

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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BAYVIEW YARD CONDUCTOR FATALITY

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BALTIMORE, MARYLAND

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Accident No.: RRD19FR004

FEBRUARY 7, 2019

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Interview of: MICHAEL BROWN  
Trainmaster

Bayview Yard  
Norfolk Southern Facility  
Baltimore, Maryland

Friday,  
February 8, 2019

## APPEARANCES:

TROY LLOYD, Investigator in Charge  
National Transportation Safety Board

ANNE GARCIA, Systems Safety Group Chair  
National Transportation Safety Board

RUBEN PAYAN, Rail Accident Investigator  
National Transportation Safety Board

KURT ERICKSON, Operating Practices Inspector  
FRA Inspector-In-Charge  
Federal Railroad Administration

MIKE BULL, Operating Practices Inspector  
Federal Railroad Administration, Region 2

JARED CASSITY  
SMART Transportation Division

RANDY FANNON, Investigator  
Brotherhood of Locomotive Engineers and Trainmen  
Safety Task Force

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Norfolk Southern Division, Transportation Department

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I N T E R V I E W

1  
2 MR. LLOYD: Okay, we're on the record.

3 Okay. We got Mr. Michael Brown in the room that's a  
4 trainmaster for Norfolk Southern. The shift you work is 6p to 6a?

5 MR. BROWN: On certain days.

6 MR. LLOYD: On certain days.

7 MR. BROWN: That particular day I worked 6p to 6a. Yes,  
8 that's correct.

9 MR. LLOYD: So just real quick. An NTSB interview. Just  
10 some briefing on -- it's going to be a recorded interview. So  
11 it's going to be recorded. The interviews are going to be sent  
12 out for transcription. You will get a copy of that transcript.  
13 You'll be able to look at it, read it over, tell if everything  
14 looks good for you. We'll get an errata sheet to you. You can  
15 put down your changes and all that stuff. That's why we want to  
16 get your personal stuff, your personal email address, so we can  
17 get that to you so you can look over it and everything looks okay  
18 to you.

19 MR. BROWN: Okay.

20 MR. LLOYD: Okay. We'll get started. Hi, my name is Troy  
21 Lloyd. I am the NTSB accident investigator in charge for this  
22 accident. We are here today on February 8th, 2019, at the Norfolk  
23 Southern Bayview Yard facility located in Baltimore, Maryland to  
24 conduct an interview with Mr. Michael Brown who works for the  
25 Norfolk Southern Corporation.

1           This interview is in conjunction with NTSBs investigation of  
2 a Norfolk Southern Corporation train conductor fatality accident  
3 that occurred at Norfolk Southern's Bayview Yard located in  
4 Baltimore, Maryland. As a result of the accident a Norfolk  
5 Corporation train conductor was fatally injured. The NTSB  
6 accident number for this accident is RRD19FR004.

7           And, Mr. Brown, the purpose of this investigation is to  
8 increase safety not to assign fault, blame, or liability.

9           So again, we'll go around the room before we get started.  
10 Make sure we speak clearly, loudly -- it is being recorded -- so  
11 we can get a good interview that's transcribed so we can get it  
12 out. So what I'm going to do, I'm going to start with my name,  
13 the spelling of my last name, who I represent, and my job title.  
14 All right. We're going to do that each time even before we ask a  
15 question so the court reporter can identify your voice.

16           So my name is Troy Lloyd. The spelling of my last name is L-  
17 L-O-Y-D. I am the NTSB investigator in charge of this accident.

18           MR. PAYAN: Ruben Payan, P-A-Y-A-N. I'm with the NTSB,  
19 accident investigator.

20           MR. ERICKSON: Kurt Erickson, E-R-I-C-K-S-O-N, FRA Operating  
21 Practices, and I'm the FRA inspector in charge of this accident.

22           MR. BULL: Mr. Bull, B-U-L-L, FRA OP inspector.

23           MR. CASSITY: Jared Cassity, C-A-S-S-I-T-Y, SMART  
24 Transportation Division National Safety Team.

25           MR. FANNON: Randy Fannon, F-A-N-N-O-N, Brotherhood of

1 Locomotive Engineers and Trainmen, Safety Taskforce.

2 MR. GOODEN: David Gooden, G-O-O-D-E-N, Norfolk Southern  
3 division superintendent, Harrisburg, Pennsylvania.

4 MS. GARCIA: Anne Garcia, G-A-R-C-I-A, system safety  
5 investigator for this investigation for National Transportation  
6 Safety Board.

