

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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RAILWAY WORKER FATALITY *

INVOLVING WHEELING & LAKE ERIE * Accident No.: RRD24LR006

RAILWAY NEAR JEWETT, OHIO ON *

JANUARY 15, 2024 *

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Interview of: BRIAN WINLAND, Engineer
Wheeling & Lake Erie Railway

Wheeling & Lake Erie Railway
Brewster, Ohio

Tuesday,
January 16, 2024

APPEARANCES:

BEN STROT, Investigator
National Transportation Safety Board

WES MCQUINN, Signal Inspector
Federal Railway Authority

DAVID CASACELI, Investigator-in-Charge
National Transportation Safety Board

KEVIN HELTON, Local Union Representative
Brotherhood of Locomotive Engineers and Trainmen

JIM HILL
Wheeling & Lake Erie

TIM SLUSSER, General Manager
Ohio Central Railroad Systems

SCOTT BUNTEN, Safety Task Force Investigator
Brotherhood of Locomotive Engineers and Trainmen

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I N T E R V I E W

(1:07 p.m.)

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3 MR. STROT: All right. Good afternoon. My name is Ben
4 Strot. I am an investigator for the NTSB. Today is Tuesday,
5 January 16th, 2024, and we are meeting at the Wheeling and Lake
6 Erie Railroad offices here in Brewster, Ohio. This interview is
7 being conducted in reference to NTSB Accident No. RRD24LR006, an
8 employee fatality near Jewett, Ohio on the Genesee and Wyoming
9 railroad that occurred on January 15th, 2024.

10 The NTSB is an independent federal agency charged with
11 determining the probable cause of transportation accidents and
12 promoting transportation safety. It is not a part of the DOT, FRA
13 or any other regulatory agency. NTSB has no regulatory or
14 enforcement powers. We will publish recommendations to any party
15 that we believe can act on those recommendations to prevent
16 accidents from happening in the future. There are several phases
17 in the process. We're currently in the fact-finding phase that
18 will be followed by the analysis, probable cause finding, and
19 finally any recommendations that we see necessary.

20 Today, we are here to speak with Brian Winland --

21 MR. WINLAND: Yes.

22 MR. STROT: -- the engineer. And before we begin, we'll go
23 around the table, introduce ourselves to the transcriptionist.
24 Please be sure to speak up and speak clearly.

25 And we'll start off. My name is Ben Strot, S-T-R-O-T, with

1 the NTSB.

2 MR. MCQUINN: Wes McQuinn, M-C-Q-U-I-N-N, with the Federal
3 Railroad Administration.

4 MR. CASACELI: David Casaceli, C-A-S-A-C-E-L-I, NTSB
5 Investigator-in-Charge.

6 MR. WINLAND: I am Brian Winland, that's W-I-N-L-A-N-D,
7 Locomotive Engineer for Wheeling & Lake Erie Railway.

8 MR. HELTON: Kevin Helton, H-E-L-T-O-N, Local Union
9 Representative, BLET.

10 MR. HILL: Jim Hill, H-I-L-L, Wheeling & Lake Erie.

11 MR. SLUSSER: Tim Slusser, S-L-U-S-S-E-R, General Manager for
12 Ohio Central.

13 MR. STROT: All right. Thank you, everybody. Oh, I'm sorry,
14 on the phone.

15 MR. BUNTEN: Yes, Scott Buntten, B-U-N-T-E-N, Brotherhood of
16 Locomotive Engineers and Trainmen Safety Task Force Investigator.

17 MR. STROT: Thank you, I appreciate that. Sorry, I almost
18 skipped over you.

19 All right. So as we go around the room asking any questions,
20 please just restate your name so that that -- before you ask your
21 question that way the transcriptionist knows who is talking.

