

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

CSX EMPLOYEE FATALITY AT THE SEAGIRT \*

MARINE TERMINAL IN BALTIMORE, \*

MARYLAND ON JUNE 26, 2023 \*

Accident No.: RRD23FR012

\* \* \* \* \*

Interview of: NATHAN GIRARD, Bayview Yardmaster  
CSX Transportation

Baltimore, MD

Thursday,  
June 29, 2023

APPEARANCES:

RICHARD SKOLNEKOVICH, Accident Investigator  
National Transportation Safety Board

ZACH ZAGATA, observer  
National Transportation Safety Board

JARED CAVE, Operating Practices Inspector  
Federal Railroad Administration

JORDAN GIBSON, observer  
Federal Railroad Administration

JOSHUA QUILLEN, observer  
Federal Railroad Administration

MATTHEW MEADOWS, Senior Director, Operating Practices  
CSX Transportation

ROBERT EDWARDS, Director, Safety and Operating Practices  
CSX Transportation

JOE GALLIGHER, observer  
Senior Road Foreman, Maintenance  
CSX Transportation

SHAWN LAWTON, Investigator  
BLET Safety Task Force

W. SCOTT BROWN, observer  
BLET Safety Task Force

JARED CASSITY, Alternate National Legislative  
Director/Chief of Safety  
SMART Transportation Division

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I N T E R V I E W

(7:57 a.m.)

1 MR. SKOLNEKOVICH: Okay, good morning, my name is Richard  
2 Skolnekovich and I'm the NTSB operations group chairman for this  
3 accident. We're conducting an interview today on June 29th, 2023  
4 with Nathan Girard, who works for CSX. This interview is in  
5 conjunction with NTSB's investigation of the accident that  
6 occurred on 26 June 2023 at the Seagrit (sic) intermodal facility.  
7 The NTSB accident reference number is RRD23FR012. Purpose of this  
8 investigation is to increase safety, not to assign fault, blame or  
9 liability.  
10

11  
12 Before we begin our interview and questions, we'll go around  
13 the room and introduce yourselves. Please spell out your last  
14 name and title. I'll start off and then I'll pass it to my left.

15 Again, my name is Richard Skolnekovich, that's spelled  
16 S-k-o-l-n-e-k-o-v-i-c-h, and I'm the NTSB accident investigator in  
17 charge of this accident.

18 MR. LAWTON: Shawn Lawton, L-a-w-t-o-n, BLET Safety Task  
19 Force investigator.

20 MR. MEADOWS: Matthew Meadows, M-e-a-d-o-w-s, Senior  
21 Director, Operating Practices, CSX Transportation.

22 MR. EDWARDS: Robert Edwards, E-d-w-a-r-d-s, CSX Director of  
23 Safety and Operating Practices. I'll be observing.

24 MR. GIBSON: Jordan Gibson, G-i-b-s-o-n, FRA observer.

25 MR. ZAGATA: Zach Zagata, Z-a-g-a-t-a, NTSB, an observer.

1 MR. CASSITY: Jared Cassity, C-a-s-s-i-t-y, with SMART  
2 Transportation Division.

3 MR. CAVE: Jared Cave, C-a-v-e, Federal Railroad  
4 Administration, Operating Practices Inspector.

5 MR. QUILLEN: Joshua Quillen, Q-u-i-l-l-e-n, FRA observer.

6 MR. BROWN: W. Scott Brown, B-r-o-w-n, BLET Safety Task  
7 Force, observer.

8 MR. GALLIGHER: Joe Galligher, G-a-l-l-i-g-h-e-r, Senior Road  
9 Foreman, Maintenance, CSX Transportation, observer.

10 MR. SKOLNEKOVICH: Okay, thank you.

11 All right, you understand today that you're being recorded?  
12 Do we have your permission to record this?

13 MR. GIRARD: Yes.

14 MR. SKOLNEKOVICH: Okay. We'll be using this to make a  
15 public transcript which will go on a public docket. Because of  
16 that, we can't guarantee any confidentiality within this  
17 interview. However, we do appreciate you coming here and we're  
18 definitely sorry for the events that you're involved with, but  
19 anything you can provide to help us prevent this from happening in  
20 the future will be greatly appreciated.

21 MR. GIRARD: I'll do that.

22 MR. SKOLNEKOVICH: All right. Do you have any questions  
23 before we begin?

24 MR. GIRARD: No.

25 INTERVIEW OF NATHAN GIRARD

1 BY MR. SKOLNEKOVICH:

2 Q. Okay. Can you go ahead and state your full name?

3 A. Nathan Girard.

4 Q. Okay. And can you spell your last name?

5 A. G-i-r-a-r-d.

6 Q. Okay. And you work for CSX as a yardmaster?

7 A. Correct.

8 Q. Okay. How long have you been working for CSX?

9 A. Nine years total, 6 years as a yardmaster.

10 Q. Okay. What did you do for the 3 years prior?

11 A. I was a conductor.

12 Q. You were a conductor. Did you work in this yard?

13 A. Yes, here in Baltimore.

14 Q. Okay. Did you work that terminal, Seagrit terminal?

15 A. Yeah, down at Seagirt, yes.

16 Q. Okay. So you got 3 years, basically 9 years working that  
17 terminal area?

18 A. Right.

19 Q. Okay. Just to start off, can you kind of give me just the  
20 actions of that day, just the overall yard moves that you were  
21 working?

22 A. Okay. Crew comes on duty 1600, I got their work from the  
23 Seagirt ramp terminal manager at approximately 4:15-ish. I sent  
24 it down to the crew, I briefed with them real quick, let them know  
25 that the outbound train that comes on duty out of there is on duty

1 at 1700, they head out to the power. The engineer gives me a  
2 shout, saying -- asking for the service truck to take a look at  
3 something, so call the service truck, get them down there, and I  
4 let them know, depending on what time they -- the service truck is  
5 done with them, I might have them just stay in the clear just so  
6 that way the originating train can do its thing so it can leave.

7 Service truck calls clear and I have some other crews  
8 operating in our yard right now that passes through, the Bayview  
9 yard, in order to exit to the main to leave for the day, so just  
10 because of what time they got done, I might just stay down there,  
11 stay in the clear, we'll get the 137 out first and then we'll let  
12 you guys do your thing.

13 So 137 does his thing, builds his train, he departs. The van  
14 then brings the conductor up to me. As they start pulling, the  
15 crew asked permission to begin, I'm like just keep an eye out for  
16 their rear, as they're -- as you're doing your long pulls and then  
17 they just started going to work.

18 Q. Okay, can you tell me what track were they -- so did they  
19 come in light --

20 A. The power stays down there at Seagirt.

21 Q. Okay, so the power stays there.

22 A. Yes.

23 Q. What was the power at when they --

24 A. It would've been on 5 track.

25 Q. Five track. And the equipment they were picking up was on --

1 A. They're a switcher down there, so they -- they'll move cars  
2 from -- I think their first move would've been, I think, moving  
3 cars from like 1 or 2 over to make room for the cars to go into 5,  
4 I think those cars went out over there and then the cars that they  
5 then moved into 5 track after that.

6 Q. Did they do that work?

7 A. They made some passes, I'm not sure exactly what they did.

8 Q. Okay.

9 A. It's not a -- for us, the cars down at Seagirt aren't showing  
10 in a system, they're -- the cars that originate on the train do,  
11 but everything from like moving the cars from 7 to 5 is all  
12 internal, all internally in their system and then they just  
13 release to us what we have.

14 Q. When they release it to you, do they tell you what tracks  
15 it's on or --

16 A. Yes.

17 Q. Okay.

18 A. Yeah, they send us a PDF that has the train build and the --  
19 what all the cars are.

20 Q. So does the crew need to go out and verify the locations of  
21 the cars?

22 A. The ramp managers go out and --

23 Q. Okay, the ramp managers.

24 A. -- they'll drive up and down and then walk the tracks that  
25 they can walk, that they can drive down.



1 Q. Will they do that with the crew or --

2 A. No, they do that in their own vehicle --

3 Q. Okay.

4 A. -- once -- either the first thing in the morning, throughout  
5 the course of the day, I'm not sure how they do it, I just know  
6 that that's how they verify their sequences.

