

TRANSCRIPT OF INTERVIEW OF NATHAN MCDONALD

November 16, 2021

PROCEEDINGS

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CWO Tiffany [REDACTED]: Good morning. This is Chief Warrant Officer [REDACTED] with United States Coast Guard. Here we're conducting an interview with Nathan Lee MacDonald in relation to the Baxter Southern BNSF trail incident that took place on November 13. In the room we have myself Chief Warrant Officer Tiffany Wight as the investigating officer.

LTJG [REDACTED]: Lieutenant Junior Grade [REDACTED] Coast Guard Quad Cities?

Nathan McDonald: Nathan McDonald

David James: Speak up

Nathan McDonald: Nathan McDonald

David James: My name is David James I represent Mr. McDonald, Southern towing, as well as his crewmates.

CWO Tiffany [REDACTED] On the phone we have.

David Flaherty: Hi, this is David Flaherty on with the NTSB.

EXAMINATION

BY CWO [REDACTED]

Q. At this point, we're going to begin the questions. Can you tell me your experience that you have had working on the river near the river?

A. Yes, five years. I have line towed, I have tanked, I've done about anything and everything to do on the water to do with the deck. Pretty good. No recorded accidents. No shame. I aint never done nothing bad.

Q. How long have you, how long have you been on this vessel?

A. This is my first trip back on at being a tankerman. You know they jump us around.

Q. So you're the tankerman on the vessel?

A. Yes. One of them, back watch mate.

1 Q. And how long have you been on the vessel this time?

2 A. Three weeks.

3 Q. Can you describe the conditions that this vessel has been in over the past week?

4 A. Same as always has been. She's an old boat.

5 Q. Okay.

6 A. Does what needs us to do

7 Q. Okay,

8 A. Nothing fancy gets us where we need to go.

9 Q. Are there and like what kind of when was the last time you guys tied up? Can we start
10 with?

11 A. Oh god that was a long time ago months back we had an exhaust overhaul or something
12 like that and nothing major.

13 Q. So we're talking in relation to that transit that has taken place within the past like three
14 days.

15 David James: What she's asking you, Ma'am? This is David, she's asking you did ya'll stop
16 somewhere between now and the time this accident back to the time that y'all left the dock.

17 A. No, locks.

18 David James: Did you ever stand by anywhere? That's what she's asking him.

19 Q. Okay. Okay, so, did you guys tie up at a dock for about 24 hours a few days prior?

20 A. Yea we had to discharge.

21 Q. Okay, so you guys were doing a discharge? Did you guys stay there longer after the
22 discharge

23 A. Yea to build tow.

24 Q. Okay. Had you pushed in at any point before this for weather?

25 A. We waited for the weather to die down at Pine Bend before we left.

26 Q. Okay, so there was a delay in departing that dock?

1 A. Yea once we built town, yes.

2 Q. Okay, how long after you guys departed that dock? What do you have a idea what time
3 you guys departed that dock?

4 A. I didn't look at all paperwork. I don't want to really just keep up with it.

5 Q. Okay. Was it the same day that this incident happened you guys left that dock?

6 A. No. It takes awhile.

7 Q. Where was that dock at? Do you remember?

8 A. Pine bend

9 David James: What state is pine bend in?

10 A. Minnesota.

11 Q. Okay,

12 David James: Sorry.

13 Q. And that's where you guys took in all the, that's when you took the barges and did the
14 product filling?

15 A. Discharged.

16 Q. Okay, so you guys discharged. So can you describe what the boats condition was? Like
17 work like the tow were the how many barges were they were they empty were they full?

18 A. Yeah, we went in with four loads discharged them, had four empties, built tow and we
19 had one load on the left.

20 Q. Okay, and you at no point between there and where you guys pushed in where this
21 incident took place, did you guys ever push in at any other locations?

22 A. No I don't think so. It was a non stop because south bound, empties, locks come fast.

23 Q. So can you walk me through the time from the time you woke up? And then please fill in
24 any times that you actually have two times you woke up for this watch change. So when the incident
25 happened and then we'll probably proceed a little bit

1 A. 1030 wake up 11 o'clock is watch change. I checked the tow on the hour. When I
2 checked the tow at 11 conditions were horrendous. Rain, 30 mile an hour winds, got out there check
3 tow and made quick of it because it was terrible. 11 clock time. Got into the head. Brian asked me
4 conditions were on the radio, said it's terrible, we joke around ya know. He said we're gonna pull over
5 due to wind delay. I said you need me to stay out here to check? He said no it's gonna be a minute.
6 Come back to the boat to get out of the weather and come back to do the normal cleanup. He radio
7 down maybe 20-25 minutes later. Go check, he was spot on did our stuff, five minutes maybe. We went
8 out there and checked. Before we got out there things had occurred. We got to the head, braced
9 ourselves and waited.