7 MR. BROWN: Michael Brown, trainmaster Norfolk Southern.  
8 Spelling of the last name is B-R-O-W-N.

9 MR. LLOYD: All right, Mr. Brown. Thank you.

10 INTERVIEW OF MICHAEL BROWN

11 BY MR. LLOYD:

12 Q. So to start things off, tell us your work history with  
13 Norfolk Southern, date of hire, and the time you -- how you went  
14 and got promoted, all the way up to trainmaster.

15 A. I believe I hired September the 3rd, 2003, promoted to  
16 conductor towards the end of January 2004. Promoted to yardmaster  
17 September 2005. Promoted to trainmaster April 2010. Came back to  
18 the craft August 2015. Promoted to trainmaster again July 2017,  
19 which is my current position.

20 Q. So as trainmaster here at Bayview Yard, talk to us about the  
21 training criteria and the certification criteria that you would do  
22 to certify conductor trainees to get them promoted to the  
23 conductor level.

24 A. It's a set program for the conductor trainees. My position  
25 here as a trainmaster is to do field observations and occasional

1 train rides to make sure that the conductors are going along and  
2 adhering to what we're trying to train them to do out there.

3 Q. Are you currently the training, I guess, mentor assigned to  
4 the Baltimore Division here?

5 A. No, I am not.

6 Q. Who's the training mentor here at --

7 A. That would be Jason Kettering.

8 Q. Jason Kettering. So when you go out and you do your  
9 evaluations, you go out and you'll verbally watch or visually  
10 watch the conductor trainees do the jobs, the boots on the ground.  
11 Is there any kind of formal checkoff sheets that you would use to  
12 show that documentation, where that's passed on and received by  
13 the training department, where it could be filed?

14 A. Yes.

15 Q. Okay. Okay. And how many training certifications do you  
16 think you probably do in a year?

17 A. With the amount of trainees that we've had come through here,  
18 I believe everyone on the extra list just marked up in 2018. I  
19 believe it's six or seven guys on the list. You're required to do  
20 at least two field observations, two train rides. I'm required to  
21 do four train rides a month. So you figure, what's that, 4 times  
22 12 is 48. I wouldn't -- I wouldn't think I had 48 rides with  
23 conductor trainees. I would put it somewhere around 16. Field  
24 observations are probably a little higher.

25 MR. LLOYD: Okay. That's all I have. Ruben.

1 MR. PAYAN: I have nothing. Thank you.

2 MR. LLOYD: FRA.

3 BY MR. ERICKSON:

4 Q. Have you had a chance to work with the deceased?

5 A. Yes.

6 Q. Okay. Was he -- you filled out these field observations for  
7 him as you're going along?

8 A. Yes.

9 Q. And they were -- were they satisfactory or --

10 A. One ride in particular -- it was a Saturday; I couldn't give  
11 you the exact date -- I know I mentioned in the field observation  
12 that I felt the conductor he worked with did a bad job in coaching  
13 him along and I spoke on that during the ride. I asked the  
14 conductor that was actually on the job to sit while I worked with  
15 the conductor to give him a better understanding of what's going  
16 on.

17 Q. Okay. You said the conductor that he was working with --

18 A. Yes.

19 Q. -- wasn't doing a proper job?

20 A. Not a -- he was doing, I guess, the best of his abilities.

21 Let's say it that way. What he thought was the correct thing to  
22 do, I disagreed with.

23 Q. Okay. And this conductor, did -- how much seniority did he  
24 have?

25 A. He doesn't have that much as well. He had to have over a



1 year for the guys that work with him.

2 Q. Okay.

3 A. But you don't really get a good grasp of this job -- it takes  
4 a while. Some guys get it quickly; some guys don't get it  
5 quickly.

6 MR. ERICKSON: That's all I have for now. Thank you.

7 MR. BROWN: You're welcome.

8 BY MR. CASSITY:

9 Q. Jared Cassity with SMART Transportation Division. Mr. Brown,  
10 you just said something that kind of occurred a question to me.  
11 You said some guys get it quickly and some guys need a little  
12 longer. Do you feel like Mr. Gilmore was getting it quickly?

