



NATIONAL TRANSPORTATION SAFETY BOARD
Investigative Hearing

Norfolk Southern Railway general merchandise freight train 32N
derailment with subsequent hazardous material release and fires,
in East Palestine, Ohio, on February 3, 2023

GROUP	G
EXHIBIT	
23	

Agency / Organization

NTSB

Title

**Interview Transcript – Gary Rambo
ATC Specialist,
Norfolk Southern Railway,
April 13, 2023**



I, Gary Rambo, have read the foregoing pages of a copy of my testimony given during an interview relating to the accident that occurred on February 3, 2023, near East Palestine, OH, and these pages constitute a true and accurate transcription of same with the exception of the following amendments, additions, deletions or corrections:

PAGE NO: LINE NO: CHANGE AND REASON FOR CHANGE

- P. 8, Line 3, brake NOT break
- P. 8, Line 4, brake NOT break
- P. 11, Line 1, the head end NOT that end
- P. 15, Line 14, hotbox data NOT hotbox, HPD
- P. 27, Lines 3-4, to the car or locomotive involved NOT to the car as the locomotive involved
- P. 31, Line 4, consensus of what NOT commissions that
- P. 42, Line 4, MDI 17 NOT MDS 17
- P. 42, Line 10, iDrive NOT hard drive
- P. 42, Line 10, in Teams NOT in our teams

I declare that I have read my statements and that it is true and correct subject to any changes in the form or substance entered here.

Date: May 26, 2023

Witness: 

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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NORFOLK SOUTHERN TRAIN DERAILMENT
IN EAST PALESTINE, OHIO
ON FEBRUARY 3, 2023

Accident No.: RRD23MR005

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Interview of: GARY RAMBO, Analyst of ACT
Norfolk Southern

Atlanta, Georgia

Thursday,
April 13, 2023

APPEARANCES:

GREG SCOTT, Investigator
National Transportation Safety Board

RUBEN PAYAN, Investigator
National Transportation Safety Board

STEPHEN JENNER, Investigator
National Transportation Safety Board

ANNE GARCIA, Investigator
National Transportation Safety Board

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BakerHostetler

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I N T E R V I E W

1
2 MR. SCOTT: All right. My name is Greg Scott, I'm an NTSB
3 investigator for this accident. Today is April the 13th of 2023.
4 We're at the Norfolk Southern Headquarters in Atlanta, Georgia to
5 conduct an interview with Gary Rambo who's employed by Norfolk
6 Southern. This interview is in conjunction with NTSB's
7 investigation involving a derailment of a Norfolk Southern train
8 in East Palestine, Ohio February the 3rd of 2023. The NTSB
9 accident reference number is RRD23MR005.

10 The purpose of this investigation is to increase safety; not
11 to assign fault or blame or liability. Before we begin our
12 interview and questions, we'll go around the table and introduce
13 ourselves. Please spell your last name and state who you
14 represent and your title. I would like to remind everyone to
15 speak loud and clearly for an accurate recording of this
16 interview. I'll start off and then pass off to my right.

17 Again, my name is Greg Scott, the spelling of my last name is
18 S-C-O-T-T, and I'm the NTSB investigator for this accident.

19 MR. PAYAN: Ruben Payan, P-A-Y-A-N. I'm with NTSB. I've
20 been assigned as an investigator in charge over this accident.

21 MS. RENDON: Carole Rendon, R-E-N-D-O-N. I am a partner at
22 BakerHostetler, and I represent Mr. Rambo.

23 MR. RAMBO: Gary Rambo, last name, R-A-M-B-O, Analyst of ATC
24 Operations Norfolk Southern.

25 MS. GREENBERG: Jessica Greenberg, G-R-E-E-N-B-E-R-G. I am

1 an associate at BakerHostetler.

2 MR. JENNER: Stephen Jenner, S-T-E-P-H-A-N, J-E-N-N-E-R. I'm
3 a team performance and systems safety investigator with the NTSB.

4 MS. GARCIA: Anne Garcia, G-A-R-C-I-A. I'm a human
5 performance and systems safety investigator with the NTSB.

6 MR. SCOTT: Thank you. I'd like for you to acknowledge that
7 you're aware this interview is being recorded and you'll be
8 provided a copy of the transcript to review before it's placed in
9 accident docket. Do you understand that?

10 MR. RAMBO: I understand.

11 MR. SCOTT: Okay. And you do understand that this will be a
12 part of the public docket, and as such, we can't guarantee any
13 confidentiality because it'll be a part of the public?

14 MR. RAMBO: I understand.

15 MR. SCOTT: All right. So we'll get started here. Try to
16 ask the questions and have the responses as clearly as possible.

17 INTERVIEW OF GARY RAMBO

18 BY MR. SCOTT:

19 Q. But I'd just like you to, kind of, give me a synopsis of your
20 work experience, where you started at, kind of, leading up into
21 your present job and maybe how long you worked at each position.

22 A. I was hired on with Norfolk Southern as, I came in as a
23 management trainee. They picked me up when I graduated from
24 Southern University in electrical engineering. So I came in, of
25 course, as a management trainee, like I said.

1 My first assignment was at Shaffer's Crossing Locomotive.
2 There, I worked locomotive dispatch, I worked unscheduled
3 maintenance, I worked routine maintenance, and in the diesel shop
4 there. I was in Roanoke for approximately five years. And after
5 leaving there, once I got promoted, I left there and my next
6 assignment actually was here in Atlanta. That was where my job
7 function was a general foreman on the mechanical side.

8 So I was there about nine years at Inman Yard. Basically,
9 the job was, I was responsible for a territory, including Inman
10 Yard. But within that territory, mechanically speaking, when we
11 would have trains break down, then of course, it was my
12 responsibility to make sure we got them going again. So it was,
13 you know, I would, either I would go personally or one of my
14 supervisors would go or one of my employees would go.

15 I was responsible for both the locomotive and the car side
16 when it came to, say, hazardous material spills, derailments, when
17 there were facility maintenance issues, disciplinary issues, the
18 various training aspects with our employees. Pretty much
19 everything that you could think of, mechanically speaking, that
20 was my responsibility there when I was at Inman Yard.

21 So once, you know, after about eight, nine years there, I got
22 an opportunity to move away from that job because, truthfully, it
23 was very stressful. So, you know, having a company truck, you
24 know, company phone, being on call, you know, it's something going
25 on all the time.

1 So for me, once I got the opportunity to leave that job and I
2 got, and to where I could come here, work on the Wayside desk and
3 basically, it was just me. Because before, in my previous
4 assignment, I had myself, four supervisors that I was responsible
5 for, and 133 employees. So when I saw that I could come here and
6 work and it's just me, I was like, sign me up.

7 Q. Okay.

8 A. So once I got here, and I've been doing this job six, seven
9 years roughly now, so it's, you know, it gets stressful but it's
10 not -- it's different. It's not the same kind of stress, so.

11 Q. Okay. If you could just, kind of, start off with the night
12 or the day of the East Palestine, maybe a little bit before then?
13 Just kind of walk us through that process and how the information
14 came in for that derailment and how you learned about it and just,
15 kind of, go through that whole evening for us.

16 A. Okay. Well, the night in particular, I was actually working
17 my coworker's vacation. So if I'm not mistaken, that should've
18 been a Friday. So I came in, my shift started. Normally, I work
19 daylight, but he works nights. And so I came in at 6:30 p.m. So
20 when I came on, everything was going pretty much normal, you know,
21 alerts coming in, you know, for wheels trending hot. Just the
22 normal things that would happen during my shift. So I'm
23 responding accordingly as my, you know, alerts are coming in.

24 So right around approximately 9:00, I ended up getting a call
25 from the 32N. So when they called -- well, I say called. Over

1 the radio. They toned us up over the radio and when I answered,
2 they said they had gotten a critical alarm and they got an
3 emergency break application and release -- excuse me. They got
4 emergency break application at the same time they go the critical
5 alarm.

6 In my mind, I didn't know for sure, but once I saw both of
7 those were happening at the same time, I suspected that they were
8 on the ground. So from there, what I did was -- the program that
9 we use heavily is WDS, Wayside Diagnostic Systems.

