

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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UNION PACIFIC EMPLOYEE *

FATALITY IN SAN ANTONIO, * Accident No.: RRD21LR016

TEXAS ON SEPTEMBER 22, 2021 *

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Interview of: CLARENCE CAMPBELL, Regional Manager
WT Byler

San Antonio, Texas

Saturday,
September 25, 2021

APPEARANCES:

TROY LLOYD, Investigator
National Transportation Safety Board

ANDREW MOLGREN, Safety Inspector
Federal Railroad Administration

DARRIUS MACK, District 5 Track Specialist
Federal Railroad Administration

DAVID LUCERO, Accident Investigation Chief
Federal Railroad Administration

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I N T E R V I E W

1
2 MR. LLOYD: We're on the record. Good morning, my name is
3 Troy Lloyd. We're located at 1711 Quintana Road in San Antonio,
4 Texas.

5 Today we're here to interview Mr. Clarence Campbell, who
6 we're going to refer to him on the record as Bubba, and that's
7 Clarence Campbell, C-a -- C-l-a-r-e-n-c-e, Campbell C-a-m-p-b-e-l-
8 l. He will be known as Bubba throughout the interview.

9 My name is Troy Lloyd with the NTSB. Today is September 25,
10 2021, and we are conducting an interview with Bubba. We are
11 interviewing Mr. Campbell, better known as Bubba, in an accident
12 -- connection with an accident that occurred on September 22nd,
13 2021, where a WT Byler equipment operator was fatally injured,
14 injured when he was transporting a load of steel walking plates
15 with a tie crane.

16 He was in support of a UP bridge maintenance program where he
17 was going to assist UPN doing 100 percent tie completion on an
18 open deck bridge. The accident occurred in Castroville, Texas on
19 UP's Del Rio subdivision. The NTSB accident reference number is
20 RRD21LR016.

21 The purpose of this investigation is to increase safety and
22 not to assign blame, fault, or liability. NTSB cannot guarantee
23 any confidentiality or immunity from legal or certificate actions.
24 A transcript or summary of this interview will go into the public
25 docket. Remember I talked about that the first day we do the --

1 during the organizational meeting, we have that public docket that
2 once everything is in; all this material that we get is shared
3 amongst us, goes into that docket.

4 MR. CAMPBELL: Okay.

5 MR. LLOYD: Okay. The interviewee can have a, a
6 representative of choice. Do you have anybody that -- which is,
7 like, a, a Union Rep. If you want to have a manager sit with you.
8 You're good?

9 MR. CAMPBELL: (No audible response).

10 MR. LLOYD: Okay.

11 MR. CAMPBELL: Yeah, I'm good.

12 MR. LLOYD: Interviewee does not accept a representative to
13 sit with him, and like I said again during the organizational
14 interview, we -- I do recorded interviews. You can refuse if you
15 want, but I always tell people it's nice because you get that copy
16 -- that transcript of everything we're asking you; everything you
17 say.

18 You're going to get a copy, and you'll be able to go through
19 this page by page, line number by line number, and say, hey, this
20 is a correction. I didn't -- I meant to say this or whatever. If
21 there's --

22 MR. CAMPBELL: Okay.

23 MR. LLOYD: -- incorrect in -- you know, inaccuracies in the
24 thing, you'll be able to see those and correct them.

25 MR. CAMPBELL: All right.

1 MR. LLOYD: Before we start the interview and questions, let
2 me go around and introduce ourselves. When you do it, guys, first
3 name, spell your last name, and your organization and title. I'm
4 going to start off with myself.

5 My name is Troy Lloyd. The spelling of my last name is L-l-
6 o-y-d, and I'm with the National Transportation Safety Board. And
7 I'm the investigator in charge of this accident.

8 MR. MOLGREN: Andrew Molgren, M-o-l-g-r-e-n. Safety
9 Inspector with the Federal Railroad Administration based out of
10 San Antonio, Texas district five.

11 MR. MACK: Darrius (ph.) Mack, M-a-c-k. Federal Railroad
12 Administration, Track Specialist district, district five.

13 MR. LUCERO: David Lucero, L-u-c-e-r-o. Accident
14 Investigation Chief for the Hazardous and Trail (ph.) Division.

15 MR. CAMPBELL: Clarence Campbell, C-a-m-p-b-e-l-l. Regional
16 Manager for WT Byler.

17 MR. LLOYD: All right, Bubba. Thanks for, for being here.
18 You know why we're here, just to find out and gather the facts.
19 Anything that we can that will help us in the investigation, and
20 we're trying to find out what, what happened at this particular
21 incident, so it doesn't happen again.

22 Lessons learned, different ways to do business -- that's what
23 we're here to find -- to try to achieve that so you guys don't
24 have to go through this.

25 So I always like to start out with some history of the

1 interviewee.

2 INTERVIEW OF CLARENCE CAMPBELL

3 BY MR. LLOYD:

4 Q. Tell me your WT Byler history: how long you've been with
5 them; how did you get from where you're at to be the man -- the
6 Regional Manager of WT Byler?

7 A. I started with WT Byler in 1982 as a Labor Operator. I
8 worked for the -- as an operator for them for about -- I guess
9 about 16 years. During that time, I also picked up some
10 supervisor responsibilities.

11 1998, I was asked to come into the office, and I became the,
12 the manager of the railroad maintenance division in 1998. Got
13 headquartered in Houston. I, I can't tell you how long, eight or
14 nine years, and then, I got an opportunity to relocate to San
15 Antonio, which is where I wanted to move to. And I relocated over
16 to here in (indiscernible) office that we have here, and I've been
17 here since then.