13 A. I may have wrote on his observation he was progressing about  
14 as what I expect. You know, you get guys -- you see guys on their  
15 first day here, they're absolutely lost, and you look at a guy  
16 that's been here for a month or so and you're saying, okay, after  
17 a month -- and you see where he's at. You ask him questions, you  
18 ask -- and you see what he does and how he does it. And you're  
19 like, yeah, this guy's progressing as expected.

20 Q. Did you feel confident in his promotion to conductor? I  
21 mean, that he was ready, there wasn't any more concern for  
22 additional training that would have benefited him?

23 A. I would have to say I wasn't aware of any additional training  
24 he would have needed. I rely mostly on what I hear out in the  
25 crew room from the other guys --

1 Q. Okay.

2 A. -- that work with these guys more closely than I do, that  
3 work with them on a weekly, that may have -- may have him for a  
4 week. And I'll just listen. I'll hear them talk and say this  
5 guy, this guy, this guy's got it or this guy doesn't have it. And  
6 you -- I do my field observations and train rides really based on  
7 feedback I hear from the crew.

8 Q. Sure. And do you get feedback as well from the mentor?

9 A. Not as much from the mentor. I go along with what the crews  
10 are saying, because I guess it's really the mentor -- it's a  
11 classroom setting. So he's not out in the field working with the  
12 guys.

13 Q. Okay.

14 A. So that's a little different.

15 Q. Did anyone ever address concerns with Mr. Gilmore's training  
16 and his progression through the training with you?

17 A. No.

18 MR. CASSITY: I don't have anything else right now. Thank  
19 you.

20 MR. BROWN: You're welcome.

21 BY MR. FANNON:

22 Q. Everybody that's came in today has talked about Mr. Gilmore  
23 as being a very quiet individual.

24 A. Yes.

25 Q. Not very talkative. I mean, so did he ask a lot of questions

1 when you were with him, let's say your train rides, your  
2 observations? Or was he -- did he remain reserved?

3 A. No, the one -- the ride I mentioned earlier, he did say this  
4 was -- he thought it was a little awkward because he had been out  
5 here for probably a month and a half or 2 months, and he agreed  
6 that what the guy had him doing just -- he didn't think those were  
7 good moves. And so he -- he would speak up if he thought it was  
8 an opportunity to speak up, but he just wasn't an openly  
9 boisterous guy who -- you know, if you come in the crew room you  
10 wouldn't know he was there. Where you have some guys you hear  
11 them before you see them. He wasn't one of them kind of guys.

12 Q. Do you recall him asking for any clarifications on anything  
13 while he was working, training, either one?

14 A. I can't say yes or no to that.

15 MR. FANNON: I have no further questions.

16 BY MR. GOODEN:

17 Q. Dave Gooden. Mike, I just got a question or two. Were you  
18 -- have you ever been part in any of the field days or classroom  
19 training with the mentors here in Baltimore?

20 A. No, I have not.

21 Q. Okay. As far as the close clearance conditions that are  
22 listed in Baltimore terminal instructions, is that something  
23 that's routinely known among the men -- by the men and women? I  
24 mean, would it be something that he would not have known anything  
25 about?

1 A. I am almost 100 percent positive I can say, and it's purely  
2 speculative, that it should have been and it probably was touched  
3 on, because we went through this this past summer where we thought  
4 about changing some of the close -- especially on the intermodal  
5 pad. Should we be able to ride if a track and one adjacent track  
6 is clear? Me and Mr. Lafferty talked about it. He said it's  
7 stated that it's close clearance. That's not to say you could  
8 ride here, but you can't ride there. It just says don't do it.  
9 Let's stick with that, so there's no mix-up as to you can do it  
10 this day, but you can't do it that day; you could do it under this  
11 condition and you can't do it under that condition. So let's just  
12 leave it as it is as it's written in the timetable now.

13 And there was a bulletin put out stating that those were  
14 close clearance areas that you are not allowed to ride.

15 MR. GOODEN: I have no other questions.

16 BY MS. GARCIA:

17 Q. I just have a couple of questions. Okay. You said that you  
18 hired on in 2003, and you listed the promotions, which is an  
19 impressive career. So you do the -- basically the nighttime  
20 shift?