10 Q. Okay.

11 A. So I got, I looked in the Wayside Diagnostic Systems because
12 I'm looking to see, okay, well, what is this? What does WDS show
13 me about what's going on here in East Palestine? So let me, kind
14 of, go back a little bit.

15 When I talked to the crew, I asked them, "Okay. What's the
16 location? What's your lead unit number?" That's the usual things
17 that I would ask for in a situation. They all, they told me that
18 the alarm happened at -- excuse me. They told me, "Critical
19 alarm," when I asked them, "101?" So I used that information
20 because I didn't have anything on East Palestine.

21 I went into WDS, I went into what we call all-trains data.
22 When I went into all-trains data, that showed me the previous
23 detector information. That's how I was able to look at Salem,
24 Ohio and say, okay, well, all right. I got Salem, Ohio's data,
25 and I see where axel 101 is showing on this particular car, which

1 was, I think, was line 25. I forgot what the actual car number
2 is.

3 But what I ended up doing from there is I gave the crew that
4 same information. I let them know, "Hey, I don't have the -- I
5 haven't received the alarm as of yet. But here's the car that's
6 showing at that location, so that's where you should start your
7 inspection, you know, right there." And so after I talked to the
8 crew that initial time, I didn't hear anything back from them.

9 But the next thing I got was from, I think it was somebody
10 from the chief dispatcher's office that called me saying, "Hey, we
11 got, you know, a lot of cars on the ground. They're on fire and,
12 you know, we think it's actually hit a building and all that
13 stuff." So, you know, that was my first notification that there
14 definitely was an actual derailment.

15 Q. You said the train crew contacted you. Did they have a way
16 to directly contact you? Do they go through dispatch? How does
17 that --

18 A. They do it over the radio.

19 Q. Do it over the radio.

20 A. Yes, sir.

21 Q. Okay. Let's see. What is the, what's a shift? You said you
22 normally work during the day but you were working at night. What
23 does your shift consist of hour-wise?

24 A. 6:30 to 6:30.

25 Q. Okay. So you typically work 6:30 in the morning until 6:30

1 in the evening?

2 A. That's correct.

3 Q. And you were covering that evening?

4 A. Mm-hmm.

5 Q. Okay. Can you, kind of, just walk us through what, like, a
6 day-to-day operations at the ATC desk is? Maybe some rough
7 estimates on how many alerts you get, what you do with them.

8 A. Typically, about 300, roughly.

9 Q. Do you address all of those alerts?

10 A. No.

11 Q. Okay.

12 A. We analyze them, you know, but in terms of the, as they --
13 when they come in, in WDS, we're scanning through to see what's
14 actionable and what isn't as we're scanning through. So if I see
15 minors, I'll look at them, but I'm probably not thinking it's
16 probably going to be anything I can do anything with or I should
17 do anything with. Moderates, say, for instance, if I'm looking at
18 a 620 moderate, that tells me that wheel temperature's going to be
19 about 500 degrees and it's probably going to be a set and release,
20 but there are nuances within that too.

21 Q. Okay.

22 A. And what I mean by that is, say, if I got a train that just
23 left destination -- excuse me -- left origination and he gets to
24 his first detector, he got, he's showing wheel heat at the first
25 detector leaving the yard. From that point, I would normally ask

1 them to inspect their car, especially if it's closer to that end.
2 It's probably a hand brake. So in that case, once they inspect,
3 release the hand brake, they can continue their trip, hopefully,
4 without any more issues.

5 Now, there are the cases where I'll see a similar situation,
6 but I'll ask them to do a set and release, you know, because
7 sometimes it's just sticking brakes and the set and release will
8 take care of whatever the problem, you know, that issue.

9 Q. Okay. You said you got, though, when you got contacted by
10 the crew, you went back and pulled some data from a previous
11 detector. Did it show anything? It did show something on that
12 axel -- what'd you say it was? -- 101?

13 A. It did. It showed a bearing spike of 103 degrees.

14 Q. Now, had you got a trending alert on that?

15 A. It came in. Honestly, I didn't see it when it first came in.

16 Q. Okay. At the time this was going on, were you busy working
17 on anything else?

18 A. I was.

19 Q. Okay.

20 A. There were three other trains I was working on. You
21 obviously have the documentation for that. But it's, there was
22 three other trains, but I think two were trending, wheels trending
23 hot and the other one was a WILD detector stop that I was talking
24 to the crew about and all that, so.

25 Q. So when you get multiple alerts, how do you determine, you

1 know, which ones are priority to take if you get multiples at the
2 same time?

3 A. We have a priority hierarchy, so to speak, in terms of -- if
4 a crew is calling in and they have an alarm in a location that
5 would take priority over something else, it would just be the set
6 and release.

7 Q. Okay.

8 A. So we usually handle that stuff first.

9 Q. It's just you? It's just person per unit, correct?

10 A. Just one, yes. Just me.

11 Q. If you get overwhelmed, say you have multiple alerts coming
12 in, is there somebody that you can pull from another group or
13 somebody else that can help you? Or it's just you?

14 A. Just me.

15 Q. Okay.

16 A. Now, if there's an emergency or something happens, I can call
17 my boss and he can, you know, step in but in that situation.

18 Q. Now, you're monitoring -- are you monitoring alerts from the
19 entire Norfolk Southern system?

20 A. I am.

21 MR. SCOTT: Okay. I like where I'm at right at this moment.

22 MR. PAYAN: Okay. You doing okay? You need a break or
23 anything?

24 MR. RAMBO: I'm okay.

25 MR. PAYAN: Okay. This is Ruben with NTSB.

1 BY MR. PAYAN:

2 Q. So on the day of the accident, you were working here or at
3 home?

4 A. I was at home.

5 Q. You were at home. Okay. And you said that there was an
6 alarm for the previous detector.

7 A. In Salem. Yeah. Well, there was -- so we did, just to be
8 clear, we made a differentiation between alarms and alerts that --

9 Q. Okay.

10 A. -- was just an alert.

11 Q. That was just an alert?

12 A. Just an alert.

13 Q. And we saw the monitor downstairs earlier today. On the WDS
14 window, some alerts came in color-coded. Would that one alert?

15 A. A new alert always comes in red.

16 Q. Oh. It doesn't mean --

17 A. The alarms --

18 Q. -- the severity of it?

19 A. Right. They all just, alarms and alerts, they all come in
20 red, you know --

21 Q. Okay.

22 A. -- from the top.

23 Q. So red means you haven't read it yet.

24 A. That's correct.

25 Q. Okay.

1 A. Right.

2 Q. Are they self-acknowledging? If you leave them alone long
3 enough, will they clear up on their own and move down the list,
4 or?

5 A. No. We have to just go through and --

6 Q. So they stay red until you?

7 A. (No audible response.)

8 Q. Okay. And so this one was on there. Say that the derailment
9 hadn't happened and this alert is on your list with the critical
10 temperature spike alert being, that you saw, what would've been
11 our course of action after you got that?

12 MS. RENDON: Sorry, I just want to be clear because I'm not
13 sure that's the phrase he used, "Critical temperature spike." I
14 think there's very specific terms they use for the type of alerts,
15 so why don't you just make clear what the alert actually was.

16 MR. RAMBO: It was a 953, bearing temperature spike.

17 BY MR. PAYAN:

18 Q. Bearing temperature spike.

19 A. Yes.

20 Q. Okay. Nine-fifty-three.

21 A. And just, also, to be clear, these codes they were giving
22 out, that's actually -- not sure if you all saw that during your
23 tour today, but these calls, they were using 620s, 953s, 853s, et
24 cetera, they all coincide with the codes that we use within WDS to
25 identify what condition is going on at that particular time.

1 Q. Correct, yeah.

2 A. Okay.

3 Q. We did see that, yeah.

4 A. Okay.

5 Q. So, again, when you got the -- eventually, when you were
6 going to address the 953 alert that you got, what would have been
7 the course of action?

