

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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MULTIPLE FATALITIES TO PATCO

CONTRACTORS ON BENJAMIN FRANKLIN

BRIDGE NEAR CAMDEN, NEW JERSEY

ON OCTOBER 14, 2022

Accident No.: RRD23FR001

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Interview of: TURGAY ACIKGOZ, Maintainer
PATCO

DoubleTree Inn
Philadelphia, Pennsylvania

Monday,
October 17, 2022

APPEARANCES:

MICHAEL BACHMEIER, Operations Group Chairman
National Transportation Safety Board

RUBIN PAYAN, Signal and Train Control Group Chairman
National Transportation Safety Board

PHILIP HERBERT, Accident Investigator
Federal Transit Administration (FTA)

ROBERT FINNEGAN, Chief Security and Safety Officer
Delaware River Port Authority (DRPA)

JOSEPH EBLING, Sergeant
DRPA Police Department

TODD KROPILAK, Program Manager
State Safety Oversight
New Jersey Department of Transportation (NJDOT)

GENE STEWART, Compliance Safety and Health Officer
Occupational Safety & Health Administration (OSHA)

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I N T E R V I E W

(9:14 a.m.)

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2
3 MR. BACHMEIER: Good morning. My name is Michael Bachmeier,
4 and I am the NTSB operations group chairman for this accident. We
5 are here today, on the 17th of October at 9:14 in the DoubleTree,
6 to conduct an interview with Turg Acikgoz, who works for PATCO.
7 This interview is in conjunction with NTSB's investigation of the
8 accident near the Benjamin Franklin Bridge in Cambridge, New
9 Jersey. The NTSB accident reference number is RRD23FR001. The
10 purpose of the investigation is to increase safety, not assign
11 fault, blame or liability.

12 Before we begin our interview and questions, let's go around
13 the table and introduce ourselves. Please spell your last name,
14 who you are a representative, and your title. I'd like to remind
15 everyone to speak clearly so we can get a good, accurate
16 recording. I'll start off and then pass it off to my right.

17 Again, my name is Mike Bachmeier. Spelling of my last name
18 is B-a-c-h-m-e-i-e-r, and I am the NTSB ops group chairman for
19 this accident.

20 MR. HERBERT: My name is (indiscernible). Spelling of the
21 last name is H-e-r-b-e-r-t. I am an accident investigator with
22 the Federal Transit Administration.

23 MR. FINNEGAN: I am Robert Finnegan, F-i-n-n-e-g-a-n. I am
24 the chief security and safety officer for the DRPA.

25 SGT. EBLING: I am Joseph Ebling, E-b-l-i-n-g. I'm a

1 sergeant within the DRPA Police Department, Badge No. 101.

2 MR. KROPILAK: Todd Kropilak, K-r-o-p-i-l-a-k. I'm the
3 program manager for NJDOT State Safety Oversight.

4 MR. STEWART: Gene Stewart, S-t-e-w-a-r-t. I'm with the
5 Occupational Safety and Health Administration, and I am a
6 compliance safety and health officer.

7 MR. PAYAN: Rubin Payan, P-a-y-a-n. I'm with the NTSB, and
8 I'll be the signal, train control group chairman.

9 MR. ACIKGOZ: I'm Turg Acikgoz. The last name is
10 A-c-i-k-g-o-z. I'm the maintainer at PATCO.

11 MR. BACHMEIER: Thank you. Turg -- can I go by Turg?

12 MR. ACIKGOZ: Yes.

13 MR. BACHMEIER: Do we have your permission to record our
14 discussion with you today?

15 MR. ACIKGOZ: Yes.

16 MR. BACHMEIER: Do you understand the transcription will be
17 part of the public docket; as such, we cannot guarantee any
18 confidentiality?

19 MR. ACIKGOZ: Okay.

20 MR. BACHMEIER: As we discussed, you have a representative
21 with you -- you could have had a representative, but you chose not
22 to; is that correct?

23 MR. ACIKGOZ: Yes.

24 MR. BACHMEIER: Okay.

25 Okay. I'd like to ask everyone to clearly announce your name

1 and title before questioning. On that, let's proceed.

2 INTERVIEW OF TURGAY ACIKGOZ

3 BY MR. BACHMEIER:

4 Q. Turg, could you give a synopsis of your work experience
5 taking us up to your present job?

6 A. Before I start here?

7 Q. Yeah. Is this your first job with a railroad?

8 A. Yes.

9 Q. Okay. Yeah, how long have you been --

10 A. I've been here 5 years, and I'm a maintainer over here.

11 Q. Okay. And prior to this job, did you -- what did you do
12 prior to now?

13 A. I used to be an electrician with a private contractor.

14 Q. Okay. How long have you been -- so how long you been in your
15 current position? I know you've been over here, what, 5 years you
16 said?

