

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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WATCO EMPLOYEE FATALITY *

IN HOUSTON, TEXAS, *

Accident No.: RRD22LR002

ON OCTOBER 29, 2021 *

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Interview of: CHRISTOPHER NEWTON, Conductor
WATCO Companies LLC

Houston, Texas

Sunday,
October 31, 2021

APPEARANCES:

ZACH ZAGATA, Investigator in Charge
National Transportation Safety Board

ANNE GARCIA, Human Performance and Systems Safety Chair
National Transportation Safety Board

CURTIS DOUGHERTY, Operating Practices Inspector
Federal Railroad Administration

DAMIEN CANTRELL, Assistant Vice President of Operations
WATCO Companies LLC

BRENT SHIELDS, Assistant Vice President of Safety
WATCO Companies LLC

KEN TRIBUCH
(On behalf of Christopher Newton)

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I N T E R V I E W

1
2 MR. ZAGATA: Good afternoon. My name is Zach Zagata and I am
3 the NTSB IIC for this accident. We are conducting an interview on
4 October 31st, 2021 with Christopher Newton, who works for WATCO.

5 This interview is in conjunction with NTSB's investigation of
6 the accident near Houston, Texas. The NTSB accident reference
7 number is RRD22LR002. The purpose of this investigation is to
8 increase safety, and not to assign fault, blame, or liability.

9 Before we begin our interview and questions, let's go around
10 and introduce ourselves. Please spell your last name and your
11 title. I'll start off and pass to my right.

12 Again, my name is Zach, Z-A-C-H, Zagata, Z-A-G-A-T-A, and I
13 am the NTSB Investigator in Charge for this accident.

14 MR. TRIBUCH: Ken Tribuch, T-R-I-B-U-C-H, for the witness.

15 MR. NEWTON: Christopher Newton, conductor. N-E-W-T-O-N.

16 MS. GARCIA: Anne Garcia, G-A-R-C-I-A, psychologist, Human
17 Performance Systems Safety Chair for this investigation for the
18 NTSB.

19 MR. DOUGHERTY: Curtis Dougherty, D-O-U-G-H-E-R-T-Y,
20 Operating Practices Inspector for the FRA.

21 MR. CANTRELL: Damien Cantrell, C-A-N-T-R-E-L-L, the
22 Assistant Vice President of Bridgeport Rail.

23 MR. SHIELDS: Brent Shields, S-H-I-E-L-D-S, Vice President of
24 Safety, WATCO.

25 MR. ZAGATA: Okay, thank you.

1 Do we have your permission to record our discussion with you
2 today?

3 MR. NEWTON: Yes, sir.

4 MR. ZAGATA: Thank you. Do you understand that the
5 transcript is to be part of the public docket, and as such, we
6 cannot guarantee any confidentiality?

7 MR. NEWTON: Yes, sir.

8 MR. ZAGATA: Thank you. All right.

9 INTERVIEW OF CHRISTOPHER NEWTON

10 BY MR. ZAGATA:

11 Q. To start off, if you could just kind of give us an overview
12 of your railroad career?

13 A. I've been in railroads about 32 years. A lot of years with
14 SGS Petroleum Service, some years with (indiscernible) Route, some
15 years with Savage, some years at LPC (ph.), some years with Stoke
16 (ph.). I was in operations at Stoke. And then, now I'm at WATCO
17 for about -- over seven months, right at eight months.

18 Q. Okay. I appreciate it. Now if you could just kind of give
19 us an overview of your day on the day of the accident?

20 A. Okay. I'm trying to see where to start -- pausing. We were
21 spotting some cars -- we had just come off of lunch and that was
22 our last move, so we were getting ready to go push some cars back
23 into a track.

24 We were going towards track 905. That's all the way on the
25 northwest side of WATCO. We was going up -- before we made the

1 move, we were discussing me and Matt (indiscernible) I took him to
2 the point of the car where he was supposed to be waiting.

3 Well, he got up on there before we could start the shove. He
4 knew his job -- he knew he was supposed to take (indiscernible)
5 and I'm going to get these cars over to 905 -- track 905 -- which
6 is on the northwest side.