7 Q. So at the sign-up the crew gets a switch list --

8 A. Correct.

9 Q. -- right? Do they need to verify where that equipment is at,  
10 visually or physically or --

11 A. I mean, they'll count numbers when they're going by checking  
12 everything.

13 Q. Okay.

14 A. Sometimes there are discrepancies, but --

15 Q. Okay.

16 A. -- primarily, they're generally pretty straight.

17 Q. So let me get this straight, so they sign up, they get in the  
18 van, right -- well, they do briefs, they get their switch lists  
19 and --

20 A. Um-hum.

21 Q. -- they sign and they go out into the yard. While they're  
22 going through the yard, probably in the van, is that when they're  
23 confirming where the equipment locations --

24 A. They'll confirm the sequences as the train's pulling back.

25 Q. Okay. Okay, as the train's --

1 A. Yeah.

2 Q. -- pulling by, okay. And then you had the outbound, what was  
3 it, 137 was --

4 A. Um-hum.

5 Q. -- going out at 5 o'clock, so about -- when you got done  
6 giving them the switch list, about what time do you think that  
7 was?

8 A. Probably around 16:20 or so.

9 Q. Sixteen twenty, okay. And then how much did they have to  
10 build, did they have to --

11 A. The train built for the 137 was just two tracks.

12 Q. Just two tracks?

13 A. Yes.

14 Q. Okay. About how much on each track, do you know?

15 A. I'd say probably roughly between 2 to 3,000 feet.

16 Q. Okay. Not per, but total?

17 A. It's a total of -- I think it was about five to six,  
18 somewhere in that range.

19 Q. Okay. Two to three and five to six. Okay. So when this  
20 incident happened, was that in between moves?

21 A. That was after the 137 was already gone.

22 Q. Okay, okay. So the equipment they were picking up, that was  
23 on 1 and 2 track?

24 A. It would've been 1 or -- I think -- if memory serves me, I  
25 think it was on 2.

1 Q. Two track, all right.

2 A. I don't remember exactly what the double was for the 137 that  
3 day.

4 Q. Okay. So they definitely had one on 2 track and then they  
5 needed to double over to something else?

6 A. Oh, for the 137? Or for the 231?

7 Q. No, I'm talking about --

8 A. I think they were switching out of 2 at that point.

9 Q. Okay, switching out at 2.

10 A. I'm not a hundred percent sure.

11 Q. Okay. So they would've -- so sign out, they would've gotten  
12 the switch list, got in the van, checked their equipment, they  
13 would've gone up to their power and the power was on 5 track and  
14 then from there, you think -- you know they definitely went over  
15 to 2 track.

16 A. Yes.

17 Q. Okay.

18 A. I think so.

19 Q. And then another track where they would've had equipment.

20 A. Yeah, 5 track had cars on it, too, that needed to be moved.

21 Q. Okay, so they had to go over to 2 and double back over to 5?

22 A. They were putting cars into 5.

23 Q. Okay.

24 A. Yeah.

25 Q. Okay, they were putting cars into 5. Okay. The inbound that

1 was coming in at 1700, how big was that train?

2 A. That train was about 5 to 6,000 feet, total.

3 Q. Five to six thousand.

4 A. When they left.

5 Q. Okay. So now they just needed to clear up, they weren't  
6 doing any work for that outbound train, they just --

7 A. No, they -- traditionally, what they do is they'll go pull  
8 the interchange on their way up to me ahead of that train because  
9 the train comes on duty 17, they come on duty 16, so they'll just  
10 go grab those cars, come up to me, and then they're just kind of  
11 out of the way while the outbound train does their thing.

12 Q. Okay. All right, when they sign up at 1600, do you have an  
13 office that they come to or --

14 A. They have -- there's a trailer down at the Seagirt facility.

15 Q. Okay. Now, are you there --

16 A. No.

17 Q. -- when they show up? Okay. So how are they getting their  
18 switch list and everything?

19 A. They call, I'll fax it down to them.

20 Q. Okay.

21 A. Or print it down to them, anyway.

22 Q. You fax the switch list.

23 A. Yeah.

24 Q. Are they required to call you at all?

25 A. We talk, yes.

1 Q. Okay. Did you talk to them that morning or that day, I mean?

2 A. Yes.

3 Q. Okay. Can you give me just a general idea what that  
4 conversation was?

5 A. Just hey, did you get your work, yeah. I think, because I  
6 had -- with what I had going on, I was like kind of laying out the  
7 rest of their day because we had Canton to do and also, we had a  
8 couple industries that needed to be done, too, that I may have  
9 been using them to help out with, so I just wanted to give them  
10 the heads up.

11 I'm like if I can get up in front of the 137, I'll do it, I  
12 just got to figure out planning, how to squeeze you in without  
13 just making them sit there for 4 hours while just collecting dust,  
14 essentially. And so I'm like I'll try to get you up, just when  
15 you're on the power, let me know when you guys are ready to go and  
16 I'll figure it out from there to see where I can sneak them to, to  
17 get them out of the way of everybody else.

18 Q. Okay. Were you talking to the conductor?

19 A. Yes.

20 Q. Okay. Did you give the conductor any special instructions or  
21 anything over the phone other than the switch list and the --

22 A. At that point, I didn't even have the switch list.

23 Q. Okay.

24 A. Normally, what we do is I'll fax them, I'll print down the  
25 interchange stuff first --

1 Q. Yeah.

2 A. -- because they're on at 4:00 and I don't get it until  
3 between -- normally 4:15-ish. I'm just like, I'll give it to them  
4 when they come up to me, I'll hand them the switch list  
5 personally.

6 Q. Okay, all right. So did they come up and did you give them  
7 the switch list personally?

8 A. When they asked for the service truck for the locomotive I  
9 was like okay, well, we'll just kind of play it by ear, that way  
10 you don't -- because now we're going to be like 40 minutes  
11 behind --

12 Q. Yeah.

13 A. -- it's a little harder to kind of position them  
14 appropriately versus having that little bit of extra wiggle room.

15 Q. Okay. So they didn't actually have their switch -- the  
16 switch list just yet?

17 A. No. After I had told them to stay, that they will stay in  
18 the clear while the 137 builds, I told them then their switching  
19 will be on the printer and I sent it down to them.

20 Q. Okay, all right.

21 A. So they just had to run back over to the office to get it.

22 Q. Did you send out the van or --

23 A. I sent a van down to assist the 137 and then what we  
24 traditionally do is the conductor will meet the head end  
25 somewhere --

1 Q. Okay.

2 A. -- at one of the road crossings on the way, and then the van  
3 goes back down to help them.

4 Q. Okay. So who hands over the list to them?

5 A. I send it to their printer.

6 Q. Okay, so just to their printer.

7 A. Yeah.

8 Q. Okay. All right. Now, when you were talking to the  
9 conductor, did he have any questions or anything about the moves  
10 that he was going to do?

11 A. Not at that point.

12 Q. Okay.

13 A. Everything down there for their switching is very  
14 straightforward.

15 Q. Okay.

16 A. Except for if there's -- every once in a while there will be  
17 an occasional question or if -- where they want it in the track,  
18 but nothing --

19 Q. Where the spot is?

20 A. Nothing too abnormal. Like, if they cared about -- like if  
21 they have like one labeled like 3 head because they want to head  
22 out on a track versus two other cars going in 3 that don't have  
23 any labels or anything, that's the only really ever questions I  
24 ever get down there.

25 Q. Okay. Have you worked -- have you worked with this conductor

1 before?

2 A. Yes.

3 Q. Okay. How long have you worked with the conductor?

4 A. I met him when I was new, he trained me as a conductor one  
5 day.

6 Q. Okay. How long --

7 A. That was --

8 Q. How long ago was that?

9 A. Almost 9 years.

10 Q. Nine years, okay. All right. Did he seem to be  
11 knowledgeable of the territory and --

12 A. Yes, yes.

13 Q. Okay. All right. So after -- after they got their -- the  
14 list and they started doing their work, was there any rate of  
15 traffic between you and them?