21 A. Well, I fluctuate. Tuesdays and Wednesday I work 6p to 6a.  
22 Thursday I work 2 to 10. Friday and Saturday I work 6a to 6p.

23 Q. Okay. Okay. So it's Monday through Friday, but it --

24 A. Well, Tuesday through Saturday.

25 Q. Tuesday-Saturday.

1 A. And it rotates. Yes.

2 Q. Okay. Thank you.

3 A. You're welcome.

4 Q. And what was -- what's your education level?

5 A. Two years of college.

6 Q. What did you study?

7 A. Electronics.

8 Q. Okay. Thank you.

9 A. You're welcome.

10 Q. Have you ever been one of the mentors, throughout your  
11 career, been a mentor for the CTs?

12 A. Briefly in Augusta. Briefly. I probably did it for about  
13 three or four classes.

14 Q. Okay. And about how many people were in a class in Augusta?

15 A. Typically two to three.

16 Q. Okay. About how many are in the classes here?

17 A. It varies. I believe we have three or four guys currently at  
18 McDonough. So we'll have about -- and we got two guys that's in  
19 training now. So I would venture to say in the next couple weeks  
20 we'll have five guys. Throughout this past year we've probably  
21 had two or three, maybe four guys in the class at a time.

22 Q. Okay. Thank you. So you've mentioned in the different  
23 questions that while Keith was here as part of the CT program that  
24 you had opportunity to observe him and work with him. And you  
25 mentioned that -- well, and you never heard anyone express any

1 concern about him needing extra training? I mean, not through a  
2 fault of his own, but just that, you know, some people learn at  
3 different speeds, different levels, and for different types of  
4 tasks someone might need additional training on one thing where  
5 someone else might not.

6 A. I guess with that being said, most of the guys here think  
7 everyone needs more training, that the training program should be  
8 longer. Like I said, you check guys and you see that they can do  
9 the basic things that we need them to do and they've complied with  
10 that.

11 Q. And how long have you been here? Has your whole career --

12 A. I started here in Baltimore. I hired in Baltimore in 2003.  
13 I left 2010, returned in 2005 [sic], and I've been here ever  
14 since.

15 Q. Okay. Thank you. Has the training program changed in its  
16 length over the time that you've been here from, say, when you  
17 first hired on?

18 A. It was a little different when I hired on. You did phase one  
19 at McDonough for about a week. You came back to the terminal, I  
20 believe for 2 or 3 weeks. You went back to McDonough for another  
21 week. The training lasted between, I would say, 4 to 6 months. I  
22 can't say exactly, but I'm guessing somewhere about 5 to 6 months.  
23 Now I'm not sure the exact training time, but I know it's not the  
24 length of time that I had.

25 Q. And how much on-the-job training did you have, do you recall?

1 A. It was approximately 3½ to 4 months because you only had  
2 roughly 2½, 3 -- maybe 3 weeks total in McDonough. The rest of  
3 the time was here at the terminal.

4 Q. Okay. Thank you.

5 A. You're welcome.

6 Q. Do you -- you've had, I guess, a couple of different mentors  
7 in the program during the period that you've been here,  
8 particularly as trainmaster. The one who was mentor when Keith  
9 was going through it was Ben, Ben Schwarz?

10 A. Ben Schwarz.

11 Q. Okay. Did you ever talk to him about the program and the  
12 CTs?

13 A. Yes.

14 Q. What was that conversation like? Or different conversations,  
15 what was it like?

16 A. Well, especially when he decided not to do it again and I  
17 asked why. And he was just -- he reached his level of  
18 frustration, that he wasn't getting the proper time that he  
19 thought that he needed to spend with the trainees. And then he  
20 was real disappointed in the guy who marked up his first day,  
21 shoved through a gate in Dundalk and was terminated. I mean,  
22 that's no fault of Ben, but he took real exception to that, that  
23 somebody he trained failed and he put all that effort and time  
24 into them.

25 Q. And do you think that he took that as an indication that --

1 one indication that, like you said, more training time is needed?

2 A. That had nothing to do with the training. That was just  
3 purely integrity. If you shove through a gate, call somebody and  
4 say you shoved through a gate; don't pull it to and walk away like  
5 nothing happened. That was an integrity issue.

