



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	
27	

Agency / Organization

NTSB

Title

**Interview Transcript – Norfolk Southern Engineer -
February 5, 2023**

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: TONY FAISON, Engineer
Norfolk Southern Railroad

Sunday,
February 5, 2023

APPEARANCES:

ZACH ZAGATA, Investigator
National Transportation Safety Board

LARRY SLAPPY, Chairman
Division 590
Brotherhood of Locomotive Engineers and Trainmen

DAVE GOODEN, Division Superintendent
Keystone Division
Norfolk Southern Railroad

DEWAYNE DEHART, General Chairman
Safety Task Force
Brotherhood of Locomotive Engineers and Trainmen

SHAWN LAWTON, Investigator
Safety Task Force
Brotherhood of Locomotive Engineers and Trainmen

KRAIG BARNER, General Manager, Northern Region
Norfolk Southern Railroad

JOSEPH CLAY, Operating Practice Inspector
Federal Railroad Administration District 2

JORDON GIBSON, observer
Federal Railroad Administration

JEFF MITCHELL, National Safety Director
SMART Transportation Division

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I N T E R V I E W

1
2 MR. ZAGATA: Good morning, my name is Zach Zagata and I am
3 the NTSB ops group chairman for this accident. We're here
4 conducting an interview of February 5th, 2023, with Tony Faison?

5 MR. FAISON: Yes.

6 MR. ZAGATA: Who works for NS. This interview is in
7 conjunction with NTSB's investigation of the accident in East
8 Palestine, Ohio. The NTSB accident reference number is
9 RRD23MR005. The purpose of the investigation is to increase
10 safety and not to assign fault, blame, or liability. Before we
11 begin our interview and questions, let's go around and introduce
12 ourselves, please spell your last name and your title and I'll
13 start off and I'll pass to my right. Again, my name is Zach
14 Zagata and I'm the NTSB's operations group chairman.

15 MR. FAISON: My name is Tony Faison and I'm an engineer for
16 NS.

17 MR. SLAPPY: Larry Slappy, Local Chairman, BLE 590.

18 MR. GOODEN: Dave Gooden, Division Superintendent, Keystone
19 Division, that's G-o-o-d-e-n.

20 MR. BARNER: Kraig Barner, General Manager, Northern Region,
21 Norfolk Southern. B-a-r-n-e-r.

22 MR. CLAY: Joseph Clay, FRA operating practice inspector,
23 District 2. C-l-a-y.

24 MR. MITCHELL: Jeff Mitchell, SMART Transportation, National
25 Safety Director. Mitchell, M-i-t-c-h-e-l-l.

1 MR. LAWTON: Shawn Lawton, BLET safety task force
2 investigator. L-a-w-t-o-n.

3 MR. DEHART: Dewayne Dehart, General Chairman, BLET with the
4 BLET task force. D-e-h-a-r-t.

5 MR. GIBSON: Jordon Gibson, FRA observer. G-i-b-s-o-n.

6 MR. ZAGATA: Thank you.

7 Do we have your permission to record our discussion with you
8 today?

9 MR. FAISON: Yes, you do.

10 MR. ZAGATA: Okay. Do you understand the transcripts will be
11 part of the public docket and as such we cannot guarantee any
12 confidentiality?

13 MR. FAISON: I understand.

14 MR. ZAGATA: Okay, thank you.

15 INTERVIEW OF TONY FAISON

16 BY MR. ZAGATA:

17 Q. To get started with, if you could give us an overview of your
18 railroad career.

19 A. Okay, I hired as a conductor August of 1996 and I became an
20 engineer in 1999. From '99 to right now -- I'm sorry, is that all
21 you wanted to know or do you want -- what was that?

22 Q. Yeah, that works.

23 A. That's basically it.

24 Q. Yeah. As far as locations, where have you worked at?

25 A. Okay. I started off, I worked at Conneaut, Ohio, from

1 Conneaut to Buffalo. I worked Buffalo to Binghamton, New York. I
2 worked Buffalo to Renovo, Pennsylvania. I worked Buffalo to
3 Toledo. I've also worked in Meadville, Meadville to Connolly and
4 Meadville to Corning, New York. And then I worked Conneaut to
5 Bellevue. And now I'm working where I'm at right now, Connolly to
6 Toledo.