16 A. Once they started, no.

17 Q. Okay. So they got their list?

18 A. Yeah, yeah, they had their work, they were okay to make their  
19 moves.

20 Q. Okay.

21 A. Watching out for the 137 ahead of them.

22 Q. Okay. And 137, when they started working, where was 137 at?

23 A. They were already pulling on their way up to me.

24 Q. Okay. So they were on the way out?

25 A. Yeah, I said they were on the way --



- 1 Q. Okay.
- 2 A. -- just keeping out EOT.
- 3 Q. All right. So they said to watch out for 137.
- 4 A. Yeah.
- 5 Q. Do you know where 137 was pulling out, so were they pulling  
6 out, out there by 5 track or where were they pulling out from?
- 7 A. They were coming out of, I believe, 1 track.
- 8 Q. One track. Were they heading towards Penn Mary or --
- 9 A. Heading towards Bayview.
- 10 Q. Bayview, okay. All right. So now, so they get out and they  
11 start doing their work, did you hear anything on the radio?
- 12 A. I can hear them communicating --
- 13 Q. Okay.
- 14 A. -- the engineer and the conductor.
- 15 Q. Can you give me just a representation of some of the traffic  
16 you were hearing as far as like the moves?
- 17 A. The traditional three-step, all right, we're in the clear,  
18 take it ahead, going to clear switch, going over to whatever track  
19 they were heading to.
- 20 Q. Okay, so they were ready procedure-wise, they --
- 21 A. Yeah.
- 22 Q. -- sounded like they were --
- 23 A. Yeah, normal.
- 24 Q. Normal radio procedures.
- 25 A. Yeah.

1 Q. Okay. Now, when the accident actually occurred, did you hear  
2 anything over the radio?

3 A. Yes.

4 Q. What did you hear?

5 A. I heard -- because I was briefing with a crew that just came  
6 out from like -- just to tell them hey, there's a new van coming  
7 on duty here that will get you to the hotel. I keep my radio  
8 relatively loud and normally the conductor on that job, he's loud  
9 to begin with, like he's very easily -- easily heard and normally,  
10 it's standard -- okay, he's just a loud guy, you know. And not  
11 any real sense of urgency, like he's just very -- he's loud, but  
12 he's calm.

13 And as I was going down, I was talking with my crew and I can  
14 still hear them making moves, still hear them making moves, and  
15 then I could hear panic in his voice and that's when I told those  
16 guys just go find the van, he was just coming on duty, it was like  
17 8 o'clock-ish, so I'm like he'll be up here in a few minutes, I  
18 saw the guy drive in, so I'm like he'll be out there, just get in  
19 the van, go to the hotel. If he gives you -- I'm like if the van  
20 gives you any problems, just tell him I sent you and he'll be  
21 fine. I'm weird about my vans, I'm sorry.

22 Q. No, you're fine.

23 A. And so I heard the panic and then I heard silence and  
24 normally, every other time that -- like, they lose communication  
25 sometimes down there because there's a lot of overpasses and with

1 the weather being, you know, rainy and the lightning storms that  
2 we had been going on throughout the course of the previous couple  
3 days, it does get a little dicey from time to time down there.  
4 And so normally, I'll give it a minute or two and then -- it's not  
5 really like a minute, but I'll give it a second to let it breathe  
6 and then I'll just be like -- if I don't hear anything back from  
7 the engineer, I'll be like, I'll ask like hey, did you -- did you  
8 hear whatever, everything okay, just kind of check in to make sure  
9 everything's fine.

10 Q. Okay. And when you said he had panic in his voice, do you  
11 remember what -- you know, what he was saying over the radio?

12 A. I didn't catch verbatim what it was, but I know we've had  
13 incidents down there before where -- because there are still 18-  
14 wheeler trucks driving around down there --

15 Q. Yeah.

16 A. -- and we -- there has been times that they have been hit  
17 down there, not the crew members, but the actual truck itself.

18 Q. Yeah.

19 A. So because of a little bit of panic, my ears, because of down  
20 there, will just gravitate to that because I've been on this job  
21 for 3 years, so I've heard a lot of potential panic versus hey,  
22 watch out for this kind of thing.

23 Q. Okay. So you don't know what they were saying --

24 A. No, I just --

25 Q. -- just picked up the panic and --

1 A. My ear, my ear just picked it up --

2 Q. Okay.

3 A. -- and I was like --

4 Q. Okay. So after that occurred, did the conductor contact you?

5 A. The van driver called.

6 Q. The van driver.

7 A. Yes.

8 Q. Okay. Van driver called you and what did the van driver tell  
9 you?

10 A. Told me that someone had fallen off the car, 911 had been  
11 called. Then I got up and I had one MTO in the office with me,  
12 well, not in -- like in the building with me --

13 Q. Yeah.

14 A. -- he was dealing with something else, and one was out of the  
15 office, so I ran down the hallway and -- just to see where he was  
16 because I know he was dealing with something and I asked where the  
17 other one was because I know you're dealing with something right  
18 now, let me call the other one since he's out and about already  
19 moving, that might be a faster reaction time to get down there.

20 So I went back to the office, called MTO Glass and told him  
21 to head down there and gave him what little bit of information I  
22 had, because I didn't, at that point, have a lot, but I just know  
23 I needed to get people moving in that direction. And then when  
24 MTO Doss got done what he was doing, because he could see, by my  
25 facial, my overall presentation, that something not -- something

1 nonstandard was going on, so he came down and then he headed that  
2 direction, as well.

3 Q. Okay. Real quick, can you define what an MTO is?

4 A. Manager of train operations.

5 Q. Okay. All right. And who was the one you were talking to?

6 A. The first one I talked to?

7 Q. Yeah.

8 A. MTO Glass, Barry Glass.

9 Q. Can you spell that?

10 A. G-l-a-s-s.

11 Q. G-l-a-s-s?

12 A. Yeah, G-l-a-s-s.

13 Q. G-l-a-s-s. And who was the second one?

14 A. Doss, D-o-s-s.

15 Q. D-l --

16 A. D-o --

17 Q. D-o --

18 A. -- s-s.

19 Q. Okay. All right, so then -- so 911 had been called, did they  
20 tell you who called 911?

21 A. The van driver did.

22 Q. The van driver.

23 A. Yes.

24 Q. Okay, so the van driver called 911. Do you have the van  
25 driver's name?

1 A. Tony.

2 Q. Do you know his last name?

3 A. Not off the top of my head.

4 Q. Okay. Does he work for Seagirt or does he work for CSX?

5 A. He works for Hallcon, which is our van --

6 Q. Hallcon?

7 A. Yeah, Hallcon, yeah. Our van driver people.

8 Q. Contract?

9 A. Contractors, yes.

10 Q. Okay. So they told you 911 had been called. Now, is there  
11 any for -- as a yardmaster and for this particular territory, is  
12 there any emergency procedures already written or --

13 A. I don't think there is for this, for this situation.

14 Q. Okay. Not for Seagirt?

15 A. I know for -- because I called the -- because once I got  
16 those guys moving, I'm like, I thought to myself who else do I  
17 need to talk to and of course, it took a minute, Seagirt ramp  
18 manager because it's his terminal. So I grabbed -- I grabbed the  
19 office phone and I started finding his number, called him up, I'm  
20 like hey, Dan, I don't know if you -- because I know they have a  
21 lot of cameras down there, I know that.

22 I don't know where Dan is in his day with doing office work  
23 or if he's out and about, I'm like I don't know where you are, but  
24 something has happened, just so you know what's going on in your  
25 yard right now and I'm like, the ambulance has already been

1 called, he tried telling me that we were supposed to contact the  
2 port guys, I don't know the number for the port guys, that's why  
3 I'm calling you. And that was -- and then he went. I'm not sure  
4 if he went out there or not, or -- but that way he knows because  
5 it's a big deal.

6 Q. Okay, so when the first responders showed up, did they know  
7 where to go or --

8 A. That, I'm not sure.

9 Q. Okay. Did you have any coordination with the emergency  
10 services when they --

11 A. I did not.

12 Q. Okay. Do you know of any -- whether Seagrit or any of the  
13 contractors out there with CSX, is there any identified locations  
14 to meet first responders when they get on the scene to guide them  
15 to --

16 A. That, I'm not sure.

17 Q. Okay.

18 A. Because I know the way that you enter into Seagirt is a big  
19 -- because 18-wheelers go through it.

20 Q. Yeah.

21 A. It is the big open gate area in the beginning. When the  
22 gates close because the terminal is closed, we have a side gate  
23 that we use, but as far as for emergencies like that, I do not  
24 know.