18 As far as responsibilities go -- is that what you asked?

19 Q. Yeah, what's your, what's your daily responsibilities --

20 A. Okay.

21 Q. As the manager? What is -- what's your daily duties?

22 A. You want the past responsibility or current responsibility?

23 Q. Your current stuff --

24 A. Current stuff (indiscernible).

25 Q. What do you do now?

1 A. Right now, I do -- I over -- oversee the, the bid -- the, the
2 bidding and estimating on the -- on our projects including the
3 maintenance projects. I provide oversight for my supervisors that
4 work under me, and -- basically, general manager type -- I mean,
5 you know, type stuff, over, over that process. I try to provide
6 knowledge and, and supervision over, over the guys that work
7 directly under me and anybody else (indiscernible).

8 Q. How many people you have that report to you? Not, not the
9 workers, but --

10 A. I typically -- I've got four gentleman that work for --
11 directly under me.

12 Q. Four?

13 A. Four.

14 Q. Okay. And that's -- are they supervisors, foremen?

15 A. They're supervisors --

16 Q. Okay. So you've got four supervisors report directly to you?

17 A. Yeah, okay.

18 Q. That's railroad division supervisors --

19 A. Yes, sir.

20 Q. Okay.

21 A. Yes, sir, and they, kind of, each handle different aspects of
22 the business.

23 Q. Okay. So talk to me about the -- I know you were said you
24 stayed at -- you oversee the building and estimating of project
25 postal and the construction side and the maintenance side. Talk

1 to me --

2 A. I do --

3 Q. a little bit about that.

4 A. Okay. As far as the bidding -- you're talking about bidding
5 and --

6 Q. Yeah, yeah, bidding --

7 A. All that. Okay?

8 Q. Tell me -- yeah, talk to me about bidding.

9 A. Okay. I'll give you an example: we do a lot of covert
10 projects, okay, where we go in and they want to replace a bridge,
11 and I put -- you know, we put in coverts under -- to, to take the
12 bridge out.

13 Okay? So what we would do is we'd go in and get a price
14 point. You know, we get pricing for all the materials, the labor,
15 all the materials, the labor, equipment, everything that coincides
16 with that job. Okay? Supervision -- everything. Okay?

17 So we would go -- even under that aspect, we're working with
18 a railroad liaison on the site. So we bid this job out -- you
19 know, our price point is taken. Okay? We try to do it as
20 economically as we can, obviously, because we want the job.

21 We would go in there, and let's say it's a -- it's an open
22 cut job. Okay? Because there's different processes. Okay? So
23 the railroad, they're going to give you an estimated track outage,
24 whether it's six hours, eight hours, or whatever.

25 So we would go into this job. We would do -- get all of our

1 prep -- none of this is on the track -- we'd get all our prep work
2 stuff done, and everything else; any welding needs to be done,
3 bulking up pipes, stuff like that. Get everything on site and
4 ready to, to go.

5 They would come in. UP forces would either bring some of my
6 people in for maintenance or provide their own, and it's just
7 about equal on what that happens, to take this panel out. Okay?
8 Take the panel loose, set the panel out to the side, excavate it,
9 put the pipe in place, put the fill back in, assist them -- their
10 forces, in most cases, in putting the track (indiscernible).

11 Us not doing the actual work but actually doing the lifts
12 that put the panels back in place and then buckle it up. Then,
13 put the -- we put the rock on it for them, they would tamp it and
14 all that type of stuff.

15 Q. Gotcha.

16 A. Okay? That would be a typical bid --

17 Q. So that's a typical bid, so --

18 A. That bid that we would do.

19 Q. Right. So you would do -- so you would, you would --

20 A. Yeah.

21 Q. UP would reach out to you and go, hey, we've got this job.

22 A. Yeah.

23 Q. So you would, you would go actually -- what would -- time of
24 how many people, time --

25 A. We would try to --

- 1 Q. -- money, money spent --
- 2 A. -- (indiscernible) --
- 3 Q. -- a quote equipment's needed.
- 4 A. Yes.
- 5 Q. So does UP got -- does UP have something on file that states
- 6 -- with WT Byler, this is their organizational stuff, and they got
- 7 650 people they can do bridge coverts, they can do bridge work,
- 8 they can do new construction turnouts, they got four grapple
- 9 trucks, six -- I'll just, you know -- filling it out there.
- 10 A. Are, are you asking do they have a list? I have no --
- 11 Q. Yeah, yeah so --
- 12 A. -- idea if they have a list.
- 13 Q. Yeah, so what I'm saying is when -- if W -- when UP reaches
- 14 out says --
- 15 A. I can tell you we've been doing business with Union Pacific
- 16 since 1973 --
- 17 Q. Sure, right.
- 18 A. Okay? And we've done -- we do siding as a whole --
- 19 Q. Right.
- 20 A. I'm not --
- 21 Q. Right.
- 22 A. -- undermining my division, okay?
- 23 Q. Right.
- 24 A. We do sidings, we do turnouts, we do --
- 25 Q. Yeah, yeah. So you --

1 A. -- bridges, we do all kinds --

2 Q. Yeah, so you met a requirement that, that satisfies Union
3 Pacific's, that gave these -- we're going to allow these guys on
4 our property. They're going to build us a siding. They're going
5 to do us -- so -- and what I'm saying is there are certain boxes
6 I'm sure that UP has to check.

7 Are their employees trained in roadway worker protection?
8 Are their operators trained according to 214, our roadway
9 maintenance machine standards? Does, does WT Byler comply with
10 243 requirements which is all FRA things that you -- that your
11 company is required to do.