7 Q. Okay. And this is your regular assignment?

8 A. Right now, yes.

9 Q. Okay, all right. Now, if you could give us an overview of
10 your day, going from when you went on duty, you know, leading up
11 to the accident, and as we get closer to talking about the -- as
12 you're proceeding towards the accident scene there, what you were
13 doing as far as the throttle, the air, the DP, all that kind of
14 stuff to get --

15 A. Okay.

16 Q. -- a sense of that, so --

17 A. Okay. Well, what happened is when we went to work, we
18 started off, everything was normal. I got on the train first
19 because the crew was already there, the conductor had a student,
20 he had to get the paperwork, so I got on the train to get the crew
21 off and so I was just -- kind of went through everything, checked
22 the second unit out to make sure everything was the way it should
23 be, and then the conductor got on with his student and he gave me
24 my train information. And I logged in like I'm supposed to, he
25 had a job briefing and we put it together. "Are you ready to go,

1 yeah, okay, everybody ready," and it was just normal. That's
2 basically how it started. And all we did was talk to the brand
3 new trainee, trying to let him know what not to do and what you
4 should do, and a matter of fact, he asked a lot of questions, it
5 was a great trip, it was learning for him, I was -- it made me go
6 back and look at some of the things that I could remember, I mean,
7 it was a great trip. There was a lot of railroad talk about what
8 to do and what not to do.

9 I mean, this guy was interested, and my conductor was telling
10 him things, I was telling him things, I mean, it was like -- he
11 was supposed to get set up next week, so we just tried to make him
12 feel comfortable. It was just a nice, normal trip. And then
13 nothing unusual happened. We went from Toledo to Cleveland, no
14 problem. When I went down the hill at Cleveland, I had it on auto
15 control, I had the auto control running it, but when I went down
16 the hill in Cleveland, I took over because I just didn't trust it
17 with the weight and the tonnage, that's just me.

18 So you know, I wanted to make sure I had it going down and I
19 was actually running it, not the computer, and I had -- so
20 whatever I did on the head end, that's what happened on the DP.
21 So I went down the hill nice and easy, slow in Cleveland, and then
22 once I got to the bottom of the hill, I kicked everything back in
23 to go up the hill, I just didn't want all that weight to come
24 down, it was just my way of trying to be safe, that's just my
25 thoughts, people might not do that, so -- because I knew it was

1 heavy, I've been around. And so when I got on the other side, I
2 put it back in auto control, it ran great, I mean, I let it go
3 through a slow order -- no. A slow order popped up somewhere, I
4 can't remember. I trusted the auto control and it went right
5 through, brought it down nice, I'm watching it, and everything is
6 okay.

7 And then when I got to Alliance to get on the PC line, what
8 happened is I know it started catching traffic and there was a 10-
9 Q (ph.) train in front of me, a heavy train, I don't know how
10 heavy, but I know it's big, and what I was doing was a couple
11 times I was coming in and out of that auto control because I
12 didn't want to catch it and there was a couple areas on that -- in
13 that territory that's very, very hilly and what I wanted to do is
14 I backed off a little bit and I took over because I wanted to make
15 the hill without stalling.

16 I needed a good run up the hill and that was my mentality
17 behind this train, don't get too close and stop and be stuck on a
18 hill and stall, you know, I don't want to do that. So what
19 happened was everything was running fine. A couple times, I think
20 I came down into Latonia and what I did is it will run me down
21 through there, I took over right there, too, I just had a gut
22 feeling, so I took over and then all of a sudden I gave it back
23 and we ran -- and I let it go and when we got to, I think it was
24 around PC, I can't be exact, but around PC 50, 50, where CP LUM
25 is, right -- no, it's beyond that, around CP 52, maybe, somewhere

1 around there. I took over because we were going -- we were
2 getting ready to go down into East -- getting to where we go down
3 to East Palestine and what happened was, just let me say this,
4 when I went through -- when I went through Salem, we went over a
5 detector, it said no defects, and we all said in the cab no
6 defects, because I always hit my counter. So when that thing goes
7 beep-beep, I'm waiting, I'm waiting, it's guaranteed, and it said
8 no defects, you know, I did that all the way, normal.

