

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

\*

CALTRAIN COLLISION WITH \*

CONSTRUCTION EQUIPMENT NEAR \* Accident No.: RRD22LR007

SAN FRANCISCO, CALIFORNIA, \*

ON MARCH 10, 2022 \*

\*

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Interview of: COURTNEY TALLEY, Journeyman Lineman  
Balfour Beatty

San Francisco, California

Saturday,  
March 12, 2022

## APPEARANCES:

DICK HIPSKIND, Railroad Accident Investigator  
National Transportation Safety Board

RICK BRUCE, Track Safety Specialist  
Federal Railroad Administration

JAMES RIDGWAY  
California Public Utilities Commission

ROBERT SEBEZ, Acting Director, Safety and Security  
Caltrain

JIM BROWN, Safety Officer  
Caltrain

DEREK BROWN, Deputy General Manager  
TransitAmerica Services, Incorporated

MARCUS KIRK, Safety Manager  
Balfour Beatty

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I N T E R V I E W

1  
2 MR. HIPSKIND: My name is Dick Hipskind, and I am a railroad  
3 accident investigator for NTSB, and I am the track and engineering  
4 group chairman for NTSB for this accident. We are conducting this  
5 interview on March 12, 2022, with Mr. Courtney Talley who works  
6 for Balfour -- is it Balfour Beatty --

7 MR. TALLEY: Yes, sir.

8 MR. HIPSKIND: -- Balfour Beatty as a journeyman lineman.  
9 This is -- the interview is being conducted in person at the  
10 Westin Hotel in San Francisco, California. This is interview is  
11 part of NLRB's efforts in conducting a series of follow-up  
12 interviews with the parties to the investigation in which we are  
13 conducting an ongoing investigation of a Caltrain train Number  
14 SB506, its collision and derailment that occurred on March 10th,  
15 2022, on Caltrain's railroad on main track 2 in San Bruno,  
16 California. The NTSB accident reference number is RRD22LR007.

17 Before we begin our interview and questions, let's go around  
18 the table and introduce ourselves. Please spell your full name  
19 and please identify who you are representing and your title. I  
20 would remind everybody to speak clearly and loudly enough so we  
21 can get an accurate recording. I'll lead off and then ask for the  
22 other interviewers to identify themselves according to the order  
23 previously established.

24 Again, my name is Dick Hipskind. Spelling of my full name is  
25 D-i-c-k, last name, H-i-p-s-k-i-n-d. I am a railroad accident

1 investigator for NTSB on this accident.

2 MR. BRUCE: Rick Bruce, R-i-c-k, Bruce, B-r-u-c-e. I'm with  
3 the Federal Railroad Administration. I'm a track safety  
4 specialist.

5 MR. RIDGWAY: James Ridgway, J-a-m-e-s, Ridgway, R-i-d-g-w-a-  
6 y, CPUC Track.

7 MR. SEBEZ: Robert Sebez, R-o-b-e-r-t, S-e-b-e-z, Acting  
8 Director, Safety and Security, Caltrain.

9 MR. BROWN: Jim Brown, J-i-m, B-r-o-w-n. I'm the safety  
10 officer for Caltrain.

11 MR. BROWN: Derek Brown, D-e-r-e-k, B-r-o-w-n. I'm the  
12 deputy general manager for TransitAmerica, Main Subway.

13 MR. KIRK: Marcus Kirk. I'm the safety manager for Balfour  
14 Beatty on the Caltrain project. M-a-r-c-u-s, last name Kirk, K-i-  
15 r-k.

16 MR. HIPSKIND: All right. Courtney, let's put yourself on  
17 the record if you would please.

18 MR. TALLEY: My name is Courtney Talley, C-o-u-r-t-n-e-y, T-  
19 a-l-l-e-y. I'm a journeyman lineman employed with Balfour Beatty.

20 MR. HIPSKIND: And Courtney -- first of all, to all the  
21 interviewers, thank you. Prior to recording our interview, I  
22 spoke with Courtney to request his permission to record our  
23 discussion today and to obtain permission to just use first names  
24 in our discussion. Courtney, has there been any change to your  
25 affirmation to those conditions?

1 MR. TALLEY: No.

2 MR. HIPSKIND: All right. And do you wish to have a  
3 representative with you today?

4 MR. TALLEY: No.

5 MR. HIPSKIND: Okay. Hearing no objections, let's proceed.  
6 The interviewee's introduction after which -- well, let me just  
7 get to the first couple of questions here.

8 INTERVIEW OF COURTNEY TALLEY

9 BY MR. HIPSKIND:

10 Q. Courtney, please give us a synopsis of your work history  
11 beginning with your current position of railroading history and  
12 how long you've held it.

13 A. Journeyman lineman, I've been with Balfour Beatty on this  
14 project now for a little over two years. As far as railroading, I  
15 haven't actually worked on the rail. I have changed out poles in  
16 railroad yards over my career, that's gone -- spanned over 22  
17 years from my apprentice to now. We do pole change outs, next --  
18 within the right-of-way or next to railroads. That's the extent  
19 outside of being on rail with this project.

