

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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UNION PACIFIC RAILROAD TRAIN  
DERAILMENT, HAZARDOUS MATERIAL  
RELEASE, AND FIRE IN TEMPE,  
ARIZONA, ON JUNE 26, 2020

Accident No.: RRD20LR005

\* \* \* \* \*

Interview of: THOMAS GIL, Bridge Inspector  
Union Pacific

MARCIAL ALMODOVA, Bridge Inspector  
Union Pacific

JOSEPH ENDYKIEWICZ, Track Maintenance  
Union Pacific

TOMAS GAWRONSKI, Director of Bridge Maintenance  
Union Pacific

Via telephone

Monday,  
October 19, 2020





I, MARCIAL ALMODABA, have read the foregoing pages of a copy of my testimony given during a follow-up interview stemming from NTSB's investigation of the derailment of Union Pacific Railroad Company's Train MTUPX-29 with release of hazardous materials with fire on July 29, 2020 in Tempe, Arizona and these pages constitute a true and accurate transcription of same with the exception of the following amendments, additions, deletions or corrections:

<u>PAGE NO:</u> <u>CHANGE</u>	<u>LINE NO:</u>	<u>CHANGE AND REASON FOR</u>
<u>7</u>	<u>3</u>	<u>ALMODABA INSTEAD OF ALMODOVA</u>
<u>7</u>	<u>2</u>	<u>ALMODABA INSTEAD OF ALMODOVA</u>
<u><del>17</del></u> <u>17</u>	<u>11</u>	<u>ALMODABA INSTEAD OF ALMODOVA</u>
<u>17</u>	<u>23</u>	<u>Bridge book INSTEAD OF BRIDGE</u>
<u>18</u>	<u>19</u>	<u>ALL INSTEAD OF ALSO</u>
<u>19</u>	<u>4</u>	<u>ALMODABA INSTEAD OF ALMODOVA</u>
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<u>19</u>	<u>12</u>	<u>ALMODABA INSTEAD OF Almodova</u>
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<u>19</u>	<u>25</u>	<u>ALMODABA INSTEAD OF Almodova</u>
<u>20</u>	<u>6</u>	<u>ALMODABA INSTEAD OF Almodova</u>



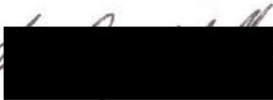
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<u>44</u>	<u>15</u>	<u>ALMODOVA INSTEAD OF Almodova</u>
<u>44</u>	<u>23</u>	<u>ALMODOVA INSTEAD OF Almodova</u>
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<u>46</u>	<u>7</u>	<u>Almodova INSTEAD OF ALMODOVA</u>
<u>46</u>	<u>13</u>	<u>ALMODOVA INSTEAD OF ALMODOVA</u>
<u>59</u>	<u>9, 12, 14, 17, 20</u>	<u>ALMODOVA INSTEAD OF ALMODOVA</u>
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20 13 ALMODOVA INSTEAD OF Almodova

I declare that I have read my statements and that it is true and correct subject to any changes in the form or substance entered here.

Date: 12/16/2020

Witness: 

APPEARANCES:

RICHARD HIPSKIND, Investigator in Charge  
National Transportation Safety Board

JAMES ZIMMERMAN, Track Department  
Federal Railroad Administration

AZIZ AMAN, Civil Structural Engineer  
Federal Railroad Administration

STEVE KRAUSE, Civil Structural Engineer  
Federal Railroad Administration

ADAM ALLEN, Vice Chairman  
Brotherhood of Maintenance Way Employees

JOE GORDON, Railroad Accident Investigator  
National Transportation Safety Board

OMAR MONGE, Director of Track Maintenance  
Union Pacific

ROBERT CHRISTENSEN, Manager of Bridge Inspection  
Union Pacific

WES WRIGHT, Representative  
Union Pacific

I N D E X

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I N T E R V I E W

1  
2 MR. HIPSKIND: My name is Richard Hipkind, and I am the  
3 investigator in charge and the track and engineering group chairman for  
4 NTSB for this accident. We are conducting this panel interview with  
5 four unit bridge and structures personnel virtually on October 19th,  
6 2020.

7 This panel interview is part of NTSB's efforts in conducting a  
8 series of follow-up interviews to understand the bridge inspection and  
9 repair process and oversight of Union Pacific's bridge and structure  
10 procedures for the Tempe Town Bridge after a derailment event on June  
11 26, 2020, and again on July 29th, 2020, at Milepost 913.91 on UP's  
12 Phoenix subdivision in Tempe, Arizona, in Maricopa County. The NTSB  
13 accident reference number is RRD20LR005.

14 Before we begin our interview and questions, let's go around the  
15 table and introduce ourselves. Please spell your full name, please  
16 identify who you are representing, your title and where you are located  
17 for this interview effort. I would remind everyone to speak clearly  
18 and loudly enough so we can get an accurate recording.

19 I'll lead off and then ask for the other interviewees --  
20 interviewers to identify themselves according to the order previously  
21 established. Again, my name is Richard Hipkind. The spelling of my  
22 full name is R-i-c-h-a-r-d, last name H-i-p-s-k-i-n-d. I am the  
23 investigator in charge and track and engineering group chairman for  
24 NTSB for this accident, and I am located in my residence in Indiana.

25 James?



1 MR. ZIMMERMAN: I am James Zimmerman, first name J-a-m-e-s, last  
2 name Z-i-m-m-e-r-m-a-n. I work for the FRA track department, and I am  
3 located in Cottonwood, Arizona.

4 MR. HIPSKIND: And, Omar, I think we had you next.

5 MR. MONGE: All right. Name is Omar Monge. Spelling on my name  
6 is O-m-a-r, last name M-o-n-g-e, director of track maintenance for  
7 Union Pacific Railroad, based out of Tucson, Arizona.

8 MR. HIPSKIND: Thank you, Omar.

9 And, Adam, if you'll introduce yourself please?

10 MR. ALLEN: Hey, good morning. My name is Adam Allen, A-d-a-m,  
11 last name A-l-l-e-n, currently employed with the Brotherhood of  
12 Maintenance Way Employees in a vice chairman capacity, located in  
13 beautiful downtown Oakridge, Oregon.

14 MR. HIPSKIND: All right. Thank you, Adam.

15 And, Aziz, if you'll introduce yourself?

16 And, Steve, when he's done, just follow along.

17 MR. AMAN: This is Aziz Aman, A-z-i-z, last name Aman, A-m-a-n. I  
18 am the Denver Region safety section representing FRA out of  
19 Chandler/Phoenix, Arizona.

20 MR. KRAUSE: Okay. My name is Steve Krause, S-t-e-v-e  
21 K-r-a-u-s-e. I work for the Federal Railroad Administration. I'm a  
22 civil engineer structural, and I am in Denver, North Carolina.

23 MR. HIPSKIND: Thanks, Steve.

24 And Joe?

25 MR. GORDON: Hey, good morning everyone. Joe Gordon with the NTSB

1 rail accident investigator. Spelling of the name is J-o-e G-o-r-d-o-n.  
2 And I am duty stationed in Virginia.

3 MR. HIPSKIND: All right. To all the interviewers, thank you for  
4 reading all the emails and getting us to this point, and a special  
5 thanks to Tomas for organizing all of this.

6 So prior to recording our panel interview, I spoke with all four  
7 interviewees to request their permission to record our discussion today  
8 and to talk to each other using our first names. Has there been any  
9 change to your affirmation to those conditions? Any objections?

10 Hearing no objections, let us proceed with the interviewees'  
11 introductions, after which I will ask about whether you wish to have a  
12 represent -- have representation. So let's proceed with the  
13 introductions in the order we agreed upon.

14 And, Tomas, I think we begin with you.

15 MR. GAWRONSKI: My name is Tomas Gawronski, T-o-m-a-s, last name  
16 G-a-w-r-o-n-s-k-i. I am a civil engineer and the (indiscernible)  
17 director of bridge inspections located in Omaha, Nebraska.

18 MR. HIPSKIND: Okay, thank you, Tomas. And then if we can do with  
19 the bridge inspectors, Thomas and Marcial and then Joe E.?

20 MR. GIL: Thomas Gil, bridge inspector, Tucson, Arizona,  
21 T-h-o-m-a-s G-i-l.

22 MR. HIPSKIND: And you work for?

23 MR. GIL: Union Pacific Railroad.

24 MR. HIPSKIND: As a bridge inspector?

25 MR. GIL: Yes, sir, as a bridge inspector in Tucson, Arizona.

1 MR. HIPSKIND: Okay. Thank you, Thomas.

2 MR. ALMODOVA: Marcial Almodova, spelling M-a-r-c-i-a-l, last name  
3 A-l-m-o-d-o-v-a. I'm a bridge inspector for Union Pacific Railroad,  
4 stationed in Tucson, Arizona.

5 MR. HIPSKIND: Okay. And Joe E.?

6 MR. ENDYKIEWICZ: Yes, I'm Joseph Endykiewicz, J-o-s-e-p-h, last  
7 name Endykiewicz, E-n-d-y-k-i-e-w-i-c-z. I'm an assistant foreman for  
8 building and bridge department, based out of Tucson, Arizona.

9 MR. HIPSKIND: Okay, thank you, Joe.

10 Let me circle back. Thomas, do you wish to have a representative  
11 with you today?

12 MR. GIL: (Indiscernible)?

13 MR. HIPSKIND: I know, I know we might -- I'm saying Thomas, and I  
14 think you're hearing Tomas, but the bridge inspector Thomas, please, do  
15 you wish to have a --

16 MR. GIL: Yes, I do. Yes, Rob Christensen.

17 MR. HIPSKIND: And, Rob, would you please introduce yourself for  
18 the record?

19 MR. CHRISTENSEN: You bet. Thanks, Dick. My name is Robert  
20 Christensen, R-o-b-e-r-t, last name C-h-r-i-s-t-e-n-s-e-n. I am the  
21 manager of bridge inspection west for Union Pacific Railroad.

22 MR. HIPSKIND: Okay.

23 MR. CHRISTENSEN: And I am currently in, I believe, Mustang,  
24 Oklahoma.

25 MR. HIPSKIND: Okay. And you prefer to go by Rob; is that

1 correct?

2 MR. CHRISTENSEN: Yes, sir, please.

3 MR. HIPSKIND: Okay, thank you.

4 And, Joe E., do you wish to have a representative with you today?

5 MR. ENDYKIEWICZ: Yes, I do. Mr. Wes Wright.

6 MR. HIPSKIND: And, Wes, would you please introduce yourself for  
7 the record?

8 MR. WRIGHT: (Indiscernible).

9 MR. HIPSKIND: Wes, you're going to have to speak up.

10 MR. WRIGHT: (Indiscernible).

11 MR. HIPSKIND: We're still -- audio is not good, Wes, try again.

12 MR. WRIGHT: How about now?

13 MR. HIPSKIND: Better.

14 MR. WRIGHT: Better? Okay. Wes Wright, W-e-s W-r-i-g-h-t.  
15 Manager (indiscernible), Tucson, Arizona.

16 MR. HIPSKIND: Okay. We're going to proceed but, Wes, when we  
17 come back to you, we might have to take a break and beef up your audio  
18 a little bit.