17 A. Yeah, been here 5 years.

18 Q. Okay. Have you worked the same shift the whole 5 years or
19 what is your current position?

20 A. My current position -- I work almost -- mid-shift about a
21 year, and since then -- my first 6 month -- sorry. My first 3
22 months in a day shift, then about a year, year and a half in a
23 night shift, then I went back to mid-shift about a year, and since
24 then I've been on the night shift.

25 Q. Okay. So the last year you've been night shift?

- 1 A. Yes.
- 2 Q. Okay. And what's your current time on duty to off duty?
- 3 What's your night shift? What's your schedule?
- 4 A. Ten p.m. start; 6:30 a.m. off time.
- 5 Q. Ten to 6?
- 6 A. 6:30.
- 7 Q. 6:30. And rest days?
- 8 A. Home.
- 9 Q. What days are you resting?
- 10 A. Friday night, Saturday night.
- 11 Q. So you have Fridays and Saturdays off?
- 12 A. I usually working overtime Fridays, if that counts.
- 13 Q. Yep. Additional time.
- 14 A. Okay.
- 15 Q. So in your current position you've been working this 10 p.m.
- 16 to 6:30 p.m. [sic], and I've known they had a lot of construction
- 17 out here. So what is the normal procedure for when you have a
- 18 contractor, how do you guys come into play with work outage and do
- 19 you guys take the track out or how does that all work?
- 20 A. Depend where we're going to take the outage. Usually how
- 21 many maintainers that require, it depends. And we go to their
- 22 positions. But if that going to be like on the bridge, we usually
- 23 have hold Market on 2 or Market hold on 1, depend which way they
- 24 ask for, which track. And whoever wanted to take it out, call
- 25 first for the permission. If we get okay to take it out, first

1 the dispatcher turns off the power. We call foreman both sides
2 and ask for the permission to start taking out after confirming
3 the power is deenergized on the third rail, ask for the safeties
4 we can put up. And whoever taking it out, that person usually
5 calls for everything. So he says, power confirmed deenergized,
6 safeties got posted, and we can go -- can we have permission to go
7 to work?

8 Q. Okay.

9 A. To the dispatcher or Center Tower, we'll call.

10 Q. Okay. Center Tower is?

11 A. The main place. So they --

12 Q. And that's the dispatcher?

13 A. Yes, dispatcher.

14 Q. Okay. So you'll call the dispatcher. She's going to say --
15 or he or she, if they have a train in the area, they'll say maybe
16 hold until --

17 A. Yes.

18 Q. And once they say, yes, you can have it, then you guys do
19 your thing?

20 A. Yes.

21 Q. And then --

22 A. So first, they had to deenergize the third rail. We confirm
23 it, then we can ask for the safeties to put up there is no train.
24 Depends whatever they got to -- we got to open up a MO control,
25 however they deal with it up there with their power, confirm it

1 being the work area, then we put up the safeties and ask for the
2 permission to go to work.

3 Q. Now on this evening on the event of the accident, incident
4 out there, Friday, the October -- that was a day off for you?

5 A. Friday night.

6 Q. Friday night. So you were working out there on overtime?

7 A. Yes.

8 Q. Normally you guys -- you would've had one at Hall, one at
9 Market --

10 A. Yes.

11 Q. -- and you -- what place were you?

12 A. I was in Market.

13 Q. You were at Market that night. Okay. So if everything
14 would've went smooth, the train would've went through, you guys
15 would've asked for --

16 A. We would ask -- if there was a train in the circuit, we
17 would've been getting a hold, stand by until that train clears
18 whatever she going to deenergize.

19 Q. Yep.

20 A. Then she tell us we can start test the third rail, confirm
21 the power deenergized. Then she can tell us to do the safeties,
22 then give us permission to work.

23 Q. Okay. So if that train would've been past Hall and Market
24 that night, you guys would've went and done your thing -- you got
25 permission, did your thing. Does that mean they could still run a

1 train around on 1 track then?

2 A. Yeah. They had to run around because we got safeties posted.
3 We got track circuits -- we had to shunt the track circuits, so
4 they can't run a train on that track where they were.

5 MR. BACHMEIER: Okay. With that, I'm going to pass it off to
6 Phil.

7 MR. HERBERT: Let me just catch up here.

8 MR. ACIKGOZ: Am I going too fast?

9 MR. HERBERT: No. No. I'm not writing fast enough.

10 BY MR. HERBERT:

11 Q. Turg, how do you spell your first name? Is it just --

12 A. Turgay.

13 Q. How do you spell it?

14 A. T-u-r-g-a-y, Tom-Umbrella-Robert-George-Edward-Yellow.

15 Q. Okay. So you had said that Friday night, October the 14th,
16 you were on overtime?

17 A. Yes.

18 Q. What were your hours for that shift?

19 A. Eight to 5 o'clock was on the schedule.

20 Q. Okay.

21 A. Yeah, 8 p.m. to 5 a.m.

22 Q. Okay, 8 to 5?

23 A. Yes. I think it was 5.

24 Q. Okay. Now you said you -- when you're ready to take the
25 track out of service to start your work, you call the dispatcher.