9 And what happened was that 10-Q train was in front of me, we
10 could see ahead, and so what I did is I took over, coming down
11 into East -- well, what did I say, around CP 50, 52? I think it's
12 52 where it drops down in there, and I wanted to -- I didn't want
13 the -- I didn't want to run it automatic because it would've ran
14 me high and I didn't want at the last minute to try to get it
15 down.

16 I like to be ahead of this, I want no panic and just keeping
17 a cool head, knowing what's happening in front of me, knowing
18 what's going on, knowing what my train is doing, we're on that,
19 you know, I'm always looking at that. And so I had full control
20 when I went down into East Palestine and what happened was as soon
21 as I went over the detector, it seemed like within -- to me,
22 within seconds, maybe 15 seconds, it said critical alarm, critical
23 alarm, so I was already going at a slow speed because of the train
24 way ahead of me, I didn't know that was going to happen, that was
25 just me ahead of all this, I didn't know this stuff was going to

1 happen. So I just started braking a little tighter, I just wanted
2 to get it down to get the train stopped and while I was in my
3 dynamic trying to stop, it went in emergency and that was it. And
4 what went through my mind was I heard a critical alarm, it didn't
5 give me a chance to do nothing, I was already doing something, but
6 I've seen this before and you stop your train once you hear that,
7 you know, but it didn't even give me a chance and I was kind of
8 concerned about that, it went in emergency?

9 It's a critical alarm, I'm bringing it down and it goes in
10 emergency, that was odd to me, but I just left that there, you
11 know. And that's what happened and, you know, we did not know we
12 were on the ground or anything like that, there was no jerking, no
13 nothing, it was nothing, didn't feel nothing, maybe because I had
14 the train all tight and bunched, I don't know, but I was trying to
15 bring it down to a stop and didn't feel nothing and I was kind of
16 surprised it went in emergency and I thought, I said I hope we
17 ain't on the ground because that -- I thought about that critical
18 alarm, this is in my head, I thought about that critical alarm not
19 giving me no time.

20 I mean, I just happened to be coming in there slow and
21 braking, I think I was in braking, but I was going at a slow speed
22 because of the train in front of me, so that's what caused that,
23 so it took me nothing to try to get it down. And that's what
24 surprised me when I got it down and before it stopped, not right
25 before it stopped, but as I got it farther down it went in

1 emergency, so like how did this happen, in my mind. So I thought
2 it out and then I let the dispatcher know, and let the road
3 foreman know in Atlanta, I called him, let wayside -- let wayside
4 know about it. And we called wayside and he said it was a hundred
5 and first axle on the south side, so my conductor knew about that,
6 so he knew where to walk, he said -- but like I said, we didn't
7 know all that was going on.

8 So the conductor was getting everything together to walk out
9 there and I think before that -- well, before that happened, the
10 dispatcher called and said you've got cars on fire and said
11 there's a building on fire, and I said what? And so the conductor
12 got down, he started walking. The trainee and I were looking at
13 the HAZMAT book and it said something about stay 300 feet away, we
14 called the conductor, said come back, he saw smoke, he came back,
15 I said don't go back there, to be for safety. So he come back on
16 and then we were talking about it and we got to stay 300 feet away
17 and that was in the HAZMAT book.

18 And so what happened is we asked the dispatcher if we --
19 because of the smoke, can we cut away, we didn't go far, she said
20 okay to cut away for safety, so we just cut away, we were maybe
21 about 4, maybe 500 feet, and then you could still -- we still
22 start smelling some of that, we asked her if we could move a
23 little farther, she said yeah, so we just moved a little farther
24 away, we didn't -- you know, I could still see the train, you
25 know, we didn't get that far. So what happened after that was we

1 were sitting there for a long time, a long time. The person from
2 wayside, who we are supposed to call when this type of stuff
3 happens, after he told us where it was, he said we were trending
4 high at 66-something, that's way back at Salem, but we had -- it
5 said no defects and so we were on our way, just like all the other
6 ones said, from all the way to Toledo, over a hundred and 20-some
7 miles, no defects, no defects, so that's no defects.