25 Q. Okay. And you don't know who coordinated to getting them in

1 there?

2 A. I do not. I'm assuming it would've been the Seagirt ramp  
3 manager.

4 Q. Okay. Okay. So once emergency services got on the scene,  
5 were you in contact with the crew at all?

6 A. I talked to Mike one more time. I did talk to the engineer  
7 at one point because he just -- he didn't know what was going on.  
8 And I did talk for a very brief moment, I'm like just keep the  
9 train still, don't move anything. Conductor had said, you know,  
10 give me three-step because at that point we're not really -- he's  
11 not really sure what to do, either, so that makes sense to me and  
12 I was sitting there, I was like okay, and so I tell the engineer,  
13 I'm like, just keep the train still, don't move anything, keep  
14 three-step on, just don't move. And then that was the last time I  
15 had spoken to the engineer that day.

16 Q. Okay. Did the engineer know what was going on or did you --  
17 did you tell him what was going on?

18 A. At that point, I didn't really know a hundred percent,  
19 myself.

20 Q. Okay.

21 A. So I just kind of gave him what little I know because that  
22 way he knew don't move at all.

23 Q. So what did you tell him? So you told him not to move, but  
24 did you give him any other details?

25 A. Just, I'm like something has happened, I'm not sure what it



1 is yet, I just know just stop, don't move.

2 Q. Okay. And his response was?

3 A. Okay.

4 Q. Okay, all right. Now, you said you talked to the conductor,  
5 what were your conversations with the conductor?

6 A. It was just real brief, just in case -- I didn't know  
7 anything else that we needed, just -- it was like he kind of gave  
8 me a gist of what was going on so I could relay the information to  
9 the MTOs.

10 Q. Okay. And what was -- you don't have to answer this, but if  
11 you're okay with it, can you give me kind of the context what the  
12 conductor told you?

13 A. I'd prefer not to.

14 Q. That's fine. With the MTOs, what did you tell them?

15 A. I just gave them a brief synopsis of what happened, like the  
16 end result, not how he got there --

17 Q. Okay.

18 A. -- just the end result, because how he got there, I don't  
19 know, I wasn't there kind of thing and I just know the end result  
20 is the end result.

21 Q. Got you. Did the MTOs give you any additional guidance or  
22 direction or actions?

23 A. They went down there. I think I talked to Doss like one more  
24 time throughout -- my shift ended like an hour and a half  
25 afterwards.

1 Q. Okay.

2 A. Just a real brief -- because to be a hundred percent  
3 transparent, I don't know how this stuff works and I had -- we  
4 have a local crew that does odds and ends, takes cars from Curtis  
5 Bay to Bayview, odds and ends stuff, and I said hey, look, we have  
6 this crew, do they need -- are they going to be heading down there  
7 just to -- I don't know how that -- how long that stuff takes or  
8 anything like that, just to see if I needed to try to get them  
9 that way or whatnot and that was the gist about it, really, we  
10 didn't really talk much after that.

11 Q. Okay. Can you tell me your shift real quick?

12 A. Fourteen hundred to 2200.

13 Q. Fourteen hundred to 2200. The equipment they were using, are  
14 you familiar with that equipment?

15 A. Yes.

16 Q. Do you know what it's classified as? What is it, what's the  
17 name of those cars?

18 A. Oh, intermodal cars.

19 Q. Intermodal cars. Do you know of any yard-specific -- whether  
20 in this, in the terminal or any of the yards, about operating them  
21 particularly with riding, riding those cars, do you know of any  
22 instructions, policies, or --

23 A. Just to make sure that you protect -- there's above the split  
24 and below the split, it's not one solid 3,000-foot track because  
25 where they have 18-wheelers cut across, just to make sure that you

1 protect the -- we call it the split, just that gap.

2 Q. Okay.

3 A. Because trucks will try to go and I've seen them try to go.

4 Q. Have you been down there where the crossing is, where the  
5 incident occurred?

6 A. Yes.

7 Q. Okay.

8 A. I've worked in that yard, yes.

9 Q. The lights that they have, the crossing lights there, have  
10 you seen them operate?

11 A. Inside the Seagirt facility?

12 Q. Yeah.

13 A. Unless they put lights in, in the time I've been a  
14 yardmaster, I don't think I've ever seen --

15 Q. Okay, you haven't seen them?

16 A. There's no actual gates.

17 MR. SKOLNEKOVICH: Right, yeah. I was just curious if you  
18 had seen them. Okay. All right, that is all I have.

19 Shawn.

20 BY MR. LAWTON:

21 Q. Shawn Lawton, BLET. I want to thank you for being here.  
22 What's your official title as a yardmaster, what is your name if  
23 the crew was to call you?

24 A. Bayview, Bayview yardmaster.

25 Q. Okay. Where are you physically located?

1 A. Like the building?

2 Q. Yes.

3 A. Yeah, 5105 Pulaski Highway.

4 Q. Could you spell that?

5 A. P-u-l-a-s-k-i, I believe.

6 Q. Okay. Are you on site with the crew, are you there, or are  
7 you miles away from them?

8 A. That crew, that facility, by rail, is a little over 2 miles.

9 Q. Okay, so you don't have physical contact with the crew?

10 A. Correct.

11 Q. Okay. And you can't see their operations?

12 A. Correct.

13 Q. Okay. How long have you worked on that specific Bayview  
14 yardmaster?

15 A. I've been holding a shift there on permanent status for 3 to  
16 4 years.

17 Q. As the Bayview yardmaster, what are some of your territorial  
18 jobs, yards, that you cover, is it just Bayview or do you have a  
19 plethora?

20 A. I control Bayview, Locust Point, Mount Clare, Mount Winans,  
21 and the operations down at Seagirt, as far as our crews are  
22 concerned.

23 Q. So the job symbol was the Y231, the Y is the yard symbol?

24 A. Correct.

25 Q. What does their day usually consist of?

1 A. Depending on crew availability, the 137 builds itself, then  
2 they'll do interchange with Canton Railroad and then go down and  
3 switch out Seagirt. If there is no crew for the 137 not until a  
4 later time, then they'll build it and then the same things apply.

5 Q. So the move on 6/26 at the Y231, that is normal operations --

6 A. Standard switching, yes.

7 Q. -- for them? Standard switching, okay. Okay. You said that  
8 you guys don't contact, you don't have much crew contact on the  
9 radio with them throughout the day. If there is an issue, do they  
10 contact you through the radio, do they stop, call you on the  
11 phone, is there any, I guess, updated job briefings throughout the  
12 shift?

13 A. There is, if there is anything of note that they need to  
14 know, I do relay, we always talk on the radios.

15 Q. Okay. The third -- you mentioned the cab down there, third  
16 party, I believe it was Hallcon?

17 A. Um-hum.

18 Q. Does that Y231 have that cab throughout their entire shift?

19 A. If it's available for them to have one, I do try to provide  
20 one for them.

21 Q. Okay. Do you know, personally, you said you were working as  
22 a conductor and you have worked the terminal, is there close  
23 clearances, walking conditions, specific things that crews, on a  
24 daily basis, are watching for and know about in the Seagirt  
25 terminal?

1 A. Seagirt primarily is paved. I guess where you first would  
2 come off the ladder is ballast, but once they -- once you get  
3 towards the main part of the facility, it's mostly paved.

4 Q. Has anybody ever come to you with safety concerns, walking  
5 conditions, anything along those routes that they come across each  
6 day?

7 A. Just while they're doing -- when they're -- when the Ports  
8 America half track we're going on, but that's just like for like a  
9 day and then those guys will come back and finish cleaning it up  
10 the next day.

11 Q. Okay. We noticed, when we were down there, the locomotives  
12 were 6X over normal road power, is that normal locomotives that's  
13 used on the job or yard units, four axles, is that -- the power  
14 that was involved in the incident, is that normal power for --

15 A. As of late, traditionally, yes.

16 Q. Okay. You mentioned port guys, what's port guys?

17 A. The Ports America personnel, the people who run Seagirt.

18 Q. Okay. You also mentioned Mike, Mike is the conductor?

19 A. Correct.

20 Q. And you talked to him, okay. As far as local management, you  
21 said you had talked to -- was it Doss the one that was out in the  
22 field or Glass?