- 1 A. The other guy call.
- 2 Q. Who was the other guy?
- 3 A. Ram. He's here. Down there.
- 4 Q. Okay. So he was going to call?
- 5 A. Yes. He called for -- or he start taking out the outage.
- 6 Q. Okay.
- 7 A. Center Tower say stand by for some reason we didn't know. So
8 when I hear that, I go down, wait for my side to, you know, put
9 the safeties, test the third rail, whatever else I got to do up at
10 Market.
- 11 Q. All right. So you test -- once Center Tower says to you the
12 power's down --
- 13 A. Yes.
- 14 Q. -- right, you test?
- 15 A. Yes.
- 16 Q. What do you use to test?
- 17 A. We got third rail tester.
- 18 Q. So you just hotshot or hot --
- 19 A. Yeah, we just test it, and then a rail with a third rail. So
20 we got two lights on it and it shows us energized or deenergized.
21 If it's lit up, it's energized. If it's not, it's deenergized.
- 22 Q. Do you do anything else?
- 23 A. No.
- 24 Q. Okay. Do you know what a WSAD is --
- 25 A. No.

- 1 Q. -- if I asked you? Have you heard of it?
- 2 A. Never heard of it.
- 3 Q. Okay.
- 4 A. What is that anyway?
- 5 Q. Afterwards I'll tell you.
- 6 A. Afterwards.
- 7 Q. So you then you indicated that you shunt the circuits, right?
- 8 A. Yes. We ask -- confirm it with the Center Tower the circuit
- 9 is down, whatever the signal east or west of it, wherever the
- 10 outage going to be.
- 11 Q. Right.
- 12 A. If it is down, we post a -- shunt the circuit.
- 13 Q. Right.
- 14 A. Then we post a flag.
- 15 Q. Okay. So just for clarification, when you shunt the circuit,
- 16 that shows occupancy, right?
- 17 A. Yes.
- 18 Q. So that a train cannot pass past that shunt?
- 19 A. No, signal won't clear --
- 20 Q. Correct.
- 21 A. -- which direction his train is coming on that track.
- 22 Q. Okay. And you -- and who does that? You do that on both
- 23 sides or you do it on one side?
- 24 A. Shunt it?
- 25 Q. Yes.

- 1 A. Yes, we have to do on both sides. So that's your work area.
- 2 Q. Okay. And then in addition to shunting the circuits, do you
3 put any other devices out, a derailer, or do you --
- 4 A. No.
- 5 Q. -- put down mats? Do you put down cones?
- 6 A. We got flags.
- 7 Q. You put flags? Okay.
- 8 A. Yes. Flags indicate it's occupied, too.
- 9 Q. Okay. And where do the flags go?
- 10 A. Right next to the shunt on the rail, facing middle -- like
11 the guys, like comes down like that, is a red flag. We hook it
12 under the rail and it comes down like in the middle of the gauge,
13 the rail.
- 14 Q. Okay. But none of this occurred, right?
- 15 A. Not yet.
- 16 Q. Right. Because --
- 17 A. It didn't occur at that time because we had -- she say stand
18 by, so we can't do anything. We can't go on the track area.
- 19 Q. Yep.
- 20 A. As soon as we hear that, we can't do nothing until she give
21 us -- start giving us a permission to go do what we got to do.
- 22 MR. HERBERT: Okay. That's all I have. Thanks.
- 23 MR. ACIKGOZ: Okay. Thank you.
- 24 MR. BACHMEIER: Robert?
- 25 MR. FINNEGAN: I have nothing at this time.

1 MR. BACHMEIER: No questions?

2 Joe?

3 BY SGT. EBLING:

4 Q. Yeah. Joe Ebling, E-b-l-i-n-g, sergeant with the police
5 department. Where were you at the time of the accident?

6 A. I was at Market.

7 Q. Where? At Market?

8 A. Yes, sir.

9 Q. At any time during this construction project did you ever
10 tell -- have to tell any of those workers --

11 A. Not that I know. Never did --

12 Q. Nobody ever saw any of them within the track area when they
13 weren't supposed to be there?

14 A. No, not that I know.

15 Q. Who do you usually communicate with to tell people that the
16 track is down?

17 A. Depend. We usually charge it to whoever at Camden Yard.
18 Usual equipment comes in and out of there. We switch, depend
19 whoever want to call.

20 Q. Do you communicate with somebody else from PATCO or do you
21 communicate with somebody from the outside industries?

22 A. I didn't get that question. What do you mean with that?

23 Q. So if you're at Market and they tell you that the track is
24 shut down, how do the contractors know that it's okay to work on
25 it?

1 A. Oh, they got flagmans up in the bridge. They usually
2 communicate with the foreman for that contractor or the guys over
3 there. So --

4 Q. Okay. So who communicates with the foreman? From PATCO, who
5 communicates from the foreman to tell them the track is shut down?

