

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

CSX EMPLOYEE FATALITY AT THE SEAGIRT *
MARINE TERMINAL IN BALTIMORE, *
MARYLAND ON JUNE 26, 2023 *

Accident No.: RRD23FR012

* * * * *

Interview of: MICHAEL KURTIS, Conductor
CSX Transportation

Baltimore, MD

Thursday,
June 29, 2023

APPEARANCES:

RICHARD SKOLNEKOVICH, Accident Investigator
National Transportation Safety Board

ZACH ZAGATA
National Transportation Safety Board

JARED CAVE, Operating Practices Inspector
Federal Railroad Administration

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SMART Transportation Division Local 610

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I N T E R V I E W

(12:37 p.m.)

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

12 Before we begin our interview and questions, we'll go around
13 the room and introduce ourselves. Please spell out your names and
14 title, I'll start off and then I'll pass it off to my left.
15 Again, my name is Richard Skolnekovich, S-k-o-l-n-e-k-o-v-i-c-h,
16 NTSB Operations.

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

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

21 MR. EDWARDS: Robert Edwards, E-d-w-a-r-d-s, Director of
22 Safety and Operating Practices for CSX, observer.

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

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

25 MR. CASSITY: Jared Cassity, C-a-s-s-i-t-y, with SMART TD.

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

3 MR. JONES: Derrick Jones, J-o-n-e-s, Vice Local Chairman,
4 SMART Transportation Division 610.

5 MR. KURTIS: Michael Kurtis, conductor out of Baltimore for
6 CSX Transportation, spelled K-u-r-t-i-s.

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

8 MR. BROWN: G.W. Scott Brown, B-r-o-w-n, BLET Safety Task
9 Force, observer.

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

12 MR. SKOLNEKOVICH: Okay, thank you, everyone.

13 Before we start, Mike, I'd like you to understand this
14 interview is being recorded. What will happen is it will be
15 transcribed and then at some point in time will be public, so this
16 will be a public thing, we can't -- you know, we can't promise you
17 any confidentiality or anything like that. Are you okay with us
18 recording and --

19 MR. KURTIS: Yes, sir.

20 MR. SKOLNEKOVICH: -- conducting this interview? Okay, very
21 well. Do you have any questions before we begin?

22 MR. KURTIS: No, not at this moment.

23 MR. SKOLNEKOVICH: Okay, then we'll go ahead and get started.

24 INTERVIEW OF MICHAEL KURTIS

25 BY MR. SKOLNEKOVICH:

1 Q. Once again, I'm Richard Skolnekovich, NTSB. What I'd like
2 you to do, Mike, if you could, could you give us a little bit of
3 background on your history as a railroader?

4 A. So I hired on CSX as a conductor in 2013. Since I've been
5 hired on, I've been working the majority of the road, the majority
6 of my career has been on the road extra board. Until lately, I've
7 been able to hold a regular job and a regular pool turn. Yeah, so
8 it's been a little bit of everything working the extra board, a
9 little bit of yard stuff, a little bit of local stuff, road stuff,
10 of course.

11 Q. Okay, so you said you were working the road, so can you give
12 me kind of an idea of the areas you're qualified territory wise?

13 A. When Baltimore still had the Richmond pool, we were running
14 both from Baltimore to Richmond and we still currently have the
15 Philadelphia pool, so I've been running a lot of Baltimore to
16 Philadelphia.

17 Q. Okay. And you say you spent most of your time on the road?

18 A. Yes.

19 Q. About how much time did you work inside the -- or locals or
20 yards?

21 A. Fairly -- oh, I can't say. Probably about 40, 60 percent, 60
22 percent road, 40 percent yard and local.

23 Q. Okay. And when was the last time you were working the road?

24 A. About a month before this incident occurred.

25 Q. And what were you working?

1 A. Philadelphia pool.

2 Q. Philadelphia pool. Okay. And so then you bid into --

3 A. Yes, I made a seniority move to the Y231.

4 Q. Okay. And that's a regular job, right?

5 A. Yes, sir.

6 Q. Prior to bidding into it, when had been the last time you
7 worked that particular area?

8 A. It's been a moment, can't really say because, you know, from
9 working the extra board, I'm all over the place.

10 Q. Yeah.

11 A. So definitely recent enough that, you know, still have my
12 qualifications and everything like that, so --

13 Q. Okay. So when -- from your bid on 231, 231 just works
14 Seagrit and Penn Mary or is it working --

15 A. It would work Seagirt, Penn Mary, it usually takes Canton
16 freight up the hill from Canton to Bayview and then brings their
17 inbound freight down to them.

18 Q. Okay. Now, when you first bid on, were you still pretty
19 comfortable with the qualifications?

20 A. Yes.

21 Q. Okay.

22 A. Absolutely.

23 Q. The territory and stuff?

24 A. Yes, sir.

25 Q. All right. Did you reach out to anybody, did you see if

1 there was any changes and --

2 A. Talking to a couple engineers, which nothing major from -- or
3 anything, basically, the same stuff, so the same tracks and
4 everything, still holds the same amount of feed and freight and
5 everything like that. Yeah, so --

6 Q. So is it pretty much the same as when you first qualified on
7 it?

8 A. Yes.

9 Q. Okay.

10 A. Yes.

11 Q. All right. So you had started -- about what month did you
12 start working in the yard or Seagirt?

13 A. I made the seniority move, so I've been there about -- I want
14 to say May, beginning of May I made that seniority move.

15 Q. Okay. And then the engineer you were working with, had you
16 worked with him before?

17 A. Yes. Yes, sir.

18 Q. Okay. How often?

19 A. It's been a while since me and Danny had worked together
20 because he's usually a yard engineer and I'm usually a road guy,
21 so -- but before that, I worked with Antoine Tyler, who I don't
22 work with too much, either, because he's usually cut back to the
23 ground working a remote job. After that, it was Lawrence Hinkston
24 (ph.), which me and him worked quite a bit on the road, as well,
25 and then Danny Alvarez, which I definitely worked with before and

1 so, you know, all the guys that I know, so --

2 Q. Okay, so the current engineer that you're working with on
3 this job or you were working with on this job, you spent some time
4 with him.

5 A. Yes, sir.

6 Q. Okay. And from your -- what's your opinion, is he pretty
7 experienced and knows that area fairly well?

8 A. Yes, sir. I think Danny Alvarez is an excellent engineer, I
9 have no complaints.

10 Q. Okay. So when you start -- when you bid on the job, did you
11 guys talk anything about just physical characteristics and the
12 stuff going on in the terminal and the moves?

13 A. A little bit. I mean, every day kind of starts out with like
14 what's the latest thing, you know --

15 Q. Okay.

16 A. -- what's going on and everything like that, what we got to
17 do, what's going on around us, stuff like that.

18 Q. Okay. Okay. Was there any big changes, anything that he
19 talked about as far as the terminal or the terminal facility?

20 A. No, not -- not that I can think of. Nothing major, nothing
21 out of whack or anything like that.

22 Q. Okay. To the best of your recollection, was there any --
23 between the last -- well, like when you first got qualified and
24 now, were there any differences in any rules or special
25 instructions or --

1 A. Their rules have changed since -- from the time I was a TT
2 until now, they have significantly changed. I feel I'm fairly up
3 to date on them.

4 Q. Okay. Can you give me kind of an example of some of the rule
5 changes that you just talked about?

6 A. Yeah, so getting on and off moving equipment, that's -- you
7 know, that has changed. When I first hired on, we could not do
8 that, now we can under certain aspects and everything like that.
9 Protecting shove movements has changed. A lot of things have
10 changed. I'm not exactly sure how to explain it.

11 Q. Okay. Well, let me ask you this, so the rule changes now, so
12 getting off moving equipment, what is the rule now?

13 A. So now you have to tell the engineer and say hey, I'm getting
14 off equipment in this amount of car length or something of that
15 nature and tell me when you're under 4 mile an hour and the
16 engineer has to let you know when you're under 4 mile an hour,
17 then you can safely dismount and then after that you say I'm in
18 the clear, you know, safely dismounted and to keep coming, however
19 many or whatever you had to do.

20 Q. Okay. Let me ask you this, were -- is that something that
21 was just a rule change and you just started doing or was there a
22 specific instruction on how to do that?

23 A. A little bit of specific instruction. When they first came
24 out with it, they had us get on and off a moving locomotive.
25 That's basically it, but at the same time it's also very cut and

1 dry, I feel.

2 Q. Okay. Can you give me -- can you kind of walk me through
3 whether it's a locomotive or a car, can you walk me through what
4 the procedure is to get off?

5 A. Yeah, so for example let's say that I'm shoving back 10 cars
6 and I tell the engineer all right, yeah, keep giving me 10,
7 hopping off at five, for example, tell me when you're under four
8 and so he does what he needs to do and then when the train's under
9 four, he says okay, locomotive, one, two, three, four, five, under
10 four. And I get off rear foot first, that way it lands you like a
11 plane and then when you safely dismount, you say okay, I'm in the
12 clear, you know, on the ground, keep coming another 10, for
13 example.

14 Q. Let me ask a question about this, so rear foot, rear foot in
15 relationship to the direction of movement?

16 A. Yes, yes.

17 Q. Okay, so if you're shoving back, the foot closest to the
18 point of the shove.

19 A. Yeah, so if I'm shoving this way, I want this foot first.

20 Q. Okay.

21 A. And then that way, it lands you just like that.

22 Q. Okay. Now, when they gave you instruction, did they give you
23 any like point-by-point instruction how to do that or did they
24 just say use your rear foot first?

