



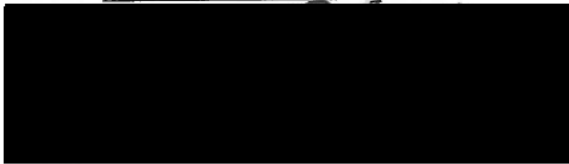
I, Mike Smith, have read the foregoing pages of a copy of my interview that was held on August 9, 2023. These pages constitute a true and accurate transcription of same except for the following amendments, additions, deletions or corrections:

<u>PAGE NO:</u>	<u>LINE NO:</u>	<u>CHANGE AND REASON FOR CHANGE:</u>
15	11	"Connellsville" not "Collinsville"
21	23&25	switch "card" not switch "guard"
22	17	"our" not "yellow" service center
23	25	stop at "half" the range of vision
24	25	"Okonoko" not "Okanoka"
31	19	"layover" not "lover"
35	10	"mock" not "bock"

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: 09/07/2023

Witness: Chad Hamilton



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

CSX EMPLOYEE FATALITY IN *

CUMBERLAND, MARYLAND *

Accident No.: RRD23FR016

ON AUGUST 6, 2023 *

*

* * * * *

Interview of: MIKE SMITH, Manager of Train Operations
CSX Transportation

Cumberland, Maryland

Wednesday,
August 9, 2023

APPEARANCES:

ZACH ZAGATA, Investigator
National Transportation Safety Board

JARED CASSITY, Alternate National Legislative Director
and Chief of Safety
SMART Transportation Division

STEVE AMMONS, Director of Training on the Rules and
Practices
CSX Transportation

JOSH QUILLEN, Railroad Safety Inspector
Federal Railroad Administration

TODD KRAHOLIK, Observer
National Transportation Safety Board

JAMES SOUTHWORTH, Mechanical Group Chairman and Observer
National Transportation Safety Board

ROBERT EDWARDS, Director of Safety and Observer
CSX Transportation

JORDAN GIBSON, Observer
Federal Railroad Administration

I N D E X

<u>ITEM</u>		<u>PAGE</u>
Interview of Mike Smith:		
By Mr. Kraholik		5
By Mr. Wyatt		10
By Mr. Cassity		11
By Mr. Ammons		16
By Mr. Quillen		28
By Mr. Kraholik		29
By Mr. Wyatt		32

I N T E R V I E W

1
2 MR. KRAHOLIK: My name is Todd Kraholik, and I'm with the
3 NTSB. We're here today, on August 9, in Cumberland, Maryland, to
4 conduct an interview with Mike Smith, who works for CSX
5 Transportation. This interview is in conjunction with NTSB's
6 investigation of the accident near Cumberland, Maryland. As a
7 result of the accident, Conductor Trainee was fatally injured.
8 NTSB accident reference number is RRD23FR016. The purpose of this
9 investigation is to increase safety, not to assign fault, blame,
10 or liability.

11 Before we begin our interview and questions, let's go around
12 the table and introduce ourselves. Please spell your last name,
13 who you're representing, and your title. Make sure we all speak
14 clearly so we can get an accurate recording. I'll start off, pass
15 to my right. Again, my name is Todd Kraholik, spelling of my last
16 name is K-R-A-H-O-L-I-K, and I'm with the NTSB.

17 MR. ZAGATA: Zach Zagata, Z-A-G-A-T-A, NTSB, observer.

18 MR. SMITH: Mike Smith, manager of train operations,
19 Cumberland, Maryland, S-M-I-T-H.

20 MR. WYATT: David Wyatt, W-Y-A-T-T, representing the
21 Brotherhood of Locomotive Engineers and Trainmen, Safety Task
22 Force Investigator.

23 MR. CASSITY: Jared Cassity, C-A-S-S-I-T-Y, alternate
24 national legislative director and chief of safety for SMART TD.

25 MR. AMMONS: Steve Ammons, A-M-M-O-N-S, CSX Transportation,

1 director of train handling rules and practices.

2 MR. EDWARDS: Robert Edwards, E-D-W-A-R-D-S, CSX director of
3 safety, observer.

4 MR. SOUTHWORTH: Jim Southworth, S-O-U-T-H-W-O-R-T-H,
5 railroad accident investigator from NTSB, observer.

6 MR. QUILLEN: Josh Quillen, Q-U-I-L-L-E-N, FRA.

7 MR. GIBSON: Jordan Gibson, G-I-B-S-O-N, FRA, observer.

8 MR. KRAHOLIK: All right, thank you. We're going to record
9 this interview. Do you give us permission?

10 MR. SMITH: Yes, sir.

11 MR. KRAHOLIK: All right. Do you understand we're going to
12 have this interview transcribed, it'll be part of the public
13 docket, and as such, as cannot guarantee any confidentiality?

14 MR. SMITH: Yes, sir.

15 MR. KRAHOLIK: All right. Thank you.

16 INTERVIEW OF MIKE SMITH

17 BY MR. KRAHOLIK:

18 Q. All right. Starting out, can you tell us about your railroad
19 career?

20 A. Yes. I've been with CSX for 19 years. Started as a
21 conductor out of Cumberland, Maryland. I've held the roles of
22 conductor, remote control operator, yardmaster, retarder operator,
23 manager of train operations, and assistant superintendent.

24 Q. Okay. Thank you. Starting, like, tell us about your day the
25 day of the incident, starting with when you got the call. I

1 believe you weren't here when it happened, so --

2 A. No.

3 Q. -- can you tell us about the call leading up to what
4 happened?

5 A. Yeah. It was Sunday. The assistant superintendent of the
6 territory, Blair Johnson, is on vacation, so I'm covering for him
7 kind of in an administrative way, and, you know, of course, an
8 emergency response way. I did not come to the office that day. I
9 was working from home that day. I received a phone call from the
10 yardmaster at approximately 2352 to advise me that he needed help,
11 that someone was injured. So, at that time, I got up, got
12 dressed, and probably got on the property at about 20 after
13 midnight. It would've been early Monday morning, about 0020
14 Monday morning, when I arrived.

