

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

CSX EMPLOYEE FATALITY IN \*

WALBRIDGE, OHIO \* Accident No.: RRD23FR017

ON SEPTEMBER 17, 2023 \*

\* \* \* \* \*

\* \* \* \* \*

Interview of: MAC SMITH, MTO  
CSX Transportation - Walbridge

CSX Walbridge Yard  
Walbridge, Ohio

Monday,  
September 18, 2023

## APPEARANCES:

RICHARD SKOLNEKOVICH, Operations Investigator  
National Transportation Safety Board

MATT THOMPSON, Investigator-in-Charge  
National Transportation Safety Board

BRIAN BENDEL, Track Inspector  
Federal Railroad Administration

STEVE AMMONS, Senior Director of Train Handling Rules  
and Practices  
CSX Transportation

ROBERT CRAWFORD, Operating Practices  
Federal Railroad Administration

JASON GURZYNSKI, Motor Power and Equipment Inspector  
Federal Railroad Administration

## I N D E X

ITEM	PAGE
Interview of MAC SMITH:	
By Mr. Skolnekovich	5
By Mr. Ammons	19
By Mr. Crawford	24
By Mr. Gurzynski	24
By Mr. Skolnekovich	25
By Mr. Ammons	33
By Mr. Crawford	34
By Mr. Thompson	34
By Mr. Skolnekovich	35

I N T E R V I E W

(1:16 p.m.)

1  
2  
3 MR. SKOLNEKOVICH: Okay. Good afternoon. My name is Richard  
4 Skolnekovich. I am the NTSB operations group chairman for this  
5 accident. We're conducting an interview today on September 18th,  
6 2023 with Mac Smith who works for CSX. This interview is in  
7 conjunction with the NTSB's investigation of the accident that  
8 occurred at Walbridge, Ohio, on 17 September 2023. The NTSB  
9 Accident Reference Number is RRD23FR017.

10 The purpose of this investigation is to increase safety, not  
11 to assign fault, blame or liability.

12 Before beginning the interview and questions, we'll go around  
13 and introduce ourselves. Please spell out your last name and your  
14 title. I'll start off and then pass it to the right.

15 Again, my name is Richard Skolnekovich, S-k-o-l-n-e-k-o-v-i-  
16 c-h, NTSB.

17 MR. BENDEL: Brian Bendel, B-e-n-d-e-l, FRA, track inspector.

18 MR. AMMONS: Steve Ammons, A-m-m-o-n-s, CSX, senior director  
19 of train handling rules and practices.

20 MR. CRAWFORD: Robert Crawford, C-r-a-w-f-o-r-d, FRA, OP.

21 MR. GURZYNSKI: Jason Gurzynski, G-u-r-z-y-n-s-k-i, FRA,  
22 motor power and equipment inspector.

23 MR. THOMPSON: Matt Thompson, NTSB, investigator-in-charge.

24 MR. SMITH: Mac Smith, S-m-i-t-h, MTO, Walbridge Yard, CSX.

25 MR. SKOLNEKOVICH: Okay. Thank you, Mac. Before we get

1 started, you understand today we're recording this interview?

2 MR. SMITH: Yes.

3 MR. SKOLNEKOVICH: Okay. And we have your permission to  
4 record it?

5 MR. SMITH: Yes.

6 MR. SKOLNEKOVICH: Okay. And you understand that the  
7 recording will be transcribed and go into a public document?

8 MR. SMITH: Yes.

9 MR. SKOLNEKOVICH: And that we can't guarantee any  
10 confidentiality.

11 MR. SMITH: Yes.

12 MR. SKOLNEKOVICH: Okay. Do you have any questions before we  
13 begin?

14 MR. SMITH: No.

15 MR. SKOLNEKOVICH: Okay. Great.

16 INTERVIEW OF MAC SMITH

17 BY MR. SKOLNEKOVICH:

18 Q. Could you start, give us a little bit of background about  
19 your railroad career?

20 A. Sure. I hired out in 2012, Savannah, Georgia, with CSX, as a  
21 conductor, worked up to yardmaster. 2018, became a trainmaster,  
22 worked in Baltimore. Then moved to Raleigh, North Carolina,  
23 worked for the NS for a year, then had an opportunity to come back  
24 to CSX and came back to CSX in 2022. I've been in Walbridge for  
25 about a year and a couple of months.

1 Q. Okay. Talked to me a little bit about your conductor  
2 experience. Where -- how long were you a conductor for CSX?

3 A. From 2012 to 2016.

4 Q. Okay. Were you RCO qualified?

5 A. I was RCO qualified, yes.

6 Q. Where did you work out of?

7 A. Savannah, Georgia.

8 Q. The whole time?

9 A. Yeah.

10 Q. Okay. And then you've worked here for what? Just a little  
11 over -- under a year or at a year?

12 A. February 2022 is when I got here.

13 Q. So a little over a year?

14 A. Yeah, a year and a few months.

15 Q. Okay. Can you kind of walk me through -- so your official  
16 title is a MTO?

17 A. Yes.

18 Q. Okay. Can you kind of walk me through your day-to-day  
19 activities? What do you do as a MTO just generally on a daily  
20 basis?