8 So what happened is -- I want to make sure I said that. So
9 we sat there for, I don't know how long, it was a good while, and
10 then the dispatcher said take the power to Conway and that's what
11 we did. We took it to Conway, took it to the house, and then
12 upper management came out with all their stuff and they were doing
13 stuff to the engine and then we had to go and that was it, what
14 happened right there.

15 Q. I appreciate that. So as you were approaching that area, you
16 said you were braking, just to be clear, that was just in dynamic
17 brake?

18 A. Right.

19 Q. Okay. All right.

20 A. And I was controlling it because -- and a matter of fact, the
21 road foreman asked me what I was in, I said I was running it, and
22 he say why? I said because I have -- I have a planned stopped in
23 front of me, reason being with that train in front of me, I didn't
24 want to -- with my train being so heavy, I wanted to make sure it
25 had cleared the cut, a mountain to come down, because I was next

1 and I wanted a clear run up that hill, that's why I was braking,
2 you know, coming down easy so -- and that's why I took over
3 because I thought I was going to have to make a planned stop to
4 that thing, this stuff happened, but that's what I was doing. And
5 the road foreman, he said he was okay with that. But I wanted to
6 put that in there, too.

7 Q. I appreciate that. As far as the train, it felt like it was
8 handling normal and all that?

9 A. Yeah, yeah. Yeah. Yeah.

10 Q. Okay. How long do you think you sat there before first
11 responders showed up, do you think?

12 A. I'm just giving you an estimate, I'm not -- these things just
13 happen, it didn't happen quick. I'd say about -- and I seen a
14 couple fire trucks go by me, I don't know who was back there, but
15 I seen some fire trucks probably about 20 -- about 25 minutes
16 after, that's an estimate.

17 Q. Did they come up and talk to --

18 A. Nobody did.

19 Q. -- the crew?

20 A. Nobody came. There was a trainmaster, he -- or maybe an
21 assistant. He called us and asked if we were okay. He called us.
22 And some other guy called us, I don't know if he was the track
23 guy, he wondered what was in one of those box cars and we had to
24 look that up and we told him. But other than that, we actually,
25 physically didn't see anybody and we didn't even know, we was just

1 there.

2 Q. Did they ask on the radio what you had for HAZMAT on your
3 train or anything like that?

4 A. That one I can't remember. We already knew we had it, but I
5 don't -- I don't really know, I don't remember that.

6 MR. ZAGATA: Okay. Yeah, no problem. That's all I got, I'll
7 pass it off to my right now.

8 MR. GOODEN: This is Dave Gooden with Norfolk Southern.
9 Really, I don't have any questions, I just want to thank you, it
10 sounded like you handled the whole situation well, really no
11 issues, and that's why everything's okay from the crew perspective
12 and appreciate what you did, but I have no questions.

13 MR. FAISON: Thank you.

14 BY MR. BARNER:

15 Q. Kraig Barner, Norfolk Southern, I'll second that. Great
16 handling, thank you. Only question I have is do you remember what
17 the last train that passed you going the opposite direction was,
18 by chance?

19 A. It was a container train, it was a band (ph.) train, but I
20 don't know what symbol it was.

21 Q. Okay. And the reason I asked you, I was just wondering if
22 they'd seen anything with the -- you know, with the -- anything
23 wrong with your train, so --

24 A. I know they would've said something.

25 Q. Yeah, you didn't get any -- nobody said anything?

1 A. No.

2 Q. Okay.

3 A. Nobody said anything.

4 MR. BARNER: That's all I need, thank you.

5 BY MR. CLAY:

6 Q. Joseph Clay, FRA. I'm glad you're okay, sounds --

7 A. Thank you.

8 Q. -- like you did a good job. Just a couple things. Do you
9 remember how fast you were going whenever you started having
10 issues?

