

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

MIDDLESEX RAILROAD EMPLOYEE *

FATALITY IN GREAT BARRINGTON, *

Accident No.: RRD23FR015

MASSACHUSETTS ON AUGUST 8, 2023 *

*

* * * * *

Interview of: BRADY HOLT, Driller
Middlesex Corporation

Great Barrington, Massachusetts

Saturday,
August 5, 2023

APPEARANCES:

JOE GORDON, Track Group Chairman
National Transportation Safety Board

JOHN PATANE, Safety Inspector, Track Discipline
Federal Railroad Administration

RICHARD SKOLNAKOVICH, Investigator
National Transportation Safety Board

DARREN HOHN, Operations Director
Middlesex Corporation

P.J. BAILLY, Train Master
Housatonic Railroad

DAVID CASACELI, Railroad Investigator
National Transportation Safety Board

TODD KRAHOLIK, Rail Investigator
National Transportation Safety Board

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Brady Holt:	
By Mr. Gordon	5
By Mr. Patane	8
By Mr. Skolnekovich	13
By Mr. Hohn	22
By Mr. Bailly	23
By Mr. Kraholik	25
By Mr. Gordon	28
By Mr. Patane	36
By Mr. Skolnekovich	39
By Mr. Hohn	43
By Mr. Casaceli	45
By Mr. Bailly	44
By Mr. Kraholik	46
By Mr. Gordon	47
By Mr. Patane	51
By Mr. Skolnekovich	53
By Mr. Bailly	56
By Mr. Casaceli	56
By Mr. Kraholik	57
By Mr. Gordon	58

I N T E R V I E W

(12:45 p.m.)

1
2
3 MR. GORDON: All right, good afternoon, my name is Joe
4 Gordon, I'm the NTSB track group chairman for this accident.
5 We're here today on August 5th, in Great Barrington, to conduct an
6 interview with Brady Holt, who works for the Middlesex
7 Corporation. This interview is in conjunction with the NTSB
8 investigation of an employee fatality that occurred near Great
9 Barrington. The NTSB accident reference number is RRD23FR015 and
10 the purpose of the investigation is to increase safety, not to
11 assign any fault or blame. Before we begin the questions, we'll
12 go around the room and introduce everyone for the record. Again,
13 my name is Joe Gordon, the spelling of my last name is G-O-R-D-O-
14 N.

15 MR. PATANE: John Patane, P-A-T-A-N-E, FRA safety inspector
16 of the track discipline.

17 MR. SKOLNEKOVICH: Richard Skolnekovich, S-K-O-L-N-E-K-V-I-C-
18 H, NTSB operations.

19 MR. HOHN: Darren Hohn, H-O-H-N, Middlesex HSC operations
20 director.

21 MR. BAILLY: PJ Bailly, Housatonic Railroad, it's B-A-I-L-L-
22 Y.

23 MR. CASACELI: David Casaceli, NTSB rail investigator, C-A-S-
24 A-C-E-L-I.

25 MR. KRAHOLIK: Todd Kraholik, K-R-A-H-O-L-I-K, NTSB

1 investigator.

2 MR. GORDON: All right, thank you.

3 So, we talked a little bit before, but you understand we're
4 going to record today's interview? We have your permission for
5 that?

6 MR. HOLT: Yes.

7 MR. GORDON: Thank you, and the interview will be
8 transcribed. You'll have an opportunity to review it and -- but
9 eventually, you know, to support our work that we're doing with
10 the report, it will become a part of the public docket. You
11 understand?

12 MR. HOLT: Yes.

13 MR. GORDON: Thank you.

14 INTERVIEW OF BRADY HOLT

15 BY MR. GORDON:

16 Q. So, if we could just kind of get started with your railroad
17 career, when you started railroading, you know, and just if you've
18 worked for different companies, just take us through what got you
19 to where you are today?

20 A. So, I moved back here from North Carolina in February and I
21 started railroad with Middlesex in March. Jay Menard -- Jason
22 Menard is the superintendent and my fiancé's cousin, so that's how
23 I got into it. So, I started in March with them. I was in Boston
24 doing some work out there with the company and then they brought
25 me out back to Great Barrington at the Housatonic and just learned

1 from there how to change out ties, put in new rail, just the basic
2 stuff. Eventually, they gave me the opportunity to start running
3 some equipment, so I've ran spike puller, then this driller that I
4 was on.

5 Q. Okay.

6 A. So, just five months of experience -- five, six months.

7 Q. Okay. All right, and about how long before you started
8 operating equipment -- in that time, how long before you actually
9 started operating?

10 A. Probably I started late May I finally got into one.

11 Q. Okay. All right, can you tell us a little bit about the
12 training? Like, is it -- is there classroom training for
13 operators, or OJT, or a little bit of both?

14 A. So, I took the Housatonic's rail and maintenance course and
15 then it was just on-site training on the equipment that I was
16 running from a foreman or another operator showing me.

17 Q. Okay, so when -- the day of the accident, were you staying
18 local?

19 A. No, sir.

20 Q. Okay, how far away were you?

21 A. I'm about an hour and ten minutes from the start of the day.

22 Q. From the work location?

23 A. Yeah.

24 Q. Okay.

25 A. So, I'm up at 2:30 in the morning to leave by 3:00.

1 Q. Okay, and what's a normal work week look like as far as hours
2 worked?

3 A. So, Monday through Thursday, we work between eight to ten
4 hours a day and then Friday and Saturday, we work anywhere between
5 12 and 14, same for Saturday as well.

6 Q. Okay, and then you've got the return -- a little over an hour
7 commute?

8 A. Yes.

9 Q. Okay, the day of the accident, how -- did you feel rested
10 that morning when you --

11 A. Just -- I was a little tired because it's towards the end of
12 the week and a long week, but nothing that I wasn't comfortable of
13 operating at the time.

14 Q. Okay, so when you show up to the work location, do you report
15 right to the equipment?

16 A. No, we had a meeting. We huddle around to a meeting -- we
17 get a job briefing with the Housatonic flaggers and we report what
18 we're doing for the day. Then we break off from that and then we
19 usually kind of get into a little smaller group of -- with our
20 foreman of who's going where and doing what. So, the day, it was
21 me, Joey, Roberto, and Rudolpho (ph.) that was part of the lagging
22 crew and the other half of the crew was up five miles away doing
23 bridge work.

24 Q. Okay, and that bridge crew, about how many members? It
25 doesn't -- just to your recollection?

1 A. Yeah, maybe 12 to 15 guys.

2 Q. Okay. All right, so can you tell us a little bit about the
3 job briefing that was held that morning?

4 A. Yeah, so job briefing, we got our track limits, 50 to 59, we
5 got the dispatcher, we told them what our -- what we were doing
6 for work that day, and then we went around and signed off on the
7 book, and then we got with the foreman and broke off into our
8 groups.

9 Q. Okay, and who was the foreman?

10 A. Nick Rende.

11 Q. Okay, and Nick is the one that assigned the work that you
12 guys were doing that day? He's the one that assigned that work?

13 A. Yes.

14 Q. Okay. All right, we're -- we wanted to kind of talk a little
15 bit about the lead up, you know, so I'll ask in the first round of
16 questions, we'll pass it around the table and ask -- you know, let
17 folks ask questions. But we'll just kind of focus on, you know,
18 the lead up and then we'll -- after this first round, we'll get
19 you to just kind of tell us about the movement there coming up to
20 that -- you know, leading up to the accident?

21 A. Okay.

22 MR. GORDON: So, with that, I'll pass it to my right, here.

23 MR. HOLT: Okay.

24 BY MR. PATANE:

25 Q. Okay, John Patane, FRA. I'd just like to get a little more

1 into the qualification process. So, you said that you were
2 qualified on the spike pull or driller. Just -- if you could go a
3 little bit into, like, the formal training process or what was
4 involved in getting that qualification?

5 A. It was just one on one, just how it's ran, what to do, and
6 what not to do on it.

7 Q. How long did you say for each piece of equipment where you're
8 getting one on one?

9 A. Depending how quick we learned on it. The drill probably a
10 good hour and then they watch -- the first day I was on it, we had
11 a superintendent, Jason Menard, out there and our mechanic out
12 there my first time out there watching me do it and showing me
13 what I was doing wrong and they hopped on the machine. So, I got
14 to see them do it some of the way.