21 A. I work night shift, 6 p.m. to 6 a.m. Spend the majority of  
22 my time briefing crews, making sure all my jobs are covered, doing  
23 our mandatory FRA testing, promoting safety, managing the  
24 inventory here at Walbridge, working with the yardmasters, making  
25 sure we've got places for all of our trains, making sure we're

1 switching the right cars, basically keeping up with operations,  
2 day-to-day operations of Walbridge Yard and Stanley and the docks.  
3 Those are the three yards we work here.

4 Q. Okay. What three yards? Stanley --

5 A. Stanley and the Toledo docks.

6 Q. Docks. All right. How many MTOs are on duty during the same  
7 time? It's just you by yourself or is there any more?

8 A. I work with Andy Pinson (ph.). He was on an off day. So it  
9 was just me.

10 Q. Okay. So that day you were working by yourself?

11 A. I was working by myself.

12 Q. Okay. Now, do you -- you -- with the crews, with the  
13 yardmasters, you're directly supervising, you're indirectly  
14 supervising?

15 A. Directly supervising.

16 Q. Okay. All right. And just, you know, just an estimate. How  
17 many employees are you supervising daily, that fall under you that  
18 you would supervise?

19 A. 25 to 30, second shift, third shift.

20 Q. Okay.

21 A. That's just yard crews. Not counting road trains or anything  
22 like that.

23 Q. Okay. Road crews, are those locals or are those --

24 A. Locals, road trains coming from Willard, Indy, Garrett,  
25 around Cincinnati, Lima.

1 Q. Okay.

2 A. We're kind of a hub.

3 Q. Got you. How many trains on average run through this yard  
4 during your shift just generally?

5 A. Between 10 and 20.

6 Q. Ten and 20. Is that crew change point or --

7 A. Yes.

8 Q. Okay. Do any of these trains originate down here?

9 A. Yeah, we have five originating trains right now.

10 Q. All right. And those, those originating trains, are -- is  
11 that what you're making up in the yard?

12 A. Yeah, we build all five originating trains. We build pickups  
13 for everything that comes through here except for intermodal  
14 trains.

15 Q. Okay. Intermodals, what? Do they just stage here, crew  
16 change and then --

17 A. It's just crew change.

18 Q. Yeah.

19 A. Swap and go.

20 Q. Okay. How is this yard set with yard space? With the  
21 originating trains and your crew trains, you know, how is your  
22 track space? Do you have enough tracks for the work you to  
23 typically daily?

24 A. It's never enough tracks.

25 Q. Never enough tracks.



1 A. But, no, there's -- we have room for our inbounds, outbounds.

2 Q. Okay.

3 A. As long as everybody's running by plan.

4 Q. How many yards kind of busted down that way? Can you kind of  
5 walk me through the different areas of the yard? Do you have like  
6 arriving or you have a receiving? What are there?

7 A. Sure. We've got the eastbound yard. That's our main  
8 switching yard for our freight cars. A receiving hill for  
9 bringing trains in. We also store our interchange cars up there  
10 to interchange with the local railroads around here. And we have  
11 the arrival yard that's where we build our outbound trains and  
12 work auto racks.

13 Q. Okay. Now, can you tell me how many yard crews you got and  
14 out of those yard crews, how many are RCOs? Just the best --

15 A. For what? For all day, 24 hours?

16 Q. Yeah. Well, for your shift.

17 A. For third shift on Saturday when the stuff was going on, I've  
18 got five crews that work and four of them are RCO. That night we  
19 had three RCOs because I couldn't fill the 97.

20 Q. Gotcha. So just one regular crew and four RCOs except that  
21 you were short one?

22 A. That's right.

23 Q. Okay. The regular crew, is that like a local crew?

24 A. It's a transfer job from the Toledo docks to here and back.

25 Q. Okay. Does that run daily?

1 A. Yeah, 7 days a week.

2 Q. Okay. Now, the RCO crews, are they ever tasked to help you  
3 run out the road crew? Do you ever use them to help out road crew  
4 work?

5 A. No.

6 Q. Okay. So the road crew just does their own work?

7 A. Yeah.

8 Q. Okay. What about any inbounds and outbounds? Do the RCOs  
9 ever help out with any of that work?

10 A. No, they just get out of the way.

11 Q. Okay. Gotcha. All right. Like on a daily, basis are you  
12 working out of an office or are you around everywhere? Can you  
13 give me kind of an idea like your location during your shift  
14 generally?

15 A. I'm mobile. We've got a company truck. I brief everybody  
16 when they come on duty, whether -- if it's on the phone or if it's  
17 in person. In the office -- I'm in and out of the office all  
18 night.

19 Q. Okay. So the briefs, can you just give me kind of a general  
20 characterization of just some of the things you brief the crews?