23 A. Doss was in the office, Glass was out and --

24 Q. Okay.

25 A. Out and about.

1 Q. So he would've been the one that responded down to Seagirts?

2 A. They both responded to it.

3 Q. Both, okay.

4 A. Whoever got there first, I do not know.

5 Q. Okay. And does any crews come to you with the intermodal  
6 cars, any safety concerns riding the cars?

7 A. If they do, they let me know and I pass it along to the Ports  
8 America facility manager.

9 Q. Okay. So they've had concerns before that's been passed on?

10 A. Just like if a switch is hard to throw, if something doesn't  
11 look right when you look at the track kind of thing. I'll also  
12 let our manager of train operations know and they go down there,  
13 take a look at it, as well.

14 Q. Okay. Do you know, hearing over the radio, hearing crews  
15 talk, is it common for crews to be riding the equipment when  
16 they're making the moves or is it common to hear on the radio that  
17 they're walking a lot or is it --

18 A. If the van's not available, yes, it's a lot more riding.

19 Q. Okay.

20 A. If I'm able to give them one for their time, then --

21 Q. Okay.

22 A. -- they'll get it to wherever, to protect the split and then  
23 transition to the rear of the track and then --

24 MR. LAWTON: That's all the questions I have, thank you.

25 BY MR. MEADOWS:

1 Q. Matt Meadows, CSX Transportation. Again, you'll hear this a  
2 lot --

3 MR. SKOLNEKOVICH: Spell your last name, please.

4 MR. MEADOWS: Meadows, M-e-a-d-o-w-s.

5 BY MR. MEADOWS:

6 Q. Appreciate you coming in today, as we try to figure out how  
7 to prevent things like this in the future. So as the yardmaster  
8 at Bayview, you would issue instructions to the crews that work at  
9 Seagirt?

10 A. Correct. I pass along -- the Seagirt ramp manager makes up  
11 the switching and I pass it along to them.

12 Q. So the ramp manager makes decisions on what gets switched and  
13 where?

14 A. What goes where, correct.

15 Q. They provide that to you --

16 A. Correct.

17 Q. -- and you provide that to the crew.

18 A. Correct.

19 Q. At this facility, Seagirt, do you control movements at all?

20 A. Just if giving -- if the inbound crew or the outbound crew,  
21 just providing information of what they need.

22 Q. But they don't talk to you as far as if they need to move  
23 from one track to another. So if they wanted to move -- and this  
24 is hypothetical -- from Track 1 to Track 2, they don't call you to  
25 clear that ahead of time?



1 A. No, they have -- once they have my permission to go to work,  
2 they check with the ramp manager, have their permission, as well,  
3 and then they just go out switching. Or building, depending on  
4 which crew it is.

5 Q. So does Seagirt, if I understand you correctly and just  
6 correct me if I'm wrong, the Seagirt ramp manager controls the  
7 movements within the facility.

8 A. As long as -- he gives them permission to go out and make  
9 their moves in case they have track work being done or then  
10 they'll have, obviously, protection up for that, but they give the  
11 permission that you're okay to go out and do your switching or  
12 even go out and just leave to go to Canton, to go do other things.

13 Q. Does the Seagirt ramp manager coordinate things of that  
14 nature with you or once you get -- or is it once you've given the  
15 CSX crew their work instructions, they coordinate all that just  
16 with the ramp manager individually?

17 A. They coordinate that with them individually.

18 Q. You mentioned that -- and I may have missed who you said,  
19 that a service truck was called for the locomotive?

20 A. Correct.

21 Q. Was that the I137 or was this the Y231?

22 A. The Y231.

23 Q. The Y231 asked you for a service truck --

24 A. Correct.

25 Q. Do you know why they were -- what the service truck was

1 called or what they did on arrival?

2 A. They explained it to me it was just a -- I'm not -- never was  
3 an engineer or anything like that and aside from big things that I  
4 can explain easily, a lot of things for locomotives kind of go  
5 over my head these days because I don't physically interact with  
6 them anymore, but it was something to do with the brakes on it,  
7 just to make sure that like everything was fine and I called the  
8 service truck and the service truck went down.

9 Q. Do you know if they made any repairs?

10 A. I do not know. I just know that they called and they were  
11 good to go.

12 Q. Just skipping ahead a little bit, you said the van driver  
13 informed you that 911 had been called.

14 A. Correct.

15 Q. When the van driver contacted you, was it over the radio or  
16 over a telephone?

17 A. Over the phone.

18 Q. Over the phone. So as the Bayview yardmaster, you listed, I  
19 believe, four locations in the general Baltimore area --

20 A. Correct.

21 Q. -- that you're responsible for.

22 A. Correct.

23 Q. Is there one location that the most work occurs?

24 A. I would say at Bayview, which is where I'm physically located  
25 when I'm at work.

1 Q. What about the others, like Locust Point, Mount Clare, what's  
2 the level of activity?

3 A. Locust Point is one job per shift, doing industry work.  
4 Mount Clare has now become a through -- kind of like -- more like  
5 a staging area, really, than like an actual -- like, we don't run  
6 trains through there unless they're going to Curtis Bay. Mount  
7 Winans has turned into really more of a hub for the track  
8 department, for them -- for their equipment, but they -- it still  
9 does fall under us. Even though we don't put anything in there  
10 anymore, it's just -- it's theirs.

11 Q. So the majority of your shift is dealing with crews that are  
12 working at Bayview?

13 A. Correct.

14 Q. So I believe you mentioned in your 9 years here at CSX, three  
15 of those were as a conductor?

16 A. Correct.

17 Q. And during those 3 years, you said you worked at Seagirt?

18 A. Correct.

19 Q. You may not know the answer to this, but off the top of your  
20 head, do you know like how many times, three times, 10 times, a  
21 dozen times?

22 A. Just maybe six or seven.

23 Q. Six or seven times.

24 A. Yeah. I didn't get down there very often.

25 Q. So when you were a conductor trainee and a conductor, did you

1 ride equipment?

2 A. Yes.

3 Q. Did you ride intermodal equipment?

4 A. Yes.

5 Q. Can you briefly describe how you would ride intermodal  
6 equipment?

7 A. Depends on looking at the car because a lot of -- I always  
8 felt like when riding cars that if I didn't -- if I looked at it  
9 and I didn't feel comfortable riding that, there was -- I want to  
10 say it was a ramp manager that was down there assisting, so like  
11 the very few times I would have to ride down there, then I could  
12 -- the ramp manager would help me out so you wouldn't have to ride  
13 that much down there. I honestly did a lot more walking as a  
14 conductor than I needed to, but --

15 Q. As a conductor or as a conductor trainee and thinking about  
16 riding equipment, can you recall if you were ever allowed to ride  
17 the platform? So when I say platform, like a platform on the  
18 leading end of equipment.

19 A. This part right here? The ladder right here and that right  
20 there?

21 Q. So some cars, as you remember, have maybe a brake platform on  
22 the end --

23 A. Yes, yes.

24 Q. -- of the car or a platform, like many of these intermodal  
25 cars have a platform --

1 A. Yes.

2 Q. -- on the end of the car. Are you allowed to ride those?

3 A. Not on intermodal cars, from my understanding. It's been a  
4 while since I've ridden a car. I know I could ride the rear of a  
5 tank on a pull, but not shoving. At that point, we couldn't ride  
6 tanks on a shove, anyway, back then. I think that was it, I  
7 really think.

8 MR. MEADOWS: I certainly appreciate you answering the  
9 questions and that's all the questions I have.

10 MR. SKOLNEKOVICH: Okay, Jared.

11 BY MR. CASSITY:

12 Q. Jared Cassity, C-a-s-s-i-t-y, with SMART Transportation  
13 Division. I, too, want to thank you for being here, I know how  
14 tough it is, unfortunately for almost the same reason, just a  
15 different town and employees. I wrote a lot of my first questions  
16 just so you know to kind of keep a timeline, if you will, but then  
17 a lot of my following questions are based off of what you said, so  
18 if I'm a little choppy --

19 A. Okay.

20 Q. -- I apologize. Do you recall if there was anything abnormal  
21 about the day for you or the crew, I mean, anything that stands  
22 out?

