mounted. I don't know --

21 A. Okay.

22 Q. -- if you're familiar with that. The welder's a different
23 color than the rest of the white truck. The welder's typically
24 blue with a black face. Is it possible at all that you, that the
25 person, the watchman/lookout was standing by the welder? That you

1 may have mistaken for a darker open door? Or are you, are you
2 100% sure that that door was open?

3 A. I'm 100% sure he was standing on the driver's side of the
4 vehicle, close to the door.

5 Q. Close to the door. Okay. I'm done. Randy?

6 BY MR. DUMEY:

7 Q. Did you meet any trains before you got there?

8 A. Yes, sir. F75630, met him at Garnett.

9 Q. Did they mention anything about these guys?

10 A. No, sir.

11 Q. Okay. that's all I've got.

12 BY MR. WOLFE:

13 Q. Nathan Wolfe. Just a clarification question to his question
14 about the cab door. The cab door was open?

15 A. That's correct.

16 Q. That's all I have.

17 THOMAS TORRES: Any more questions?

18 BY MR. AMMONS:

19 Q. Just have one for clarification. About that door, like, the
20 truck door, I think I heard earlier that there was a cabinet on
21 the truck, that also has a door. And so, would that employee with
22 his high-viz vest that was facing the truck, could that door that
23 you saw, I mean, you certain it was a truck door, or could it have
24 been a cabinet door, or you really don't know?

25 A. A cabinet door like the ones that fold, come down?

1 Q. Yeah, they swing out, so -

2 MR. GORDON: Yeah, they swing out. So, Joe Gordon, NTSB.

3 And what we may do, we've got the truck out here, so if you don't
4 mind, once we wrap up in here, we'll just walk out with you, and
5 take a look at the truck, and --

6 MR. HILL: The driver's side door was open.

7 MR. GORDON: Okay. Okay, we'll just take a look at it.

8 UNIDENTIFIED SPEAKERS: Okay. That's -- clears it up.

9 MR. GORDON: Okay, we'll just take a look at it and, yeah,
10 see what.

11 BY MR. AMMONS:

12 Q. That's what I was asking you, if it was like a metal,
13 vertical cabinet door, whatever?

14 A. No, it was the driver's side door.

15 Q. Driver's side door. Okay. That's what we thought. I do
16 have one follow-up (indiscernible). Earlier, you were talking
17 about all the near misses, too many near misses, can you clarify?
18 Are you talking specifically with CSX work crews? Or you talking
19 about public too, or, or, what was that reference referencing?

20 A. As far as near misses?

21 Q. Yes.

22 A. We see people all the time on the tracks.

23 Q. Right.

24 A. I mean, cars, people, --

25 Q. That's what I assumed you were talking about. So when you

1 say near misses, do you, do you state that they are --

2 A. In general, not just employees. I mean, in general, we near
3 miss a lot.

4 Q. What are the majority of the near misses that you witness?

5 A. People crossing the track.

6 Q. People?

7 A. Yes, sir.

8 Q. People.

9 A. Walking.

10 Q. Is it frequent that you see near misses with CSX employees
11 working on track?

12 A. I mean, you'd have to define near misses. What, what do you
13 define as near miss?

14 Q. Well, you, I'm not defining. This is your words, so I'm not
15 trying to ugly about it, I'm just, do you think that you've had
16 frequent near misses with CSX employees?

17 A. I think, in my opinion, a near miss might be a different than
18 your near miss. In my opinion, anybody working in the track that
19 we can, I mean, if we through that train in emergency and can't
20 stop before him, that's, that's a near miss to me.

21 Q. Okay.

22 A. It might be a mile away, but that, that's still a near miss.

23 Q. That's the near miss to you.

24 A. Yes, sir.

25 Q. That, that's exactly what I mean.

1 A. Yes, sir, I'm not saying they get out at the last second -

2 Q. Right.

3 A. -- before we hit and kill them, I'm saying, that's too close
4 for my comfort.

5 Q. I got it.

6 A. In my opinion, it's a near miss.

7 Q. That's all I want. I just wanted you to sort of clarify what
8 you meant by that.

9 A. Yes, sir.

10 Q. Thank you. That's all I've got.

11 MR. TORRES: Anymore? Okay, this will conclude the
12 interview. Thank you very much. Appreciate it.

13 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

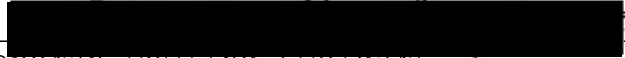
IN THE MATTER OF: RAIL WORKER FATALITY,
 ESTILL, SOUTH CAROLINA,
 NOVEMBER 30, 2018
 Interview of Nathaniel Hill

ACCIDENT NO.: RRD19FRF002

PLACE: Estill, South Carolina

DATE: December 1, 2018

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.


Deborah Dowling Swelgart
Transcriber