22 INTERVIEW OF BRIAN WINLAND

23 BY MR. STROT:

24 Q. And, Mr. Winland, do you mind if we go by Brian?

25 A. That's fine.

1 Q. Okay, thank you. All right. So we spoke beforehand, do you
2 understand this interview is being recorded?

3 A. I do.

4 Q. And as such it would be made part of the public docket and we
5 cannot promise any confidentiality?

6 A. I do.

7 Q. Okay, thank you. All right. We'll just -- you know, start
8 with -- can you give us a rundown of your railroad experience?

9 A. Twenty years, locomotive engineer for 19 of it. That's about
10 it. Been running engines since -- basically six months as a
11 conductor, by the time all the schooling was done and I became an
12 engineer.

13 Q. Okay. And was all that time here at Wheeling & Lake Erie?

14 A. That it was.

15 Q. Here at Wheeling & Lake Erie, do you have an assigned run?
16 Do you run the same run every day, every --

17 A. As of now, yes. I got on the 218, which runs at 1:30 in the
18 morning, and it runs from here to Hannah and back.

19 Q. Okay.

20 A. So I've been on that for a week now.

21 Q. For a week?

22 A. Yes.

23 Q. Okay. And you work with the same crew every time?

24 A. Yes, same conductor. He got the bid the same time I did.

25 Q. Okay. And do you go on duty here?

1 A. We go on duty at the service track in Brewster, Ohio.

2 Q. Okay, great.

3 MR. STROT: We'll pass it around. See if anybody has any
4 other questions about experience.

5 MR. MCQUINN: No, I'm good.

6 UNIDENTIFIED SPEAKER: I have a question.

7 MR. STROT: All right.

8 BY UNIDENTIFIED SPEAKER:

9 Q. (Indiscernible).

10 A. Hannah's the plant. That's all I know. It's in --

11 BY MR. STROT:

12 Q. That's perfectly fine. Just --

13 A. It's the facility that we take it to.

14 UNIDENTIFIED SPEAKER: I can -- I mean --

15 MR. STROT: Okay.

16 UNIDENTIFIED SPEAKER: Hannah is the facility. Hopedale,
17 Ohio would be the --

18 MR. WINLAND: Okay, yes.

19 (Crosstalk)

20 UNIDENTIFIED SPEAKER: -- the city.

21 MR. STROT: Okay, all right. Well, that gets us through our
22 first question about your experience.

23 BY MR. STROT:

24 Q. So, I guess the big question here or the big part of this
25 interview is can you take some time, just talk us through your

1 trip Monday morning. I know it may be difficult to replay what
2 you saw, you know, the events that day. But to the best of your
3 ability, describe the trip from when you got to work till you tied
4 it up. And we're looking for things like visibility, impairments,
5 distractions, inputs to the locomotive, anything that piqued your
6 senses as you were out there.

7 A. All right. We'll start in the morning. We come in on duty.
8 I usually arrive anywhere from 15 to 10 minutes before anybody --
9 I mean, before I start. And we do our job briefing sheet, go over
10 our bulletins. I seen that we had a crossing we had to flag. I
11 brought that to Conductor Flickinger's attention. So we -- and he
12 called the Ohio Central and got the DOB okayed. And our power was
13 not ready. One of the engines froze up so we had to wait almost
14 45 minutes to an hour for our power to get ready.

15 We get on our train, which was already air tested, which was
16 -- we're like, oh, it's going to be an easy day. So, I mean, we
17 never show up to work where the -- it seems like everything is
18 smooth. So that might have been -- but anyhow, the train was
19 ready. We got on our train. Didn't have communication with the
20 marker at first, and we finally got communication with it. Did my
21 set and release, got okayed by the yard master to junction 138,
22 that is our yard board, heading east.

23 Basically, we talked about slow waters. It was 25 miles an
24 hour due to weather, and all the 10 miles an hour prior to that
25 week are all off, so we did discuss that. I had five locomotives,

1 and it was 3-6 axles and 2-4s. I had the -- I had three online,
2 and the middle one was a 4,000 unit, which didn't have dinos
3 (ph.), so that's the reason I put the third one online in case we
4 ran into anything at dinos to stop.