20 Q. Okay. And, Courtney, please describe for us your duties and  
21 responsibilities in your current position as journeyman lineman.

22 A. So far my duties have been to build the system for the  
23 Caltrain Electrification Project from setting poles, pulling wire,  
24 clipping in wire. I've been on all avenues of the job so far.

25 Q. Okay. Very good. So tell us about your day on March 10th,

1 2022, and kind of give us an idea of when you start work and where  
2 you met up with other members and conducted a job briefing and  
3 then after that, just kind of go through the roadmap that we  
4 talked about.

5 A. We start 7 a.m. We have a yard visitation in Brisbane. We  
6 meet up there. There are trucks inspected, started, wait for our  
7 pilots and RWIC to show up, get in touch with our boss to see  
8 exactly if anything has changed for our duties and what we're  
9 going to do that day. Load up any material we may need.  
10 Everything was fine. We knew where we were going, what was  
11 planned out. There was nothing odd or no feel or think anything  
12 was wrong. The pilots and RWIC came up. We asked can we do a  
13 briefing now because we had to drive down to get on. They agreed,  
14 and he said we'll do the briefing here, their visitation and then  
15 we will brief again which we did before we got onsite.

16 Q. Well, in your humble opinion, how did the briefing go?

17 A. The same as most of our other briefings. There were two --  
18 there was a new kid, younger than me I guess.

19 UNIDENTIFIED SPEAKER: Gilbert. Looking at the crowd around  
20 here.

21 MR. TALLEY: We're kind of the old guys. So Gilbert, he was  
22 new. So he did the briefing. The RWIC then read it again. He  
23 went over it again and said, hey, I just wanted him to, and I  
24 understand, it's like our apprentices. We have our apprentices do  
25 stuff and then my job is to back them up. So Gilbert went

1 through, I think his last name is Padilla.

2 UNIDENTIFIED SPEAKER: Correct.

3 MR. TALLEY: If I remember correctly. He went through it,  
4 and then the RWIC, then he went through it again. And then from  
5 there, the one truck went -- one of our cranes went to our  
6 warehouse in San, San Jose -- in South San Francisco to pick up  
7 some grounding wire, and then myself and the apprentice drove down  
8 to Center and to meet up at Center, Center Crossing.

9 BY MR. HIPSKIND:

10 Q. And that was part of the plan. That was task number 1, the  
11 set on with the equipment and then move up the line.

12 A. Yes, sir.

13 Q. Okay. Do you -- Courtney, do you specifically remember at  
14 the job briefing, the first job briefing that morning, any mention  
15 of that the RWIC, that he had track and time already?

16 A. No, not to my -- no, we didn't receive track and time.

17 Q. Okay. Is your first recollection receiving track and time is  
18 when you went down to Center Street?

19 A. When we got to Center, is when we received our track and  
20 time.

21 Q. And you've been with the work group, and they've done that  
22 plenty of times just like that?

23 A. Yes, sir.

24 Q. Okay. Was this time that you went down to Center Street, was  
25 it any different than any other time that you've got and set on



1 equipment?

2 A. No.

3 Q. Was there kind of a secondary job briefing when you got down  
4 there about what track you were going to set on and all that kind  
5 of stuff?

6 A. Yeah, we went back over, we were going to get on 2 because we  
7 were in the same area -- we've been in the same area 2 days, and  
8 we were going to go back to that same area. So our limits of work  
9 area was really the same from say the previous days.

10 Q. All right. So long story short, you get permission, you got  
11 track, and somebody tells you that you've got track and time on  
12 main track 2.

13 A. Right. We have to wait for, we have to wait for track and  
14 time on main track 1 before we get on. We can't -- if we get  
15 track and time on the track we're going on, we still can't get on.  
16 We've got to wait for protection on the opposite track to get on.

17 Q. And that was all explained?

18 A. Yes, sir.

19 Q. And putting the three pieces of equipment in the sequence  
20 that they were to head north, you accomplished that, right?

21 A. Yes, sir. He gave us -- they were going to put on, because  
22 the pilots go on the opposite track for protection to get on.  
23 they got on, and they waited. Once we got our track and time, we  
24 had, what's it, I don't know, six minutes, seven minutes to get  
25 both cranes on. I mean that wasn't an issue to do it. Sometimes

1 two or three times a night. So.

2 Q. Courtney, do you recall at the job briefing if the sequence  
3 of tasks, was it discussed with the group that, well, you've got  
4 to go down to Center, get permission, get your track and time, set  
5 on 2 and come up. Was there any -- ever any detailed discussion  
6 that, yes, we're going to stop at 11.6 or 7 at the fabrication  
7 yard to load material. Was that ever discussed?