12 A. Right.

13 Q. I -- is there a sheet that probably exists that has that?

14 A. I have no idea.

15 Q. Okay.

16 A. I, I do not know what --

17 Q. Right.

18 A. (Indiscernible).

19 Q. Yeah.

20 A. Like I said, I know where -- I can't think of what the ride
21 word is. A qualified contractor with UP.

22 Q. Yes.

23 A. Now, what they have as far as qualified, I can't tell you
24 that. I don't know what --

25 Q. So what meets that -- what meets -- you don't know what meets

1 that standard of a qualified --

2 A. I don't.

3 Q. -- railroad contractor that UP allows to step on their
4 property?

5 A. Yes.

6 Q. Okay. Who's responsible to making sure so a new hire --
7 before a new hire steps on railroad property that he's trained in
8 roadway worker protection, he's trained in fall protection, he's
9 -- gets his overall safety training umbrella before he goes to
10 work. Who's responsible for that?

11 A. That would probably be Vincent, our quarter.

12 Q. Vincent?

13 A. Yeah, I (indiscernible) --

14 Q. Well, yeah -- no, no.

15 A. -- staying on this area. He should be. Yeah, I -- Vincent
16 would probably be the one that (indiscernible) --

17 Q. What's his title?

18 A. He is the Assistant Manager.

19 Q. So he is a (indiscernible). So he assist you. I guess he
20 works for you --

21 A. Yes.

22 Q. -- reports to you, so he would be more of making sure the new
23 hires are coming in, they're getting trained --

24 A. Right.

25 Q. -- they're getting all their federal regulation requirements

1 that's --

2 A. Yeah.

3 Q. -- that's needed for these guys to step up on the bridge and
4 do work for you, the civic. So --

5 A. That's correct.

6 Q. He would just be the Assistant Manager that reports to you?

7 A. Right.

8 Q. Okay. Records? It -- so does each and every employee --
9 does WT Byler have records on the new hire? A -- Darrius Marcus
10 (ph.) has -- where we're working protection, he's got his fall
11 protection, he's got his, his HazCom stuff, his required stuff.
12 Who would keep those records, and are records kept for employee
13 files?

14 A. I cannot -- I mean, I can't answer that.

15 Q. Okay.

16 A. I don't know off the -- I know they go through a process, and
17 they have to be real safe, qualified, and all that. As far as on
18 the FRA stuff, I know they're supposed to -- they, they got a
19 PowerPoint presentation and all that type of stuff that they're
20 supposed to be doing, from what I understand.

21 We also -- as far as on the FRA rig, we typically have two
22 classes a year. Usually, around April and around October
23 timeframe, to try to get a blanket where we try to cover
24 everybody. I know the requirement's once a year, but we try to
25 get a blanket in there where we can overlap to make sure we --

1 that everybody gets it.

2 And I, I am aware. I just -- like I said, through the course
3 of this found out that those two boys had not been FRA certified
4 yet. Okay? As far as going through the qualifications, I do not
5 know what happened to why they wouldn't have been. I, I can't
6 answer --

7 Q. Yeah.

8 A. -- that.

9 Q. And, and we'll get through -- that doesn't, you know -- those
10 -- the two laborers -- two new laborers that didn't have the,
11 the --

12 A. Right.

13 Q. -- training, especially -- the FRA certified training that
14 requires them to have it before they start doesn't have anything
15 to do with the accident.

16 A. Right --

17 Q. It doesn't, but how I look at it is, that's a strike in the
18 box --

19 A. -- exactly.

20 Q. -- that may lead up to something else. Not with this --
21 doesn't have anything to do with the accident, but that's a
22 strike --

23 A. Right.

24 Q. -- that -- oh, now we're putting people in spots -- now
25 they're hearing working limits. What does working limits mean?

1 Hey, a train's coming, need to clear up.

2 A. Right.

3 Q. What, what do you mean? Clear up what? Do, do I need pick
4 up my tools, or do I need to step to the side, allow this train to
5 come through? You know? So at -- and that's why I'm asking the
6 questions Because some things will lead to other events.

7 A. Right.

8 Q. You know?

9 A. I understand --

10 Q. Doesn't have anything to do with this accident. So one,
11 you've, you've worked with Mr. Vargas (ph.) before.

12 A. I have -- actually he is out of Houston.

13 Q. Yeah --

14 A. Okay?

15 Q. Yes.

16 A. He was hired, and he works out of Houston. The railroad
17 specifically requested him on this job, just like they requested
18 my other operator on the other job. Okay? I had other operators
19 that could have been here. Okay? But usually we -- if we can --
20 if it's possible to cover what they request, we, we do it,
21 obviously Because it keeps them content. You know? I, I don't
22 know any other way to put that.

23 Q. (Indiscernible). Yeah, yeah.

24 A. And I will have to say, on the record, the times I've seen
25 Vargas, he's been very safe.

1 Q. Oh, sure.

2 A. Okay? He's a, a very competent -- he's actually probably a,
3 a top echelon of an operator, as far as what he can do with a
4 machine.

5 Q. Yeah.

6 A. You know, really that's about it.

7 Q. Yeah.

8 A. I mean --

9 Q. We've, we've heard -- everybody that we've talked to that
10 knew Mr. Vargas, worked with him, seen him in operation has talked
11 very, very, very highly of his operating skills, his knowledge of
12 the jobs, working with people.