6 Q. Okay. Have you had any other conversations with him about  
7 the CTs that were going through the on-the-job training and how  
8 they were doing? Anyone in particular that he had expressed  
9 concerns about?

10 A. No. No.

11 Q. Okay.

12 A. They wouldn't really tell me directly anyway. Like I said, I  
13 get my information when I keep my ear to the wall and I'm out in  
14 crew (indiscernible).

15 Q. Okay.

16 A. They're more freely with each other than they are with me or  
17 other managers.

18 Q. So in the conversations with the other conductors or  
19 engineers in the crew room, have you heard them talk -- I mean,  
20 are they free to talk amongst themselves with you there if they're  
21 concerned about one trainee versus another trainee? Have you ever  
22 heard them express concern about how someone was progressing?

23 A. Yes, one guy in particularly. Yes.

24 Q. Okay. Who was that?

25 A. A gentleman, Brandon Reeves.



1 Q. And did he make it through the training?

2 A. Yes.

3 Q. And was it ever discussed about giving him additional  
4 training?

5 A. I don't know.

6 Q. You don't?

7 A. No.

8 MS. GARCIA: Okay. I have nothing else for now.

9 BY MR. LLOYD:

10 Q. Just for some clarification, and I think it was -- I think it  
11 was with Mr. Gooden was asking. So, and it's hard for me to  
12 understand about you can ride on the rear of the car if -- on the  
13 bank track if there's no cars parked on the Perryville track. If  
14 there's no cars, then you can ride on a rear. Did I hear you make  
15 a statement that take the guesswork out and just stay off the rear  
16 of the cars on those tracks?

17 A. What was going on in the summertime was what could we do in  
18 some areas where we say riding cars is prohibited? Some places  
19 it's clearly warranted. Some places it's really not warranted.

20 Q. Got you.

21 A. Where could we improve or make the changes? And I mentioned  
22 that to the assistant division superintendent at the time, was  
23 Mr. Josh Lafferty. And he said I hear what you're saying, Mike,  
24 but for a safety purpose let's not open up this can of worms and  
25 make it where if this track is clear and this track isn't, you

1 know, you could ride it in this situation, but you can't ride it  
2 in that situation. If we just leave that book closed then we  
3 don't have to worry about that. And I agreed, and that's what we  
4 did. So nothing (indiscernible).

5 Q. Okay. Because, I mean, me personally I sort of like what you  
6 were saying then. You could do it at this time, but you can't do  
7 it at that time; it takes the guesswork out, because how do I know  
8 if that track has something setting in it. Does something -- does  
9 someone tell me, oh yeah, by the way, and you're coming down the  
10 bank track don't ride point because there's cars parked in the  
11 Perryville track. If we would eliminate that or we're taking it  
12 out, then I'm either going to have walk and we wouldn't be here  
13 where we're at today.

14 A. Um-hum.

15 Q. But, I mean, I just want to clarify that's what I heard what  
16 you were saying correctly. And how did that assistant division  
17 engineer take that example that you gave, that let's just get rid  
18 of the guesswork?

19 A. He clearly was thinking on the side of safety where let's  
20 leave that book closed. Let's not open ourselves up to that.  
21 Let's not put ourselves in that predicament to have somebody make  
22 that mistake. Leave that book closed.

23 Q. I think what I'm hearing -- maybe I'm confused. That you're  
24 actually suggesting something, I think, that was to me, that's  
25 actually a better understanding than what's in the book now.

1 Because if I read that, I can do it now if the track is empty, but  
2 I can't do it if there's cars parked on the track.

3 A. If you read it, the first statement tells you. And then if  
4 you read Section 3 of that, clears all of that up. The only place  
5 you could ride is on the north over Eastern Avenue because the  
6 track is raised.

7 Q. So the only -- what's that again?

8 A. The only portion on the President Street Branch was that  
9 track, that section of track from Amtrak to Boston Street. The  
10 only place that you were allowed to ride was the north going over  
11 Eastern Avenue because the tracks are raised to allow for high and  
12 wide freight to get past those girders. And, of course, the  
13 centers of tracks are much wider there.