6 A. The flagman.

7 Q. Oh, the flagman from PATCO does?

8 A. Yes.

9 Q. Okay. Okay.

10 A. We call -- when we take the outage out, we tell it to the
11 flagman so he can tell the contractor they okay to go in the track
12 area, track is out of service, they can go and they can work over
13 there.

14 Q. Got it. Have you ever personally communicated with anybody
15 from JPC?

16 A. No. I don't know who they are.

17 Q. Okay.

18 A. All I know is the Skanska, that's the contractor, that's why
19 I'm taking out the outage for.

20 Q. Got it.

21 A. I know who JPS [sic] is anyway.

22 SGT. EBLING: Okay. Nothing else.

23 MR. BACHMEIER: Thank you, Joe.

24 Todd?

25 BY MR. KROPILAK:

1 Q. Todd Kropilak. Do you know who the employee in charge was?

2 A. Employer?

3 Q. Employee in charge. Like who was overseeing from PATCO?

4 A. No. My job is just take the track out, take it out of
5 service when I come on for these contractors.

6 MR. KROPILAK: That's all I got.

7 MR. BACHMEIER: Gene? No.

8 Rubin?

9 BY MR. PAYAN:

10 Q. All right. This is Rubin with NTSB. So can I take you back
11 to Friday, 8 p.m.? You show up for work, right?

12 A. Yes.

13 Q. Where do you report for duty?

14 A. Shop.

15 Q. The shop?

16 A. Lindenwold.

17 Q. Lindenwold shop?

18 A. Yes.

19 Q. Okay. And then do you have a job briefing there before you
20 leave or how do you get told what you're going to be doing that
21 day?

22 A. It's already on the overtime where we're going to take out
23 the outage.

24 Q. Okay. But who notified you of the job for that day? How did
25 you know where to go from Lindenwold?

- 1 A. It's already shown on overtime.
- 2 Q. Where?
- 3 A. On our papers.
- 4 Q. Okay. So you're told that you're going to report to Market
5 from Lindenwold?
- 6 A. No, we talk. We get to the shop and whoever want to take
7 what -- which side, then we just go split up and go there.
- 8 Q. Okay. So who has that discussion? Who do you have that
9 discussion with?
- 10 A. We discuss between each other, who wants to do which side.
- 11 Q. Who's each other?
- 12 A. The workers come for the outage.
- 13 Q. Okay. So it's --
- 14 A. Maintainers.
- 15 Q. It's just the signal maintainers --
- 16 A. Yes.
- 17 Q. -- decide who's going to stay for overtime or who's going to
18 go for the overtime?
- 19 A. Not stay, where we're going to go.
- 20 Q. Okay.
- 21 A. We decide it. If I wanted to take the Camden Yard, I would
22 say I'll do it. Or they want to do that side, I will do that
23 side.
- 24 Q. Okay.
- 25 A. Sometime we rotate, so --

1 Q. Okay. So you leave Lindenwold. Do you ride the train or you
2 drive or how do you get --

3 A. We drive.

4 Q. You drive?

5 A. Yes.

6 Q. Who did you drive with?

7 A. I got Gabe with me.

8 Q. Okay. And then where do you drive to?

9 A. When we talk, we take Philly side, Market. So Ram and Chris
10 took the Camden, Camden side -- I mean, the Jersey side.

11 Q. Okay. And then you go -- you drive straight to Market?

12 A. Yes.

13 Q. Okay. And then once you get to Market, what do you do there?

14 A. We just stand by for the call.

15 Q. Okay. So you --

16 A. We got certain time I get -- on our paperwork say what time
17 it's going to start taking out. We tried to get that time, call
18 for it. If we got to stand by, we got to stand by until when she
19 give us okay to start taking out the outage.

20 Q. Okay. And what did your paperwork say that you were supposed
21 to do at Market exactly? Do you remember?

22 A. It's usually shunt the track, the safeties in the third rail,
23 usually. So --

24 Q. Um-hum. But, I mean, what were your -- do you remember the
25 piece of paper you had, what did it tell you to do?

- 1 A. I don't remember.
- 2 Q. No? Okay. So you just knew you were going to take it out of
3 service --
- 4 A. Yes.
- 5 Q. -- for Market?
- 6 A. Yes. If I got to open anything, if I got -- it's usually the
7 same thing all the time, so --
- 8 Q. Okay.
- 9 A. It's everything on that paper, too.
- 10 Q. Okay. So when the paper told you to take it out of service,
11 you just call in to the dispatcher?
- 12 A. Yes.
- 13 Q. Okay. You didn't -- was there any job briefing for you?
- 14 A. Job briefing as -- what do you mean?
- 15 Q. The safety that you're going to do, who you're doing it for,
16 where you're doing it, or what's going to -- what is going on out
17 there. Is there any kind of job briefing before you start?
- 18 A. When the foreman comes out and talk to us --
- 19 Q. With anybody. Anybody.
- 20 A. -- or just with the paper?
- 21 Q. With anybody.
- 22 A. I'm not understanding your question, sir.
- 23 Q. So you report for the job and kind of like here, we're going
24 to talk about, okay, today we're going to work from here to here,
25 you're going to be in charge of doing this and you're going to be

1 in charge of doing this, you're going to be in charge of doing
2 this. Is there any kind of --

3 A. When the safety guy comes in and talk, is that what you're
4 saying?

5 Q. Either safety or just the ATC guys.

6 A. What do you mean the ATC?

7 Q. The signal guys. What department do you work for?

8 A. I'm a power and signal. You talking about my foreman comes
9 in and tell us what to do; is that what you trying to say?