15 Q. So, was the drill the first RMM you were qualified on?

16 A. No, I started with the spike puller.

17 Q. Spike puller, and it was the same kind of training deal with
18 that?

19 A. Yeah.

20 Q. Just working one on one for about --

21 A. Yeah, so originally on the spike puller, I was -- I would go
22 -- we would use that for kind of transportation to get to track.
23 So, first I was taught how to basically move it and then once we
24 were replacing ties, we were doing both sides of the track, so we
25 had another operator with me and so, the whole time, I was

1 watching him and he was showing me what to do. So, the spike
2 puller, I definitely had more training on it because there was
3 another operator in the spike puller with me.

4 Q. Okay, so with the spike puller, how long do you think that
5 you were working with that other operator for before you were on
6 your own without somebody else qualified with you?

7 A. It was probably, like, a week.

8 Q. Okay, a week?

9 A. Yeah.

10 Q. Okay, what do you typically do when you do your initial
11 morning inspection? How does that go usually?

12 A. So, walk around the machine, unlock it. I would check for
13 leaks and then once you're in the machine, turn it on, make sure
14 it's running properly, sound the horn, check the lights, and then
15 see -- check the brakes.

16 Q. Uh huh, and is there a form that you're required to fill out?

17 A. Yes.

18 Q. Okay, and was that form filled out the day of the incident?

19 A. No, it was not.

20 Q. Okay, were you the last person to fill out a form previous to
21 the incident or when was the last form filled out?

22 A. On the drill itself?

23 Q. Yeah.

24 A. The drill, yes.

25 Q. Okay, do you have an idea when the last time when that was?

1 A. I believe it was the 18th or 19th of the month.

2 Q. Okay, so a few weeks ago?

3 A. Yes, because we -- the driller, it's not ran regularly
4 because we've been having some issues with it, so it's been
5 working, getting fixed. So, it's not the typical machine that's
6 out on the track every day.

7 Q. Okay, now you guys have, like, a little separate four-person
8 subgroup that you were working with, who would you say was in
9 charge of that group?

10 A. I would say I would -- they put me kind of in lead and then
11 -- you know, I wasn't their bosses, I just guided them and I took
12 suggestions from -- the key guys that were also with me were
13 Rudolpho and Roberto.

14 Q. Okay, so who would you gain authority to operate on the track
15 from?

16 A. To go out there?

17 Q. Yeah, to go out there?

18 A. The foreman, Nick Rende.

19 Q. So --

20 A. And if I ever had a question while we were working, I would
21 also give him a call before I would tell those guys what to do.

22 Q. Okay, and then when the machine had its mechanical failure,
23 who did you contact to let them know what happened and who
24 authorized the move to bring it back to the mechanic?

25 A. So, I -- that day -- so, I usually call Nick Rende, the

1 foreman, because I don't have the mechanic's number.

2 Q. Uh huh.

3 A. So, he usually calls him and then I go down and then it gets
4 fixed. But I got a hold of Jason Menard and he gave me the
5 mechanic's number.

6 Q. Okay.

7 A. He didn't answer me, so I knew he was in the yard.

8 Q. Okay.

9 A. So, I told the guys that I was with to -- that I'm leaving
10 the spot, I had a pull behind car, I unattached it, and Joey was
11 with me at the time, he had to use the bathroom, so he came with
12 me. I said I will be back once it's fixed, and I will call you
13 if -- because sometimes it's a little more intensive, so I might
14 not come out, so I would let them know if I was coming back or
15 not.

16 Q. Okay, now when you guys are working in your own little
17 subgroup, is there usually another Housatonic Railroad employee
18 kind of with each little subgroup or is it normal for you guys to
19 kind of be on your own?

20 A. They kind of bounce back and forth between the groups.

21 Q. Okay.

22 A. Because it's nine miles of track and we have two different --
23 so, I was basically five miles from the bridge group.

24 MR. PATANE: Okay, that's what I have for right now.

25 MR. HOLT: Okay.

1 BY MR. SKOLNEKOVICH:

2 Q. How are you doing, Brady, Richard Skolnekovich, NTSB. Just a
3 couple of questions for you. Let's go back to your -- back to
4 some of your initial training, you said you participated in a rail
5 and maintenance course by Housatonic?

6 A. Yeah.

7 Q. How long did that last?

8 A. That part of the course was -- I think it was either -- it
9 was three hours or an hour. There was multiple courses while I
10 was taking --

11 Q. Okay.

12 A. And then that's -- I think that took -- I think it was, like,
13 an eight or ten-hour course. But I don't necessarily remember
14 that segment length.

15 Q. Was it all connected to one day?

16 A. I did it in two days.

17 Q. Two days. Can you kind of walk me through some of the
18 training they gave you during that course?

19 A. Yeah, so they gave, like, speed restrictions, flag -- like
20 what the flaggers -- what they tell you, what -- they give you
21 your limits, proper inspections on the machines before you go out.
22 That's all I can remember at this time.

23 Q. Okay, did they go over any, like, railroad type operating
24 rules, or was it all just specific, like, with just inspections
25 and the speed restrictions?

- 1 A. I believe they went a little further in the detail.
- 2 Q. Do you remember what they went in detail about?
- 3 A. No.
- 4 Q. Okay. All right, so that lasted for two days and then was
5 there any additional training that you got from Housatonic?
- 6 A. No.
- 7 Q. What about Middlesex?
- 8 A. Yes.
- 9 Q. Can you tell me a little bit about Middlesex's training?
- 10 A. Basically, what I said before was if -- when they gave us the
11 opportunity, the foreman or the other operator that's been on the
12 machine before gave us a rundown of the machine and how to operate
13 it.
- 14 Q. Okay, so for operating the equipment, but what about, like,
15 working out about tracks or working with other railroad equipment?
16 Did you get any training on that?
- 17 A. I don't -- I can't say -- I don't remember.
- 18 Q. Oh, it's fine.
- 19 A. Yeah.
- 20 Q. Whatever you can remember?
- 21 A. Yeah, it was kind of like a day-to-day thing, like, we all
22 worked in a group, so it's not like they don't -- it's not like I
23 was ever told to go do something, they tell me how to do it, and I
24 go out there by myself. There was always -- almost all the time
25 someone there watching.

1 Q. Okay. All right, so for the -- you said you got training on
2 the equipment for about an hour and then you practiced for a while
3 and then --

4 A. Yeah, there's a section by our yard that's by the office and
5 so, Jay Menard was there and the mechanic and then Nick Rende
6 actually -- now that I remember, Nick Rende came for a little bit.

7 Q. Okay.

8 A. He came off his group and we went over it for a good length
9 of the track.

10 Q. Okay, now was that specifically just the drilling and lagging
11 portion of it or did you actually move the equipment around in the
12 yard?

13 A. So, no, that was just for that actual portion of the
14 drilling.

15 Q. Okay, so just drilling?

16 A. Yeah.

17 Q. Okay. All right, now when they -- you said they gave you
18 classes on how to inspect the equipment and how to kind of pre
19 check it before?

20 A. Yeah, in the video it showed you how to check it and then
21 when we first were -- Nick showed us -- he gave us the papers, the
22 FRA checklist, and told us what to look for, and check it off.

23 Q. Okay, now you mentioned on part of that checklist, you were
24 looking at the lights and the horn. Can you tell me some of the
25 things you inspect when you look at those?

1 A. What do you mean by that?

2 Q. All right, so you've got to check for lights to see if
3 they're operational, so tell me how you do that?

4 A. So, you go in there, there's switches for forward lights, for
5 reverse lights, so you would flip it and I would either have
6 someone with me, they would tell me if they're on, or I would just
7 go out if -- myself and check everything.

8 Q. Okay, and is there any particular rules about what lights go
9 on when, what type of lights to use while you're operating?

10 A. So, yeah, I normally -- every time I'm in the machine, I
11 always just keep the working lights on regardless. If I'm moving
12 forward, I flip it to forward and if I'm reversing, I flip it down
13 to reverse lights.

14 Q. Okay, the switches, are they clearly marked on a panel?

15 A. Yeah.

16 Q. Okay, now what about -- do you have a bell or a horn?

17 A. Yeah, there's a horn, it's labeled -- if there's two seats
18 for two operators, there's a horn on each side.

19 Q. Okay.

20 A. So, a passenger can hit the horn too through crossings.

21 Q. Okay, what about a bell? Is there any kind of continuous
22 bell?

23 A. Yes, so on the driller, you can have the bell going. You can
24 -- there's a switch for the driller, I know, you could have it
25 facing forward and the bell would continuously go off, or if

1 you're going reverse, you can have it going -- opt to continuous
2 going off.