11 A. I'll just say I knew I had control and the last speed --
12 because I keep looking at my speed, but I didn't expect this to
13 happen, you know, I'll look at it, know I've got it, know I've
14 got. Now, if it happened after I looked at it, I don't know, but
15 the last time I looked, I was going approximately 33 mile an hour.
16 That's what I seen when I looked at it.

17 Q. Do you recall any air issues, the reading on your flow when
18 you're --

19 A. I'm sorry, what --

20 Q. You mentioned the flow on the computer screen (indiscernible)
21 was it hot --

22 A. No, no.

23 Q. -- operation or anything?

24 A. When I was running that train, I even told my conductor it
25 was zero, it was zero, maybe like three and zero, I said for big

1 as this train, it's a tight train, I told him, I said I like a
2 train like this. It was a good train, it was tight, the air was
3 up there, I had 80, I had 90, we could drop from 89 and go back up
4 to 90. Big as it was, I was impressed.

5 MR. CLAY: That's all I have.

6 BY MR. MITCHELL:

7 Q. Okay, Jeff Mitchell, SMART Transportation. Only question I
8 have, the signals you were running along --

9 A. Um-hum.

10 Q. -- were clear signals all the time --

11 A. Yes, yes.

12 Q. -- and you were pacing --

13 A. Yes.

14 Q. -- to keep the train ahead of you?

15 A. I'm trying to think, there was a couple times I got an
16 approach and I didn't know where that was, I can't remember where
17 it was, I just know I responded, you know, I had the step go down
18 on or else, you know, I would've got it forced, so I took action
19 and I think that's why my speed was so low, I said 33, because
20 just in case I got another approach it would've took me nothing to
21 get to 30 because that's where I should be at. I was just being
22 proactive to that train because I didn't know what it was doing,
23 but I was just being proactive. What was I going to say? But I
24 did get a couple clears, but I didn't pick the speed up because I
25 knew I was going to get another approach, that's what was going

1 on, so I just maintained what I had. You start going up and down,
2 up and down, I just kept it there and really, that was it.

3 Q. But while you were pacing everything, you just used dynamic
4 to slow your train down, you never did use air or anything?

5 A. Oh, I never touched the air.

6 Q. Never touched the air, good.

7 A. Never touched the air. The only time I touched it is when
8 they had to stop me. I know I stopped in Cleveland, they wanted
9 to get a couple trains, they got a train by me, I stopped in
10 Cleveland, had to do my DP train check and we did everything, got
11 to where it was supposed to be, then I took off, nice and easy,
12 and that's when I took it easy down the hill, I didn't really want
13 to use air and I didn't have to, so I was just performing surgery.

14 Q. I'm presently an engineer, have been for 28 years now, so --

15 A. Um-hum.

16 Q. -- it sounds like you did an excellent job.

17 A. Thank you.

18 Q. So thank you.

19 A. Um-hum.

20 MR. MITCHELL: That's all I have.

21 BY MR. LAWTON:

22 Q. Shawn Lawton. Just a couple, I'm going to jump all over the
23 place because I have a couple questions. You said Salem was the
24 last one, but it read clean, there were no defects, no nothing.

25 A. Right.

- 1 Q. But eventually the wayside people came back and told you to
2 start the train. What was the detector thing that you had the
3 issue with?
- 4 A. The detector, we had the issue?
- 5 Q. Yeah.
- 6 A. When -- okay. Where the derailment happened.
- 7 Q. Yeah, what is that?
- 8 A. That was in East Palestine --
- 9 Q. That's in East --
- 10 A. -- right in East Palestine, just right across the main
11 crossing, it sits right there.
- 12 Q. Okay.
- 13 A. That was the one.
- 14 Q. You said the dispatcher said, he called you guys and said you
15 had cars on fire and a building on fire. Do you remember how long
16 after they would've called you?
- 17 A. She got a call from the police department and they told her,
18 so I don't know how long that took place, I can't say exactly.
19 All type of stuff's going through my head, wondering what's going
20 on here, what's back there, you know. So I can't give you an
21 exact time, it wasn't long and it wasn't quick, it was -- I can't
22 -- I can't say.
- 23 Q. Okay. When you said you're in auto control, I assume we're
24 running Trip Optimizer?
- 25 A. Yes.