21 A. Sure. About any -- anything that's going on in the yard  
22 like, hey, you're going the route where you are. We've got these  
23 trains working. These trains sitting on the loin (ph.), this is  
24 what's coming in, and this is what needs to go out. We'll talk  
25 about their work, any safety incidents that might have happened on

1 the network that we've got to talk about. And then just, you  
2 know, small talk of see how they're doing, see where their mind's  
3 at, make sure everybody's ready to go to work.

4 Q. Okay. Now, when they come in and sign up and they get their  
5 pay report, are they getting that from the yardmaster or are they  
6 getting that from you?

7 A. No, they get it from the yardmaster --

8 Q. Yardmaster.

9 A. -- all from the printer.

10 Q. Okay.

11 A. Off the east end or west end printer.

12 Q. All right. Do you ever sit in on job briefs at all or --

13 A. Do I do what?

14 Q. The job briefs, do you ever sit in on the job briefs and  
15 listen to them or --

16 A. Oh, yeah.

17 Q. Okay. Do you conduct any?

18 A. As far as the work they're doing?

19 Q. Yeah.

20 A. No, the yardmaster handles that.

21 Q. Okay.

22 A. Unless I need to change something, I'll go talk to the crew  
23 and say, hey, we got a change of plan.

24 Q. Okay. If it was like a time table change or a system  
25 instruction change or anything like that, would that be the

1 yardmaster telling them or would that be you?

2 A. No, it's me.

3 Q. Okay.

4 A. Like every quarter, we get the rule change email about new  
5 rules coming out. We go around and brief everybody before they  
6 come out and as they're coming out.

7 Q. Okay. Do you face-to-face with all the crews or do you just  
8 disseminate it?

9 A. No, face-to-face.

10 Q. Okay. All right. So do you -- I know you conduct  
11 operational tests on the remote crews. Can you kind of walk me  
12 through some of the operational tests? You do do operational  
13 tests, right?

14 A. Absolutely, yeah.

15 Q. Can you walk me through some of the operational tests you  
16 conduct on the remote crews?

17 A. Sure. We're a heavy switching yard. So we have to focus on  
18 people handling their switches, protecting their shoves. We kick  
19 a lot here because we have an automated yard system. So kicking  
20 safety and things of that nature, routing equipment, is what we  
21 mostly focus on.

22 Q. All right. You're pretty familiar with the various different  
23 yard jobs and what they do daily basically?

24 A. Yes.

25 Q. Okay. Can you kind of walk me through what 397 does?

1 A. It's our main switching job.

2 Q. Okay.

3 A. They switch in the eastbound, on the east of the yard. It's  
4 an automated classification in the eastbound. So he loads --  
5 switch loads them to the kiosk and switches line and he kicks  
6 cars.

7 Q. Okay. Now, I kind of want to transfer to the day of the  
8 accident. So, while 397 signs up and they're out there working,  
9 did you see them at all working during that day or that night I  
10 mean?

11 A. It was actually 394.

12 Q. 394.

13 A. Because we didn't have a 397. That was the job we didn't do.

14 Q. Okay.

15 A. I asked Dan to go down there and work on that end so we could  
16 switch cars.

17 Q. Okay. Did you call him or go down there and talk to him?

18 A. It was through text message. It was before. I didn't want  
19 him to drive down to the wrong end of the yard. So I talked to  
20 him before he came on duty.

21 Q. I gotcha. Okay. Now, do you ever work with the mechanical  
22 foremen or the carmen that are out there working on the yard?

23 A. I was with Brandon Barker earlier that night. We work  
24 together all the time.

25 Q. Okay. And do you know what they were -- so that night, they

1 were out -- they were locking out 3 and 5 track. Do you know why  
2 they were doing that?

3 A. To work the Y111 and Y311 cars on those tracks.

4 Q. Doing brake tests or inspections? What were they doing?

5 A. It was a transfer.

6 Q. Transfer.

7 A. A test to -- for those two transfer jobs.

8 Q. Okay. Now, is that something like when you came on duty,  
9 something you knew was going to have to happen or was that just  
10 something that as the equipment came in, they needed to do that  
11 work?

12 A. Those tracks get worked every night.

13 Q. Okay. Every night.

14 A. Yep.

15 Q. So did the carmen pretty much come out every night, lock out  
16 those tracks, the same tracks?

17 A. Yes.

18 Q. Okay.

19 A. Yeah.

20 Q. So that was like 7 days a week or was that --

21 A. Seven days a week.

22 Q. Okay. So is that something you would discuss with the car  
23 foreman or is that just something that you just do all the time  
24 and it's just common knowledge?

25 A. No. Before third shift starts, we usually -- he'll usually

1 ask me how many cars are inbound, how many are outbound, what  
2 tracks need to be worked, what trains are going to depart just in  
3 case he needs to call extra people. So we give a rundown pretty  
4 much every night of this, what it is. And 2, eastbound 2, 3, 5  
5 are usually -- those -- not usually. Those are always on the  
6 list.

7 Q. All right. So were you familiar with the RCO that was  
8 working the -- it was the 394 you said? Yeah, 394.

9 A. Yes.

10 Q. Are you pretty familiar with him? Has he worked here for a  
11 while?

12 A. Yeah. He's been here I would assume at least 10 or 12 years.  
13 I didn't look at his work history but Dan's been here a long time.