3 Q. Okay, is there any rules about bell use, about when you're
4 supposed to use them?

5 A. Not of my knowledge.

6 Q. Okay.

7 A. The bell that I'm speaking of is more kind of, like, a
8 safety -- like a backup, like, in a truck where you hear beep,
9 beep, beep. That's what it kind of sounds like.

10 Q. Okay, so like a --

11 A. Like a warning kind of.

12 Q. Got you.

13 A. Yeah.

14 Q. All right, but then you mainly turn that on, the equipment
15 doesn't turn it on by itself?

16 A. No, you have to -- at least in the driller, you have to
17 manually flip the switch.

18 Q. Okay. All right, now with the -- when you were inspecting
19 the brakes, what kind of steps do you check to inspect the brakes?

20 A. Just do, like, a slow forward, backwards motion, hit the
21 brake. That's about it.

22 Q. Okay, so basically just brake check, you know, put the brakes
23 on?

24 A. Yes.

25 Q. Okay, are the brakes pedal, are they -- do you operate them

1 with your hands or do you operate them with your feet?

2 A. Feet.

3 Q. Okay, so like a car brake?

4 A. Yeah, so there's a forward pedal, a reverse pedal, and a
5 brake pedal.

6 Q. Okay. All right, now is there any requirement to, like,
7 check the brake shoes or anything like that or do you just check
8 to make sure it stops and that's it?

9 A. Just make sure it stops.

10 Q. Okay. All right, the next question I got is are you familiar
11 with any type of railroad track warrants or form Ds (ph.)? Have
12 you heard that term before?

13 A. Yes.

14 Q. Okay, can you kind of tell me what a form D is?

15 A. I don't know, I just wright it down in our track log.

16 Q. Okay.

17 A. I don't necessarily know the meaning behind it.

18 Q. Have you actually read one?

19 A. No.

20 Q. Okay. All right, now the day that you were out operating,
21 you get out to the equipment, you inspected it, where was the
22 equipment at?

23 A. It was in the siding in the yard. It was all the way in the
24 back of the line. So, we -- before we went out, we had to move a
25 lot of our equipment onto main line and do a lot of switching

1 around of equipment to get all our -- the equipment that we needed
2 out for the day.

3 Q. Okay, now is that something that you coordinated with the
4 railroad employee in charge or is that something you did with your
5 own foreman?

6 A. That I don't know. I don't know if my superintendent or
7 foreman spoke to them. I just got word from my foreman and
8 superintendent to do that.

9 Q. Okay, so you moved the equipment around and then -- are you
10 doing okay?

11 A. Yeah.

12 Q. If you need to take a pause, we can stop at any time, okay?

13 A. I'm okay.

14 Q. Okay, the -- so the foreman had you move the equipment
15 around, you were just moving the equipment around to stage it to
16 get it onto the track?

17 A. Yeah, so we were staging our pieces of equipment and then we
18 were staging it how the other group of guys are going to need
19 their equipment for later on in the day or the next day.

20 Q. Okay.

21 A. So, it took us, like, a good hour to move things around
22 before I actually got on the track.

23 Q. Okay, now when you guys stage all your equipment, so you had
24 -- I know you had a drill, a logger, and a cart, can you tell me
25 what order they came out of the yard?

1 A. So, the lagger machine went out before the driller and that
2 was the only two machines that we were using.

3 Q. Okay, but you had a cart, though, too, right? Was that
4 attached to you?

5 A. I had the cart on the -- yeah, on the driller.

6 Q. Okay, you had the cart on the driller. So, you were
7 operating the driller, so were you the first person to come out of
8 the siding in the yard?

9 A. Yep, so I came out of the siding and moved forward and then
10 let -- yeah, I let -- we made it where the lagger would be behind
11 me on main line.

12 Q. Okay, so you came out first and then had the lagger come out
13 after you and then you proceeded north?

14 A. Yeah.

15 Q. Am I understanding correctly -- okay. Was there any switches
16 or anything that you had to throw to get out to the track?

17 A. Just to get out of the siding of the yard, we had to flip it
18 over to main line and the siding.

19 Q. Yeah.

20 A. But that was the only switches we had to throw.

21 Q. Okay, was that a hand-thrown switch?

22 A. Yes.

23 Q. Okay, was it locked at all or do you have keys?

24 A. No, it was -- we do have the keys to the switch.

25 Q. Okay, do you know if that switch is ever locked?

1 A. Yes, it's locked at the end of the day when we say we're done
2 for the day. The Housatonic guys come and lock it at the very end
3 of the day and they unlock it in the morning.

4 Q. Do you know who unlocks and locks it?

5 A. Whoever is the flagger for that day.

6 Q. Okay, flagger locks it. Okay. All right, now do you have to
7 -- before you throw the switch and come out, do you have to talk
8 to anybody or you just start your work?

9 A. So, during the job briefing, we tell them what we're doing
10 and they give us our limits and they unlock the switch. So, we're
11 able to switch it back and forth however we need it for that
12 workday.

13 Q. Okay.

14 A. But that's the only switch we're allowed to move.

15 Q. Okay. All right, then -- all right, now did you have a
16 radio?

17 A. I did have a radio.

18 Q. Okay, do you remember what channel you operated on?

19 A. Channel two.

20 Q. Channel two. Now, who does that radio talk to?

21 A. It talks to everybody in our working -- all the workers and
22 even the flaggers get a radio too.

23 Q. Okay, so you can talk to the flaggers?

24 A. Talk to the flaggers. Mainly -- so the rule is everybody
25 that's operating a piece of equipment needs a radio. Some guys on

1 the ground that work just on the ground grab a radio, some don't.

2 Q. Okay, is that a Middlesex radio or a Housatonic?

3 A. Middlesex radio.

4 Q. Middlesex radio?

5 A. So, I believe we give them out to the flaggers in the
6 morning.

7 Q. Okay, now when you're operating the equipment, can you hear
8 the radio okay?

9 A. With the driller, no.

10 Q. Okay.

11 A. It's -- the driller is very loud.

12 MR. SKOLNEKOVICH: Got you, okay, thank you, that's all I
13 have.

14 BY MR. HOHN:

15 Q. Darren Hohn, Middlesex Corporation. The only question I have
16 is going back to the job briefing, I know we talked about just
17 track limits and you guys broke into smaller groups to discuss the
18 work itself, but typically, how long is the job briefing each day?

19 A. So, I would say it's about a half hour. We start at 4:30 and
20 then the times that I've checked the time before we actually head
21 out and do something, it's about 5:00.

22 Q. Okay.

23 A. 5:00 a.m.

24 Q. And overall, I mean, what is discussed there, you know, from
25 the time we start until the time we finish on a typical day?

1 A. What's in the -- what we discuss in the briefing?

2 Q. Yes.

3 A. Okay, we discuss what we're working on that day and what
4 pieces of equipment, who's doing where, safety. We talk about
5 maybe other incidents that occurred in our company or another
6 company and -- yeah.

7 Q. As far as the safety is concerned just on the briefing, how
8 often -- how long is safety discussed?

9 A. For ten to 15 minutes.

10 Q. Each day?

11 A. Yes, we always have a safety guy there.

12 Q. Okay, do you feel overall those meetings are effective?

13 A. I believe so, yes.

14 Q. The one question I had and just to recap on a prior question,
15 though, the switches -- the forward and reverse switches, I'm
16 unfamiliar with this part.

17 A. Yep.

18 Q. But when -- if you move forwards, you have to flip another
19 switch in order for the alarm to go off and then if you go
20 backwards, you manually have to switch the other one back? It's
21 not continuous regardless if you're going backwards or forwards?

22 A. No.

23 MR. HOHN: Okay, that's all I have.

24 BY MR. BAILLY:

25 Q. PJ Bailly, Housatonic. Hey, Brady, sorry you have to go

1 through this. I just want to touch on the job briefing with
2 (indiscernible) that morning. To start, was it discussed that you
3 were going to swap into separate work groups with him? That -- to
4 you all (indiscernible)?

5 A. Did -- are you saying did we discuss that --

6 Q. To the lagging and during the bridge?

7 A. Yes.

8 Q. Okay, and prior to leaving the switch -- or when you left the
9 switch to go to the lag, did you communicate -- did everybody see
10 that you were going on the radio in either direction this day?

11 A. No, sir, I thought we only do that if we were coming onto
12 rail with high-rail equipment.

13 Q. Right, like leaving the siding and (indiscernible) is what
14 I'm saying?

15 A. Yep.

16 Q. Yeah.

17 A. No, I did not at that time.

18 Q. You and (indiscernible) did not talk between each other on
19 the radios during the time that you left with the driller and the
20 time you came back?