10 Q. Anybody. Anybody.

11 A. No.

12 Q. No? Okay. So neither at Lindenwold nor at Market, all
13 right --

14 A. No.

15 Q. -- you didn't talk to anybody?

16 A. No.

17 Q. Okay. So all you're working with is that paper telling you
18 when the outage starts?

19 A. Yes.

20 Q. Okay. So at 9 o'clock -- I think you said when the outage
21 was supposed to start?

22 A. Usually 9 it says on the paper, yes.

23 Q. That's what the paper said, right? So at 9 o'clock you radio
24 to the dispatcher and ask them --

25 A. Yes. Usually the Jersey side guy call for it in case we got

1 to bring out the equipment out in the track. So --

2 Q. Okay. So you call the dispatcher and she tells you to wait?

3 A. Yes. At that time whenever we call, Center Tower say stand
4 by, yes.

5 Q. Okay. But you don't know why? You just --

6 A. No.

7 Q. Okay.

8 A. We don't know why until if there's an issue, she let us know
9 head over here, head over there, whatever the issue is.

10 Q. Okay. And so anytime after you call the dispatcher, did you
11 have any interaction with any of the workers? Do you have -- do
12 you talk to anybody else? When you show up to Market, any of the
13 other workers?

14 A. I got my co-worker with me driving.

15 Q. Yeah. But anybody else?

16 A. No.

17 Q. Nobody from PATCO, nobody from --

18 A. No.

19 Q. -- the contractors?

20 A. No.

21 Q. Okay. So you don't know what kind of work is going to be
22 done?

23 A. No.

24 Q. You just know that you got to take that Market Street out of
25 service?

- 1 A. Market to Hall.
- 2 Q. Market to Hall.
- 3 A. And out of service, yes. Hall to Market it was on 2 track,
4 so --
- 5 Q. Okay. Have you been doing this job before?
- 6 A. Yes.
- 7 Q. Taking the -- on the Ben Franklin Bridge?
- 8 A. Yes.
- 9 Q. Okay.
- 10 A. I usually take the Friday overtime, so every week.
- 11 Q. Okay. Do you normally see any of the other workers? The
12 contractors?
- 13 A. No.
- 14 Q. No? You don't have any conversation with them ever?
- 15 A. No.
- 16 Q. How about any job briefing? Do you ever hold joint job
17 briefings between contractors and PATCO people?
- 18 A. No.
- 19 Q. No? You never talk to anybody? They never --
- 20 A. No.
- 21 Q. -- they never get together to see what's going to
22 (indiscernible)?
- 23 A. No. I usually head to wherever I got to go, so --
- 24 Q. Okay. And then how about when you were on Market, did
25 anybody -- did you see anybody working on the bridge or working in

1 the right-of-way?

2 A. No.

3 Q. No? And then, so after you report to Market and --

4 A. My question -- you're talking about the track area or are you
5 talking about the road?

6 Q. Anyplace. Anywhere. Did you see any workers?

7 A. Road, yes, because it was out of service. The two lane or
8 (indiscernible) lane was out of service, they were fixing the
9 asphalt over there at that time.

10 Q. Okay. So you saw workers out there before --

11 A. Yes, but not track area. You can't see because all the
12 columns and whatever they have.

13 Q. Okay. All right. So you get to Market and you're waiting
14 for -- I guess they're going to notify you when you can take it
15 out of service?

16 A. I got a radio. I'm listening for when --

17 Q. Okay. And then what happened? What happened when you were
18 there? Can you take us all the way through the accident?

19 A. We were at Market. He call for it. Then as soon as he
20 calls, I go down or I'm already down standing by in the room. We
21 got -- we call it hut. It's our old (indiscernible) whatever.
22 I'll wait usually there. So as soon as we get permission, we call
23 Center and ask for go in the track area, whatever, or it's already
24 right -- sometime it's right off the door, too. We start taking
25 it out. Then we -- then he -- she give us the permission, we

1 check the third rail. When the third rail is out, then she give
2 us permission to do the shunting or safeties, we call it, so we
3 start putting them up. Now, it didn't happen, so --

4 Q. Okay.

5 A. So when I went down there when he call, she -- at that time,
6 when she call -- when he calls, we got stand by.

7 Q. Um-hum.

8 A. Then she call again about 5 minutes or whatever, we got
9 issues; head to here, whatever the issue was, problem for the
10 train. I start walking from Philly side to whatever the issue
11 going to be. And Ram or whoever it was at Jersey side, they start
12 walking on the bridge on 2 track side to the train at that time.