7 I told him -- I said, do you want to see who can get to that
8 side and make this joint. And me -- I was around the side. I was
9 going to make the cut. Once he made the joint, I was going to
10 make the cut because I was in control of the move.

11 So it was him that was in from where he was by U.P. Lee all
12 the way over to 905, which is about 30, 40 cars. So up in there.

13 So I had already made my way to the cut, and he was
14 cutting -- he was cutting to the joint. That distance -- there
15 were some times you -- if you're too far away, you don't get it on
16 the radio communication until they get closer to you.

17 But his plan was was to get from U.P. Lee to track 905 to
18 make the joint. And that's the last time I've seen him alive,
19 because I had tried (indiscernible), started to shove, he's on the
20 point of calls and he's making a move.

21 Q. I appreciate it. Were you driving a car or a Gator?

22 A. I was in one of the buckets. One of the -- I forget what you
23 call it. One of the four buckets. So I had already drove around
24 to Mike, where I was going to make my cut, and I was almost there.

25 He was struggling as he was making his move. I was making my

1 move to get to the cut. So I already beat him once he made the
2 joint.

3 Q. Understood. So did you go by that crossing on your way over?

4 A. Yeah, from the road side. You pretty much go out to get to
5 it. I was on the road side because I came from the front office
6 down that road, all the way around. So I was on the road side.

7 For me to get to that crossing, I would of had to unlock
8 another gate to get to it. So I was on the road side, which
9 pretty much (indiscernible) I passed by, which I had passed by
10 prior, about seven minutes before he did. And like I said, I was
11 on the road side, came through there, kept going, and made my way
12 to the cut.

13 Q. So do you know, was that gate -- was it unlocked?

14 A. Well, that gate was open because we had pulled some cars
15 through there before lunch. We drove cars through there, so that
16 gate was open already.

17 Q. You guys left it open after?

18 A. It was already open when we got to it. It was open that
19 whole day. I guess because it was open when the night shift --
20 when we came in, it was open. I don't know what time it got
21 opened, but when we came in at 6:00, it was already open for us.

22 Q. Okay. Have you had any close calls at that crossing?

23 A. Not me, no.

24 Q. Have you ever heard of anybody having any close calls there?

25 A. Not to my knowledge, no.

1 Q. Or have you ever heard about concerns about the drivers, or
2 anything, moving around there?

3 A. Well, we know trucks come in there, but never had a problem
4 with it, to be honest with you.

5 Q. And you said you guys had a job briefing before you started
6 that?

7 A. Yeah. We were just coming off lunch. It was about around
8 close to 2:00, 1 something, 2:00. (Indiscernible) closer to 2:00
9 somewhat. (Indiscernible), we were all sitting there talking
10 about it, and everybody started getting ready to go back out in
11 the field, so it was close to 2:00, somewhat. Can't pinpoint
12 exactly what time, but it was around 2.

13 Q. Is that your regular assignment, this job or --

14 A. Hm?

15 Q. Is this your regular assignment?

16 A. Yes.

17 MR. ZAGATA: -- or are you -- okay. That's all I've got for
18 now.

19 I'll pass it over to Brent.

20 MR. SHIELDS: No questions from me, sir.

21 MR. CANTRELL: Cantrell.

22 BY MR. CANTRELL:

23 Q. When you mentioned you were on the road side, you're not
24 meaning the federal road side, you were referring to inside --

25 A. No, inside. You leave the office, and you come from the

1 inside, passing by the (indiscernible). It's the road side -- not
2 outside, but on the inside.

3 MR. CANTRELL: Thank you. Nothing else.

4 MR. DOUGHERTY: I have no questions.

5 MS. GARCIA: Ann Garcia. I have a few questions, and some of
6 them are just standard questions that we ask everybody.

7 BY MS. GARCIA:

8 Q. So could you tell me what your work schedule is?

9 A. We come here through six to six -- 6:00 p.m. through 6:00
10 a.m.

11 Q. And which days?

12 A. That's Wednesday through Saturday.

13 Q. And this particular crew that you were on, with the engineer
14 and the conductor, have you worked with them before?