1 Q. And an ongoing manual, okay.

2 A. Um-hum, um-hum. Right.

3 Q. Who's the dispatcher that covers the territory?

4 A. Her name was Linda, I don't know her last name.

5 Q. Just the position name.

6 A. Oh, oh, sorry.

7 Q. That's all right.

8 A. She was a Cleveland dispatcher.

9 Q. Cleveland, okay.

10 A. Um-hum.

11 Q. Now, wayside is -- can you explain wayside, what they do,
12 what they are?

13 A. Okay, wayside, what they do is, if we go over a detector, a
14 lot of times, you know, we'll get no defects and we're just
15 usually, you know, running the train, I'm using my situation, just
16 running the train, you know, no defects, we're good to go. A lot
17 of times, what I've always heard is wayside would come on and say
18 you have a hot wheel trending and when they say that, they tell us
19 where it is, they'll tell us what to do, because of how hot it is,
20 they'll tell us what to do, you know, they say -- a lot of times
21 they say stop, talk to your dispatcher, do a set and release, full
22 set and release, a lot of times that takes care of it, but if it
23 don't, I guess there's times you got to walk the train. So that's
24 basically -- so basically, what I did is -- I hope I'm answering
25 your question. What I did is when that -- we went over that

1 detector in Salem, of course, they didn't call, they didn't call
2 us, we didn't call them, there was no reason, and when that thing
3 said critical alarm, I know the first thing I said, that's us,
4 like you know, we're trying to get done, oh, man, that's us, so I
5 knew what I had to do and we called wayside and we waited a little
6 while for them.

7 In between wayside, I think I called the road foreman, you
8 know, it was an emergency, we told him a couple of buildings,
9 something was on fire, this and that, and I don't know what he
10 did, but I let him know in Atlanta. And wayside finally came back
11 and he told us where it was and he said back at, wherever that was
12 in Salem, I don't know the PC number, he said it was showing hot
13 wheel trending. And like I said, we got -- we got no defects.

14 So that was it, you know, I was kind of stunned when it said
15 critical alarm, I wasn't stunned, of course, that's what that's
16 supposed to do, but what stunned me is how fast that happened, I
17 said that doesn't happen like that. I've been an engineer a while
18 and I've always got that down, no problem, that doesn't happen,
19 but that's all that got me and that's it, that's all I can tell
20 you.

21 Q. PC, I assume that's the mile post --

22 A. Yeah.

23 Q. -- identifications? Okay. When you have wayside call you
24 guys, you mentioned, I think you mentioned it was the hundred and
25 first axle south side.

1 A. Right.

2 Q. Do you find them to be off, do you find them to be a hundred
3 percent accurate or is it a roundabout area?

4 A. I want to tell you, when -- I can't tell you what happened
5 then, because the conductor couldn't go back there, but usually
6 they're right on the money, you know, we got to check, we got to
7 go like 20, even extra to make sure, but usually when that
8 conductor comes back, wayside is right on the money, it's there.

9 MR. LAWTON: I'm good.

10 BY MR. ZAGATA:

11 Q. Zach Zagata, NTSB. When you took the train, did you get a
12 roll-by at all from anybody from the time you departed up until
13 the time of the derailment?

14 A. No, uh-uh. A lot of the trains were passing us, I mean,
15 they're going 60, I'm going 50 on the Chicago line and then it got
16 dark. A lot of trains went the other way, but nobody seen
17 anything, nobody said nothing.

18 Q. Or when you first took possession of the train, no roll-by
19 when you guys departed there?

20 A. In Toledo, we thought -- no.

21 Q. Okay. And then about how long were you on duty, you said?

22 A. Probably -- let's see. Got a call for 1:15 p.m. I don't
23 know exactly, I'd say -- I don't if we logged out and all that, so
24 I'll -- I would say about 15, 14, 15 hours.

25 MR. ZAGATA: All right. That's all I got for now, I'll pass

1 it around one more time for any additional questions.