13 Q. Okay. So where did you walk on? The actual track, the
14 right-of-way?

15 A. We got gap our side of the gauge I can walk to.

16 Q. Oh, there's a walkway along the track?

17 A. Yes.

18 Q. Okay.

19 A. We got cubby holes in case something, we can hide in case of
20 a train comes, whatever. So --

21 Q. So did you know what issue the train had?

22 A. No. Not at that time.

23 Q. But it was somewhere between Hall and Market?

24 A. Yes, between Hall and Market.

25 Q. Okay. So you started walking down the walkway. What

1 happened after that?

2 A. Now I walk until I get to whatever the train is.

3 Q. Um-hum. Well, what happened that night, Friday night? You
4 started walking down and what did you find?

5 A. I mean, I walked down to the train and I saw this happening,
6 that was the issue over there. There was all the cops and all
7 kind of stuff happening, so I stand by. I call Center, I'm here;
8 if you need anything, let us know.

9 Q. Okay. So the emergency response had already arrived when you
10 got there?

11 A. Yes. It's a long walk from Market there all the way past
12 some of the bridge, so --

13 Q. About how far do you think that is?

14 A. I don't know, mile and a half, 2 miles, probably.

15 Q. Okay.

16 A. Maybe more.

17 Q. Okay. So once you got there, did you talk to anybody, the
18 operator or any of the other contractors or anything?

19 A. Not the contractors. I asked the police if they need
20 anything, whatever. I called Center Tower if they need anything.
21 And I know the third rail was off; I tested it when she asked for
22 everything was out. Then we have signal lines, northern and
23 south, so that's the north side. I asked them to deenergize
24 because they were on top of it, trying to get the person out of
25 the train. So I make them deenergize to whatever the signal line

1 power we have on the bridge, swap it to the other side. So in
2 case they need to cut whatever, so nothing else happen for the
3 other guys.

4 Q. Okay. So take me back to that power. You said that you
5 verified that the power was down, the third rail power was down.

6 A. Yes.

7 Q. When did that happen and how did -- when did you test?

8 A. Then she -- when that happen, when I was at Market, I tested
9 it.

10 Q. Oh, before you even started walking?

11 A. Yes.

12 Q. Okay. So --

13 A. Then she said she having issues, now we have to verify
14 everything is deenergized at that time.

15 Q. So she told you she knocked down the power?

16 A. Yes. And I tested it to confirm it because she asked their
17 side, I confirm it on my side.

18 Q. Oh, and then you started --

19 A. So I start heading over.

20 Q. Okay. Okay. So on any other day when you're working in your
21 signal or power work, not on the bridge, just anywhere on the
22 railroad --

23 A. Yes.

24 Q. -- that you're working on, are you qualified to set up a work
25 zone?

- 1 A. Yes, I can.
- 2 Q. You have been trained in that?
- 3 A. Yes.
- 4 Q. So how do you go about setting up a work zone for yourself or
5 for some other power and signal people?
- 6 A. Before we do that, in the office, our foreman comes in, give
7 us the paperwork, see what we're going to do and all, comes with
8 the paper, tells us where to work, take it out.
- 9 Q. Okay. So --
- 10 A. Whether we're going to be outages, what's going to happen,
11 say everything on that paper, and he talks to us what we got to
12 do, who's going where and where.
- 13 Q. Um-hum. So even before you leave the office, there's a paper
14 that tells you where the work zone's going to be?
- 15 A. Yes.
- 16 Q. Okay. And then, so you leave the office with that paper and
17 then you get to the location --
- 18 A. No, that's our assigned paper. We talk who's going where and
19 what they're going to do --
- 20 Q. Okay.
- 21 A. -- so leave the paper. If you wanted the paper, or you can
22 take a picture, you got your phone.
- 23 Q. So who holds onto that paper? Who keeps that paper?
- 24 A. Foreman.
- 25 Q. The foreman does?

1 A. Yes.

2 Q. And then what do -- how do you know -- I mean, I got bad
3 memory. How do you remember where you're going to go --

4 A. I mean, I be doing it for 5 year. I don't need it that much.

5 Q. Okay. So there's no form that tells you you're going to --
6 you just agree you're going to go here, he's going to go there.

7 A. Now the paper or whatever they decide to take it out, which
8 area, it's already on that paper. You already know what to do
9 anyway.

10 Q. Okay. So you drive to the location that you're going to work
11 in.

12 A. Okay.

13 Q. And then what do you do then just to start the work zone?

14 A. It's a certain time they ask for it. That time, I or whoever
15 wanted the call, like again, whoever wanted to call the outage or
16 clearance or whatever we got to do, that person calls. Everybody
17 start going to their places. And I -- most of the time whoever
18 taking that outage start calling the people, test the third rail
19 and then start posting your safeties from dispatcher's orders,
20 depend once she going to give it to you.