8 A. At Center?

9 Q. At the initial morning job briefing.

10 A. That I don't recall. I know we discussed where we were going  
11 and then when we got down to Center, then we were going to stop  
12 and get poles and then proceed on to set down there by the load.  
13 It's a whole new area for me. I spent the last year and a half  
14 south. So --

15 Q. Okay. Understood. But does this sound about right? First  
16 task is hold job briefing.

17 A. Yes.

18 Q. Second task is to go to Center, get permission, set on --

19 A. Yes.

20 Q. -- and move up to the fabrication yard and load up material?

21 A. Yes.

22 Q. And the next task was, after that's completed, go on up and  
23 get with Claude and enter the Form B.

24 A. Yes, we were going to load, go down there and then start  
25 setting, setting poles.

1 Q. Okay. Did Claude say anything to the group about after you  
2 set on at Center, I don't want you wasting time. I want you to  
3 come right on up here to the Form B. We'll set the three poles  
4 that are on the ground up there, and then if we've got more time  
5 to set poles later on, I'll send you back down to the fabrication  
6 yard, 11.7, on main track 2, and you can pick up more material.  
7 Was there ever anything discussed like that?

8 A. No, we didn't have that discussion.

9 Q. Okay. Set on, go up, pick up stuff, get on up to the Form B,  
10 taking a pole with you. That's what you guys decided to do.

11 A. Well, we had five poles to pick up in San Bruno. And we --  
12 when we got to Center, we went through and went through that, hey,  
13 we're going to -- that was our second (indiscernible). We were  
14 going to stop and get our poles and then proceed south -- proceed  
15 north.

16 Q. Okay. This --

17 A. But that, but that was with -- that was just with our two  
18 pilots.

19 Q. Gilbert and Tim.

20 A. Hidalgo and Padilla, yeah.

21 Q. Okay. All right. And just to put a fine point on it, you  
22 weren't going to stop and pick up one pole. You were going to  
23 stop and load up five poles.

24 A. Yes, we had five poles to load.

25 Q. Okay. All right. So take us through your recollection of

1 you -- as I understand it, I think you guys had only loaded up one  
2 pole, right, when this thing unfolded?

3 A. We got the heavy one loaded.

4 Q. So, Courtney, take us through, you're up there, you're doing  
5 whatever you're doing, and take us through the realization of the  
6 train on your track and all that.

7 A. Well, once we got on track -- well, we had to shunt first.  
8 We shunted, got on. Once we got -- we got on, we shunted. We let  
9 the pilots know, all men and equipment are clear and ready to  
10 proceed north.

11 Q. Clear from main track 1?

12 A. No, we're only cleared for travel. Shunts were removed, and  
13 we're in our vehicles ready to go.

14 Q. Understood.

15 A. And from my -- just how we normally do, when we have -- we  
16 get track and time on say -- getting on 2 and track and time on  
17 main track 1, they usually release track and time on 1. So once  
18 we're all on clear, then that's the normal procedure for the two  
19 years I've been here. So once that happened, then we proceeded  
20 down. We stopped and then he came down and said, hey, you know,  
21 it's -- I want to say it's a wide center from main track 1 and 2,  
22 so we can work on without fouling 1. All our work is on the west  
23 side. So, you know, of course, our pilots came down and  
24 reiterated, hey, you guys can't go towards 1 which we know. And  
25 we -- in fact, they always reiterate that.

1           They went two spans down, parked our truck two spans down as  
2 to be out of our way. We set our trucks up. I stopped the fixed  
3 cab right before our opening and removed the pole carts. I  
4 removed the pole carts and a horn sound to have northbound come.  
5 We stopped what we were doing. Northbound went by. Once the  
6 northbound went by, we continued our work.

7           Phil got out, spoke with the engineer, to try to figure out  
8 what we were going to do. We have I think it was -- I forget what  
9 size poles, but it as a 6,000 pound pole, too big for -- and it  
10 was turned wrong. So we were going to have to -- instead of using  
11 a forklift, set the crane up, the safest place to do it. So we  
12 set the crane up, picked the pole, spun it, set it on the carts.

13           Once it got set on the carts, guys came up. Phil then -- I  
14 jumped in the forklift, spun around to pick up another pole. Phil  
15 spun the boom around to rack it up and come down. Right about  
16 that time, I was picking up the pole to get balance.

17           I heard him yell and I heard a horn, looked to my left and  
18 saw the train. And immediately the depth perception was wrong to  
19 me meaning this train was closer than, you know, we see a train  
20 come, you know, it's like at the all rather than where he's  
21 sitting. I said an expletive. I said, oh, shit. I saw Phil --  
22 Phil leaped. My ground man here took off this way. The  
23 apprentice ran this way. I hopped out of the forklift and at that  
24 time, it had already hit the crane and went in front of me. So I  
25 saw Phil jump and I saw him and he's only 5'2. So when he hit the

1 ground, he was crawling. So I was looking towards him and that's  
2 when the fire hit.