14 Q. Okay. All right. Just to the best of your recollection,  
15 when's the last time you O tested him, O tested him operationally?

16 A. Earlier this week -- or I'm sorry. This is the beginning of  
17 the week. The end of last week.

18 Q. Last week. Do you remember what those tests were?

19 A. I think I put him in for riding equipment. I have to pull it  
20 up. I've been a little out of it since --

21 Q. Just your best --

22 A. Yeah.

23 Q. -- your best recollection. So. All right. Now, the night  
24 of the accident, did you hear any of the radio conversations going  
25 around during that time?

1 A. Yeah. Yeah, I heard the carman call. They said the 97, and  
2 asked to lock up the tracks. The car inspector said he couldn't  
3 hear Dan. So the yardmaster relayed, okay, lock 3 and 5. Then it  
4 seemed almost instantly that they started screaming dial 911.  
5 Somebody started screaming dial 911.

6 Q. Yeah. Okay. So let me ask you this. So the carmen were  
7 calling 397 --

8 A. Um-hum.

9 Q. -- but 394 was the one that was actually working the work --

10 A. Um-hum.

11 Q. -- conducting the work. Okay. So let me ask you this. If  
12 you had 397 crew, would they have been doing the exact work that  
13 394 crew was doing that -- or 394?

14 A. Yes, they would. They would have been doing the same thing.

15 Q. Okay. To the best of your knowledge, the carmen, have you  
16 known them ever not to call, call up a crew to get permission to  
17 the zone? Are you familiar --

18 A. I've never known --

19 Q. -- with any incident like that?

20 A. I've never noticed them not calling. When I was waiting for  
21 the interview, I was sitting in the yardmaster's office. I heard  
22 them calling two or three times --

23 Q. Okay.

24 A. -- to lock tracks up.

25 Q. Can you kind of paraphrase what they said?



1 A. Yeah, car department to 197, permission to lock up E02.

2 Q. Okay. And so they didn't -- 394 or 397 didn't respond or  
3 they didn't hear him?

4 A. He did respond. They just couldn't hear him.

5 Q. Okay.

6 A. They said they couldn't hear him, and the yardmaster relayed.

7 Q. Did he refer to himself as 394 or 397? Do you know?

8 A. I don't remember.

9 Q. Okay. And what did the yardmaster do?

10 A. Told them they were clear, you have permission to lock up 3  
11 and 5.

12 Q. Okay. So the yardmaster could hear both of them clearly.

13 A. Yeah.

14 Q. They just couldn't hear each other.

15 A. Um-hum.

16 Q. Okay. Has that -- do you have areas within the yard where  
17 that's a problem with transmissions?

18 A. Yeah. With 10,000 foot tracks, we -- they -- people have had  
19 to relay before, yeah.

20 Q. Do you have known dead zones in the yard like where you know  
21 that you're going to have an issue?

22 A. Not really.

23 Q. Okay.

24 A. Maybe -- you know what. I take that back. If a train gets  
25 out past Lemoyne -- or not past Lemoyne, toward Lemoyne, when they

1 go under the turnpike overpass.

2 Q. That's 795.

3 A. 795. No, I'm sorry. Oh, it's the Ohio Turnpike.

4 Q. Ohio Turnpike.

5 A. Yeah.

6 Q. Okay.

7 A. No, 795 goes through the middle of the yard.

8 Q. So is it one sort of like under a concrete structure or  
9 beyond it?

10 A. Just way past. I think 6, 7, 8,000 feet away from the east  
11 end of the yard.

12 Q. But everywhere else, it's just -- is it just kind of hit and  
13 miss? Do you have dead spots that sometimes you're there and  
14 sometimes you're not?

15 A. Yeah.

16 Q. Okay.

17 A. Like that night, I mean they were on the same end of the  
18 yard, just on different ends of the ladder.

19 Q. Yeah.

20 A. So.

21 Q. Now, the 394, when they were coming down that ladder, what is  
22 the name of that ladder? Is it called the new line or is it  
23 called -- where -- give me an idea of between the new line and the  
24 Jepp? Have you heard those terms? The Jepp track.

25 A. The new lead.

1 Q. Yeah, the new lead. I'm sorry.

2 A. New lead is a pocket track that runs parallel to the switch  
3 and lead.

4 Q. Okay.

5 A. He was on the switch and lead, and the Jepp is a track that  
6 runs through the old TDSI facility that connects to the switch and  
7 lead going toward MO1, MO2.

8 Q. Okay. That's all the questions I have for now. Thank you.

9 MR. BENDEL: No questions.

10 MR. AMMONS: Steve Ammons, CSX.

11 BY MR. AMMONS:

12 Q. Going back to this 394, 397, a little bit of confusion there.  
13 Up until you came in, everybody knew it as the 397. Just to make  
14 sure I understand it correctly, Daniel was being paid under the  
15 394 but he was working in a location that 397 typically works in.  
16 Is that correct?