21 Q. Okay. So that person that does the calling and taking the
22 outage out, they volunteer for that position?

23 A. Kind of.

24 Q. Kind of? Do they need to be qualified any differently?

25 A. No.

1 Q. I mean, can you do that?

2 A. I can do that. Other maintainers can do that, I mean.

3 Q. Okay. It's just a job assignment?

4 A. Just a job assignment, yes.

5 Q. Okay. So for your training for roadway worker, like the
6 protection, you had training when you first got hired on to do
7 that?

8 A. Yeah. It's -- everything, whatever you had, all the hazards,
9 all your safety thing, everything on that paper you need to do or
10 you signing for it. So it's already on that.

11 Q. Okay. And then do you get -- is that a qualification? Does
12 that expire, the training? Do you have to do it again or --

13 A. If that -- more required, probably you can. I'm not sure
14 what you're trying to go right now.

15 Q. Well, say, like a driver's license.

16 A. Yeah.

17 Q. Every 3 years you got to go in and get your -- get tested
18 again, right?

19 A. You been doing the job for whatever year. You got to already
20 know what's your dangerous situation is going to be or what's the
21 danger you're going to do anyway. You dealing with a high
22 voltage, you can't just go do what you got to do. You're already
23 electrician. How much more experience you need? You already got
24 your electrician or you went to school for it. I mean --

25 Q. So you don't get retrained? It's on the job --

1 A. I mean, yeah, we do safety class again, whatever, every year
2 or every 2 year. I'm not sure.

3 Q. Okay.

4 A. So we got test or something we do on those. I don't remember
5 how many times a year, every year or every 2 year. I'm not sure.
6 I don't remember that.

7 Q. But it's just general safety on everything?

8 A. General safety. We go over on the room, everything on the
9 computer, read whatever. We kind of do testing, I think. So --

10 Q. Okay. How about like personal protective equipment? Once
11 you leave -- or once you report to Lindenwold for the job, what
12 are you expected to have on?

13 A. First, your vest and whatever, your gloves, the high-voltage
14 gloves and everything on you. You're bringing everything no
15 matter what.

16 Q. Okay. Safety vest, gloves. Are you required hardhat or
17 safety glasses?

18 A. Usually -- safety glasses, yeah.

19 Q. Yeah. Hardhats?

20 A. Hardhats if something, somebody's working above you, yeah,
21 you got to wear the hardhat no matter what.

22 Q. So in certain conditions, then?

23 A. Yeah.

24 Q. Okay. And safety boots or --

25 A. Yes.

- 1 Q. Okay. All your equipment's in the truck?
- 2 A. Everything in the truck.
- 3 Q. Okay.
- 4 A. You got to have them no matter every day, every night.
- 5 Between your work hour, you got to have what you got to have to do
- 6 your job.
- 7 Q. Okay.
- 8 A. All your safety, tools, whatever you need.
- 9 Q. And these are just PATCO rules? Like for anybody on the
- 10 railroad that's in the right-of-way kind of has to wear the same
- 11 stuff you do except for the electrical gloves, of course?
- 12 A. I didn't get that.
- 13 Q. Like anybody, a track worker or a mechanical guy that's out
- 14 on the main line, has to wear pretty much the same --
- 15 A. Pretty much the same. All the -- safety shoes, gloves, all
- 16 that; glasses, whatever safety glasses they need.
- 17 Q. Okay. How about contractors? Do you know if they have to
- 18 follow the rules?
- 19 A. I don't know. I don't talk to them. That's their own thing.
- 20 I'm not a contractor. I can't say anything.
- 21 Q. Do you ever see contractors without protective equipment?
- 22 A. Without a protective vest or whatever visible to the
- 23 (indiscernible) or whatever our thing is, we don't put them in the
- 24 track area. If we see anyone.
- 25 Q. Say that again.

1 A. Our safety vest we have, if they don't have anything like
2 that, we don't put them in the track area. Like if they wear a
3 invisible shirt or whatever, no.

4 Q. Oh, you can --

5 A. Regular shirt, whatever, if we see that. Or we tell the
6 foreman or whoever they have.

7 Q. Okay.

8 A. Or we can talk to the flagman and let them know, the foreman,
9 the contractor foreman, they got to get out.

10 Q. Okay. So you can challenge them --

11 A. They don't have the right equipment.

12 Q. -- you can challenge them and say --

13 A. Yes.

14 Q. Okay. Have you ever done it?

15 A. No.

16 Q. No? Okay.

17 A. Never had that.

18 Q. But you can --

19 A. I can, yes.

20 Q. -- you can go up to somebody and say, hey, you're not
21 protected --

22 A. Yeah. If he doesn't have anything visible for the train or
23 whatever that their lights shine, whatever the safety thing is, I
24 don't put them in the line if I (indiscernible).