15 Q. Okay. Can you tell us, you know, what happened and what you
16 saw when you got here?

17 A. When I arrived, there were two police cars on Queen City
18 Drive, two police officers, and I want to say he was a homicide
19 directive. They were standing at the scene. When I got there, I
20 walked up to them. I noticed a cut of cars behind them, and they
21 were standing around a pair of cargo pants which also had some
22 blood, I guess like, not really a puddle, but in the ballast, you
23 could see there was, you know, blood just east of the cargo pants.
24 And I just kind of asked them, you know, what kind of took place,
25 because really, none of our guys were up there at that time. Our

1 guys had gone back to the office at that point. The trainee had
2 been transported already to Western Maryland Health System. And
3 our MTO, Nick Meyers (ph.), was already at the office with the
4 crew, and the yardmaster was back at the office, you know, doing
5 his duties.

6 Q. I got you. You said you were a conductor. Were you ever a
7 conductor in this yard?

8 A. Yes.

9 Q. Okay. How long were you a conductor here?

10 A. Let's see. Probably eight years.

11 Q. And then, how long have you been a manager here?

12 A. I was probably a conductor for eight years, a yardmaster for
13 two years, and been a manager for about nine years.

14 Q. Got you. So, as a conductor, yardmaster, and trainmaster,
15 was it a known close clearance up there on those tracks? Was it
16 something that everybody talked about, or was it not known?

17 A. The only thing ever reported to me in any of the capacities
18 I've held here was trees along the fence line on the south side of
19 that track. Years ago, that's where we stored our helper engines.
20 It was a good place for our helper engines to be, because as the
21 trains were departing, they wouldn't have to try to get out of the
22 body of the yard to get in behind the train, so it was a lot
23 easier for the helpers to get attached to the rear of the trains
24 in that location. The only thing I can ever remember anyone ever
25 complaints about is asking Engineering to cut the trees back. As

1 they were traversing the city yard track, they would strike the
2 locomotives.

3 Q. Okay. So, this is a two-part question here. Do you know
4 who's responsible for noting close clearances? And then, if they
5 are noted, do you know who is responsible for putting the in the
6 timetable, or special instructions, a bulletin, something like
7 that?

8 A. In my experience, it would be the Engineering Department
9 would, as they're completing their track inspections, if they
10 notice close clearances and measure the close clearances. At that
11 time, we would work in conjunction, you know, all departments,
12 Mechanical, Engineering, Transportation, and try to get the proper
13 signage up. And then, at that point, we would contact the Safety
14 Department initially to have bulletins issued until the timetables
15 could be updated. Years ago, it was all paper, so it took a
16 little longer to get them into the timetable. Now, they're
17 updated monthly electronically on their tablets.

18 Q. If you were to notate a close clearance down there, would you
19 put signage down there, or would that be something that would just
20 go on the timetable --

21 A. Like a --

22 Q. -- or bulletin?

23 A. -- close clearance that just -- like, if somebody just built
24 something like immediately? Well, first of all, the first step we
25 would do is obviously word of mouth. Second step we would do

1 would get something on train bulletins so that it's an immediate,
2 as you're on duty, you know that this close clearance exists now,
3 and it probably didn't exist yesterday. So, verbally as a team,
4 management; and then, we would get something on dispatcher
5 bulletins to let crews know, don't ride in this area. It's a
6 close clearance. Or you need to dismount as soon as possible. We
7 would get signage put up with the Engineering Department, who
8 would put the signs up for us.

9 Q. I know, years ago, CSX would do like safety sweeps of the
10 yard and stuff. Have they done that recently in Cumberland Yard?

11 A. I have only been back to Cumberland for about two years, two
12 and a half years. In the two years I've been here, we've
13 completed clean sweeps, but specifically close clearance
14 locations, to my knowledge, no, we haven't done that.

15 Q. Okay, because there's like five sun shades up there that are
16 in a pile, so I'd assume that -- I'm sure they all didn't come off
17 in a pile, so I assume somebody stuck them there, but you don't
18 know who --

19 A. No.

20 Q. -- where they put them all together?

21 A. The last close -- or, I'm sorry, the last safety sweep we
22 did, we had about 20 individuals. We cleaned trash, we painted
23 yellow ties, walking conditions, things of that nature. But the
24 group I had and the group that was with us, we did not get that
25 far west in the terminal. We stopped at Baltimore Street, which

1 is the crossing that's just east of where the incident occurred.

2 MR. KRAHOLIK: Okay. That's all I have for right now. We'll
3 go --

4 BY MR. WYATT:

5 Q. Yes, sir. Good morning.

6 A. Morning.

7 Q. Thank you for being here. My name is David Wyatt, BLET.
8 Really, just one little follow-up in relation to the, I don't
9 know, close clearances, or really, any safety concerns that would
10 require a train bulletin, or signage, or anything like that. Is
11 there any sort of time frame on how long that would take, like how
12 long it would be just word-of-mouth-reliant versus putting out a
13 bulletin or --

14 A. That all happens pretty much immediately. If a safety
15 concern is brought to a member of the management team, we would
16 reach out to our counterparts immediately, track supervisors,
17 mechanical supervisors. This is what we've got going on. Can you
18 go take a look at it? And if, for some reason, they couldn't
19 specifically measure or check something that instance, that's the
20 purpose of the dispatcher message, to let people know as they're
21 coming on duty. Well, first of all, you get a job briefing in the
22 crew from the manager on duty. Second of all, your bulletins are
23 going to say, this is what's going on, because there's some
24 situations which obviously require resources and capital to
25 rectify, and those things can't -- some things can't happen

1 overnight. So, that's why it's important to get the information
2 out, you know, immediately.