19 And, Joe E., Wes might have to move to the side and you might have  
20 to get in front of the microphone so we can hear you really well, okay?  
21 Shake your heads yes. Thumbs up? Good.

22 And for the record, for full disclosure, each of the interviewees  
23 has been provided a list of topic areas that we want to cover in  
24 today's discussion. So with that, the order -- the agreed upon order  
25 is I would like to talk to bridge inspector Thomas.

1 INTERVIEW OF THOMAS GIL, MARCIAL ALMODOVA,  
2 JOSEPH ENDYKIEWICZ, AND TOMAS GAWRONSKI

3 MR. HIPSKIND: And, Thomas, if you could, please give us a  
4 synopsis of your work history bringing us up to your current position  
5 and how long that you have held that. Thomas, you have the floor.

6 MR. GIL: All right. Well, I'm a bridge inspector right now.  
7 I've been a bridge inspector for about 11 years. Before that I was a  
8 foreman, I don't know, 8 years, 7 years. I'm not sure how long it was.  
9 It's kind of all run together. Before that I was an assistant foreman,  
10 but I've been a bridge inspector now for 11 years.

11 MR. HIPSKIND: Okay.

12 MR. GIL: I've been with the railroad 25 years.

13 MR. HIPSKIND: Okay. And bridge inspector Thomas, please describe  
14 for us your duties and responsibilities in your current position.

15 MR. GIL: My responsibility and my duties are to go out there and  
16 inspect bridges, work safe.

17 MR. HIPSKIND: Okay. And can you tell us a little bit more about  
18 your day-to-day activities, describe your work, tell us about your  
19 familiarity with the Tempe Town Bridge and maybe some of your last  
20 inspections?

21 MR. GIL: Okay. On the average day, we usually do anywhere from  
22 20 -- about 20 bridges a day for an average. How do we do our work?  
23 Usually when we get to a bridge we have our job briefing, and we always  
24 start on the low mile end and we start underneath with our inspections.  
25 And then we go left to right from underneath, and then we go up on top,

1 and then we move on to the next bridge. And then we have another job  
2 briefing, just kind of where we're going to start at, what's the best  
3 path to get to it.

4 Tempe Town Lake, we look at that twice a year for an annual and  
5 intermediate, and then it's also looked at with the snooper trucks, so  
6 looked at three times a year. Onsite work schedule, we usually start  
7 on the west end in Lyman, California, and work our way east to Deming,  
8 New Mexico.

9 What are expectations for what you find in the flow reports? We  
10 go out there and we make -- to make after inspections and then we  
11 upload to ESM with (indiscernible). They usually get closed through  
12 ESM. If not, we close them.

13 MR. HIPSKIND: Okay. And it sounds to me, Thomas, that you have a  
14 pretty large territory. Could you spend just a minute or so and get us  
15 dialed into how big of an area you cover and just a rough number of  
16 bridges that you look at?

17 MR. GIL: Well, from Lyman, California, to Deming, New Mexico, is  
18 probably between 7 and 8 hours from our furthest point, from west to  
19 east. And then we also have (indiscernible) lands that we look at that  
20 are in that area, too. Total number of bridges we have is 1,128  
21 bridges.

22 MR. HIPSKIND: Okay. And then I -- my sense of it is, when we  
23 talk about a bridge, a bridge is a bridge. So if a bridge is 12-foot  
24 long or 20-foot long and it's a ballast deck bridge out in the middle  
25 of nowhere, that's a bridge that you look at. Is that correct?

1 MR. GIL: Yes, sir.

2 MR. HIPSKIND: And other bridges are maybe more like Tempe Town,  
3 have multiple spans and a steel superstructure, correct?

4 MR. GIL: That's correct.

5 MR. HIPSKIND: Okay. So I think the other thing, I think I know  
6 this, but you don't work an 8-hour day. You guys are out and you're  
7 out, you layover certain places, and you work how many hours a day, how  
8 many days a week?

9 MR. GIL: We work Monday through Thursday, 10 hours a day.

10 MR. HIPSKIND: Okay, and does that -- the extra time, that  
11 accounts for you being able to get through an average of 20 bridges a  
12 day.

13 MR. GIL: And stuff, and it includes the inputting, the travel.  
14 Usually when we stay at -- we have to travel to our bridges unless  
15 we're working inside that town. But a lot of it is travel back and  
16 forth also.

17 MR. HIPSKIND: And I noticed that you didn't say I. You said we.  
18 So can you describe for us what you meant there? Do you work in pairs  
19 and how do you divide up the work?

20 MR. GIL: Yes, we do. Usually -- we usually take turns. Usually  
21 one guy does all the crawling and inspecting. The other guy has a  
22 book, and as we're going through, we verify and call it. Like, we'll  
23 start in band A, just say, and we'll call out what we have on each  
24 timber pile if it's a timber bridge. And we'll work from bottom up,  
25 left to right and then we'll go to the next band. Do the same thing

1 and go through, and then we'll go up on top, and then if we have calls  
2 on top, he'll tell me what we have. We'll verify it and see if we have  
3 anything else we can find.

4 MR. HIPSKIND: Okay. And not all bridges are the same. Some  
5 bridges have like a steel superstructure like Tempe Town. Some bridges  
6 out in the middle of nowhere, if there is a double track or a single  
7 track and they go across a shorter, smaller bridge, then maybe that's a  
8 ballast deck. The point I'm getting at is bigger structures may tend  
9 to have a wooden trestle approach, and can you talk about the division  
10 of who works where and who inspects what, if we're talking about  
11 something that maybe has a wooden trestle approach?

12 MR. GIL: Okay. If it's a multi-segment bridge, like saying it  
13 has a timber, concrete and beam, we usually go up on top then and we  
14 start at the lower milepost end. We work our way across looking down,  
15 looking left, looking right, looking up. We've got some points up on  
16 top of that are a little higher, so we use a mirror. Put light on it.  
17 If the flashlight doesn't work then we get good light on it.

18 When we work our way through, we -- usually at the Tempe Town  
19 Bridge, we would work our way through on top from low milepost from  
20 segment A, B, C. And as we're going across, we're verifying the calls  
21 we have and looking for some other defects that are visible. And then  
22 once we get down from segment A to segment B, we'll jump down on the  
23 pier and look underneath, get back up, work our way through left to  
24 right, looking up, down, sideways. And once we're done with the top of  
25 A, B, C and D on all the segments, we go -- usually go back and we'll



1 do the ties.

2 We have a tie rating machine now that when you go through, you  
3 just kind of rate them as you're going through. And the last thing we  
4 look at is we go underneath, walk what we can. The part that's over  
5 water we can't -- that's what's allowed that snooper once a year. And  
6 if we have any questions, we can jump down on the pier. We can walk  
7 the outside cord, look underneath for those parts.

8 And then we go and we usually finish with our timber section. And  
9 that's when we sound everything and then check for defects that way on  
10 the timber part.

11 MR. HIPSKIND: Okay. And, Thomas, is it fair to say in the  
12 description that you just gave you look at what you can get near and  
13 what you can see and what you can view from underneath and on top, but  
14 I want to make the distinction that in -- on some bridges where they go  
15 over water, you don't do any of the -- and I'm not an expert on this --  
16 but the underwater inspection. So if there's a pier or something like  
17 that, you don't do that. The railroad has somebody else do it. Is  
18 that accurate? Or what do you say about that?

19 MR. GIL: That's correct. That's contracted out to divers and  
20 that's done.

21 MR. HIPSKIND: Okay. And in terms of what you and another bridge  
22 inspector -- I take it that you pass the work back and forth?  
23 Sometimes you'll be recording, sometimes the other bridge inspectors  
24 record, but that's something that you -- the two of you work out. Is  
25 that correct?

1 MR. GIL: That's correct.

2 MR. HIPSKIND: Okay. So if everybody wants to grab the 11-page  
3 document, the Phoenix -- it's titled, "Phoenix Sub 913.91," and I will  
4 go through some of the highlighted areas, not all of them. On Page 1,  
5 there's a highlight that says, "Last inspection." And Tomas -- not  
6 Tomas, Thomas, bridge inspector Thomas, can you verify that the entries  
7 that are made there, are those correct? Do they identify the sequence  
8 of bridge inspections?

9 MR. GIL: Yes, sir.

10 MR. HIPSKIND: Okay. So July 9th, 2020, and there's one on there  
11 for -- the coding is -- and maybe you need to explain the coding. What  
12 does the A, I, Q, S, U and O, what should I understand when I see those  
13 designations?

14 MR. GIL: A is annual inspection. The I is intermediate. The Q  
15 is a quarterly inspection. The S is a snooper. The U is underwater.  
16 And the O, I believe, is a special inspection.

17 MR. HIPSKIND: So -- okay, and that makes perfect sense to me. So  
18 the O, when I see the date 6/28/2020, the need for that was behind the  
19 derailment that occurred on June 26th? You're shaking your head yes,  
20 but --

21 MR. GIL: Yes.

22 MR. HIPSKIND: Okay, all right. Thank you. And let's flip deeper  
23 in this. I know I highlighted some stuff on the bottom of Page 3 and  
24 the top of Page 4, but I want to -- let's turn all the way back to -- I  
25 think it is Page 8. And at the top of that page -- and this is

1 something I don't understand, and maybe you can help me. There's just  
2 some general information. It says speed is 25 mile an hour, FRA class  
3 is 4, the alignment is tangent. And then it says, guardrail on bridge  
4 segment track, a hyphen, and then it says, status date 05/23/16.

5 And we'll come back to that particular thing, but below it you can  
6 see where I've highlighted it says, approach ties nonstandard. And  
7 I've just got a couple of questions on that. So it -- who makes this  
8 entry and how did it become populated on this particular report?  
9 That's my first question.

10 MR. GIL: Well, approach ties are usually bigger ties when it  
11 comes off of a steel truss onto the ballast deck. And these were just  
12 normal-sized ties, so they weren't the regular-sized approach ties.

13 MR. HIPSKIND: So non-standard in the terminology there is just  
14 differentiating between bridge timber dimension and general crosstie  
15 dimension.

16 MR. GIL: Not per se the bridge tie but the approach ties.  
17 Usually they're longer ties than -- they're usually 10-foot long.

18 MR. HIPSKIND: Okay.

19 MR. GIL: And these were -- I think we're -- I don't remember if  
20 they were 8- or 9-footers on the approach. I don't remember the length  
21 on it, but they weren't the standard that usually is put out there.

22 MR. HIPSKIND: Okay. That's helpful. Is this something that you  
23 entered on the report or did it -- somebody else enter that language?