17 A. Yes.

18 Q. Yeah. And the carman would not know that. They just know  
19 that that job typically in that area is --

20 A. That's where 397 works at.

21 Q. 397. Okay. Technically by rules, they should be -- how  
22 should they be calling each other, referring to each other?

23 A. By their job ID.

24 Q. And to establish -- and the locomotive numbers.

25 A. And the locomotive numbers, yes.

1 Q. Right. Okay. How many operational tasks are you --  
2 typically are you required to perform in a month?

3 A. It's 8 a week and 31 a month. I don't know the grand total.  
4 I just look at the VIZ screen to see where I'm at.

5 Q. Eight a week.

6 A. It's 8 a week though.

7 Q. Typically, okay. And what are your -- what is your main  
8 focus or what are you asked to focus on? What type of operational  
9 testing?

10 A. Our critical rules.

11 Q. Can you just describe what those are?

12 A. Sure. Riding equipment, protecting shoves, handling  
13 switches, that's what we mostly focus on.

14 Q. Okay. And being in the yard, I would say is it true that  
15 most of your tests are predominantly on the remote control  
16 operations?

17 A. Yes.

18 Q. Do you ever do any cross-functional testing?

19 A. Yes, I was droning earlier that night with Brandon Barker.  
20 That's what we were doing on second shift.

21 Q. Using a drone. Are you flying the drone or was Brandon?

22 A. We both did.

23 Q. Both of you all are qualified to fly the drone?

24 A. We're both qualified.

25 Q. Does CSX have guidelines, maybe rules around how low or how

1 high you can fly a drone and what type of conditions you can fly  
2 drones in?

3 A. Yeah. No tests below 150 feet, can't go above 400 feet and  
4 1250 feet away. As far as restrictions other than that, there's  
5 heat, wind. Anytime aberrant weather happens, we're not allowed  
6 to fly.

7 Q. And if you're flying a drone at the base which is 150 feet  
8 that you're allowed to fly, in your experience when you're 150  
9 feet up, can you hear it?

10 A. Absolutely.

11 Q. You can hear the drone?

12 A. Um-hum.

13 Q. Is it loud or is it distracting or --

14 A. You definitely notice it. It is, it is loud.

15 Q. Okay. And what about 400 feet?

16 A. It's a little tiny speck in the sky.

17 Q. Can you hear it though?

18 A. Sometimes, but it's got to be perfect to hear it and it's got  
19 to be right above your head.

20 Q. Yeah. Any employees ever complain about it being a  
21 distraction to them when you talk to them?

22 A. I've heard it several times, when you're droning, you never  
23 see anybody look up at the drone.

24 Q. Right.

25 A. So, you know, I think it's just a think people like to

1 comment about.

2 Q. Okay. Gotcha. Did you guy take any exceptions that night  
3 when you were flying the drone?

4 A. No. He watched one of his crews lock up A11. I watched the  
5 295 get tracks together in the eastbound. No issues.

6 Q. What would you typically during a cross-functional test, what  
7 would you typically look for? What type of rules with car  
8 inspectors?

9 A. Their blue flag protection going in between equipment, making  
10 sure they're inspecting everything they're supposed to be  
11 inspecting. The only time I've seen them get -- take an exception  
12 to anything is when a car inspector was just going through the  
13 motions. He wasn't marking it dry. It's like he was supposed to  
14 just kind of like lay some hoses and walking by as quickly as he  
15 could.

16 Q. Do you ever observe car inspectors for the purposes of  
17 testing crossing tracks, crossing around equipment, whether it be  
18 moving or stopped or anything like that?

19 A. I've only -- we only ever really look at them when they're in  
20 the body of the track. I haven't seen them -- I've seen them put  
21 a blue flag up across ladders and stuff like that but nothing in  
22 the middle of the yard.

23 Q. Okay. And you mentioned you had tested Daniel there about a  
24 week prior to the incident, the RC --

25 A. Yeah, it might have been 4 days ago.

1 Q. Okay. What's your experience with Dan? I know you've only  
2 been here a little over a year, a year and a half, but he's been  
3 here must longer. What's your overall experience with Daniel?

4 A. He's, he's an excellent worker, and no matter what job he's  
5 working on. That's one of the reasons I asked him to go down  
6 there and work the 97.

7 Q. Gotcha. And did you have any experience with Fred or George  
8 as car inspectors?

9 A. I did not.

10 Q. Did not. Okay. How about, how about operational testing  
11 with the yardmasters? Can you talk to us a little bit about that?  
12 Do you do operational testing? If so, what are you testing for  
13 with the yardmasters?

14 A. Radio rules with yardmasters, also keeping their -- the man  
15 down log and leave -- what's it called? The zone log, when  
16 somebody activates a RCO zone, making sure they're keeping up with  
17 that, writing it down.