5 And as usual just started journeying on. We get to Ohio
6 Central. Usually two miles out, we give dispatch a call. I knew
7 Ohio Central will get a track horn for that short stint on the pan
8 sub (ph.). And everything went smooth. Toned up switch,
9 everything worked, came around the corner, two miles prior to the
10 -- where we had to stop and flag. I pulled the conductor, go down
11 and make sure you got two fuses. He had one of them up top and I
12 said -- engines were signed off. I don't really know if there was
13 more fuses in the back, but we have five engines, so he had plenty
14 of time if he had to go back and get more -- I said check in down
15 in the bottom. So there was more fuses down there.

16 And we come to the crossing, and I noticed the signal man's
17 truck there with his headlights on. So we stop, he gets out
18 there, he flags the crossing with fuses, one on each side of the
19 road about a cross bucks (ph.). And he hops back up and as soon
20 as he gets on the engine, I'm like, I wonder why the signal man
21 didn't flag this crossing. I mean, usually they do. I mean,
22 everywhere that I go, if they know we're coming, the signal man
23 will go, hey, I got the crossing for you, buzz on. I just, like,
24 it was -- no, it was 5:30 in the morning, so I'm like he's
25 probably sleeping or whatever.

1 And we start off, I rang my bell, blow my horn, get through
2 the crossing. And about 25 car lengths away, it was kind of
3 foggy, really dark, it was like no stars out at all. And I seen a
4 silhouette of, I don't know, it was just black. I couldn't tell
5 what it was. And I said, Flick, what is that. So he stands up,
6 puts his nose to the conductor's window. I don't know. And I
7 stand up and look out, and from about me to the window, we finally
8 see his boots staring at us, and then we see his high-vis coat.
9 So as soon as I seen his high-vis coat, I'm like, whoosh, it's at
10 full service because I have 30 loads of dangerous behind me. I
11 didn't really want to put on the emergency because I don't know
12 how that would have reacted.

13 So -- and we scooted over in five car lengths. As I was
14 going over top of him, I noticed he was against the gauge on my
15 side. Nothing was hanging over the rails, so I'm like well
16 hopefully the hoses don't hit him. So that's the first thing I
17 thought. The plow didn't get him because I didn't hear it. I'm,
18 like, okay, hopefully the hoses don't snatch him up and drag him
19 any further.

20 And we come to stop and I said, Flick, hurry up and tone 4-4,
21 which is dispatch on Ohio Central. Waited while he was getting
22 his gear on to go out. I said you got to go out and you got to
23 tell me what's going on. But I don't want to, he says. I'm,
24 like, yes, I know.

25 So he finally gets ready, walks back there. I'm still trying

1 to get a hold of the dispatch room. Hit 44 again, probably a
2 minute, two minutes went by. I said screw this, hit 9-1-1,
3 nothing. I started screaming on the radio anybody out there that
4 can hear me. Maintenance away was behind me at Powerstown waiting
5 to get track, I guess, or they was working there. Somebody, I
6 don't know if it was maintenance away or what, they didn't say who
7 it was. I'm just assuming it was maintenance away because I had
8 Form B out.

9 And I said, hey, there's a guy in another rail, we just went
10 over on top of him. Conductor Flick got that figured out and
11 about five minutes later, dispatcher comes on the 9-1-1 call. I
12 don't know if he -- he didn't say 9-1-1. I don't know if he
13 answered it from the 44 tone or from the 9-1-1 tone. I'm not
14 sure.

15 I finally told him, he says okay. I need some information
16 from you, you know. He wanted my throttle speed or position, if I
17 put the train on emergency, how fast I was going. And then he
18 says -- then he said I'll be right back with you. Then he comes
19 back on the radio, and he goes I need you to call me on your
20 cellphone; do you have a cellphone. I'm, like, yes. I said to
21 Flickinger, dispatcher wants me to call him on his cellphone, is
22 it okay to do so. He's, like, yes, I'm in the clear, okay to do
23 so. I get my cellphone out of the bag; I turn it on. Waited for
24 everything to set up on my phone. I notice that I can't call
25 nobody.