3 Q. Okay. And one thing mentioned, or that I've heard before, is
4 possible damage to locomotive mirrors. Have you heard anything
5 about that related to this area?

6 A. No. Actually, I saw the sun visors and the mirror frames.
7 Probably the night of the incident was the first time I saw the
8 sun visors up there, and I saw the mirror frame in the location of
9 the, you know, incident. It was the first time I've ever seen any
10 parts and pieces up there, and I've never had anything reported to
11 me, you know, as a manager or a yardmaster, you know, in the years
12 I've been here.

13 MR. WYATT: Okay. Thank you. That's all I have for now.

14 BY MR. CASSITY:

15 Q. Jared Cassity with SMART TD. A minute ago, you were talking
16 about the yellow ties as part of the safety sweep or the clean
17 sweep. When you're painting yellow ties, I guess, for the purpose
18 of this investigation and the transcriptionist, will you tell us
19 why you paint the yellow ties?

20 A. As a point of reference to leave equipment in the clear.

21 Q. Okay. How do you determine which tie to paint?

22 A. That's determined by our Engineering Department.

23 Q. Okay. So, they just tell you where to paint, and you all
24 paint the tie?

25 A. Yeah. Typically, they paint the tie initially for us. Like,

1 if there was a new track put in service, they would have the tie
2 painted for us initially as -- I'm not real familiar with their
3 specifics on track centers, and clearance points, and that.

4 Q. Sure.

5 A. But they paint it initially for us; and then, as a group, you
6 know, we -- as a team, Engineering/Mechanical, when we do these
7 clean sweeps, we're all out there together just to freshen up
8 what's been done in the past.

9 Q. Okay. So, you're not actually determining clearance points
10 or new clearance points, but rather, just making sure the old
11 established clearance points are just bright enough or --

12 A. Correct.

13 Q. -- visible? Okay. Then, I'm going to jump on what David was
14 just talking about with the visors and the broken mirror. I have
15 not been to the location yet where the incident occurred. Can you
16 tell me where the pile of visors is and the broken mirror frame in
17 relation to where the injured trainee was located?

18 A. There was actually a mirror frame directly beside where the
19 injured employee would have been. I'm not sure how long it
20 would've been there. There was two sides of the mirror frame, and
21 then the back of the mirror itself was there, and that was
22 directly beside where the employee was. If I can remember, I
23 think the visors were actually on the other side of the city yard,
24 which is the south side, and they were a little farther west than
25 where he was at.

1 Q. Okay. And then, I'd like to ask you, as a manager, what is
2 your role with the training program, and, you know, is that an
3 active participation role for you in this facility?

4 A. Yes. Yes. When employees are ready to leave Atlanta for
5 their initial training in CSX, I get an email, and we know who's
6 going to arrive that following Monday or whenever they get here.
7 So, I personally, and I can't speak for -- I try to be there for
8 that initial meeting with them, and we'll spend four hours of
9 classroom time with them in the conference room across the hall.
10 And then, I put them in my vehicle and drive them from the east
11 end of the terminal to the west end of the terminal and try to
12 point out as much as I can without overwhelming them with
13 information.

14 Q. Sure.

15 A. And then, throughout the course of their training, we'll do
16 train rides with them, we'll do walks in the yard with them. We
17 have an RQS system where we try to update riding cars, security
18 equipment, leaving equipment in the clear, radio roles, PPE, and I
19 just try to spend as much time with them as I can. We have a
20 pretty significant camera system in the yard, so in their orange
21 vests, they stand out pretty well. So, it's kind of one of those
22 things for us as managers, when we see that, we kind of drop what
23 we're doing and try to get to that location. What do you need?
24 How are you doing? How's training going? Are you having any
25 problems?

1 And even after they mark up, they still have that orange vest
2 on for less than a year. So, even if they're not trainees
3 anymore, we still try to get out and, you know, proactively, if
4 it's a complicated train move they have initially departing the
5 terminal, we'll meet with them in the crew room and just try to
6 spend the entire time with them like walking in the field,
7 checking on them operating switches, climbing up on cars, and try
8 to get that one-on-one interaction to see if they're actually
9 having any problems.

10 Q. Excuse me. So, talking about the REDI Center, you said you
11 try to greet them when they get here. I'm curious the transition
12 from the REDI to the phase two, or on-the-job training, portion of
13 it. What does that handoff look like on the management side? Are
14 there notes that come along with each trainee from the REDI
15 Center? And if I could be more specific, if someone is struggling
16 with maybe hanging onto the ladder, or exhibiting some troubles
17 there, is that kind of information passed along from the REDI to
18 the field managers?

19 A. Me personally as a local manager, no, I've never had that
20 type of information passed along. I typically get their name,
21 their ID number, their phone number, address, you know, just basic
22 information. But any kind of training briefings or anything is
23 typically not passed along to me, no.

24 Q. Okay. Do you work with a mentor much that, I guess, labor
25 has chosen in collaboration with the carrier to be the

1 mentor/trainer, if you will? Do you work with a mentor much and
2 what his program looks like with the trainees?

3 A. Yeah, I work with him quite often. Pretty much, seven days a
4 week. It's a 24/seven, you know, expectation from the mentors.

5 Q. Okay. Can you tell me, how often are the trainees coming
6 back in and meeting with a mentor for like face-to-face meetings
7 or refresher type classroom situations?

8 A. We try to do it at least that initial training; and then,
9 there's a halftime type thing where all the trainees from the west
10 end, west end being Cumberland, Parkersburg, New Martinsville,
11 Collinsville, Grafton, Cumberland, all try to get together at
12 halftime. And then, I mean, it's kind of like a four quarter type
13 thing, like once when you first get here, first quarter; halfway;
14 third quarter. And then, they're brought in for their phase two
15 testing and kind of face-to-face for like physical
16 characteristics, operating rules; and then, like, hey, this is it.
17 You're getting ready to go out on your own; what do you need?
18 Type thing.