24 MR. GIL: To be honest, I don't remember who put it in. It could  
25 have been in there for 30 years, 20 years. It -- that's, you know,

1 that's only changed if you get out and you see that it has --

2 MR. HIPSKIND: Okay, fair --

3 MR. GIL: -- standard ties on there. So, you know, a lot -- yeah.

4 MR. HIPSKIND: Okay, fair enough. And let's flip the page to Page  
5 9 and over to Page 10. And we have a similar thing at the top of the  
6 page, and it says, the rail is a 136 pound, continuously welded. The  
7 speed is 25 mile an hour, FRA Class 4. The alignment is tangent, and  
8 then I highlighted some wording there. It says, no guardrail on bridge  
9 segment track, hyphen, status date 05/23/16.

10 So that's similar to the language where we stopped and talked  
11 about the explanation of the non-standard ties. So same two questions:  
12 do you know who made that entry? And then the second part is, what  
13 does it mean? What is it trying to tell me?

14 MR. GIL: Well, it is telling you there was no guardrail on the  
15 timber part, the ballast deck bridge. And on 5/23/16, either I put it  
16 or Marcial. We showed that there is no inner guardrail on that part of  
17 the timber bridge. But that -- we verified on that day there was none  
18 on there, and there wasn't any on there at the time.

19 MR. HIPSKIND: Okay. And because I don't see any correction date,  
20 it remained in that status and it stayed on the report unchanged from  
21 the May 23, 2016, date up through the date of -- the dates that we  
22 talked about at the beginning of this. Like, so on June 28, 2020, the  
23 guardrail condition or the absence of the guardrail, it had remained  
24 the same, right?

25 MR. GIL: Correct.

1 MR. HIPSKIND: Okay, great. Is there anything else that I've  
2 highlighted on this 11-page report that I gave or supplied to you,  
3 Thomas, that you want to talk about or you want to explain to me or any  
4 of the other interviewees -- interviewers?

5 MR. GIL: No, sir.

6 MR. HIPSKIND: Okay, fine. Thomas, thank you for your input.

7 And, Marcial, basically I'm -- you -- if you will address the same  
8 questions, and I'll start off with please give me a synopsis of your  
9 work history bringing us up to your current position and how long that  
10 you have held that?

11 MR. ALMODOVA: Marcial Almodova. Again, my general career in '97.  
12 Started off on the steel gang as a laborer. About '99, I moved into  
13 the bridge department where I became a welder. I'd go between  
14 trackside and the bridge side as a welder working -- do construction to  
15 the maintenance forces. And on the maintenance side, I've been a  
16 bridge inspector for -- this will be my fifth year, all right here in  
17 Tucson, Arizona.

18 The average day for us on the bridge inspection is, like Tom said,  
19 we'll do up to 20 bridges a day. On the average it depends on the  
20 length of our bridges and -- we have a lot of short, I'd say less than  
21 40, 50 feet bridges. So on a good day, we'll inspect more. We start  
22 in the morning, job briefing. Go to our first structure. We make a  
23 good inspection, like he stated. One of us has the bridge, one will be  
24 inspecting, and we change off day-to-day. That way one guy is not  
25 crawling every day of the week.

1           Once we make our bridge inspection, we're looking for the new  
2 defects while verifying the old calls. As soon as we finish with that  
3 structure, we'll get in the truck. We'll sit down and we'll go over  
4 the bridge book together, verifying what we've found, the new calls,  
5 verify the old calls. Then we'll input it on our computer to ESM.

6 Excuse me.

7           When it's loaded in ESM, it's all uploaded that afternoon. It  
8 goes to the main database where it's turn around, put into the bridge  
9 maintenance forces, where they can come into it and see the new calls,  
10 close them out, fix what they need to repair and when the repair is  
11 made. A closed call will generate on our email telling us that, that  
12 repair has been made, and then we can go into ESM and close that call  
13 or if it -- most of it -- some it's automatically closed in ESM.

14          Like Tom says, when we do start an inspection, if it's saying  
15 timber or a concrete bridge, we start low mile working to the high  
16 mile. If it's not over water, we start underneath, reading it just  
17 like we have a bridge but the left to right, increasing in milepost as  
18 we go. Same thing, we're looking for new defects as well as verifying  
19 also the defects that are in the bridge book, same thing. We just go  
20 structure to structure like that every time.

21          As Tom said, we see the Tempe Town Lake Bridge three times a year,  
22 and our duties for me is just to make a safe, accurate inspection every  
23 day to provide safety for the public and our freight that we travel.

24          MR. HIPSKIND: Okay, thank you, Marcial. So I want to go back.  
25 Did you accompany Tom and were you out there on the -- not the snooper

1 inspection, but for the other inspection dates that were on Page 1 of  
2 the bridge inspection document? Were you out there with him on June  
3 28th this year?

4 MR. ALMODOVA: Yes, sir.

5 MR. HIPSKIND: And can you go into some little detail? What did  
6 you guys see and what did you guys assess? What was the mission that  
7 day?

8 MR. ALMODOVA: Well, that was the June 27th, correct?

9 MR. HIPSKIND: Well, yeah, the June -- well, I thought the  
10 accident was -- there was -- I thought there was an accident or a  
11 derailment on June 26th?

12 MR. ALMODOVA: Twenty-sixth, so the eighth, yes.

13 MR. HIPSKIND: Okay.

14 MR. ALMODOVA: Okay. That inspection, we were making the  
15 inspection of where they have started the repairs on the ties and all  
16 the walkways that were damaged and the timber guards. We were walking  
17 over it as they were doing the repairs, because in that given week, I  
18 think they wanted to open it up. I can't even remember what day they  
19 opened it up, but we had to make another inspection as they kept going  
20 with the repairs.

21 There was a lot of tie damage after the derailment. We had the  
22 guardrail damage, but there was no structural damage due to the  
23 derailment.

24 MR. HIPSKIND: Okay.

25 MR. ALMODOVA: And that's as far as the steel structure.

1 MR. HIPSKIND: Okay. And thank you for bringing that up, and I  
2 want to frame the question this way: Marcial, had there been a -- I'm  
3 going to use the word critical. Had there been a critical steel member  
4 damage, a brace, a support or something of that nature? And if it  
5 required a repair, would you guys have known about?

6 MR. ALMODOVA: Yes, sir, and there was no structural damage from  
7 that derailment.

8 MR. HIPSKIND: So the way our investigative group should think  
9 about that is, for whatever damage occurred out there as a result of  
10 the June derailment, it was rail tie OTM. It was everything that was  
11 on the track level and not the superstructure or the wooden trestle  
12 portion.

13 MR. ALMODOVA: Yes, sir, that's correct.

14 MR. HIPSKIND: Okay. All right.

15 Let me go to Joe E. Can we talk with you now -- and I'll ask you  
16 the same first opening questions. Can you give us a synopsis --

17 MR. ENDYKIEWICZ: Okay.

18 MR. HIPSKIND: Can you give us a synopsis of your work history and  
19 bring us up to your current position and how long that you've held  
20 that, Joe?

21 MR. ENDYKIEWICZ: Okay. I've been employed with Union Pacific  
22 Railroad since January of 2005. I'm sorry. What was the second part  
23 of that?

24 MR. HIPSKIND: Well, take us through the positions that you've  
25 held up to your current position and how long that you've held that.



1 MR. ENDYKIEWICZ: Okay. I started on the trackside working under  
2 track maintenance. I was there for approximately 10 years. I had  
3 various positions over there, numerous from laborer to welder to  
4 machine operators, so on and so forth over the 10-year span. And I've  
5 been with building and bridge department now for approximately 5 years  
6 as an assistant foreman.

7 MR. HIPSKIND: Okay. And so, in talking with Tom and Marcial,  
8 they've indicated that they had to come out there behind a derailment  
9 event in June, and it's my understanding that you were out there for  
10 several days or weeks. So can you talk to us and tell us how is it  
11 that you were assigned to be out there and just, just take us through  
12 what you saw and some of the decisions that were made about how you  
13 repaired the bridge and/or the ballast deck approach?

14 MR. ENDYKIEWICZ: Okay. I was out there per my manager's request,  
15 Mr. Wes Wright. Basically what we did is we walked through that  
16 particular bridge and marked all of the work that needed to be done and  
17 we proceeded forth in making those repairs.

18 MR. HIPSKIND: Okay. And just give me a ballpark figure -- I've  
19 seen some video footage before the July event that showed -- it just  
20 showed huge piles of bridge timbers. So, Joe, can you characterize for  
21 us just a ballpark number, what did you guys do? Did you replace  
22 bridge timbers? Did you -- was that throughout all the spans or how  
23 should I understand that?

24 MR. ENDYKIEWICZ: That was throughout the bridge replacing ties,  
25 bridge ties.

1 MR. HIPSKIND: And about how many, do you know?

2 MR. ENDYKIEWICZ: No, I do not.

3 MR. HIPSKIND: Well, does 105, does that sound about right?

4 MR. ENDYKIEWICZ: Yeah, that's -- that would be pretty close.

5 MR. HIPSKIND: Okay. It sounds like --

6 MR. ENDYKIEWICZ: I don't have an exact number, sorry.

7 MR. HIPSKIND: All right. Well, I kind of do have an exact  
8 number. I just -- so how long do you think you guys were out there?

9 Was it multiple days, multiple weeks or how long did all that work --

10 MR. ENDYKIEWICZ: Well, I would say a couple of weeks.

11 MR. HIPSKIND: Okay, and --

12 MR. ENDYKIEWICZ: Off the top of my head.

13 MR. HIPSKIND: All right. And then just kind of briefly walk us  
14 through, how is it that you decide, okay, everything that we needed to  
15 do, we've done. And talk us through, how do you give the track back,  
16 who do you notify, and those kinds of things?

17 MR. ENDYKIEWICZ: Yeah, that was walked through with my manager,  
18 Mr. Wright. He walked -- we walked the bridge together. He had a list  
19 that he was going off of, a so-called bunch (ph.) sheet, and we would  
20 mark the ties. And then we would go ahead and do the work, and when we  
21 were all complete, that work gets reinspected by others above me. And  
22 then the track is put into service by others above me.

23 MR. HIPSKIND: Okay. That sounds pretty much like what I  
24 understand, too, but I want to make this distinction with you, Joe, and  
25 see if you agree.

1 MR. ENDYKIEWICZ: Sure.

2 MR. HIPSKIND: The work that you did with installing the bridge  
3 timbers and taking the rail out, putting the rail back, putting all of  
4 the fasteners down in -- the work that you did there, did you guys have  
5 to remove the inner guardrails or did you leave them in place?

6 MR. ENDYKIEWICZ: We do not mess with any of the rail. In other  
7 words, we do not take the rail out. I did not take any rail out.