25 A. It was probably a little bit more point by point, but like I

1 also say, it's also very cut and dry, at least I feel so.

2 Q. All right. Can you walk me through that cut and dried
3 version of it?

4 A. So yeah, rear foot first, basically. Yeah. You would still
5 want to maintain three points of contact.

6 Q. Okay.

7 A. Step away from the train, obviously, you know, once you do
8 dismount and -- yeah, so --

9 Q. Okay. Are you facing the equipment or do you face the
10 movement?

11 A. You're facing the direction of movement --

12 Q. Okay.

13 A. -- of course. You obviously want to keep three points of
14 contact, you don't want to do some kind of backwards, you know,
15 stunt flip or anything like that.

16 Q. Okay. Okay. Now, once the engineer radios okay, I'm under
17 four, do you got to tell him that you're dismounting or do you
18 just do it and then tell him you're safely on the ground?

19 A. Well, usually, you tell him -- you give him a heads up, which
20 is why he's under four in the first place --

21 Q. Yeah.

22 A. -- and once he says you're under four, okay, dismount,
23 dismount. And then you tell him okay, I safely dismounted, I'm in
24 the clear, you know, keep coming however many cars you need.

25 Q. Okay. All right. And then you also mentioned that there was

1 some shoving rules that had changed.

2 A. Um-hum.

3 Q. Can you tell me --

4 A. As far as protecting shoves, it used to be, and this is one
5 of the recent changes, it used to be that you had to stop a car
6 length 50 feet before an obstruction, a misaligned switch,
7 basically anything and now it's three car lengths, a hundred 50
8 feet.

9 Q. Per stop?

10 A. Yes. Yes, sir.

11 Q. Okay. Any other changes in shoving rules?

12 A. Well, when I first hired on, we had safety stops, so if you
13 were going to be coupling up to equipment that was further than
14 five cars away, 250 feet, you had to do what was called the safety
15 stop, which is stopping before you coupled up and then -- and
16 then, of course, you had to stop within five car lengths and then
17 you could start again to couple up.

18 Q. What is the rule now for coupling?

19 A. There's no safety stops.

20 Q. Okay. So you can just go straight into a couple?

21 A. Yes, sir.

22 Q. Okay. Is there a speed requirement with that couple?

23 A. It has to be under four, of course.

24 Q. Okay. Do you have any idea about when those rules changed?

25 A. The safety stop went away in 2017, I believe, when Hunter

1 Harrison came here.

2 Q. Okay. And what about movement or --

3 A. Same thing, when Hunter Harrison came here, about 2017.

4 Q. So about 2017. Okay. Now, when those rules came into
5 effect, just from your perspective, were you good with those rule
6 changes, do you feel --

7 A. Yeah, I have no issue with that, I think that things like
8 that can be safely done and so --

9 Q. Okay.

10 A. -- at least from my opinion, at least.

11 Q. Okay, now if you don't mind, I'd like to start talking about
12 Seagrit terminal itself. Within the terminal itself, besides --
13 well, let me just ask you this, is there any other special
14 instructions, rules, policies that, you know, dictate how you move
15 within the --

16 A. Well, I mean, of course, you call Bayview, you know, before
17 we make movement and he'll say yeah or no or, you know, whatever,
18 so 99 percent of the time it's yes because nothing is ever going
19 on, at least at the time when we get on duty, at least. And if
20 so, sometimes we have to talk to the ramp manager on Channel 80,
21 most of the time not, because like I said, by that time -- by the
22 time we go on duty usually nothing's going on but if there is,
23 then Bayview will let us know.

24 Q. Okay.

25 A. Either on the radio or usually -- because usually I'll call

1 Bayview, once we get on duty, you know, get our instructions and
2 everything like that and we'll have those job briefings then.

3 Q. Okay. So do you know if the Ports of America, do they have
4 any instructions for crews operating on the property or --

5 A. Not really, not -- not that I can really think of, not
6 anything that really stands out. Yeah, not anything that really
7 stands out --

8 Q. Okay.

9 A. -- at least at this moment.

10 Q. Do you have any interaction with Ports of America throughout
11 the --

12 A. No.

13 Q. -- throughout the shift? Okay.

14 A. No.

15 Q. Who do you mostly -- besides your crew, are you just talking
16 to the yardmaster?

17 A. Yeah, it's basically just the yardmaster. Like I said, every
18 now and then Seagirt ramp manager, but that's fairly rare.

19 Usually, job briefings with that are like hey, you still got
20 trucks moving around, you know, watch your shoves, check your
21 switches, stuff like that.

22 Q. He's telling you that?

23 A. Yeah, yeah.

24 Q. Okay.

25 A. But like I said, it's very rare, so --

1 Q. Okay. All right. For as far as the job itself, can you kind
2 of walk me through just a normal day?

3 A. So a normal everyday day on the Y231 is we basically have two
4 main things that we have -- well, three main things that we have
5 to worry about, which is the switching at Seagirt, making sure
6 that inbound well cars get moved to a good location so that they
7 can go on outbound trains. I137 has to depart, they usually go on
8 duty at 1700. It's usually important to make sure that they are
9 -- that we are out of the way so that they are lined up, you know,
10 to get up the hill and -- so that they can get out of there.

11 Then also Canton freight. And so we will take outbound cars
12 from Canton up to Bayview and then bring the inbound freight to
13 them from Bayview back to Canton. And usually, one -- it's not
14 unusual for it to be a little mixed up, sometimes we'll do the
15 switching first, sometimes we'll do the Canton freight first.
16 Only thing that seems to be kind of on the regular is that 137
17 goes on duty at 1700 and they have priority, once they go on duty,
18 99 percent of the time they have priority.

19 Q. Okay, now Y231 signs up at 1600?

20 A. Fifteen fifty-nine.

21 Q. Fifteen fifty-nine. Okay, so if you don't mind, I'd like to
22 kind of start a little bit more down in detail on just a normal
23 day.

24 A. Okay.

25 Q. So you sign up, do you go to a crew room?

1 A. Yeah, we have a trailer there that we go on duty at down
2 there in Seagirt.

3 Q. Okay, so walk me through what you guys do when you're down in
4 the crew room and you first sign up.

5 A. Okay, so usually I get there a little early just because of
6 traffic and everything, I might eat some food, call Bayview, you
7 know, see what's first, see what we're doing and everything like
8 that. And he'll give us instructions, if he can, he'll give us a
9 switching if they're -- because he has to receive the switching
10 from the ramp manager and sometimes they got it, sometimes they
11 don't, sometimes it takes a little bit of extra time.

12 And if he can give a switching right then, right away, he'll
13 give it to us and then I can go over it and see what kind of moves
14 we got to make and usually I'm job briefing with him while I'm
15 doing that. And also, what we have to take up as far as the hill
16 from Canton to Bayview and then what's up there to bring back
17 down. Every now and then, a couple times on this job, they've
18 given us an extra move to work Coke or Tenax, which are two
19 industries up by Bayview. I want to say we have done that
20 probably three or four times and we were planning on doing that,
21 that same day that the incident happened.

22 Q. Okay. So that's not a normal move you guys normally do, it's
23 just occasionally?

24 A. That's occasionally. That work belongs to another job, the
25 L108.

1 Q. Okay. How long ago did they start throwing that work onto
2 this crew, this job symbol? To the best of your recollection.

3 A. Probably the whole time I've been on the job, I'm sure
4 they've done it, you know, before I made the move to it, as well.

5 Q. Yeah, okay.

6 A. It was all dependent on what 108 had going on and if they had
7 a crew for it and things like that, you know.

8 Q. Now, for that work, had you already worked that just in
9 another job --

10 A. Yes, sir.

11 Q. -- at least parts of it? Okay. So you were somewhat
12 familiar. When was the last time you worked that?

13 A. Well, before I made the move to the job, it had probably been
14 6 or 8 months --

15 Q. Okay.

16 A. -- something like that, so --

17 Q. Okay. Did you feel pretty comfortable --

18 A. Yes.

19 Q. -- making that extra move? Okay. Did you -- with the job
20 brief that entailed with the extra move, you know, did you have
21 any additional instructions for the engineer? Were you and the
22 engineer pretty comfortable with that extra move?

23 A. Yes, sir. So usually, you know, just like I'll job brief
24 with the yardmaster, I'll job brief my engineer and it will be
25 like hey, look, this is what we got to do, this is probably how

1 we're going to go about doing it maybe, what do you think, you
2 know, things of that nature.

3 Q. Okay. So the job brief, can you just kind of give me a quick
4 overview? I know you mentioned that you talked about the specific
5 moves, but can you give me kind of a broad range, what is
6 discussed during a job brief?

7 A. Okay, so usually once we get our work it will be like okay,
8 so 137's going out here, for example, you know, head end power,
9 they're taking all of 4 and part of 1, for example, you know, and
10 probably going to do our switching first today because this, that,
11 and the other, because of what's going on around us and
12 everything. And then we'll take this many cars up from Canton to
13 Bayview, bring so many back-downs with (indiscernible) and that's
14 basically it, so --

15 Q. Okay. Let me ask you this, the intermodal facility itself,
16 do you see any hazards on the tarmac or --

17 A. You'll have trucks driving around every now and then, but
18 it's usually they're usually gone by the time we go on duty
19 because 131, which is a first shift job that goes on before my
20 job, they take up IO31's freight, bring down IO32's freight and so
21 usually they have everything unloaded and their part ready, good
22 to go, you know, for 137 to depart before we even go on duty.