21 A. No.

22 Q. All right, and do you know if you blew the horn at all when
23 you're approaching the workers coming back?

24 A. No, I didn't sound the horn. I just had the alarm going off.

25 Q. All right, were you facing the -- looking back -- I mean, I

1 understand it's hard -- you have foot pedals?

2 A. Yeah.

3 Q. Were you looking and using the mirror or were you facing and
4 looking --

5 A. I was in reverse, you know, the whole time, like until from
6 -- right at the incident.

7 Q. I mean, for most of the -- leading up to the incident?

8 A. So, I looked back, I'd scan the mirrors.

9 MR. BAILLY: All right, that's all I have for now, thank you.

10 MR. HOLT: Yeah.

11 MR. BAILLY: Thank you, Brady.

12 UNIDENTIFIED SPEAKER: I'm okay for now.

13 BY MR. KRAHOLIK:

14 Q. So, it's Todd Kraholik with the NTSB. Have you ever had
15 anybody come out there and, like, efficiency test you or O test
16 you, safety check you? I don't know, everybody uses different
17 terms.

18 A. No, sir.

19 Q. Okay, have you ever heard of anybody getting safety tested
20 out there as far as, like, putting something in the track to make
21 sure you don't hit it or anything like that?

22 A. No.

23 Q. Never heard of anybody getting that either?

24 A. No.

25 Q. Okay, when you're around the equipment, do you know how -- or

1 what speed you're supposed to operate at?

2 A. Operating just going up and down or when you're working --
3 like using it at as work?

4 Q. Both -- we can talk about both?

5 A. So, you go -- I think the track speed is 15 miles an hour and
6 then the work is kind of -- you're going slower and it's kind of
7 stop and go from each tie.

8 Q. So, when you're tramping and coming out of the side, you
9 can --

10 A. No, from the siding, you're going slower. Once you're on
11 main line, main line is 15.

12 Q. Okay, so when you're on the main line, you're going 15. Is
13 it anything else, or is it just 15 miles an hour?

14 A. I believe it's just 15 miles an hour and then through the --
15 if you're coming through a switch, that would get slower than
16 that.

17 Q. Okay, so the backpack blower --

18 UNIDENTIFIED SPEAKER: For clarification, it wasn't backpack.

19 MR. HOLT: There was -- yeah --

20 UNIDENTIFIED SPEAKER: It was just a handheld blower.

21 MR. KRAHOLIK: I'm sorry, the handheld blower.

22 UNIDENTIFIED SPEAKER: Yep.

23 BY MR. KRAHOLIK:

24 Q. So, discussing the blower, have you been around doing this
25 process before with the logger and the driller? Have you done

1 this before?

2 A. Yeah, I'm mostly drilling.

3 Q. Okay.

4 A. But I've been out -- yeah.

5 Q. So, is this a normal process using the blower and then having
6 somebody with the screwdriver, like, digging the rocks out? Is
7 that something you guys do a lot?

8 A. If we have to because they came and stoned everything. So,
9 all these rocks get stuck in the holes that we need to drill and
10 if they're not cleared out, it will just keep breaking bits.

11 Q. Okay, so you always -- you were always using the blower and
12 the screwdriver when you were doing that?

13 A. Yes.

14 Q. Okay, you said when you were backing up, you'd turn around
15 and you said you looked back some, is that -- I'm not putting
16 words in your mouth, I'm just asking, did you turn around some,
17 you said, and scanned the area, and then you looked in your
18 mirrors? Is that what you were saying?

19 A. Yeah, I looked over my shoulder.

20 Q. Okay, and then you said you called the mechanic and he didn't
21 answer, so you knew he was in the yard. How did you come to that
22 conclusion?

23 A. Because I knew that he was working -- we had a lot of
24 equipment down, so I knew he was in the yard working on the
25 tamper.

1 Q. Okay, so it wasn't for, like, service or anything, it was
2 just because he must've been busy because he was working and
3 that's why he didn't answer?

4 A. Yeah.

5 MR. KRAHOLIK: Okay, I'm good.

6 MR. GORDON: You all good?

7 MR. HOLT: Yeah.

8 MR. GORDON: All right, thank you.

9 BY MR. GORDON:

10 Q. So -- Joe Gordon, NTSB -- talk a little bit about PPE when
11 you're out there, your personal protective equipment, does
12 everybody wear hi-vis (ph.), is that --

13 A. Hi-vis, hard hat.

14 Q. And safety glasses?

15 A. Yeah, safety glasses, gloves.

16 Q. Okay.

17 A. All that is provided to us.

18 Q. The day of the accident, did your four-member group, did
19 everybody have on their high-vis?

20 A. Yes.

21 Q. Working with the blower, is it normal for anybody to wear
22 hearing protection around that? Is that something that's
23 provided?

24 A. It is provided. Some people do, some people don't.

25 Q. Okay.

1 A. I know Rudolpho would -- I would never know if he had hearing
2 protection because he would always wear a head covering. One of
3 those -- I don't know how you describe it. It's like a ski mask
4 thing, so it covers his ear and only shows his face.

5 Q. Yeah.

6 A. So, I don't -- I never -- I know if he was wearing it. In
7 that situation, I don't -- yeah.

8 Q. Okay, so the drill, do you remember the equipment ID number
9 on that piece of equipment?

10 A. I do not.

11 Q. Okay, during your training as an operator, have you ever
12 heard the term restricted speed?

13 A. Yes.

14 Q. What's that? In your own words, what does restricted speed
15 mean?

16 A. Restricted speed means that it's slower than the average
17 speed. If you're coming -- if there's work going on, if you're
18 coming through a switch or a crossing, you slow down.

19 Q. Okay.

20 A. Or it's more of like a -- kind of like a busier area.

21 Q. Okay, so just geographically, so I'm right, when you guys
22 came out of the yard, you went north to the work location?

23 A. Yes.

24 Q. And then -- so, going back to get your machine worked on, you
25 were going south back to the -- right?

1 A. Yes.

2 Q. Okay, and you may have already answered this, when you -- the
3 switch -- when you had to open the switch to come out on the main
4 track, do you also have to get that switch back?

5 A. Never -- you do, but at that time, I kept it on main line and
6 the mechanic came out to the main line right near the yard.

7 Q. Oh, okay, when you did your equipment inspection that
8 morning, did you take any exception to anything, everything work
9 okay?

10 A. Yes, I never -- but I never filled out the form.

11 Q. Okay, but you recall doing the inspection and didn't take any
12 exception?

13 A. No.

14 Q. Change-of-direction alarm, so if this thing -- if it requires
15 you to actually engage with the switch, it's not actually -- it's
16 not an automatic thing, right? So, if you're --

17 A. So, if I have the switch down for reverse and I hit that
18 forward pedal, it's not going to go off.

19 Q. It doesn't go off? You have to actually manipulate it?

20 A. Correct, for the drill, yes.

21 Q. Okay.

22 A. I believe for the other piece of equipment I have, it only --
23 you know, it would only go in reverse -- if you're reversing.

24 Q. Okay, and then is that a continuous once that -- like if you
25 had that switch on, doesn't it --

1 A. Every time that pedal is a little bit compressed.

2 Q. And it goes -- as long as the pedal is compressed, it doesn't
3 just go for, like, three to five seconds and then quit? As long
4 as the pedal's down, it goes?

5 A. Yes.

6 Q. All right, can -- if you can just go to the -- and if you
7 need to take a break, let us know. But, you know, I'd just like
8 to go to the day of the accident, coming out of the -- and if you
9 could just kind of give us an idea of time? Do you guys report at
10 4:30? Is that the time that --

11 A. Yeah, it's -- I get there a little earlier because -- I
12 usually get there around, like, 4:10 just so -- and it's an hour
13 drive, so I like to be there a little earlier.

14 Q. Right.

15 A. But our daily huddle and briefing starts at 4:30.

16 Q. Okay, yeah, so if you could just kind of walk us through and
17 I know you've talked about the job briefing but just kind of time
18 -- from 4:30 report time until you leave, your recollection of how
19 long you were out at the work location until you had the issue
20 with the machine and had to go back? Then just kind of walk us
21 through the day?