3 So when the fire hit, is when I really -- I started running  
4 but then I got about 10 steps, heard Phil screaming. So I doubled  
5 back around to go help Phil. The other guys, you know, one of the  
6 guys was yelling something. It's going to be a bigger place hit.  
7 He was saying something about the tank's going to blow but my  
8 concern was going to get Phil. So then the apprentice followed  
9 me. We went and got Phil, realized he had burns. His vest had  
10 burned to him but he had a FR shirt on. So it protected him. His  
11 hands were burned, and his head was burned, and he was -- there  
12 was bleeding. So we started running down south or north towards  
13 the opening, and then the foreman came up in his pickup. We got  
14 Phil in the pickup and ran down to the opening.

15 No one knew what was going on until they saw smoke because no  
16 one heard anything. They said, hey, we didn't hear anything. So  
17 we took off down south -- I mean north towards the opening,  
18 getting clear, and then we started looking for our pilots because  
19 that was our -- after my four here, we didn't see them. And I saw  
20 Hilgado yelling on the radio. He didn't know where the other kid  
21 was. And then he -- after one, you know, kind of, you know, I  
22 don't know where he took off, because my line of sight was here,  
23 and, you know, two spans down.

24 Q. Courtney, I liked your description, but I want you to detail  
25 for us. Give us a sense of how quick did this thing happen?

1 A. I guess the only thing I can compare it to is when we have a  
2 primary fire working on power lines, it's just like that. You --  
3 I heard, I heard a horn and to me, normally when you hear, okay,  
4 hey, it's -- you've got a train coming and you look, you look.  
5 Okay. It's not here yet. But it's like a notification. When I  
6 heard that, I looked. The train was there.

7 Q. And the collision was instantaneous.

8 A. Instantaneous. Because when I heard it, I looked. The train  
9 was there and then it was, it was seconds. But everything slowed  
10 down. I mean everything was slow. From -- everything was slow.

11 Q. Almost like kind of a surreal type thing.

12 A. It was everything was in slow motion for a minute. It could  
13 have been longer than that. Just for me, you know, looking where  
14 everything was, watching, you know. I was still moving but it  
15 doesn't feel like I'm moving, I'm not moving fast. But I'm, you  
16 know, my heads -- I'm thinking, trying to process visually. I  
17 took off. I got 10 steps to -- my thing came on, and I'm missing  
18 someone. I had two in front of me, and --

19 Q. Well, I don't know if anybody else has told you this, but  
20 thank you for going back and getting Phil. I've still got a  
21 couple of questions. You've been the first tell us, use the term  
22 shunts, and I don't want to put words in your mouth, but I take it  
23 the equipment, maybe not the hi-rail, but two of the pieces of  
24 equipment that you're familiar with, they are equipped with shunts  
25 that you can apply, turn on, turn off.

1 A. The fixed cab I don't think it is. The sway cab crane, I  
2 can't recall because I've never had to use them. We have another  
3 swing cab crane that does have a shunt kit built in.

4 Q. At least one of them --

5 A. Well, we have another crane that we weren't using that has  
6 it, but those two, to my knowledge, does not have a shunt kit  
7 build in.

8 Q. Okay. So -- well, I'm not, not picking, but I just want to  
9 go back. I thought you used the word shunts when you were at  
10 Center.

11 A. Right. We had to -- to get on, we shunt the tractor because  
12 that crosses its little -- we have to shunt all our cross its.

13 Q. So we're just talking about cables and a clamp?

14 A. Yes, sir.

15 Q. That somebody goes out and applies to the rails?

16 A. Yes, sir.

17 Q. And the reason you do that is for what?

18 A. Protection to get on.

19 Q. So flashers crossing, gates, that kind of thing?

20 A. Yes, sir.

21 Q. To keep you out of harms way with the vehicular traffic?

22 A. Yes, sir.

23 Q. Okay. You've cleared that up for me.

24 A. We have to get -- we get permission. We have to have  
25 permission of that via our track.



1 Q. Okay. So I want to drill down on when the bigger piece of  
2 equipment that are going to handle the poles and all that kind of  
3 stuff. When you guys are beginning the process of attaching to  
4 the poles and you're going to lift them and you're put them on the  
5 trailer and all that kind of stuff, do you guys anchor the  
6 equipment to the track or do you lock it down to help with the  
7 movement of picking stuff up?

8 A. The cranes have outriggers.

9 Q. Okay.

10 A. So we put our outriggers out and put it down for -- it's like  
11 a regular crane. It just has a rail pin -- railroad wheels (ph.)  
12 on them.

13 Q. Do the outriggers contact the rail?

14 A. No.

15 Q. They're out on the wooden part of the ties or concrete?

16 A. Yeah, they'll extend out to five feet, you know. You can go  
17 five, six feet depending on, you know, depending on the load that  
18 you're picking, and you go mid or full.