23 Q. Okay.

24 A. And if not, most of the time they'll be done by the time we
25 actually start walking out to the locomotives, they will be done.

1 Q. Okay. So in your briefs, do you ever discuss any of that or
2 is it just something that's just common knowledge within the
3 crews?

4 A. It's common knowledge, but we also like to discuss it, like
5 if we see something like, you know, if it looks like they're going
6 longer in the day, like cool or no; hey, you know, it looks like
7 they're all done or -- you know, because the way I come in, I'll
8 come in through Keith Avenue and so I can actually see kind of
9 part of Seagirt a little bit and so I can see okay, 4 track's
10 filled up with containers but 1 and 2 is empty, so they're
11 probably just taking 4 or vice versa, you know.

12 Q. Okay. Do you ever discuss like crossings and stuff like that
13 in the job brief?

14 A. Yeah, you got Holabird Avenue, you got Fait Avenue. I forget
15 the name of that one road crossing at the moment, Newkirk Street,
16 I believe, after Holabird. Yes, Newkirk Street.

17 Q. What about inside the intermodal facility itself?

18 A. Well, the intermodal facility is a giant pad, I forget
19 exactly how long the pad is, I want to say it's somewhere between
20 3 and 3500 feet.

21 Q. So do you consider that just like one open crossing or do you
22 just look at it as just a yard?

23 A. Well, it's basically a yard, it's a giant pad, you know,
24 it --

25 Q. No, I understand. Okay. So the day of the incident, so you

1 guys signed up about what time?

2 A. Fifteen fifty-nine.

3 Q. Fifteen fifty-nine. Okay. And so you had a job brief. Was
4 there anything other than what you just discussed different with
5 the job brief?

6 A. No. We saw that Mr. Little was with us that day and at first
7 we were going to sit in the clear until 137 left because they had
8 a short train that day and they had a lot of things going up at
9 Bayview, they had 108 doing things up there, they had a coal train
10 coming up from Consol and I believe 372 or another road train was
11 up there, as well.

12 So Bayview had a lot of things going on up there at the time,
13 so we were going to wait in the clear until 137 left, do our
14 switching, and then at that moment it was debatable on whether we
15 were going to be doing Coke or Tenax at that time because of so
16 much stuff going on, but we were going to do our switching first
17 and then look at the Cantons after that.

18 Q. Okay. All right. Did you already have your switch lift --
19 switch list when you left the room?

20 A. Yes, sir.

21 Q. Okay. And then where was your power located at?

22 A. Power was on the end of 5 track.

23 Q. How did you guys get from the crew room up to the power?

24 A. We walked down.

25 Q. You walked down. About how long did it take you?

1 A. About 15 minutes --

2 Q. Okay, 15 minutes.

3 A. -- give or take.

4 Q. Okay. And then your move that day was to get the power off 5
5 and then go where with it?

6 A. So we were just kind of sitting in the clear on 5. Also that
7 day, they had some track work going on, which that was another
8 part of our job briefing, Cranemasters was out there replacing
9 ties, doing something on multiple different tracks, and so they
10 had derails and blue flags up and that was definitely one of the
11 job briefings I had with Danny that day.

12 And so of course, we couldn't do anything until the blue
13 flags and derails came down, and so they came down not too much
14 longer after we walked after the power and of course, our
15 instructions were sit in the clear, let 137 work and once they
16 went away up the hill, then we could start switching.

17 Q. And you said that the blue flags, derails were on multiple
18 tracks, were they intermodal facility tracks or were they out on
19 the ladder, where were they at?

20 A. Both, around the ladder and everything.

21 Q. Okay. Were they in front of 5 track where you would have to
22 wait until they all get pulled out?

23 A. Yes, sir.

24 Q. Did they have any equipment out there or just people?

25 A. They had a backhoe, they were replacing ties, doing track

1 work.

2 Q. Okay.

3 A. So they had multiple guys out there.

4 Q. Okay. So you went out and sat on the power. How long do you
5 think you sat on the power?

6 A. Not very long, probably about 20 minutes to a half hour.

7 Q. Okay. All right, so then once you got your power, where were
8 you taking that to once every -- once the -- all the derails
9 and --

10 A. So once derails went down and everything, of course, 137 got
11 done working, went up the hill and everything like that. Our
12 first move was to take all the cars off of 5 track and it was
13 basically cut into three blocks, the rear block was going to 1
14 track, the middle block was going to 7, and the head-end block
15 with the exception of the first out car, the first out car was a
16 home shop that was -- we were -- depending on what was going to
17 happen, we were either going to leave it head out on 5 or take it
18 up the hill with us with the Cantons and -- but the first block
19 was to go to 1 track as well as the rear block with the exception
20 of holding on to that that head-end car.

21 Q. Okay, so -- so did you have -- did you have an entire block
22 together that you had to cut up --

23 A. Yes, sir.

24 Q. -- or did you have to couple them up and then take them down?

25 A. No, no, they was all together, I just had to cut it up --

1 Q. Okay.

2 A. -- to different tracks.

3 Q. All right, so from 5 over to 1?

4 A. From 5 to 7.

5 Q. Five to seven.

6 A. So the -- yeah, so the rear block was for 1, middle block was
7 for 7, the head-end block was for 1. And so our first move, once
8 everybody was clear and we started doing our thing, we pulled up,
9 pulled the train up to make a cut on the rear block, let that rear
10 block that was going to 1 and 5, we then put the middle block over
11 to 7 track and then we coupled the train back up to 5, that way we
12 had all our one block together and then we went over to 1 track.

13 One thirty-seven that day took part of 1 and they left some
14 cars down there and so we shoved them into 1, coupled up, shoved
15 it all the way down to the east end and walked up and spotted it
16 accordingly with the splits.

17 Q. Okay. Now I'd like to back up a little bit, back up to the
18 power. So when you got up to the power, did the engineer take a
19 look at the brakes and do a --

20 A. Yeah, he counter-dated (ph.), if I'm not mistaken, walked
21 over everything. There was, at that moment, a brake shoe that was
22 a little out of whack, a service truck was on their way down and
23 they said that it was okay to use for the rest of the day until it
24 got up to Bayview and then they were going to change it out.

25 Q. Okay. So the service truck came up and --

1 A. Yes, sir.

2 Q. After you guys had reached the power, about how much -- how
3 long, how much longer was that?

4 A. Not too much longer. They got there roughly right about when
5 137 got there to get on their power and everything like that.

6 Q. Okay. Okay. Now, once you started to couple up and you
7 started moving around, how did the consist feel as far as brake-
8 wise?

9 A. It felt fine, nothing unusual, that's for sure. Everything
10 seemed to work, you know, as it should.

11 Q. Now, these particular type of moves, have you -- I know you
12 said you worked with that conductor. Have you done these kind of
13 moves with that -- I'm sorry, the engineer. Have you done these
14 kind of moves with the engineer before?

15 A. Yes, sir.

16 Q. Okay. So just based on your experience as a conductor, how
17 would you -- you know, how would you rate his train handling as
18 far as moving the equipment?

19 A. Excellent. Like I said before, no complaints. He seems like
20 a very good engineer.

21 Q. Okay. Have you rode equipment with him before?

22 A. Yes, sir.

23 Q. Okay. Any issues with --

24 A. No issues.

25 Q. Okay.

1 A. No issues at all.

2 Q. Okay. Now, the day when -- you said you shoved into 1 track,
3 right?

4 A. Yes, sir.

5 Q. Okay. Were you riding that or were you up on the head end?

6 A. We were both riding that shove.

7 Q. Okay, you were both riding the shove.

8 A. Um-hum.

9 Q. Okay. And when you came to a stop, did you feel any slack
10 action at all?

11 A. Nothing unusual.

12 Q. Okay.

13 A. Slack in the train, it's -- it's an everyday thing. The
14 slack that I experience with Danny, it's there but it's nothing
15 unusual. I definitely have had times where slack action has been
16 much, much worse than that.

17 Q. Okay. So let me ask you this, so on that particular day on 1
18 track, when you guys were making your first move and you got a
19 little bit of that slack action, I know you say it's unusual
20 (sic), but for -- for not -- not everybody in this room is -- was
21 a conductor, and so could you give me kind of an example, when you
22 say it's not unusual, can you give me kind of an example of just
23 how much you're getting moved around? During a stop.

24 A. It could be a good bit. It's kind of hard for me to explain,
25 honestly. Best way I can describe it is like tying a rope around

1 your waist and then tying the other end to a door and slamming the
2 door.

3 Q. Okay.

4 A. And depending on how hard you slam the door is how hard
5 you're going to get pulled.

6 Q. Okay. No, that's good. Let me ask you this, the amount of
7 slack action, do you think it requires both hands, both hands on?

8 A. Sometimes.

9 Q. Okay. So the way this engineer was running that particular
10 day, how did you feel?

11 A. Like I said, the slack was not unusual, it was not anything
12 that I considered to be, you know, outrageous slack or anything
13 like that.

14 Q. Okay.

15 A. Definitely nothing that I would have a problem holding on to
16 a car, talking on the radio or whatever.

17 Q. That was going to be my next question. Would you feel
18 comfortable, like on that first move, did you feel comfortable
19 like holding with one hand and then talking on the radio with the
20 other?