23 A. Not as far as what their workload looked like. There may  
24 have been a change to not doing Canton later in the day, their  
25 interchange, but normally I do try to bring them up, but I had --

1 in my yard, I had a coal train coming that has to go down to  
2 there, the coal facility. I had a crew working in my yard, normal  
3 road train traffic, it was just spatially not -- not enough room  
4 for them to come up, which is why I just had them stay down there  
5 below.

6 Q. Okay. And you were talking a minute ago about the crew  
7 communicating with the Seagirt ramp manager.

8 A. Um-hum.

9 Q. How do they do it, is it via radio?

10 A. Yeah, call them on Channel 80.

11 Q. Okay.

12 A. I think it's 80, yeah.

13 Q. So both from your experience in the yard as a conductor and  
14 as a yardmaster, did you ever hear of any issues or concerns with  
15 the cross lighting in the facility? I know you kind of alluded to  
16 it a little bit earlier.

17 A. Not really, but if there is, they let me know and I call down  
18 to the ramp manager on duty to let them know so that way they can  
19 get somebody out there to take a look at it because from my  
20 understanding, our track guys don't handle those, they use the  
21 Cranemasters corporation, I don't know what their official thing  
22 is, the Cranemasters come out, and they do all the work down  
23 there.

24 Q. Okay. How about vehicle movements, again, playing off your  
25 experience as a conductor in that facility or as yardmaster, are

1 there ever any real challenges with the trucks interacting? I  
2 know you said there had been a few collisions, is that a common,  
3 normal-day thing?

4 A. No, no. It's --

5 Q. Not the collision, I'm sorry, the interacting with them.

6 A. Maybe more on daylight just because it's 7:00 in the morning,  
7 8:00 in the morning, but traditionally, on second shifts, I don't  
8 think it's that bad down there, it's not something that they've  
9 talked to me a lot about or caused -- raised any red flags.

10 Q. Okay. And as your time as a conductor, can you tell me what  
11 vehicles you recall, other than the train, obviously, what other  
12 vehicles are moving in that industry that may cross over the rails  
13 or come near the rail?

14 A. Nothing ever goes -- the way the -- it's kind of set up in a  
15 set of two tracks for a line and then three and then the three  
16 that are up here, there's no crossing there, that's -- you're --  
17 that's all ballast. But when you get to 5 track, there's no --  
18 there's no split there, so no trucks are going to go across there.  
19 The split is mainly just for 3 and 4 and 1 and 2.

20 I don't really -- I've never really seen a lot of trucks down  
21 there, I know they are down there, they're moving around, it's --  
22 it happens. Late trucks -- because they're open until, I want to  
23 say midnight on the weekdays but they close earlier on the  
24 weekends.

25 Q. Okay. In your testimony earlier, you made the comment that

1 the conductor trained you when you were a conductor trainee.

2 A. Correct.

3 Q. Can I ask how he did?

4 A. He did really good. He had spent -- he's -- I think he's  
5 been around for like a year longer than I have and we were out on  
6 the main line and -- one of our other industries -- and he put a  
7 lot of emphasis on the -- because he is a road guy from time to  
8 time, that line of -- the main line traffic that -- like our  
9 passenger trains that are going to be coming, zipping through, you  
10 know, just hey, make sure, when you're out and about, just make  
11 sure you keep your head on a swivel because a small little MARC  
12 train is just going to -- can just -- so make sure, you know, make  
13 sure you got your ears open for your radios so you can hear them,  
14 emphasis on the signals that are near you when you're working, so  
15 that way you can at least hear someone call the signal and know  
16 that something's coming your way.

17 Q. Okay. You had stated something earlier that made me feel as  
18 though you were alluding to that you're very in tune with the  
19 radio communications in that facility. Is it fair to say that  
20 outside of Bayview, you're kind of more in tune with it than the  
21 others --

22 A. No, no, I try -- I do my best for both.

23 Q. Both.

24 A. Yeah, it's a lot easier, like, our Locust Point yard because  
25 there's one crew working, so they're easy to listen to. It



1 sometimes can be harder over at Bayview just because of road  
2 traffic, yard traffic, the Seagirt traffic, just a lot more radio  
3 clutter.

4 Q. Okay. So there's no reason for any heightened awareness or  
5 anything like that as far as listening in?

6 A. No.

7 Q. Okay.

8 A. Until I hear, like -- just because you get used to peoples'  
9 voices, so when you hear the inflection change --

10 Q. Okay.

11 A. -- then you kind of -- ears perk up a little bit more.

12 Q. Sure. I'm going to kind of transition a little bit here.  
13 You had made a comment about the emergency plan earlier in the  
14 testimony. Have you received any training on this type of event  
15 and as a yardmaster, if a fatal accident occurs, what the next  
16 steps are or what that looks like your actions are supposed to be?

17 A. I may have when I first -- first got it, but there's no real  
18 -- like, for chemicals and stuff like that, we have -- we have the  
19 book that's right there, but as far as physical incidents, I don't  
20 really think that there has been enough emphasis on the proper  
21 procedure.

22 Q. I've never been a yardmaster, so -- and honestly don't know,  
23 do you receive like recurring training, kind of like conductors  
24 and engineers do?

25 A. Yes, we have a yearly requirement for training.

1 Q. Okay, okay. Do you know, once the incident occurred, do you  
2 -- were you cut in at all as far as what instructions were given  
3 to the crew, were they told to kind of stay in place, were they  
4 told to leave?

5 A. I wasn't told anything like that.

6 Q. Okay. Do you happen to know if they were removed at all?

7 A. I know they were, but I wasn't --

8 Q. Okay.

9 A. -- involved in that situation at all.

10 Q. Okay. Again, this is a choppy question and I apologize.  
11 When you were asked about power and it being road powered  
12 specifically for yard movement, you made the comment that it was  
13 being used as of late. I'm kind of curious about that "as of  
14 late." Was there a change from yard power to road power?

15 A. Sometimes we have four axles, sometimes we have sixes, it all  
16 depends on power availability.

17 Q. Has the frequency or the normalcy, I don't know if that's a  
18 word, but the -- has the routine of getting six axles become  
19 greater more recent or just kind of --

20 A. Down there they've had six axles for a while, at least one,  
21 anyway. It might be a six and a four.

22 Q. Okay. And then the service truck, regarding the service  
23 truck, and this is for clarification for me, did you say they had  
24 the brakes checked?

25 A. Yeah, I think so. It was something -- the way that the

1 engineer explained, it just sounded weird because he has an  
2 accent.

3 Q. Okay, understand.

4 A. I don't mean to say it that way, but --

5 Q. Understand.

6 A. But it just sounded weird and if a crew wants a service  
7 truck, I'm going to call them every time. I'd rather them, even  
8 if you're just paranoid about something, just get it looked at,  
9 it's the easiest thing in the world.

10 Q. Okay. And again, another transition here. Do you know that  
11 job, the Y231, is it a regular assignment or is it called off a  
12 rotating board or extra board?

13 A. Regular assignment, 5 days a week, two relief -- their two  
14 days off have regular assigned relief guys and then fill in with  
15 the extra board, as required.

16 Q. Okay. And this is probably a question better for the  
17 conductor, but do you know, has he been on this job for a while?

18 A. For a little while, yes.

19 Q. Okay. And then last transition and I'll be done. To your  
20 time as a conductor, I'm curious, did you have to ride intermodal  
21 cars?

22 A. Yes.

23 Q. Did you like riding those cars in comparison to others?

24 A. I didn't really, I prefer riding a boxcar because it's a  
25 comfortable ride. Riding the intermodal, it's just kind of weird

1 because of the arm positioning. To me, it was weird but it wasn't  
2 anything too obscure, nothing that I didn't feel comfortable  
3 riding.

4 Q. Okay, but --

5 A. I'd say it would be like my second least favorite car to  
6 ride.

7 Q. Okay.

8 A. If that puts it on a scale, I guess, I mean --

9 Q. Yeah, that's what I was trying to formulate that question of  
10 mine, yeah, so --

11 A. Yeah, like --

12 Q. Okay. And can I ask what your worst car would be?

13 A. Lumber cars.

14 Q. Lumber cars.

15 A. Yeah, the weird little grab irons right there, they're just  
16 not comfortable and I'm not like a big person, but I can only  
17 imagine people with wider shoulders than me, would -- that would  
18 just even be even worse.