19 Q. And the reason you do that is to stabilize for the lift  
20 process, right?

21 A. So you don't tip the crane over.

22 Q. Okay. Courtney, you done a great job. Let me hand it off.  
23 Let's see what the other interviewers have in mind.

24 MR. HIPSKIND: Rick.

25 MR. BRUCE: Just a couple.

1 BY MR. BRUCE:

2 Q. How's communication performed with you onsite with your  
3 pilot? Phone, radio, what?

4 A. We give them all radios, and then they have their own  
5 Caltrain radio.

6 Q. So onsite, you're performing your communication with your  
7 Balfour Beatty radios?

8 A. Yeah, we have Balfour Beatty radios.

9 Q. Okay. Via radio.

10 A. For that particular time, he's not in the truck or standing,  
11 you know, because they can't see around going south. So in the  
12 last two days, what he did, he would physically stand on like a  
13 walkway type form. He'd get out, look south, you know, alert us,  
14 you know, and every time I saw him do it, he was -- he was always  
15 double checking. Even if all four of us were standing in front of  
16 him, he would ask us, are you guys in the clear. The first time  
17 it happened, like I was kind of like, you're looking, and then I  
18 went, okay, I liked it. Okay. He was like from here to you, and  
19 I'm like, cool. So then as far as ease, but I was like, okay,  
20 hey, we're --

21 Q. He asked for acknowledgement?

22 A. Yes.

23 Q. Okay. Thank you.

24 A. And that was -- that started the first day and he continued  
25 on. So the third day, you know, as we're loading, I have a visual

1 when we're loading except for when we had to go use the forklift  
2 past the fence.

3 Q. Okay.

4 A. They still use air horn or, you know, radio.

5 Q. Okay. The next one, was there poles out ahead of you on the  
6 ground from the day before?

7 A. Yes.

8 Q. How many?

9 A. I think three.

10 Q. So with three on the ground, you're plans were to stop at  
11 11.6 at the -- at your yard.

12 A. No, they were all laid.

13 Q. With those three on the ground, ahead of your work, you still  
14 had plans that day of the accident to stop at the yard and load  
15 those five?

16 A. Okay. I'm not understanding you.

17 Q. Okay. You left three poles on the ground from the day  
18 before.

19 A. Yes, sir.

20 Q. Okay. The day of the accident, you were setting on at  
21 Center, you had plans to stop at the yard and pick up the five --

22 A. Yes.

23 Q. -- plus the three that were on the ground.

24 A. Right.

25 Q. That was your work?

1 A. Yes, yes.

2 Q. Okay. All right. Okay. Was there any radio communications  
3 apparently over the Balfour Beatty radios that the train was  
4 coming other than the horn?

5 A. I don't recall.

6 Q. You don't recall. That's fine.

7 A. I mean I have my radio here, but I'm also sitting next -- I  
8 mean I have an air piece for the radio. So I didn't hear that  
9 sitting on the forklift, no.

10 MR. BRUCE: That's it.

11 MR. HIPSKIND: Thanks, Rick. Jim.

12 MR. RIDGWAY: Yes.

13 BY MR. RIDGWAY:

14 Q. The job briefing at visitation, about what time do you think  
15 that started?

16 A. I'd say between 7:30 and 8 I think.

17 Q. And about how many minutes do you think job briefing actually  
18 took?

19 A. The actual briefing itself?

20 Q. Um-hum.

21 A. Ten minutes because we went over it twice. I mean he had --  
22 I call them an apprentice go over it and then he went over it  
23 again.

24 Q. Okay.

25 A. And then asked us if we had any questions, if we didn't feel

1 comfortable. They said they were going to have to put out their  
2 signs which is okay because we still had to go do other things  
3 but --

4 Q. You said you were working out there the previous day. Did  
5 you guys head on at Center Street the previous day?

6 A. Yes, sir.

7 MR. RIDGWAY: That's all I have.

8 MR. HIPSKIND: Thanks, Jim. Robert.

9 MR. SEBEZ: Yeah, a few for me.

10 BY MR. SEBEZ:

11 Q. I just want to clarify. Did they let you know before they  
12 released main track 1?

13 A. I didn't -- my apprentice had the radio. So once we removed  
14 the shunts, you know, the northbound train came. So I took it --  
15 like I said, I assumed that that was -- (indiscernible) sees that  
16 the main track 1 was going live.

17 Q. Okay. But you were not informed?

18 A. I didn't have the radio on me. I had my -- my apprentice had  
19 the radio.

20 Q. Okay.

21 A. So I was already back in the truck.

22 Q. Okay. Did you hear an air horn before the -- before impact?

23 A. I hear the horn and saw the train.

24 Q. You heard the train horn or the air horn or not sure?

25 A. I, I know the difference, but at that point in time --

1 Q. No, I understand.

2 A. -- it was, it was horn and naturally was -- just my nature  
3 was to look. For me it was okay. Hey, I knew, I knew it was  
4 southbound.

5 Q. Um-hum.

6 A. The train from north going south. It was happened to look.  
7 So I heard that and just, just looked. But this time, the train  
8 was there.

9 Q. Okay. And, I'm sorry. I heard that you had shunted at some  
10 point. Was that Center or was that a different crossing?