21 A. Yes, sir.

22 Q. Okay, all right. So generally, overall, you felt the
23 engineer's train handling was -- was good.

24 A. Yes, sir.

25 MR. SKOLNEKOVICH: Okay. All right. And I would like to go

1 ahead and stop right there and I will pass it over to Shawn.

2 BY MR. LAWTON:

3 Q. Shawn Lawton, BLET. Thank you for being here. If I missed
4 it, I apologize, have you worked any other crafts besides being a
5 conductor?

6 A. No, sir, not -- not anything that wasn't conductor related.
7 I worked RCO a little bit, been on a couple flagman jobs, but
8 nothing that wasn't conductor related.

9 Q. Okay. When you were a conductor trainee, did you get
10 qualified, were you qualified in the Seagirt terminal?

11 A. Yes, sir.

12 Q. Okay. When you guys are making moves in the Seagirt
13 terminal, is it -- what timetable direction is it, as far as if I
14 tell you to go ahead, is it east, north, south --

15 A. So if you pull ahead, that would be west and then the far
16 end, the dead-end end would be the east end.

17 Q. Okay, so it's east-west timetable moves, okay. Do you know,
18 is there a timetable that covers movements in the Seagirt
19 terminal, if there is any special instructions where would I find
20 them?

21 A. You could probably find that in Baltimore terminal,
22 subdivision timetable.

23 Q. On shove movements in and out and including inside the
24 Seagirt terminal, do you prefer a certain method, whether it's
25 riding, walking?

1 A. It depends on the situation, what we're doing and everything
2 like that. If I have to ride, I -- no, I do not have a problem
3 with riding cars, sometimes that makes the most sense depending on
4 what you're doing. Walking, of course, and then we do have vans
5 down there usually to assist us to get from one point to the
6 other.

7 Q. Okay. When you get trainees, do you watch them mount and
8 dismount equipment?

9 A. Yes. Yes, I do.

10 Q. Okay. Do you guys ever have regular discussions, again
11 piggybacking on the slack action, with your trainees to know that
12 they are understanding what slack action is, how it occurs?

13 A. I suppose so. You know, definitely go on, you know, getting
14 on and off cars, proper way to ride, I think. You know, hold on
15 for the slack, you know, there's been a couple times with a couple
16 trainees where I thought the slack might run in just because of,
17 you know, what we're doing and everything, it would be like all
18 right, here comes the slack, hold on and, you know, a few moments
19 later it happens, you know.

20 Q. Okay. Do you personally have any concerns or thoughts about
21 riding intermodal equipment?

22 A. No, I generally usually think that intermodal equipment is --
23 depending on the car type, of course, because you have a bunch of
24 different car types, but for the most part well cars are usually
25 pretty good riders. It's all dependent, of course, because

1 there's a bunch of different makes and models out there, I guess,
2 but for the most part they seem to be good riders.

3 MR. LAWTON: Okay. I think that's all I have for now.

4 BY MR. MEADOWS:

5 Q. Matt Meadows, CSX. The first question is going to seem a
6 little odd, but your on-duty time was 15:59?

7 A. Fifteen fifty-nine, yes, sir.

8 Q. Is there a reason for that?

9 A. For the shifts, I believe -- I don't make the on-duty time,
10 so I don't really truly know, honestly, but what I believe is that
11 -- so like first shift goes from 6:30 to 7:59, second shift goes
12 from 10:30 to 16:59, if I'm not mistaken, and then so on and so
13 forth, so it's about the different shifts and everything.

14 Q. Is that related to contractual issues or is that defined
15 by --

16 A. I believe so, so --

17 Q. So you mentioned, and it's been talked about a lot today,
18 there's trucks that are in the intermodal facility, there's trucks
19 that are moving around as they load and unload the equipment, and
20 I heard you say something about what's called splits that again
21 was mentioned earlier. Do the trucks have designated areas where
22 they cross the tracks?

23 A. Kind of. The splits are there because that's where the
24 entrance is, usually; also to move the cranes about, that way the
25 crane doesn't have to go all the way down to the other end to get

1 off that track because once a train's on it, of course, they can't
2 just, you know, go through the train or anything and so the splits
3 are there for that reason, at least I believe so.

4 Q. Had Mr. Little trained with you on any other jobs prior to
5 Monday?

6 A. No other jobs. I had him for about 2 weeks earlier on the
7 job and then I had him on the day before, as well.

8 Q. So when you say 2 weeks earlier, on the Y231?

9 A. Yes, sir.

10 Q. Okay, he's --

11 A. It was about 2 weeks, I can't exactly remember the exact date
12 but I want to say it was give or take about 2 weeks.

13 Q. So rough math, this would've been the twelfth time he had
14 worked with you on that job?

15 A. This was --

16 Q. Two five-day weeks would be 10.

17 A. It's the third day.

18 Q. Right, right. Okay.

19 (Cross talk.)

20 MR. KURTIS: I had him for one day, you know, roughly about 2
21 weeks ago --

22 MR. MEADOWS: Okay.

23 MR. KURTIS: -- before the incident, of course, and then I
24 worked with him the day before the incident, as well.

25 BY MR. MEADOWS:

1 Q. Thank you, I appreciate that clarification. Have you had
2 other trainees besides Mr. Little?

3 A. Yes, sir.

4 Q. Can you give any kind of approximation of how many?

5 A. On this job alone, I've had, besides Mr. Little, about three,
6 maybe four.

7 Q. So any of the 3 days that you had Mr. Little, whether it was
8 Monday, the day before, or the previous, did you and Mr. Little
9 discuss his training or any like training needs he had or
10 questions he had?

11 A. I always try, with all my trainees I try to ask them if they
12 have any questions and I always try to answer them as best as I
13 can, to my knowledge.

14 MR. MEADOWS: That's all the questions I have, thank you.

15 BY MR. CASSITY:

16 Q. Jared Cassity with SMART TD. Catching a trainee, I shouldn't
17 say catching, having a trainee assigned to you on this job, is
18 that something fairly common nowadays?

19 A. It's fairly common across the board regardless of job or
20 whether it's road, yard, local.

21 Q. Can I ask, have you ever been taught or trained on how to
22 perform training?

23 A. No.

24 Q. Okay. This is a pretty broad question, but I'm going to ask
25 it. How do you feel about trainees' preparedness coming out of

1 the REDI Center, do you think there's been any change in the
2 quality of training?

3 A. Absolutely. So I think -- I think nobody is ready when they
4 come out of the REDI Center, I think when the REDI Center was 6
5 weeks that barely prepared you for the basics. I think now that
6 it's been cut to 4 weeks, I don't know what they do down there,
7 but truthfully speaking, I think that -- I don't know what they're
8 doing, so I think they're basically handing these guys a lantern,
9 a radio and saying hey, go work with this crew now.

10 Q. Okay. I know you talked about it from the job briefing
11 perspective, but prior to the incident, just in general speaking,
12 was there anything abnormal on the moves that you had already made
13 or --

14 A. No, no. The one weird thing, and I can't even say it's weird
15 because it had been kind of the normal, that maybe we'd have to do
16 was to go work Coke and Tenax.

17 Q. Okay.

18 A. Nothing out of the unusual. The Cranemasters having the
19 derails up and everything to do track work, that was a little
20 unusual, but nothing super crazy, I mean, everybody has to do
21 track work every now and then, it's a given, you know.

22 Q. That actually leads me to my next question, is that common in
23 that yard for the track work or was that kind of freak?

24 A. No, that's the first time, I mean, like I said, I'm sure they
25 have to do track work eventually, that's the first time that I've

1 been on the job that anybody's done any track work down there.

2 Q. Did you experience anything that you kind of thought to
3 yourself, as a conductor, they've done work? What I mean by that,
4 was there any unusual bumps or maybe lateral movement or anything
5 of that nature?

6 A. Some of the ballast was a little bumpy. The one location
7 where they put the derail and blue flag in front of our train on 5
8 track, the ballast is basically, for lack of a better word, rail
9 height and so they had to dig that out and of course, they left,
10 you know, piles on the rail and everything like that, which I
11 kicked over before we did any movement.

12 MR. CASSITY: I think that's it for me right now, thank you.

13 BY MR. CAVE:

14 Q. Jared Cave, FRA. So with regard to your initial movement,
15 your power was located on 5 track?

16 A. Yes, sir.

17 Q. And your first -- your cut car is on 5 track, as well, too,
18 and you had three blocks within that cut?

19 A. Yes, sir.

20 Q. Okay, so you had -- a first head-in block was for 1 track?

21 A. Um-hum.

22 Q. Middle block was 7, rear was 1?

23 A. Yes, sir. The head-out car was a home shop.

24 Q. Okay.

25 A. Like I said, we weren't sure what we were doing with it, if

1 we were going to be taking it up the hill or leaving it head out
2 on 5 track.

3 Q. Okay.

4 A. But that was a home shop.

5 Q. So did you cut off -- you cut off the rear as your first
6 move?

7 A. Yes, sir, we left the rear on 5 track to --

8 Q. Um-hum.

9 A. -- put the middle block over to 7 track and then went back
10 over to 5 to get all the 1's together --

11 Q. Okay.

12 A. -- then we went to 1 track.

13 Q. Okay. Thank you, that answers that. The van, did you -- for
14 the extent of your shift, do you have that van available to you?

