

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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SEPTA TRACK WORKER FATALITY *

PHILADELPHIA, PENNSYLVANIA *

Accident No.: RRD19FR009

JULY 8, 2019 *

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Interview of: LAWYER TAYLOR

Control Center Manager, SEPTA

SEPTA Headquarters
Philadelphia, Pennsylvania

Monday,
July 29, 2019

APPEARANCES:

DAVID BUCHER, Chief, Rail Division
National Transportation Safety Board

ELIZABETH BONINI, Program Manager SSO/RTSRP
PennDOT

JOSEPH WILSON, Operational Safety Officer
Southeastern Pennsylvania Transportation Authority
(SEPTA)

JAMES CREEDON, Director of Transportation, Subway
Elevated Division
SEPTA

DEAN JONES, Training
SEPTA

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I N T E R V I E W

1
2 MR. BUCHER: Good afternoon everyone. My name is David
3 Bucher. I'm the National -- I'm with the National Transportation
4 Safety Board. Today's date is July 29, 2019, and we are at SEPTA
5 headquarters located in Philadelphia, Pennsylvania.

6 We are interviewing Lawyer Taylor, who works as a train
7 dispatcher for the Southeastern Pennsylvania Transportation
8 Authority, SEPTA. This interview is in connection with the
9 accident that occurred on July 8th, 2019, in Erie interlocking.
10 The NTSB accident reference number is RRD19FR009.

11 The purpose of this investigation is to increase safety, not
12 assign fault, blame or liability; however, your name will be in
13 your interview in the docket. The interviewee can have one
14 representative of your choice. Today you chose not to have one.
15 That's entirely up to you.

16 And do you understand that this interview is being recorded?

17 MR. TAYLOR: Yes.

18 MR. BUCHER: Thank you. All right, before we start this
19 interview on questions, let's go around the table and introduce
20 ourselves. Please spell your last name, who you are representing,
21 and your work title. I would like to remind everybody to speak
22 clearly so we can get an actual recording. I'll start off and
23 pass off to my left.

24 This is David Bucher, B-U-C-H-E-R, and I am the NTSB Ops
25 Group chairman.

1 MR. WILSON: Joseph Wilson, W-I-L-S-O-N, SEPTA System Safety.

2 MS. BONINI: Hi, Elizabeth Bonini, E-L-I-Z-A-B-E-T-H, B-O-N-
3 I-N-I. I am the manager of the Rail Transit Safety Review Program
4 at the Department of Transportation.

5 MR. CREEDON: James Creedon, Director of Transportation,
6 Subway Elevated Division, C-R-E-E-D-O-N.

7 MR. JONES: Dean Jones, SEPTA training, J-O-N-E-S.

8 MR. BUCHER: Okay. And Lawyer, could you state you name and
9 spell it?

10 MR. TAYLOR: Lawyer, last name Taylor, T-A-Y-L-O-R, control
11 center manager.

12 MR. BUCHER: Great. Thank you.

13 INTERVIEW OF LAWYER TAYLOR

14 BY MR. BUCHER:

15 Q. Lawyer, if you could go back to the day of July 8th and if
16 you could just start off with what lead up to the accident on your
17 end, and what you observed, and what details you might have saw?

18 A. I don't know exactly what time it was, but "Mayday, Mayday,
19 Mayday," was transmitted over the radio. At that particular time,
20 I believe we was doing load line, and Kevin Smith was the train
21 dispatcher, kind of took control of the jobs on the radio, and he
22 basically told everybody to, you know, be quiet so we can figure
23 out where the mayday was coming from.

24 So once Kevin Smith realized where the mayday was coming
25 from, it was the -- we thought it was the train operator, but it

1 was actually the worker in the track area said, my watchman got
2 hit, he's hurt very bad, you know, he's bleeding. So that's when
3 I grabbed the interlocking for the -- Fern Rock interlocking so we
4 can -- I knew we was going to start turning trains back at some
5 particular time. Then, you know, we called -- Kevin Smith called
6 rescue, and he immediately cut the power out. So then, you know,
7 going through the commotion, we was trying to figure out where the
8 trains was; we were stopping the trains. Stopped -- well, he told
9 all -- he told everybody just to be quiet, once he's going to
10 figure out where he was getting a call from, so he, like I said,
11 immediately cut the power out.