11 A. Only at Center.

12 Q. Only at Center. Okay. And then at the time -- so were your  
13 outriggers out when were picking up that first pole?

14 A. I had to.

15 Q. One side or both sides?

16 A. One side.

17 Q. Just one side.

18 A. We had -- basically you do -- you calibrate your load. So we  
19 want full outriggers on the side we're lifting straight down --

20 Q. Um-hum.

21 A. -- on the opposite side, and sometimes if we have to go mid,  
22 we can go mid and still be out of our alley area but in this case,  
23 we had been going straight down and -- on our work inside.

24 MR. SEBEZ: Okay. That's everything for me.

25 MR. HIPSKIND: Thanks, Robert. Jim.

1 BY MR. JIM BROWN:

2 Q. Do you guys carry your own shunts on the equipment?

3 A. For the most part, we have to carry them, yes.

4 Q. Okay. And you get permission to shunt obviously, right?

5 A. We get permission to shunt and track and time.

6 Q. Okay. And your radios that you have, the Balfour radios,  
7 they're not recorded, right? Are they recorded?

8 A. No, sir. Unless they're something new. I mean I can't -- to  
9 my knowledge, they don't record.

10 Q. But Hidalgo would communicate with you any track and time  
11 changes, right?

12 A. Yes, sir.

13 Q. And how would he do that if you're in travel -- I mean if you  
14 start? How does he communicate? Does he communicate that over  
15 the radio? Can you spread out?

16 A. Well, yeah, our radios are good for about a mile and a half,  
17 then they kind of get a little scratchy. In a straight line, you  
18 can pick them up if they don't get too far. But they never get  
19 too far from us.

20 Q. Right.

21 A. If one is getting too far or, you know, the only time is if  
22 we're hop scotching, then they'll give us room.

23 Q. So can he communicate to you? Do you have separate channels,  
24 something like that?

25 A. Yeah, we have a Balfour channel. We have I think it's three

1 channels, four channels, something like that. I think we have  
2 three channels we can go on.

3 Q. When you were at San Bruno, how long did you estimate you'd  
4 need to be there for to load up the poles and move on?

5 A. I would say 30, 45 minutes.

6 Q. Okay.

7 A. Due to the fact that we had to unload the carts and --

8 Q. I have one more question because it wasn't clear when I saw  
9 the (indiscernible). But the flatbed, you had to get in the  
10 closed cab. Was the flatbed in tow of the -- for the closed cab?  
11 I'm trying to think of the sequence of the --

12 A. No. So you have the -- you had the pilot, the swing cab, and  
13 we have a fixed cab, Samanatex (ph.) which is 20,000 and it's a  
14 flatbed and that's what we load the carts on so we can drive them  
15 out. And then we unload the carts off of that, and it's pulled by  
16 the swing cab.

17 Q. So where was that swing cab in that sequence of --

18 A. The sequence? The swing cab was --

19 Q. -- north/south?

20 A. -- north. Then we load the carts behind for the poles, and  
21 then the fixed cab was facing south. And so we would just back  
22 up, we would just back up and we had all of the material on the  
23 fixed cab and the poles on the --

24 Q. I heard the term closed cab and open cab. Do you guys use  
25 that terminology for those two cranes?



1 A. Yeah. Well, you can use fixed swing cab and fixed --

2 Q. Swing cab.

3 A. -- or open or --

4 Q. Yeah.

5 A. You know, line terminologies are different than --

6 Q. Yeah.

7 A. -- you know. So it's -- I call it a fixed because you're  
8 standing there, it's open.

9 Q. Yeah, yeah.

10 A. And the swing cab is on a, you know, you swing it on the --

11 Q. Yeah, okay. I just wanted to clarify it.

12 A. No, no, no, no worries.

13 MR. JIM BROWN: I don't have anything else. Thank you.

14 MR. HIPSKIND: Derek.

15 BY MR. DEREK BROWN:

16 Q. I've just got one quickie, and you probably answered it.  
17 Sorry if I'm not too clear on it. At the original job briefing at  
18 the visitation location, were there any discussion in that job  
19 briefing of picking up poles at San Bruno?

20 A. I know we mentioned it, but we weren't -- and that's, and  
21 that's -- there was like a gray area I guess if I had to go back.  
22 We knew we had to. That was the talk. We talked, hey, we were  
23 going to pick up poles but are they ready? We knew we would stop.