15 A. No. So 137, of course, we have limited vans.

16 Q. Um-hum.

17 A. One thirty-seven had the van to do their double --

18 Q. Okay.

19 A. -- and of course, once that's done, take the conductor up the
20 hill to the head end.

21 Q. Um-hum.

22 A. And then, so we did not have a van available to us until
23 roughly, honestly, like about a few minutes before the incident
24 happened, so --

25 MR. CAVE: Okay. I have no further questions at this time.

1 BY MR. SKOLNEKOVICH:

2 Q. Okay, Richard Skolnekovich, NTSB Operations. Just like I
3 told you before, we can stop at any time.

4 A. Okay.

5 Q. Okay. So what I'd like to do now is kind of focus on the day
6 of the incident.

7 A. Okay.

8 Q. So I'd like to start off with how many days have you worked
9 with the trainee?

10 A. Three total, including that day that the incident happened.

11 Q. Three total days. On this particular job, right?

12 A. Yes, sir.

13 Q. Okay. During all those preceding days, how would you
14 characterize his training and proficiency?

15 A. Okay, so the first time I had him, which was roughly about 2
16 weeks earlier, he seemed like he had the rules down, he did seem
17 nervous as far as actually doing the things, he seemed like he
18 wasn't quite sure how to apply them, so we went over quite a bit
19 of stuff that day and then he went and worked some other jobs and
20 I had him the day before and of course, the day of the incident.
21 The day before the incident, he seemed excellent. I had no
22 complaints, you know, the day before, so he ran the majority of
23 the job that day and he did an excellent job.

24 Q. Okay. So the first time that you worked with him, did you --
25 kind of piggy-backing on the REDI training, did you have to give

1 him additional instruction on working in the yard?

2 A. Yes. Well, like I said, he seemed to know the rules and
3 everything like that, but as far as applying them, especially in
4 certain situations like brake tests and stuff like that, you know,
5 he needed some help, which, you know, it's understandable, he's
6 new.

7 Q. Okay. So you think it was brake tests or could you give me
8 an example?

9 A. It's other things, as well, as far as car counts, what to say
10 on the radio because, you know, you have to say "in the clear,"
11 you know, "switch the line," things of that nature. Engine
12 numbers, just common practices on how to go about it that, you
13 know, that are not only, obviously, the rule-compliant way, but
14 obviously make sense and are practical, and so just basically
15 taking those rule -- that rule compliant-ness and put it into a
16 practical situation.

17 Q. Okay. With, like, on that first day, did he have all his PPE
18 and --

19 A. Yes, sir.

20 Q. Okay. And his boots, did they look -- okay.

21 A. Yes, sir.

22 Q. Boots were good. He had safety glasses and stuff like that,
23 okay. When you talked to him and you gave him instructions, did
24 he thoroughly understand what you were saying or did you have to
25 re-explain?

1 A. A couple times I had to re-explain, but you know, you don't
2 learn on the first time, you know, and then it's understandable,
3 you know, and so we would go through things throughout the day.
4 you know.

5 Q. Okay. I got you. Now, the day before, you said you pretty
6 much -- that's when he started making the majority of the moves?

7 A. Yes, sir.

8 Q. Okay. Can you walk me through some of the moves that you
9 guys made together with him leading?

10 A. Yeah, so that day we did not have anything to take up from
11 Canton because it was Sunday, so Canton wasn't working, so they
12 had nothing to take up. We had two cars to bring down, we did
13 that on the tail end, I believe, if I remember correctly, we did
14 the switching first, which the switching wasn't bad, either. He
15 did the majority of it. And so -- but he was, he was definitely
16 good. I had no complaints that day.

17 Q. Okay. So you were comfortable with coupling and cutting?

18 A. Yes, sir.

19 Q. Okay. And what about shoving?

20 A. Same thing, I think the car counts were good, I think he was
21 excellent with his radio. Once we were done that day, because we
22 also had an engineer trainee that day, as well, and both of them
23 said hey, your radio's good, you know, doing an excellent job.

24 Q. Okay. So during that day when you were working with the
25 student engineer and stuff, did he have a mike for his radio?

1 Like a mike with a cable?

2 A. You're talking about Mr. Little or --

3 Q. Yes.

4 A. Yes. Yeah, he --

5 Q. The trainee.

6 A. -- has a lapel mike.

7 Q. Oh, I'm sorry. Yeah. Which side did he keep it on? If you
8 can remember.

9 A. I'm not honestly sure. I know I usually -- I usually keep my
10 mike on the left side.

11 Q. Okay.

12 A. I'm not sure. Actually, now that I think about it, I think
13 he might have had it on his right side, I think he wore the radio
14 on the left and the mike on the right side, if I remember
15 correctly.

16 Q. Okay, radio left. Okay. Okay. And so during that day
17 before, when you were working with him, did you, you know, do any
18 getting off equipment while the equipment was moving?

19 A. I think we did. Like I said, it's an everyday practice, it's
20 hard to remember what exactly you do, but yeah, I believe -- I
21 believe we did because it's such a common practice. Everything,
22 rule compliant-wise, practical-wise, he did very well with
23 everything.

24 Q. Okay. Now, let me ask you this. To your knowledge, is the
25 -- getting off moving equipment, is that something that's taught

1 at REDI or is that something that's taught in the Division?

2 A. I'm not sure that -- if it's taught at REDI or not, I would
3 think so, but I'm not sure at all. I know I usually go over it
4 with my trainees, whenever I have them, about, you know, what to
5 say, how to say it, what to do, things of that nature.

6 Q. Okay. Now, did he do that the day before or the day of, talk
7 to the engineer about getting off moving equipment?

8 A. Yes, so I do believe that we did get off moving equipment.
9 I'm sure we did because it's such a common practice.

10 Q. Okay. How often do you think you do it, is it -- throughout
11 the day?

12 A. Pretty common, it's as common as coupling up, honestly.

13 Q. Okay. Now, the first time he was out there or the first time
14 that you can recall doing it with him, did you give him any
15 instructions on, you know, what to do or --

16 A. Yeah, so basically like hey, look, we're going to come up
17 here and couple to this track, I think, and then we'll hop off.
18 And I did go over the new shove rules with him because the new
19 shove rules do say that, you know, within three cars, a hundred 50
20 feet, you have to be -- if you're coupling up, you have to be
21 dismounted before that hundred 50 feet or if you're not coupling
22 up, you have to stop the train before that hundred 50 feet.

23 Q. Okay.

24 A. So I do know I went over that with him.

25 Q. Okay. And he seemed to understand that?

1 A. Yes, sir.

2 Q. Okay. But did you give any instruction on just how to
3 dismount from the moving equipment? Like feet placement or hand
4 placement or anything like that. That you can recall.

5 A. Not really.

6 Q. Okay.

7 A. He seemed to -- he seemed to do it fine, from watching him,
8 he seems like -- he seemed to do fine.

9 Q. Okay. Did he seem pretty comfortable riding the equipment?

10 A. Yes, sir.

11 Q. Okay. And did he seem fairly comfortable getting off moving
12 equipment?

13 A. Yes, sir.

14 Q. Okay. Did you see anything on any of the shoves that, you
15 know, made you concerned or made you want to talk to him about?

16 A. No. Like I said, his car counts were good, his radio was --
17 his radio verbiage was good. Nothing, nothing really stood out.

18 Q. Okay. Okay, so all in all, you felt he was proficient
19 enough --

20 A. Yes, sir.

21 Q. -- to shove with equipment, ride the intermodal cars?

22 A. Yes, sir.

23 Q. And did not require additional instruction?

24 A. Yes, sir.

25 Q. Okay. The day before and the day of, did he seem pretty

1 comfortable with the moves that you guys were making?

2 A. Yes, sir. So he seemed like he was good to go, honestly, I'd
3 say he was ready to mark up, honestly, you know.

4 Q. Okay. Now, with the -- since he was controlling the majority
5 of the moves, did he have a switch list?

6 A. Yes.

7 Q. Okay. So can you walk me through how he was reviewing the
8 switch list? Was he looking at the switch while he was riding or
9 was it something for a move?

10 A. It was usually something before a move or between moves.

11 Q. Okay.

12 A. I know I look at my switch list often, you know, between
13 moves, you know, unless we were, you know, checking numbers on a
14 roll-by or something like that, you know, to have my switch list
15 out, obviously, checking numbers, you know, giving car counts.

16 Q. Okay. Do you remember where he carried the switch list?

17 A. I assume in one of his pockets.

18 Q. Okay. Do you remember, the day of the shoving incident, did
19 he have the switch list out or was it in his pocket?

20 A. I believe it was in his pocket.

21 Q. Okay.

22 A. We were shoving into 5 track, we both knew that we were going
23 to 5 track, you know, there's --

24 Q. Okay, I was going to walk you through that in a minute, but
25 once again, if you need to take a break, we can take a break.

1 A. I'm fine, sir.

2 Q. Okay. All right, well, since we're there, what I'd like to
3 do is work into that move, starting before the shove, so tell me
4 the last move before the shove.

5 A. Okay, so the last move before the shove is we had to go spot
6 1 track, couple everything up into 1 track, spot and cut the
7 splits accordingly. Holding on to that head-out car, that home
8 shop, we made our cut, came off 1 track, went against 2 track, all
9 of 2 track and of course, by then we had found out that the home
10 shop was going to be staying on 5. So everything on 2 track plus
11 that home shop was going to be going to 5 track. And so at that
12 point, the van had not shown up yet, so our plan was to just ride
13 the rail all the way in and the engineer would clear up on his end
14 and then we would walk up accordingly.