8 A. To put it in the watch window, that they go over that with
9 you, what the watch window is.

10 Q. Okay. For what?

11 A. Reason being is just so we can, so we're able to track it.
12 It's like putting something in your favorites on one of your apps
13 or something. It's like, once we put it in the watch window, from
14 there, we can just click on it, get hotbox, HPD. And then it
15 brings up the current scanners that it's went by so we can see
16 what it's doing from the time we put it in the watch window until
17 subsequent detectors after that, so they can track it.

18 And it stays in there. Say, you now, if I change, you know,
19 change shifts and I'm, you know, during turnover, you know, "Hey,
20 Jose (ph.), we got, you know, this. I left this one in the watch
21 window, you know, we got a bearing we need to keep an eye on," you
22 know, he can see it right there. He's able to continue tracking
23 it, you know, from shift to shift.

24 Q. Okay. And how long does it stay in the watch window before
25 you need to escalate your response?

1 A. From there, basically, what we're doing is we're looking to
2 see if a trending has been established or not.

3 Q. Okay.

4 A. Because, kind of, going back to Salem; for there, the K-value
5 (ph.) was over four, but that was one instance of that. What we
6 look for is actually three K-values of four.

7 Q. Okay.

8 A. You know, because that's going to, for us, it forms a trend
9 because we have a lot of false alerts, and so that tells us, hey,
10 we've got an actual trend going on here. And so, you know, that's
11 the general rule of thumb that we look for.

12 Q. Okay. So this one was the first one that came in.

13 A. Right.

14 Q. And then so you put it in the watch window to see if it
15 continued.

16 A. Or that's what I would have done.

17 Q. Right.

18 A. Is put it in the watch --

19 Q. Right. Right. Right. Right.

20 A. Right

21 Q. Okay. And if the next ones don't show anything, you can
22 remove it out of the watch window?

23 A. That's right. That's, of course, we can.

24 Q. Okay. Okay. So you talked to the crew, you said, at around
25 9:00 p.m. And then did you reach out to the dispatcher at any

1 time?

2 A. After that, after -- initially, after I talked to the crew,
3 what I started doing is creating the email, which -- and you all
4 should have a copy of that. But it shows "unknown alarm" because
5 at that point, I didn't have any confirmation of what this was at
6 all. So that's why I titled it that. You may be able to see from
7 the body, you should be able to see from the body of my email,
8 where I basically described, you know, what occurred during that
9 time.

10 So that was the first thing I did after I -- well, right
11 after talking to the crew. Yeah. So after that, it was a -- I
12 got a call from, I believe it was somebody from the Keystone
13 dispatcher's office, Keystone Division dispatcher's office, but
14 I'm not for sure because I don't remember exactly who that was.
15 Which, that was the one that confirmed that there was a
16 derailment.

17 Q. Okay.

18 A. And the next person I believe was probably Mr. Dickson from
19 out of state.

20 MR. PAYAN: Okay. Yeah. I'll turn it over. Steve, you
21 want, do you have any questions before we go to your areas?

22 MR. JENNER: We overlap.

23 MR. PAYAN: Okay. Good.

24 MR. JENNER: This is Stephen Jenner. You doing okay? You
25 want a break?

1 MR. RAMBO: No, I think I'm okay.

2 MR. JENNER: Great. Okay. I'm going to bounce around and
3 you may have to correct my understanding of some things. So I
4 apologize --

5 MR. RAMBO: No problem.

6 MR. JENNER: -- in advance.

7 BY MR. JENNER:

8 Q. Earlier, you mentioned that the crew reported a critical
9 alarm of axel 101, but you did not have that information at the
10 time. Was that not available on your system at the time? Or you
11 just hadn't retrieved it yourself?

12 A. At the time, it was not available. Normally, we -- that
13 information is pulled from WDS, and that information actually
14 didn't arrive into our system until about 5:00 a.m.

15 Q. Is that normal?

16 A. No. It's -- what happens usually is the detectors will -- if
17 you can imagine a train going over a detector, and that detector
18 has gathered all this information, all this data. And then once
19 it finishes its train passage over that detector, then that, you
20 know, package of data gets, you know, sent. In this case, because
21 the derailment occurred just on top of the detector, and so from
22 that point, the data wasn't sent until movement had occurred over
23 the detector. And then, which would explain why we didn't receive
24 the information until about 5:00 a.m.

25 Q. Understood. So it was expected, given the situation, that

1 that occurred.

2 A. Right.

3 Q. Okay. So but normally, if the train safely went past, you
4 would've --

5 A. Yes.

6 Q. -- received that data.

7 A. Yes.

8 Q. Okay.

9 A. Because normally, I can -- normally, they can, when they call
10 in and -- well, tone me up over the radio and they tell will me
11 what they have; I should be able to look in WDS and see, okay,
12 we've got a talker (ph.) alarm here. Okay. And then, I can click
13 on that line item and then I can see his train, I can see where
14 the alarm is. Then, I can pass onto him the information, you
15 know, the line number, what car it is, what temperatures I'm
16 looking at.

17 Also, if I see other cars within his train that might need to
18 be inspected too, I would pass on that information also because
19 you may as well look at them because he stopped anyway.

20 Q. If you know, what, is there a maximum authorized speed they
21 can travel past a hotbox detector?

22 A. Well, that's just it. It's kind of, it depends on the type
23 of alarm that we're speaking of because if you actually have a
24 critical hotbox, then he needs to stop. You know, come to a safe
25 stop and, you know, inspect where he is. And that's basically

1 what -- and we're talking about basically the highest level of
2 hotbox alarm, which would be an absolute, that would be a
3 temperature of 200-plus. In that situation, he would need to come
4 to a safe stop, inspect where he is and, you know, see what's
5 going on with it.

6 Now, lower-level alarms are a little different. You can,
7 kind of, see where, as the level of alarm goes up, the level of
8 restrictive rule against movement goes up with it.

9 Q. Okay. Is there an accepted definition of alert versus alarm?

10 A. Generally speaking, alarms are going to be announced by the,
11 a detector, generally speaking. Generally, that detector's going
12 to tell the crew, critical alarm on certain axel, that kind of
13 stuff. Alerts are going to be something that we're only going to
14 see working the Wayside desk.

15 And that's, you know, it's -- which that would be different
16 between detector-initiated, which would be an alarm, or Wayside
17 desk-initiated, which could be, you know, is an alert for the most
18 part.

19 Q. Okay. This may not be an easy question to answer, but can
20 you talk about the conditions by which a crew would get notified
21 from the hotbox detector versus when they don't get notified?

22 A. If I may, I'm not quite -- can you clarify please?

23 Q. I will try.

24 A. Sure.

25 Q. Sometimes, do crews get a message -- am I correct to say

1 sometimes the crews get an announcement of an alarm or alert
2 stemming from the hotbox detector?

3 A. Yes.

4 Q. Okay.

5 A. Yeah, that --

6 Q. But sometimes they don't?

7 A. That would be -- okay. All right. Say, for instance, if
8 there is a hot wheel, say the temperature of the wheel is 800
9 degrees. Now, just rule of thumb, our detectors are set at about
10 700 degrees, so it's 700 or greater -- I think some of them might
11 actually be 698, but let's just say 700. 700 degrees or greater;
12 once that detector sees that wheel temperature, it's going to tell
13 the crew, okay, critical hot wheels on axel whatever-it-might-be.

14 Now, in the case of, say, a differential hotbox alarm where
15 the temperature is, say, 115 degrees, then some detectors will
16 talk to the crew; some won't. It's because that's, it's
17 considered a differential alarm just because what is done is that
18 algorithm is looking at one side of the axel and one side of the
19 car and it's comparing the bearings on each side to each other as
20 a -- that means 115-degree differential between, you know, the
21 other two bearings. That's why it's called a differential alarm.

22 In those cases, some of those announce; some of them don't.
23 Now, I don't know why but that would be an instance where, you
24 know, that's something we would see.

25 Q. Yeah.

1 A. Now, in that case, when I see that, then that would be a
2 situation where I'm going to talk to the crew and they're going to
3 need to stop and inspect it.

