

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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UNION PACIFIC EMPLOYEE *

FATALITY IN EL PASO, TEXAS * Accident No.: RRD22FR013

ON AUGUST 29, 2022 *

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Interview of: MATT WILLARD, Dispatcher
Union Pacific Railroad

Via Microsoft Teams

Thursday,
September 1, 2022

APPEARANCES:

MICHAEL BACHMEIER, Investigator
National Transportation Safety Board

RICHARD HIPSKIND, Investigator in Charge
National Transportation Safety Board

JIM MAYNARD, Safety Task Force
Brotherhood of Locomotive Engineers and Trainmen

CAMERON SAUNDERS, National Safety Team
SMART Transportation Division

ERIC CAMPBELL, Inspector of Operating Practices
Federal Railroad Administration

CHRIS MARTINEZ, Operating Practices Inspector
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JASON JENKINS, General Director of Safety
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LARRY VOGEL, Director of Safety
Union Pacific Railroad

GREG THOMPSON, Superintendent Train Office
Union Pacific Railroad

RYAN FRIGO, Operations and System Safety
National Transportation Safety Board

TIFFANY RUSSELL, Senior Director of Operations
Union Pacific Railroad

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I N T E R V I E W

(2:48 p.m.)

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2
3 MR. BACHMEIER: Good afternoon. My name is Mike Bachmeier
4 and I am the NTSB group chairman for this accident. We are here
5 today September 1st, 2022, at 2:48 in a Teams meeting to conduct
6 an interview with Matt Willard who works for Union Pacific.

7 This interview is in conjunction with NTSB's investigation of
8 the accident near El Paso, Texas. The NTSB accident reference
9 number is RRD22FR013. Purpose of the investigation is to increase
10 safety. Not to assign fault, blame, or liability.

11 Before we begin our interview and questions, let's go around
12 the table and introduce ourselves. Please spell your last name,
13 who you're representing, and your title. I'd like to remind
14 everyone to speak clearly so we can get an accurate recording.
15 I'll start off and then pass it off to my right.

16 Again, my name is Michael Bachmeier. The spelling of my last
17 name is B-a-c-h-m-e-i-e-r. And I am the NTSB group chairman for
18 this accident.

19 MR. SAUNDERS: Cameron Saunders, S-a-u-n-d-e-r-s. SMART-TD
20 national safety team.

21 MR. MAYNARD: Jim Maynard, M-a-y-n-a-r-d. BLET safety task
22 force.

23 MR. CAMPBELL: Eric Campbell, C-a-m-p-b-e-l-l. FRA,
24 operating practices.

25 MR. MARTINEZ: Chris Martinez, M-a-r-t-i-n-e-z. FRA,

1 operating practices.

2 MR. JENKINS: Jason Jenkins, Union Pacific Railroad. Jenkins
3 is spelled J-e-n-k-i-n-s. General director of safety for the
4 southern region.

5 MR. HIPSKIND: Good afternoon, everybody. My name is
6 Richard Hipskind. You spell my last name H-i-p-s-k-i-n-d. And I
7 am the investigator in charge for NTSB for this accident.

8 MR. BACHMEIER: We got a couple guys here.

9 MR. GALLEGOS: Donald Gallegos. G-a-l-l-e-g-o-s. Smart
10 Transportation Division national safety team.

11 MR. HIPSKIND: Posting.

12 MR. GALLEGOS: Posting.

13 MR. VOGEL: Larry Vogel. V-o-g-e-l. Union Pacific Railroad
14 southern region, director of safety.

15 MR. THOMPSON: Greg Thompson, T-h-o-m-p-s-o-n.
16 Superintendent train office, El, Paso. Posting.

17 MR. BACHMEIER: Ryan?

18 MR. FRIGO: Here in Omaha, we've got Ryan Frigo, F-r-i-g-o.
19 NTSB operations and system safety.

20 MR. WILLARD: Matt Willard. Train dispatcher with Union
21 Pacific. Last name W-i-l-l-a-r-d.

22 MS. RUSSELL: Tiffany Russell, senior director of operations
23 (indiscernible) for Union Pacific. Last name is R-u-s-s-e-l-l.
24 And I am representing Matt.

25 MR. BACHMEIER: Thank you. Matt, do we have your permission

1 to record our discussion with you today?

2 MR. WILLARD: Yes.

3 MR. BACHMEIER: Do you understand that transcriptions will be
4 part of the public docket? As such, we cannot guarantee any
5 confidentiality.

6 MR. WILLARD: Yes.

7 MR. BACHMEIER: As we discussed, you have a representative
8 with you today. Tiffany Russell. Is that correct?

9 MR. WILLARD: That is correct.

10 MR. BACHMEIER: I'd like everyone to clearly announce your
11 name and title before questioning.

12 INTERVIEW OF MATT WILLARD

13 BY MR. BACHMEIER:

14 Q. Matt, could you give us a synopsis of your work experience
15 taking us up to your present job as a dispatcher?

16 A. Yes, sir. I hired on with Union Pacific March of 2017. Have
17 been a train dispatcher the entire time. Worked in the same area
18 for those five years anywhere from Herington; Topeka, Kansas, down
19 through Dalhart, Texas, and the Santa Teresa -- or El Paso
20 terminal desks.

21 Q. Thank you. I just want to go back to the date of the
22 accident. And can you just walk us through from the time you got
23 to work, your turnover with the first trick, throughout the day,
24 and then leading up to your turnover with the second trick.

25 A. Well, turnover was a fairly normal standard procedure. We

1 usually go over what -- hours of service left on trains, whether
2 or not they're (indiscernible) if there's work events en route.
3 That particular desk has quite a few patch crews usually. We'll
4 usually go over the patch crew situation. Kind of plan as to if
5 they were called for this train, their second move will be this
6 train. And kind of go over to that. So the next -- the incoming
7 dispatcher, myself in this case, kind of can hit the ground
8 running as far as knowing where your crews are and what resources
9 look like for the day.

10 That day was no exception. We covered the whole desk from
11 Del Rio, Texas, all the way into Santa Teresa. Went over those
12 trains. And I took turnover at that point and started my day.

13 Q. Did you guys talk about the form B on -- right there in El
14 Paso?

15 A. Yes. I was told that they were tamping. They had tracking
16 time out there on main track number one between SA 823 and SA 820
17 (indiscernible) on both ends. So we would just have the single
18 track between 827 and 815. Or excuse me, 820.

19 Q. And when you guys turn over, what kind of -- like as a
20 dispatcher, is it all on the computer? So the turnover is just
21 automatically just carried over? Is -- you just type in your
22 notes and --

23 A. No, not normally. I mean, we do that if we have time. We'll
24 put in notes, work events. If a train has an engine or something
25 that they have to send out or pick up at a certain location. Most

1 of it is a verbal and visual turnover where we start at the one
2 end of the desk. We'll work towards the other end of the desk,
3 cover all the subdivisions, and all of that.

4 And then, you know, if I have a question when I'm the
5 incoming dispatcher, I'll stop them and we'll wait -- you know,
6 let's go over this again; I don't have a clear understanding about
7 what happened or what's going on with a certain train at that
8 point. Then we'll cover that and continue on.

9 Q. On the night of the accident, how was the turnover? Can you
10 just kind of walk me through your turnover with your third trick
11 that night?

12 A. With third trick?

13 Q. With your --

14 A. When I was giving my turnover?

15 Q. Yes, yep.

16 A. Same thing. Ryan came in. He logged into the CAD computer
17 and the regular computer. I had had a busy night that night.
18 That desk is always busy. That's not an exception there. But we
19 start over coming into Santa Teresa from the west out of Tucson.
20 We kind of just go over the trains that are coming on the radar.

21 And if there is a plan, you know, if they're close enough to
22 be in calling range or something along those lines, we'll -- if
23 I've called an outbound crew, we'll go over that. Kind of the
24 plan on where I was going to take them into Santa Teresa. Go over
25 those things. Then we cover Santa Teresa. You know, there's

1 seven fuel tracks there.

2 That particular night, fuel track 11 and fuel track 12 had
3 cars the prior shift drug out from intermodal ramps. And then,
4 staged, I guess you would say in fuel track 11 and fuel track 12
5 because they were dealing with some shortages on power.

6 So we kind of covered that. And when you have a situation
7 like that where you have two fuel tracks that you are not able to
8 bring trains into the crew change, it kind of puts a bind on you.
9 Because the rest of the amount of trains coming in needing to
10 depart doesn't change. So you kind of have to have a plan. And
11 that night, we had two -- excuse me, three non-fitting trains
12 coming into -- well, they were already there at Santa Teresa at
13 that point that I was giving turnover.