14 Q. So can a conductor go out here tonight and ride the point of  
15 a car coming down the bank track if no cars --

16 A. No.

17 Q. -- were sitting on the Perryville?

18 A. No. No. The rule says no.

19 Q. Okay. How about if there's no cars sitting on Perryville?

20 A. Nothing. You cannot ride on the President Street Branch.

21 Q. So I cannot -- so I cannot ride on the rear of that car on  
22 the bank track?

23 A. No.

24 MR. LLOYD: Okay. I'm with you. Ruben?

25 MR. PAYAN: Nothing.

1 MR. LLOYD: Mike, Kurt?

2 MR. BULL: I'm confused, too. Mike Bull here.

3 MR. LLOYD: Yeah, it's --

4 BY MR. ERICKSON:

5 Q. We have a system timetable dated September 19, 2015, and  
6 under item 6, under terminal instructions, it says close clearance  
7 exists on the incline track, bank track, or Perryville above when  
8 cars are on adjacent tracks.

9 A. What number is that?

10 Q. That's number 6.A.2. Pass it around. Maybe we have the  
11 wrong -- you said there was a bulletin put out?

12 MR. BULL: Yeah, that's --

13 MR. BROWN: No, it's just --

14 MR. ERICKSON: That's what I have. Maybe it's --

15 MR. LLOYD: Yeah, maybe we're reading it wrong.

16 MR. BROWN: Well, it's -- but then you go to number 3 and it  
17 states: Baltimore Street industrial tracks ID -- IT, close  
18 clearance exists on all tracks except the north track on Eastern  
19 Avenue underground bridge due to girders adjacent to the tracks.

20 And that's where you get all these then, but number 3 clears  
21 that up. It starts out at "A" and the first sentence is: Account  
22 close clearance situations. Employees are prohibited from riding  
23 the sides or end of equipment in the following location. And now  
24 you go down to 3, Baltimore, Maryland, President Street industrial  
25 track, close clearance exists on all tracks except the north.

1 BY MR. ERICKSON:

2 Q. So the Perryville above track and all three of those tracks  
3 are on the President --

4 A. Yes, sir.

5 Q. Okay. So everything up there --

6 A. That's right.

7 Q. -- requires nobody riding --

8 MR. LLOYD: Nobody riding rear.

9 MR. BROWN: That's right.

10 MR. ERICKSON: We misread that.

11 MR. LLOYD: Absolutely.

12 MR. ERICKSON: Thanks.

13 MR. LLOYD: And appreciate for that clarity. That's why I  
14 wanted to ask that question. Thank you very much.

15 MR. BROWN: But yeah, 3 clears it up.

16 MR. BULL: I didn't associate 3 with the above paragraph  
17 because we're not qualified on the territory, obviously, so --

18 MR. LLOYD: Excellent. Excellent.

19 MR. ERICKSON. Thank you very much. That's all I have for  
20 now.

21 MR. LLOYD: Yeah, you cleared that up. Great. Appreciate  
22 it.

23 BY MR. CASSITY:

24 Q. I'm sorry. This is Jared Cassity with SMART Transportation.  
25 I probably have to give this back to you. Does the timetable show

1 where those tracks are listed as part of the President Street IT?

2 A. Terminal maps expresses what's the President Street branch.

3 Q. But does the timetable? I mean, does the terminal map, is it  
4 an actual operating rule or give any kind of authority or is it  
5 just a training aid?

6 A. It's a training aid.

7 Q. So if I'm a new hire with 3 months out here and I'm reading  
8 these special instructions, how do I know that the President  
9 Street industrial track refers to these up here?

10 A. Because when we give them those maps he's explicitly told  
11 what's the yard, what's Bear Creek, what's 5th Avenue, what's  
12 Canton Coal Yard, what's the President Street branch, what's the  
13 intermodal yard, what's up at river, what's at the hump. So --

14 Q. And then bullet point number 3, which was the one you were  
15 talking about, says the close clearance is due to girders adjacent  
16 to the track. Are those girders in between the bank track and the  
17 Perryville low track?

18 A. The bank disappears, I believe, maybe about 100 feet past the  
19 Eastern Avenue overpass. When it goes over Eastern Avenue you  
20 just have the track north and south.

21 Q. Okay. So further --

22 A. It's a lot more tracks on this end than when you get over --  
23 when you go over top of Eastern Avenue, it's only three tracks.