8 MR. HIPSKIND: So you're able to do that work how? Do you -- I  
9 mean, do you take a chainsaw and cut out the old bridge timber and  
10 somehow find a way to bunch ties up and put new timber in, or how do  
11 you do that without doing anything with the rail? I'm just curious.

12 MR. ENDYKIEWICZ: No, we -- what we do is we remove the spikes.  
13 That rail gets jacked up a little bit, you know, approximately an inch  
14 or so, and the tie gets slid out and then a new tie gets put back in.

15 MR. HIPSKIND: Okay, all right. And a further distinction I want  
16 to make is the work that you do, and as I understand it, you work for  
17 bridge and structures department. Is that correct?

18 MR. ENDYKIEWICZ: Bridge and maintenance, (indiscernible).

19 MR. HIPSKIND: Okay, bridge and maintenance. But your work is  
20 different than Tom's work and Marcial's work. You're into bridge  
21 repair and maintenance. They're strictly over in inspection, correct?

22 MR. ENDYKIEWICZ: That is correct.

23 MR. HIPSKIND: Okay. And a further distinction, help me out here,  
24 is the work that you do, the repairs that you do, is that confined just  
25 to the limits of the bridge?

1 MR. ENDYKIEWICZ: Yes.

2 MR. HIPSKIND: Okay. But we know that there was a ballast deck  
3 and there is a wooden approach, and we think of the wooden approach,  
4 the trestle, we think of that as a bridge, too. Explain to me like I  
5 don't know anything, is there a division there to where your  
6 responsibility of work stops and somebody else starts? Or how should I  
7 think about that?

8 MR. ENDYKIEWICZ: Yes. Where our bridge basically starts and  
9 stops, that's our starting and ending point.

10 MR. HIPSKIND: Well, I'll ask the next kind of question. Who does  
11 the work that you don't do if there's work to be done on the ballast  
12 deck portion of the bridge?

13 MR. ENDYKIEWICZ: I'm sorry, can you --

14 MR. HIPSKIND: Sure, sure.

15 MR. ENDYKIEWICZ: -- (indiscernible).

16 MR. HIPSKIND: I understand that you work within the limits of the  
17 bridge, and the bridge has a start and a stop, but when we talk about  
18 the ballast deck bridge or the ballast deck portion of the approach to  
19 the bridge that sits on a wooden trestle -- I understand that you might  
20 go work on the wooden trestle if you're told to do that, but my  
21 question is, Joe, who works on the track portion of the ballast deck  
22 bridge that is the approach? Is that your work, or is that some other  
23 department's work?

24 MR. ENDYKIEWICZ: Time out for a moment.

25 MR. HIPSKIND: Just a second. Joe, thanks for taking that time

1 out to clarify what I'm really asking. Again, I'll just -- I'll  
2 restate. In talking with you, I get it, there's a beginning and end of  
3 the bridge, and in your bridge maintenance responsibilities, you work  
4 within those limits. And so my question is, knowing that there is a  
5 ballast deck bridge approach that rests on a wooden trestle bridge, do  
6 you consider that portion -- is that your bridge maintenance, or does  
7 somebody else take care of the track and the ballast deck bridge area?

8 MR. ENDYKIEWICZ: That would be somebody else.

9 MR. HIPSKIND: And who would that be?

10 MR. ENDYKIEWICZ: Track maintenance.

11 MR. HIPSKIND: And is it pretty much that way with -- I mean, do  
12 you -- there's like a line of demarcation. There's the stuff that you  
13 work on, and then there's the stuff that the track or engineering  
14 department works on. Is it that way throughout the UP system?

15 MR. ENDYKIEWICZ: Yes.

16 MR. HIPSKIND: Okay. All right, thank you.

17 Tomas, can I speak with you for just a little bit?

18 MR. GAWRONSKI: Yes, sir.

19 MR. HIPSKIND: All right, the same two opening questions: please  
20 give us a synopsis of your work history beginning and bring us up to  
21 your current position and how long that you've held that.

22 MR. GAWRONSKI: Okay. I've been on the railroad for about 23  
23 years. I got hired in 1997 as a steel structures designer, so I've  
24 been working in structures design department for about 4 years. Then  
25 2001, I was moved to the maintenance job that I worked for about 5

1 years until 2006 as a manager, bridge maintenance. That was in Des  
2 Moines, Iowa.

3 Then I moved to -- for the next following 8 years to -- as a  
4 director of bridge maintenance for the southern region in Houston,  
5 Texas. And after that, I took over as director of bridge construction  
6 for 4 years from 2014 to 2018. And since 2018 to present, I'm a  
7 director of bridge inspections.

8 MR. HIPSKIND: Okay. And, Tomas, can you describe for us your  
9 duties and responsibilities in your current position?

10 MR. GAWRONSKI: So, in current position, I am responsible for  
11 guiding and directing our Union Pacific bridge inspection process. And  
12 obviously we focus on safety of our inspectors and safety of the  
13 public, and so we focus also on improving continuously our accuracy of  
14 inspections.

15 And also I have a second part of the job that I am also  
16 responsible for, creating and developing our capital program, basically  
17 putting bridges on the capital replacement. So I do the -- actually  
18 personally, I'll do the analysis of all the bridges or all the  
19 structures, and then I try to prioritize and then do a rough estimates  
20 and provide them for approval to our chief engineer for execution and  
21 for placement in the program. And then that further goes to design and  
22 execution for construction.

23 MR. HIPSKIND: Okay. And, Tomas, can you pull back the lens and  
24 give us some feel for -- I take it you're in charge of the elements  
25 that you talked about for the entire system, but can you kind of

1 graphically give us some kind of description how many state -- how big  
2 a part of the United States and give us some kind of ballpark figure  
3 how many bridges and everything are coming under your scope of  
4 responsibility?

5 MR. GAWRONSKI: Okay. I think the last time we touch -- the Union  
6 Pacific system, which I'm responsible for, touches I think, if I  
7 remember right, 24 states and approximately just short of 20,000  
8 bridges.

9 MR. HIPSKIND: That sounds like a lot. I'm sure that is a lot.  
10 And kind of give us a feel for -- you're not trying to do this all by  
11 yourself. What -- give us some kind of feel for, how does it look  
12 underneath you? How many direct reports? How many people do you have  
13 helping you accomplish everything that is part of your duties and  
14 responsibilities?

15 MR. GAWRONSKI: So I have -- as far as inspection, I have three  
16 direct reports. They are called manager bridge inspection. We divide  
17 it in three regions, and so the whole entire system is broken into  
18 three regions, and each manager has anywhere between 20 to 22  
19 inspectors. That breaks down to about nine to ten inspector pairs.

20 And then overall, we have six snooper truck inspectors, which  
21 Marcial and Tom mentioned that before. Those are specialized trucks  
22 that travel between -- across the territories. They join up with the  
23 teams, and they focus specifically on steel inspectors -- inspections  
24 and possibly one inspection -- in the inspection process that our  
25 inspectors are unable to see with their climbing techniques or just

1 visually be able to be close to the components, bridge components.

2 MR. HIPSKIND: And, Tomas, an example of that would be what Tom  
3 told us about. UP would routinely turn -- contract out divers to go  
4 and look at underwater stuff. The people that work for Union Pacific  
5 don't necessarily do that, but that doesn't mean that you don't  
6 contract that out. Is that an example of that?

7 MR. GAWRONSKI: That is correct.

8 MR. HIPSKIND: Okay. And I would like -- I appreciate your  
9 characterization of your job and the bridge and structures department,  
10 but if you will, can you pull the lens out even further and give us  
11 some characterization of the overall -- the umbrella engineering  
12 department at Union Pacific and where bridge and structures fits in  
13 with that and what other components there are of the entire engineering  
14 department?

15 MR. GAWRONSKI: So we do have, obviously, the engineering  
16 department, which sort of very high level, there is signal, track and  
17 bridge. And in charge of the bridge department overall is the  
18 assistant vice president of engineering. That's Mr. Mancuso (ph.).

19 And then Mr. Mancuso has three direct reports. One is myself,  
20 which I described. Then we have another individual that is responsible  
21 for purely design. And then the third individual is responsible for  
22 construction and maintenance execution. So the process overall for the  
23 inspection fleet, like in my position, so I guess, if you will, like  
24 that kind of lead off the effort for functionality of our bridges of  
25 being in charge of the inspections.



1 And also, because I'm in charge of inspections, I get to, if you  
2 will, kind of control the capital program. And through collaboration  
3 with the other two individuals and, of course, Mr. Mancuso, we  
4 create -- we specify specific criteria that will go and prioritize the  
5 maintenance effort done by the construction and maintenance group.

6 And, of course, the design department somewhere in between is the  
7 catalyst or buffer, if you will, when our inspection -- inspectors find  
8 defects of -- well, I'll use it loosely -- of significance or of  
9 concerns to our teams that we don't have the specific answers, if you  
10 will, that is provided through training, then the design department  
11 does their evaluation.

12 And, of course, the other function of the design department is to  
13 guide the replacement of bridges through, you know, permitting, the  
14 structural design. Then, like I mentioned before, also the specific  
15 repairs that we might be finding during our inspection process.

16 MR. HIPSKIND: Okay. Thank you for that, Tomas, as well. Well, I  
17 keep asking you to pull the lens out, and now I want to reverse it. I  
18 want it -- I want you to drill down on -- you've heard some  
19 characterizations from our two bridge inspectors about the work they do  
20 and how they go about it.

21 And what I'd like for you to do, Tomas, is give me an idea of the  
22 flow of the reports. Who get them first after the track inspectors?  
23 I'm -- excuse me, not track, bridge inspectors. And how are they  
24 reviewed? What's the expectation there at that level? And kind of  
25 give me an idea of, what filters up to your level, and what is supposed

1 to get fixed below your level?

2 MR. GAWRONSKI: A very broad question, but I'll give it a stab.  
3 And, Richard, you let me know if I'm not maybe zeroing in enough.

4 MR. HIPSKIND: Okay, fair enough.

5 MR. GAWRONSKI: As I mentioned, we have about 64 inspectors  
6 altogether. Some of them work in teams, so sound with what Marcial and  
7 Tom said. They are -- the teams are responsible to physically look at  
8 the bridges and provide their evaluation and reporting. So I don't  
9 know if you heard that. Then Marcel and Tom mentioned that, after the  
10 visual observation, they make a field determination what is perhaps  
11 abnormal or somewhat as a defect on the bridge, and they report it in  
12 our engineering system, which we call it ESM.

13 Inspectors are the only ones that can actually enter any defects.  
14 Nobody else, managers nor myself, can make any alterations or  
15 modifications to the, you know, ESM, to our process. And then the  
16 program, if you will, because it's a database/a program that is capable  
17 of generating a report -- which you have a copy of that 11-page report.  
18 That's what gets generated.

19 Our staff program also has pictures that we require the inspectors  
20 to submit. And, you know, in general terms, if the inspectors find  
21 something of significance, they are being asked to provide a picture to  
22 better describe the defect and provide better information for the  
23 maintenance/construction team to respond and correct -- make the  
24 corrections on that.