22 Q. Okay, so we started at 4:30, had our work huddle briefing
23 then we broke off into a little smaller group. Nick Rende told
24 the normal lagging crew, which is myself, Roberto, Rudolpho, and
25 Joey, and there's usually another worker with us, Nathan. He

1 wasn't there that day. So, those guys all -- we helped them pack
2 up their stuff that we -- that they needed for their job and then
3 once they left, Jason -- we got up with Jason Menard to start
4 moving some equipment out on the track so we could get our stuff.
5 So, Jason Menard, the mechanic, myself, and the other workers I
6 was with, Rudolpho, Roberto, and Joey, were helping assist move
7 stuff out of the siding. So, that took a good hour to do that.

8 So, finally, when we were about ready to go out and drill, I
9 would say it was around 8:45-ish. So, then -- so, we're on main
10 line, I had Joey on the driller with me and then behind me, in the
11 lagging machine, was Rudolpho and Roberto. So, we were heading
12 north to 59, I believe, we stopped short of -- they stopped a
13 little after -- there's a second bridge there and then the
14 drilling portion started right before that second bridge. So,
15 then I started -- so, we all got there, we talked for a few
16 minutes, then I started drilling. I got to -- I got about ten or
17 12 ties drilled then the left side of -- there's two drills, the
18 left one wouldn't spin anymore, so for a few minutes, I tried to
19 mess around with it to see if I could get it going.

20 So, then at that point, it wasn't working, it's happened
21 before, so I turned the machine off. I asked Jason Menard for the
22 mechanic's number. So, I got the mechanic's number, called him,
23 he didn't answer, so then I told the guys that I'm working with
24 that I'm going to the yard to get it fixed. Then Joey asked if he
25 could come because he had to use the bathroom, so I said yeah. I

1 had the cart hooked up, I unhooked the cart so I didn't have to
2 worry about it and the cart had lags, so usually what we do is
3 once we're cleaning out the holes, they'll spready out the lags
4 and each tie. So -- because once they're drilling -- once you
5 drill it, you need a hammer, hammer the lags in a little bit, and
6 then the lagger machine actually goes and puts them down the rest
7 of the way. So, I left the cart there with the lags, me and Joey
8 went down.

9 We were probably in the yard for, like, 40 minutes or so, so
10 that would bring us to a little after -- probably get on there
11 9:50, 10:00 back, going north. We're heading back, I have the
12 backup alarm going the way I should. I see their machine was left
13 in the same place it was left, I was looking, I saw Roberto a
14 little ways up from the machine. I saw him clear the track, I
15 didn't see Rudolpho, I saw a -- so, I'm coming up to Roberto and
16 I'm passing him. I scan forward to see that he's in the clear.
17 As I'm turning back, I hear whoa, whoa, whoa, whoa. I hit the
18 brakes and there was Rudy (ph.). I didn't know he was right
19 there. I didn't see him coming up. I didn't see him and then as
20 soon as I came to -- I stopped. I didn't stop on a dime, but I
21 stopped.

22 I got out, Joey called -- started calling 911, I called Jason
23 Menard to tell him what was going on. I said can you call 911 and
24 then Roberto took off down track to find a flagger or just have --
25 to show the medics where to go and me and Joey were -- we were

1 there with Roberto, with Rudy. He -- at first when I first ran up
2 to him because I ran up to him right away, he didn't seem
3 conscious and then he came together and I was talking to him and I
4 was asking him questions. He was able to see, he was talking to
5 me. The 911 operator was telling us what to do. He had a big
6 gash on the back of his head, I took my sweatshirt off, I took my
7 shirt off, I wrapped it around his head and we were just waiting.
8 All we heard was sirens and we were just waiting for the medics to
9 come. I called -- he asked if we could call his wife on his
10 phone, so we called his wife, and they were talking, but I don't
11 know what was said because they were speaking Spanish. Then Nick
12 Rende showed up first and then Jason Menard showed up with the
13 medics, so they were working on Rudy.

14 Then we ended up taking the cart -- I believe Rudy was
15 pushing the cart with him with the lags, so we -- it was a back of
16 the lagger -- the drill at the time. So, we cleared off the cart,
17 we brought the cart in front of the driller, hooked it up to the
18 front of the driller. We grabbed the big bag that the ladders
19 were in and put Rudy on the bag and put him on the cart and drove
20 him down track. I got off halfway and I don't know what happened
21 after that. They took him by helicopter. But I just didn't see
22 him. I was looking, but I didn't see him. I didn't know he was
23 that close to -- I thought he was further down by his machine.

24 Q. Thank you for -- I know that's hard to go through with us.
25 But it certainly helps us, you know, understand. Thank you for

1 what you did, you know, following the direction from the 911
2 operators and, you know, everything that you did to try to assist
3 there. That -- I know that's difficult. Do you want to take a
4 break for a minute?

5 A. I'm all right.

6 Q. So, as you're backing up and you saw Roberto -- when you saw
7 Roberto, the first time you saw him, he was clear of the track?

8 A. Yeah, he was clear on the track.

9 Q. Okay.

10 A. So, I scanned forward to see that he was just -- make sure
11 that he was really -- that I was passing him and as I was looking
12 back, there was Rudy.

13 Q. And do you remember seeing the cart in the rear view?

14 A. Yeah, I -- yes, because I ended up hitting Rudy and hitting
15 the cart and the cart pushed up a little bit.

16 Q. Now, when you went to attempt to stop the machine, is there
17 -- are there multiple ways to stop that machine or is it only the
18 foot brake? Or do you --

19 A. There's really only the foot brake. There's, like, an
20 emergency brake up on the panel, but I just -- the fastest thing I
21 could do at that time was just hit the pedal.

22 Q. Okay.

23 A. Hit the brake pedal because you kind of have to get -- you
24 kind of have to reach for it or get up off of the seat to grab
25 that emergency brake.

1 MR. GORDON: All right, well, thank you for walking us
2 through that. I'm going to pass it to my right, there, to see if
3 there's any follow-up questions.

4 BY MR. PATANE:

5 Q. John Patane, FRA. So, let's go back to the change-of-
6 direction alarm for a minute if you don't mind. So, you remember
7 you put the switch in the appropriate position prior to initiating
8 your north-bound move back to the worksite?

9 A. Yes.

10 Q. So -- okay, so you put the switch back in the -- now, the
11 gradient of the railroad, was it a flat railroad, was it downhill,
12 uphill?

13 A. It was flat.

14 Q. Pretty much flat?

15 A. Yeah.

16 Q. Now, I know some of those RMMs, they have, like, a
17 hydrostatic braking where you let off on it and they start slowing
18 down on their own. Is that a machine that will just freeroll when
19 you let off the pedal or will it actually start slowing down
20 immediately once you let off?

21 A. It will -- so, there's two settings of the switch. It's
22 called -- there's service or deadman.

23 Q. Uh huh.

24 A. So, usually, when you're traveling, you keep it at service
25 and if you let off the gas, it'll still roll.

1 Q. Okay.

2 A. Dead man is, like, as soon as you let off that gas, it'll
3 kind of jolt, which is kind of not --

4 Q. Okay, and you said the change-of-direction alarm initiates
5 for a few seconds after you hit the -- when you're on the
6 accelerator?

7 A. Yeah, so you'll still hear it as it comes off a little bit.

8 Q. So, when was the last time you were on the pedal prior to the
9 incident? So, what I'm getting at, do you think the alarm was
10 even beeping when you were coming up on him, or were you just
11 freerolling without your foot on the pedal?

12 A. I believe the alarm was going off at the time.

13 Q. Okay, and just to get back to -- I know we talked about a
14 little bit of the safe work procedures, but when it comes to
15 working between equipment or with people on the ground, is there,
16 like, a spacing that you're aware of that you have to maintain
17 between equipment, or between people, or while you're track
18 traveling with other equipment with you? Is there anything that
19 you recall on that?

20 A. Yes.

21 Q. What would that be?

22 A. The certain space between. I necessarily don't remember the
23 actual distance.

24 Q. Okay.

25 A. But we're also taught that if you're working on track, you

1 always have to keep your head on a swivel because there's machines
2 going up and down this track at all times. But I just don't -- at
3 this time, I don't remember the actual distance based.

4 Q. Okay, that's okay. So, while you're approaching, you have
5 the lagger and you said you saw it in the mirror. Were the lights
6 on on the lagger?

7 A. Yes.

8 Q. Was it the headlights, or red lights, or beacon lights, or
9 what was it?

10 A. It as headlights and there was -- so, I saw just the front of
11 the machine, there was front headlights on, red lights flashing,
12 and then there was a yellow beacon on the top.