14 So we were kind of -- I was staging trains east of Santa
15 Teresa. So we still had a route to depart and bring trains in.
16 And it got to the point where I had the ISIP -- I spoke with the
17 intermodal ramps, coordinator. The ISIP originates there in
18 intermodal ramps and comes out and I always check with them or I
19 check with the intermodal coordinator that they work -- there's an
20 industry that they work called STRAIL just east of where they
21 parked. Sometimes they don't even clear that OS when they worked
22 it.

23 So I always try to have a good understanding either -- like I
24 say, with the crew when they (indiscernible) bulletins or with the
25 intermodal coordinator there with do they work STRAIL. If that's

1 the case, then I have to stage trains at a different spot.

2 I spoke with them. They said no. No work at STRAIL today.
3 So at that point, I bumped up -- it was an MHNPX was the symbol
4 right up to S 12-80 (indiscernible) track number two. ISIP I gave
5 lights to depart up onto one. And then, lined HNPX
6 (indiscernible).

7 I had -- they went into the ramps so we could kind of --
8 those ramp terminating or the trains that work at the ramps you
9 have to have a good plan on those because they're quite a few that
10 come during any given shift. And the ramps can't process them as
11 fast as we can bring them in. So you end up staging those guys
12 somewhere east of Santa Teresa.

13 At that particular night, I have the MHNPX there on main two
14 and then back at -- I believe it's Lizard S 12-85 on main number
15 one. I had an MEWTU that I had staged there because I didn't have
16 an open fuel track at the time to bring them in. So I held them
17 back at 12-85 to allow -- still have a route to depart eastbound
18 trains out of Santa Teresa.

19 Then back at icehouse, S 12-94 on main track number two, I
20 had an IG4SIB that I staged there and the crew on the MHNPX was a
21 patch crew. Called for multiple service. They were instructed to
22 give me a shout on the phone once they were off the MHNPX and then
23 I instructed them to go back to that IG4SIB because on the crew
24 that was going to expire on their hours.

25 Then (indiscernible) at Dallas Street yard, we had cars in

1 track -- main track 105, main track 106. And then, we leave -- we
2 left four open for any workers that come west. There's two
3 trains. An MEWT and an MSU that we see -- well, more than likely,
4 work at Dallas Street on their way towards Santa Teresa.

5 So we have those two -- five and six blocked. Four I did not
6 have a worker in there at that time. At the (indiscernible) right
7 there at S 1301, we have a crossover from main track two to main
8 track one that's been out of service for quite some time. So you
9 can't make (indiscernible) there or cross anybody up.

10 My plan was -- and I spoke with intermodal coordinator and my
11 corridor Cody. They wanted a westbound train that was coming down
12 Valentine (indiscernible) into the ramps so it would go -- the
13 order would go MHNPX. This next train was an ISASI and then
14 third, they would take the IG4SIB that I had staged out at
15 icehouse.

16 So they were going to expire on their hours because the ramps
17 weren't ready for them. They wanted the ISASI in front of them.
18 So I -- at that point, like I had said, I sent that patch crew out
19 to that IG4SIB. And then the plan was to run this ISASI over it
20 around IG4SIB, get them to the ramp so he could get in there and
21 they could start processing that train.

22 In the meantime, or I should say prior to this, I had spoke
23 with the MTO, MYO, Ever, about -- or excuse me -- I believe at
24 that time, it was still Jimmy Jackson. They had an MEPST that is
25 an El Paso originating train. Goes to Santa Teresa to the ramps.

1 So normally, on a normal day, that train usually, from my
2 knowledge, air tests in the yard there at Alfalfa. Because it's
3 the form B or the tracking time out there on main track number one
4 and having the east end (indiscernible) track out of service on
5 the east end, they couldn't do any work there on the east end. So
6 everything was focused on the west end.

7 They wanted to get the MEPST out of the yard and have them
8 air test on the main. Well, with the traffic time on main number
9 one, they -- the crew called me and said they were ready to
10 depart. They would have to air test. They -- well, excuse me.
11 They said they would have to double over, grab the rest of their
12 train and then air test on the main. And they wanted to jump back
13 in between SA 823 and SA 820. I asked if that -- how long would
14 that air test take. And they said somewhere between an hour and
15 an hour-and-a-half, I believe was the number I was given.

16 I, at that point, said, no, I can't do that because you --
17 you can't obviously shove number one. So they'd have to shove
18 main track number two. I said, you -- we can't do that because
19 we'd be shut down. There would be no route for that -- however
20 long that air test would take.

21 So then, we decided between the yard and myself that they
22 would come out on main track number one west of SA 823 and air
23 test there on main track number one so that the yard could get
24 their switching done. And that would still allow me a route on
25 main track number two. Excuse me. Main track number two.

1 So I have the (indiscernible) between -- right there west of
2 SA 823. And then, no crossover there at 1301 because it's out of
3 service. IG4SIB at icehouse. I -- basically, single tracking
4 from Santa Teresa all the way over to Alfalfa. So I had brought
5 the ISIP into main track 104 at Dallas yard.

6 I asked the yardmaster, MYO, if -- normally, what we do is on
7 Microsoft Teams, I'll send a message to him and say, hey, where do
8 you want the ISIP. And I'll tell them usually -- like I believe
9 that night I told him either as they were departing Santa Teresa
10 or shortly thereafter, hey, the ISIP has departed Santa Teresa;
11 where do you want her.

12 And he'll normally reply with -- whoever the yardmaster is
13 will reply with either the fence track or the switching lead track
14 on that west end of Santa Teresa.

15 I asked that night. He -- I said, I'm going to hold these
16 guys at 104 for the time being. Let me know when you're ready for
17 them. I thin was how I phrased that. At that point, I left them
18 there for -- in 104 -- I would guess somewhere around a half hour.
19 I asked the MYO if he was ready for them. He said bring them down
20 to the east end to shove in there at SA 820 (indiscernible).

21 At that point, I had asked if -- is the east end still out of
22 service. He said -- I believe he said, oh, yeah, just leave them
23 in 104 for the time being. I said that I was going to bring them
24 down to the east end and leave them there at 820. So I had a
25 route through 104 to get the ISASI around the IG4SIB due to the

1 order that they wanted the trains in at the intermodal facility.

2 At that point, I gave turnover to Ryan. We spoke -- go over
3 everything like I said we did. I told him this tracking time out
4 here between 823 and 820 was supposed to originally release, when
5 you looked at the time, they'd be done at 1900 Central.

6 This was at 2200 just -- like 2155 Central when I started
7 giving turnover. So they had overstayed. I had spoke with
8 Mr. Corliss and Mr. Joe Hyde (ph.) about what -- you know, what
9 the holdup was, when did they think they would be releasing the
10 tracking time. They said that they had to tamp it again.

11 And then, they would guess somewhere around an hour. I
12 believe Mr. Corliss -- I can't remember which one told me. One of
13 them said two hours. One of them said about an hour. And then,
14 Mr. Corliss told me that signal would need a half hour on the back
15 end of that to get things hooked back up for signal.

16 I spoke with Ryan then, you know, in turnover about that.
17 Said they've overstayed but they should -- we should be getting
18 the track back here fairly soon. This was a conversation that I
19 had based on -- excuse me -- based on a conversation that I had
20 with Mr. Corliss.

21 So I said that east end is out of service. I think he's got
22 a track in there. I don't know if he's using it for
23 (indiscernible) track protection or what. But we were -- we spoke
24 about that very clearly that ISIP would just need to hold there at
25 SA 820 until the tracking time was released and they would put --

1 give you the tracking time back and then speak with the yard about
2 when they're ready with -- ready to take the ISIP into the yard.

3 So at the end of my shift, I left it where the ISIP was
4 sitting there west -- or excuse me -- east of SA 820. And then, a
5 conversation with Ryan in turnover about why I was holding them
6 there, when would we be able to send them. And that was it.

7 We had several other things going on over at Santa Teresa.
8 Usually when I got done with a shift, especially on a desk busy
9 like that one, I will go up and kind of just go over what I went
10 over in turnover with my corridor, Cody, that night. And when I
11 went up there to speak with Cody about -- you know (indiscernible)
12 crews running around. I made sure to tell Ryan this. Type of
13 conversation.

14 He was on the phone with -- I think it was Ever. I'm not 100
15 percent certain on that. But we both looked up. And I was kind
16 of trying to get a plan together because we had a train over at
17 Santa Teresa. He -- crew that was going to take over for it was a
18 split crew. One came on duty at Santa Teresa. One came on over
19 at Alfalfa.

20 The train wasn't going to have enough time to get over there
21 with the crew that was on it. So I kind of said -- I'm pretty
22 sure the van for the engineer is over at Alfalfa now. I think we
23 should probably put the engineer in the van, send him to Santa
24 Teresa. They can grab that train and take it over and work it at
25 Alfalfa.