25 Anything else I can help? Because otherwise I'm thinking I'm

1 going to be repeating my previous information.

2 MR. HIPSKIND: No, no, that's fine. But is part of your -- is it  
3 part of your duties and responsibilities to make sure that all these 64  
4 people that are in the field, they are properly trained? I don't know  
5 if certified is the correct, but certainly qualified. And can you talk  
6 to us a little bit about what has to occur for a bridge inspector to be  
7 a bridge inspector?

8 MR. GAWRONSKI: Okay. So in -- we do go -- we go through a hiring  
9 process, which is based on -- it's an interview-based process. It is  
10 not Union job that is just a sign, like, you know, like on our  
11 maintenance side. So we go through the interview, and the best  
12 successful person that was -- that passed the interview and got hired,  
13 he becomes the, if you will, assistant inspector, the B inspector. And  
14 normally, that person goes through a period of time, and we softly put  
15 out approximately a year before that person can be certified by the  
16 manager of bridge inspection.

17 So he goes through formal training of classes, maybe they're not  
18 specific to the inspectors per se, but twice per year led by me and the  
19 MBIs, the manager bridge inspections. Twice a year, we provide the  
20 training process and the testing of the inspectors' knowledge to help  
21 certify the inspector.

22 Then they -- the certification actually takes place in the field,  
23 and it's done by the individual manager, manager of bridge maintenance  
24 that evaluate the knowledge of the new hired inspector before he gets  
25 certified.

1 MR. HIPSKIND: So I'm interviewed, and if I'm hired, it -- is  
2 there periodic training that I go through? And I get the part about a  
3 mid-level manager comes out and looks at whether I can really do the  
4 job and I'm doing it correctly. But does UP support their bridge  
5 inspectors with any detailed training classes or something like that,  
6 or are they just expected to know how to do the job?

7 MR. GAWRONSKI: I know there's the -- most of the time it -- well,  
8 like I said, the person, he gets hired -- so like, for example, you  
9 would -- Richard, you would come in onboard. You become the B  
10 inspector, which under the guidance of the A inspector, you know,  
11 you're being provided the continuous training on job, on job training.  
12 Then, like I mentioned, there is -- twice a year we organize classes  
13 that help the inspectors in their general knowledge.

14 Also that's becoming become a little bit more formal. But we do  
15 have inspection, our bridge inspection manual, which is important that  
16 we share with the inspectors. They are expected to be familiar with  
17 that. We also use inspection reference cards to help inspectors  
18 identify defects and classify them. So, of course, this new individual  
19 is exposed to that and is expected to spend the time of approximately  
20 12 months to learn that and perfect that system in the process.

21 MR. HIPSKIND: So fair to say there is a heavy reliance on  
22 on-the-job training to perfect one's skills when it comes to bridge  
23 inspection.

24 MR. GAWRONSKI: Yes.

25 MR. HIPSKIND: Okay. And so one of the general questions I think

1 I'll save until a little bit later on, Tomas.

2 And, James Zimmerman, if you're ready, I will pass it off to you  
3 for your questions or comments.

4 MR. ZIMMERMAN: This one -- I just have a couple questions and it  
5 will be for Thomas. About how many bridges do you inspect in a day on  
6 average?

7 MR. GIL: Well --

8 MR. ZIMMERMAN: What's that?

9 MR. GIL: -- usually we said 20.

10 MR. ZIMMERMAN: Twenty a day. How long does it take you to  
11 inspect a bridge on average?

12 MR. GIL: It determines the type of bridge and the length of  
13 bridge, so we --

14 MR. ZIMMERMAN: Okay.

15 MR. GIL: -- could do more than 20 something, we do less than 20.  
16 It depends on the length and the type.

17 MR. ZIMMERMAN: Yeah. So, like Tempe, how long would that take  
18 you?

19 MR. GIL: That would be a good day. Sometimes, you know, longer  
20 depending on train traffic. It just depends on traffic, time.

21 MR. ZIMMERMAN: Okay. All right, thank you. That's it. That's  
22 all I had.

23 MR. HIPSKIND: Okay, thank you, James.

24 Omar, do you have any questions that you would like to ask?

25 You're muted.

1 MR. MONGE: Am I talking now?

2 MR. HIPSKIND: We can hear you.

3 MR. MONGE: All right. No, I don't have anything, thank you.

4 MR. HIPSKIND: All right. Thank you, Omar.

5 And, Adam Allen, we'd like to hear from you.

6 MR. ALLEN: I think you've pretty much asked everything that I had  
7 to come up there, Dick.

8 MR. HIPSKIND: Okay, thanks, Adam. Take notes, and we probably  
9 will do a second round.

10 Aziz? You have the floor, Aziz.

11 MR. AMAN: Yeah, I've got a few questions just to clarify more or  
12 less.

13 Tom, on -- you mentioned ESM. Just for the record, if you can  
14 explain what ESM stands for?

15 MR. HIPSKIND: Are you asking Tomas or Tom?

16 MR. AMAN: No, Tom the inspector.

17 MR. GIL: Engineering Structures Management.

18 MR. AMAN: Thank you. And one more thing, Dick mentioned about  
19 the limits of responsibility on the open deck versus ballast deck.  
20 Would you clarify the bridge folks' responsibility or the inspection  
21 that you do for the ties for the -- what portion of the bridge for the  
22 timber or for the ballast versus open deck?

23 MR. GIL: Well, on open deck, we inspect the ties. On a ballast  
24 deck, we look at the ties because we look at our approach. Our  
25 approach is low, we'll write approach is low, but if ties were to be

1 replaced or capped, that is a track maintenance issue.

2 MR. AMAN: Okay. So the first tie that you see on the ballast  
3 deck and beyond that towards the ballast deck bridge is -- belongs to  
4 the track guys, correct?

5 MR. GIL: That's correct.

6 MR. AMAN: Okay. Now, what's the means and method of  
7 communication between the bridge and the track if you see a  
8 questionable tie on the ballast deck?

9 MR. GIL: Well, usually we put it in, and it goes in as a track  
10 defect in the ESM, and they automatically get that generated also. But  
11 we usually call the track inspector and try to let them know that we  
12 have an issue or something. But if not, if -- ESM, it will go in as a  
13 track structure defect, and they'll get the call.

14 MR. AMAN: Thank you. Now, on the June 26th derailment call, I  
15 take it the bridge maintenance guys came in and repaired that, some  
16 ties. Now, I assume that you guys came in and did your inspection,  
17 correct?

18 MR. GIL: That's correct, and they did do their repairs.

19 MR. AMAN: Okay. Did the track guys came in also and did their  
20 instruction for the track portion, for maybe the ballast deck portion  
21 of it?

22 MR. GIL: I'm not sure if they did. I didn't see them, but I'm  
23 pretty -- I'm sure they did, but I didn't see them. I'm sure they did  
24 their inspections also, though.

25 MR. AMAN: So when -- so that tells me that, when the track guys

1 do their instruction, there's no means or method that perhaps to convey  
2 that to the bridge guys?

3 MR. GIL: No, but we also don't convey our inspections with the  
4 track guys also. You know what I mean? It's just we do our portion of  
5 the work and they do their portion of the work.

6 MR. AMAN: Okay. And on the timber guard for the open deck, was  
7 it replaced after the June 26th tie replacement or (indiscernible) was  
8 left as it was before the ties were replaced?

9 MR. GIL: They were still working on replacing the ties. They  
10 were doing some guard timber. But they were still replacing ties, so  
11 it wasn't all replacement. They were doing it. It wasn't all done,  
12 though.

13 MR. AMAN: Okay. So I guess it will go back to Joe Endykiewicz  
14 for the maintenance then. Now, the work that you guys did on June 26th  
15 then, was that including the timber guard replacement?

16 MR. ENDYKIEWICZ: Yes, we were having to replace where the guard  
17 is (indiscernible).

18 MR. HIPSKIND: Gentlemen, I'm not going to take an official time  
19 out, but we're to the portion of the interview where each of us will  
20 need to be mindful and announce who's answering.

21 And, Aziz, I know you were talking to Tom the bridge inspector  
22 before, but in this last response, that was Joe E. So let's go  
23 forward. It's no big deal, but the transcriptionist will have a hard  
24 time understanding who's responding, so let's just be mindful to say  
25 who it is that's talking.



1 Go ahead, Aziz.

2 MR. AMAN: Okay. Joe, did you guys replace the tile -- the timber  
3 guard as part of your responsibility after the June 26th?

4 MR. ENDYKIEWICZ: Yes.

5 MR. AMAN: Okay. What about the inner guardrail?

6 MR. ENDYKIEWICZ: No, no.

7 MR. AMAN: Okay. So the timber guard, the timber guardrail was  
8 replaced, and the inner guardrail was not replaced for the open deck  
9 portion, correct?

10 MR. ENDYKIEWICZ: Yeah, rail -- no rail. Timber guard timbers,  
11 yes. No rail.

12 MR. AMAN: When I say rail, I mean inner guardrail.

13 MR. ENDYKIEWICZ: No. No guard, no.

14 MR. AMAN: Okay, thanks. That's all that I've got at this point.

15 MR. HIPSKIND: Okay. Thank you very much, Aziz, for covering some  
16 new items there.

17 Steve Krause, you've patiently sat here. If you have anything  
18 else that you'd like to add or ask, please do so now.

19 MR. KRAUSE: Okay. And just one item really to help you, Richard,  
20 I think, understand it. You know, I guess I'll throw this to Tomas to  
21 make sure we got this right. But, Richard, you asked a question about  
22 the bridge inspection report on Page 8 about the approach ties not  
23 being standard.

24 There's a note on there that says that, and you were asked the  
25 question, did -- Thomas, I think, answered, and I wasn't sure it was

1 totally clear with the -- and help us again. Help me out here if I'm  
2 going offline a little bit, but in the approach ties that's referenced  
3 there, it's just the first, I don't know how many ties, six, eight, ten  
4 ties off of the open deck span. And the purpose of those ties in there  
5 is to spread the load around so low approaches don't happen.

6 You know, you've been out on the bridges and you've seen the low  
7 approach is a pretty common thing. So a lot of railroads will put  
8 bigger ties in there and try to prevent that from happening. So that's  
9 the purpose of those approach ties. It's not the whole approach. It's  
10 just a few -- just a certain number of ties. And yes, Tomas, is that  
11 correct?

12 MR. HIPSKIND: Yes, Tomas.

13 MR. GAWRONSKI: Okay. It is ten ties, and there are expected to  
14 be ten by ten ties, Steve. That's correct.

15 MR. KRAUSE: Okay. Just I just wanted to clarify that for you,  
16 Richard.

17 MR. HIPSKIND: No, and I totally get that. And your point about  
18 the reason that we're having the longer -- dimensionally longer ties is  
19 it's a transition point and it's all about load distribution.