15 A. That was my first day working with them.

16 Q. Okay. Have you seen them around? Did you know them at all?

17 A. Yes. I knew Garrett (ph.) was working -- he worked a
18 different job, (indiscernible) everything. And Matt was like, in
19 training. I seen him around; he was on nights (indiscernible) on
20 days and on opposite shifts, so that was my -- that was our first
21 time meeting because it was my crew that they put together for me
22 and (indiscernible).

23 So it was my first time. I wasn't here Wednesday, but I was
24 here Thursday. So Thursday was our first night all together, for
25 the first time.

1 Q. So you knew them well enough you would've recognized if
2 something was off with them if they seemed very stressed out or
3 sick?

4 A. Yes. It's just -- you know, Matt just -- really loved
5 railroading. He was very into it, brought me back a lot because
6 he's my child's age. So I warmed up pretty -- I warmed up to him
7 pretty quick. I've had (indiscernible).

8 Q. Good. And so on this particular day, he seemed to be normal?

9 A. He seemed pretty cool. I liked him.

10 Q. Okay. Thank you. So could you tell us just basically what
11 are your responsibilities? You have the same job regardless of
12 what day it is, or which work order?

13 A. It all depends on what side of the park that we're assigned
14 to.

15 Q. Okay.

16 A. We've got the north side; we've got the bottom of the east,
17 the top of the east, northwest side, west side. It all depends on
18 where we're assigned. But we know our sides.

19 Q. Okay. So what are your duties and responsibilities for your
20 position?

21 A. To make sure things get done safe. They -- pretty much --
22 the guy that just left outta here, Drew, he's on me. So I come
23 in, and he gives me the list on what I need to get done because
24 it's up to me to get it done safe. Matt was my friend. I was the
25 one that managed him.

1 Q. So you were a senior position?

2 A. Yes, ma'am.

3 Q. Thank you. And we already discussed that the gates were
4 open, but you don't know who opened the gates?

5 A. I couldn't tell you because they were already open when we
6 got there.

7 Q. Have you ever been the one to open the gates?

8 A. Not that gate.

9 Q. Okay. Have you ever been the one to close that gate?

10 A. Not that gate.

11 MS. GARCIA: Okay. Thank you. That's it.

12 Now do you want to go ahead?

13 MR. DOUGHERTY: Dougherty.

14 BY MR. DOUGHERTY:

15 Q. How often do you operate on that rail? Is it a once-a-week
16 thing?

17 A. It all depends because we only working three to four nights
18 out of the week. So all I can tell you is how many times we do
19 it. The (indiscernible) over some time, the night shift comes in
20 because day crew didn't went and make the move to start
21 (indiscernible) cars. We've just got to piggyback off of what
22 they left.

23 So sometimes there's already cars there, and we just put the
24 train together for it to come out. So for us on night -- well,
25 for me, since I've been on nights probably about at least once or

1 twice, every other week, (indiscernible) there's a train being
2 built, or there's room to be made and just take it around the
3 office.

4 So about once or twice for us on nights so I really couldn't
5 tell you on days I (indiscernible).

6 MR. DOUGHERTY: Thank you.

7 MR. ZAGATA: Zagata, NTSB.

8 BY MR. ZAGATA:

9 Q. So your plan was to shove down a couple into those cars and
10 then cut away from them? Is that correct?

11 A. So we were shoving back in, we was going to (indiscernible)
12 up to some cars, and we were just cutting out our outbounds.

13 Q. Okay.

14 A. We had two more outbound cars to get off the 905.

15 MR. ZAGATA: Okay. I appreciate it.

16 Anybody else have any additional questions?

17 MS. GARCIA: I do.

18 BY MS. GARCIA:

19 Q. If we could just -- this is standard. We talked about what
20 your work schedule is. If you could just fill us in on your
21 workdays -- what your schedule for going to bed, waking up, you
22 have a meal at home?

23 A. I've got a crazy schedule, you know. It all depends on
24 what's going on with me. My fiancé, she works for
25 (indiscernible), so when I walk in, she's pretty much getting

1 ready to walk out.

2 So anything (indiscernible), I just get home and take a
3 shower. I love boxing -- watch boxing. Then it's time to go to
4 bed, go to sleep. Sleep about seven hours, eight hours. Get up,
5 come back up here. That's all I do.