1 During that conversation, we looked up at Cody's CAD screen
2 up at (indiscernible) and noticed that Ryan had given a light to
3 that ISIP into the yard. Cody said to me, hey, go down there and
4 make sure he knows that -- you know, make sure that he's got
5 permission to give them a light because that track is unserviced.

6 I went down, spoke with Ryan and said, hey, remember I said
7 that east end was out of service there. We have to wait. And
8 he's like, oh, no; they got permission into the yard. At that
9 point, I left for the evening. Turnover had been completed. Made
10 sure on that. And I went back up then. Told Cody, Ryan said they
11 had gotten permission into the yard and I left for the night.

12 Q. Well, thank you.

13 A. I did -- one other thing I failed to mention there. I did
14 not know -- again, turnover with the first trick dispatcher, I was
15 not aware that that track in the yard at Alfalfa was out of
16 service. I found out about that shortly after I sat down to have
17 a (indiscernible) Mondays. Well, I think most days during the
18 week. The YOP63R was the train. They normally -- actually, I
19 think this is the first time I've ever done this because that east
20 end was shut down. But I got a message from Jimmy Jackson the day
21 MYO over there. Said that the YOP63R was ready to go to
22 international paper. And that is on main one between SA 820 and
23 SA 815.

24 So you always give them a light out of the east end to depart
25 the yard, go out on main one to service this international paper.

1 They'll run around or just shove back usually into the east end of
2 the yard. So I gave them a light out of the east end. Jimmy
3 messages me on Teams and said, hey, that east end is shut down.
4 They need to depart out of fence track behind this other train.

5 At that point, I asked Jimmy -- I said, do I have permission
6 to take that light back there at SA 820. And he said, yes. And
7 then, I moved the train signal over to the fence track. They
8 departed out of the fence track. Went down around the tracking
9 time on main two, crossing back up over to one there. They worked
10 the international paper.

11 When they were done, I spoke with them. They were going to
12 run around -- the power around the train and then come back west.
13 And I said, we'll have to -- you know, that tracking time is still
14 out there and that track is out of service in the yard at the east
15 end. I'll have to bring you down the same route. Main two around
16 the tracking time, across back up over to one. And we'll have to
17 find out, you know, are you going to fence track or switching
18 there at the west end. That was how I found out that the track
19 was out of service.

20 MR. BACHMEIER: Thank you. I'm going to pass it off to
21 Cameron.

22 MR. SAUNDERS: Matt, Cameron Saunders. SMART-TD. Thank you.
23 That was quite a recollection. My head is spinning. I don't know
24 how you remember all that. But I have one simple question. Did
25 you know there was an accident before you left the building that

1 night?

2 MR. WILLARD: No, sir.

3 MR. SAUNDERS: Thank you. That's all I have.

4 BY MR. MAYNARD:

5 Q. Jim Maynard. BLET safety task force. Matt, thank you for
6 coming in and shedding some light on this. I have one quick
7 question. You can -- can you put a block on that lead going into
8 the yard on your side or no?

9 A. Yes, you can.

10 Q. Does that happen very often or does it ever happen, you know,
11 like an EIC will ask you to put a block on it or lock it out that
12 way?

13 A. If they ask me to, yes, I would.

14 Q. But you only do that if they ask you for it. Right?

15 A. Correct.

16 MR. MAYNARD: That's the only thing I got. Thank you, Matt.

17 MR. WILLARD: Yes, sir.

18 BY MR. CAMPBELL:

19 Q. Eric Campbell with the FRA. So I understand that you did
20 know that that track was out of service. Is that something you
21 would normally know or it was just by chance that you learned from
22 MTO Jackson?

23 A. Normally, no. You know, yard tracks or uncontrolled tracks,
24 I don't have the authority to give permission onto any of those
25 tracks. So if it's usually -- in any of the desks that I've

1 worked that have a yard, if there's a track out of service in
2 there, I don't normally know about it. I think with that one,
3 because the east end was shut down, that's why I was alerted to
4 that.

5 Q. And you did include that information in your turnover with
6 the third shift dispatcher about that (indiscernible)?

7 A. Correct. Yes, sir.

8 Q. Go back to your conversation. When you were speaking with
9 Cody and he had you go check on what was going on with the third
10 shift dispatcher. You made the statement -- Ryan said they had
11 permission into the yard.

12 A. Yes, sir.

13 Q. Who did he get that permission from?

14 A. I did not get that information from him. He was -- like I
15 said, it was a busy night. And he was trying to stay caught up
16 with everything. I went down there. Like I said, we covered that
17 in turnover. I said that east end is out of service. It's shut
18 down. We can't depart or bring any trains in there right now.
19 That was part of the conversation where we -- you know, I had
20 stated that we would get back once the tracking time was released
21 there on main number one.

22 I also was very clear where I said -- I brought the ISIP up
23 to main number one east of 820 because I needed a route at Dallas
24 Street to get that ISASI around the IG4SIB. And that I brought
25 them down there to that east end. They're just going to have sit

1 there until the tracking time is released. And at that point,
2 they can shove it into the yard.

3 So I covered that with him when I went up and spoke with Cody
4 about the other issue with the crew having to go over to Santa
5 Teresa. He looked up and saw it. Right after that, I looked up
6 and saw the light. And he's like, hey, man, make sure that they
7 -- that he's had that conversation. Or just check on that light.

8 I went back down there. ISIP had not knocked down SA 820 at
9 that point. I said to Ryan, hey, remember that east end is out of
10 -- I think I said, remember that east end is shut down or out of
11 service. One of the two. He said at that point, oh, they have
12 permission in. I don't know if he spoke to Ever about that. I
13 don't know if he spoke to the crew about that.

14 Q. During your shift, did you ever have any conversations with
15 the employee in charge with maintenance away?

16 A. I'm sorry. Say that again.

17 Q. Did you -- during your shift, did you have any conversations
18 with the employee in charge with maintenance away?

19 A. Yes. Leonard Corliss. I did -- I spoke to him. So when I
20 was going to run that YO63 out at international paper on main one
21 back to the yard, I spoke to them on the radio. And I said, you
22 know, we'll have to take you into the west end and just take you
23 back the same route. I think I said something to that effect.
24 We'll take you back the same route that you came out there. They
25 were going to run the power around. When I got done with that

1 conversation with them, Mr. Corliss called me on the phone a
2 little bit worried. And he said, you can't bring them in the east
3 end. I said, no, no. I'm giving lights down to the west end.
4 I'll bring them down on main track two by you guys. They'll have
5 to come back in the west end of the yard there. And he was like,
6 okay, okay. I just wanted to make sure because we've got that
7 track out of service there in the yard.

8 And I said, no, I -- the lights that I've given them were
9 going to down to get past 823 and then come back into the west end
10 of the yard. That was the conversation I had with him then. Then
11 I spoke with him shortly before turnover just about kind of to get
12 a plan there or ideas of when they were going to release their
13 tracking time so that I could pass that information along to Ryan.

14 So he kind of knows without having to stop what he's doing.
15 Kind of knows what the plan is as far as when they're going to
16 release their tracking time. He had said that he had some trouble
17 tamping. And they were going to have to go over it again. And
18 then signal would need that half hour on the back end to get
19 everything buttoned back up for safety.

20 MR. CAMPBELL: That's all I have for now. Thank you.

21 MR. MARTINEZ: Chris Martinez, FRA. Can you walk us through
22 -- once their form B expired on the authority part of that. The
23 tracking time you gave Mr. Corliss.

24 MR. WILLARD: So the form B expired but they had been working
25 under tracking time since I sat down ahead of time on main one.

1 So as far as the form B goes, as a dispatcher you give them lights
2 through that form B limit. Then the crew will call that foreman
3 and get cleared through the form B. But as far as the work that
4 was going on, it was on main number one. And they had tracking
5 time my entire shift from 2:00 when I sat down to 10:00 when I got
6 up.

7 MR. MARTINEZ: That's all I got.

8 MR. JENKINS: Matt, Jason Jenkins, Union Pacific Railroad. I
9 had five questions and you've answered them all so I appreciate
10 that being thorough. Thank you.

11 MR. WILLARD: Yes, sir.

12 BY MR. HIPSKIND:

13 Q. Dick Hipkind, IIC NTSB. Matt, great explanation. Train
14 movements and all that. I very much appreciate all that. I want
15 to revisit so I have a clear understanding. When you talked with
16 us, you've mentioned Corliss. His name is Leonard --

17 A. Yes, sir.

18 Q. -- Corliss and he was the EIC out there. And don't take this
19 wrong way. But are you confusing him -- any of your
20 characterizations of conversations -- are you confusing him with
21 the MTM?