20 MR. KRAUSE: That's correct. It's to try to spread that load out  
21 over more of the ballast so you don't get the low approach and the  
22 typical approach.

23 MR. HIPSKIND: Okay. Thank you for adding value there, Steve.

24 Joe Gordon, are you ready?

25 MR. GORDON: Yes. So I guess to the -- it would be to the bridge

1 maintenance. I believe that's Joe E. Then back to the inner  
2 guardrail. So am I -- I seem to recall from some of the documentation  
3 that I looked at that there was inner guardrail on the through truss  
4 portion of the bridge, correct?

5 MR. ENDYKIEWICZ: Yes.

6 MR. GORDON: Sorry, did you say -- you're unmuted now. So there  
7 was inner guardrail on the through truss portion of the bridge?

8 MR. ENDYKIEWICZ: Yes.

9 MR. GORDON: There was, okay. And so those inner guardrails, how  
10 far would they typically extend out onto the ballast deck portion of  
11 the approach span?

12 MR. ENDYKIEWICZ: Yeah, the track department is responsible for  
13 all the inner guardrail. We do (indiscernible).

14 MR. GORDON: So the track department would take care of the  
15 tapered end on the inner guardrail to kind of crowd the wheel sets.  
16 That would be the track department's, to reinstall those inner  
17 guardrails on the ballast deck portion. Is that right?

18 MR. ENDYKIEWICZ: That is correct. Yes.

19 MR. GORDON: All right.

20 Dick, I believe that's all I have for the first round.

21 MR. HIPSKIND: All right, gentlemen. We can do one of two things.  
22 If guys want to keep going, we'll keep going. If you want to take a  
23 short break, we can do that. If you would like to do the clarification  
24 portion with Rob and Wes and then take a break -- show of hands or  
25 thumbs up if you want to keep going, and give me a break sign if you

1 want to take a break. Thumbs up, thumbs up -- oh, what a crowd. You  
2 guys are -- you're the best.

3 So let me start out with Rob, and taking notes and listening to  
4 our two bridge inspectors, do you have any points of clarification that  
5 you would like to make?

6 MR. CHRISTENSEN: Only one thing, Dick, and that's just -- it's a  
7 nomenclature issue, and I just want to make sure -- and I think  
8 everybody understood it, but I do think that there was a little  
9 confusion in what Aziz refers to as a timber guardrail. Union Pacific  
10 guys traditionally just refer to that as a guard timber, is all. But I  
11 think we got that cleared up. We refer to it as a guard timber, and  
12 then we would call it an inner guardrail for the actual steel rail  
13 portion in between the running rails. So that's the only point of  
14 clarification I had.

15 MR. HIPSKIND: Okay. Thanks, Rob.

16 And, Wes, let's hear from you, and you're going to have to get  
17 close to the microphone. There you go. Thank you.

18 MR. WRIGHT: All right. Is that better?

19 MR. HIPSKIND: Oh, much better.

20 MR. WRIGHT: Okay. So just a few points there, like what Joe was  
21 talking about, rail, inner guardrail, that's the track department  
22 places that, does the standards for that. That's all done by track  
23 folks, not bridge department, not bridge maintenance, just to kind of  
24 clarify that.

25 And then, on your question when you were asking Joe E. about the

1 ballast deck from the timber portion, from the deck board switches,  
2 from the ballast ties and rail, that's track department. From the deck  
3 boards down, that's bridge department on that, on the timber approach  
4 there, for maintenance and stuff like that, for changing out ties and  
5 stuff like that. I just wanted to clarify -- I know that question kind  
6 of stuck Joe E., but I was just clarifying now.

7 MR. HIPSKIND: Okay. Anything else, Wes?

8 MR. WRIGHT: No, sir. Thank you.

9 MR. HIPSKIND: All right. Thanks, everybody, and I appreciate the  
10 clarifications all the way around. If everybody's ready, I'll go talk  
11 to each of the interviewees one more time, and I'll pass it off, and  
12 we'll do a second round.

13 So, Thomas, bridge inspector Thomas, when -- I want to be -- I  
14 want to revisit how something -- you go out and you said you take  
15 exceptions and you might be measuring or photographing or inspecting,  
16 and the other person writes down stuff. And then other bridges, other  
17 days, you know, the roles are reversed and maybe you're inputting the  
18 stuff. Do both of you bridge inspectors come to agreement on the  
19 content of what is populated in the bridge inspection report? Do you  
20 have a pow-wow or something? How should I understand that?

21 MR. GIL: Yes, we do. We do write it down on the bridge book.  
22 When we get back to the truck to input it, then we talk about it. And  
23 we go by a criteria, and that's how we input it.

24 MR. HIPSKIND: Okay. And then, if I'm remembering correctly --  
25 and, at my age, sometimes that's not what you think it is -- you talked

1 about there's an automatic part of the inputting of data that goes up  
2 for review, and it was almost -- you were describing like some things  
3 go to other departments.

4 And I would like for you to elaborate on that, maybe give me an  
5 example or two of something that you might occasionally put on a report  
6 that would be an example for that. I understand the stuff that stays  
7 in the bridge and structures. I get that, and it gets looked at, and  
8 it gets reviewed. I'm interested in that stuff that gets farmed out or  
9 sent someplace else. Talk to me about that.

10 MR. GIL: Well, when we -- say we -- when it goes to the bridge  
11 maintenance planner, the bridge inspection side, and I guess the other  
12 side is the track maintenance planner, so when we put it out for bridge  
13 (indiscernible), go over there. And if it's an A call, they  
14 automatically get a call and an email saying that it needs to be  
15 repaired. So when we put an ESM, it goes to the bridge maintenance  
16 planner, and then they -- the manager plans out their work from their  
17 levels.

18 MR. HIPSKIND: Okay. So it is part of what I need to understand,  
19 and the investigation needs to understand, is not everything that you  
20 put as a defect or a deficiency on a bridge inspection report, not  
21 every one of those gets looked at or gets called up for somebody to  
22 address as a repair. Is that correct?

23 MR. GIL: It depends on the severity of the call.

24 MR. HIPSKIND: Exactly, so talk to me about that. How is it that  
25 you guys differentiate between that which you intend for it to go out

1 and either go up in the bridge and structures department or go over to  
2 somebody else? And if you could, give me an example so I know what  
3 matters and what doesn't matter.

4 MR. GIL: It has to meet certain criteria, but some that would be  
5 like a Class A, say we went out to bridge and the hand rail was down  
6 where a train man or someone in the public that shouldn't be up there  
7 can fall off the bridge, that would be a Class A call which needs to be  
8 taken care of right now. So something that could hurt somebody or  
9 affect the passage of trains.

10 MR. HIPSKIND: So your example there is a handrail, walkway could  
11 put somebody at peril, whether they're supposed to be up there or not.  
12 You could have train and engine men up there walking along a train, you  
13 want to ensure their safety, correct?

14 MR. GIL: That's correct.

15 MR. HIPSKIND: Okay. Let me have a shot at this. If inspecting,  
16 routine inspection of the bridge, annual inspection or whatever, you  
17 see a significant crack, let's just call it that, a significant crack  
18 and what's going on is, in your opinion, that needs to be addressed  
19 right away. Do you have a coding for that or is it just all or  
20 nothing? It's severe and somebody's got to do a review, a critical  
21 review, or is it just a crack; we'll see if it's there and if it grows  
22 the next inspection cycle.

23 MR. GIL: Well, we have a criteria for everything. If it's just a  
24 small crack, you know, we'll note it, put a measurement in, put a web  
25 and a link, and if it's in a critical member part, we will note that

1 and make it a more critical call.

2 And we -- if it's -- if we're worried about it, we'll call the  
3 manager right away and tell him, hey, you know what? We need to get  
4 something done over here. And if we have any questions, we'll call  
5 Rob, and Rob will help us verify a call sometimes.

6 MR. HIPSKIND: Okay. All right. Fair enough.

7 So, Marcial, let me bring you into this. And if you don't know,  
8 we can go back to Thomas. And if he doesn't know, I'll ask somebody  
9 else. There's a certain reason that I highlighted things on the  
10 inspection record, and one of them was the non-standard crosstie thing.  
11 And I think I got educated today and I -- going back to my days in  
12 track maintenance and bridge approach, I totally get that. It's a  
13 dimensional thing. But an item like that, do you consider that? Walk  
14 me through that.

15 MR. ALMODOVA: At that speed, you don't feel it was critical.  
16 There's a lot of structures that do have it at higher speed tracks  
17 where you get more of the load difference going from your ballast to  
18 your steel structures where it's open deck. I did not feel that was a  
19 critical.

20 MR. HIPSKIND: Okay, all right. And is there an additional coding  
21 or something that you have to put on the report had you decided that it  
22 was? And depending --

23 MR. ALMODOVA: No.

24 MR. HIPSKIND: -- and depending on that coding it gets routed more  
25 properly or something like that? Walk me through that if that's the



1 case.

2 MR. ALMODOVA: We put it in on -- this sheet that you're reading  
3 is when the bridge is built or when it's added to it, when we -- once  
4 the bridge is built, we have to build it in a form that you are reading  
5 right here. That's when we enter it. If it's ever changed during our  
6 inspection, every time we have the opportunity to correct it in here.  
7 I've forgotten where I was going with that.

8 MR. HIPSKIND: Well, it -- is it a matter of when you come back  
9 and do a reinspection, is that an opportunity to -- for you to verify  
10 whether something you expected to be fixed, no matter what it is,  
11 handrail --

12 MR. ALMODOVA: Yes, sir.

13 MR. HIPSKIND: -- walkway, bridge timber condition, whatever it is  
14 or stuff that's not bridge and structures, but it's somebody else's  
15 stuff. Is the reinspection, the next cycle, is that the validation of  
16 when something actually comes off the inspection report or -- because I  
17 remember it was either you or Thomas was telling me, well, sometimes I  
18 get an email back and I can take it off. I can show it corrected. So  
19 kind of walk me through that again, if you can.

20 MR. ALMODOVA: That's in those closures. If we haven't returned  
21 in ESM, and the maintenance side does do the work, once they complete  
22 it, they get in their bridge maintenance planner, we're putting the  
23 calls in it. They close them out. A lot of the calls will be  
24 auto-generated, and even on an auto-generated call, I -- we receive an  
25 email stating that the work has been completed.

1           And then when you get in ESM, you look for that call. If it's not  
2 an open call, we're looking to close calls and that stating that the  
3 repair has been needed. But the next time we go out there on a visual  
4 inspection, we are verifying the closed calls that we have had along  
5 with all our open calls to make sure the work was completed.

6           MR. HIPSKIND: And --

7           MR. ALMODOVA: We put our eyes on it.

8           MR. HIPSKIND: Okay. And the trick there is you've got software  
9 that helps you to organize and track this progression of inspection.  
10 Found something, notified somebody, got an answer back. Next  
11 inspection, I found out yes, it was corrected. So there's a closure  
12 loop to it is what I'm getting at.