13 A. Yeah.

14 Q. So everything we've heard --

15 A. Now, I'd had to (indiscernible) --

16 Q. -- has just been -- it sounds like he's our -- he was a top-
17 notch operator --

18 A. -- I, I probably haven't been around him maybe eight or 10
19 instances --

20 Q. Right.

21 A. -- through the course of his career. Most of the time he's
22 been in Houston, but if he's out on one of our jobs or assisting
23 us --

24 Q. Right.

25 A. -- when we change out, or something like that, and I'm at

1 that change out then, I'd meet him and talk with him --

2 Q. Right, right.

3 A. -- a little bit, you know, type stuff.

4 Q. Yeah, yep. And you said the machine that Mr. Vargas was
5 operating was fairly new, like a '20 or 20 -- 2021 --

6 A. Oh, yeah.

7 Q. -- CAT --

8 A. It's -- the -- I mean, it's real new.

9 Q. It's brand -- just about brand spanking new, huh --

10 A. -- and --

11 Q. -- sticker still on the windows.

12 A. Pretty close.

13 Q. Yeah.

14 A. Yeah.

15 Q. Yeah.

16 A. Yeah.

17 Q. So that --

18 A. Just to let you all know those are custom-made machines.

19 Okay? They're, they're a CAT machine, but a custom -- a company
20 that does customizations on them for different utilizations, such
21 as on the track and stuff -- which is BTE -- actually takes that
22 machine and fits it -- they, they engineered all this stuff that
23 goes on it with tie head. The, the high rails, all that stuff.
24 You know?

25 So actually, it has more counterweight being that you have

1 the extended high rails on there and all that than would be a
2 typical machine.

3 Q. How many bridge projects do you, as, as Regional Manager, I'm
4 sure your -- you've got probably not enough time in the day, but
5 do you ever go visit them and watch them work -- do whatever --

6 A. Yeah, yeah, I sure do.

7 Q. -- pretty often?

8 A. Yeah.

9 Q. So I know we were --

10 A. I'm at either -- if, if we're doing, like, a change out or
11 something, I'm -- I may go to that change out two or three times -
12 -

13 Q. -- sure.

14 A. -- it, it -- leading up to it just so I can visibly watch
15 what's going on.

16 Q. Right.

17 A. But those two sites that are there, I've been to them, prior
18 to the work --

19 Q. Right.

20 A. -- at least three times before the work ever started.

21 Q. Right.

22 A. Okay? And I would have probably made at least a couple -- it
23 -- two or three more trips through there before the end of it.

24 Q. Right.

25 A. You know? At -- on a change out, I would be there two or

1 three times, and that's where we're taking a bridge out and
2 they're putting a new bridge in, and we're assisting the forces.

3 There's --

4 Q. Yeah.

5 A. -- every, every time I get around them, I do.

6 Q. So normal business -- but I apologize, I'll get with you guys
7 -- normal business for the operation of this machine, this machine
8 has -- is -- that's the go-to machine. If we're taking these
9 steel brakes up, that's normal business of using -- taking them
10 off the bridge. That's how Vargas had done it before, using this
11 --

12 A. I'm not, I'm not --

13 Q. -- high crane --

14 A. -- going to say it's normal or not normal. I -- I'm -- I'll
15 say that it -- they utilize it. Okay? But they also utilize
16 (indiscernible).

17 Q. You --

18 A. You know? It's at the discretion of the railroads --

19 Q. So the railroad --

20 A. -- saying, hey, let's get a grapple charge (ph.) up here and
21 move all this material down from the bridge --

22 Q. So the railroad will --

23 A. Or to the bridge.

24 Q. Specify -- hey, we want a tie crane up here to remove these

25 --

- 1 A. Exactly.
- 2 Q. -- these big -- these steel plates --
- 3 A. That's correct.
- 4 Q. Okay, okay. So we're talking about new equipment, basically
- 5 why I was asking. So a piece of equipment, 2021. Mr. Vargas was
- 6 operating it.
- 7 A. I don't --
- 8 Q. Yeah, right --
- 9 A. Really (indiscernible) --
- 10 Q. Yeah --
- 11 A. First of all, it was probably bought in '19 or '20. It takes
- 12 them eight months --
- 13 Q. Oh, yeah to build them --
- 14 A. -- to build one those things.
- 15 Q. Yeah, yeah.
- 16 A. So the machine maybe --
- 17 Q. Yeah.
- 18 A. -- have eight --
- 19 Q. So --
- 20 A. -- 19 or so --
- 21 Q. Right --
- 22 A. (Indiscernible) and it took them six months or a year. And
- 23 then, it may have been another six months --
- 24 Q. Right --
- 25 A. Before we bought the machine.

- 1 Q. Yeah, but when you got it brand --
- 2 A. Yeah.
- 3 Q. -- spanking --
- 4 A. Yeah, when we got it, it was brand new.
- 5 Q. Yeah -- what did he operate prior to?
- 6 A. I don't know. He's a excavator -- that -- by the way, that's
- 7 not a tie crane.
- 8 Q. It's not? It's a --
- 9 A. Okay?
- 10 Q. -- mini excavator.
- 11 A. It's a excavator.
- 12 Q. Yeah.
- 13 A. Okay? He is -- in the excavator operator. He runs the
- 14 excavator full-time.
- 15 Q. Okay.
- 16 A. He may, he may get off there for a little bit, for a day or
- 17 two and run another piece of equipment. He's also --
- 18 Q. Like he did here --
- 19 A. Exactly. A dozer or a loader. I don't think he ran back
- 20 hoes.
- 21 Q. Right.
- 22 A. He might have got off there and run one of the other pieces,
- 23 but typically, he's almost 100 percent on a excavator.
- 24 Q. Okay. So this isn't Vargas' first time doing this type of
- 25 work?

1 A. Oh, no.

2 Q. So, so what, what type of equipment did he use prior to
3 getting this excavator that was involved in the accident? What
4 did he use to remove --

5 A. He --

6 Q. These steel grates prior to?

7 A. First of all, let me back this up. He -- well, he ran high
8 rail excavators -- bigger high rail excavator, a 323, 326-size
9 excavators.