15 And so that's what we did and so we were pulling out of 2
16 track to clear the switch to go towards 3 through 8 or 3 through
17 5, I mean, and once we cleared that outside switch, we did see the
18 van pull up and at that point, we both agreed it's like hey, we'll
19 just shove it around this curve in 5 track, that way we can see
20 the rear on the straight and then once we do that, we'll get in
21 the van, we'll go down to the east end and we'll walk to shove
22 that way.

23 Q. Okay, let me ask a question. So when all the equipment was
24 over on -- all the cars, cut of cars were on 2 track, right?

25 A. Um-hum.

1 Q. Were you guys located up by the lead into 2 or were you down
2 at the other end of the tail end of the cars?

3 A. So we had to go all the way down to the split to --

4 Q. Okay.

5 A. -- couple up to the cars --

6 Q. Okay.

7 A. -- down on 2 track.

8 Q. Yeah, I'm sorry. You're right.

9 A. And so after we coupled up, we hopped on the car that was
10 behind the head-out car and we rode up to the switch leading to
11 the other tracks. There's a diamond there that we share with NS
12 that -- it's basically like a stop sign, the engineer has to stop
13 there every time and so when he stopped for that diamond is when
14 we hopped off and we gave him better car counts.

15 Q. Okay. So you rode the split out, you got permission to pass
16 the signal or you got clearance to go -- the diamond, I mean.

17 A. Yes, sir.

18 Q. Okay. And then did you guys jump off when you were on that
19 switch?

20 A. Yeah. So we hopped off when he stopped for the diamond, we
21 pulled them ahead to clear the switch and of course, we stopped
22 them and once he was clear, he threw the switch and we both got on
23 the rear and he started making the shove back.

24 Q. Okay, all right. About how much time do you think that was
25 from the time that you cleared 2 track until you guys mounted back

1 up?

2 A. What, the time to throw a switch? I don't know, about 30
3 seconds.

4 Q. Okay.

5 A. Not even, maybe. It doesn't take very long, so --

6 Q. Okay. Were you guys talking at that point in time about the
7 next move or did you already have that conversation?

8 A. Yeah, so once we -- because at first we were talking, just
9 riding the rear all the way in to 5 and then walking up, but once
10 we threw the switch, we saw the van had pulled up, we were like
11 hey, we'll just shove around the bend here, into 5, you know, that
12 way we can see the rear end all the way down to straight and we'll
13 take the van back there, we'll watch the rear that way and then
14 we'll come back up in the van.

15 Q. Okay, all right. So were you planning on stopping right
16 before, when you starting hitting the tarmac?

17 A. We planned on stopping around the bend.

18 Q. Around the bend.

19 A. So that way the rear was on the straight.

20 Q. Okay. Got you. All right, so when you began moving the
21 shove, was he controlling the movement at that point in time?

22 A. Yes, sir.

23 Q. Okay. Can you walk me through how he initiated the movement
24 with the engineer?

25 A. If I remember correctly, I forget the engine number we had, I

1 think -- I believe it was 328, if I'm not mistaken, Locomotive
2 328, clear line rear, starting back 10, 1-0.

3 Q. Okay. And the engineer replied?

4 A. Yes, sir. Three twenty-eight, clear line, rear back 10.

5 Q. Okay, so best of your recollection, were you watching him as
6 he did this?

7 A. Yes, fairly. I was also watching ahead of the move --

8 Q. Okay.

9 A. -- just to make sure, you know, of everything, which we were
10 all lined up and everything like that, so I wasn't too worried
11 about anything.

12 Q. Okay.

13 A. But still watching ahead and everything.

14 Q. Now, based on that point in time, if you can remember, you
15 had been across from him?

16 A. Yes, sir.

17 Q. Okay. Can you remember about where his radio in relationship
18 to -- as you're looking at him, where his radio and mike was at?
19 If you can remember. If you can't remember, don't worry about it.

20 A. No, sir, I can't.

21 Q. Okay. Do you recall seeing him with the switch list or
22 anything or was that still in his pocket?

23 A. No, I believe that was still in his pocket. He was talking
24 on the radio, looking ahead, giving good car counts, he started
25 them out with 10, went a few more cars, he gave another count of

1 10 and -- and probably about, you know, four or five more cars,
2 dropped them down to five because we only needed about five more
3 and it was a little bit after that that the slack ran out.

4 Q. Okay. I'd like to back up just a little bit. So when you
5 guys started the shove, how was the -- when the engineer started
6 the move, how did it feel, was it -- did you feel slack roll out
7 during the start of the move?

8 A. Yeah, the slack's a pretty common thing, I mean, you're
9 holding on to -- we had 43 buckets, 15 cars on paper but 43
10 buckets all together and so there was a little bit of slack in
11 there, but once again, nothing unusual, not super hard or
12 anything, nothing that I would find unusual.

13 Q. Now, best to your recollection, as you're riding the car, can
14 you walk me through where your hands are and where your feet are?

15 A. Yeah, so we were both riding the car, not the bottom rung but
16 the next rung up, both my hands are on the -- the grab iron that's
17 directly in front of me, both feet on that middle-up rung, facing
18 the direction of movement.

19 Q. Okay, so you have both hands on one hand grip?

20 A. Yes, sir.

21 Q. Okay. Now, on that particular car there's two hand grips,
22 basically, right?

23 A. Yes, sir.

24 Q. Are you on the one, are you holding on to the grip that's
25 closest to the point of the shove or the one closest towards the

1 well?

2 A. Closest to the point of the shove.

3 Q. Okay. And then your feet are not on the lowest stirrup, but
4 you're on the next --

5 A. Next one up.

6 Q. -- bar that comes up.

7 A. Yes, sir.

8 Q. Okay. Now -- and this is going to sound a little bit minute
9 but it's kind of critical for us. When your feet are on the bar,
10 can you get your toes all the way across the bar or do you have to
11 angle your feet?

12 A. You have to angle your feet a little bit.

13 Q. Okay.

14 A. So I'm sure it depends on shoe size, but for me, I have to
15 angle my feet a little bit.

16 Q. All right. Do you angle them one direction, do you angle
17 them opposite of each other?

18 A. I angle them one direction, you know, just to make it more
19 comfortable, that way I'm facing the direction of movement.

20 Q. Okay, so you angle your feet facing the direction of the
21 shove?

22 A. Yes, sir.

23 Q. Okay. All right, so your feet are facing the direction of
24 the shove and you're holding on to the grip and that's towards the
25 shove.

1 A. Yes, sir.

2 Q. Okay. The best of your recollection, can you tell me what
3 the trainee was doing?

4 A. I believe he was doing the same thing. I did tell him one of
5 the things that I try to tell all of my trainees down there is
6 that because it is a pad, you do have the rule that you cannot
7 ride the bottom stirrup of a locomotive or a car, and you have 10
8 million different types out here, of course trainees are, you
9 know, built differently, of course, and so I tell them like look,
10 when you're riding these things try to step on the next step up,
11 that way you're in rule compliance, that way you don't get dinged
12 for silly stuff, but if it comes down to it, if you need to use
13 that bottom sill, then do what you need to.

14 Q. Okay. Did he fully understand that?

15 A. I believe so.

16 Q. Okay. All right. So right now, I don't want to talk about
17 him just yet, I want to talk about your perception of the move.

18 A. Okay.

19 Q. Okay, so he's calling the movements, he gives five cars to a
20 stop, is that what he said?

21 A. Yeah, so he started him out with 10, he gave another count of
22 10 and his last move was five, because we only needed five more
23 cars.

24 Q. Okay. Five cars. And then did the engineer respond on the
25 radio or did he just --

1 A. Yeah, yeah.

2 Q. Okay. Responded on the radio. And then he would've started
3 slowing down. So did you feel any slack action as he -- as you
4 started to get towards that five count?

5 A. A little bit, not really, because we weren't moving super
6 fast, either, probably around the 6-, 7-mile-an-hour mark.

7 Q. Okay. So as he started applying the brake, did you get moved
8 around at all or -- or did it seem fairly smooth?

9 A. It seemed very smooth.

10 Q. Okay.

11 A. It seemed very smooth.

12 Q. Throughout the entire stop or just up to the -- up to the
13 point of the incident?

14 A. Up to the point of the incident it seemed very smooth.

15 Q. So up to the point of the incident it seemed fairly smooth.

16 A. Yeah.

17 Q. Okay. Now, talk about the trainee. Now, during that shove,
18 I know you're probably watching the shove and you're probably
19 watching everything else, but did you get a chance to look at him
20 as you guys were making that shove, those last five cars?

21 A. A little bit, kind of quick glances and things like that, you
22 know, so --

23 Q. Okay. Did he seem comfortable and stable at the platform?

24 A. Yes, sir, he seemed comfortable, he was giving good radio car
25 counts on the radio and everything. Nothing that I thought was

1 unusual.

2 Q. Okay, so if you can recollect, so what you said before is
3 that you're basically both holding the handrail that's closest to
4 the -- the hand grip that's closest to the shove, right?

5 A. Yes, sir.

6 Q. Okay, so if you can remember, do you remember which arm he
7 was using to talk on the radio and which arm he was using to hold
8 that, that handrail? If you can remember.

9 A. I would assume that he would probably be using his left hand,
10 given on that side of the car, but I'm not sure.

11 Q. Okay. Left hand to hold or to talk on --

12 A. Left hand to hold, I would think.

13 Q. Okay. Okay. All right. Now, we're going to kind of go into
14 the -- a little bit of the incident.

15 A. All right.

16 Q. Once again, if you get uncomfortable, you can stop us at any
17 time or we can take a break, okay?

18 A. Okay.

19 Q. Are you okay with that?

20 A. Yes, sir, I'm fine.

21 Q. Okay. So now we're at the point where the trainee is giving
22 the five car counts, the engineer starts applying the brakes, you
23 said up until that point it felt fairly smooth. And then the
24 trainee comes off the platform. Can you talk to me about the car
25 movements and what you saw with the trainee?