13          MR. ALMODOVA: Yes, sir.

14          MR. HIPSKIND: Okay, thank you very much.

15          Tomas, let me ask you, now I don't know if we've gone deep enough  
16 into the bridge inspection process and the communication, but in a  
17 broad sense, have you heard anything that concerns you today? And if  
18 you could, just in general, can you discuss the successes or challenges  
19 that you see or have heard here today?

20          MR. GAWRONSKI: Do you mean me?

21          MR. HIPSKIND: Yes, I do. I do mean you.

22          MR. GAWRONSKI: Okay, all right. Yes, there are a couple things  
23 I'd like to help on here as far as the clarification, and I kind of  
24 start -- well, let me start first, there is a process behind the  
25 inspection, if you will. I mentioned that before in my answer there or

1 my description that there is a manager.

2       There is a like, if you will, computer program that is driven --  
3 the criteria in that program is driven by the entire bridge group, if  
4 you will, on a higher level, but all the directors, including the vice  
5 president of engineering for structures, and that is the translation of  
6 the importance of the defect. So we really focus on the inspectors  
7 identifying the defect or what they are seeing.

8       So let me use that as an example. Like, say the inspectors find a  
9 crack, and that particular crack, he calls it out. He identifies where  
10 that crack is. Then we have the (indiscernible) engine there that  
11 takes this, okay, here it -- the inspector identifies the crack and the  
12 crack is located in a specific location. So the inspector reports it's  
13 what he sees. Then the engine takes it and looks at it, where that  
14 crack is located. If that crack is located in critical member, if you  
15 will, then it elevates that to the maintenance folks to, in this case,  
16 for Joe or for Wes to analyze more so than other cracks.

17       So it is kind of a complex system, but there is a, there is --  
18 like I said, they will clarify that there is an engine that we have  
19 built in on Union Pacific Railroad to, kind of, class -- help classify  
20 the importance of some of the defects. There is still a lot of  
21 judgment on the inspectors, but we do have an engine, like I said,  
22 because our inspectors, by education, they're not structural engineers.  
23 So they are observing the defects. They're reporting it.

24       Of course, there is some -- like I mentioned, there's training  
25 involved with it, but we do have that portion of it that, kind of,

1 translates the specific defects into, if you will -- we call them  
2 maintenance levels. We didn't introduce that here, but then the defect  
3 is translated into maintenance level.

4 So I'll stop right there and ask you, Richard, if you have any --  
5 if I need to clarify more?

6 MR. HIPSKIND: No. No, I get that, but -- well, let me just cut  
7 to the chase here. When the investigative group, and I'm talking about  
8 all the (indiscernible), when we updated them, we saw the forward view  
9 of the accident train on the bridge approach. Well, actually the video  
10 started way back, the crossing south before you ever got out on the  
11 ballast deck bridge, the wooden trestle, and the bridge itself.

12 And the video portrayed for us the following things: when the head  
13 end, the locomotive of the accident train was going off the north end  
14 of the bridge, you could see in full view that the inner guardrail on  
15 the bridge came out to a point. And I think we've called that a flare  
16 portion. And both rails on the inner guardrail came out to a point,  
17 and it was probably, I'm just going to guesstimate 50, 60 feet. It  
18 wasn't just 5 or 10 feet. It flared out quite a bit.

19 And so we re-ran the video, and prior to the July 29th accident  
20 there, there was an absence of the inner guardrail, the flare portion  
21 on the south end of the bridge. And when we talked about the bridge  
22 inspection report, we did stop, I think it was over on Page 8 or 9, and  
23 there was a notation there about guardrail missing or something of that  
24 nature. And it had a a May 23rd date, 2016.

25 So I, just once and for all, I would like to understand, is -- are

1 there -- and I get it and how it's been explained to me. Some things  
2 are critical. Some things go up to a higher level of review, and the  
3 bridge inspector may or may not correctly code something. And maybe  
4 something like the absence of a guardrail, maybe that gets sent up the  
5 line or not.

6 My question is this, Tomas. Help me to understand. Is the  
7 absence of the guardrail, the flare portion of the guardrail out on the  
8 ballast deck portion of the bridge on the south approach, is that  
9 something that you think should be reviewed? Is that something that  
10 you think would come up to your level? Or how would you expect that  
11 you would want that to be handled? I know there was a -- I know that  
12 was a long run up, but if you -- I think you got the gist of the  
13 question.

14 MR. GAWRONSKI: I think, yeah, I think I do, and let me just take  
15 a stab at it. So certain track defects, it -- again, there I'm going  
16 to refer to the engine that I mentioned keeping behind the scenes, that  
17 some of the defects from the bridge do translate to the trackside. I  
18 cannot speak specifically on the (indiscernible).

19 But our processes for Union Pacific that those defects that are  
20 missing, for example, points or the inner guardrail, is maybe not  
21 installed due to past discussed importance of it. There's various  
22 schools of thought there. I mean, leave that aside, if you will,  
23 (indiscernible). That the -- if you will, the defects of the --  
24 defects. I said, well, if the inner guardrails identified by our team,  
25 it is not done to standard, as it was pointed out on that report, that

1 is usually reviewed on a higher level. And I mean, like maybe going to  
2 the path that was maybe going to the chief engineers, which is the  
3 assistant vice president of engineering looking at it, and then trying  
4 to maybe address some of those issues on that level.

5 I don't know if that answers the question because, you know, it's  
6 a rather costly effort, you know, to install the inner guardrails, and  
7 that does go to -- normally to the track department, because normally  
8 we would not be responsible for the installation of the inner guardrail  
9 or rail. We just kind of limit ourselves on the bridge side as far as  
10 our capabilities, as far as expertise, as well as the equipment to just  
11 everything up to the rail.

12 MR. HIPSKIND: No, I --

13 MR. GAWRONSKI: Does that --

14 MR. HIPSKIND: Go ahead. Was there more you wanted to talk about?

15 MR. GAWRONSKI: No. No, no, I was just verifying for the, I  
16 guess, the thoroughness of my answer.

17 MR. HIPSKIND: Okay, and I appreciate everything that you've  
18 contributed. So let me again try to think about this from a layman's  
19 perspective, and also understanding that you guys do have a  
20 sophisticated bridge inspection program, and you use a lot of computer  
21 software to track it and to provide alerts and whatnot. But in the raw  
22 light of day, does it really come down to the presence or absence of an  
23 inner guardrail is not critical to the integrity of the structure of  
24 the bridge?

25 MR. GAWRONSKI: I guess -- are you asking my opinion or --

1 MR. HIPSKIND: Well, I'm asking your opinion. And I'll help you  
2 out a little bit here. I've looked at the FRA track safety standards,  
3 and there they mentioned guardrails, but they're talking about  
4 guardrails for fog in a switch area. There is not a single regulation  
5 pertaining to, as I understand it, the presence or absence of an inner  
6 guardrail connected with a bridge in the track safety standards.

7 And I've taken a look at the FRA bridge safety standards, and they  
8 talk about whether they -- there's an expectation. Each railroad will  
9 provide FRA a bridge program, and I know it's a little bit late in the  
10 game here, but I'm assuming that if I ask you does -- has UP provided  
11 FRA a bridge program, the answer is obviously yes?

12 MR. GAWRONSKI: Yes, correct.

13 MR. HIPSKIND: Okay. So within the bridge program that you filed  
14 with FRA, I'm going to -- you tell me. Is there any expectation, any  
15 discussion about yes, we will maintain inner guardrails flare portion  
16 whether it's our maintenance or not. I mean, does your program even  
17 take a position on something like that?

18 MR. GAWRONSKI: No, we do not. We don't -- do not have anything  
19 pertaining maintenance or installation of inner guardrails on bridges  
20 in the bridge maintenance program that we provided to FRA.

21 MR. HIPSKIND: Okay. And as a matter of bridge and track  
22 standards, is there a standard either on the bridge and structure side  
23 or the track and engineering side of what inner guardrails are supposed  
24 to look like and how they're supposed to be maintained?

25 MR. GAWRONSKI: We do have a standard for installation of inner

1 guardrails, so the criteria when the inner guardrail should be  
2 installed. And we do have a standard for it. And you mentioned 50  
3 feet, and that is correct. That is the point should be installed 50  
4 feet away from the structure that is being protected.

5 MR. HIPSKIND: Okay, but -- and you and I have talked about this a  
6 little bit. You're right. There -- over the many decades, there have  
7 been different engineering perspectives on inner guardrails, and I  
8 agree with you. There are basically two schools of thought. Yes, we  
9 should have them; yes, we should maintain them. No, if we don't have  
10 them, what's the big deal? And I get that.

11 But maybe for those who are uninitiated, could you just take a  
12 second or two and explain what -- why -- what's the purpose and what's  
13 the idea behind an inner guardrail as well as the flare portion?

14 MR. GAWRONSKI: So the purpose of the inner guardrail is to  
15 possibly catch the -- so I have to go through this scenario. Let's say  
16 that the wheels just derail prior to the, you know, inner guardrail  
17 before the bridge, which normally we consider -- is considered the  
18 through truss bridge that's in this situation. And if the inner  
19 guardrail, the derail is ahead of the bridge and the wheels are, you  
20 know, within certain -- I would say, and I don't remember the numbers  
21 actually -- in fact, I did someone else's just not too long ago,  
22 meaning that prior to the derailment, and I mean not too long ago,  
23 about 3, 4 months ago.

24 When is the inner guardrail beneficial? That was just, again, a  
25 preliminary analysis that I was looking at with the -- per request of



1 my boss. And really the conclusion was that the -- for the most part,  
2 the car timber, in fact, serves the function of the inner guardrail to  
3 large effect, because the car timber is located outside of the rail.  
4 And if the wheel derails, obviously one is going to fall in the -- in  
5 between the rails, and that means the wheel that derailed out the other  
6 side is going to be between the rail, the running rail and the guard  
7 timber. And if it's right in between -- and chances are actually, in  
8 fact, most of the time that we saw derailments like that and not wiping  
9 -- not losing bridges, I guess, that wheel would just be guided by the  
10 guard timber, as we referred to it before.

11 Now, there is, of course, a portion of the the inner guardrail  
12 that, in fact, if the wheel gets past the center, if you will, of the  
13 inner guardrail, in fact, that guardrail acts as a launchpad for the  
14 derail car to go straight to the bridge and wipe it out, right? If you  
15 can imagine, now, that you have a recommended center, and then the  
16 wheel is just past the center point, and it catches on the other side  
17 in the -- and, in fact, that guardrail is going to hit the, you know,  
18 guide the entire car towards one of the trusses.