4 Q. Is it fair to say that if a crew gets communication from the
5 hotbox that, if they're getting it, that it's more on the serious
6 or critical side?

7 A. That would be fair to say.

8 Q. Okay. You talked about -- there was question, if you have
9 three alerts or alarms red on your screen, come in at the same
10 time; I don't know if you said you have to do a triage or you have
11 to prioritize?

12 A. Well, that's just in terms of us prioritizing multiple alerts
13 and alarms coming in and how to multitask and juggle, you know,
14 because working the desk, you can have multiple crews toning you
15 up. You've got phone calls coming in. And then I'm look to the
16 alerts that are coming in too at the same time from there. So
17 it's, you kind of learn over time, okay, I'm going to handle this
18 one first. My next one will be, you know, this one and you just,
19 kind of, knock them out as fast as you can, you know? But of
20 course, at the same time, making sure everything is, you know, as
21 it should be taken care of.

22 Q. Right.

23 A. In the process.

24 Q. How long does it take or what steps do you have to take to
25 assess or to prioritize that you have three come in and for you to

1 prioritize one versus two versus three? How much analysis do you
2 have to do to be able to prioritize?

3 A. Well, I think what happens is, for instance, we would
4 prioritize an alarm over an alert. And then, at the same time, if
5 I'm looking at alerts, I could have a, you know, critical hot
6 wheel that's not an alarm that could be 650 degrees, so it hasn't
7 reached the 700-degree threshold yet. So that one would take
8 priority over another one that would be, say, three cars that have
9 wheel temperatures at 400-plus degrees, which would be a set and
10 release.

11 Q. Right.

12 A. You know what I mean?

13 Q. Yeah. I guess my question is how long does it take --

14 A. Oh, got you.

15 Q. -- for you to prioritize?

16 A. Okay. Including the email, including, like, talking to the
17 crew, putting the email together, it's ten to fifteen minutes.

18 MS. RENDON: I actually, I think his question went more to,
19 correct me if I'm wrong, as you're seeing the alerts come in,
20 let's say three alerts come in, how much time does it take you
21 decide which of the three --

22 MR. RAMBO: Oh.

23 MS. RENDON: -- you're going to address first?

24 MR. RAMBO: It's usually not very long, you know, usually. I
25 mean, because by the time I'm just, kind of, scrolling through, I

1 can usually see pretty quickly, okay, well, this one's critical.
2 That's a critical hot wheel. Okay. That's a critical bearing, I
3 mean, you know, check on that and see what it looks like. And
4 then, once I look, you know, once it comes up and I can see a
5 trend line at the bottom, you know --

6 Because for instance, if I click on, say, a critical bearing
7 alert and it shows me, okay, now, it's at 200 degrees. And, say,
8 it's, you know, the trend line has been, kind of, doing this
9 number here where it's kind of generally trending up and it starts
10 to flatten out or it starts to zig-zag, what we call a saw-tooth,
11 oh, yeah. I'm stopping him as soon as possible in those
12 situations because that's a typical scenario of what we see when
13 that crew, when he inspects, he's going to find something more
14 than likely. Or more than likely, he's going to find something.

15 So it just depends. It's, like, I would, as far as the time
16 period and stuff, I don't know. A couple of minutes, maybe. You
17 know, maybe five.

18 BY MR. JENNER:

19 Q. The way you reworded the question is what I was trying to
20 ask.

21 A. Okay.

22 Q. So it takes how long to prioritize -- not to --

23 A. Just to prioritize --

24 Q. -- act on; just to prioritize.

25 A. I would say about five minutes, maybe. Five minutes or less.

1 Q. And so, and I threw out the number of about three alerts or
2 alarms.

3 A. Well, that's, and not -- for three, no. Not three. Not
4 three. Because three, that would only be a minute or two.

5 Q. Okay.

6 A. Just very quick for three because that's not hard to -- what,
7 I guess what I mean is, when I'm looking in my queue and I've got
8 seven, eight, nine, ten alerts that have come in and my radio is
9 lit up, you know, and I've got multiple, you know, I've got the
10 Gulf lit up, the Coastal, Keystone, you know, all these different
11 trains that are trying to get ahold of me, usually what I'm
12 looking for is, okay, first thing I look for is, say, all right,
13 WDS, are there any talker alarms going on right now? So I'll
14 usually try to address those first, you know, when I can in those
15 situations.

16 If I don't see any of that, then I usually, I'm going to my
17 radio to see, okay, what's the first call I got? You know, let me
18 go ahead and get that and knock it out. Sometimes it's just a
19 train's too slow or something where I can just, you know, they can
20 tell me what they got and I can knock it out pretty quick and
21 just, you know, keep it moving.

22 Q. All right. Thank you. Just to be clear, you worked, you
23 began working at 6:00 p.m. No, 6:30.

24 A. 6:30.

25 Q. And that was actually supposed to be someone else's shift but

1 you were filling in.

2 A. That's correct.

3 Q. What was the last shift that you worked?

4 A. Before that?

5 Q. Yes. Before this --

6 A. That would 've been the previous day, Thursday.

7 Q. During --

8 A. During daylight.

9 Q. The 6:00 a.m.-- 6:30 --

10 A. It's a.m.

11 Q. -- a.m.to 6:30 p.m.

12 A. That's correct.

13 Q. Okay. All right. Well, I'll just ask, what's the hardest
14 part of your job?

15 A. Probably the -- okay. Multitasking. But that's mainly when
16 we have situations like, say, if there's a derailment, part of my
17 job is to research derailments. But if there's no one else there
18 -- which many times, there isn't -- to research that derailment,
19 you're doing the research at the same time you're doing your
20 regular job function. And so that can, it can be, kind of,
21 cumbersome trying to do all of that.

22 Because, see, during your research, you're going to pull all
23 your hot wheel, hotbox data, all of your WILD data, which is your
24 high-impact wheels, all of your load imbalance information. Are
25 there any past alerts? Any machine vision information? Wheel

1 profile information. You know, just because basically you're
2 trying to give the person that's requesting it all the past data,
3 you know, that has occurred with regard to the car as the
4 locomotive involved to give them a good picture. Is there
5 anything previously that could've been there that could have
6 precipitated, you know, this incident to happen.

7 Now, that does include not just derailments, that's a couple
8 of (indiscernible). Sometimes if the handbrakes are left on, then
9 they want to know, okay, where was the first location that showed
10 wheel heat? Which is another research request.

11 So, you know, that's part of it. So, yeah, that's probably
12 the, you know, I guess the worst part about it. But I think every
13 job has its downside, I guess.

14 Q. I'm trying to get your thoughts about the quality of
15 information that you get; do you think you're receiving the
16 necessary information from the field to do what you need to do
17 your job successfully?

18 A. I do.

19 Q. Do you think there's any other information that would help
20 you do your job?

21 A. No, I don't think so.

22 Q. Okay. Just, I guess, this may be more of a hypothetical
23 question. If they were to increase the number of hotboxes on a
24 route, how do you think that would affect your job? Would it help
25 you do your job? Would it hurt you? Or remain the same?

1 A. I think it could help. However, because for instance, right
2 now, our hotboxes are roughly 15 miles apart, you know, some might
3 be 13, 14 miles apart roughly. So if you increase that, you make
4 them maybe -- what? -- 7 or 8 miles apart; just, you know, split
5 15 in half. That would also increase the number of alerts. So
6 instead of 300, 400, 500, something like that, I would say I need
7 help, you know, in those situations.

8 But it would give us a larger dataset. I would say that
9 much.

10 Q. I think I heard two things. I heard a positive and potential
11 negative. You would have more alerts, but you would have to
12 manage more alerts.

13 A. Right. I think, I guess to sum that up, with the right help,
14 I think it would be great.

15 Q. What do you mean by help?

16 A. Someone else working the desk with me.

17 Q. And that's under the case, under the situation if they
18 increase the number of hotboxes.

19 A. Because I think, honestly, it would -- even now, I think,
20 like -- I know you hadn't asked me this, but if I could say a way
21 to improve the job, another person would be great. And I only say
22 that just because we had a situation like that in the past where
23 there was another person that worked the desk, but they actually
24 were in what we call a research role.