18 Q. Okay. And what is the yardmaster at Walbridge responsible  
19 for? What areas does the yardmaster oversee?

20 A. They handle the entire terminal. They work Walbridge,  
21 Stanley and Toledo docks.

22 Q. Okay. And is that 8 hour shifts, 12 hour shifts? What  
23 typically is a shift for a yardmaster?

24 A. Eight hour shifts.

25 Q. Okay. Do they have monitors to monitor all these yards?

1 A. Yeah. Yes.

2 MR. AMMONS: Okay. I think that's all I've got.

3 MR. CRAWFORD: Robert Crawford.

4 BY MR. CRAWFORD:

5 Q. A question for you, as you operate as MTO, with all three of  
6 those yards, I mean that's a pretty big area to cover, and so  
7 you're just -- each shift is a single MTO?

8 A. No, just on our off days. There are two of us on first, two  
9 of us on second or days and nights.

10 Q. Oh, okay. But on off days, you go to single --

11 A. Yeah.

12 Q. -- single man?

13 A. Yep.

14 Q. That night when the incident happened, was two men on duty at  
15 that time or just --

16 A. It was just me.

17 Q. Just you that night.

18 A. Yeah.

19 MR. CRAWFORD: Okay. No other questions.

20 MR. GURZYNSKI: Jason Gurzynski, FRA.

21 BY MR. GURZYNSKI:

22 Q. Mac, I'm just curious. With all the RCOs operating, not just  
23 in eastbound, but the receiving area and arrival yard, they're all  
24 qualified in -- I guess you would say all three yards even though  
25 it is Walbridge Yard?



1 A. Yeah.

2 Q. Everyone's qualified to operate --

3 A. Yeah, absolutely.

4 Q. -- in the arrival and receiving?

5 A. And Dan was on the relief. The night before he was working  
6 the 93.

7 Q. So it's routine. I guess my question is it's routine to pull  
8 somebody from the 394 who's going to be operating in the arrival  
9 yard and pull them to the 397 that is going to operate in the  
10 eastbound yard?

11 A. Yeah.

12 Q. That's routine?

13 A. Yeah, to build the job, we protect that 97.

14 Q. And since the accident, has there been any new bulletins or I  
15 guess maybe an advisory or -- as MTO, are you briefing crews kind  
16 of like a safety stand down or what's --

17 A. Ozzy and the people working have been briefing crews from  
18 what I've heard but I haven't been here.

19 MR. GURZYNSKI: Okay. I've got nothing further.

20 MR. THOMPSON: Matt Thompson, NTSB. I don't have anything  
21 right now.

22 MR. SKOLNEKOVICH: Okay. Rich Skolnekovich, NTSB. I'm going  
23 to go ahead and wrap around one more time for a few follow-on  
24 questions.

25 BY MR. SKOLNEKOVICH:

1 Q. I'd like to go back to the testing for a second. So for the  
2 drone test, can you kind of walk me through for operational tests?  
3 What type of tests are you conducting with the drones?

4 A. As far as what?

5 Q. Okay. So are you using -- so normally when you would come  
6 out and conduct an operational test on a crew, you would observe  
7 them doing something. So when you're using a drone, what are you  
8 observing or like what tests are you putting it on the  
9 individuals?

10 A. Same exact thing as if I'm there in person. This just gives  
11 me more opportunity to see where I can't get personally.

12 Q. Okay.

13 A. You know, I can't get into the middle of the yard when people  
14 are getting tracks together, stuff like that. This gives me more  
15 access to everything.

16 Q. Okay. So if they're, if they're like protecting the point --

17 A. Um-hum.

18 Q. -- what -- are you just looking to see if they're on the  
19 point of the move?

20 A. Make sure they're riding the car appropriately, if it's a  
21 tank car? Are they getting off and moving equipment? Are they,  
22 you know, if it's a conventional crew, are they, you know, giving  
23 the car counts appropriately? Are they talking to the engineer if  
24 he's getting off equipment, doing 4 miles an hour or under? Stuff  
25 like that.

1 Q. Okay. And you can see all that from the ground?

2 A. I can see that and listen to the radio and correlate the two.

3 Q. Okay. Now, let me ask you this. If you are using the drone,  
4 and you get -- you see a non-compliance, how do you address it  
5 with the crew?

6 A. I tell them to stop what they're doing, I land the drone,  
7 lock everything up and drop to wherever they are. I'll show them  
8 the video if they want to see it or, you know, talk about what I  
9 saw. Some people want to see it. Some people don't want to see  
10 it.

11 Q. Okay. So, when you do get a noncompliant, tell me what kind  
12 of noncompliance just say recently, just general characterization  
13 of what kind of noncompliance test you found with the drone?

14 A. I had a three step violation, crew working out at the docks,  
15 I think he was on the 311. He walked back, went to lay some air  
16 hose, I was sitting over in the coal NBR, and went in without  
17 three step, walked right back to it and I stopped him, told him to  
18 wait for me, I'll be right there. I was -- I think I was with  
19 Andy Pinson when that happened, and got up on the engine with the  
20 engineer and the conductor and told them what I saw, showed them  
21 the video. The engineer said, yeah, he never asked for it. He  
22 was a new guy. He was -- I think he had been marked up maybe a  
23 month.