22 A. No. I don't believe so.

23 Q. Is the reason that you're sure about your conversations with
24 him, you recognize his voice?

25 A. I recognized -- so there were two pieces of tracking time out

1 there on main number one. One was held by Leonard Corliss. The
2 other one was held by Joe -- Jose Hyde (ph.). Jose -- everybody
3 calls him Joe. But Joe I've had conversations with before. I
4 know him. I know also that night I had tried to call on the radio
5 for Mr. Corliss. He -- I couldn't get him to answer. I don't
6 know if he was just away from his radio or what. But he didn't
7 answer.

8 So I got on the UP phone book on the computer and put in his
9 information, his name. And tried to pull up a phone number so I
10 could try and call him just to get an update as to what was going
11 on and when we would be releasing the tracking time.

12 There was no phone number listed for him in the UP phone
13 book. So I looked up, then at that point, Mr. Hyde's phone number
14 and called him on the phone to kind of get an idea from him.
15 Those were the only two people that I spoke to about the tracking
16 time out there.

17 Q. Give us -- put some context on it, Matt. I'm not holding you
18 to exact minute and second. But when were these conversations
19 that you're talking about on tracking time, et cetera?

20 A. Well, it would have been after 1900 because I was -- you
21 know, if I'm CAD, I can just right click on the tracking time and
22 it'll show me. The until time was 1900 Central. So it would have
23 been -- I guess it would be after 8:00 Central that I spoke with
24 him.

25 Q. And let's see if we can come to an agreement on this. These

1 conversations that you had with maintenance away, do you
2 characterize those as mandatory directives?

3 A. Conversations with --

4 Q. Well, who --

5 A. -- the --

6 Q. Whoever you talked to about tracking time on main track one.
7 Do you consider those mandatory directives?

8 A. Yes.

9 Q. So --

10 (Crosstalk)

11 Q. So recorded conversations on your end and we can access those
12 to answer the question of when. Correct?

13 A. Yes.

14 Q. And if I'm in the field and I'm asking for tracking time as
15 the dispatcher, I've got to write that down so I can get that
16 document from the maintenance away person. Correct?

17 A. Yes. Correct.

18 Q. Now, watch this. I want to be clear with you. Did you give
19 tracking time to Leonard Corliss after -- either just before or
20 after his form B expired?

21 A. No, sir.

22 Q. You're sure about that?

23 A. The only tracking time that was out there on my shift was on
24 main track number one. And that was out there when I sat down to
25 get turnover from the first shift dispatcher. I gave -- I didn't

1 even give it to Joe Hyde. Joe Hyde had tracking time when I sat
2 down. He had two pieces. His first piece that was already --
3 they were both already there. Was on main one between 823 and
4 820.

5 And then he had another one -- so it would be from SA 827
6 main track switch no to SA 823 main track switch yes. And I
7 believe what he was doing -- this was going on when I sat down, I
8 was getting turnover from first shift. He was bringing his
9 equipment out of the west end of Alfalfa yard, getting clear of
10 823.

11 He called me to normal the switch there main one to main one.
12 Then he came into the joint tracking time (indiscernible) there.
13 At that point, once all of his equipment and men were clear of
14 that other piece of tracking time, he released that. I did not
15 issue tracking time that night to Mr. Corliss.

16 Q. What did you -- what was your knowledge about main track one
17 being out of service? What notification or what were the time
18 elements that you were aware of for just main track one? And I
19 don't want our conversation to be mistaken for anything to do with
20 main track two or anything to do with the yard lead. And I'll
21 clean that up with you here in just a minute. But --

22 A. Main one, to my knowledge, was never out of service. There
23 was tracking time on it. Since there was tracking time on it for
24 my entire shift, I -- we just ran on main two around
25 (indiscernible).

1 Q. But if -- help me out here. Would his tracking time for main
2 track one -- let me stop myself. I want to get you dialed in on
3 something. Were you aware that the work that they were going to
4 do on main track one involved the replacement of a panel switch, a
5 switch? Take the old switch out and put a new switch in. I
6 wouldn't expect you to know that but were you aware that there was
7 work going on for that?

8 A. I knew that there was work going on that required them to
9 tamp afterwards. That was the extent of it. Nobody ever said
10 exactly what was going on.

11 Q. Were you aware that the intended start time for that project
12 was 7 a.m.?

13 A. Yes.

14 Q. Were you aware that to get a train -- a hot -- I'm going to
15 call it a hop train out of the yard, Alfalfa yard, that the
16 project did not begin until noon because the train that had to
17 depart, the hop train, it had to double over several times and
18 that meant they couldn't let Corliss go to work. So he got
19 delayed like five hours. Were you dialed in on any of that?

20 A. No, sir.

21 Q. So the reason we're having this conversations about
22 additional time for main track one, it's maybe my understanding or
23 maybe my misunderstanding -- that's why we're talking about it --
24 that his project time, his maintenance window on main track one
25 for this switch replacement that got delayed five hours -- well,

1 the five hours it got delayed from 7 to noon, that time got
2 carried over later on in the evening and the night. So I'm
3 wondering what were you given in terms of his first tranche of
4 time on main track one? Did it expire at like 5:00, 6:00, 7:00?
5 Did you get any notification of something like that?

6 A. The only -- no, I did not get notification from a person. I
7 -- like I said, I'm CAD. I can look at what the expire time is
8 supposed to be. So when that tracking time is issued, it'll have
9 an until time. And that until time was 1900 Central. That was
10 all I was given.

11 Q. Okay. You and I are on the same page now. So his tracking
12 time expired at -- you call it 1700 or 7:00. Right?

13 A. 1900. Yes, sir.

14 Q. Okay, 1900. In our conversation with Leonard, he indicated
15 that he reached out and had to get tracking time. Correct?

16 A. Yes. He had to get tracking time. It would have been from
17 that first shift dispatcher.

18 Q. Because you didn't come on until a couple hours later.

19 A. I came on at 2:00. Yes, sir. 2:00 Central.

20 Q. And you went off duty when?

21 A. 10:00 Central.

22 Q. 10:00 at night.

23 A. Yes, sir.

24 Q. So 2:00 in the afternoon until 10:00 at night. Oh, I think
25 I've got the -- when you talk your time 2:00 and 10:00, you're

1 talking Central Daylight time, Omaha time. Correct?

2 A. Yes, sir. Correct.

3 Q. And part of -- maybe part of our disconnect where we're at,
4 the accident times over here are one hour earlier. So when you
5 say 2:00, it's 1:00. When you say 10:00, it's 9:00.

6 A. Correct. Yes, sir.

7 Q. Stay with me.

8 A. Yes, sir.

9 Q. If his time expired out here El Paso time at 7:00 at night,
10 that's 8:00 your time?

11 A. No. When I looked at the tracking time there, the until time
12 was 1900 Central. 7:00 Central my time, Omaha time. Because
13 right there at Alfalfa, it splits. That's where the Mountain and
14 Central time zones -- where that splits.

15 Q. Oh, my God.

16 A. So I guess (indiscernible) there is in Mountain and anything
17 east of there is in Central.

18 Q. Matt, thank you for that.

19 A. Yes, sir.

20 Q. But convince me that when his time expired at 1900, 7:00,
21 whether it's Omaha time or El Paso time, aren't you still on duty?

22 A. Yes, sir.

23 Q. Well, some of my confusion -- I'm sorry to belabor this but
24 some of my confusion is when we talked to Leonard Corliss, the
25 EIC, he was aware that he needed time, tracking time, extended

1 because his main track tracking time expired at 7. I'm having
2 some difficulty understanding how he did not talk to you.

3 A. So when I sat down -- as far as I can recollect, he already
4 had his tracking time out there and then UP Joe Hyde had his
5 tracking time out there.

6 Q. Here, I've got an answer because I want to move on to
7 different topics. We'll take it on as part of the investigation
8 to detail -- and I want to be clear with you on this. Whoever Joe
9 or Leonard -- whoever was out there -- they had to talk to a
10 dispatcher whether it was you or the previous dispatcher.

11 Correct?

12 A. Correct.

13 Q. And the point is all that's recorded. Correct?

14 A. Correct. So the one thing that I would say about that is
15 with the new CAD system, they can request tracking time remotely.
16 And there's no verbal conversation that takes place. So they
17 would send it over. It would show up in my queue. And I can
18 click on that and either approve or deny that. And so
19 (indiscernible).

20 Q. But there is a record of that time stamp on your end.

21 A. Oh, yes, sir. Yes, sir.

22 Q. To the best of your knowledge, has anybody said to save all
23 of the electronic data -- because there was an incident, an
24 accident out there, do you know if anybody saved all the data that
25 was dispatcher related, you know, some of these automated things

1 that come in there.

2 A. To my knowledge, everything is recorded. As far as --

3 Q. Do you know how long --

4 A. You know -- I'm sorry. Go ahead.

5 Q. Do you know how -- we're both trying to talk at the same
6 time. Do you know how long it's retained?

7 A. I do not.

8 Q. Well, we can figure all that out looking at recorded
9 conversations or dispatcher data and that'll clear up all this
10 stuff about whoever, whether it's Joe or whether it's Leonard.
11 Who they talked to, when they talked to, and what they were
12 provided in terms of an extension on main track one. Does that
13 sound reasonable to you?