19 Q. So I've been a conductor and an engineer and one of the --  
20 one of the skills that I learned over the years is trying how to  
21 manipulate my radio and my lantern and maintain three points of  
22 contact. Do you recall from your time riding the intermodal car,  
23 how do you do all that? I guess what I'm asking is how do you  
24 maintain three points of contact? Obviously, you have two with  
25 your feet, but if you introduce your lantern into it and you're

1 working your radio, are you holding your lantern and a handrail at  
2 the same time and using your free hand for the radio or do you  
3 remember if you used your lantern in the hand with your radio?

4 A. I think I went with the lantern/hand combination.

5 Q. Okay, okay. It wasn't lost on me, looking at these cars,  
6 that it's -- there would be some challenges, let's say it that  
7 way.

8 A. Yeah, it's definitely --

9 Q. That's why I was curious.

10 A. It's definitely different compared to -- considering that's  
11 the only place we really have those. There is the occasional one  
12 that's coming in and out of the shop, but traditionally, it's  
13 really only down there.

14 MR. CASSITY: Okay. Thank you very much. I have no further  
15 questions.

16 BY MR. CAVE:

17 Q. Jared Cave, C-a-v-e, FRA. Hey, Nate, thanks for being here  
18 this morning. You mentioned you heard just kind of standard radio  
19 communication. Did you pick up any job briefings between the crew  
20 while they were working?

21 A. They would've done that -- they should've done that, anyway,  
22 before they even started working, since they had time to formulate  
23 their plan and get everything because they had, say, an hour,  
24 maybe, from when they first got the switching to when they were  
25 given the okay to start operating.

1 Q. Okay. Did they mention, as they were working, did you hear  
2 them saying where they were riding, if they were up and riding  
3 or still --

4 A. Yes.

5 Q. -- on the ground protecting -- what do you remember hearing  
6 around the time of the incident, did you pick up any of that?

7 A. I was briefing with another crew.

8 Q. Um-hum.

9 A. But I know, from what I've heard from them before, always  
10 clear up and riding, they always let them know.

11 Q. Okay. Throughout that --

12 A. Yeah, yeah.

13 Q. -- night you're constantly --

14 A. Normal operations, yes.

15 Q. Okay, updating where they were at. The 137, the van was sent  
16 down to assist the 137.

17 A. Um-hum.

18 Q. After the 137 departed, was the van then there to assist the  
19 231?

20 A. Yeah, he brought the conductor up to Bayview yard and then I  
21 sent him down, back down to Seagirt.

22 Q. Okay, great. Okay, so that roadway crossing, or I think you  
23 referred to the split in Seagirt, what's a normal procedure,  
24 standard, there? Is it normal to protect that split or crossing?

25 A. I believe so.

1 Q. Okay, so it would be normal --

2 A. Yeah.

3 Q. -- to dismount, flag it, and then proceed with the move?

4 A. I'm not sure about flagging it, like actually dropping  
5 fuseses --

6 Q. Um-hum.

7 A. -- just because of the facility that you're in. But I  
8 remember when I was a conductor, I would just stop and just look  
9 around, bring them over, get back up, keep going.

10 Q. Okay. You would dismount the equipment, get off, and you  
11 wouldn't stay up and riding --

12 A. I think so, yeah.

13 Q. -- watch and then proceed to move?

14 A. Yeah.

15 Q. Okay. So you'd get down from the equipment?

16 A. Yeah.

17 Q. Okay. You mentioned -- so you've been working 9 years.

18 A. Um-hum.

19 Q. You worked three of those years as a conductor, you mentioned  
20 your trainer had a year longer than you did? So --

21 A. At least a year, yes.

22 Q. At least a year. So when you were trained as a conductor  
23 trainee, is it fair to say that your trainer had maybe just over a  
24 year on the railroad before training you?

25 A. I'm not sure of his exact time. All I know is when I was

1 new, we had to wear the little yellow hat --

2 Q. Um-hum.

3 A. -- he was not wearing it, he was done with his yellow hat  
4 time.

5 Q. Okay. Is it safe to say, though, that that time was probably  
6 maybe under 2 years, I mean, he hadn't been a marked-up conductor  
7 or hadn't --

8 A. He seemed really knowledgeable with a lot of things.

9 Q. Okay.

10 A. Not enough to make me think oh, this guy just marked up  
11 himself.

12 Q. Sure.

13 A. Because I had some of those in training where you can tell  
14 the guys who are fairly new versus a guy with some experience --

15 Q. Um-hum.

16 A. -- and he -- when he explained things to me back then, it was  
17 with sounding like he had been around for a little while.

18 Q. Okay. In your time as a yardmaster, and I'm sure you've seen  
19 a lot of trainees come and would you say the standard time with  
20 the individuals they place them with, the conductors, are  
21 seasoned, experienced conductors or are you seeing any trainees  
22 being placed with conductors that, you know, have maybe a year or  
23 less time?

24 A. I have.

25 Q. You have. How often is that? Would you say in the past, you



1 know, 7 years as a yardmaster, how often have you seen that?

2 A. It's been a bunch, I don't really --

3 Q. Okay.

4 A. -- keep track of that, but --

5 Q. So a lot of times you've seen a trainee with a conductor  
6 that's been on the railroad for less than a year.

7 A. Correct.

8 MR. CAVE: Thank you. I have no further questions.

9 BY MR. SKOLNEKOVICH:

10 Q. Great. Richard Skolnekovich, NTSB operations group,  
11 S-k-o-l-n-e-k-o-v-i-c-h. I just got a couple follow-on questions.  
12 You said earlier that the Y231 crew, they had requested a van and  
13 they requested service. Did they request a van and a service  
14 truck or --

15 A. Just a service truck.

16 Q. Just a service truck.

17 A. They walked out to their power.

18 Q. Okay, so they walked to the power and then when the outbound,  
19 the train was leaving, did they request the van or did it just  
20 come down and get them?

21 A. They asked if they were going to be getting one and I said  
22 yeah, let me just get the 137 conductor up here and I'll get them  
23 right down to you.

24 Q. Okay. And then one last follow-on question. You talked  
25 about when you were -- when you worked as a conductor, you said

1 the ramp manager used to help you out down at Seagirt, what did  
2 you mean by that?

3 A. He would drive you around.

4 Q. Okay, so he would drive you around?

5 A. Yeah.

6 Q. So like when you were doing shove movements, would they drive  
7 you around and you would --

8 A. They'd pick you up after your shove was done --

9 Q. Yeah.

10 A. -- and bring you back up.

11 MR. SKOLNEKOVICH: Okay, all right. All right, I have no  
12 more further questions; however, I will go ahead and bring it  
13 around the table one more time for any different follow-on  
14 questions.

15 BY MR. LAWTON:

16 Q. Shawn Lawton, L-a-w-t-o-n. I understand that Seagirts is not  
17 CSX owned, it's a third party. Do they provide you, as a  
18 yardmaster, of any maps, if the crew had questions, some kind of  
19 incident happened, do you have anything that you can reference, as  
20 a yardmaster, to know where it is?

21 A. Yes. Yes, I have maps with track links and all that.

22 Q. Okay. Just clarification reasons, you said you cover four  
23 areas, Bayview, operations at Seagirt, Mount Clare, Locust Point,  
24 what was the other Mount?

25 A. Mount Winan (sic).

1 Q. Can you spell that?

2 A. W-y-n-a-n (sic), I think.

3 Q. Okay.

4 A. I think it's a "y."

5 Q. Does the Y231, when they're in Seagirts, are they still on  
6 the same CSX channel or does Seagirts have its own on-site radio  
7 channel?