24 Q. Okay.

25 A. So I can't say, hey, that was set in stone from their

1 standpoint, but for our job, the scope of our job, that was --

2 Q. That was clear.

3 A. Well, we already had to stop. We were, we were discussing,  
4 hey, are we going to go down here and back, you know, or stop and  
5 pick them up because after that we're out mostly of track and time  
6 and --

7 Q. Yeah, yeah, time constraint, yeah. Okay. Thank you.

8 MR. HIPSKIND: Thank you, Derek.

9 Marcus?

10 BY MR. KIRK:

11 Q. Phil was in the swing cab, right?

12 A. Yes, he was in the swing cab.

13 Q. Which direction did he -- I'm trying to think of his  
14 orientation while he's in the swing cab on which way he bailed. I  
15 mean I'm just thinking for a reference. I mean it's so --

16 A. So the swing cab was facing north.

17 Q. Okay.

18 A. So when he swung the cab back north to bracket, he would be  
19 bailing out to the west --

20 Q. Okay.

21 A. -- onto the platform. And, we did not see -- the three of us  
22 did not see. Phil is the one that saw it first --

23 Q. Right.

24 A. -- and yelled. Because as he swung the cab around, now he's  
25 looking at it coming directly at him.

1 Q. And he, he had a load on?

2 A. No, we had, we had just set the load off.

3 Q. Just set it off.

4 A. So in that case, my two guys were on the track --

5 Q. Right.

6 A. -- to load it on the pole cart.

7 Q. Yeah.

8 A. Phil was facing south. I was on the platform for field  
9 direction and watching these guys. So my view was here. So for  
10 me --

11 Q. If he had been orientated, his open cab going the other  
12 direction --

13 A. I want to pick pocket (ph.) --

14 Q. Yeah, that --

15 A. -- because if we were still setting that pole, chances are  
16 none of us would be talking to you right now.

17 Q. That's right. That's what I mean.

18 A. So.

19 Q. Yeah, I just wanted a reference, you know, the cab, there's  
20 only one way in and out of a cab.

21 A. Of the swing cab, yes.

22 MR. HIPSKIND: Anything else, Marcus?

23 MR. KIRK: No.

24 MR. HIPSKIND: All right. Thank you.

25 BY MR. HIPSKIND:

1 Q. How you doing, Courtney? You want to plow through this and  
2 go to the end?

3 A. I'm already here. I'm already knee deep in snow now.

4 Q. Okay. All right. I just have a couple of quick questions.  
5 I find it interesting, and I do get why you put the shunts out, et  
6 cetera. But I just want to know, nobody does that until after  
7 somebody says we have track and time on 2. Somebody has to tell  
8 you about having track and time on 2 before you put the shunts  
9 down.

10 A. Well, we get our track and time on 2. We don't put shunts  
11 down until we get track and time on 1 because -- just because we  
12 have track and time on 2, we can't, we can't get on the track.

13 Q. Okay.

14 A. We have to have, we have to have adjacent protection in order  
15 to get on. So even though we have -- he gave us our track and  
16 time for 2, we're still sitting on the road. We can't do  
17 anything.

18 Q. What I'm getting at is, there's a, there's a procedure, a  
19 certain sequence and you do first things first, and then when you  
20 get -- when you're told that you've got track and time, then you  
21 move off the side of the road and it's time to set on and you put  
22 the shunts down before you start doing that.

23 A. Yes, we put them down before we get on track.

24 Q. Okay.

25 A. And then once all vehicles are on track, then they're

1 removed.

2 Q. And how are you, how are you guys that are operating  
3 equipment? How are you normally notified about any changes in  
4 your track protection? Is that a discussion that occurs over the  
5 radio? Do they call you on a company phone? How do you guys  
6 complete that kind of communication?

7 A. So if there's a change, once we're on rail or before we get  
8 on rail?

9 Q. No, after you're on the rail.

10 A. Then they call us on the radio or if they're not on rail,  
11 they will sit there and tell us.

12 Q. Do you recall any -- and I get the noise thing. Do you  
13 recall any conversations that came over your radio about we've  
14 released a certain track and time on main track 2?

15 A. No, I don't recall. I didn't hear anything like that.

16 Q. Did Tim come down after you guys arrived there? Did Tim come  
17 down and verbally talk to either one of you?

18 A. No.

19 MR. HIPSKIND: Okay. Gentlemen, that's all I've got. Any  
20 other questions from the other interviewers?

21 MR. BRUCE: I'm finished.

22 MR. HIPSKIND: Everybody's good?

23 (No response.)

24 BY MR. HIPSKIND:

25 Q. Okay. Fine job. Let's do the four close out questions if

1 you're ready to do that.

2 A. Sure.

3 Q. Okay. Courtney, is there anything else you would like to add  
4 or change about our conversation with you today?

5 A. No.

6 Q. Okay. Are there any other questions that we should have  
7 asked but did not?

8 A. None that I can think of.

9 Q. Okay. Let me say it a little bit different. Is there a  
10 topic area that you were expecting that we were going to talk  
11 about that we just didn't bring it up? I mean I don't, I don't  
12 want you to go away thinking, well, gee, I wonder why those guys  
13 didn't ask me about this thing or that thing.