10 BY MR. MOLGREN:

11 Q. But the -- these are -- Andrew Molgren, these are excavators
12 with a bucket on the end, not a tie in (indiscernible), correct --

13 A. Not just yet, but -- well, the OL -- we have tamping heads
14 for those excavators --

15 Q. Yeah.

16 A. We have --

17 Q. It'll change --

18 A. -- tie heads for those -- for our bigger excavators --

19 Q. Right.

20 A. And we do change out ties with them.

21 Q. Yep.

22 A. We have brush cutters for those. I mean, it -- they're
23 multi-application.

24 Q. Yeah, sure.

25 A. Yeah

- 1 Q. Yeah.
- 2 A. So, yeah he could have run a tie head on this or a tamping
3 head --
- 4 Q. He -- you -- right.
- 5 A. On one of our bigger excavators.
- 6 BY MR. LLOYD:
- 7 Q. So that was an interchangeable type of head. He could have
8 put a --
- 9 A. Yeah.
- 10 Q. -- bucket on there, a tamping head --
- 11 A. Yeah.
- 12 Q. So yeah it's --
- 13 A. Sheers.
- 14 Q. Yeah, yeah.
- 15 A. The tower sheers --
- 16 Q. Tower sheers, yeah.
- 17 A. Stuff like that, yeah.
- 18 Q. So what kind -- so he ran -- so it always when that -- when
19 Vargas would -- Mr. Vargas would remove these steel grates or
20 whatever on these open deck bridge, it was some time of -- some,
21 kind of, another style excavator he was using. Could have been a
22 grapple truck, could have -- I'm just trying to think what he's
23 using --
- 24 A. What you're asking is --
- 25 Q. -- this now --

- 1 A. I don't --
- 2 Q. What did he use prior to that?
- 3 A. I can't tell you for sure that he's moved grates before. I'm
- 4 sure he has because he's worked on bridges --
- 5 Q. Okay. But you don't even know --
- 6 A. I don't even know if I have --
- 7 Q. If he's even done his --
- 8 A. As far as moving the grates with the --
- 9 Q. -- right.
- 10 A. -- with that tie machine? I have no idea --
- 11 Q. Understood.
- 12 A. -- if he's ever done that before.
- 13 Q. Okay.
- 14 A. I would guess that he probably has. Okay? But as far as me
- 15 telling you for sure he has, that -- I -- I'm not going to tell
- 16 you he has --
- 17 Q. Right.
- 18 A. -- because I can't.
- 19 Q. And the reason why I'm asking is --
- 20 A. Or has not.
- 21 Q. -- like the equipment familiarization. I'm used to operating
- 22 the three -- the 322, and all of a sudden now, I'm getting this --
- 23 A. Okay.
- 24 Q. -- 308. Are the controls a little bit different to where
- 25 I've gotta get familiarized --

1 A. (Indiscernible) -- that's the reason we buy CAT equipment.
2 The CAT excavator typically is -- runs the -- their -- doesn't
3 matter if you're on the small one or the biggest one, they are --
4 they have the same control pad.

5 Q. Gotcha.

6 A. And that's the reason we stay with the same type of --

7 Q. You stick with same CATs and stuff.

8 A. -- equipment.

9 Q. Gotcha.

10 A. They're -- there are other types of equipment that still run
11 CAT controls. Hitachi runs, runs CAT --

12 Q. Yes.

13 A. -- controls. But there's a bunch of different ones that run
14 -- use CAT -- there's typically -- there's only two different
15 types of controls. You have the John Deere style controls. Okay?
16 And you have the Caterpillar style control.

17 And at -- to be honest, most excavators -- even if they're
18 set up with John Deere controls -- you go in there, and you throw
19 a couple switches, and it switches over to CAT controls. So you
20 got uniformity in all the controls on the chain (ph.)

21 Q. Okay. And I was just doing (indiscernible) that equipment,
22 you know, familiarity bit.

23 A. Yeah.

24 MR. LLOYD: Andrew, I'm...

25 BY MR. MOLGREN:

1 Q. Yeah, I guess I'm just having a little bit of trouble, just
2 to be honest, Because, you know, we asked you earlier, you know,
3 if you spent time with these different gangs and you go out and
4 observe them.

5 You know, you had said yeah, I go out there. You know, it's
6 not uncommon for you to be on sight, yet you've never seen Vargas
7 handle this -- doing the same type of work; you've never seen him
8 use a different type of operation and different pieces of
9 equipment to remove the walkway grates?

10 A. That's because I, I probably haven't been there while they
11 were removing the walkway grate.

12 Q. Okay. And is that something that would typically fall more
13 under their direct supervisor that -- the employees that actually
14 roll up to you, the gang supervisor; are they out there on site or
15 (indiscernible) what the operators --

16 A. They're -- the --

17 Q. -- are doing?

18 A. -- we, we all typically are the same thing. They're, they're
19 doing site biz (ph.). We also have a, a -- okay. Let me back up
20 to the question, sorry.

21 We, we have multiple sites. Okay? Okay? I have the
22 potential to have 30 different sites working plus bid jobs that we
23 have to look at. I've got one of those guys, that's basically
24 what he deals with is, is these pipe jobs or different change out,
25 different stuff like that.

1 The other two guys -- one of them -- they, kind of, share
2 responsibilities. Tommy doesn't really do anything to speak of on
3 the bridges unless something is going on, we have to move him out
4 there a little bit. Vincent, he handles some of the maintenance,
5 and he also works on the bridge stuff.

6 Now, as far as site visits go, Vincent will do site visits on
7 bridges, but it's intermittent. You've got to understand you have
8 the potential to have a whole bunch of sites. There's no way --

9 Q. Right.

10 A. -- that you can spend that much time at all these different
11 sites on -- every single day and still -- these guys are also
12 doing pricing, biddings, billing -- all the other aspects that go
13 in with that.