1 So then I toned the dispatcher back up and I'm, like, I can't
2 call you, no reception down here. It's a dead zone. He's like,
3 all right, never mind, just give it to me over the radio. And he
4 proceeded to ask more questions about how the -- is it a guy, who
5 it is. I -- in my head, I already presumed when I called on the
6 radio that it was a signalman laying there, because his truck was
7 back there. And I told him I guess it's a signalman, you know.
8 I'm not real sure, but conductor's on his way back there.

9 Then Flickinger gets on the radio and said -- I said did you
10 check for a pulse. No, I yelled at him, he's not responding. I
11 said did you check for a pulse. No, but sheriff's here and -- he
12 said sheriff's here, he's going to deal with him. And I'm, like,
13 okay, so the sheriff is with you. He's like, yes, he's on the
14 other side of the train.

15 And they -- what else -- Paul's (ph.) probably five minutes
16 or so. I said is everything all right. I said do you want me to
17 split the train so you guys can get to the body. He's, like, yes,
18 good idea. He said three steps. So I give him three-step. He
19 put some hand brakes on, we split the train, and applied three-
20 step again and then that's when the sheriff and him was -- I don't
21 know what they were doing back there. And they just said stand
22 by, so I stood by until Loren Dodge (ph.) foreman came up -- no,
23 Mike Scott (ph.) came up first, told me what he's seen, and they
24 have -- they're waiting on the coroner and investigators show up
25 so it'll be a while. We would just start talking, just

1 (indiscernible).

2 And Loren -- foreman Dodge showed up, downloaded the engine.
3 He didn't know much about what was going on other than what was
4 said by train master Mike Scott. And then we get a radio saying
5 that (indiscernible) Stein (ph.) was going to be taking us back.
6 And he's -- then we hopped in his vehicle, came back here to his
7 office, filled out an incident report. Both of us filled out our
8 own incident reports. He looked them over, everything was good.
9 Then we both got sent home.

10 Q. Okay. All right. I appreciate that, lots of detail. Thank
11 you. When you said the truck at the crossing with the headlights
12 on, that truck was pointed at you --

13 A. It was --

14 (Crosstalk)

15 A. And we backed right into the signal box, the power box there.

16 Q. Okay.

17 A. And --

18 Q. Okay. And when you said you saw shoes or boots, you said
19 that was about --

20 A. From me to that window.

21 Q. So about half a car probably?

22 A. Yes, a good -- yes, probably about a half a car before I
23 realized oh, that's somebody.

24 Q. Yes.

25 A. And then I seen the high-vis coat because he's lying face

1 down and his boots were pointing our way and he had black pants on
2 -- (indiscernible) on and black boots. So, I mean -- from -- when
3 it was dark and it's kind of foggy and the (indiscernible), you
4 get all that moisture from the water. So it's always foggy down
5 there at about that time and it was only 9 -- or it was 6 degrees
6 when we went over our detector at Sheridan and 7 degrees on
7 theirs, because we just went over the -- I think it said 7.

8 Q. Okay. All right. I think those are the only follow-up
9 questions I had about the actual incident.

10 MR. STROT: Wes, did you have any?

11 MR. MCQUINN: No, I'm good.

12 MR. CASACELI: David Casaceli, NTSB.

13 BY MR. CASACELI:

14 Q. Just to be clear of your movements. So, you came to a stop
15 and then you cut ahead -- to cut the train open and pulled ahead,
16 and the train remained there and that's where the download was
17 taken?