14 A. I didn't come in here with any expectations.

15 Q. Okay. All right. Do you have any suggestions for preventing  
16 a reoccurrence?

17 A. I mean I -- is that an opinion or it's just going to be an  
18 opinion.

19 Q. We're talking. If you want it to be your opinion, that's  
20 fine.

21 A. I think that from both sides, the work clarification needs to  
22 be crystal clear. And I'm -- I can only -- I have to put into  
23 words as how we work on power lines. Because if I'm going to take  
24 up a circuit or I'm going to open a circuit, and I've got other  
25 people down there and they don't know the circuit's coming hot or

1 I decided to change what I'm going to do, that affects down the  
2 line. So our scope of work, our scope of work changes. I mean it  
3 can change from a 7 to 9. I give talks to all the guys on the  
4 rail that work with us because they really make adjustments,  
5 especially at night, hey, we're supposed to be here. Okay. Well,  
6 you guys can't get here until after revenue. And they help  
7 facilitate for us to do that. So, I think when our scope changes,  
8 it directly affects maybe what was asked for. And that's been  
9 going on, you know, since I've been here. I'm noticing now  
10 evidently maybe our change of scope affected this. I don't, I  
11 don't know. I'm just would like to see, you know, that kind of,  
12 you know, corrected and, you know, we have one pilot. I don't  
13 know the actual rules. Are we supposed to have a north and south?  
14 I do know that they have north when we go south. Hidalgo will  
15 jump in with me in the crane and be my south. I'm, you know,  
16 that's cool. Just going forward, you know, I'd also think us as  
17 workers should -- I'm not say go to a class but my familiarity  
18 with one area of the rail is better than another area. So you can  
19 tempt me, I had plans from here to here and I can go, okay, I  
20 trust you and I don't know until I get there, but I don't have a  
21 -- we're not given a form that goes these are your crossings,  
22 these are your -- we're not given that. I find that it wouldn't  
23 be much but going forward, for me being more familiar is something  
24 I'm going to have to just get with someone to go ahead and, you  
25 know, give me a print so I know where I get north of Trousdale,

1 okay, hey, these are my -- all my stops. But I don't have, you  
2 know, we're not -- we know that by passing it every day, okay.  
3 There's North Shark, South Shark. I know all that area there. I  
4 know Dare Devil. I know Sea Moth (ph.). I spent two years down  
5 there. So you can say, hey, we're -- this is my plan, these are  
6 the crossings, okay. I know that. I've cross them for two years  
7 straight. And a lot of new guys come in that aren't familiar.  
8 So, you know, you always keep a guy that's been working with the  
9 new guy and go, hey, this is how you know if the line is against  
10 you. When I first got here, I -- it was -- they told me, and I  
11 was like, oh, okay. Oh, okay. I see. It makes sense. But I  
12 just think we should probably be giving, you know, I'm not saying  
13 to put my trust in, you know, we're all -- I can't say I'm  
14 positive -- positively safe, but maybe I get something that my  
15 RWIC has missed, if I'm familiar with my area. If I know it, why  
16 can't we stop here or why, you know, shouldn't we stop here and  
17 there. We're all human. I mean going forward I would like to  
18 see, you know, hey, give me a print. Hell, I'll keep the print in  
19 my backpack to survive. I don't know how I did, but I went into a  
20 fire and came out.

21 Q. I found it.

22 A. Yeah. Something like that. Those are like little things,  
23 you know. A new guy comes in and you, you know, I mean we do that  
24 in our line of work. You give somebody a print to say, hey, Point  
25 A, Point B, this is where you are. They can tell us and, you



1 know, if we have questions, all of us guys that work for this,  
2 they answer the questions and if you don't know, they'll repeat it  
3 until they're blue in the face and, you know, so if they're going  
4 to up it, that's the only thing I could see. To up it would be  
5 that. I mean, yeah, we have the print that shows me all the  
6 stops, all the station stops, but that doesn't do me any good. I  
7 could tell you what all the stations are, but I need to know, you  
8 know, hey, this is, you know -- I don't know if that's -- if you  
9 guys have -- Caltrain has that to offer.

10 UNIDENTIFIED SPEAKER: Yes, we do. If we're talking about  
11 track charts, we've got them and we'll give it to you, Marcus.

12 MR. TALLEY: That's just my suggestion. I mean whether it  
13 makes sense or not, it's just, you know, from my mouth.

14 MR. HIPSKIND: Understood. Okay. Any other comments? Are  
15 we ready to roll it up?

16 (No response.)

17 MR. HIPSKIND: All right. Thank you very much, Courtney.  
18 And with that, we'll end the interview.

19 (Whereupon, the interview was concluded.)  
20  
21  
22  
23  
24  
25

## CERTIFICATE

This is to certify that the attached proceeding before the

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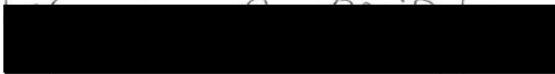
IN THE MATTER OF: CALTRAIN COLLISION WITH  
CONSTRUCTION EQUIPMENT NEAR  
SAN FRANCISCO, CALIFORNIA  
ON MARCH 10, 2022  
Interview of Courtney Talley

ACCIDENT NO.: RRD22LR007

PLACE: San Francisco, California

DATE: March 12, 2022

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.

  
Kathryn A. Mirfin  
Transcriber