1 A. Yes, sir. So slack ran out. From the corner of my eye, it
2 looked like he tried to use his right foot, to place his right
3 foot on the platform to balance himself. He overstepped, though,
4 stepping in front of the platform instead of on it and that's how
5 he fell. He fell straight down, he fell out of my sight at that
6 point, all I could hear is him screaming in agony about half a
7 second later.

8 Q. Okay. So with that in mind, now after that happened, I'd
9 kind of like to back up a second. When the slack ran out, did it
10 seem, that last portion, when he went off, did it seem any more
11 different than any other slack action --

12 A. No, sir, it was a very -- nothing unusual. That type of
13 slack action is the type that we experience every day, you know,
14 multiple times throughout the day, definitely not anything
15 unusual. I've felt much harder slack than that before in my
16 career.

17 Q. Okay. Did it catch you off guard or --

18 A. No, sir.

19 Q. Okay. Based on your opinion, do you think it caught him off
20 guard?

21 A. So, by what has happened, maybe so. Probably so.

22 Q. Okay. Had you ever seen him place his -- any feet up on the
23 platform before then, during slack action?

24 A. Sometimes. Some people have done that just to catch
25 themselves real quick. Of course, you don't want to try to do

1 that but if you're not expecting something, you do what you got to
2 do, you know.

3 Q. Okay. Based on your recollection, did he just miss the
4 platform or did he put his foot on it and it just slid out?

5 A. No, he missed the platform, I believe.

6 Q. He missed the platform, okay. Now right prior to that, do
7 you know where his -- do you know where he was watching as that
8 happened, was he watching the road area, was he looking at the
9 van, was he looking at you?

10 A. He was -- if I recall correctly, he was looking ahead, giving
11 moves.

12 Q. Okay. Looking ahead. And he was still controlling the
13 movement?

14 A. Yes, sir.

15 Q. Okay. Okay. So now after he went off the platform, if
16 you're willing, can you kind of walk me through your actions?

17 A. Yes, sir. So he went down immediately. I yelled stop, stop,
18 stop on the radio. I hopped down. The train is basically just
19 about stopped by then. I hop on down immediately, run around to
20 the other side of the car and I see he's tangled up in the truck.
21 The train still had a little bit of movement on it, I'm not sure
22 if that was just from the slack, I'm -- because sometimes trains
23 are like Slinkies, they can have a little bit of boing to them,
24 for a lack of better words, and so I opened up the angle cock and
25 I dumped the air from the rear.

1 Q. After you opened up the angle cock, was there any more
2 movement?

3 A. No.

4 Q. Okay. After that point, I don't want to go through after
5 that, but can you tell me who called 911?

6 A. Van driver did. Short moment later, the ramp manager pulled
7 up, probably about 10 minutes later or so and then called 911, as
8 well.

9 Q. Okay. Can you give me just an estimate of how long it took
10 for first responders to get there?

11 A. Probably about 20 minutes.

12 Q. Twenty minutes. Did anybody from the intermodal facility
13 folks or CSX guide the first responders in or did they just know
14 where to go?

15 A. The van driver drove out to the front gate and the van driver
16 showed them the way in.

17 Q. Okay. Okay. Did you or the engineer alert anybody over the
18 radio?

19 A. Yes, sir, I immediately started calling Bayview. Once I got
20 hold of Bayview I told them to send the ambulance, an emergency
21 down here at Seagirt.

22 Q. Okay. And then did you have local management show up on the
23 scene?

24 A. A short time later, yes.

25 Q. Okay. Did they give you any instructions on what to do or

1 where to go or --

2 A. I would say at that point it was too late, so it was kind of
3 a -- so we need you to write some statements, talk to the police
4 detectives, things of that nature.

5 Q. Okay. That was kind of what I meant by the instructions.

6 A. Okay, yeah.

7 Q. Yeah. So they took you to write statements or did you have
8 to stay there for the police?

9 A. Yes. So I stayed there basically the whole time until --
10 until we got a ride back to our vehicles.

11 Q. Okay.

12 A. Wrote several statements for the police and CSX.

13 Q. Okay. Okay. Now, the engineer, did he remain at the head
14 end or --

15 A. Yes, sir, he remained at the head end on the locomotive until
16 he finally got a ride back.

17 Q. Okay. Did they secure the equipment or what did they do?

18 A. So the plan was to have another crew come out and move the
19 train off Derek's body and I believe that they swapped out when
20 that time came.

21 Q. Okay. And so then you and the engineer went somewhere else
22 to write statements?

23 A. Well, I wrote all my statements down there with the police
24 and then down there on the pad. I assume Danny wrote his
25 statement on the locomotive.

1 Q. Okay. Okay. You doing okay?

2 A. Yeah. Yeah, I'm fine.

3 Q. Do you want a break?

4 A. No, I'm good. Appreciate it.

5 MR. SKOLNEKOVICH: Okay. All right. That ends my questions.
6 Shawn.

7 BY MR. LAWTON:

8 Q. Shawn Lawton, BLET. Mike, when a conductor or a conductor
9 trainee is controlling the movement of a shove movement, what are
10 you required by CSX rules to provide the engineer?

11 A. Obviously, clear tracks, switch the line, you know, point of
12 rear, the point of ground. Car counts, not seeing 20 when moving
13 in an area of restricted speed, which we are. Of course, after
14 you give that initial car count, you have to give him a car count
15 of no less than half, at half the range of vision, so in other
16 words you give him -- if you start him out with 20 cars, you have
17 to tell him you need another 20 or another car count within 10
18 cars. Engine number, things of that nature.

19 Q. Okay. During that, when you do talk to him, when you guys
20 have that ongoing job briefing, obviously, with the move, are you
21 letting the engineer know if the conductor or the conductor
22 trainee, where you guys physically are or are both the conductor
23 and conductor trainee doing separate transactions to let him know?

24 A. So whoever's doing the move usually says that, like "clear
25 line, rear," because we're both either going to be on the rear or

1 on the ground, not really too many situations, unless he's up and
2 riding and pulling ahead like a car or something like that, it's
3 hard to think of a situation where I'd be on the ground and he'd
4 be on the rear or vice versa. Yeah, so usually whoever's doing
5 the move says that because you have to say "clear line, rear."

6 Q. Okay.

7 A. And so "clear line, rear," "clear line, ground" just to show
8 that you're either on the rear or on the ground.

9 Q. Okay. Earlier you'd mentioned you guys' plans from when you
10 came off of 2 track, you both boarded the train, you both climbed
11 up and you were going to shove back into the curve on 5 and stop
12 in the straightaway, correct?

13 A. Yes, sir.

14 Q. Okay. Was there any plans at any time to stop to dismount
15 for that crossing or the plans were to shove right through the
16 crossing to the straightaway?

17 A. Shove over it because it's nothing more than a pad and
18 getting to the straightaway.

19 Q. Okay. If you can recall, how long after the five-car count
20 did the slack come in?

21 A. A few, few seconds. Not too much longer.

22 Q. And after you got off the car and ran around and dumped the
23 train, what did you do between that time and first responders or
24 CSX and the police showed up?

25 A. Derek was screaming in agony and pain and I'm not sure if he

1 was still alive or not, at least it kept going back and forth in
2 my mind that he was or he wasn't, he is or no, he's not, yeah, he
3 is. And he was cut in half, the majority, at least. And I know I
4 got close to him and said I'm sorry, Derek, but I said I'm sorry,
5 but you're cut in half, dude, you know, I'm not sure what you can
6 say, it's going to be lights out any second, you know.

7 MR. LAWTON: Thank you. And I'm sorry you had to experience
8 that. I have no further questions.

9 BY MR. MEADOWS:

10 Q. So Matt Meadows, CSX. You covered most of the things I
11 would've asked. Just a couple of questions. So you stated
12 Mr. Little had -- this was the third time he had --

13 A. Yes, sir.

14 Q. -- been with you. I'm going to assume you rode equipment
15 each time he was with you.

16 A. Yes, sir.

17 Q. Was it always intermodal equipment or did you ride other
18 types of equipment?

19 A. Oh, so when we would take freight cars from Canton to Bayview
20 and back, those were regular freight cars, box cars, tank cars,
21 sometimes flat cars, things of that nature.

22 Q. So you had the opportunity to see and instruct him on the
23 various, those various cars?

24 A. Yes, sir.

25 Q. So Monday, the last time, did you notice any difference in

1 the way Mr. Little rode equipment that day?

2 A. No, sir.

3 Q. On any of the 3 days did you ever provide any guidance to
4 Mr. Little about riding equipment and what I mean by that is did
5 you see a way for him to do it better or did you ever observe him
6 doing things maybe not quite right that you had to correct?

7 A. To my recollection, no, not really. He did seem squared
8 away.

9 Q. Okay. So when shoving track, did you ever see him put his
10 right leg up on the platform prior to the event?

11 A. I don't think so.

12 MR. MEADOWS: That's everything I have.

13 BY MR. CASSITY:

14 Q. Jared Cassity with SMART TD. I want to start real easy here
15 and I don't have much. In dealing with slack, when you're riding
16 equipment, are some cars easier than others?