24 Q. Okay. So you were listening to the radio and watching the  
25 drone at the same time?

1 A. Yes.

2 Q. Is that what you were doing?

3 A. Yes, sir.

4 Q. Okay. All right. Outside of the drone tests, what kind of  
5 noncompliance tests have you had like let's say recently?

6 A. I had a cell phone violation I think maybe 2 weeks ago, 3  
7 weeks ago, Y295, the switchman was riding the lead end. He went  
8 by me looking at his cell phone while he was protecting that end.

9 Q. Okay. Now, I kind of want to switch to the yardmaster real  
10 quick. Are the yardmasters here, are they under hours of service  
11 regulations or laws?

12 A. If they protect a shove or do any kind of covered service,  
13 they would be, yes.

14 Q. Okay. So if they're actually going out and working, then  
15 they are. But if not, if they're -- the yardmasters work in an  
16 office, correct?

17 A. Yeah.

18 Q. Okay. But if he goes out and throws a switch or --

19 A. That put them under covered service, yeah.

20 Q. Okay. I gotcha.

21 A. But they don't do that here.

22 Q. Okay.

23 A. I've seen yards where they do it, but not here.

24 Q. I gotcha. So let me ask you this. So I know they're on 8  
25 hour shifts. How frequent is it that they have to work over 8

1 hours?

2 A. Usually around vacation time.

3 Q. Holidays.

4 A. Yeah, holidays. Somebody might have to work a double, work  
5 16 hours.

6 Q. Okay. Have you had any experience where they've worked more  
7 than that?

8 A. I've never seen anybody work more than 16 hours here.

9 Q. Okay. What about days of the week? Have they worked more  
10 than like say 5, 6, 7 days?

11 A. I've never seen anybody work more than -- I've seen people  
12 come in on their off days but never like -- I work maybe one of my  
13 off days, maybe 6 days straight.

14 Q. Okay. Are their shifts 5 days a week or 6 days a week?

15 A. They're 5 days a week.

16 Q. Five days a week. Okay. Now, they don't control any  
17 switches. I know this yard is set up where you can line out some  
18 switches. Are the yardmasters, do they have access to any of the,  
19 any of the switches in the yard as far as like from their -- where  
20 they work from?

21 A. No.

22 Q. Okay.

23 A. All they can do is issue switch lists in that ASIS (ph.)  
24 system. That's all they can do.

25 Q. Okay.

1 A. Then they get locked out.

2 Q. Do they, do they confirm any blocking of anybody? So I mean  
3 I don't know how the yardmasters work here, but do they -- I know  
4 they control equipment come in at various different aspects of the  
5 yard. Do they ever work with mechanical, lockout a switch or  
6 block, provide any kind of block to a section of track like a  
7 dispatcher would?

8 A. No, they just -- these are the tracks that need to work and  
9 then the car inspectors go out and ask permission to lock the  
10 switches out from the jobs they're working.

11 Q. Okay. Do they keep a blue signal log or blue flag logbook?

12 A. I don't know.

13 Q. Okay. All right. Now, I'd kind of like to go to the --  
14 after the accident. I know 911 was called. Can you kind of walk  
15 me through the incident response of getting EMS services out to  
16 the victim?

17 A. Yeah. I called 911.

18 Q. Okay.

19 A. As I was driving down there, Lake Township Police got right  
20 behind me. We were the first people there. It was, you know, it  
21 was done.

22 Q. Yeah.

23 A. There was nothing they could do. But maybe 6, 7 minutes from  
24 the time we heard on the radio to getting down there.

25 Q. Did the ambulance or fire department show up at all?

1 A. Ambulance showed up, maybe 30 minutes later, about the same  
2 time the coroner showed up I think.

3 Q. Did they all know where to go or did you have -- did somebody  
4 have to direct them?

5 A. No, they -- the first police were following me, and everybody  
6 came in right behind them.

7 Q. Okay. So kind of walk me through it after you heard it over  
8 the radio.

9 A. Yeah, I heard screaming on the radio, the yardmaster started  
10 yelling. I looked at the camera and dialed 911 right then, and  
11 ran downstairs and got in the truck and started driving.

12 Q. Okay. And then police came in right behind you?

13 A. Yeah. Lake Township is actually right there off of 795,  
14 their office. So they literally pulled out of their parking lot  
15 right behind me.

16 Q. Okay. And you said the coroner arrived there about 30  
17 minutes later, too?

18 A. Maybe 30 minutes, yeah.

19 Q. Okay. All right. Do you know if the yard carries any like  
20 incident response plans? Like if they hadn't followed you, how  
21 would, how would the fire department or police find the location?  
22 Is there anything that is given to the yardmasters or any other  
23 management?

24 A. We've got a terp (ph.) up there. That's about we've got.

25 Q. Can you kind of describe what that is?

1 A. Sure. It's a Emergency Action Plan shows our evacuation  
2 routes and our muster locations, and safety phone numbers, who to  
3 call when different situation happen.

4 Q. In the event of an accident that happens in the yard, is  
5 there anything that would help direct, you know, fire or first  
6 responders to various different parts of the yard?