10 Q. When you went out on deck did you know what you're going to go look for?

11 A. Yes, see if he was over the tracks.

12 Q. Okay, so there was a thought that there were tracks there?

13 A. Yeah. To be on the safe side we're always safe.

14 Q. Okay. Is that a common practice to go verify where the?

15 A. Always.

16 Q. Barge pushes in it, so every time the vessel pushes in..

17 A. Sometimes we're right there, if the conditions are right just let him know when he
18 touches up, but the conditions were terrible, was getting rained on was why he said come back you
19 know.

20 Q. Okay have you did you do that exercise anytime between in the last like days couple
21 days or a day of that incident?

22 A. Touching up on land? We do it going into locks, that's one key of bein experienced is
23 being able to talk on the radio. With how wide, when you're going to touch up. So in locks but not on
24 land. Or on the hill is what we call it. Touching up on the hill.

25 Q. All right so, so that, so the pilot already knew that the tracks were there and do we know
26 how he knew that? Do you have any idea how he knew that the tracks were there?

1 A. No.

2 Q. Okay. Okay, so you guys are going out on the tow, you guys got all your gear on. Walk
3 me through what you guys are doing. You walk out of the boat, got all your gear on. Where are you
4 going?

5 A. To go to see if it's over the tracks. We fast paced walk but you can't run because you
6 don't wanna get hurt. So you know it's more of a fast paced. Got out there. We've seen a train to come
7 around the corner with it's on before we get out to the port lead barge. We made to starboard which is a
8 spike, this is a notch. We didn't make it there in time. So we've seen it coming in instead of running up
9 there and getting smashed by a train, we get up on the 611 and braced ourselves. That's when
10 something happened.

11 Q. Where were you, how were you bracing yourselves?

12 A. Squatted down and grabbed a hold of fittings.

13 Q. Okay, so you were kind of squatting not laying down?

14 A. Yea just squatted down, watched for the bump.

15 Q. Did you feel anything?

16 A. Not on that starboard lead barge. Nothing to make me shake move or knock me over no.

17 Q. Okay, did you see any contact with a train?

18 A. It was out of sight. I seen some a little bit of sparks but I don't know where it come from it
19 was dark and all blurred together.

20 Q. So you'd seen sparks Where, did you only see sparks came near the vessel or?

21 A. The train went by because I thought we'd had it made. At first in my heart I was like ohhh
22 and then something sparks and then everything piled over and the train slowed itself down. I was like
23 on TV where it locked up and then sparks go that didn't happen. And that's true.

24 Q. So you're saying that the locomotive went by and then you see the sparks.

25 A. Yes.

26 Q. Any idea what part of the train was there when you seen the sparks?

1 A. When we was up over here, our spikes out there about mid ways and it's way hard to
2 see, there's no possible way to see what hit if it even did, I don't think nothing touched because it didn't,
3 didn't break one of our wires, didn't break our line, it didn't break our tow. Don't really add up, it's still in
4 the same shape we built it when we left.

5 Q. Right, could the pilot, were the search lights out on that tow?

6 A. Yes.

7 Q. Okay, so the, was the pilot? Do you have any idea of the like perspective that the pilot
8 would have seen from up in the pilot house with the search lights where they were located?

9 A. That was pretty much always straight on because they can swivel and go up and down

10 Q. Okay were the lights moving around when you guys were down there?

11 A. No he pretty much had right there on the hill but actually the conditions were bad enough
12 that he couldn't see nothing from up there. That's why we went out there.

13 Q. Okay

14 A. Part of my job to cover him ya know?

15 Q. So when you guys were laying down on the barge, so when you guys seen this, the train
16 you say came around a bend?

17 A. Yeah, it was not, we didn't just see it coming a mile away slowly, it come up basically out
18 of nowhere.

19 Q. Okay so when, who seen the train first?

20 A. Well I mean, I guess we all have seen it come in and say well we just didn't ignore it. We
21 all seen it that's why we would like get up here and brace down a squat. Now in that situation that what
22 you're supposed to do, unless you're able to run away, so we just braced ourselves.

23 Q. Okay, was there any communication with the pilot or anybody else on the boat when you
24 guys identified this train was coming at you?

1 A. Well, there was more of the you know, I tried to notify him real quick on radio before I
2 braced myself from that. We couldn't get to, to notify if it was over or not, so that's why we braced
3 ourselves we couldn't see nothing

4 Q. But did anybody, when you seen the train and you knew that you guys didn't make it up
5 there to verify if you were clear, did what, how did the pilot know, what did the pilot do? Like you guys
6 are bracing yourself what was happening then?