25 So when there were derailments, that person would do the

1 research. And then when there are vacations that need to be
2 covered, then that person would cover the vacations and all that
3 stuff. And so, even if I got into a spot and I needed, you know,
4 some help and, you know, hey, man, I'm getting pummeled over here,
5 they could jump in and, you know, kind of, relieve just for a
6 little bit. Okay. Hey, I'm good now, and then they could go
7 about what they were doing.

8 So that worked very well. Just but, you know, once job cuts
9 came in, you know, that was one of the cuts that was made.

10 Q. Can you talk to me about, prior to job cuts, how things were
11 run? Did you have two people working?

12 A. Well, that's how we -- in terms of the two people, that's how
13 we ran it; where on daylight, when I worked, the other person that
14 was working the research job or research/vacation relief, they
15 were available to assist during a shift. And I can't, I don't
16 remember how long we had that, but that scenario worked pretty
17 good.

18 Q. Did you use the, that resource? Can you recall using that
19 other person while you were working a shift?

20 A. Mm-hmm.

21 Q. How frequently might you use it in under -- well, how
22 frequently might you use another person?

23 A. Pretty, fairly frequent because, you know, different
24 scenarios happen that require, you know, the research. Or, you
25 know, or assistance with alerts coming in, you know, so they were

1 just readily available to do all that.

2 Q. So if I were to say, if I asked you how frequent, is that
3 more than -- is that per shift, would you use them multiple times
4 per shift? Or just maybe multiple times per week?

5 A. I would say a few times per shift.

6 Q. All right.

7 A. Which would translate into, of course, multiple times in a
8 week.

9 Q. Okay. So from what I'm hearing from you is then there were
10 job cuts and that resource was no longer available to you. Did
11 they, was there any additional training or instruction you were
12 given when that resource was taken away from you?

13 A. No. I would say no. What happened is, honestly, we went --
14 before we, before that situation came about where we had, where we
15 were given the two people that were able to do the research and
16 work the vacations, which, remind you, that was only on first
17 shift. That wasn't all the way, that wasn't every shift. That
18 was just first shift, primarily, I would say. Yeah.

19 There was a, under that, in that situation, before that, that
20 was a scenario where it was only four of us, where we worked each
21 other's vacations and we were, you know, we were used to working
22 under the gun, pretty much, you know, with multiple alerts coming
23 in. You know, if you need to go to the bathroom, you just, okay,
24 well, all right, I'm looking. Okay. I got a moment. Nothing's
25 coming in right now, let me go quick and, you know, you can go and

1 come back. It's the same thing, you know, when you're ready to
2 eat, just, kind of, look for a break and go warm your food up,
3 come back.

4 And so that was just, the general commissions that we had
5 before that. And so, of course, you know, once that, those jobs
6 came where I was like, you know, it was, it felt like a reprieve,
7 you know what I mean? So, yeah. But to answer your question, no.
8 We just reverted back to what we, you know, were doing before.

9 Q. When you start your 12-hour shift, do you, is there an
10 expectation that you will have to manage a derailment?

11 A. Everybody -- well, yeah, when you say that.

12 Q. It's common enough that you would expect --

13 A. Yes.

14 Q. -- that that's going to happen on my shift.

15 A. Yes. Or it could. It could happen.

16 Q. Okay. So certainly not uncommon.

17 A. Right.

18 Q. Okay.

19 A. Right.

20 Q. Okay. And to manage a derailment, how much time would that
21 take you to do?

22 A. If I'm researching a derailment along with doing my shift, my
23 normal shift duties, it probably would take me about two to three
24 hours to get that report out because you could be in the middle of
25 pulling the hotbox and hot wheel information, okay, crews start

1 calling, you know? Alerts coming in. And so you end up, kind of,
2 jumping back and forth until you eventually get the report done.
3 And then, at that point, that time ends up passing and you can
4 finally get it out.

5 Q. Okay. I'll finish up my line of questions. If you were in
6 charge, would you put that, what I'm calling a resource person --
7 did that person have a title?

8 A. I'm sure they did but I know there was research and vacation
9 relief, but I don't remember the exact --

10 Q. Okay.

11 A. -- title.

12 Q. Were they qualified as an ATC analyst?

13 A. Yes.

14 Q. Okay. If you were in charge of everything, would you be in
15 favor of putting such a resource back with and available to ATC
16 analysts?

17 A. I would.

18 MR. JENNER: Okay. That's all I have for now. Thanks very
19 much.

20 MR. RAMBO: Yes, sir.

21 MS. GARCIA: Okay. Anne Garcia. I just have a couple of
22 follow-up questions to what Steve was asking.

23 BY MS. GARCIA:

24 Q. So you said that you're working your shift is 6:30 p.m. to
25 6:30 a.m. So how long have you been working that shift?

1 MS. RENDON: So, I'm sorry. I think you may have
2 misunderstood. I think his normal shift is 6:30 a.m. to 6:30 p.m.

3 MS. GARCIA: Oh. Thank you.

4 MS. RENDON: On the night of the derailment in East
5 Palestine, he was working 6:30 p.m. to 6:30 a.m. because he was
6 covering for a coworker who was on vacation.

7 MS. GARCIA: Oh, okay. Thank you.

8 BY MS. GARCIA:

9 Q. So the previous day, you worked what hours?

10 A. On Thursday, I worked 6:30 a.m. to 6:30 p.m. And then on
11 Friday, that's when I worked just the opposite, 6:30 p.m. to 6:30
12 a.m.

13 Q. Okay.

14 A. Because my coworker normally works the night side.

15 Q. Okay. So I, we heard earlier about the kind of work schedule
16 over two weeks that you do; it's two days on. So where were you
17 in this? I mean, did you work Wednesday?

18 A. Right. I had worked Wednesday, Thursday. And Friday was my
19 extra day to work, to cover for my coworker, Jose.

20 Q. That was your normal day off?

21 A. That's correct.

22 Q. Okay. Thank you. So now that I have that correct, how long
23 have you been working these 12-hour schedules?

24 A. We've been working 12 since I started. Since I started
25 working the Wayside desk, six to seven years. I forget which one

1 it is now.

2 Q. Okay.

3 A. But we didn't work the same format before. We've probably
4 been doing this format for, I'm just guessing, three years maybe,
5 roughly. Could be four. But before that, what we did was a four
6 on, three off. Because I was -- before I had, when I first
7 started with the Wayside desk, I was, I think I had Thursday,
8 Friday, Saturday off, I think. I think I had Thursday, Friday,
9 Saturday off then and was working four 12s.

10 Q. Okay.

11 A. And then I think the opposite, the opposite rotation, other
12 coworkers had the opposite of me, Sunday, Monday, Tuesday.

13 Q. Okay. Thank you. I'm looking at how Norfolk Southern does
14 their work scheduling. So in that, you mentioned about breaks.
15 Who covers for you when you need a break?

16 A. There was no one covering.

17 Q. Okay. So how long do you get for a meal break?

18 A. We don't have them. It's just, all we basically do is, you
19 know, if I'm -- it's all dictated according to the flow of alerts
20 and alarms that come in. As they come in, we basically, we're,
21 you know -- right around lunch time, I'm trying to see, okay,
22 where can I jump, you know -- okay.

23 Here in the building, we have an app that we can order food.
24 So I get on the app, order my food right quick. And then once I
25 get a text telling me that my food is ready, what I'll do is now,

1 I'm looking, okay, well, where is my opportunity to, you know,
2 leave for the next ten minutes to go grab my food and come back?
3 Because we just grab our food and come back, we eat at the desk.
4 And, you know, we just continue working, you know?

5 So there's technically no, there's no break --

6 Q. Okay.

7 A. -- so to speak.

8 Q. Okay.

9 A. Which kind of goes back to my previous point I was making.
10 With another person, then he can work it, you know, and I could
11 take 30, go eat, come back, and then vice versa with that
12 situation.