17 A. Yes, sometimes. It really depends on the car type, you have
18 a million different types of freight cars and then those million
19 types of freight cars have different builders and so there's a lot
20 of different variables.

21 Q. Can I ask your opinion on that car the day that you were
22 riding, you know, just varying degrees of difficulty, how would
23 you rank that particular intermodal car?

24 A. I'd actually say, or would say that it was a fairly good
25 rider. I thought so, at least.

1 Q. Can I ask you a very personal question, how tall are you?

2 A. Five eleven, something like that.

3 Q. When you all pulled up to get above the switch, you may have
4 said it and I might have missed it and so I apologize, where did
5 you all ride at when you made the initial pull?

6 A. So we rode either the second or third car back, just behind
7 the home shop because we had to go all the way down to 2, couple
8 up, and by the time we knocked the brakes off and everything, so
9 we were fairly -- actually, we were right behind the home shop,
10 now I remember because there was three buckets between us and the
11 locomotive and -- which was a perfect place to dismount once he
12 stopped for the diamond because it's usually about five cars
13 between the diamond and the switch right there.

14 Q. Okay. And doing the type of movement, from my experience,
15 I'm curious, were you both on the same side of the car or did
16 somebody cross over?

17 A. I was riding one side, he was riding the other.

18 Q. Okay.

19 A. So that seemed to make more sense instead of walking back who
20 knows how many buckets.

21 Q. Okay.

22 A. That way I kept eyes on him.

23 Q. I don't remember if this was asked, did you happen to notice,
24 ever, in the 3 days you worked with him, if he was right handed or
25 left handed?

1 A. Not that I noticed.

2 Q. Okay.

3 A. I usually ride with both hands on, I'd say it really depends
4 on car type, what side I'm riding, you know, things of that
5 nature, so I assume it's kind of like that for everybody.

6 Q. Sure. And that kind of leads me to my next question, did you
7 all actively discuss who was going to ride which side or did that
8 just kind of happen naturally?

9 A. It depends on the moves. Throughout, you know, the days I
10 worked with him, when we would ride, there's multiple times that
11 it would be like okay, you ride this side, I'll ride this side or,
12 you know, you ride over there, I'll ride here, you know, things
13 like that.

14 Q. Did he express his preference on the last move, did he
15 express his preference on which side to ride, do you recall?

16 A. Not that I recall. He threw the switch, the switch handle
17 was on the side that he was riding, so he climbed up on that side,
18 I climbed up on the other side.

19 Q. I'm almost done. I'm really curious about his emotional
20 state prior to. Did he seem normal, did he seem agitated?

21 A. No.

22 Q. Was he talking about family problems or anything?

23 A. No, no. He seemed like -- he was happy, he was excited,
24 motivated, ready for this next chapter in his life.

25 Q. And then my last question, it sounds like quite a bit of time

1 transpired after the incident, EMS was there. You said the
2 engineer was in the cab of the locomotive the whole time?

3 A. Yes, sir.

4 Q. Do you know if anyone was with him?

5 A. Not for some time, I think.

6 MR. CASSITY: Okay. Thank you, no further questions.

7 BY MR. CAVE:

8 Q. Jared Cave, FRA. So you mentioned you've worked about 60/40
9 between the road and the yard. Would you say you feel more
10 comfortable working the road than you do working in the yards in
11 general?

12 A. A little bit, it's just kind of my preference.

13 Q. You prefer working on the road?

14 A. Yes, sir, it just seems it works with my lifestyle a little
15 bit more.

16 Q. Okay. You mentioned lately you've been getting a lot of
17 trainees, is that -- would that be fair to say?

18 A. Yeah.

19 Q. Do you feel comfortable in the yard with the trainees,
20 working with them and mentoring them?

21 A. Yes, most of the time. Of course, you got every level of
22 trainee out there, some are really good, squared away, some really
23 are not whatsoever, but -- and if that's the case, then I do the
24 moves.

25 Q. Okay, do you ever get in situations where you feel like

1 having that trainee with you, if you're feeling uncomfortable with
2 a move or an action that might -- they might be taking or --

3 A. Oh, sometimes.

4 Q. Um-hum.

5 A. Sometimes. It is one more thing to look out for, just, you
6 know, it does change moves on how you can do them a little bit,
7 depending on the car type and everything.

8 Q. Do you feel comfortable that if you were with a trainee that
9 you felt was more of a liability, that you could reach out to a
10 manager or someone and let them know of the issue?

11 A. Maybe, I guess, you know.

12 Q. Now, let me kind of switch gears here. So you mentioned
13 about talking to the conductor trainees and others that you've
14 worked with on this 231 job and talking about riding the second
15 rung and how it's a better practice because you'd be in compliance
16 with the rules --

17 A. Um-hum.

18 Q. -- correct?

19 A. Yes.

20 Q. Is this a conversation that you had with Mr. Little,
21 specifically that day or was it just in general?

22 A. I can't remember. I do know that I talked to Mr. Little
23 about that.

24 Q. Um-hum.

25 A. I can't remember if it was exactly that day or one of the

1 days before, but that is one of the things I go over with all my
2 trainees down there. I can't recall. I don't know anybody
3 personally that has been dinged for that down there.

4 Q. Um-hum.

5 A. I'm sure there has been. I do know guys that have been
6 dinged for the same thing in similar situations in other places,
7 though.

8 Q. Okay, but this is a conversation that has taken place at some
9 point within that, it wasn't like, specifically like right, you
10 know, before that --

11 A. Right.

12 Q. -- move, okay.

13 A. Yes, sir.

14 Q. So the terminology you used for letting the engineer know
15 you're up and riding, what was the -- what was that terminology
16 again?

17 A. Clear line, rear. Clear of all tracks, switches are lined,
18 point of rear or point of ground.

19 Q. Is that common CSX terminology for making that?

20 A. Yes, sir. So it's just -- it simplifies things because you
21 have a lot of radio traffic sometimes --

22 Q. Um-hum.

23 A. -- and so it simplifies things, but it's rule compliant and
24 it gets it out there and it's straightforward and to the point.

25 Q. Okay. And Mr. Little, was he the one, after throwing the

1 switch, did he say that you were clear line, rear?

2 A. Yes, sir, I believe so. He did say clear line, rear. I
3 think he said, you know, in the clear on the rear, switch is
4 lined, something like that, but yes, sir, he did say clear line.

5 Q. So he made that communication to alert the engineer to let
6 him know that you both were up and riding the rear of that car?

7 A. Yes, sir.

8 Q. Okay. Did you mention, the day before was there a student
9 engineer --

10 A. Yes.

11 Q. -- working?

12 A. Yes. Doug Miller.

13 Q. So the day prior, you had a student engineer working --

14 A. Um-hum.

15 Q. -- and you had a student conductor training.

16 A. Um-hum.

17 Q. Were they working in tandem, at one point did you have the
18 student engineer running while the student conductor, conductor
19 trainee is on the ground working?

20 A. Yeah, Dougie ran the engine all day, if I'm not mistaken and
21 then Derek also made the majority of the moves for the job that
22 day.

23 Q. In your personal opinion, how do you feel about that, do you
24 feel like that's a safety concern of any kind?

25 A. It depends on who's working with what, there's a lot of

1 variables that go into it. Doug Miller, he's an experienced guy,
2 even though he is an engineer trainee and he's new to the
3 throttle, he's still an experienced guy from the ground. I think
4 he has a lot of good wits about him and I think, just from feeling
5 the way he was moving the train, I thought he was doing fine, as
6 well.

7 And the same thing with Derek Little, he was doing an
8 excellent job, as well, nothing posed to me as a safety concern
9 with that. I'm not saying that there hasn't been times where
10 engineer trainees haven't been good or vice versa, but you know,
11 at that time that situation, it seemed fine, I did not see any
12 safety concerns with that at that time.

13 MR. CAVE: Okay. No more further questions at this time.

14 BY MR. SKOLNEKOVICH:

15 Q. Richard Skolnekovich, NTSB Operations. I just got a couple
16 questions. In your own opinion, is there anything that you can
17 think of that could've prevented this incident?

18 A. A lot, but nothing that I knew at the time, nothing that I
19 would change differently at the time, due to the current
20 situation.

21 Q. But now that you do know what you know, would there be any
22 recommendations either to other conductors, CSX, anybody else,
23 what would be your recommendations? It's okay if you don't want
24 to. I understand.

25 A. That's fine. I'm not sure. If we had to do it over again,

1 of course, I would've done it differently, we would've walked, we
2 would've done something different, but at that time I didn't see
3 anything unusual with the move, you know, he seemed fine riding
4 cars, you know, I know I'm fine with riding cars. It did not seem
5 like an issue.

6 Q. Okay, all right. Is there anything you would like to add to
7 the panel here or to anybody else to help improve safety or
8 anything you want to add just to the interview?

9 A. Not at this moment.

10 Q. Okay, all right. And the last question I got for you is if
11 we do have any follow-on questions, do you mind if we contact you?

12 A. Sure.

13 Q. Okay, all right. Prefer phone?

14 A. Yes, sir.

15 MR. SKOLNEKOVICH: Okay, all right. Well, on behalf of the
16 NTSB, I want to thank you for being here and for your cooperation.
17 I know this is a difficult time for you. We really appreciate you
18 coming here, hopefully this will help us prevent things like this
19 from happening in the future. So I thank you.

20 And time is now 2:06 and this concludes the interview.

21 (Whereupon, at 2:06 p.m., the interview concluded.)
22
23
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 Michael Kurtis

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