12 At that particular time, I started answering the phones. The
13 phones is ringing, I'm answering the phone, I'm trying to get stop
14 and proceeds on the Market-Frankford Line, so a lot of information
15 was kind of going over my head. I was trying to basically write
16 down information for Kevin. But in the interim, like I said, he
17 cut the power out. The watchman, I believe, not -- excuse me --
18 he said his watchman got hurt, but I think the track inspector. I
19 don't know exactly when or where, but he went over to an operator
20 and had a conversation with the operator, must have told him don't
21 leave the gentleman, and I assume he walked off. So this is where
22 we had trains stuck in the area and Kevin Smith was trying to get
23 the trains out of there, because if he would have cut the power
24 with the trains there, then all of them people would have been in
25 the track, they're trying to climb off the, you know, climb out

1 the -- off the train, then we would have had a bigger commotion.

2 Q. Um-hum.

3 A. So then, you know, once again we dispatched, you know, some
4 division to different locations. Erie turned back. The AD, the
5 transportation manager, was on location. 224, Ms. Alayah, she was
6 en route to -- then they made her the IC. And then we just
7 basically went to the SOP, the proper protocols for a incident
8 like that.

9 Once again, I was taking phone calls. Mr. Creedon called me,
10 told me he was en route. Then he called me back and told me the
11 gentleman -- well, kind of heard of the radio, the gentleman was
12 deceased. Excuse me. Because he was a good friend of mine.

13 Q. Um-hum. That's okay.

14 A. He was a good friend of mine, and I actually spoke to him
15 about a week prior. So when they were -- they wasn't sure who it
16 was. And they were saying Darren, you know, and when I heard it
17 was him, I was just done. I was like, nah, that can't be him,
18 that can't be. Because he was a good guy.

19 Q. Um-hum.

20 A. So, like I said, we just went to the SOPs and the proper
21 procedures. Everybody got on location. Mr. Creedon got there and
22 told me that actually he was deceased, and the body was out of the
23 track. I didn't even know he was actually even out of the track,
24 because I was answering the phone when you told me that. I think
25 that the body was removed maybe 10 minutes prior. So basically I

1 was just behind the scenes taking the information as much as I
2 possibly can so we can write the report. So basically that's my,
3 you know, spiel of, you know, what happened.

4 Q. Okay. I have a couple background questions first, and then
5 maybe a couple questions about --

6 A. Not a problem.

7 Q. So you're the transportation supervisor for the --

8 A. Yeah, I'm a -- excuse me -- control center manager.

9 Q. Okay.

10 A. Um-hum.

11 Q. Okay, and how long have you been in that position?

12 A. Just shy of about 3 years.

13 Q. Three years.

14 A. Yeah.

15 Q. Because I remember when you were just a little trainee train
16 dispatcher.

17 A. Yeah.

18 Q. Okay. What time did you come on duty that day; do you
19 remember?

20 A. I believe I was working 2 to 10.

21 Q. 2 to 10?

22 A. Yeah. Um-hum.

23 Q. Okay, do you remember, or did you hear either of the
24 employees call in to the train dispatcher or --

25 A. I was the --

1 Q. -- notify?

2 A. Yeah, I was the gentleman they called in. At that particular
3 time, there was about three separate track individuals that called
4 in back to back to back.

5 Q. Okay.

6 A. Yeah, it was a log sheet, so -- it was a log sheet that we
7 log the individuals in.

8 Q. Okay. So they -- you all knew they were out there?

9 A. Correct.

10 Q. Okay.

11 A. Correct, yeah. Correct, yeah.

12 Q. Okay. So you actually took the radio call and --

13 A. Yeah, I actually took the radio call when they called in. So
14 they was called in. A lot of times -- I'll use an example. In
15 the load line during the morning, you know, track individuals --
16 you know, because we track certify, so you can go on the track
17 area any particular time, you just got to make sure that you are
18 aware of your surroundings.

19 Q. Um-hum.

20 A. But you can't set no type of work zone up or anything like
21 that during a load line. But you can -- they can get called in
22 the track area at any given time.

23 Q. Okay.

24 A. Um-hum.

25 Q. Okay, and they were --

1 MS. BONINI: Load line?

2 MR. TAYLOR: I'm sorry --

3 BY MR. BUCHER:

4 Q. But they, so they were actually working under traffic? You
5 were aware that they were working under traffic?

6 A. Well, like I said, I was aware they was in the track area.
7 Nine times out of 10, when they normally go in it, they're either
8 doing inspection or anything like that. If they're doing anything
9 fouling the track, their protection would have to be raised, or
10 they have to do that at night.