19 Q. Okay. And when determining the schedule for the trainees, is
20 that solely the mentor, or do you help assist in that, as well?

21 A. I try to help assist. It depends on the size of the trainee
22 class. The smaller the class, the better for us, because we can
23 kind of spoon-feed them out into the field. We like to get them
24 on the locals in the yard first; and then, we'll get them on the
25 local that might go a little farther away to like Hagerstown; and

1 then, that's when we put them in like the inner divisional
2 service. So, it's like, you don't want to overwhelm them, but
3 sometimes, we don't have that luxury. If there's like seven
4 trainees coming, there's only one local that works in the yard and
5 one local that goes to Hagerstown, so some of them have to
6 initially go on, you know, ID service right out into, you know,
7 long-term --

8 Q. Okay.

9 A. -- yeah, training.

10 Q. When it comes to the conductors that are assigned to be the
11 on-the-job trainers, can you walk me through that process? Is
12 there any vetting process of who the on-the-job trainer's going to
13 be, or is it more just kind of -- so, I've been a railroader, and
14 I've worked for CSX. Is it more kind of the lottery draw call
15 system, just whoever they catch is who they go with?

16 A. Pretty much, yeah. It's whoever they're lined up with at
17 that time. I've had marked-up conductors ask not to have
18 trainees, and we've worked through that before, but that's a rare
19 circumstance.

20 MR. CASSITY: Okay. I have nothing else at this time. Thank
21 you.

22 BY MR. AMMONS:

23 Q. Hey, good morning, Mike. Steve Ammons, CSX. Are you familiar
24 with the incident that occurred in late June in Baltimore with the
25 conductor trainee riding --

1 A. Yes, sir.

2 Q. -- equipment was fatally injured?

3 A. Yes, sir.

4 Q. Yeah. Are you familiar with a safety standdown that was put
5 together and to be deployed out on CSX to address that incident as
6 far as riding equipment?

7 A. Yes, sir.

8 Q. Were you involved in that initiative? Did you do any of the
9 safety standdown alerts briefings?

10 A. I did. I did a lot of them.

11 Q. Can you tell me a little bit about your experience with that
12 alert standdown and the feedback you received from trainees or for
13 anyone that you gave that briefing to?

14 A. A lot of the employees were curious as to how the employee
15 was riding the car. At that point, that's when we would show them
16 the picture that was in the packet, you know, the colored picture
17 in the packet of how he was riding. As far as the feedback, it
18 was, why would somebody want to ride like that? Why did they feel
19 that was safe? And for the younger employees, it was, you know,
20 what could I have done differently if that would have been me?
21 What could I have done differently?

22 And then, at that point, you know, we give them options like,
23 you know, safest thing, walk. If you don't feel it's safe to ride
24 that car, reach out to a manager, reach out to the yardmaster,
25 reach out to the engineer, let the conductor know. Is there

1 another car you can ride that's probably going to give you a safer
2 avenue? It's really, it was more like, how can I prevent this
3 from happening to me? What's your suggestions as far as, you
4 know, how do I keep this from happening to me?

5 Q. Did that packet include the proper way to ride that type of
6 car?

7 A. It did, yes, sir. It had a picture of the way the employee
8 was riding, and it had a picture of how he was supposed to ride.

9 Q. Yeah. What type of car was that?

10 A. It's an intermodal car.

11 Q. A Well car? (Indiscernible) Well --

12 A. Yes, sir.

13 Q. -- type of car? Okay. Have you, in your experience as an
14 MTO -- I think you've been a trainmaster MTO, what, nine years
15 now?

16 A. Yes, sir.

17 Q. In your experience as an MTO, have you ever observed anyone
18 riding that type of car or any type of equipment improperly?

19 A. Yes, sir.

20 Q. And how did you handle that?

21 A. You stop the move immediately, but you have to be careful how
22 you stop the move on the radio, because you don't want the
23 engineer to panic and stop. So, I usually just let them know,
24 hey, MTO Smith. Whatever train ID, please bring your train down
25 to a safe stop. At that point, I go to the conductor and let them

1 know, hey, you know, I observed you riding this equipment
2 improperly. Show them how they were doing it, show them the
3 proper way to do it, and just try to reinforce that that's
4 probably the most dangerous part of their job, and that's why it's
5 so important that we're doing it the right way.

6 Q. So, if you identified a particular individual that's riding
7 equipment improperly, what do you do after that point, after that
8 initial contact and correction?

9 A. I actually had an employee. He was shorter in stature. He
10 was riding a tank car improperly, and he advised that he can't
11 ride it as required by CSX because of how short he was. And, you
12 know, we worked through that together, and he showed me he did
13 have the ability to do it, and it was uncomfortable, but the
14 alternative was even more uncomfortable. So, I typically follow
15 up with unobserved testing when I know he's on duty, and I also
16 brief with my counterparts, hey, this is the incident I came
17 across today with Employee X, and, you know, if you get an
18 opportunity or he's riding equipment, can you follow up for me if
19 I don't do it myself?

20 Q. Are you familiar with CSX's drone program as far as
21 operational testing's concerned?

22 A. Yes, sir. I'm drone-certified.

23 Q. And how often do you use drones to test?

24 A. I try to use it at least once a week.

25 Q. What's the purpose for using a drone versus just traditional

1 operational testing?

2 A. Well, locally, when you drive through Cumberland Yard, in
3 order to observe employees work, you're pretty much typically wide
4 out in the open in a vehicle. So, from my experience, employees
5 work differently when they don't see you. So, I like to do
6 unobserved testing with a drone, because it allows me to, one, not
7 leave my truck in the middle of the road where they're going to
8 see me, and, two, there's also locations where I can't get to in a
9 truck. Like, for example, in the middle of the receiving yard, if
10 an employee's doing a shoving move on like four receiving, there's
11 going to be three tracks on each side of them, and I'm not going
12 to get the opportunity to observe the employee, period, whether I
13 want to be observed or unobserved. So, the drone allows me the
14 opportunity to be in locations that I couldn't be physically or
15 with a vehicle.