14 Q. And you -- you're referring to the supervisors?

15 A. Yes --

16 Q. Correct?

17 A. That's correct.

18 Q. Okay. Understood.

19 A. Yeah.

20 Q. So --

21 A. And the, and the area -- and, and then you turn -- let me
22 back this up a little bit. Okay? I'll give you a run of the last
23 two weeks. I've been in Alpine, I've been in Cotulla, I've been
24 in Austin --

25 Q. -- lot of travel.

1 A. -- I've been at -- the -- all these sites, and you're aware
2 of how this is. Okay? You're going to kill six hours going to
3 Alpine.

4 Q. Yeah.

5 A. You're going to spend a few hours there, and you're going to
6 have to turn around and go to another job site that may be 200
7 miles away -- 300 miles away. You're just -- you're physically
8 the -- there's no way that you can spend -- if I said -- if
9 somebody goes up there and spends five days -- four days up there,
10 then that takes out all these other jobs that's not going to have
11 any visitation, no looks -- see what's going on.

12 We correspond. We look and see what's going on while we're
13 there. We talk to the railroad manager or supervisor while we're
14 there. We do a visible aspect. We talk to the operators that are
15 there. Okay? To find out what's going on and how it's going. We
16 look at what the work process is that we see.

17 My guys are instructed right off the bat -- and I'll tell you
18 this -- I have a standing rule: if, if they see something that's
19 unsafe or going to get the equipment or themselves or somebody
20 else hurt, they're to shut down the job. If there's a -- if
21 there's something going on, whether -- where the UP guy says, hey,
22 we've gotta do this, and it's going to be a detriment; they pick
23 up the phone to call me for me to go resolve the issue. Because
24 we're under -- I mean, absolutely, no safe -- you know, walking it
25 off and baiting it (ph.) that's too steep.

1 Q. Sure.

2 A. You know, just crazy stuff. You know? But you have to leave
3 that -- these, these operators that we have are qualified; they've
4 been doing this stuff -- most of these guys have been doing it for
5 years. Vargas is actually -- was only five years. I've got
6 operators that's been doing this for 20 years.

7 Q. Right.

8 A. Okay?

9 Q. Do those operators handle the planks the same way? The ones
10 that have 20 years' experience, do they handle the walkway planks
11 the same way --

12 A. Okay.

13 Q. -- that Vargas did?

14 A. In a lot of cases, yes. Okay? But there is a safe way to do
15 that.

16 Q. Okay. Can you tell me about the safe way to do it?

17 A. Okay. I sure can. I'd be happy to tell you. I -- none of
18 you all were at the site. Okay?

19 Q. Correct. The, the day of?

20 A. (Indiscernible) while they (indiscernible) -- okay. Yes.
21 Okay. How about I, I walk through my day --

22 Q. Sure.

23 A. -- to tell you what happened? So that morning, I'm in San
24 Antonio. I, I have to go look at a job. I've got a job going in
25 in west of Spofford, pinto siding. Okay? There's some safety

1 hazards there that we're putting in some pipe and some walkway --
2 not at the track but in the adjacent -- between the adjacent road
3 and the track. Okay?

4 It's a safety issue with the, with the trainmen. Having them
5 disembark the train, walking through grass eight foot tall, down
6 the ditches six foot deep, type stuff. Okay?

7 I went out there to look at that. Okay? I was going over
8 that job site with a guy I had in charge, the foreman. I own
9 (ph.) two locations that we're going to be doing the work at.
10 Okay?

11 So I, I get out there. It's probably -- I don't know --
12 11:30 or so. Okay? We go through all that stuff. At -- right at
13 the end of it, I get a phone call from Enrique. Okay? It's three
14 -- approximately 3:10 p.m. Okay? So I shut down my operation
15 there. I left there. I drove back to LaCoste; it took me about
16 two and a half hours to get to that point.

17 Q. Now you wasn't even close.

18 A. No, I wasn't. Okay? So I get to the site. Okay? I walk
19 down there. Okay. They'd already taken the grating out of the
20 machine, and hopefully there's some pictures -- and I'm not
21 talking about the body, as far as the -- how the grating was
22 position. Okay?

23 Q. Okay.

24 A. I visibly -- I -- okay. Let's get to the first part. Okay.
25 First of all, there's two MT -- EMTs down there. That's it; two

1 EMTs.

2 Q. Right.

3 A. The Sherriff's Department --

4 MR. LLOYD: Take your time, Bubba. Take your time, brother.
5 You want to take a break?

6 MR. CAMPBELL: The Sherriff's Department is out by the road.
7 Okay? They're not around the site. I walk in there, and there's
8 two MT -- EMTs in there. Okay? Another one had walked out, so
9 there was, was three at the site. Okay? The fire department,
10 they're up there jacking under the trucks and stuff. I walk down
11 in there. I assess the situation. Vargas is in there. Okay.
12 Enrique was back there. He went out to empty his truck out.
13 Okay. So these two EMTs decide, okay. We're going to take the
14 body out and put it on a board. Okay? So they start pulling him
15 out. Okay? And they drop him between the tracks.

16 MR. LLOYD: Right.

17 MR. CAMPBELL: They're trying to slide him on board. There's
18 only two of them; there should have been four or six or whatever.
19 Fire department, somebody.

20 BY MR. LLOYD:

21 Q. So it was just two people?

22 A. Two people. So they get him out here, they slide him off the
23 board, drop him in between the tracks on top of the high rail gear
24 so that -- so automatically, we go up there, we try to assist them
25 to get him back on the board, so it's not -- whatever. Anyhow, so

1 they -- we help him get him strapped down. We get him and pick
2 him up and take him down. We put him across the track. They lock
3 him in there.