7 A. As far as, I couldn't see the back of the boat. I don't know, as far as I know we went in
8 astern and started pulling back.

9 Q. Okay, do we know, okay. Did you feel that?

10 A. It's all pretty much a blur. It's hard to really remember exactly because you're not, there's
11 a five mile an hour job. You don't really have the horsepower to tell when you're just bucking into.

12 Q. Okay.

13 END CWO [REDACTED]

14 BY LTJG [REDACTED]

15 A. Lieutenant Junior grade [REDACTED] here, coast guard. Just trying to get some more
16 background information sir. So was it how many times have you transited underway with this particular
17 pilot? Have you had an interaction in the past with him?

18 Q. Nope first time with him, great guy.

19 CWO [REDACTED] this is Chief Warrant Officer [REDACTED] with the Coast Guard and was he on board
20 three weeks ago?

21 A. I got on a Sunday he come on the Tuesday that next crew change.

22 Q. Okay, so since you just met the pilot roughly what two and a half weeks prior to the
23 incident. Lieutenant junior grade [REDACTED] with Coast Guard. Have you ever been, more not with that
24 specific tow but with all your years of experience, in that spot or similar spots on the river with the train
25 track?

26 A. Not like that no.

1 Q. No, okay. The condition of the vessel and I know we've asked about the condition of
2 vessel but I'm not more talking mechanical or it was everything on the boat functional lights,

3 A. Yes.

4 Q. Engines .

5 A. Yes.

6 Q. Everything is functional radar that you're aware of.

7 A. Yes.

8 Q. All that good stuff stuff okay. Going back I think you did we did we covered as far as you
9 got called for the tow for watch right you get called so, so I'm understanding correctly correct me if I'm
10 wrong. Watch change happened at 2300 Correct?

11 A. Yes.

12 Q. So you went out there before then or after that the pilot called you back in at some points
13 the weather was too rough correct?

14 A. Yes. After we checked tow and was out on the head.

15 Q. That was after 2300. So you went out there checked everything initially. The lines and
16 the tow configuration if you will. Pilot called you back in due to weather concerns?

17 A. No I asked him. We were joking about how bad the weather was because it was blowing
18 our flag around and what not and I asked him if he wanted us to stay out and he said nah it's gonna be
19 a while before we put it on the hill so we come back. Due to the conditions I don't want to stay out in
20 that.

21 Q. Is it pretty standard based off your experience? Given those conditions that, because he
22 knows then why you were in the vessel, correct? You didn't see it? You didn't feel anything like that?
23 Correct?

24 A. Say what now?

25 Q. Nosing into to the bank. You went to check it afterwards, right?

26 A. Yes.

1 Q. Is that pretty, for my knowledge for industry standards you said most times often than
2 not you would go check up on lead barge I presume and see it, but this time due to the weather
3 conditions you weren't?

4 A. Yeah.

5 Q. Just want to make sure. Okay. Just describe a little more in detail. So you nosed in
6 correct?

7 A. Yep.

8 Q. Pilot called you took you a few minutes to get out on deck with a tow?

9 A. Yes

10 Q. You went out there you made it almost to the starboard, starboard lead barge if you will.
11 And that's when you saw the train.

12 A. Yes.

13 Q. Okay. I think we described, so my one question though. We're all talking about sparks,
14 are all centered around sparks. So describe to me where you were again you're on top of the starboard
15 barge and crouch down it was your head down or were you able to look up?

16 A. No we were squatting down.

17 Q. But you were able to see you weren't actually looking at the deck of the barge

18 A. Yeah

19 Q. Okay

20 A. You know, once it come by, like I said, it didn't hit the head of the train, didn't nothing hit.
21 I thought, we made it sigh of relief.

22 Q. Right.

23 A. And then all of it just rambled together you know it just went over.

24 Q. Okay and how many locomotives do you recall seeing?

25 A. One.

26

1 Q. The lead the lead one?

2 A. Yeah

3 Q. Okay. And where was it in relation to the sparks you saw it? It, was it passed it by one
4 train car would you say or how would you say?

5 A. More than halfway down that train or more it wasn't at the lead one.

6 Q. So halfway down the lead locomotives when you saw the sparks.

7 A. Yeah.

8 Q. Okay. At that time, what did you see the train doing is in regards to?

9 A. All I remember is it just brrr down as in, like a break or something, like I said, it ain't like
10 you see on TV, and then it just all went jumbled up and everything went over there was no, no hit, no
11 jolt, no wire breaking, nothing.

12 Q. Right so when you said you heard that sound and the sparks was that when you saw the
13 brain, uh brain, the train breaking or did you did you see the train trying to break did you notice any
14 visible slowing before the spark?