13 Q. Okay, so you were able to see it in your mirror?

14 A. Yeah, they were a pretty good distance away from it.

15 Q. Okay, so how far away do you think they were from the
16 machine? Just an estimate, I mean --

17 A. Yeah, I don't know, like, a little more than 500 feet.

18 Q. Okay.

19 A. I don't --

20 Q. So, is that what you were going to anticipate on slowing down
21 for was --

22 A. Yes, I was trying to go back to where we started. I didn't
23 know that they were up there doing that.

24 Q. Yeah.

25 A. I just saw the -- I was just trying to go back to where we

1 started because I didn't get far with the drilling. Like I said,
2 I only got 10 or 12 ties done.

3 Q. Yeah. All right, before you said you spoke with the mechanic
4 and made a call. Was that a company issued phone or was that
5 personal?

6 A. That's a personal phone.

7 Q. Okay, is that a typical procedure you guys usually use to get
8 in contact with whoever's in charge?

9 A. Yeah, so we're supposed to come off the track to use our
10 personal phones.

11 Q. And that's how normally you would get a hold of Nick or
12 whoever it is? Nick was the mechanic?

13 A. Yeah, so, yeah, usually call. I would call on that other
14 than using the radio.

15 MR. PATANE: Okay, and all the -- I think that's what I got
16 for right now. Thank you.

17 BY MR. SKOLNEKOVICH:

18 Q. Okay, Richard Skolnekovich. You doing okay?

19 A. Yeah.

20 Q. Do you want to continue or do you want to take a break?

21 A. I'm fine.

22 Q. Okay, I'd like to take you a little bit back to when you
23 first started that day. You had the job brief and you said you
24 spend about 15 minutes having a safety discussion. Can you tell
25 me specifically what you guys talked about during that safety

1 discussion?

2 A. That day, I don't recall.

3 Q. Okay, do you know what typically they talk about?

4 A. Yeah, they talk about what our work hazards are going to be
5 that day, they talk about stuff that's happened, and other jobs
6 going on in our company, and ways to prevent things from
7 happening. They lead us in some stretching, as well.

8 Q. Okay, can you give me an idea of what kind of work hazards
9 they're typically talking about?

10 A. Can you elaborate on that?

11 Q. So, are they talking about, you know, stay hydrated, or are
12 they talking about hey, this type of equipment can do this, watch
13 out for that still? Give me kind of an idea?

14 A. Yeah, so they, you know, if it's hot, they say we should
15 stay hydrated. We always talk about we've got to watch out for
16 the equipment coming and going, different -- so, we do a lot of
17 planting rail, so make sure you're staying away from that rail
18 when we're putting it at the gauge and slinging it off. Just the
19 -- I believe that the safety -- those meetings are good.

20 Q. Okay, you think the meeting you had that morning, do you
21 think it's appropriate for the work you were doing?

22 A. Yes.

23 Q. Okay, is that given by the railroad or --

24 A. It's my safety at Middlesex.

25 Q. Okay, Middlesex safety?

1 A. Yes.

2 Q. Okay. All right, did you get any kind of brief from
3 Housatonic railroad?

4 A. Yeah, they give us the form D number, track limits, we do
5 work locations, weather, they do -- they tell us -- they give us
6 their number. For emergencies, they give us hospital address, the
7 dispatcher's name.

8 Q. Okay, so they give you the form D, do you remember the form D
9 number for that day? It's okay if you don't.

10 A. I don't.

11 Q. Okay, not a problem. Okay, so I'd like to get back to when
12 you were operating, so basically in the direction of travel, if
13 you're facing the direction of travel, which side of the equipment
14 are you on? Left side or right side?

15 A. I was on the left side.

16 Q. Left side in the direction of travel?

17 A. Yeah.

18 Q. Okay, and then Roberto and them -- where was Roberto at in
19 relationship on the track? Was he --

20 A. Roberto was on the left side of the -- when I saw him, he was
21 -- when I was coming up on him, he was in the middle of the track
22 and then as I was getting closer, I saw him getting off. So, he
23 was coming off from the left side of the track.

24 Q. Okay, so he was on the same side of the track you were
25 operating on?

- 1 A. Yes.
- 2 Q. Okay, now what about Rudy, where was he at? Was he -- you
3 didn't see him at all, but was he in the gauge?
- 4 A. He was in the gauge.
- 5 Q. Okay, you okay? Like I said, we can take a break at any time
6 you want?
- 7 A. I can do more.
- 8 Q. Okay. All right, you said that all your lights were on?
- 9 A. Yes.
- 10 Q. Now the cart, how far was the cart from the logger?
- 11 A. It was -- I don't know the exact distance. But it was right
12 next to where they were.
- 13 Q. Okay.
- 14 A. Because I ended up hitting the cart a little bit.
- 15 Q. Okay, so you said over there about 500 feet away from the
16 logger, so right around the same area?
- 17 A. Yeah.
- 18 Q. Okay. All right, could you --
- 19 A. I don't know the distance, but I mean if you guys go out
20 there, it was a little -- so, there's two bridges, there's a
21 little -- it was probably, like, 200, 300 feet after that bridge
22 to go to the next bridge that they were -- I believe.
- 23 Q. Okay, got you. Now, when you were operating, could you see
24 the cart, or could you just see the logger?
- 25 A. I just saw the logger, I don't see the cart.

1 Q. You couldn't see the cart? How tall is the cart off the
2 rail?

3 A. It's pretty long on the rail.

4 Q. If you were to estimate that, how high?

5 A. 35 feet.

6 MR. SKOLNEKOVICH: 35 feet, okay. Okay, that's all I have.

7 BY MR. HOHN:

8 Q. Darren Hohn, Middlesex. When you're talking about the phone,
9 you said you couldn't get a hold of the mechanic, is that through
10 the radio first?

11 A. No, I called him on my personal phone. I wasn't sure if Nick
12 ever has a radio.

13 Q. Okay, so when you took the personal call, what steps did you
14 take before you made that phone call?

15 A. I texted Jason Menard, the superintendent, asking for the
16 mechanic's number and he sent it back to me shortly after.

17 Q. Where did that take place, like on the equipment, off the
18 equipment?

19 A. I was on the equipment with it not running.

20 Q. Oh, so you turned the equipment off?

21 A. Yeah.

22 Q. Okay.

23 A. Because that machine is very loud.

24 Q. Yeah.

25 A. And to idle that machine, the switch is broken, you've got to

1 go to the side of the machine and there's a bungee cord idle it
2 up.

3 Q. After the huddle, you mentioned that you guys broke into
4 smaller groups. Sorry if this is a repeat question from others,
5 but what was discussed there and who led that smaller group
6 discussion?

7 A. So, it was Nick and Jay kind of -- they were kind of going
8 back and forth of who's going where, what we need. So, Nick said
9 that it was the normal lagging crew, so we -- at that point, we
10 kind of know when he says that who's on that lagging crew for that
11 day. The rest of them went to the bridge. They got their
12 equipment they needed, their tools, and they left.

13 Q. Okay, just to clarify, the blower, was that a backpack blower
14 or was it a --

15 A. No, it was just a handheld.

16 Q. Okay, and just for this operation -- and that was a normal
17 tool to use? You've been using it for a while?

18 A. Yeah, we would use it often, yeah, because it would help a
19 little bit and the screwdriver was for the rocks that really -- we
20 used a flathead to kind of pry out the rocks that wouldn't come
21 out with the blower.

22 MR. HOHN: I'm good.

23 BY MR. BAILLY:

24 Q. PJ Bailly, Housatonic. Brady, do you recall any incidences
25 where the FRA has come out during the period of time that -- not

1 that day, but --

2 A. Yes, I remember them coming out. I saw them once. I don't
3 know if they've come out when I wasn't there, but I've seen them
4 once there before.

5 Q. Do recall any times that you've seen myself or another
6 manager from Housatonic discussing safety related issues or
7 anything brought up with you? Not directly meaning you, but to
8 the group?

9 A. Yes.

10 MR. BAILLY: That's all I got. Thank you for your time.

11 BY MR. CASACELI:

12 Q. Coming out back from the mechanic, backing up, you had Joey
13 with you, right?

14 A. Yes.

15 Q. Do you -- as you were backing up, what was going on? Were
16 you guys talking? I know you said the machine is loud, so maybe
17 not. Or what was he doing? I'm just trying to get a feel for
18 what's going on as you were backing up?

19 A. To be honest, I wasn't talking to Joey because it was loud
20 and I wasn't focused on Joey.

21 Q. That's good, and I know you said when you were backing up,
22 you first saw Roberto up in the gauge -- or up on the tracks,
23 anyway, he might've been right around the rail. About how far
24 away do you think he was when you first saw him?