24 Q. But are there girders in between the bank and the Perryville  
25 above?

1 A. No. That's why they specifically say Eastern Avenue because  
2 you're a lot farther down and the track is raised.

3 Q. So where he was riding was there girders --

4 A. No.

5 Q. So then the close clearance wouldn't apply except for the  
6 fact that there was cars on the track?

7 A. No. I wouldn't say that.

8 Q. Well, number 3 says it's due to girders adjacent to the  
9 tracks. That's what the close clearance is --

10 A. That's explicitly telling you over Eastern -- over the --  
11 what it says, overhead bridge, underground bridge, or whatever it  
12 states.

13 Q. Close clearance exists on all tracks except the north track  
14 on Eastern Avenue, UG Bridge, due to girders adjacent to the  
15 track.

16 A. At Eastern Avenue.

17 Q. So the close clearance is present because of the girders?

18 A. At Eastern Avenue.

19 Q. Right. So then there's no other close clearance where the  
20 girders are absent?

21 A. That's not true.

22 MR. CASSITY: I have nothing else right now.

23 MR. LLOYD: I have no questions at this time. I'm trying to  
24 bring it up where it's bigger. No questions.

25 MS. GARCIA: Okay.

1 BY MS. GARCIA:

2 Q. So I just have a couple of questions because I'm a little  
3 confused. Okay. So we've asked you about what you experienced  
4 with Keith's working his way through the on-the-job training and  
5 would it surprise you to hear that some of the conductors who he  
6 was doing the on-the-job training with had expressed concern and  
7 thought maybe he could use additional training?

8 A. No, I wouldn't be surprised.

9 Q. Okay. Would it surprise you to hear that the other  
10 trainmaster had heard that and expressed this to the training  
11 coordinator, saying that he thought that he could use --

12 A. I wasn't aware of that.

13 Q. -- additional training time?

14 A. He didn't express that to me.

15 Q. Okay. But would it surprise you if had done that?

16 A. In this day and age a whole lot wouldn't surprise me. I'm  
17 just being honest with you.

18 Q. Right. Well, so my question is, is really would it strike  
19 you as highly unusual -- I mean, if you -- for a trainmaster to do  
20 that? Or is that just something that's one of the normal duties  
21 that you keep track of, you know, how the CTs are doing, and if  
22 you've heard concern or have concern of your own, that you pass it  
23 on to the training people?

24 A. Yes.

25 Q. Would that be the normal procedure?



1 A. You would put that on a CT evaluation form, which we talked  
2 about earlier. If I had concerns, I wrote it on the CT evaluation  
3 form.

4 Q. Okay. All right. But you didn't share those concerns about  
5 him needing additional training?

6 A. With Mr. Gilmore, no.

7 Q. Okay. Have you ever made mention that you thought that any  
8 of the CTs that you've had the opportunity to work with, assist in  
9 training, or observe, that they could use additional time rather  
10 than the amount allotted for their class?

11 A. Yes.

12 Q. And it was -- who was that?

13 A. Mr. Reeves.

14 Q. That was the only one?

15 A. Yes.

16 Q. Okay. Was that given?

17 A. I'm not sure. I would have to look and see.

18 Q. Okay. Did you express it to the training?

19 A. I put it in the evaluation.

20 Q. You did? Okay.

21 A. Yes.

22 MS. GARCIA: Good. Okay. That's all I have. Thank you.

23 MR. LLOYD: I don't have anything, Mr. Brown.

24 UNIDENTIFIED SPEAKER: No, sir. I'm good, too. Thank you.

25 BY MR. LLOYD:

1 Q. I think, it's like the -- just I always leave an interview  
2 with a lessons-learned type with you, and I like that one  
3 recommendation that you brought up about the riding on the rear  
4 cars. But if you could take anything out of this to prevent this  
5 accident from happening, if you could put an immediate fix in  
6 place now, what would you do?

7 A. I don't know. I don't know.

8 Q. All right.

9 A. I don't know.

10 MR. LLOYD: All right, we'll go ahead and go off record.

11 (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:           BAYVIEW YARD CONDUCTOR FATALITY  
                                  BALTIMORE, MARYLAND  
                                  FEBRUARY 7, 2019  
                                  Interview of Michael Brown

ACCIDENT NO.:               RRD19FR004

PLACE:                        Baltimore, Maryland

DATE:                         February 8, 2019

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.

  
Sharon Porrini  
Transcriber