16 Q. Have you ever found any significant exceptions with the
17 drone?

18 A. Yes, sir. Unfortunately, the worst exceptions I find are
19 with the drone.

20 Q. Can you give an example or two?

21 A. I've seen employees cross between standing equipment that's
22 separated by like less than 10 feet. I've watched employees
23 dismount moving equipment well above 4 miles an hour. I've seen
24 employees kick drawheads during couplings; releasing handbrakes
25 from the ground on grades where, after the handbrake's released,

1 the equipment moves and rolls towards them.

2 Q. When you find those type of exceptions with a drone, do you
3 make the video available to the employee? Do you show it to them
4 to show, I mean --

5 A. Yes. If I'm recording, I show them, because I like to use it
6 as a learning tool. I don't want to go out there and be like,
7 hey, I got you. I want to say, hey, look, I don't know if you
8 realize how dangerous this was when you were doing it, but now
9 that you can kind of see yourself in the third person, hopefully,
10 you can understand how close that equipment was to you or how
11 close you were to being injured by that unsafe fact.

12 Q. Typically, what's the reaction when they see themselves on
13 video?

14 A. Not a lot of feedback from them. Kind of humbles them a
15 little bit, and they kind of -- like I said, it helps them see
16 themselves in that third-person perspective, whereas if they're
17 out there working, they don't think it's dangerous, but if they
18 see themselves from, you know, a distance, they understand how
19 close they really were.

20 Q. Did you ever have any experience with Travis?

21 A. The only experience I had with Travis was on July 29 during
22 our halftime trainee summit. Towards the end of it, the trainees
23 were asking about switch guard compliance and testing, so I took
24 them out to the switch behind the office building here and kind of
25 showed him what a switch guard looks like, how we use it, and we

1 were talking about the difference between a facing point/trailing
2 point switch. But I never personally got the opportunity to
3 introduce myself or meet him and have any, you know, conversations
4 with him.

5 Q. So, more of a group setting, as opposed --

6 A. More of a group setting. I believe there was over 20 people
7 in that group.

8 Q. Okay.

9 A. Excuse me.

10 Q. Did anyone ever bring any concerns to you in regards to
11 Travis or even Cody (ph.), who was a newer trainee? Did you ever
12 have any interactions with Cody, or any concerns, or anyone ever
13 bring any concerns to you about any one of those?

14 A. I never got any concerns about Travis; and Cody, I can
15 specifically remember Cody, because I actually did a train ride
16 with Cody. It was his very first trip by himself. And he
17 actually had a trainee with him, so I drove over to the yellow
18 locomotive service center, and I walked with him for -- I think it
19 probably took us about three hours to build his train, and, you
20 know, operate switches, and -- just because I could tell that --
21 you know, your first trip, it's always a nerve-racking one, so we
22 as managers make it a point to go out on their first trip to walk
23 with them, to kind of reassure them. And typically, when you're
24 on that one-on-one setting, they open up to you a little bit more,
25 and you get more information out of them as to where they may be

1 lacking and what they're proficient in.

2 Q. Did Cody ever raise any concerns with you in regards to him
3 being new and having trainees with him?

4 A. No, no. As far as Cody's concerned, for a less-than-one-year
5 employee, he is one of our more proficient trainees.

6 Q. But he never raised any concerns to you?

7 A. No, he never raised any concerns to me that he did not like
8 having trainees with him or that he was unable to, you know,
9 complete that.

10 Q. Are you aware of any concerns he ever raised with anyone
11 else?

12 A. No, sir.

13 Q. What's your monthly operational testing requirements? Can
14 you tell me about that? What's required, how many's required or
15 approximately how many's required, what type of tests you're
16 supposed to do?

17 A. Well, you like to get no less than six a week. That's the
18 requirements. But honestly, you should be getting way more than
19 six a week, and we typically do. We focus on hand-operation
20 switches, shoving, securement, equipment in the clear of adjacent
21 tracks. We like to do two train rides a month. We've moved our
22 focus on train rides from (indiscernible) road into the yard
23 setting, where most of the action takes place. We like to do
24 banner testing, which helps us determine if people are moving the
25 equipment at a controlled speed and they're able to stop at the

1 range of vision. We have industry test requirements where we
2 would go to industries to -- typically, they're more concealed
3 locations, and out of the way, and more prone to incidents and
4 accidents, so we focus on industry tests.

5 Q. Tell me about your train rides. What's the purpose of a
6 train ride? What do you accomplish by doing that?

7 A. Me personally, I like to do the train rides because it gives
8 me an opportunity to walk with the employee one on one, whereas if
9 we're in a big group setting like we were talking about with the
10 halftime walks, the newer employees don't like to speak up, and
11 when you get them in a one-on-one setting or, you know,
12 engineer/conductor, conductor/trainee, even the line of road
13 rides, it gives you like a two- or three-hour opportunity for them
14 just to, I'm concerned about this. I'm not getting enough time
15 with this in training. Can you help me with this? I can't figure
16 out how to get paid for this. You know, where can I ride it? I
17 mean, rules compliance, I guess, is some of the focus, but
18 personally, more of the focus is trying to get to know the
19 employees and see where they're struggling, and they open up more
20 whenever you're with them in that one-on-one or two-on-one
21 setting.

22 Q. Did you ever have safety concerns brought to you in those
23 types of settings?

24 A. Just housekeeping items, pretty much. Like, there's a tree
25 blocking this signal with Okanoka (ph.), or, hey, there's scrap at

1 the east end of the receiving yard, can you get somebody to clean
2 it up? But --

3 Q. So, there is a forum for that, then, for them to --

4 A. Yes.

5 Q. Okay. So, earlier, you were asked about your knowledge of
6 this particular close clearance; and then, I think you were asked,
7 you know, who's responsible for reporting that. Would it be
8 accurate to say that anybody with knowledge of a close clearance
9 is responsible for reporting it, not just the Engineering
10 Department?