13 Q. Thank you. You mentioned before, you receive radio calls
14 from the train crew. So when you have to take a break to use the
15 restroom or eat your food, are those radio calls recorded and
16 sitting in a queue like an answering machine?

17 A. No.

18 Q. So do you have -- how do you know that a radio call has come
19 in?

20 A. That's just it. Once I -- now are you saying that if it
21 comes in while I'm gone?

22 Q. Right.

23 A. Normally, it'll, what I'll see is the radio tower flashing.
24 That's what usually happens, unless they cut off communication on
25 their side, because other than that, it'll continue flashing.

1 Q. Okay.

2 A. Because once I --

3 Q. They're waiting for you to --

4 A. Right.

5 Q. -- respond.

6 A. They're still waiting for my response, so which is the reason
7 why, for us, we're just trying to get our food and come back as
8 soon as possible. And, you know, because if I, once I get back, I
9 see my radio flashing, I'm logging in right quick, push my food to
10 the side, and I'm dealing with whatever it is that's going on.
11 You know, and so even with that, it's a matter of you eat when you
12 have time to eat. That's the general consensus, you know, of you
13 eat when you can because it doesn't, because the way the job is
14 structured, you don't, it doesn't, your meal doesn't have priority
15 over whatever's going on with the crews and, you know, going on
16 with you where the job's concerned.

17 Q. All right. Okay. Just one other little set of questions and
18 follow-up. So you were teleworking on this particular shift.
19 When did Norfolk Southern set up the teleworking? Was that a
20 COVID thing?

21 A. COVID.

22 Q. Okay. So how long roughly have you been doing the
23 teleworking?

24 A. Probably a year, maybe.

25 Q. Okay.

- 1 A. Yeah.
- 2 Q. And is that --
- 3 A. Because --
- 4 Q. -- your regular? Do you ever come into the building for work
5 shifts?
- 6 A. Oh, yeah. Mostly, I'm here in the building. But it's just
7 roughly, it's probably about 30 percent at home.
- 8 Q. Okay.
- 9 A. Mostly in the building.
- 10 Q. Okay. And you have a home setup? We saw the displays here.
11 Do you have a similar setup at home?
- 12 A. Just like it. It's a -- I'm a do-it-yourself kind of guy, so
13 it gave me and excuse to, you know, to, hey, Babe, I got to do it
14 you know? Got to do a project, you know at home, so I mounted my
15 screens, curved screens, 32-inch curved screens to the wall. And
16 so I, you know, I had to justify the expense.
- 17 Q. Okay.
- 18 A. So it's just like it is here, you know, two screens and I
19 can, my laptop is a screen, you know, so that's where I put my
20 radio is on the laptop and everything else is, you know, on the
21 two screens above it.
- 22 Q. Okay. Norfolk Southern has approved, they approved your
23 teleworking setup and your schedule --
- 24 A. Yes.
- 25 Q. -- and that?

1 A. That's correct.

2 Q. And do you have any distractions at home? I mean, for
3 example, there's environmental distractions, like, if you live
4 next to a railroad line, you know, there might be noises that come
5 in. If you live next to a daycare, you know, you might hear a lot
6 of children playing at times. Anything like that?

7 A. No. In fact, I, the headphones I use at home actually, they
8 cover my whole ear so, you know, it's pretty easy to be focused.

9 MS. GARCIA: Okay. Thank you, that's all.

10 MR. SCOTT: This is Greg Scott. So we'll go around one more
11 time and then we'll probably get to Anne's second set of
12 questions. I had a couple follow-ups.

13 BY MR. SCOTT:

14 Q. You talked about the cut relief job or for the
15 vacation/research position. Do you know when they did that? What
16 year or approximately how many years ago that was?

17 A. Roughly, I don't know, two or three years ago.

18 Q. Okay.

19 A. I mean, I've -- yeah. That's just a guess.

20 Q. Okay. So alerts, is there any difference, really, between
21 night versus day? Do you get more alerts during the daytime than
22 you do night or is it about the same?

23 A. It depends. And I only say that just because it seems --
24 this is just my opinion. It seems to change once they -- train
25 schedules change from time to time depending on the needs of the

1 business. So that seems to affect how the alerts come in, which I
2 think what happens is you end up with train traffic being heavier
3 on one side or the other one, and I think that might be the main
4 driver behind the amount of alerts that we get.

5 Q. So there's not a better or easier job, to work nightshift
6 versus day --

7 A. Yeah, that's --

8 Q. -- dayshift, per se?

9 A. Yeah. Because now it seems like, it seems like now that
10 we're heavier on the dayside, you know, but that changes.

11 Q. Okay.

12 A. You know?

13 Q. A couple of questions on the alert side. So say you have two
14 alerts come in, a hot wheel and a hot bearing. Is there, do you
15 basically use your own opinion on which to address first? Or is
16 there protocol on which one of those to address first?

17 A. Well, in terms of if I'm faced with those two situations, hot
18 bearing first.

19 Q. Okay.

20 A. Just because of the characteristics of the two. Bearings,
21 though, generally, can't withstand the amount of heat that a wheel
22 can. Just, you know, just primarily for that reason.

23 Q. Okay. And as far as alerts go, do you address, like, HAZMAT
24 trains differently than non-HAZMAT trains? Or freight differently
25 than passenger?

1 A. That all -- right. That's all different. According to the
2 -- for instance, another job function that we have is, say, if we
3 get a call from a crew that says we got a detector not working,
4 you know, at a particular detector; once they tell me that, then
5 of course, then it depends on are they a key train? Which, do
6 they have HAZMATS or not? So if they are a key train, then at
7 that stage, they do need to inspect that entire train, which what
8 we require at that point is a walking inspection.

9 So in the case that this was a detector not working and this
10 was not a key train, then they are, at that point, they're
11 required, they can -- as long as they have had a good reading at
12 their previous detector, it is not their first or their last
13 detector, basically, they're some point in between, then they can
14 do 30 miles per hour to the next detector and then we can just
15 pull the report on that detector. So we'll get a, signal the
16 maintainer out there to take care of the issue.

17 Q. Okay. What about is there a difference between passenger and
18 freight?

19 A. Yeah. That's, we do the same thing. If it's a key train, a
20 passenger train like Amtrak, they have to inspect.

21 Q. Okay.

22 A. They've got to stop and inspect. There's also a differential
23 between, say if, like, with our stress detectors, the WILD
24 detectors for high-impact wheels, there is, we have a different
25 scale for HAZMATs versus the non-HAZMAT cars.

1 Q. Okay.

2 A. Like, HAZMAT, for instance. For the non-HAZMAT cars, the
3 scale is going to be for high-impact wheels. The scale is 125 to
4 139.9. That's what a, that's for non-critical high-impact wheel.
5 And that's for a non-HAZMAT car. Now, if that car was a HAZMAT,
6 then of course the scale drops and now you've got it from 110 up
7 to 120 is considered non-critical.

8 Q. Okay.

9 A. Well, technically, 110 to 119.9 and then at 120, that's when
10 the critical for a hazardous materials car kicks in. The
11 difference between the two, when you have a non-critical high
12 impact versus a critical, the difference is that with a critical,
13 they have to stop and inspect immediately or, you know, as soon as
14 possible, they're going to need to inspect. And what they're
15 looking for in that situation, of course, is what do those flat
16 spots look like? You know, what does the wheel, you know, is
17 there any shelling in the tread? You know, what kind of issue are
18 we talking about? Is this car safe to set out? That's what
19 they're doing when they inspect.

20 And so, depending on what they find, they would be able to do
21 30 to that, the next set out location. Or it just depends on what
22 they find. But the main thing is the inspection. They need to
23 inspect immediately for that critical.

24 Q. Okay. Now, do you have any procedures or anything to
25 reference as you're going through this to try to keep track of all

1 this information?

2 A. There's, for instance, that information right there, that can
3 be found in mechanical part -- excuse me. The mechanical
4 department, the instruction in 17, the MDS 17. That's where it
5 tells us how to handle, you know, our equipment in these
6 situations.