11 Q. Right.

12 A. They can't be able to do it within the load line --

13 Q. Okay.

14 A. -- time of the load line.

15 MR. BUCHER: Okay. All right, I'm going to pass it off to
16 Dean. Joe? Sorry, I'm going the wrong way.

17 BY MR. JONES:

18 Q. Dean Jones, training, SEPTA. Who doesn't allow them to go on
19 the track area? Is it their department? Is it Control Center?
20 Is it rules, standard operating procedure?

21 A. Well, it's -- from my understanding, you can't set a work
22 zone up during load line. If they called them to the track there,
23 they can go on the track area any given time, as long as they have
24 the, you know, if they're going, depending on the protection that
25 ITD, individual train protection, they'll call in. They might

1 say; TAW, you have a watchman. So if they call in, as long as
2 they have a watchman with them, or if they have, they have to
3 state to the train inspector if they're going in alone, lone
4 worker, using ITD.

5 Q. Okay.

6 A. Yeah. Um-hum.

7 Q. That's, that's all I have.

8 MR. BUCHER: Okay.

9 BY MR. CREEDON:

10 Q. Jim Creedon, C-R-E-E-D-O-N. Can you explain what ITD means?

11 A. ITD is a individual train protection. In, so it's basically,
12 you are a lone worker, so you are in the track, you are by
13 yourself and you are responsible for your, basically your own
14 safety. Nine times out of ten, if someone call for a ITD, they
15 might ask, it's not technically foul time, but sometimes they
16 might say; I'm in this area. They may ask, because when you're
17 doing ITD, you can't do no fouling, you're just doing inspections.
18 You can't do no physical work whatsoever. Very rarely they might
19 ask to hold the train because they might be in a no clearance
20 area, something like that. But nine times out of 10, they're just
21 doing casual inspection. No type of work, no type of fouling
22 work.

23 Q. Okay. Thanks.

24 BY MS. BONINI:

25 Q. Elizabeth Bonini from PennDOT, B-O-N-I-N-I. You were saying

1 load? I didn't mean to --

2 A. It's basically --

3 Q. -- you're saying load line?

4 A. Load line is basically when the, how can I explain it? When
5 everybody's going home. Basically in between hours of like 4 and
6 6. When we have multiple trains in the lines to transport people
7 home and to work.

8 Q. Okay.

9 A. It's a specific time, in the morning and in the evening.

10 Q. Okay, and so you're talking about taking calls from some
11 individuals throughout the day that are letting you know that they
12 were going out into the track area.

13 A. Yes.

14 Q. How do you document that?

15 A. We have a separate sheet.

16 Q. And is that sheet electronic?

17 A. No. It's a handwritten sheet that we have from Market Street
18 and from Broad. So it's notated, date, time you're going,
19 location, the time they came out of the track area, and if the
20 line was PA'd, announcement was made to the operators to let them
21 know that individuals are in this particular area.

22 Q. So you, so that information that's on the log, it's up to
23 operators? It's --

24 A. Yeah, so basically if somebody's crawling to any particular
25 area on any particular line, we PA operators, you know, we'll say;

1 All Market aboard operators. We have person in the track area,
2 between such and such location, and such and such location.

3 Please be alert and aware in the area.

4 Q. Um-hum. How often do you make those announcements?

5 A. As soon they go in. As soon as they -- Are you asking do we
6 make it periodically?

7 Q. Yeah.

8 A. Sometimes we do, sometimes we may not, but every time someone
9 calls in, we make an announcement over the PA to let the operators
10 know that individuals are in the track area.

11 Q. Okay.

12 A. Doing anything, setting work zone, any person that's in the
13 track area, on or about the track area, even on the platform.
14 They might do some work on the platform. We might say; We have
15 electricians working on the platform, you know, be alert, or be
16 alert, and we're in the area here. But they do have, it's a
17 separate lights that we have to set up for that. But anybody in
18 the, or around the track area, we make an announcements to
19 everybody.

20 Q. Okay. You said that there was an SOP for on how to handle
21 this incident that was documented. Is that, is there a written
22 SOP?

23 A. Yes, there's a written SOP. We have a SOP, Standing
24 Operating Procedures, EOP, Emergency Operating Procedures, book on
25 the desk, in arm's length, basically.