6 Q. What time do you go to sleep?

7 A. It all depends on when we leave outta here, 6:00 in the
8 morning, whatever -- I'm ready to go asleep right about 8-
9 something o'clock. I don't stay up too late. And I sleep until I
10 can't sleep no more.

11 Q. So about what time do you wake up, then?

12 A. It depends. It might be -- my fiancé comes in on break. She
13 comes waking me up. I will roll over by around 1, 2:00 and go
14 grab some snack or liquid, and I go back to sleep.

15 And it all depends -- when I get home, when I go to sleep,
16 when I wake up. I pretty much sleep all the way through 8-
17 something -- 8, 9:00 -- all the way until 3-something, 4:00;
18 pretty much the time to get up and come here.

19 Q. Okay.

20 A. I'm well rested when I get here.

21 Q. How long is your commute to get to work? To come in?

22 A. About 28 minutes, 30 minutes.

23 Q. And what about to go home?

24 A. Right about 20, 22 minutes, because there's more traffic, so
25 I'm cutting from (indiscernible), that's more traffic coming in.

1 Going home, I pretty much beat the traffic. So it's 10
2 minutes faster going home.

3 Q. And do you usually have a meal before you go to work?

4 A. A couple of meals. Yeah, I love to eat.

5 MS. GARCIA: That's helpful. I appreciate it. And listen, I
6 just want to say how sorry I am for your loss.

7 MR. NEWTON: I appreciate it.

8 MS. GARCIA: I know that it's a very difficult time for you.

9 MR. NEWTON: Yes, it is.

10 MS. GARCIA: I really appreciate your coming in to talk to
11 us.

12 MR. NEWTON: No problem.

13 MS. GARCIA: Because this isn't a very long conversation, but
14 you've given us information that we can't get through anybody
15 else. So thank you.

16 MR. ZAGATA: I appreciate it. Anybody else have any
17 additional questions? Okay.

18 Anything you'd like to add? Any questions for us?

19 MR. NEWTON: I'm good.

20 MS. GARCIA: I do have one more question that we ask
21 sometimes at the end of the interview.

22 BY MS. GARCIA:

23 Q. Because you have a lot of experience and you've been with
24 WATCO for a long enough time that you understand how things happen
25 here, and you've seen the road traffic and trucks coming and

1 going, do you have any suggestions or things that can be done
2 differently in the future to maybe avoid this type of accident
3 again?

4 A. If there could be something (indiscernible) with them trucks.
5 It's just hard because I don't know how they do their things, but
6 just to have something to where they would have to stop, like a
7 crossover when they turn in -- to where they have to stop whenever
8 we come or we're around, something where they'd have to stop. A
9 stop sign, something to where they have to stop.

10 But like I said, I don't know how they do their business, but
11 it'd be something good to have to where they would have to stop
12 just as much as we do.

13 MS. GARCIA: Okay. Thank you. If you do think of anything
14 else, you can contact us.

15 MR. CANTRELL: Cantrell. Chris, you mentioned earlier in
16 your interactions with Matthew, Ms. Garcia asked if you had seen
17 Matthew, and you said, yeah, but he was in training.

18 MR. NEWTON: Um-hmm.

19 MR. CANTRELL: Just to clarify, the night that he was
20 operating, he was not in training.

21 MR. NEWTON: No, he was not in training.

22 MR. CANTRELL: Because he was certified.

23 MR. NEWTON: I just seen him (indiscernible) working on other
24 crews, kind of just checking myself -- hey, these are the guys
25 that's coming in. No, he was released, good to go, when he got to

1 me.

2 MR. CANTRELL: Thank you, sir.

3 MR. ZAGATA: Any other additional questions?

4 MR. CANTRELL: No, I'm good.

5 MR. ZAGATA: Okay. I appreciate it. And with that, we'll

6 conclude the interview. Thank you.

7 (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: WATCO EMPLOYEE FATALITY
 IN HOUSTON, TEXAS
 ON OCTOBER 29, 2021
 Interview of Christopher Newton

ACCIDENT NO.: RRD22LR002

PLACE: Houston, Texas

DATE: October 31, 2021

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



Tahura Turabi
Transcriber