15 A. It was right when it got close to us, cause it's dark I couldn't see nothing, as in perfect
16 eyesight. It did not hit that barge and that's when it started roaring down and it all jumbled up.
17 <inaudible>

18 Q. Okay, I'm just trying to just try to be clear because we weren't there and was just asking
19 you. So the spark and the sound happen past your barge in your perspective.

20 A. Yes.

21 Q. Okay, so after that point what was the communications actions directions that was given
22 via radio or you did after the train, you saw spark?

23 A. After it jumbled up I got on the radio and said it is derailed, 911, proper precaution,
24 general alarm was sounded just like we're all been trained to do.

25 Q. Okay. What did the vessels actions do then?

1 A. We slowly started backing up away from it because any kind of other damage can
2 happen? Everybody geared up and <inaudible>

3 Q. Okay, where did the vessel proceed to after that point?

4 A. Slowly backup off the bank.

5 Q. And then where did you go after that just for now record

6 A. Maybe 50 yard down the bank away from it a little bit. So we started spotlightin and
7 looking for anybody in the water, any trains in the water, any cars you know what we're trained to do.

8 Q. Did you see any trains or anybody in the water?

9 A. Nope I couldn't, It was dark I mean, you couldn't really see it. It was all kind of a blur.
10 After the accident happens it blurs.

11 Q. What happened to the vessel after that point? What did the vessel do? You said you
12 backed away, right, and you proceeded 50 or so yards down the bank? What happened after that?

13 A. That's where we stayed notified, notified the office and making the right phone calls.

14 Q. Did anybody ever get off the vessel?

15 A. No

16 Q. Okay. All right. That's all the questions I have this time. Mr. Flaherty? I'm sorry.

17 END LTJG [REDACTED]

18 CWO [REDACTED]: This is Chief Warrant Officer [REDACTED]. Are you aware of any cameras on your
19 vessel?

20 A. No.

21 CWO [REDACTED] There are no cameras doing any video footage of anything?

22 Q. Not that I'm aware of.

23 CWO [REDACTED]: Okay.

24 LTJG [REDACTED]: Mr. Flaherty

25 BY David Flaherty

1 Q. Alright. Just a couple of questions. Is it from your experience, sailing, is it common to tie
2 up next to railroad or excuse me, nudge in next to railroad tracks?

3 A. If the railroad tracks or not right there on the river, I mean, yeah, but it was if an empty
4 broke loose out of a fleet, the same thing would have happened. I don't know. You know, it's not
5 common. It was just right there in a bad place.

6 Q. Is there any company policy that you're aware of that provides guidance on how close a
7 barge should be to a railroad track?

8 A. I would have to get a stop manual to give you the correct answer if we have it.

9 Q. Okay, so you're not aware of it off the top of your head?

10 A. No.

11 Q. Okay. So,

12 A. I know you probably don't want to be three inches from it, you know, common sense, but
13 I don't know what our stop manual says.

14 Q. Right. And so why did in that particular point here you're talking about the weather was
15 really bad. And the wind was, what was happening? The wind itself was it? It was it was strong enough
16 there was effecting the steerage or how was what was it affecting the vessel prior to you nudging up?

17 David James: Mr. Flaherty, you be able to ask the next witness that this, this, this gentleman is
18 a mate that works on deck, and you're welcome to answer the question as best he knows, but he's not
19 in the wheelhouse. He's not a navigator. So go ahead and proceed.

20 Q. Proceed. Well, if he, as I understand he was joking with the pilot at the time, right?

21 A. About the wind blowing us yeah

22 Q. So. So you were there when he made the decision to head into the shore then.

23 A. Yes, we were notified due to wind we were gonna be pulling over.

24 Q. Okay. So there was a general notification, or we you, who made the notification you
25 were pulling over?

26 A. The people in the wheelhouse now, I have nothing to do with that.

1 Q. Okay, you're not in the wheelhouse at the time.

2 A. No.

3 Q. Okay. How long had the weather been deteriorating before the decision was made to
4 pull over?

5 A. I'd just come on watch and woke up.

6 Q. Okay, was the weather bad before you went off watch?

7 A. That was daylight five o'clock in the afternoon. We had traveled several miles.

8 Q. But at the time was the weather? The winds and everything weren't affecting the transit?

9 A. No, not like that night, no.

10 Q. Okay. All right. So that's all the questions I have thank you.

11 A. Thank you.

12 END David Flaherty

13 David James: I have no questions. This is David James.

14 LTJG [REDACTED]: I don't have any follow on questions.

15 David James: They may want to contact you in the future. This is David James. They may want
16 to contact you. They're contact you through me. Is that okay with you?

17 Nathan McDonald: Yes sir.

18 David James: All right. Thank you.

19 CWO [REDACTED]: At this point, we are going to stop the recording of this interview.

20 END Interview