1 Q. So are you trained or aware of specific areas in the track
2 that require extra protection? Or additional protection? Or --

3 A. Well it's up to the person that's going in the track area to
4 determine what protection they may need.

5 Q. Um-hum.

6 A. You know, their, we are all aware the physical
7 characteristics of the lines, but, you know, they might be going
8 and doing a particular job, so they may need, they'll call in the
9 protection that they may need, and if, so if they're going into
10 the track and realize they needed additional protection, then it
11 all depends on time of the day, the nature of the job, what you,
12 you know, the told them that either they might tell us; We got to
13 shut it down and we'll do it overnight. So this all depends on
14 the individual. Now if it's a situation where you may hear
15 something, some very new person that may not know the protection
16 that they may need, we may tell them; You can't do this right now,
17 you know, call your supervisor. Have them call there and we'll
18 let them know that we can either schedule it for a later date, or
19 something, you know, overnight, but nine times out of ten they
20 normally know, because we've all been trained on the rules of
21 protection.

22 Q. Thank you.

23 A. You're welcome.

24 BY MR. WILSON:

25 Q. Joseph Wilson, system safety. Mr. Taylor, do you happen to

1 recall those two workers where, when they called in to you, what
2 limits they said they were going to be?

3 A. They said they would like to go on the track near Erie
4 interlock including Erie ramp, all rails.

5 Q. And at the time they called in at that location, did they
6 actually tell you what type of protection they would be using?

7 A. No. He just called in the track, that's it.

8 Q. Hmm.

9 A. Once again, he said he called in with a watchman, so normally
10 that would be TAW.

11 Q. And do you recall which employee it was that called you? Was
12 it the --

13 A. It was the, it wasn't Monroe because I know the voice.

14 Q. Ah, so it was the --

15 A. So it was Mr. Nixon, yeah.

16 Q. Okay.

17 A. Yeah.

18 Q. All right. In your duties as a train dispatcher, do you ever
19 hear any communications to you on the radio about any near misses?
20 Like any train operators saying; Hey, I just almost hit somebody,
21 or someone jumped out in front of me that was in the track.

22 Anything like that?

23 A. All the time.

24 Q. You do?

25 A. Yeah, all the time.

1 Q. And when you hear those transmissions, what do you do with
2 that call?

3 A. Wait, when you first and foremost, we ask the operator, did
4 anybody get hit? Did any make contact with anybody?

5 Q. Um-hum.

6 A. If the operator say, no I didn't make contact when I stopped
7 the train prior, then say, I use, say the individual did jump in
8 front of the train and the operator stopped the train prior, we
9 would, you know, I ask the operator to, because we're on the 19th
10 floor (indiscernible) if the individual still in the track area,
11 if so, then we would, depending on the situation, if he's not
12 injured, you know, we, night times, we might cut the power
13 automatically, but if the individual may climb out the track area,
14 then we make sure the operator's okay, calls up the police to have
15 them dispatch to get the gentlemen. If it's a situation where a
16 individual jumps in front of the train, and he did make contact
17 with the train, once again we'll ask the operator, did he make
18 contact with the train? Ask the operator if he's okay? Need to
19 go down, do a ground inspection, go down and do a ground
20 inspection of the area. Let me know if you see anything, right
21 then and there, you know, he'll call back, you know, they may need
22 rescue. Rescue police is notified, we send out our pages, we
23 dispatch individuals to the location, train inspector,
24 transportation managers, SEPTA police, if I need the additional
25 eyes and ears, (indiscernible) cashier, they're there, to get a

1 actual picture of what's going on, because, once again, I'm on the
2 19th floor, so I have to use the eyes and the ears of everybody
3 there to get a clear picture of what's going on.

4 Q. Okay. Now is that most of the time with trespassers? Or
5 also employees? A little of both?

6 A. It doesn't happen, well no, I can't say anything about the
7 employees.

8 Q. Okay.

9 A. I can't say, the time I've been up there, I can't say, you
10 know, I mean, I was in track there (indiscernible) for 10 years.

11 Q. Right.

12 A. So I knew, because like I said, the in's and out's
13 (indiscernible) but I can't say anything about the employees kind
14 of jumping in front of the train, or slipping and falling,
15 anything like that, because we all trained to go into a
16 (indiscernible) if train's coming, you know, giving the clear
17 signal, the "C" signal, what needs to be done, make sure you clear
18 within 15 seconds. There's particular rules with going, just
19 basically, just going into the track area.

20 Q. And with those types of calls that you do get, do you
21 actually log that information in or write something down?

22 A. Yeah, we normally write a report and generate an incident
23 report. Once again, send out a page to the upper management, to
24 let everybody know what's going on. Basically anything that's
25 called up there, is being is a report, near misses, anything,

1 stuck in the elevator, basically anything, and everything that's
2 been channeled through the control center. We, nine times out of
3 ten, generate a report on it.