7 A. The yardmaster would be their central lifeline, and managers  
8 and whoever else would be involved would sit at the entrances and  
9 direct traffic.

10 Q. Okay. Now, is that something that's just set in practice or  
11 is that something in writing?

12 A. I think it's just in practice.

13 Q. Practice. Okay.

14 A. In fact, when we do our job briefings, we assign people to,  
15 you know, first aid, you're a runner, go to this exit, you're a  
16 runner, go to this exit in case emergency response needs to be  
17 directed somewhere.

18 Q. Okay. Do you know where the local hospitals are around here?

19 A. Bay Park off of Curtis Road is the one we use for injuries,  
20 things like that.

21 Q. Okay. Have you had to take employees there before?

22 A. Yes.

23 Q. Okay. The emergency room or is it just a regular hospital?

24 A. Emergency room.

25 Q. Okay, Mac. That's all I have. Thank you very much.



1 MR. BENDEL: Nothing.

2 BY MR. AMMONS:

3 Q. Mac, Steve Ammons. Just one follow up here. I know probably  
4 distinctively you were doing this. Did you perform or do any type  
5 of investigation when you got out there to try to determine what  
6 happened?

7 A. Yeah. I looked to see what switches were lined, where the  
8 locomotive was, stuff like that. It looked like Dan was coming  
9 out of eastbound 15. That was the only switch lined on the  
10 ladder.

11 Q. Did you take note of anything else? Did you watch any video  
12 or did you see the cameras?

13 A. I did not watch the video. I didn't want to.

14 Q. Okay. Did you have -- based on your investigation that you  
15 collected, did you have any -- did you form any opinion of what  
16 caused this to help us in our investigation?

17 A. From what I've gathered from talking to people that were  
18 there when it happened, it looked like he stepped out of his truck  
19 right into the front of the locomotive. That was pretty much it.

20 Q. Did you talk to the surviving car inspector at all?

21 A. Not -- when I first got there, he was hysterical and he  
22 pointed that -- where Fred was laying, but that's about it. I saw  
23 him at the hospital later, but he was his wife. I didn't really  
24 talk to him.

25 Q. Okay.

1 A. Everybody was pretty quiet.

2 Q. So you didn't collect any statements or anything like that?

3 A. I collected a statement from my conductor, not from the car  
4 inspector.

5 Q. Okay. What did he tell you?

6 A. He was on the trailing locomotive. He had just put a car  
7 away, and he didn't even know it happen until that car inspector  
8 started screaming on the radio.

9 Q. Okay. All right. That's all I've got.

10 MR. CRAWFORD: Robert Crawford.

11 BY MR. CRAWFORD:

12 Q. The only question I have is previously, of course, this  
13 recent fatality, had there been any others that you know of here  
14 in the yard that occurred or --

15 A. Fatalities?

16 Q. Yeah, fatalities here.

17 A. No.

18 Q. I didn't know if this was like the first one?

19 A. This is the first one I've ever --

20 Q. Okay.

21 A. -- heard of or dealt with.

22 Q. Yeah. Okay.

23 MR. CRAWFORD: No other questions.

24 MR. THOMPSON: Matt Thompson, NTSB.

25 BY MR. THOMPSON:

1 Q. I was just curious how far is Bay Park Hospital from here?

2 A. Seven minutes.

3 Q. Seven minutes.

4 MR. CRAWFORD: I have nothing else.

5 BY MR. SKOLNEKOVICH:

6 Q. Okay. Mac, we're going to kind of wrap this up now, but if  
7 there's anything that you can think of that might help prevent  
8 this in the future, now's the time. So we would like your opinion  
9 of what could have prevented this and then what can be done from  
10 happening again?

11 A. We already have rules that would have prevented this. Look  
12 both ways before you cross the tracks.

13 Q. Okay. Is there anything else you'd like to add?

14 A. Nope.

15 Q. Okay. If we have any questions in the future, do you mind if  
16 we contact you?

17 A. Absolutely.

18 Q. Okay. Great. Well, on behalf of the NTSB, I want to thank  
19 you for your time and your cooperation. It's greatly appreciated.

20 MR. SKOLNEKOVICH: And with that, it is now 1:59, and that  
21 will conclude the interview.

22 (Whereupon, at 1:59 p.m., the interview was concluded.)  
23  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the  
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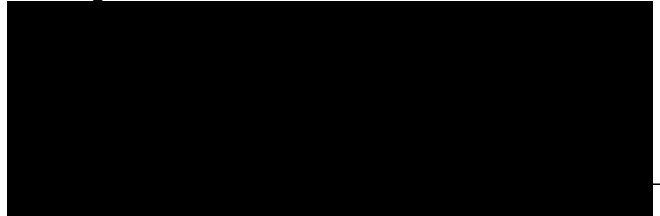
IN THE MATTER OF: CSX EMPLOYEE FATALITY IN  
WALBRIDGE, OHIO  
ON SEPTEMBER 17, 2023  
Interview of Mac Smith

ACCIDENT NO.: RRD23FR017

PLACE: Walbridge, Ohio

DATE: September 18, 2023

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
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Transcriber