2 BY MR. GOODEN:

3 Q. Yeah. And this is Dave Gooden with Norfolk Southern. So
4 where did you go on duty, what city or location?

5 A. Toledo, Ohio.

6 Q. So can you describe from the time you went on duty to the
7 point of the derailment, how many different rail lines per name
8 that you have covered, just to give the group a little more --

9 A. Okay.

10 Q. -- context, please?

11 A. Okay. I got on in Toledo, that's called the Chicago line.
12 And a matter of fact, I was on Track Number 2. Got on in Toledo
13 on the Chicago line and then once we got to Cleveland over the
14 drawbridge, it turned -- it turned into the Cleveland line, they
15 use RD for that, I don't know why, but that was the Cleveland
16 line. And then when I got to Alliance, that was the Fort Wayne
17 line, so I go over three different lines, if that's what you're
18 asking me.

19 MR. GOODEN: Okay, all right. Thank you.

20 MR. FAISON: You're welcome.

21 MR. BARNER: Kraig Barner, Norfolk Southern. I'm good, thank
22 you.

23 BY MR. CLAY:

24 Q. Joseph Clay, FRA. Did you guys do any pickups along the way?

25 A. No. And you know, we were asked that by somebody, I can't

1 remember who. No pickups, at all.

2 Q. And do you recall how many times you stopped prior to the
3 incident?

4 A. I can recall two times. Well, when I got on the train. And
5 we stopped -- we stopped in Cleveland at CP Max. When I got on
6 the train, that's when we left, so we only stopped one time.

7 Q. And that was in Cleveland?

8 A. In Cleveland at CP Max. We let the train go around us and I
9 had a red signal, so --

10 Q. Do you know how long you sat there?

11 A. I'd say probably -- I'd say about 10 or 15 minutes. Because
12 I thought they were going to run two trains around me, that's why,
13 and I did my full service DP check before we took off, so that's
14 why I remember that's the only time we stopped.

15 Q. Is it a common practice for any of your conductors or even
16 yourself to like -- I'm not saying you have to do this --

17 A. Um-hum, um-hum.

18 Q. -- but some railroads do you require you to do it, and I
19 can't remember if NS did. Say you're going around a curve --

20 A. Yes.

21 Q. -- you notice anyone look out the window to see any other
22 trains, like hey, I see somebody on there?

23 A. You know, I don't -- it's strange you said that. I never
24 really seen or watch for that, but I was taught that 20-something
25 years ago and I do that, I do that, every now and then, a lot of

1 times when I go around a curve, I'll stick -- I'll look in the
2 mirror, so I'll stick my head out and look as far as I can. We
3 were taught that, a long, long -- like 25 years ago. But I don't
4 remember anybody off hand doing that because I had a couple people
5 ask me why you looking back for, I said I'm just looking at my
6 train.

7 You know, I don't know if that's required, but it was 25
8 years ago and that just stayed with me, even as an engineer,
9 because they wanted the conductors to look back, but the
10 engineers, I mean, I don't know, but it was just a habit, that's
11 all, that I couldn't break.

12 Q. And do you recall your brake test slip, everything seemed to
13 check out okay?

14 A. Oh, yeah, we checked that off before we left, I said you got
15 the brake slip, I said you got the cars, has the dump test been
16 done, and I looked at the cab signal, feet, yeah, everything was
17 where it was supposed to be.

18 MR. CLAY: That's all.

19 MR. MITCHELL: Jeff Mitchell, no questions.

20 BY MR. LAWTON:

21 Q. A couple of follow-ups. Shawn Lawton. The DP was in, you
22 said it was doing -- I don't know if it was near motor
23 synchronized, correct?

24 A. Right, right, yes.

25 Q. How do you guys contact wayside? You said wayside contacts

1 you when there's issues, do you guys ever have to call them and if
2 you do, what's the process to --

3 A. Okay, what happen is when we call them, like I got a critical
4 alarm, okay, or just anything like a hot box or something
5 dragging, anything, once we stop, I think it's #127, I think it
6 is, we call them because they don't know, far as I know. I don't
7 know what they do, they don't know, we call them and get their
8 attention and then they'll look at it and they'll tell us what's
9 going on. But there's times where they already let us know
10 because we don't know, so I just want to throw that in there and
11 that's all I have to say.