14 A. Yes.

15 Q. We'll pursue that. I want to -- the other thing I want to
16 talk about -- and let me get this out of the way first. Do you
17 have knowledge about an automatic derail at the -- at Rosedale?
18 Is there --

19 (Crosstalk)

20 Q. -- an automatic derail that you can control at Rosedale?

21 A. At the east end of Alfalfa? There's -- yeah, I mean, there's
22 the switch there that I get the light out of the yard or the one
23 that, you know, going in there.

24 Q. So you are aware of an automatic derail in and around the
25 vicinity of Rosedale?

1 A. Yes.

2 Q. Just so we get our terms right. Do you consider Rosedale --
3 do you sometimes refer to that as the east end of Alfalfa?

4 A. SA 820, yes.

5 Q. Have you ever used the automatic derail at Rosedale?

6 A. I mean, giving a light in or out it (indiscernible)
7 automatically when you line that light to the best of my
8 knowledge.

9 Q. To the best of your knowledge, is -- when you don't have
10 something lined in there, is the -- do you get an indication that
11 the derail is on the on position?

12 A. No, sir.

13 Q. Is -- but it's not a separate thing, Matt, that you can
14 activate independent. It is connected with the alignment of the
15 switch. Have I got that right?

16 A. To the best of my knowledge, that is correct.

17 Q. On the day of the accident, did the automatic derail that's
18 up there at Rosedale, do you think that played a part in anything
19 that happened out there?

20 A. I honestly cannot speak on that because it happened after I
21 was gone. I don't know what happened there after I left the
22 building.

23 Q. Just to clear that point up. Did you talk -- did the train
24 crew, the ISIS, did you have any conversation with them about
25 routing them over from main track two when they were going

1 eastbound? Did you have any conversation with them routing them
2 over off of main track two and over to main track one?

3 A. No, sir. I put lines up for them and took them down to main
4 track number one. Had them hold there. That was a decision that
5 I made, like I said, in order to get myself a route to get that
6 ISASI into Santa Teresa. So as far as -- where I left it when I
7 was giving turnover is I had brought them up to main track number
8 one there east of Rosedale SA 820. And that was it.

9 Q. Matt, I think we're both saying the same thing. And you were
10 problem solving the fact that you had a westbound sitting on main
11 track two that needed to go west to Santa Teresa.

12 A. Teresa.

13 Q. But you can't move that west bound because you've got this
14 ISIS that's on main track two coming eastbound. And so you got
15 him out of the way, crossed him over from main track two over to
16 main track one. And then he sat there.

17 A. So main track 104 at Dallas Street yard is where I had that
18 ISIEP (ph.) at the beginning, you know, right down there on their
19 route over to Alfalfa. I needed main track 104. So I moved them
20 from main track 104 at Dallas Street. I brought them out onto
21 main track number two. I brought them past Alfalfa on main track
22 two and then I crossed them at SA 820 to main track number one.
23 And that's when I gave turnover to the third dispatcher.

24 Q. Let me fast forward. You were aware that the ISIS was
25 crossed over on main track one east of Rosedale.

1 A. Correct. Yes. I crossed them over from main track two to
2 main track one at Rosedale. Yes, sir.

3 Q. After they made that move, did you talk to any crew member on
4 ISIS about anything?

5 A. No, sir.

6 Q. And in preparation of that move -- and I just want to be
7 clear with you. This whole business of moving the ISIS from Santa
8 Teresa over to Rosedale and moving them back into the Alfalfa
9 yard, that's kind of a routine move?

10 A. I wouldn't say routine. It gets done. It depends on what's
11 going on in the yard. If they're west end, if they've got their -
12 - if they're switching over there or they've got a train staged to
13 depart, sometimes we will take an eastbound train with several
14 trains that come from the east to terminate there at Alfalfa. I
15 would say it is not unusual that sometimes we would bring them
16 past Alfalfa and then shove them in on the east end. It would
17 just depend on what's going on in the yard at that time.

18 Q. Specifically at the west end.

19 A. Correct, yes. Because most of those eastbound trains will
20 normally either go in the fence track or the switching lead track
21 at that west end at Alfalfa. That I would say is like a standard
22 operating procedure. Again, it is not unusual that you would
23 bring one by and have them shove the east end depending on what
24 would be going on there at the west end at Alfalfa.

25 Q. But there's nothing wrong, nothing evil, if you -- if a

1 dispatcher were to take the ISIS and move them over to main track
2 one east of Rosedale and then plan to shove them in via the yard
3 lead into Alfalfa yard. I mean, okay, let's not call it routine.

4 A. Correct.

5 Q. But it's a choice. You're either going to go in the west end
6 of the yard. And if you can't go in the west end of the yard,
7 you're going to go in the yard from the east end?

8 A. Correct.

9 Q. Just to clear up the communication, I'm going to ask you
10 these questions a different way. At any time on your shift, did
11 you talk to anybody, MTO Ever, Leonard Corliss EIC, or Joe --
12 which Joe is the new name for me. But of those three people, did
13 you have any conversation with them on the phone, on the radio --
14 now, watch this -- wherein any one of those three people told you
15 -- Matt, told you, I'm releasing the yard lead?

16 A. No. Nobody ever released the yard lead.

17 Q. Now, I'm going to ask it a different way. Did you contact
18 the MTO Ever, the EIC Leonard Corliss, or Joe, and ask of them
19 either via the radio, or a phone, I want you to release the yard
20 lead?

21 A. No, sir.

22 Q. Is the simple answer to my couple of questions, you don't
23 have a dog in the fight when it comes to the yard lead. Your
24 concern --

25 A. Correct.

1 Q. -- as a dispatcher is signal territory, main track one, main
2 track two.

3 A. Correct.

4 Q. But through the course of your shift, conversations with
5 either MTO Jimmy Jackson or whoever -- and I want you to tell me
6 who it is again -- you did become aware that the yard lead was out
7 of service?

8 A. The east end -- it was never said that it was the yard lead.
9 I was told that the east end is shut down. There was a track out
10 of service.

11 Q. What --

12 A. That was -- sorry.

13 Q. No. What track did you believe that to be?

14 A. I did not know. I knew that it was a track on the east end
15 of the yard and that we could not line signal into the east end of
16 the yard until the tracking time was released.

17 Q. And in your transfer, did you convey in any way, shape, or
18 form some kind of a phrase that said they -- the crew is in the
19 clear? Was that part of your dialogue with the incoming
20 dispatcher?

21 A. In the clear as in -- I don't think I said that at all. I
22 think I may have said that they were in the clear of Rosedale and
23 like they had cleared the OS.

24 Q. Yeah.

25 A. But nothing regarding, you know, about them getting a light

1 or that they were clear of -- that going into the east end of
2 Alfalfa.

3 Q. And I'm going to put all my cards on the table, Matt. This
4 seems to be a focal point of maybe we're trying to understand
5 better, clearer. But when we say -- if anybody were to use the
6 phrase they are in the clear, it can mean different things to
7 different people.

8 The they are in the clear could refer to ISIS. They are in
9 the clear east of Rosedale. Clear of main track two. But they
10 are in the clear on main track one east of Rosedale. They are in
11 the clear could, to some people, help problem solve a -- well, we
12 need tracks. And the other they could be maintenance away crew
13 they. So we're just trying to delve into maybe how something was
14 said or maybe something was misunderstood. Do you get what I'm
15 saying there or not?

16 A. I understand.

17 Q. Do you have any questions for me about that part of our
18 dialogue?

19 A. I don't believe so. No, sir.

20 Q. The other thing I want to tamp down with you is -- and I
21 think I'm repeating myself here. Regardless of whoever you talked
22 to or whoever contacted you, all that stuff is recorded and it's
23 up to the investigation to probably go back and take a look at
24 some of those things for the exactness of who in the field reached
25 out to you or where you may have reached out to somebody whether

1 it's tracking time, a request, or whatever.

2 And I think we'll do that. We do want to go just a little
3 bit deeper to identify who is talking to and especially at what
4 time. Was it before the ISIS did get a light meaning a signal or
5 restricted signal from main track one to go into the yard?

6 Correct?

7 A. I'm not sure if (indiscernible).

8 Q. We've heard the phrase, we lit it up. And lit it up means
9 from the dispatcher's perspective it's kind of shorthand for, I
10 lined the train up, I gave them a signal. And in the case of the
11 ISIS, the signal they would have gotten would take them from main
12 track one through Rosedale, lined down on the yard lead. Have I
13 got that part correct?

14 A. Yes. That would have been their next light. Correct.

15 Q. And the point being you couldn't line them, main track one to
16 main track one through Rosedale, because the main track one west
17 of Rosedale to the Alfalfa yard was out of service or had tracking
18 time on it.