11 A. Yeah. I mean, that's actually one of our operating rules:
12 If you see unsafe acts or, you know, unsafe conditions, you've got
13 to report it immediately so that we can act on it and, like I
14 said, get the bulletins out, get something in dispatcher messages,
15 get it out word of mouth, brief crews to prevent, you know, be
16 more proactive than reactive.

17 Q. Right. So, if we have a broken mirror or visors that have
18 been struck there, anybody that's aware of that would have a
19 responsibility to report it, correct?

20 A. Yeah. I mean, if somebody's parking power on the city yard,
21 and they see shrapnel everywhere, I would hope that somebody would
22 tell me, ask me, and at least say, this is out of the ordinary;
23 why is this up here?

24 Q. You said you've been involved in a couple of clean sweeps
25 since you've returned --

- 1 A. Yes, sir.
- 2 Q. -- to Cumberland? Where were you at prior to returning to
3 Cumberland? I don't remember you saying that.
- 4 A. I was in Philadelphia as assistant superintendent.
- 5 Q. Okay. So, when you returned to Cumberland, you said you've
6 been involved in, what did you say, two clean sweeps?
- 7 A. We try to do one twice a year, so --
- 8 Q. Okay.
- 9 A. -- probably around four or five, I think we've done, in the
10 time I've been back.
- 11 Q. Is this clean sweep, is it cross-functional?
- 12 A. Yes, sir.
- 13 Q. So, who all's involved?
- 14 A. Whenever I want to get one scheduled, I typically reach out
15 to my Mechanical/Engineering/Signals/Communications counterparts,
16 let them know we're doing it, so that they have at least a week to
17 get as many people as we can involved. So, management, craft,
18 everybody's involved.
- 19 Q. Okay. Did you participate in the face-to-face training that
20 Safety Department provided last fall to managers?
- 21 A. Yes.
- 22 Q. So, do you recall in that face-to-face training that we went
23 over some items with RQS and the proper way to do the 24-item
24 checklist and evaluations --
- 25 A. Yes.

1 Q. -- or trains? So, you did get some --

2 A. Yes.

3 Q. -- training on that?

4 A. Yep.

5 Q. Okay. So, I'll just piggyback off the question Jared had
6 about, you know, kind of a handoff between ready and you guys.

7 And so, I guess maybe that wasn't the handoff, but there was a
8 handoff from Safety, a piece of Safety, to --

9 A. Right, yeah. We do have the tools to where, as they're
10 progressing through their own job training, we can document.
11 Like, I observed this personally. I've had to put exceptions in
12 on trainees that are riding equipment improperly, or not
13 protecting a shove, or whatever it might be; and then, you updated
14 RQS as, you know, check this out. This person's having trouble
15 with this.

16 Q. Okay. I think the last question I have for not just goes
17 back to close clearances. How many types of close clearances are
18 there, typically? We talked about the kind that we might put a
19 sign up for, right?

20 A. Right.

21 Q. What would that be defined as? Is that a permanent or a
22 temporary type close clearance?

23 A. That'd be a permanent close clearance.

24 Q. Right. And what would we do with a temporary close
25 clearance?

1 A. Temporary --

2 Q. A known temporary close clearance?

3 A. A known temporary close clearance, I would say first and
4 foremost would be the word of mouth. Get in the on-the-job
5 briefings in the crew rooms. Dispatcher messages are a really
6 good tool to let people know about walking conditions, close
7 clearance. There's a piece of equipment parked on the line at
8 Rockwood, you know, no riding on the west leg of the Y, because,
9 you know, there's a dump truck parked there, or whatever. But
10 dispatcher bulletins are probably our biggest tool for that.

11 MR. AMMONS: Okay. That's all I've got.

12 BY MR. QUILLEN:

13 Q. Josh Quillen, FRA. Thanks for being here.

14 A. Yep. Good morning.

15 Q. I know you said you didn't know Travis that well, but it was
16 mentioned that, in the interviews yesterday, Travis did mention to
17 Cody, and also the engineer, that, you know, he was a little
18 hesitant to ride equipment. But you say you've never had no
19 knowledge of this at all?

20 A. No, I never had any knowledge that he was, you know,
21 reluctant to ride equipment.

22 Q. Right.

23 A. Yeah.

24 Q. I know most railroads have rules that, you know, everybody,
25 watch out for each other. If you see somebody else being unsafe,

1 to maybe mention something. So, I can't remember how many trips
2 Travis took on this particular line of road, but I know he went
3 down with another crew to go down, and then come back with Cody.
4 I'm just curious if a manager might have -- you know, if he tells
5 a manager down there in Baltimore, hey, man, you know, I'm a
6 little hesitant, does the manager down there have a way of putting
7 in a notice so you see that; that way, you see the issues of
8 trainees and stuff?

9 A. Yeah. Ideally --

10 (Crosstalk)

11 A. -- we would like that documented in RQS, and from my
12 experience, if a trainee was having issues, us as managers would
13 reach out to each other, hey, Employee X was in Baltimore. I
14 observed him doing this. He's coming back to you on train X,
15 whatever. You know, you might want to get somebody out there to
16 meet with him. Right.

17 Q. But you didn't see nothing about that with him on that?

18 A. No, I did not.

19 MR. QUILLEN: Okay. Yeah, that's all I had.

20 MR. KRAHOLIK: All right, thank you. You good? Do you need
21 a break, or are you ready?

22 MR. SMITH: No.

23 BY MR. KRAHOLIK:

24 Q. So, I know you said you did some observations on people
25 riding tank cars. You had problems with that. But specifically

1 the intermodal cars, have you ever had any problem with anybody
2 riding an intermodal car?