12 Q. You said when you left Toledo, you did your train check --

13 A. Um-hum.

14 Q. -- that's a minimum of 10 pounds you have to have for a train
15 check to come on. So you had at least 10 pounds on, you said you
16 stopped once around Cleveland full service.

17 A. Um-hum.

18 Q. Other than that, the air was never used, never on?

19 A. Never touched it.

20 Q. Okay.

21 A. And also, when I get on a train, I take it right to full
22 service, I want to make sure I get a clean release because I don't
23 want to be stopping for nothing.

24 MR. LAWTON: We operate the same way.

25 (Laughter.)

1 MR. LAWTON: We're doing a lot of the same things.

2 MR. FAISON: Okay.

3 MR. LAWTON: That's it. Yeah, I think I'm good with my
4 questions.

5 BY MR. ZAGATA:

6 Q. Yeah, appreciate it. Zach Zagata, NTSB. Tony, is there
7 anything you can think that could prevent something like this from
8 happening again?

9 A. You know, that's what's been on my mind after all these
10 years, I've been thinking what could I have done and to be honest,
11 it's been on my mind, to me it's been -- this has been going on
12 for months because I've been thinking about it the whole time.
13 What I believe is, and I'm not sure, but what I believe is the
14 action that I took was the best scenario of a worst situation,
15 that's what I truly believe and I can live with that, you know,
16 because this was bothering me.

17 And the way the situation was set up, I do not know, thinking
18 ahead, the train ahead, I could've come flying down through there,
19 that didn't happen, and I was already in a position, slow enough,
20 where I could try to stop, but I don't know how it could've been
21 prevented, we didn't know. I just had -- if I was running track
22 speed, that could've been a whole different situation. I'm not
23 concerned about that, I'm concerned about what happened, and I do
24 think, even though cars derailed, I was hoping that would never
25 happen, that's the best scenario of the worst situation and that

1 was a bad situation because I kept thinking about it and that's
2 all I'm going to say there.

3 Q. I appreciate that, sir.

4 A. Okay.

5 Q. One last follow-up for you, as far as calling 9-1-1, did you
6 guys call 9-1-1 at all or, you know --

7 A. You know --

8 Q. -- the dispatcher or how that went down?

9 A. -- we did not do that, we didn't know what was going on, and
10 the dispatcher got a call from the police and that's how we found
11 out, so that's when we knew, right there. And I don't know how
12 long that took.

13 MR. ZAGATA: Shawn Lawton's got one more question.

14 BY MR. LAWTON:

15 Q. When we're running in DP mode and near mode and we go in
16 emergency, do you know or did you notice, did the DP dump go in
17 emergency at the same time? I know there was a lot going on, I
18 don't know if it's -- the system was set up to -- if the head end,
19 head locomotives go in emergency, is that DP nearing or is the DP
20 still active, doing its normal thing control-wise?

21 A. You know, I was thinking about that, strange you said that.
22 I did not really see it, I didn't look at the DP. What it was,
23 was I looked at the -- I'm looking at my speed and I was looking
24 -- I seen it go in emergency and that's all I know, but I do know
25 I had them together, so it had to be in dynamic, so that's all I

1 can say, but I didn't look at it but I know it had to be because I
2 was running in it.

3 MR. LAWTON: Okay. That's all I got.

4 MR. ZAGATA: Appreciate it. If we have any additional
5 questions, is it okay to contact you?

6 MR. FAISON: Oh, yeah, you can call me any time.

7 MR. ZAGATA: All right. All right, sir, I appreciate your
8 time. With that, we'll conclude the interview. Thank you.

9 (Whereupon, the interview concluded.)

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CERTIFICATE

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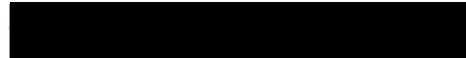
NATIONAL TRANSPORTATION SAFETY BOARD

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

ACCIDENT NO.: RRD23MR005

DATE: February 5, 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.



Karen D. Martini
Transcriber