19 A. It had tracking time. Yes.

20 Q. And if you brought them from main track two over to main
21 track one at Rosedale, you sure as heck wouldn't line them back
22 over to main track two. The only track left is the yard lead.

23 A. Correct.

24 Q. Do you recall having any conversations with the MTO Ever
25 about whether the yard lead was in service or out of service?

1 A. Yes. On Microsoft Teams, when I asked if he was ready for
2 them at the west end -- you know, like I said, normal standard
3 procedures. They bring them in the west end either into the fence
4 or the switching lead. We have to have that conversation about
5 which one. So I asked, are you ready for them kind of prompting
6 him to say, you know, fence or switch. And he said them bring
7 them down to the east end and they can shove in.

8 I at that point said isn't that east end still -- I can't
9 remember if I said out of service or if I said shut down. But
10 basically conveying that's not an available route at that time.
11 And he said, at that point, I believe it was, oh, yeah, just leave
12 them in 104. Just leave them in 104.

13 Q. Yeah, and -- oh, go ahead. I didn't mean to interrupt you.

14 A. It was just shortly thereafter that that ISASI was getting
15 close. I realized if I leave them in -- just in 104, I don't have
16 a route for that train to get through. So I then messaged Ever.
17 I said I'm going to bring them down to the east end. That was the
18 conversation I had with him about that.

19 Q. And did Ever tell you -- and I want to be clear about this --
20 that it was okay to bring them in from --

21 A. No, he never said that.

22 Q. He never said that? Okay.

23 A. I'm sorry. I cut you off. I was assuming you were saying
24 there from the east end?

25 Q. Yeah. I mean, was he --

1 A. No. He did -- like I said, in that messaging conversation
2 that we had, I asked, are you ready for them. He said bring them
3 down to the east end and shove them in. I said, isn't east end
4 still shut down or out of service. And he was like -- he said,
5 oh, yeah. Leave them there in 104. So he never -- no, he did not
6 ever tell me it was okay to, you know, to line them in.

7 Q. Matt, you know how you introduced Joe to the equation of
8 people that you talked to out there, et cetera. I want to --

9 A. Yes, sir.

10 Q. -- get this piece clear. I'm going to talk and then I want
11 you to tell me where I'm right or wrong. Okay?

12 A. Okay.

13 Q. You typically use your radio to talk to trains. Right?

14 A. Yes.

15 Q. And you typically use your radio to answer maintenance away
16 requests maybe for tracking time, whatever the -- whatever is on
17 their mind. And you might even use your radio to talk to the MTO.
18 You could use it talking to a variety of people. The first point
19 I want to make is all that stuff is recorded. Correct?

20 A. Correct.

21 Q. And same delineation about telephones. Maybe sometime you
22 use your telephone to maybe talk to a train crew. Maybe you use
23 your telephone sometime to talk to maintenance away. Maybe you
24 use your telephone sometimes to talk to the MTO. Again, all three
25 -- no matter who you talk to, somebody talks to you on a

1 telephone, your phone, that's recorded. Correct?

2 A. Correct.

3 Q. And you know that. Right?

4 A. Correct.

5 Q. And they know that. Correct?

6 A. To my knowledge, yes.

7 Q. Well, with that settled, those two forms of communication
8 settled. You've used the term Teams. Now, help me out. I'm
9 pretty sure that's not a radio communication. Here's what I'm
10 unclear about. Is it a text messaging communication or is --
11 should I think of it as synonymous with a phone conversation? And
12 I'm talking about when you use the term Teams.

13 A. Teams is just like the application or program. It's
14 Microsoft Teams. We use it to communicate with a variety of
15 different people. Mainly -- especially on that desk, it would be
16 the intermodal over at Santa Teresa, the intermodal coordinator
17 and then the MYOs over at Alfalfa. And I would say the majority
18 of our communications with either one of those is done through
19 Teams. It's just faster.

20 And I (indiscernible) message and then go on about whatever
21 business I have to do and then wait for a reply rather than stop
22 what I'm doing, call you, wait for you to answer and have the
23 conversation and then go back. And Teams I think -- I would say,
24 yes, that's the vast majority of our communication with those two
25 areas; is through that messaging. It's on the -- like on our side

1 computer where we would have, you know, dispatcher train sheet and
2 all of that.

3 Q. Okay, Matt, do you know the next question I'm going to ask
4 you?

5 A. I do not.

6 Q. Is Teams recorded?

7 A. Yeah. I mean, like I could log onto a computer right now in
8 the bunker and it'll pull up my Teams and have a history of your
9 communication with everybody that you've typed to as far as I
10 know. I don't think it gets deleted.

11 Q. So another way of saying it, whether we're talking about
12 recorder or not, we might be talking about the word archived. And
13 I guess what I need to find out, Matt, is -- is all the texting --
14 if we're talking about typing and reading -- typing and reading
15 are -- it's not the same as our verbal communication. We're on a
16 Teams meeting now. I can see you just fine. You can hear me just
17 fine. I can hear you. Now, we're not recording this. But
18 because you brought up the term Teams, that could point us in the
19 right direction for a different form of communication about things
20 that are going on in your dispatching environment. Am I correct
21 with that?

22 A. That is correct.

23 Q. But it is yet to be determined how much of that texting via
24 Teams or communication via Teams can be accessed, archived, and
25 whether it's recorded.

1 A. Again, I would say that -- I mean, like I could go log on
2 right now and be able to pull up a history of everything I've
3 messaged to anybody at Union Pacific. I don't know how far back
4 that goes. If there's a certain threshold that it reaches and
5 then it gets deleted off of there. But I know that I've gone back
6 days prior to that. You know, a corridor asks me a question and I
7 go back on Teams to give him the answer.

8 What did that yardmaster say to you. And I like that because
9 I have a record of every conversation I've had with a yardmaster
10 or maintenance away or what have you. I can go back there,
11 reference it, and go, oh, on this day, at this time, he said this.
12 And then I said this.

13 Q. Well, where we're going with all this is you're using some
14 new terms. We're finding out that there's a third type of
15 communication. So that's very helpful that we've had this part of
16 the discussion. I know we spent a lot of time on it. But it's
17 just stuff we need to know.

18 A. Yes, sir.

19 Q. I got a small thing. I hope this is an easy thing. At the
20 beginning of when you were explaining stuff, we often use railroad
21 jargon. And my hearing -- I thought you said -- you referred to
22 some trains as a patch crew, p-a-t-c-h crew. So elaborate on
23 that. What -- when we decode that from railroad jargon, what are
24 we really talking about.

25 A. It is the -- an extra board crew out of Alfalfa. They're

1 calling multiple service. And they basically will patch trains
2 meaning that train -- we use them a lot for the Santa Teresa
3 intermodal terminator trains. Like I said previously that we can
4 get the trains there faster than they can process them.

5 So a lot of the time -- as you've got westbound trains --
6 well west (indiscernible) to east -- coming towards, converging on
7 Santa Teresa, they're still processing the previous train that
8 they had accepted. And we'll have one, two, three, more coming.
9 They'll get down there before the ramps, their modal facility is
10 ready to take that train in.

11 So they'll have to sit out on our main line. We use those
12 extra board crews to be able to give us a pad of -- you know,
13 padding the time where say the train gets down there to Santa
14 Teresa and they aren't ready for it, that train will come stop and
15 we'll just say that they're dead at (indiscernible) of service at
16 1800 Mountain. And the ramps won't be able to take them on before
17 that 1800 Mountain time where they can no longer operate the
18 train. They've reached their hours of service and they've
19 expired.

20 At that point, we'll have that patch or extra board crew get
21 on that train and then once the ramps say they're ready for it,
22 that crew will bring it in. And then we always give them the
23 instruction, hey, when you get relieved by that -- the intermodal
24 facilities crew and you've turned the train over to me, give me a
25 call, we'll have another one. And at that point, once they're off

1 the train, we direct them to the next train that they're going to
2 bring into Santa Teresa or -- I won't say that that's all they do.
3 But that's the vast majority of it.

4 Q. Let me -- I actively listen. Let me say this to you. This
5 is what I heard. A patch crew (indiscernible) is a good thing.
6 They solve a problem I may have to keep trains moving.

7 A. Yes.

8 Q. Are we saying the same thing?

9 A. Yes, sir.

10 Q. This is the last thing I think I want to talk with you about.
11 I want to be clear. Somewhere in our conversation -- it's been a
12 long conversation. That's a good thing. You expressed a
13 sentence. I wrote it down. And maybe I got something wrong but
14 it was, oh, no, they've gotten permission into the yard. Somebody
15 said it. Can you tell me -- can we revisit that? Did I get the
16 quote -- did I get that anywhere close to being right?