4 And then, and then Enrique backs back down there. He's got
5 the other EMT with him, and between the -- Enrique, me, and the
6 other EMT -- so we get him picked up and loaded into the high
7 rail. They carry him down to where the coroner is. Okay?

8 At that point, I took a bunch of pictures. You know, I
9 welcomed all this (ph.). Okay? What I was looking at is how the
10 machine was set up, how it was sitting. I cannot tell you if it
11 had been moved already.

12 Q. Sure.

13 A. Okay? I don't know what they did to move the grating or how
14 they moved the grating.

15 Q. Right.

16 A. What I saw was, was the track was directly in line; the boom
17 (ph.) was straight in the middle of the track. They'd laid the,
18 the wall cutting (ph.) material on both sides of the track. Okay?
19 What I looked at was the gap between the tie head. Okay? And it
20 was still tight. Okay?

21 I took pictures of -- all the way around the machine. I went
22 and looked in, you know, in the tracks, under the track. I've got
23 pictures where the machine was sitting. I actually got under
24 there to take pictures that show where the damage from the grating
25 hitting the ties --

1 Q. Okay --

2 A. -- and it skipping up. It looked like it moved probably at
3 least 15 foot, I would guess, from the point -- the first point of
4 impact 'til it finally stopped. Okay? All the track damage was
5 underneath the machine, as far as the tie damage. Okay? I don't
6 know how he started out carrying it --

7 Q. Right.

8 A. -- but he ended up carrying it within the middle. The
9 correct way to do that with that process would have been him to
10 pick up the grating, swing it to his strong side that has a pivot
11 head on it --

12 UNIDENTIFIED SPEAKER: Agreed.

13 MR. LLOYD: Okay? So he's sitting right here [indicating],
14 he'd have picked that grating up, he'd swing it to his strong side
15 and only kept it about, maybe, two foot off the ground. Okay?
16 It's low to the ground. He's got a complete wall of boom and
17 equipment. It might have got damaged, but it would not have got -
18 -

19 UNIDENTIFIED SPEAKER: It would not --

20 MR. LLOYD: The cab damage.

21 UNIDENTIFIED SPEAKER: Right.

22 MR. LLOYD: Okay? And if you look at the vehicle that he was
23 in -- I'm going to say 100 percent of the damage was inside the
24 cab. Okay? I looked at the front of the machine. It didn't, it
25 didn't hit the ground and fall on the, on the high rail setup. It

1 didn't hit the toolbox -- a tin toolbox in front of the cab.
2 Everything hit on top and went in -- I mean, right at foot level.
3 It shared this -- the, the foot controls off and stuff.

4 So that means, to me, I think he was traveling at a high rate
5 of speed. I don't know if he started over here, and he was
6 thinking, okay. I'm going to get this swung over to the other
7 side and go on up to where he's dropping the material. I don't
8 know what happened to cause that.

9 My supposition is -- and this is all just a guess. I don't
10 have any idea other than me, physically -- you know, operator for
11 years and knowing how things work. He's traveling whatever speed
12 that the, the machine will do --

13 UNIDENTIFIED SPEAKER: Right.

14 MR. CAMPBELL: He had the machine in front of it, and what I,
15 I think possibly happened, is either he dropped something, or he
16 bent over to do something or whatever. The controls in that
17 machine are fairly tight, and I think he hit his lever on his
18 right-hand side and caused it do dip.

19 UNIDENTIFIED SPEAKER: That's the boom.

20 MR. CAMPBELL: And whenever it impacted, it -- you've got a
21 28,000-pound machine --

22 UNIDENTIFIED SPEAKER: Yeah.

23 MR. CAMPBELL: With a force -- ain't nothing going to hold
24 it. You could put a three-quarter inch chain in there, and it
25 would probably would have sheared it or sheared the metal on it.

1 UNIDENTIFIED SPEAKER: Yeah.

2 MR. CAMPBELL: Okay? And it came in the cab because of him
3 having it in front of it -- he probably had it up here, you know,
4 higher up, and I'm guessing as he went down, it -- you know -- you
5 understand what I'm saying? So he's holding it like this --