19 So there's a kind of like I used to think a 50, 40 -- 50 percent  
20 balance. Yeah, sometimes it helps, sometimes it doesn't. It really  
21 (indiscernible) few derailments I was able to participate started  
22 changing my mind that the inner guardrail is really not that helpful.  
23 In fact, I went to a derailment a few years ago that the inner  
24 guardrail did cause the, you know, bridge to be hit. And through our  
25 analysis, that's what we found.

1           So I'll leave it open, because it is kind of not an exact science.  
2 There's a lot of speculation to it, but that would be my, you know,  
3 past 20 plus years' experience going to -- attending a lot of  
4 derailments opinion.

5           MR. HIPSKIND: Well, thanks, Tomas, and I do appreciate your  
6 candor. And just to put it in my simplest terms, whether we're talking  
7 about an inner guardrail actually on the bridge structure or we're  
8 talking about the flare portion of an inner guardrail as it extends off  
9 of the bridge proper and maybe onto a ballast deck bridge or even onto  
10 just regular track section, the takeaway concept is restriction of the  
11 car movement should they be derailed and the overall arching purpose is  
12 prevention of a bridge strike by passing equipment. Is that fair to  
13 say that?

14          MR. GAWRONSKI: Yeah, correct. I agree.

15          MR. HIPSKIND: Okay. And your example and your explanation about,  
16 well, Dick, it really makes a difference when and if a car derailed and  
17 if that -- if the inner wheel -- so like they get off 200 feet ahead of  
18 the flare guardrail and then, and the equipment has already gone past  
19 the center of the flare portion, I get your term of it becomes a  
20 launchpad. It almost ensures that there's going to be a bridge strike  
21 because of the close clearance. When a train is on a track on the  
22 running rails, it's filling up quite a bit of the envelope, the  
23 dimensional clearance on a bridge structure. Is it fair to say that?

24          MR. GAWRONSKI: That's correct. I still would like to add the  
25 function of the guard timber that does kind of function as the inner

1 guardrail on all our bridges, in my opinion.

2 MR. HIPSKIND: No, and, Tomas, that's the next -- it's where I was  
3 going next. We've had some of our discussion has been on an inner rail  
4 guardrail, okay, of the rail portion. And you guys have brought a lot  
5 to this discussion about, well, Dick, you really need to think that, on  
6 the bridge structure itself, there is this wooden timber guardrail  
7 system, which to me almost sounds like a secondary or redundant feature  
8 that's part of the bridge, again, to keep equipment from actually  
9 hitting the superstructure itself. Have I got that right?

10 MR. GAWRONSKI: That's correct. I agree.

11 MR. HIPSKIND: Okay, all right. Listen, I appreciate everybody's  
12 answer, and I know I kind of went long there.

13 James Zimmerman, may we hear from you please?

14 MR. ZIMMERMAN: I don't have anything to add or any questions or  
15 anything.

16 MR. HIPSKIND: Okay.

17 And, Omar, you are looking relaxed. Any questions?

18 MR. MONGE: Very relaxed. Nothing to add and no questions at this  
19 time. Thanks, Dick.

20 MR. HIPSKIND: Okay, thank you.

21 And, Adam, how's it all sounding to you?

22 MR. ALLEN: And I have nothing to add then.

23 MR. HIPSKIND: Okay. Thanks for being here.

24 And, Aziz, we are back to you.

25 And then, Steve, if you want to opine as well?

1 And then, Joe, I'll get to you.

2 MR. AMAN: Nothing to add at this time.

3 MR. HIPSKIND: Okay, Steve? That was pretty quick. Anything that  
4 you'd like to add or clarify, and especially I would be interested if  
5 you thought we were on the right message with that the critical things  
6 that are identified get kicked up for professional review, but not  
7 everything is a critical item.

8 MR. KRAUSE: Yes. Yeah, so we have spent a lot of time on UP and  
9 on all the railroads, and it's probably an opinion, but it's based on a  
10 lot of experience being out there with UP. They do have a very, very  
11 thorough, impressive bridge inspecting process. The inspectors  
12 generally are very well-trained.

13 They have excellent guidance with this card that Tomas mentioned.  
14 It helps them identify the severity and the location of defects that  
15 they find. And they assign a code to these in general, put it in the  
16 computer, and that's part of what Tomas talked about with, you know,  
17 system crunching the severity and deciding if it's really a problem  
18 that needs to be elevated. And a lot of that's, quote, "automated,"  
19 you know, because of the way they've laid out their inspection process  
20 in these cards and standardizing defects.

21 So yeah, I really don't have anything else to add besides that two  
22 cents with the FRA's opinion as of their inspection process. It is  
23 well done, and Aziz did go out and look at, you know, look at this  
24 particular bridge with their original bridge inspection report and did  
25 find that, you know, in general, the bridge inspection report -- what

1 was on the bridge inspection report matched the conditions that he had  
2 found. So I think that's really all I have to say, Dick.

3 MR. HIPSKIND: Okay. And just a quick follow-up, Steve. I want  
4 to make just two real quick points.

5 MR. KRAUSE: Sure.

6 MR. HIPSKIND: This entire thing of FRA bridge inspection programs  
7 and FRA receiving the program, we're still relatively in the infancy,  
8 the new years at this. This hasn't been around since about, what?

9 MR. KRAUSE: The bridge regulations, the 237 bridge safety  
10 standards?

11 MR. HIPSKIND: Correct.

12 MR. KRAUSE: Yeah, about 10 years.

13 MR. HIPSKIND: Okay.

14 MR. KRAUSE: They've been around for a little while.

15 MR. HIPSKIND: Okay, all right. Okay. I'm a little confused. I  
16 think I saw a bridge compliance manual and it had a 2018 date on it.  
17 That's just the recent revision of that, right?

18 MR. KRAUSE: That's the recent -- the most recent revision of the  
19 compliance manual for the bridge safety standards.

20 MR. HIPSKIND: Okay, I totally understand. And thanks for being  
21 here today, Steve, and helping us to understand all this.

22 Joe Gordon, any last questions or comments?

23 MR. GORDON: Dick, I don't have anything. Everything's been  
24 covered well, my perspective.

25 MR. HIPSKIND: Well, that's just -- that's only because I hogged

1 all the time and asked way too many questions.

2 Okay, gentlemen, let's do our clarification piece. Rob, you're  
3 first up. Anything you want to clarify?

4 MR. CHRISTENSEN: No, sir, thank you.

5 MR. HIPSKIND: All right.

6 And, Wes, you're up next.

7 MR. WRIGHT: No, sir. Thank you.

8 MR. HIPSKIND: All right, you're quite welcome. I appreciate you  
9 guys being here today. So if there are no other burning topics or  
10 issues to talk about, I will move forward to the closeout section of  
11 our panel interview, if there are no objections?

12 Hearing none, so I will ask a question and I'll ask each of the --  
13 I'll do it this way. I'll ask all four questions, and I'll just do it  
14 and I'll start with the same order. I'll ask Thomas first.

15 Thomas, are there -- is there anything that you would like to  
16 change or add to our discussion here today?

17 MR. GIL: No, sir.

18 MR. HIPSKIND: Okay, and are there any questions we should have  
19 asked but did not, a particular area or topic that maybe we didn't ask  
20 you about but you wish that we would have?

21 MR. GIL: No, sir.

22 MR. HIPSKIND: Okay, and do you have any suggestions for  
23 preventing a reoccurrence?

24 MR. GIL: No, sir.

25 MR. HIPSKIND: Okay. And is there anyone else we should interview

1 in your opinion?

2 MR. GIL: No.

3 MR. HIPSKIND: You think we had the right people here doing the  
4 right thing?

5 MR. GIL: Yes, sir.

6 MR. HIPSKIND: Okay.

7 Marcial, same set of questions. Is there anything that you would  
8 like to add or change to anything that we talked with you about today?

9 MR. ALMODOVA: No, sir.

10 MR. HIPSKIND: All right. And are there any questions that we  
11 should have asked but we did not?

12 MR. ALMODOVA: No.

13 MR. HIPSKIND: You think we got deep enough into it?

14 MR. ALMODOVA: Yes, sir.

15 MR. HIPSKIND: All right. And do you have any suggestions for  
16 preventing a reoccurrence?

17 MR. ALMODOVA: No, I do not.

18 MR. HIPSKIND: Okay. And is there anyone else we should interview  
19 but that we have not?

20 MR. ALMODOVA: No.

21 MR. HIPSKIND: All right. And Joe E., where are you? Okay,  
22 same --

23 MR. ENDYKIEWICZ: I'm sitting right here.

24 MR. HIPSKIND: All right, same set of questions. Is there  
25 anything you'd like to add or change to anything that you talked with

1 us about today?

2 MR. ENDYKIEWICZ: No, sir.

3 MR. HIPSKIND: All right. And are there any questions that we  
4 should have asked but did not?

5 MR. ENDYKIEWICZ: No, sir.

6 MR. HIPSKIND: You think we peppered you with enough questions  
7 today?

8 MR. ENDYKIEWICZ: Yes, sir, definitely.

9 MR. HIPSKIND: All right. Okay. And do you have any suggestions  
10 for preventing a reoccurrence?

11 MR. ENDYKIEWICZ: No, sir.

12 MR. HIPSKIND: And is there anyone else who we should have  
13 interviewed?

14 MR. ENDYKIEWICZ: No.

15 MR. HIPSKIND: Okay.

16 And, Tomas, I come to you last, same set of questions. Is there  
17 anything that you'd like to add or change about anything that you and I  
18 talked about and the rest of the interviewers today?

19 MR. GAWRONSKI: No.

20 MR. HIPSKIND: Okay. And are there any questions we should have  
21 asked but did not?

22 MR. GAWRONSKI: Can't think of anything.

23 MR. HIPSKIND: Okay. You think we've covered the waterfront?

24 MR. GAWRONSKI: Yes, we did.

25 MR. HIPSKIND: Okay, and do you have any suggestions for



1 preventing a reoccurrence?

2 MR. GAWRONSKI: No, I don't.

3 MR. HIPSKIND: All right. And is there anyone else in your  
4 opinion that we should interview?

5 MR. GAWRONSKI: No, we covered everything.

6 MR. HIPSKIND: All right.

7 I will ask all the interviewers, is there anything else burning,  
8 any other question or anything that you would like to ask? If not,  
9 don't jump off the call exactly yet, but I will go ahead and formally  
10 end our interview by thanking everybody. I thought it was a great  
11 discussion. And give me a second, and I will close it out.

12 (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:            UNION PACIFIC RAILROAD TRAIN  
   DERAILMENT, HAZARDOUS MATERIAL  
   RELEASE, AND FIRE IN TEMPE,  
   ARIZONA, ON JULY 26, 2020  
   Interview of Thomas Gil, Marcial  
   Almodova, Joseph Endykiewicz, and Tomas  
   Gawronski

ACCIDENT NO.:                RRD20LR005

PLACE:                        Via telephone

DATE:                         October 19, 2020

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.



Teresa Holevas  
Transcriber