25 A. I saw him as I was coming onto the bridge.

1 Q. On the bridge, so we can figure it out ourselves.

2 A. Yeah, sorry, I just don't know that exact feet.

3 Q. Yeah, that gives us something. That's helpful.

4 A. Yeah.

5 BY MR. KRAHOLIK:

6 Q. Todd Kraholik with the NTSB. I want to talk about this
7 change-of-direction alarm and the switches in regards to it. So,
8 the only switch you moved to move the change-of-direction alarm is
9 reverse and when you back up, it goes off, and when you go -- I
10 guess I'll let you tell me how those switches are and that machine
11 when you want to use the change-of-direction alarm?

12 A. So, if you're going reverse, you switch it down to reverse,
13 and if you're going forward, you can flip it up for the alarm to
14 go off when you're going forward. I believe there's a complete
15 off side of the switch, I just don't recall because I normally
16 just keep the lights and alarms going on for whatever directions
17 I'm going.

18 Q. All right, so if you -- in this instance, you're reversing?

19 A. Correct.

20 Q. And you have the switch in reverse?

21 A. Yes.

22 Q. Or back, I can't remember what it's labeled. I think it's
23 labeled reverse. Then the alarm's going off as you're going back?

24 A. Correct.

25 Q. So, what happens if you were to go forward, nothing?

1 A. If I go forward, the alarm doesn't go off.

2 Q. Okay, so you --

3 A. It only goes off with the direction that the switches are in.
4 I could -- it would still let me go forward, but the alarm doesn't
5 go off until I switch it up to forward motion.

6 Q. Okay, and that's the only switch you have to mess with to get
7 the change alarm to change or do anything?

8 A. There's only one switch, yes.

9 Q. Okay, and is that the same switch to mess with your lights?

10 A. They're separate.

11 Q. There's another switch?

12 A. They're separate for lights and directions, even though the
13 machine is the same.

14 Q. Are all the machines you use set up the same way?

15 A. For the most part, they're pretty similar.

16 Q. And I know this is aggravating, but I just want to -- just to
17 clarify, so all of them, if you put it in reverse and you go
18 backwards, the alarm goes off?

19 A. Yes.

20 Q. And when you go forward, nothing happens as far the alarm?

21 A. Yes.

22 MR. KRAHOLIK: Okay, I'm good.

23 BY MR. GORDON:

24 Q. All right, Joe Gordon, NTSB. We're getting close. I'll ask
25 a few questions, we'll go one more round, and then we'll let you

1 go there. So, you mentioned the cellphone usage to get in touch
2 with the mechanic or get the number for the mechanic. Any other
3 cellphone usage that day, like back at the yard, did you have any
4 use to -- or any need to use your cellphone any of the rest of the
5 day that you were gone?

6 A. I used my cellphone while I was in the yard waiting for it to
7 be fixed; I had a text to my sister. But once I was back on
8 track --

9 Q. Backing in, okay. All right, thank you, and the RWIC that
10 day, the employee in charge of the on-track safety, do you
11 remember who that was?

12 A. That was Bill Lewis.

13 Q. Bill Lewis, okay, and you said that the -- using the blower
14 for the work that they were doing, that was normal. But did you
15 know they were going to be using it? Like, were they using it
16 before you left to go get the machine worked on?

17 A. No, not of my knowledge. I believe that they had -- they
18 were using the screwdriver for a little bit until I started
19 drilling.

20 Q. Okay.

21 A. But at the time that -- I believe that the blower was not
22 operating.

23 Q. Okay, and can you just kind of characterize -- you know, you
24 operate that machine, you know it better than probably anybody in
25 the room, kind of characterize the visibility out of it, if you

1 would? I mean, are there challenges?

2 A. Going -- facing forward, it's kind of hard to see because the
3 engine is big and it's not very -- you can't really see, so we
4 always -- that's why we talk about it in our safety meetings.
5 You've got to watch out for those machines because they always
6 can't see you, so you've got to be paying attention as well as the
7 operators. The back of it is pretty open, there's the side rail,
8 like, the -- for the roof -- there's a roof over it, so there's
9 just a sign -- signage to make the roof -- that's all I got.

10 Q. Okay, and stopping, you mentioned that you used the foot
11 brake. Have you ever done any kind of -- did they ever let you,
12 like, do a test with stopping distance using the foot brake,
13 comparing it to what the emergency stop might do?

14 A. No, sir.

15 Q. Anything like that -- you ever done anything like that?

16 A. I've had -- the last time -- I believe the last prior time I
17 used that machine, the brakes failed on me and I had to use -- I
18 was coming up to a crossing, you know, and I hit the brakes and
19 nothing and I had to pull on the emergency brake. So, the machine
20 is old, I mean, it does need work.

21 Q. But no exception to the brakes that day like in the pre-trip
22 or -- nothing?

23 A. That -- nothing that I thought was really unsafe. I mean, it
24 didn't -- the thing -- there's not a deadman that didn't stop on a
25 dime.

- 1 Q. And it's just steel wheels, right?
- 2 A. Steel wheels.
- 3 Q. Yeah, there's no rubber on the steel wheels?
- 4 A. I believe it's all steel.
- 5 Q. Yeah, some equipment has, like, a rubber --
- 6 A. Yeah, I know that machine, the mechanic said it's from, like,
- 7 the '90s and it's old, you could barely get the parts for it.
- 8 Q. Yeah, we'll take a look at it. Just to clarify -- and I
- 9 think I understood this when you were talking about that backup
- 10 move, when you saw Roberto clear the track, did you get on the
- 11 brakes at that time or did you kind of scan?
- 12 A. When I was passing him?
- 13 Q. Right.
- 14 A. So, I didn't see Rudolpho behind him. So, as I was turning,
- 15 my foot was on the gas.
- 16 Q. Okay.
- 17 A. And then I -- as -- when I scanned back, that's when I hit
- 18 the brake.
- 19 Q. All right. Okay.
- 20 A. So, I believe as I hit him, my foot was on the brake, coming
- 21 to a stop.
- 22 Q. Okay, do you have an idea, like, just for feel -- I know you
- 23 don't have a speedometer in that cab, just from a feel of running
- 24 the machine, do you have an idea of what speed you might've been
- 25 going?

1 A. I don't. That's kind of hard to judge.

2 Q. Yeah.

3 A. I don't know.

4 Q. Okay.

5 A. I don't know, every -- it just happened so fast.

6 Q. I understand. So, going back to the workday, you get up
7 early, you said you get up about 2:30 to make the trip out to
8 work, you report at 4:30, you work a ten to 12, sometimes more
9 hour day, you're typically home by, what -- typically get back in
10 by 5:00, 6:00?

11 A. Yeah.

12 Q. Okay.

13 A. The weekends I get home a little later. But during the
14 weekday, it's probably around 5:00, 6:00.

15 Q. And then an evening just looks like trying to catch some
16 rest, a meal?

17 A. I have two young kids, so it's dinner, feeding them, baths,
18 and then trying to get them to bed. So, I'm usually in bed by
19 9:30, 10:00.

20 MR. GORDON: Okay. All right, thank you. That's what I've
21 got. I'm going to pass it around one more time.

22 BY MR. PATANE:

23 Q. John Patane, FRA. When you're looking back, do you -- I
24 don't know if you talked about this, but do you know if Rudy was
25 wearing high-visibility vest or what kind of PPE was he wearing?

1 Do you have an idea?

2 A. Yeah, he had his high-vis, his red hardhat, blue sweatshirt,
3 blue head covering.

4 Q. Since you seem to have seen Roberto on the other machine, do
5 you think -- do you have an idea of why there was, like, a blind
6 spot there or why you couldn't see him? Or you think that -- I
7 mean, kind of where the failure was on the part? Just because it
8 seemed like you had an idea of other things going on?

9 A. Yeah, I just saw Roberto and I just didn't think -- I didn't
10 see Rudy and I didn't think he was that close and when I did that
11 quick scan forward, I just heard him yell and he was just right
12 there.

13 Q. Okay, you said you heard a yell right before the incident.
14 Was that Joey or was that Roberto?

15 A. I believe it was Roberto.

16 Q. Okay, do you know if Joey was observing the move at all at
17 any point?

18 A. No.

19 Q. Is -- would you say there is a formal or informal expectation
20 that, like, a passenger is supposed to be a secondary watchout?

21 A. Yeah, we're required, if we're riding along, you have to have
22 eyes out too.

23 Q. Okay, so --

24 A. So, I mean, I'm not blaming him, I don't want to put him on.

25 Q. Yeah, and so would you say the -- you had -- would it be

1 insufficient, the visibility from the mirror, for continuous
2 backup move? I'm just trying to see what would prevent this from
3 happening again, where, like, the short falls were.