8 A. They're on my main channel.

9 Q. On yours.

10 A. They only change channel to go over to talk to the ramp  
11 managers.

12 Q. And what channel is that?

13 A. For the ramp manager?

14 Q. For you guys or --

15 A. Twenty-eight.

16 Q. Twenty-eight?

17 A. Yeah.

18 Q. Okay. You said you have 9 years, you hired in 2014?

19 A. Um-hum.

20 MR. LAWTON: Okay, all right. That's all the questions I  
21 have.

22 BY MR. MEADOWS:

23 Q. Matt Meadows, M-e-a-d-o-w-s, CSX. I want to go back to  
24 incident response. In this event, if you had been -- if you had  
25 not been notified 911 had been called, would you have called 911?

1 A. Yes.

2 Q. Would you have been the best person other than someone at the  
3 scene to do so?

4 A. Not likely. Just because I can't see what the exact  
5 situation is down there. I'm thankful that 911 was called prior  
6 to me being notified, just in the event that that would've helped  
7 in any capacity. I have had to call for -- I don't even remember  
8 why it was.

9 I had to call, like Baltimore PD for something, I think it  
10 was trespassers or anything, something like that, I don't  
11 remember, and it's weird because if someone tells me like there's  
12 trespassers on the east end of the yard and I call, it's weird  
13 when you can't see exactly what's going on because trying to give  
14 a verbal description that is coming from -- I mean, you try to  
15 write it down and it's a scramble because you're never prepared to  
16 write down those kind of details. Even having your little scratch  
17 piece of paper that you've been doodling on with random train  
18 information, it's still hard.

19 I'm just calling -- for calling 911, I'm thankful that the  
20 van did just because it made it -- it's one step that was already  
21 handled. I found out later that -- from the ramp manager, that  
22 the terminal police, the marine terminal police down there, I  
23 guess, are faster response times because they're right there,  
24 they're just physically located closer. I don't know if that  
25 would've made any difference or not.

1 MR. MEADOWS: I have no further questions, thank you.

2 BY MR. CASSITY:

3 Q. Jared Cassity, C-a-s-s-i-t-y, with SMART TD. I have two  
4 questions and they're not sequential, so I apologize. In regard  
5 to the emergency situation, given that you have four locations, if  
6 you're told via radio that an emergency has just happened and you  
7 may be the one that's needed to contact emergency services, is  
8 there a way for you, as a conductor, to immediately separate  
9 yourself from everything that's happening in these yards that  
10 you're overseeing or -- what I'm getting at is, to me, it seems  
11 like if the emergency happens, you're going to be hyper-focused on  
12 that emergency situation.

13 Regardless of the fact that you've already given permission  
14 to other yard movements, there's going to be clearly radio  
15 chatter, there's going to be people contacting you. Is there a  
16 mechanism in place that you can say I have an emergency or  
17 something and they kind of shut everything down to let them know  
18 that you're now singularly focused on this one thing and not able  
19 to concentrate on that, is there a mechanism for that?

20 A. Well, we have -- our radio for Bayview is like, just  
21 spatially, just because this is how I -- my own words -- is the  
22 Bayview and the Seagirt channel is over here. The Locust Point  
23 channel has its own box over here. In situations where I need to  
24 be super focused on something, I'll let my crews at Locust Point  
25 know, if somebody's working, hey, I'm going to be away for a

1 little bit and I just turn the volume up, because that way I can  
2 still hear, in case I'm mobile around my office, I can still hear  
3 them in case something goes awry there, I can still hear.

4 Q. Let me ask you this, if I tasked you with being the one to  
5 call 911, I'm the conductor and I need you to be the one to call  
6 911, how do you -- how do you concern yourself with the other  
7 movements that you've already given permission to, I mean, are --  
8 is there -- do you sacrifice one for another, I guess is what I'm  
9 getting at, or do you feel as though the system will remain safe  
10 the way it's established now if you're pulled away from that type  
11 of stuff to be the one to call 911?

12 A. Aside from any other random incidents, I feel confident in my  
13 crews, with their skill levels, their time, however you want to  
14 look at it, that they're going to be fine, even if I step away for  
15 20 minutes to handle that situation. Being primarily for most of  
16 my time as a conductor, I was at Locust Point and I know sometimes  
17 at Locust Point you can get left behind because you're the smaller  
18 yard, Bayview's a lot busier, and I understand that. So I keep my  
19 ears very tuned for them because they -- I like -- personally, I  
20 like the way that its set up because my phone's here, this radio's  
21 here, they always have an ear.

22 Q. Okay.

23 A. That's just the way that I was tuned, because I felt like, as  
24 a conductor, sometimes I'd try calling the Bayview yardmaster and  
25 maybe he's in the bathroom, I don't know, but I'd feel like I got

1 left behind because it was just, you know, he may have been gone,  
2 may have a briefing over here, may have a briefing with a  
3 trainmaster or MTO, there's a lot of things that go on and as a  
4 conductor, I didn't realize that. So that was always a thing, a  
5 big thing for me is being able to listen for my crews. I have a  
6 weird volume set that I like a volume for this one, I like that I  
7 can hear everything and be doing everything else all at the same  
8 time and still pick up -- hear key phrases.

9 Like my yard job over at Locust Point has Andre Street right  
10 there, so I'm looking -- I don't need to ask them where they are  
11 because if they -- I hear hey, I'm at the road, road's clear,  
12 however the new jargon is for it, or I know when they're in their  
13 industries because I just -- I'll hear the conductor saying gate's  
14 open, derail's down.

15 My ears are at least always trained for the key things. I've  
16 been dealing with like train stallings or a train that separated  
17 on the main over here and still be able to listen for that guy and  
18 they've called me and I'm just -- it was a very casual radio call,  
19 you know, Y224, no sense of urgency, no -- no rush, like stand by,  
20 give me a minute, I'll be right back with you.

21 Q. Okay. And this is a completely separate question here and  
22 I'm going to take you back to when you were a conductor again and  
23 if this has been asked, I apologize, I cannot remember if it has  
24 or not. To your time as a conductor in Seagirt, that number 2  
25 switch, when they pull out of 2 --

1 A. Um-hum.

2 Q. -- to get above the switch to come back towards 5, would you  
3 have walked or ridden that movement to the crossing?

4 A. Depends on if vehicular transportation was provided or not.  
5 If there was nobody there, then I would've rode that one.

6 Q. Okay.

7 A. Just to clear the 1-2 switch, the first one that's in the  
8 yard.

9 Q. I believe so.

10 A. Or even if it would've been the one out here, depending on  
11 what kind of car it was and what the weather was like, I may have  
12 just walked up, depending on where the move started from.

13 MR. CASSITY: Okay, okay. That's it for me, thank you.

14 BY MR. SKOLNEKOVICH:

15 Q. Okay, we have no more follow-on questions, I have a couple  
16 questions for you. Do you have anything you want to add to any of  
17 the testimony given today?

18 A. No, sir.

19 Q. Okay. From your perspective, is there anything that you  
20 might know that might've helped prevent this incident from  
21 occurring? For your perspective.

22 A. I've wracked my head about how -- what could've changed and  
23 honestly, I don't -- I can't think of anything that -- off the top  
24 of my head, anyway, and I've replayed the day and what I could've  
25 -- even anything I could've done to change anything and I --



1 there's nothing I can think of. If it would've been a fully  
2 qualified conductor, then I could say, you know, maybe a little  
3 more training time, but it was still a training situation, so it  
4 does change the outlook on it.

5 Q. Okay. We may have additional questions in the future, would  
6 you mind if we contacted you?

7 A. That's fine.

8 Q. Okay, all right. Do you have anything else you want to add?

9 A. No.

10 MR. SKOLNEKOVICH: Okay. The current -- well, on behalf of  
11 the NTSB, I'd like to thank you for your time and your cooperation  
12 and I really appreciate you coming in here freely and kind of  
13 helping us out to hopefully prevent, you know, things like this  
14 happening in the future. So I definitely want to thank you for  
15 your time and cooperation.

16 The current time is 9:05 and this will conclude the NTSB  
17 interview.

18 (Whereupon, at 9:05 a.m., the interview concluded.)  
19  
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24  
25

CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CSX EMPLOYEE FATALITY AT THE SEAGIRT  
MARINE TERMINAL IN BALTIMORE,  
MARYLAND ON JUNE 28, 2023  
Interview of Nathan Girard

ACCIDENT NO.: RRD23FR012

PLACE: Baltimore, MD

DATE: June 29, 2023

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.



\_\_\_\_\_  
Karen D. Martini  
Transcriber