18 A. Yes.

19 Q. And then no other moves?

20 A. No other moves after the -- we split the cars apart to get to
21 him. And I made sure that there was no body parts or anything on
22 the rail before we even split. I even asked him on the radio, I
23 said, nothing's hanging, nothing's on the (indiscernible). And
24 Conductor Flickinger was, like, yes, he's in the clear, nothing.
25 So we made sure it was safe to split it apart. And the sheriff

1 was there and told my conductor, he said that there was no body
2 parts on his side of the train because the sheriff was on the
3 opposite side.

4 Q. All right, thank you. I guess for the record, what side of
5 the track did the conductor go down. Do you know?

6 A. He went on -- it would be considered the north side.

7 Q. North side.

8 A. It's rail dead from the old rail ones -- double rail there.
9 I told him to walk that side. I knew the guy was laying on my
10 side, but the walking condition was really terrible. So I said
11 it's best if you use rail bed, walk there, let me know what you
12 find.

13 Q. Okay, thank you.

14 MR. CASACELI: Let's go to Scott on the phone before we
15 forget. Do you have anything, Scott?

16 MR. BUNTEN: Good detail. I have no questions, thank you.

17 MR. HILL: Jim Hill, no questions.

18 MR. SLUSSER: Tim Slusser, Central. Just a couple of
19 questions.

20 BY MR. SLUSSER:

21 Q. When I got called by the dispatcher, they said that you guys
22 noticed a hard hat there, too. Where did you see that at?
23 Where --

24 A. I did not --

25 (Crosstalk)

1 A. I was the engineer on it. I guess my conductor -- what my
2 conductor told me when he got back there that the sheriff seen the
3 hard hat, it was off, and there was nothing in the hard hat, I
4 guess what the conductor said.

5 Q. Okay.

6 A. But I can't answer for him, so I'm just going by what he told
7 me.

8 Q. Okay. One other question. Did you notice -- I don't know
9 how much snow was out there that night -- but did you notice,
10 like, any snow thrown around or on the rail or --

11 A. There was no -- the snow was so thin, it just blew all over
12 the place, so. I mean, you could actually see the railroad ties,
13 but, you know, just thin lines of snow. It was more icy that it
14 was anything --

15 Q. Okay.

16 A. -- than it was snow. It was just a blowing snow, nothing
17 really landed.

18 Q. No further questions.

19 MR. CASACELI: Okay.

20 MR. STROT: David, do you have more?

21 MR. CASACELI: David Casaceli, NTSB.

22 BY MR. CASACELI:

23 Q. You didn't see any lights on at all, flashlight or anything
24 of that nature?

25 A. No, there was nothing. Like I said, when we come up to the

1 area, it was just pitch dark because there was really not -- the
2 light pollution is not really bad in that area on the pan. And,
3 yes, it's just like looking at straight midnight.

4 Q. Thank you.

5 MR. STROT: Okay. Last chance, any other questions anybody's
6 got? All right, Brian. Anything we should have asked you but we
7 didn't that you can you think of?

8 MR. WINLAND: No, not that -- not at the moment.

9 MR. STROT: Anything you'd like to add?

10 MR. WINLAND: No.

11 MR. STROT: Okay. Well, I appreciate the detail of your
12 explanation there. It really helped out a lot. And if we have
13 any follow-up questions, do you mind if we give you a shout?

14 MR. WINLAND: I'd be more than pleased to.

15 MR. STROT: Okay. All right. Well, on behalf of the NTSB,
16 appreciate it. I appreciate your cooperation.

17 MR. WINLAND: You're welcome.

18 MR. STROT: All right, thank you.

19 (Whereupon, the interview was concluded.)

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CERTIFICATE

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


IN THE MATTER OF: RAILWAY WORKER FATALITY INVOLVING
WHEELING & LAKE ERIE RAILWAY
NEAR JEWETT, OHIO ON JANUARY 15, 2024
Interview of Brian Winland

ACCIDENT NO.: RRD24LR006

PLACE: Brewster, Ohio

DATE: January 16, 2024

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.



Marisu Abellar
Transcriber