17 A. I don't recall the 'oh no' part but they've got permission
18 in. Ryan said that to me when I went down there. I had given him
19 turnover. At that point, I had gone up to talk to Cody about a
20 couple other issues. And we both looked up at his CAD screen.

21 Saw that ISIEP had a light in at Rosedale, SA 820, back into
22 the yard, which raised some alarm with me because I had already
23 spoke with him and said, you know, they're going to have to hold
24 here on main track number one until the tracking time is released.
25 And then, at that point, we can -- they can go into the yard. I

1 obviously clear that with the yard. You have to speak with them
2 and make sure that they had a light and that they're ready for
3 them.

4 But at that point, I had talked to Cody. Cody asked me to
5 run down, talk to Ryan and make sure we were good to give them
6 that light. I went back down there at that point to Ryan's desk
7 and said, hey, you know, remember that east end was shut down.
8 They can't go in the east end.

9 He -- I think maybe that's where the phrase came from. He
10 said, oh, no, that they've got permission in. As to say -- not
11 like 'oh no' like 'oh no' but -- I don't want to say dismissive
12 but like (indiscernible) I guess. Because I came down kind of
13 alarmed. Hey, they can't have that light. He said, oh, no,
14 they've got permission.

15 Q. Excellent explanation. But is it fair to say Cody had a
16 scratch he wanted itched because he was seeing the light and he
17 gave it to you and he wanted you to go double check with your
18 relief dispatcher? And you did have that conversation.

19 A. Yes. Yes.

20 Q. And I want to be clear about this. Whatever the relief
21 dispatcher -- when he made this statement, you had been away. You
22 had already completed your transfer. You had been away from him.

23 A. Yes.

24 Q. Did you think, well, maybe he has reached out to somebody?
25 Maybe he has resolved this problem. Maybe it is okay to take the

1 light to move from main track one east of Rosedale, shove in on
2 the yard lead. I don't want to put words in your mouth but what
3 were your thoughts?

4 A. My thoughts were I want to double check and verify with Ryan.
5 Ryan is a very good dispatcher. He's trained me before. He does
6 not do things like that without speaking with somebody. I can't
7 speak on who he spoke to. That I was never -- that was never
8 conversed about. But I wanted to make sure that we were on the
9 same page. Maybe there was a disconnect there in our turnover.

10 So -- and then, Cody also said, hey, go down there and just
11 make sure. So at that point, I went down there. I spoke with
12 Ryan and he -- that's when he said, oh, no, they have permission.

13 Q. I know I ask a lot of questions but you have to understand,
14 Matt, you and I have come to a greater understanding of all things
15 that were related to your activity. You get that. Right?

16 A. Yes, sir.

17 MR. HIPSKIND: Ryan, my apologies but you know me. There's
18 just some stuff I had to find out. So I will pass it over to you.
19 And Tiffany, when Ryan is done, can you and I talk for a couple of
20 minutes?

21 MS. RUSSELL: Yes.

22 MR. FRIGO: Dick, thank you.

23 BY MR. FRIGO:

24 Q. And Matt, you know, I think it kind of really brought it out
25 there that we're here to hear your story and you're helping to

1 fill in pieces for the investigative team. And so thank you for
2 that. I'm going to -- I just want to ask a few clarifying that I
3 have some notes here and then I want to ask you another series of
4 questions just work (indiscernible) related and stuff like that.

5 But you mention that you got in touch with Corliss but it
6 wasn't clear to me because I think you said you looked at the --
7 had to look at the phone book. There wasn't a phone number. Then
8 you called Joe. So how did you get in touch with Corliss?

9 A. I believe at that point -- so I -- let me recount this here
10 in my head because I tried to get him on the radio originally.
11 That did not work. I went to the phone book. I looked up -- you
12 know, put his name in. It didn't come up with a phone number so I
13 knew Joe Hyde also had tracking time out there. I called Joe on
14 the radio. I don't think he -- I know I spoke to Joe on the
15 phone. And was just trying to get an idea and he -- I believe his
16 number was two hours.

17 And then, if I recall correctly, Mr. Corliss called me on the
18 phone. Something to the effect of, hey, were you trying to get a
19 hold of me. I don't know how he -- if he heard the radio; he just
20 didn't get it. Or one of the guys he was working with said, hey,
21 dispatcher is trying to get a hold of you. I don't know how that
22 went down but he did call me then at that point. Then I said I've
23 already talked to Joe. He said it's going to be probably another
24 two hours. He said, yeah, an hour-and-a-half, something like
25 that.

1 Q. Thank you for that. The -- so this is another thing that's
2 not really clear to me. Because you made the statement that you
3 don't have the authority on uncontrolled yard tracks.

4 A. Right.

5 Q. But at the same time, you have the authority to wind them up
6 for the yard lead and to give them the signal into the yard lead.

7 A. Correct.

8 Q. So who controlled the yard lead (indiscernible)?

9 A. The MYO. So I would give them a light at either end.
10 Doesn't matter. Any entrance into the yard. I give them that
11 light to exit main track and go into the yard. Once they get the
12 light, they -- as far as I understand, they still have to call and
13 get permission from whoever the MYO is.

14 Q. Okay. So then with that understanding, if someone was to
15 need that yard lead out of service or inaccessible, they would
16 have to communicate that to the MYO.

17 A. Correct.

18 Q. Then the tracking time, with the mobile system that gets
19 used, where instead of calling the dispatcher from the field, and
20 employing charge, can use a laptop to request from the dispatcher
21 through a mobile unit.

22 A. Correct.

23 Q. When that is granted, is the dispatcher's initials tied to
24 that granting --

25 A. Yes.

- 1 Q. -- the tracking time?
- 2 A. Yes.
- 3 Q. Within the mobile client.
- 4 A. Yes.
- 5 Q. Okay. So there's a record of that.
- 6 A. Correct.
- 7 Q. Thank you. I think that covers just some of the
8 clarifications that I was looking for. So you were on duty 1400
9 to 22.
- 10 A. Correct.
- 11 Q. And what about the day before?
- 12 A. The same.
- 13 Q. And the day before that?
- 14 A. I think it was -- I was off that day. Correct.
- 15 Q. So you were off the day before that.
- 16 A. Yeah.
- 17 Q. This occurred Sunday night.
- 18 A. Yeah. So I would have been on 494 (ph.).
- 19 Q. Monday night. Right? Monday night.
- 20 A. Oh, yeah, Monday night. I'm sorry. I normally work 494
21 Saturday and Sunday (indiscernible). So Monday night I was -- I
22 worked 494. So I would have had 494 on Sunday. 1400 to 2200 and
23 Saturday 1400 to 2200.
- 24 Q. And then, what about the Friday night.
- 25 A. Friday I was off.

1 Q. You were off Friday. And what is your -- what does it look
2 like -- you go right to sleep when you get home?

3 A. Most of the time, yeah. I might sit and watch TV for a
4 little bit. Say hi to the animals. I mean, my kids are already
5 in bed. Usually my wife is in bed. I mean, normally I'll sit and
6 watch a little bit of TV. Sportscenter. And then go to bed.
7 Yeah.

8 Q. How long does it take you to get home from here?

9 A. Approximately 25 minutes.

10 Q. So around 11:30 maybe we're going to sleep at night.

11 A. 11:30 to midnight. Something like that. Yeah.

12 Q. Then when are you waking up in the morning usually?

13 A. Oh, I usually try to get up 7, 7:30. No later than 8:00
14 because my kids leave for school at 8 so that I see them off
15 before that.

16 Q. Then would you say that you get good sleep?

17 A. Yeah.

18 Q. Any medical conditions or anything?

19 A. No, sir.

20 Q. Were you drug tested after the accident? Were you called?
21 Because I know you said you left and you weren't (indiscernible).

22 A. Yeah. No, I have not been drug tested.

23 Q. And then, do you remember -- so when you show up to -- for a
24 shift that begins at 1400, what time do you usually show up at?

25 A. I try to get in the parking lot 15 minutes before that. I

1 like to be at the desk -- my goal is always 10 minutes before the
2 top of the hour.

3 Q. And do you check in with anybody when you get here?

4 A. No.

5 Q. Do you interact with anyone right away?

6 A. The person I'm relieving. I mean, sometimes it's -- you
7 know, if a coworker or something like that is there that I haven't
8 seen in a bit, you know, they're on extra board or they've been on
9 -- I might stop and talk to them for a minute.

10 Q. Are you required to check in with the corridor manager or
11 anything like that?

12 A. No, no.

13 Q. And then what about training? Can you tell me a little bit
14 about the training that you've gone through to be a dispatcher?
15 Both your initial and then annual --

16 A. Yeah.

17 Q. -- recertification?

18 A. The -- so the initial was three months of classroom training.
19 And then you had to pass -- I think it was four or five tests.
20 Then once you pass all those, you come over here and there's three
21 months of on-the-job training. I trained down at desk
22 (indiscernible) maybe two was my first one. And then, you've got
23 your markup lead at the end of that where you have to work at --
24 your trainer is there but can't help you. It's all you. Then
25 after that five -- those five days as long as everything goes

1 correctly, you're a qualified dispatcher at that point.