3 A. Yes, sir.

4 Q. You have? Okay. You say you talk to them and instruct them.
5 Do you show them how to properly ride those if you --

6 A. Yes, sir.

7 Q. -- find -- okay. And then, if Cody would have expressed to
8 you that he didn't feel comfortable having a trainee with him,
9 what would you do? How would you rectify that system so that --

10 A. The first day they're here, when I get a chance to meet with
11 them, or even during the halftime things, I make it evidently
12 clear, if you see somebody doing something unsafe, you have
13 options. One, you can call. Two, you can stay on the locomotive
14 with the engineer. And when we have a less-experienced employee
15 with perhaps a trainee, all the trainees have been instructed, if
16 you're uncomfortable, you know, remain on the locomotive with the
17 engineer. You can see learn from the engineer. You don't have to
18 be on the ground. And I actually, I personally have advised newer
19 employees, this is Employee Y's fifth trip by himself. You have a
20 three-track double, and you have to cut in your DP, you know, your
21 DP locomotive. It might be a good idea for you to stay on the
22 locomotive and allow this employee to concentrate on what he needs
23 to do so that he's not looking out of the corner of his eye, you
24 know, trying to see where you're at while he's trying to complete
25 a complicated task out in the field.

1 Q. I got you. Is there any circumstances where you would allow
2 a conductor not to have a trainee, ever? Like, he cannot never
3 have a trainee?

4 A. It would be rare. It would have to be a pretty, you know,
5 extreme case.

6 Q. And how would you notate that? How would people know, how
7 would the crew caller know that Conductor X can't have a trainee?

8 A. If we would ever determine that as a management team, we
9 would have it documented in that employee's history, that, you
10 know, no trainees are to go with this. I personally have never
11 had to do that. We've got a pretty good group where I've never
12 had to say, I don't want this person to have a trainee, ever. You
13 know, pretty much all of our employees can add some kind of value
14 to a trainee at some point, and you learn a little bit from
15 everybody you're with, and then kind of create your own style as
16 you finished your training. So, I've heard of it, but I've never
17 personally had to put something in somebody's history like, I
18 don't want them to have a trainee.

19 Q. So, when crews go to Baltimore, they lover in a hotel, then
20 they come back. They get called, two-hour call, three-hour call,
21 to come back. You don't have scheduled trains, right, coming out
22 at specific times, or --

23 A. We do have a scheduled pull for loading coal trains and
24 emptying coal trains, and they're 11 o'clock in the morning and
25 2300. So, we do have that. And then, we have scheduled departure

1 times for trains, but that could vary, depending upon, you know,
2 power availability and crew rest.

3 Q. But they're not show-up jobs, right? They always get called
4 by a crew caller?

5 A. Yeah, pretty much, unless they're in one of those assigned
6 pulls.

7 Q. How would a conductor know that he's going to have a trainee
8 for the day?

9 A. He would have to use the mainframe computer or ask the caller
10 whenever they call, you know, am I going to have a trainee today?

11 Q. So, it's not required for a crew caller to tell the conductor
12 he's going to have a trainee for the day?

13 A. I don't know that. It may be.

14 Q. Okay.

15 A. I don't know that answer.

16 MR. KRAHOLIK: Okay. All right. That's all I have. We can
17 go around one more time.

18 MR. WYATT: One question. This is David Wyatt again with the
19 BLET.

20 BY MR. WYATT:

21 Q. I'm just curious. For Travis or Cody working out of this
22 terminal, how many managers would they interact with, not just on
23 this particular job, but like throughout there -- you know, if
24 they're called for a certain freight pull or something like that?

25 A. For that particular train, they would -- I can't speak for

1 Baltimore. I'm not real familiar with it. But they would
2 encounter a manager in Baltimore; and then, they would encounter
3 another manager here.

4 Q. Okay. And how many MTOs do you have here at this location?

5 A. Five.

6 Q. Okay. So, five. So, during his training, perhaps Travis
7 would encounter five separate managers just here?

8 A. Correct.

9 Q. Okay. Now, this RQS system that you all talk about, all of
10 those managers would have access to that to see what was related
11 to Travis' --

12 A. Yes.

13 Q. Okay. Now, if, say, one of you put something into his system
14 saying he has issue with riding equipment, or he has issue with
15 lining switches, or whatever the scenario would be, does that
16 system provide any sort of an alert to the five of you, or is it
17 just word of mouth --

18 A. So --

19 Q. -- at random?

20 A. -- when you go into the RQS system, there's like 15 or 16
21 separate categories. And then, out to the right, there's thumbs.
22 There's a green thumb that you observed him doing it properly, and
23 then there's a red thumb that you observed him doing it
24 improperly, and you can get in, and look, and see what the
25 manager's notes are, because before he can enter a thumbs down

1 that you observed him doing it improperly, you have to put
2 comments in as to what you observed and when you observed it.

3 Q. Okay. So, the indication for a manager to be out of the
4 ordinary to go into that system would be a word-of-mouth thing?
5 He wouldn't receive some sort of, I don't know, email from the RQS
6 saying that this employee has a thumb down on this one?

7 A. Well, we do have the ability, it's called Tops (ph.), where
8 if an employee's having issues, you can enter that employee ID,
9 and then you'll receive a text message when they're on duty.

10 Q. Okay.

11 A. And that way, you can reach out to your counterparts at other
12 locations or your counterparts here, because we're obviously not
13 all here all the time, so --

14 MR. WYATT: Got you. Okay. That's it. Thank you.

15 MR. CASSITY: Jared Cassity with SMART TD.

16 BY MR. CASSITY:

17 Q. Are you very familiar with the REDI at all? Was that
18 something you went through when you were hired on?

19 A. Yeah, I went through the REDI. That'd have been 19 years
20 ago. And then, I've also been to the REDI for yardmaster
21 training, and I've been to the REDI for manager training and
22 operations training.

23 Q. Okay. When new hires are at the REDI Center for phase one of
24 their training, are they taught how to ride cars and equipment?