7 Q. Okay. Do you have anything that tells you how to address the
8 different alerts?

9 A. We do. There's, our SOPs, we keep those in two places on the
10 hard drive and also in our teams where, basically, we, part of
11 those SOPs, we have, I think they call it a cheat-sheet that
12 shows, like, all the WDS alerts we talked about, you know? If you
13 get a 620, you know, it tells you the steps to take and, you know,
14 all that stuff and it's got a little picture, you know, showing an
15 example of what that looks like. And so it's a nice quick
16 reference to have.

17 MR. SCOTT: Okay. That's all that I can think of right now.
18 Ruben?

19 MR. PAYAN: I have a few, but you okay? You need a break?

20 MS. RENDON: Yeah, I was going to say, maybe now is a good
21 time for a break.

22 MR. PAYAN: Okay.

23 MS. RENDON: I don't know if there's some place around here
24 to get water or if we have to go out into the world to do that?

25 MR. PAYAN: The fifth floor, there's the --

1 MR. SCOTT: So we'll go off record real quick --

2 MR. PAYAN: Yeah.

3 MR. SCOTT: -- and take a break.

4 (Off the record)

5 (On the record)

6 MR. SCOTT: All right. We're back recording from our break.

7 And we were up to Ruben Payan --

8 MR. PAYAN: All right.

9 MR. SCOTT: -- with some follow-up questions

10 MR. PAYAN: All right. Thank you.

11 BY MR. PAYAN:

12 Q. You mentioned you started off with the mechanical department.

13 Then you moved to the ATC desk; under what department does that
14 fall under?

15 A. I want to say ATC is its own department within itself. I
16 don't think it falls under anything. I mean, even mechanical.

17 Q. Okay.

18 A. I'm not for sure about that.

19 Q. Okay.

20 A. So.

21 Q. Now, in your six or seven years you mentioned being at the
22 ATC desk. Do you recall the Norfolk Southern ever adjusting the
23 temperature thresholds for the hotbox detectors, hot bearing
24 detectors?

25 A. Not that I can recall.

1 Q. You don't recall, okay. So as far as you know, it's always
2 been the 170, 200?

3 A. Yeah, as far as I know, it's always been. That's what
4 they've always been.

5 Q. Okay. Are you under the Hours of Service Act?

6 A. No.

7 Q. No. Okay. And then, after the accident, did you continue
8 your shift? Or were you drug tested? Were you relieved?

9 A. I continued my shift.

10 Q. You finished your shift? Okay.

11 A. I continued my shift.

12 Q. So you didn't fall under post-accident FRA drug and alcohol?

13 A. I mean, at the same time, we are, I know I could be tested at
14 any time, you know, but --

15 Q. Under the railroad follow-up.

16 A. Yes.

17 Q. Okay. But there was no FRA post-accident for you?

18 A. No.

19 MR. PAYAN: All right. Okay. That's all I had. Thank you.
20 Steve?

21 MR. JENNER: I do not have any questions.

22 MR. PAYAN: Okay.

23 MR. JENNER: Thank you.

24 MR. SCOTT: I don't have any follow-up. All right. So we'll
25 let -- Anne has a couple questions that I'll let her get started

1 with.

2 MS. GARCIA: I have a couple of other questions here. Okay.
3 So, again, this is, as we mentioned earlier, this is a safety
4 culture part of our assessment. And the questions I'm going to
5 ask you are strictly about your opinion about things at Norfolk
6 Southern, looking at different layers of the organization. Okay?

7 MR. RAMBO: Now, is this in reference to these answers here?

8 MS. GARCIA: Yes. Okay.

9 BY MS. GARCIA:

10 Q. So first, we'll start with some questions about yourself.
11 Would you agree that you understand your responsibilities with
12 regard to safety?

13 A. Completely agree.

14 Q. Okay. Would you agree that you are adequately trained on the
15 tasks you are expected to perform?

16 A. Completely agree.

17 Q. That you are aware of the procedures to use for reporting
18 safety concerns?

19 A. Completely agree.

20 Q. That you are encouraged to challenge assumptions and
21 routines?

22 A. Could you repeat that one?

23 Q. Would you agree that you are encouraged to challenge
24 assumptions and routines?

25 A. Strongly agree.

1 Q. Okay. That you are given the resources you need to carry out
2 your work in a safe way?

3 A. Completely agree.

4 Q. Okay. The next set is about your department. Okay. Would
5 you agree that the people in your department are clear in how
6 their roles contribute to railway safety?

7 A. Completely agree.

8 Q. That they encourage contractors to systematically provide
9 safety feedback?

10 MS. RENDON: I wonder if he's stumbling on the word
11 "contractors." I don't know if you mean that in a legal sense.

12 BY MS. GARCIA:

13 Q. Do you have contractors that work in your department?

14 A. Not in my current role.

15 Q. Okay.

16 A. Previous --

17 Q. Then --

18 A. -- roles.

19 Q. Okay.

20 A. But is your question relevant to --

21 Q. Current.

22 A. -- my older time? Or just current.

23 Q. Your current. It's been six years. You've been --

24 A. Okay.

25 Q. Yeah. So it would be --

- 1 A. Just --
- 2 Q. -- no opinion?
- 3 A. No opinion.
- 4 Q. Okay.
- 5 A. No opinion.
- 6 Q. Would you agree that people in your department are encouraged
- 7 to report deviations from procedures?
- 8 A. Strongly agree.
- 9 Q. That they do not report safety concerns because they fear
- 10 reactions from colleagues?
- 11 A. Could you state that one again, please?
- 12 Q. Would you agree that people in your department do not report
- 13 safety concerns because they fear reactions from colleagues?
- 14 A. No opinion.
- 15 Q. Okay. Would you agree that people in your department
- 16 understand the purpose of the safety rules that apply to their
- 17 tasks?
- 18 A. Strongly agree.
- 19 Q. Okay. The next set are on management. Okay. Would you
- 20 agree that Norfolk Southern management considers safety to be an
- 21 investment?
- 22 A. Completely agree.
- 23 Q. That management clearly explains how safety supports overall
- 24 performance?
- 25 A. Completely agree.

1 Q. That management understands the reality of how work is
2 actually done.

3 A. Strongly agree.

4 Q. That management adequately addresses safety during meetings.

5 A. Could you state that one more time?

6 Q. Would you agree that Norfolk Southern management adequately
7 addresses safety during meetings?

8 A. Strongly agree.

9 Q. Okay. That management is keen to develop safety leadership
10 skills.

11 A. Strongly agree.

12 Q. That management recognizes staff for safety achievements.

13 A. Strongly agree.

14 Q. That management is aware that poor working conditions can
15 lead to accidents.

16 A. Completely agree.

17 Q. Do you agree that management reacts appropriately in an
18 emergency?

19 A. Completely agree.

20 Q. That management supports learning from incidents.

21 A. Completely agree.

22 Q. That management effectively communicates the outcomes of
23 safety investigations to staff.

24 A. Agree.

25 Q. That management informs relevant staff of corrective and

1 preventative actions following an incident.

2 A. Could you state that one again?

3 Q. Would you agree that Norfolk Southern management informs
4 relevant staff of corrective and preventative actions following an
5 incident?

6 A. Agree.

7 Q. That management learns from the safety performance and
8 experience of other companies.

9 A. Strongly agree.

10 Q. Okay. The next set of questions is about the Norfolk
11 Southern organization as a whole. Would you agree that Norfolk
12 Southern employees have all the information and equipment
13 necessary to conduct their work safely?