2 As far as training on like your (indiscernible) desks you
3 usually get 10 days to sit with somebody. It's up to you what you
4 do with those 10 days. You can sit and watch, ask questions, take
5 notes. You can get a chair, work the desk yourself and ask
6 questions as you're doing that.

7 Q. What about annual recertification or --

8 A. Annual, we have our rules test (indiscernible) class where we
9 go over rules violations that happened in the last year and have
10 conversations about those as far as getting in your rules that
11 we've seen an uptick in. Rules violations or questions on them or
12 mistakes that happened (indiscernible).

13 MR. FRIGO: Okay, Matt. I don't have any more questions.
14 Thank you.

15 MR. WILLARD: Yes, sir.

16 MR. HIPSKIND: Tiffany, this is Dick Hipskind again. Wanted
17 to give you an opportunity. Are there any clarifications or
18 anything on your mind?

19 MS. RUSSELL: Dick, really the only clarification I had is on
20 one question that you had in terms of conversations with
21 maintenance away and those being mandatory directives. I just
22 wanted to clarify if that was asking about the conversations in
23 general that they're having or actually issuing the tracking time
24 to them.

25 MR. HIPSKIND: It is the latter.

1 MS. RUSSELL: (Indiscernible).

2 MR. HIPSKIND: Yeah. The --

3 MS. RUSSELL: Okay, perfect.

4 MR. HIPSKIND: Just general conversation back and forth about
5 whether tracks are in service. That is not mandatory directive.
6 But if I'm requesting tracking time and he's giving me tracking
7 time and I'm doing the handshake communication and time stamping
8 it, I consider those elements of a mandatory directive. But only
9 applies to just the tracking time conversations.

10 MS. RUSSELL: Perfect. Thank you. That was all.

11 MR. HIPSKIND: Thank you, Tiffany. Back to you, Mike.

12 MR. BACHMEIER: I have no more questions. So I'm going to
13 pass it off to Cameron.

14 BY MR. SAUNDERS:

15 Q. Matt, I have a clarifying question. You'll have to forgive
16 me. I did hire out of UP. I've been there 28 years but I grew up
17 and worked in (indiscernible) territory so tracking time goes over
18 my head. If you give me tracking time between point A and point B
19 and it's going to have an okay until, let's say, 5:00, does it
20 expire at 5:00 or does it -- it keeps going until I release it.
21 Right?

22 A. Correct.

23 Q. And they could go on --

24 A. Yeah. I have to leave the tracking time out there. I can't
25 just -- you know, oh, it's 5:00, I'm taking it down.

1 Q. Right. And --

2 A. That stays up until the maintenance away workers release that
3 tracking time.

4 Q. And it's not -- at two hours. It's not at three hours. It
5 is until they release it. You give it to them --

6 A. Correct.

7 Q. -- until 7 hoping they're going to be gone by 7 but they may
8 not be. Correct?

9 A. That is correct.

10 MR. SAUNDERS: That's all I have. I appreciate your time and
11 the information you gave.

12 MR. MAYNARD: Mr. Maynard. BLET safety task force. I've got
13 no other questions. Thank you, Matt.

14 UNIDENTIFIED SPEAKER: I have no other questions.

15 MR. MARTINEZ: Chris Martinez. No other questions.

16 MR. JENKINS: Matt, Jason Jenkins. Union Pacific. And I'd
17 like to clear up just one thing. Earlier, Mr. Hipskind talked
18 about an automatic derail at the control point or somewhere around
19 the control point at Rosedale, 820. Can you explain to me in your
20 terms what an automatic derail is?

21 MR. WILLARD: (Indiscernible) as far as I'm aware, an
22 automatic derail would be like something -- if I give a light in
23 there, into that (indiscernible) yard, that automatic derail
24 automatically lines with the switch to allow that movement in.

25 BY MR. JENKINS:

1 Q. In this particular case and at Rosedale and Dick's question
2 earlier, automatic derail would not be a derail device that flops
3 up over on top of the rail. But in this case, you're talking
4 about a switch that either lines for a straight track or lines the
5 other way and goes to no man's land and derails somebody. And are
6 you --

7 A. Right.

8 Q. And are you 100 percent sure that at Rosedale at 820, there
9 is a switch that does that?

10 A. Not 100 percent. I would have to look at CAD to be able to
11 -- you know, 100 percent be able to say yes.

12 MR. JENKINS: Thank you. Appreciate it.

13 BY MR. HIPSKIND:

14 Q. Dick Hipskind. IIC NTSB. Well, let's just talk this out
15 just a little bit. I've got a track and engineering background.
16 So I do know and I was not articulate in -- let's get this solved.
17 When we talk about automatic derail, there are two types. There
18 is a switch point derail where if the wheels of the rolling stock
19 came down, there would be a discontinuity in the rail and they
20 would hit the ground. So do you believe it is that type or are we
21 talking about some device that comes up and like a regular derail
22 sits on top of the rail? Do you know which --

23 A. The first.

24 Q. Switch point derail. It opens up and if I -- if I send cars
25 down there and that switch point derail is open, they're going on

1 the ground right there at that switch point derail. Correct? But
2 the point is --

3 A. Correct.

4 Q. The point is that probably wouldn't happen because you said
5 that it's associated with, hey, when that switch is line to come
6 from main track one down into the yard lead, that switch point
7 derail closes so that they don't derail. Correct? My other
8 point --

9 A. To the best of my knowledge, yes. That's correct.

10 Q. My other point is on your board, do you get a separate
11 indication for the position of the switch point derail?

12 A. It's all -- how would I -- it would all be associated with
13 that switch. So say you give a light in there and the train takes
14 it, they clear up in the yard. I go over and that switch is
15 (indiscernible) still for their move and then I'll go over and
16 click on it to line up reverse. Because that's kind of one of our
17 rules as dispatchers. Is you keep those things lined so if there
18 was a roll out in the yard, that those cars don't reach the main
19 track.

20 Q. Do you think it would be beneficial if we talk to the other
21 dispatcher? Do you think he could fill in more about what --
22 after you left the transfer and you were up there talking to Cody
23 and you came back? Our intention is to talk to him. Do you think
24 that would be beneficial?

25 A. Yes.

1 MR. HIPSKIND: Believe it or not, that's all I have. I
2 emptied my cup on my first round. I know you're smiling. But I
3 just want to -- I want to thank you for coming in just like
4 everybody else. And you understand, you were there. We were not.
5 There's just some things that we kind of needed to nail down.

6 And I do appreciate you letting us know about Joe.
7 Heretofore, we did not understand that there was a Joe in the
8 equation. I'm not saying he's pivotal or anything. And the other
9 thing is, I think it's -- I think it was very beneficial for us to
10 have our discussion about the Teams thing and the texting and the
11 potential of a record there. So thank you for letting us know
12 about that. But Mike, I'm good.

13 MR. WILLARD: Yes, sir.

14 MR. HIPSKIND: And thanks, Matt. Thanks, Tiffany, for your
15 help, as well.

16 MS. RUSSELL: Thank you.

17 MR. BACHMEIER: Ryan?

18 MR. FRIGO: (Indiscernible).

19 MR. BACHMEIER: Okay. Matt, do you have anything you'd like
20 to add?

21 MR. WILLARD: I don't believe so. I think we've covered
22 everything.

23 MR. BACHMEIER: If we have any follow-up questions, would you
24 mind if we contacted you?

25 MR. WILLARD: That would be fine. Yes, sir.

1 MR. BACHMEIER: On behalf of the NTSB and our team here,
2 thank you for your time and cooperation.

3 MR. WILLARD: (Indiscernible).

4 MR. BACHMEIER: That ends it.

5 UNIDENTIFIED SPEAKER: Thanks.

6 UNIDENTIFIED SPEAKER: Thanks, Matt.

7 UNIDENTIFIED SPEAKER: Thank you, Matt.

8 MR. WILLARD: Thank you.

9 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

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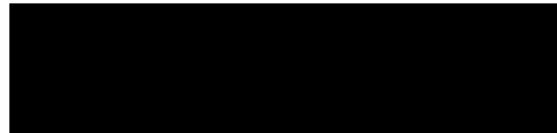
IN THE MATTER OF: UNION PACIFIC EMPLOYEE FATALITY
 IN EL PASO, TEXAS ON
 AUGUST 29, 2022
 Interview of Matt Willard

ACCIDENT NO.: RRD22FR013

PLACE: Via Microsoft Teams

DATE: September 1, 2022

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Katie Leach
Transcriber