25 A. I can speak for myself. I haven't been around the conductor

1 training program down there for years and years. But yes, I was
2 taught how to ride equipment and mount. At the time, we weren't
3 allowed to dismount moving equipment, so we were never taught
4 that, but we were taught how to mount and hold onto equipment at
5 the REDI.

6 Q. Okay. To the best of your knowledge, do you think they're
7 being taught how to ride equipment, and proper body positioning,
8 and three points of contact, things of that nature?

9 A. The last time I was there for manager training, they had
10 several sets of Bock (ph.) rail ladders, different kinds from
11 different types of cars, in like a courtyard, where they would go
12 and do their training.

13 Q. You had stated that you've observed quite a few trainees
14 riding intermodal cars incorrectly, and it may not have been so
15 specific to intermodal, but you've observed a number of trainees
16 riding incorrectly. If they've never been shown how to ride a car
17 properly, what is CSX's expectation to introduce them to that
18 proper riding position once they're on property?

19 A. I don't know if I've observed a lot of them. I'd say I can
20 count on one hand how many I've seen riding improperly. So, it's
21 not like -- out of the probably close to 200 trainees we've had in
22 the last three years, I can, like I said, probably count on one
23 hand how many I've seen riding improperly. But A lot of it is
24 their interpretation of what they think they need to be doing, and
25 that's at the point where we stop them and show them the proper

1 way of how to do it, and we use a lot of PowerPoint and training
2 tools at these halftime walks and these quarterly walks of
3 pictures, which is probably the best tool for them of, this is X
4 type of car; this is your expectation. You need to wrap your leg
5 around this when you're riding a tank car, type thing, so --

6 Q. Do you have any concern for conductors showing trainees an
7 improper way of doing things?

8 A. Oh, yeah, absolutely. That's actually something I speak of,
9 is, their first day here, I say, you may or may not see some bad
10 habits, and it's your responsibility as an employee to not do
11 those things.

12 Q. Okay. I'm going to switch gears on you. The city track over
13 there, in your opinion, how common an occurrence is it for crews
14 to be in those tracks in that area over there?

15 A. I'd say it's fairly common. Typically, it's maintenance away
16 equipment we park in that area. For one, like I spoke of earlier,
17 it's easier to get out of the yard. You're not blocked by the
18 body tracks of the yard. I'd say, at least a couple of times a
19 week, two or three times a week, we might have maintenance away
20 equipment up there, or a locomotive, or a shop car, or whatever
21 that typically stays there less than 24 hours.

22 MR. CASSITY: Okay. I have nothing else. Thank you, Todd.

23 MR. AMMONS: Just one point that I wanted to clean up,
24 because I'm not sure if I said it wrong, or if Jared heard me
25 wrong, or you heard me wrong, but my question around observations

1 or testing of employees riding equipment properly was all
2 employees, not just trainees.

3 MR. SMITH: Oh, yeah, absolutely.

4 MR. AMMONS: Okay, okay.

5 MR. SMITH: Yeah.

6 MR. AMMONS: I just wanted to clarify that. Yeah.

7 MR. SMITH: Yeah.

8 MR. AMMONS: That's all I have.

9 MR. QUILLEN: I have no further questions.

10 MR. KRAHOLIK: This is Todd with the NTSB. One last
11 question.

12 BY MR. KRAHOLIK:

13 Q. How does CSX determine if the track is too close to ride?

14 A. From a transportation standpoint, I would just depend on
15 somebody telling me that, hey, this was close or uncomfortable. I
16 don't know that. I mean, I would assume it comes from our
17 Engineering. Our Engineering team would, during their track
18 inspections or whatever, would let us know if something like that
19 arose. I'm not sure how that's determined. I mean, I know that
20 as a team, we teach transportation employees of how to stand close
21 to the rail and stick their arm out to see if they can touch
22 equipment, whether or not that's too close for them or not. So,
23 as like evolving, you know, things are always changing. Different
24 rail cars are at different tracks. They're given the tools to
25 determine whether or not something's too close for them to ride or

1 whether just to leave it standing. But like in a permanent
2 situation, I would assume that's determined by our engineering
3 team.

4 Q. So, you have no knowledge of any measurement out there that
5 would be too -- that this measurement is too close --

6 A. Now, me personally, no, I don't. I don't know that.

7 Q. And the arm test where you stand close to the rail and stick
8 your arm out, do they teach that at the REDI Center?

9 A. Yes, sir.

10 MR. KRAHOLIK: Okay. I don't have anything further. Just to
11 make sure everybody else is good.

12 MR. QUILLEN: Okay.

13 MR. KRAHOLIK: All right. Do you have anything you would
14 like to add or any recommendation to prevent this to happen in the
15 future?

16 MR. SMITH: No, sir.

17 MR. KRAHOLIK: All right. And if we have any follow-up
18 questions, okay to call you?

19 MR. SMITH: Absolutely. Yes, sir.

20 MR. KRAHOLIK: Okay. And on behalf of the NTSB, I'd like to
21 thank you for your time and cooperation.

22 MR. SMITH: Sure.

23 MR. KRAHOLIK: All right. We're going to go off the record
24 now.

25 (Whereupon, the interview was concluded.)

CERTIFICATE

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

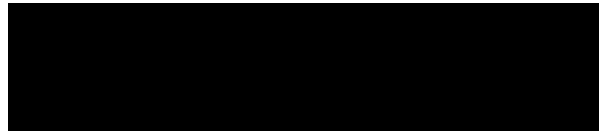
IN THE MATTER OF: CSX EMPLOYEE FATALITY IN
CUMBERLAND, MARYLAND ON
AUGUST 6, 2023
Interview of Mike Smith

ACCIDENT NO.: RRD23FR016

PLACE: Cumberland, Maryland

DATE: August 9, 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.



— Lisa D. Sevarino —
Transcriber