4 A. Yeah, the mirror on the -- there's two mirrors and they're
5 just little small little circle mirrors right above you. There's
6 no sideview mirrors on that machine. It'd probably be helpful to
7 do a little -- bigger mirrors or even ones coming off the side.

8 Q. Okay, and just -- not necessarily right at the time of the
9 incident, but is there anything that you think could've prevented
10 the situation of what led up to the incident? Not necessarily
11 right before the incident, but something that you guys could've
12 discussed or done to prevent the incident? Even coming to a close
13 call?

14 A. I could have probably radioed down to them that I was coming
15 down.

16 Q. Yeah.

17 A. I would say pay more attention, but at the time, I thought I
18 was pretty aware of what was going on.

19 MR. PATANE: That's it for me and I'm sorry that you have to
20 deal with this. I'm sorry.

21 BY MR. SKOLNEKOVICH:

22 Q. Richard Skolnekovich, you good? Do you need a --

23 A. Yeah.

24 Q. Okay, I just got a couple of follow-on questions.

25 A. I'm fine.

1 Q. Kind of to back up Joe Gordon's. So, for the cellphone use,
2 do you guys have specific rules on when you can and can't use a
3 cellphone?

4 A. Yeah, so when you're operating and then once you're on track,
5 like engaged, you can't have your cellphone out. You have to be
6 off track -- off to the side of the track if you use your phone.

7 Q. Okay, so now can it be on at all times but you just can't
8 use it?

9 A. Yeah.

10 Q. Okay.

11 A. There's -- I don't believe there's necessarily a rule about
12 it being on or off.

13 Q. Got you. Okay, and does -- what about, like, when you're --
14 like with the guys that are actually working out on the tracks, is
15 there any rules that pertain to them as far as cellphone?

16 A. Well, yeah, so I mean, if you're just working on the track,
17 if you're walking on the track, you can't have -- you can't be
18 using your cellphone unless you're off to the side.

19 Q. Okay. All right, and another follow-on question was you said
20 you had a previous brake failure, was it with that machine or was
21 it --

22 A. Yes.

23 Q. Okay, can you tell me a little bit more about that?

24 A. So, we were done lagging for the day and it was the end of
25 the workday, we were heading from that crossing of linings to that

1 yard and there was a crossing line field, which is right before
2 the yard. I was travelling and I was going -- because we've got
3 to stop at the crossings, I went to -- I was moving and when it
4 was time for me to hit the brakes to stop at the crossing, I was
5 hitting the brakes, nothing was working on it. And then I just --
6 before I got to the intersection, I reached up and that was the
7 first thing I thought of was to grab that emergency brake and we
8 came to a stop. I guess from what I heard, there was some type of
9 leak going on in it and it was catching on the brakes, so it
10 wasn't working. So, then there was this bucket on the machine on
11 the right side that's, like, catching this oil.

12 Q. Okay, are these hydraulic brakes or are they air brakes, do
13 you know?

14 A. Hydraulic, I believe.

15 Q. Hydraulic, okay, and what about the emergency, is that
16 hydraulic too or is that mechanical, do you know?

17 A. I'm not sure. I would assume that it would be a little
18 different if that worked and not the foot brake.

19 Q. Okay, did you report it to the mechanical guy?

20 A. So, I told the foreman. I don't remember if the mechanic was
21 there that day, but he was told about it.

22 Q. Do you remember about when this happened?

23 A. This was two to three weeks ago, I believe. But that
24 machine, I mean, like I said, doesn't go out every day running.

25 MR. SKOLNEKOVICH: All right, thank you for your time.

1 That's all I have.

2 MR. HOHN: Darren Hohn, I'm good.

3 BY MR. BAILLY:

4 Q. PJ Bailly, Housatonic. Just a couple of things. So, you do
5 remember taking the Housatonic RMM course for operating machinery?

6 A. Yes.

7 Q. Do you recall the additional training afterwards for the
8 stand down in May?

9 A. Yes.

10 Q. Is there any additional Middlesex training other than -- for
11 machines other than on-the-job training, like, once you get on the
12 machine? Is there any prior training for their machines?

13 A. Not from Middlesex itself. I mean, they -- you're supposed
14 to go get your state hydraulic license if you're using a gray
15 dollar -- so, you do, like, a separate test on it than Middlesex.

16 MR. BAILLY: All right, thanks, Brady, I appreciate it.

17 BY MR. CASACELI:

18 Q. All right, home stretch. You peaked my interest for this
19 brake for a little bit. David Casaceli, NTSB. You mentioned
20 something about a bucket catching on leaking oil. Give me a
21 little more there if you can, please?

22 A. So, that's all I know from what I said. That's all I was
23 told, that there's some type of oil catching the brake, dripping
24 down, and that's why the brakes failed. So, there's a bucket
25 there that should still be there that was --

1 Q. The bucket was a repair, if you will, for the brake problem?
2 It was to keep the oil off the brakes as far as you understand or
3 do you know if they're doing anything else?

4 A. I would say that that's at least part of it.

5 MR. CASACELI: Okay, thank you, I'm done.

6 MR. HOLT: Yeah, I don't believe that was the full repair,
7 but I believe part of it from what I know.

8 MR. CASACELI: Okay, thank you.

9 MR. HOLT: I'm not a mechanic.

10 MR. CASACELI: I understand.

11 BY MR. KRAHOLIK:

12 Q. Todd Kraholik, NTSB. In the job briefing, how does everybody
13 know that everybody understands the job briefing? How do you
14 acknowledge understanding of the job briefing?

15 A. So, we kind of go over -- we say what we're doing, what
16 Middlesex is doing, we say what Housatonic's doing, and then
17 there's a signoff sheet that we sign saying that's what we heard.

18 Q. So, a signing of the sheet would be your acknowledgment that
19 you understood the job briefing?

20 A. Yeah.

21 Q. Okay, and if you didn't understand it, could you ask for
22 clarification and then they would give it to you?

23 A. Yeah.

24 Q. Okay, and then the last question I got, is the blower. The
25 blower is for blowing ballasts out of the plates, right? It's not

1 to blow the dust from the drill, right? It's to blow the ballast
2 away from the holes? Or what exactly is the blower used for?

3 A. So, it's -- the guys that do it, that used it for both,
4 mainly for the ballast. But they usually -- they'll use it too
5 to -- because once I drill, the little wooden shavings coming up
6 on it and if you put a lag on there, if there's some shavings, it
7 necessarily won't bite down and grab on it. So, they'll just
8 quickly behind it after -- before they start lagging.

9 Q. So, it wouldn't be abnormal for them to be out using it
10 before you drilled? So, like, in this instance, they were out
11 blowing before you drilled the holes, so that's not unusual?

12 That --

13 A. No.

14 MR. KRAHOLIK: Okay, I'm good.

15 BY MR. GORDON:

16 Q. So, I think we're done. You know, we certainly appreciate
17 you coming in. I understand it was tough to do, you know,
18 definitely feel for you with what you've been through. You
19 mentioned the brake issue. Any other near misses that you -- you
20 know, something that's kind of made you take notice of a near
21 miss, anything that you've seen since you've been out there other
22 than that brake issue?

23 A. No, that was the only near miss I was involved in.

24 Q. Okay. All right, well I -- thanks so much for you time. I
25 will ask, you know, if we have any follow-up questions, if you

1 would be -- we've got your contact information, you know, and if
2 we come up with anything, you know, just for clarification, if you
3 wouldn't mind us giving you a call?

4 A. Yeah, that's fine.

5 MR. GORDON: And I'll leave my card with you, so if anything
6 comes to mind that you think would help us out, you know, I'll ask
7 that you get in touch with us. But we'll go off the record here.

8 (Whereupon, the interview was concluded.)

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

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

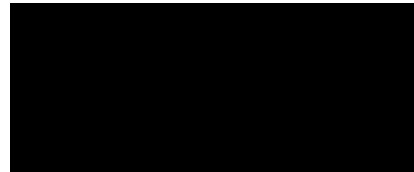
IN THE MATTER OF: MIDDLESEX RAILROAD EMPLOYEE
FATALITY IN GREAT BARRINGTON,
MASSACHUSETTS ON AUGUST 8, 2023
Interview of Brady Holt

ACCIDENT NO.: RRD23FR015

PLACE: Great Barrington, Massachusetts

DATE: August 5, 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.



Carolyn Hanna
Transcriber