4 Q. All right, and when workers do call up requesting foul time,
5 is, how do you handle calls for foul time?

6 A. Well, until this incident, a lot of times on Broad Street we
7 didn't get foul time. We didn't get foul time on Broad Street at
8 all. If we do give foul time on Market Street, individual will
9 call, we'll ask him, you know, request a foul time, I ask the
10 gentlemen's name, his account number, what type of work he's
11 doing, how much foul time he needs, and then I'll would stop the
12 trains, I'll put the interlockings at stop, also give a verbal
13 command to the operation standby, even though I'm putting
14 everything at stop, because the train's coming up to a red signal,
15 they're going to lose their (indiscernible). So I have the
16 operator stop, give a verbal hold, manually put their, manually
17 put the interlocking to stop, and, you know, once again, the op,
18 the foul time individual will give me exactly, you ask him, what
19 are you doing? How much time you need? Then I will grant that
20 particular foul time. But there's two ways you can do it on a
21 Market Frankford line. You can do the track block, where the
22 little screen pops up, or you can, I'm sorry, yeah it's track
23 block, little screen pop up, or you can put the track and time on.
24 Where it's a big long blue --

25 Q. Um-hum.

1 A. -- indication comes on the screen. It's arrows on the signal
2 so the trains cannot go in at all. So it's multiple ways you can
3 do them on a Market Frankford line. Since this incident happened,
4 we haven't granted foul time on Broad Street with a verbal hold
5 for the trains and if it's necessary, we'll put the interlocking
6 at stop, depending on what the trains at. But on Broad Street,
7 the trains run so frequently, you know, we'll do the verbal hold,
8 but we don't give a verbal, we don't give the foul time til we get
9 a verbal hold for an operator and they repeat it back. They're
10 staying at some particular station until further notice, until, or
11 until you hear it from me.

12 Q. And then once you confirm the verbal hold, then you go
13 through the foul time process with the employee and --

14 A. Yeah.

15 Q. -- the four and all that. -- That's all I have.

16 BY MR. BUCHER:

17 Q. I have a couple more, Dave Boucher. Is it common in your
18 experience, that track employees are called about this time of the
19 day to, for example, in an area, in a interlocking, is it common
20 for them to call in at what, 4:30, 5:00 o'clock, time of the
21 accident, and ask to do work in the interlocking? Or tell you
22 that they're going to do work in the interlocking?

23 A. The track department has switch inspections. I don't know
24 exactly which day it is, but I don't have switch inspections at
25 certain times of the day, only certain times of the week. They

1 got to do a report every month or something like that. So, yeah,
2 they normally, they'll call in --

3 Q. Okay.

4 A. -- like I said, all times of the day, you know, doing track
5 cleaning, inspection, they got, you know, they might have
6 foreman's out there assessing the work for the night crew, so
7 track department is in the track area.

8 Q. So this is normal, like, anytime?

9 A. Absolutely.

10 Q. Pretty much anytime.

11 A. Absolutely, yes.

12 Q. Okay. All right, that's my last question.

13 UNIDENTIFIED SPEAKERS: No, I don't have nothing.

14 MR. JONES: Dean Jones. I have nothing.

15 BY MS. BONINI:

16 Q. Hi, Elizabeth Bonini from PennDOT. Have you ever heard of a
17 hotspot?

18 A. A hotspot?

19 Q. Yeah, like a location on the track that.

20 A. (Indiscernible)

21 Q. No? Okay, I was just wondering if you've heard of that term?

22 A. No. I've used, hot, you've seen, like a hotspot?

23 Q. Yeah.

24 A. No, I can't say that I have. If, thinking back to my track
25 days, if it was a hotspot, it would be like maybe a area where it

1 might need repair, you know.

2 Q. Okay.

3 A. Clips breaking off, stuff like that, but no.

4 Q. Thank you.

5 A. No problem.

6 MR. WILSON: So this is Wilson. No further questions.

7 MR. BUCHER: Okay, this is Dave Bucher, and this concludes
8 the interview of Mr. Taylor.

9 (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: SEPTA TRACK WORKER FATALITY
PHILADELPHIA, PENNSYLVANIA
JULY 8, 2019
Interview of Lawyer Taylor

ACCIDENT NO.: RRD19FR009

PLACE: Philadelphia, Pennsylvania

DATE: July 29, 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.


Deborah Dowling Sweigart
Transcriber