14 A. Strongly agree.

15 Q. That employees are adequately involved in risk assessments?

16 A. Strongly agree.

17 Q. That employees are involved in safety initiatives that affect
18 their jobs.

19 A. Strongly agree.

20 Q. That employees feel included in safety initiatives and
21 motivated to stay involved.

22 A. Strongly agree.

23 Q. That management and staff effectively monitor known safety
24 problems.

25 A. Strongly agree.

- 1 Q. And identify new ones.
- 2 A. Also, strongly agree.
- 3 Q. Okay. That the Norfolk Southern organization learns enough
4 from safety feedback.
- 5 A. Strongly agree.
- 6 Q. That Norfolk Southern is able to adapt safely to unexpected
7 situations.
- 8 A. Could you state that one again?
- 9 Q. Would you agree that Norfolk Southern is able to adapt safely
10 to unexpected situations?
- 11 A. Strongly agree. Can I elaborate?
- 12 Q. Yeah.
- 13 A. Reason being, and this kind of pulls from my past experience.
14 When working in the field, we're always encouraged to perform job
15 safety briefings. And I don't know if you are all familiar with
16 that. Well, that was something that we did, you know, all the
17 time. So and, of course, that's part of what the, you know, our,
18 departmentally, what we're supposed to do anyway.
- 19 Q. Okay.
- 20 A. You know, when you're supposed to do another safety briefing
21 when conditions change, the job changes --
- 22 Q. Yeah.
- 23 A. -- that kind of stuff. So that was something that was pretty
24 much ingrained in us, you know, since I started my career. So,
25 yeah, strongly agree is my answer to that question.

1 Q. Okay. Thank you. Would you agree that Norfolk Southern is
2 aware that overconfidence and complacency can lead to accidents?

3 A. Completely agree.

4 Q. That some activities impacting safety are difficult to
5 perform due to fatigue or time pressure.

6 A. Agree.

7 Q. That Norfolk Southern employees are never encouraged to
8 deviate from a safety rule, even when it facilitates operations or
9 production.

10 A. Strongly agree.

11 Q. That Norfolk Southern management does not pressure staff to
12 maintain service or operations potentially at the cost of safety.

13 A. Strongly agree.

14 Q. And adequate safety information is communicated at the start
15 of each shift or handover of duties?

16 A. Can you state that one again, please?

17 Q. Would you agree that adequate safety information is
18 communicated at the start of each shift or handover of duties?

19 A. No opinion, but I guess I kind of feel the need to elaborate.

20 Q. Okay.

21 A. In my current position, it's, the turnover is a lot different
22 just because of the nature of the job. You know, previous
23 position was totally different. So it was then; this one, not so
24 much.

25 Q. Okay.

1 A. Because of the difference in the job.

2 Q. Okay. All right. Thank you. Would you agree that Norfolk
3 Southern people support each other when safety is at stake,
4 despite competing goals?

5 A. Strongly agree.

6 Q. That Norfolk Southern people always intervene when someone is
7 at risk.

8 A. Strongly agree.

9 Q. That employees are encouraged to speak openly to federal
10 authorities when requested.

11 A. Completely agree.

12 Q. Would you agree that Norfolk Southern management does not
13 place blame for safety violations before completing a root cause
14 analysis?

15 A. Completely agree.

16 Q. That Norfolk Southern's investigations of safety incidents
17 and accidents focus on finding root causes and lessons learned.

18 A. Completely agree.

19 Q. That accidents are predominately seen as the result of
20 individual's mistakes.

21 A. Could you state that one again, please?

22 Q. Would you agree that Norfolk Southern's accidents are
23 predominately seen as the result of individual's mistakes?

24 A. No opinion.

25 Q. Okay. Would you agree that Norfolk Southern safety

1 investigations aim at finding all causes and contributing factors?

2 A. Strongly agree.

3 Q. Okay. That Norfolk Southern employees regularly report
4 safety concerns that impact operations when it is appropriate to
5 do so.

6 A. Strongly agree.

7 Q. That Norfolk Southern has established procedures that are
8 easy to use for staff to report safety issues.

9 A. Strongly agree.

10 Q. And what are they? Any examples?

11 A. Normally, we go through the protocol in terms of supervision.
12 You know, for instance, in this case, for me, it would be Mike
13 (ph.). I would report, whatever the issue is, I would report it
14 to Mike and he would run with it from there. That's normally how
15 we do it.

16 Q. Okay. Thank you. Would you agree that at Norfolk Southern,
17 safety issues are reported and logged for future workplace
18 improvements?

19 A. Agree.

20 Q. Okay. That at Norfolk Southern, any safety improvement is
21 only initiated after the intervention of federal authorities.

22 A. Strongly disagree.

23 Q. Okay. That Norfolk Southern, the key operational processes
24 are safe and efficient.

25 A. Completely agree.

1 Q. Would you agree that in the Norfolk Southern organization,
2 safety related information is not difficult to access.

3 A. Completely agree.

4 Q. That inputs from frontline staff are systematically
5 considered when changing a procedure.

6 A. Agree.

7 Q. That training is systematically provided when changes
8 impacting safety are introduced.

9 A. Could you state that one again, please?

10 Q. Would you agree that at Norfolk Southern, training is
11 systematically provided when changes impacting safety are
12 introduced?

13 A. Strongly agree.

14 Q. That Norfolk Southern staff is trained to a competent level
15 of understanding and skill before changes are made that can affect
16 safety.

17 A. Strongly agree.

18 Q. That safety training only focuses on technical skills and
19 rules knowledge.

20 A. Disagree.

21 Q. That Norfolk Southern-taught managers have a vision of safety
22 that is understood by the staff.

23 A. Agree.

24 Q. That taught managers are regularly seen on site engaging with
25 staff.

1 A. Strongly agree.

2 Q. Would you agree that Norfolk Southern management clearly
3 communicates and explains decisions about safety?

4 A. Strongly agree.

5 Q. That Norfolk Southern management follows clear and consistent
6 procedures for deciding on disciplinary actions for safety
7 violations.

8 A. Strongly agree.

9 Q. Would you agree that Norfolk Southern management participates
10 regularly in safety events?

11 A. Strongly agree.

12 Q. That Norfolk Southern management provides opportunities for
13 employees to discuss safety issues with them.

14 A. Completely agree.

15 Q. That Norfolk Southern management seeks employee opinions and
16 ideas about the effectiveness of workplace safety.

17 A. Strongly agree.

18 Q. That Norfolk Southern management clearly and repeatedly
19 informs staff that safety is the first priority.

20 A. Completely agree.

21 Q. And supports those words with actions.

22 A. Completely agree.

23 Q. That Norfolk Southern staff, along with management, openly
24 discuss safety issues, identify risks, and develop safeguards.

25 A. Strongly agree.

1 Q. That Norfolk Southern management uses data to analyze and
2 prioritize identified safety issues.

3 A. Completely agree.

4 Q. That Norfolk Southern management takes responsibility to fix
5 safety issues once they've been identified.

6 A. Completely agree.

7 Q. Okay. And last two questions. Would you agree that all
8 Norfolk Southern managers fulfill their safety responsibilities?

9 A. Completely agree.

10 Q. Would you agree that all, that Norfolk Southern management is
11 committed to workplace safety?

12 A. Completely agree.

13 Q. Okay. Thank you. Do you have any questions or any
14 additional comments that you want to make regarding any of these
15 questions?

16 A. No. I don't think so.

17 MS. GARCIA: Okay. Thank you.

18 MR. SCOTT: So regarding anything that went on, do you have
19 anything that you'd like to talk to us about or comments you'd
20 like to make that we didn't bring up? Something you feel like we
21 need to know about.

22 MR. RAMBO: No. I think I'm good.

23 MR. SCOTT: Okay. If we have any follow-up questions, do you
24 mind if we contact you again?

25 MR. RAMBO: (No audible response.)

1 MR. SCOTT: Okay.

2 MS. RENDON: No problem at all.

3 MR. SCOTT: I just want to say thank you for everybody coming
4 in today, you all flying in for the interview. I appreciate your
5 time and I know it's been a lot of work on everybody to, kind of,
6 line this up. I just want to tell you we appreciate it and thank
7 you. If nobody has anything else, I'll stop recording.

8 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

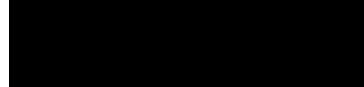
IN THE MATTER OF: NORFOLK SOUTHERN TRAIN DERAILMENT
 IN EAST PALESTINE, OHIO
 ON FEBRUARY 3, 2023
 Interview of Gary Rambo

ACCIDENT NO.: RRD23MR005

PLACE: Atlanta, Georgia

DATE: April 13, 2023

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.



Brianna Walker
Transcriber