6 MR. LLOYD: Yeah, sure. Absolutely.

7 MR. CAMPBELL: And he dips it down --

8 MR. MOLGREN: It hits the tie.

9 MR. CAMPBELL: And it just shoots the interior cab --

10 MR. LLOYD: And he's carry -- he's carrying it like this out.

11 MR. CAMPBELL: Exactly.

12 MR. LLOYD: In front, it probably just --

13 MR. CAMPBELL: Yeah.

14 MR. LLOYD: -- came (indiscernible).

15 MR. CAMPBELL: What -- I can see how it happened, I can see

16 --

17 UNIDENTIFIED SPEAKER: Right.

18 MR. CAMPBELL: The mechanics of how it happened.

19 UNIDENTIFIED SPEAKER: Right.

20 MR. CAMPBELL: I can't -- I wish I could.

21 UNIDENTIFIED SPEAKER: Oh, sure.

22 MR. CAMPBELL: I can't tell you how it went from one point to
23 the other.

24 MR. LLOYD: What -- I -- I'll tell you what: you -- you've --
25 you guys have been through a lot.

1 UNIDENTIFIED SPEAKER: Yeah, you want to take five minutes?

2 MR. LLOYD: Yeah, or -- what other questions are we going to
3 get out of this?

4 UNIDENTIFIED SPEAKER: I don't have any.

5 MR. LLOYD: Are you going to get anything out of this,
6 Andrew?

7 MR. CAMPBELL: Yeah, I, I (indiscernible) --

8 MR. LLOYD: I've been -- no, understand --

9 MR. CAMPBELL: I can come up --

10 MR. LLOYD: Yeah, I -- you guys have been through enough. I
11 --

12 MR. MOLGREN: I have just a couple quick follow-ups --

13 MR. LLOYD: (Indiscernible) water? You --

14 MR. CAMPBELL: Yeah.

15 MR. MOLGREN: So Bubba, I appreciate you answering the
16 questions. I know it's hard to relive the tragedy.

17 BY MR. MOLGREN:

18 Q. I'm assuming there's no formal rigging requirements that,
19 that Byler has specified for removing walkway planks?

20 A. No, they -- as far as I know, no, there's nothing, and as far
21 as I know, there's nothing on EP --

22 Q. Right.

23 A. -- nothing has ever been specified to us.

24 Q. Okay.

25 A. You know, and a lot of the time UP provides the rigging for

1 that type of stuff, and I can tell you this, UP carries this stuff
2 the same way whether it's in a tie grate; it could have been a
3 cross tie; it could have been a piece of pipe; it could have been
4 a hundred different things. You know what I'm -- you know?

5 Everybody -- the -- everybody -- even the big cranes carry
6 stuff in front of them whenever they're going from a -- whatever
7 location of siding or whatever into where they're working. It's
8 just --

9 Q. Okay.

10 A. The correct way, like I said, would have been an off-set to
11 the offside, and I sat there and watched my other guy, and he's
12 automatically doing that. You know --

13 Q. Right.

14 A. -- the -- that's what they're taught to do. I, I just don't
15 know why it was in the middle. I don't know what he was doing at
16 that point where they were shifting it while he was moving. I, I
17 can't answer that.

18 Q. Okay.

19 MR. LLOYD: Understood. It's -- yeah. Go ahead --

20 MR. CAMPBELL: We need a --

21 MR. LLOYD: Yeah. It's -- like we told Jeff, Bubba -- and,
22 you know, it's -- I hate to say it. Any type of these accidents.
23 Man, I hate to see them up there doing too much. And it -- any
24 type of these accidents, it's, it's a learning -- it is. It's,
25 it's -- you, you take back from what you know, and what, what you

1 know how the, the change to the better, you know.

2 MR. CAMPBELL: Yeah.

3 MR. LLOYD: Whatever, and I'm not sitting here saying what
4 you guys were doing was right or wrong. It's, it's --

5 MR. CAMPBELL: Right.

6 MR. LLOYD: You just -- you learn from these things,
7 and --

8 MR. CAMPBELL: If I -- if --

9 MR. LLOYD: It's -- I don't --

10 MR. CAMPBELL: If I know another policy or another way to do
11 it or another way --

12 MR. LLOYD: Sure.

13 MR. CAMPBELL: -- to control it, you know, I, I would do it
14 in a -- whatever we come up with --

15 MR. LLOYD: Agreed.

16 MR. CAMPBELL: -- over this, I -- I'm --

17 MR. LLOYD: And I know you would --

18 MR. CAMPBELL: A hundred percent if I hadn't --

19 MR. LLOYD: Yep, I know you --

20 MR. CAMPBELL: Whatever it is --

21 MR. LLOYD: Yes.

22 MR. CAMPBELL: -- to do --

23 UNIDENTIFIED SPEAKER: Right.

24 MR. LLOYD: I know you will.

25 MR. CAMPBELL: Because I'd know how to whole do it with a

1 severing (ph.).

2 MR. LLOYD: Right.

3 UNIDENTIFIED SPEAKER: Yeah.

4 UNIDENTIFIED SPEAKER: Yep.

5 MR. CAMPBELL: I've never had to deal with this before now,
6 and --

7 UNIDENTIFIED SPEAKER: Yeah.

8 UNIDENTIFIED SPEAKER: Yep.

9 UNIDENTIFIED SPEAKER: Yep.

10 MR. LLOYD: I know you will. Does anybody have anything?
11 Darrius?

12 MR. MACK: I'm good.

13 MR. LLOYD: You -- you've been a lot of help. You answered a
14 lot of my --

15 MR. CAMPBELL: Go ahead, I'm, I'm sorry.

16 MR. LLOYD: -- questions.

17 UNIDENTIFIED SPEAKER: (Indiscernible) -- no, no.

18 UNIDENTIFIED SPEAKER: No, that's (indiscernible).

19 MR. LLOYD: I understand, man. I understand.

20 MR. CAMPBELL: I did find -- I tried to not to look, you
21 know. Even when we were handling him. I've been trying this
22 whole time. I -- I'm sorry.

23 UNIDENTIFIED SPEAKER: Yeah, it's not --

24 UNIDENTIFIED SPEAKER: It, it --

25 UNIDENTIFIED SPEAKER: -- you don't have to apologize to us,

1 my friend, believe me. You don't.

2 UNIDENTIFIED SPEAKER: I, I want to thank you for coming out
3 today on a, on a Saturday, and, and it is a hard time. It's --
4 and we appreciate you being on this.

5 MR. LLOYD: You just keep your head up, man, and just --

6 MR. CAMPBELL: Oh, it's -- I mean, I -- like I said, I
7 apologize. I should have been more professional. I shouldn't
8 have broken.

9 MR. LLOYD: Nope, you did all right. You're all right, man.
10 It's --

11 UNIDENTIFIED SPEAKER: Well, let's --

12 MR. CAMPBELL: (Indiscernible) if you don't got any
13 questions --

14 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: UNION PACIFIC EMPLOYEE
 FATALITY IN SAN ANTONIO, TEXAS
 ON SEPTEMBER 22, 2021
 Interview of Clarence Campbell

ACCIDENT NO.: RRD21LR016

PLACE: San Antonio, Texas

DATE: September 24, 2021

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.



Kali Haney
Transcriber