25 Q. Okay. Makes sense. How about just the general signal system

1 that you have? Do you have wayside signals or is it all in-cab,
2 the type of signal system you have? ATC.

3 A. I think we got -- I don't remember.

4 Q. You don't know?

5 A. No.

6 Q. Do you have like signals by the side of the track?

7 A. Yes.

8 Q. Okay.

9 A. Yeah.

10 Q. And then does that signal also display inside the cab of the
11 operator?

12 A. Yes. Not inside the operator. I don't think so. I don't
13 see inside of the train.

14 Q. Oh, just by the side of the road?

15 A. Yes.

16 Q. Okay. And those are speed signals or route signals; do you
17 know?

18 A. Now that is -- that signal so he can go between the block,
19 the blocks. We got --

20 Q. Interlocking to interlocking?

21 A. Interlocking to interlocking. So he can go interlocking.

22 Q. So it's block signals, then?

23 A. Yes.

24 Q. Okay. And then the third rail, what does that operate on?

25 The voltage, what's the third rail power?

- 1 A. About 750.
- 2 Q. 750 DC?
- 3 A. DC volt, yeah.
- 4 MR. PAYAN: Okay. All right. All right. Thanks.
- 5 Mike?
- 6 MR. BACHMEIER: Okay. How you doing, Turg?
- 7 MR. ACIKGOZ: I don't know.
- 8 (Laughter)
- 9 MR. ACIKGOZ: I don't (indiscernible).
- 10 BY MR. BACHMEIER:
- 11 Q. You're doing okay.
- 12 A. I don't know. I don't do this thing.
- 13 Q. So I'm going to take you back.
- 14 A. Okay. We're going back again.
- 15 Q. We're going to back to when you went on duty on Friday night.
- 16 So did you and Ram discuss where you two were going to work?
- 17 A. Yeah. Before we leave the shop, I say I volunteer at --
- 18 probably, most likely, I say I take the Philly side.
- 19 Q. Yep.
- 20 A. Yeah. He's been doing it weekdays and all, whatever's going
- 21 on in Camden Yard.
- 22 Q. Yep.
- 23 A. He more familiar than I am. I know what's going on, too, but
- 24 he's more doing it. So I just tell him go -- you and -- you guys
- 25 can go up there, I go to Philly side.

1 Q. So you guys discussed that before you left?

2 A. Yeah.

3 Q. I was going to ask you about -- now you work normally nights.

4 A. Yeah.

5 Q. Do you ever -- do you contact -- do you have contact with
6 your supervisor very often?

7 A. Like what do you mean with that?

8 Q. Your foreman, do you see like your supervisor or foreman, he
9 ever -- do you have contact with him very often? Like once a
10 week, twice a week, once --

11 A. Every night we saw him.

12 Q. Okay. Every night. Okay.

13 A. I mean on weekdays. Weekend, whoever turn is at night, that
14 foreman or -- what's that called? -- yeah, foreman for that night,
15 whoever shift is, I see him.

16 Q. Okay. Okay. And then the last question I got is -- okay, so
17 we talked about the work zone.

18 A. Yeah.

19 Q. When it's all done --

20 A. Yes.

21 Q. -- who contacts you to say, okay, the work is done for
22 tonight, let's put it back to normal? Who contacts you?

23 A. Flagmans usually tell us or call us and let us know everyone
24 is out of the track area, all the contractors, you can give the
25 track back.

1 Q. Okay. Okay. And then you give it -- then you do your thing,
2 and then do you call the flagman back or do you guys call -- or
3 would you get ahold of Ram and talk between yourselves and one of
4 you two call the dispatcher?

5 A. Whoever the flagman calls, like we got (indiscernible)
6 number, whatever, and that person usual start calling. Because
7 he's got -- we got permission, everyone is out of the track area,
8 then we call -- whoever the flagman calls, me or him or Chris or
9 whoever the maintainer's name or (indiscernible) number, he call.
10 That person usually start calling the outage to start giving it
11 back.

12 MR. BACHMEIER: Okay. That's all I got.

13 Phil?

14 MR. ACIKGOZ: There is no one person. It depends.

15 BY MR. HERBERT:

16 Q. Okay, Turg. This is Phil Herbert from the FTA. Roadway
17 worker protection.

18 A. Yes, sir.

19 Q. Do you -- so do you have a card that says that you have RWP
20 training?

21 A. We usually get some kind of certification. I don't --

22 Q. So if I said to you, if I said to you I want to see your
23 certification for RWP, do you have that?

24 A. I am not sure.

25 Q. You're not sure.

- 1 A. I cannot say yes or no.
- 2 Q. Okay. So how do I know -- if I'm your boss, how would I know
3 that you have your updated RWP training?
- 4 A. He's the one we usually go do training with. So he's the one
5 tell us all the training, whatever we got to do.
- 6 Q. Okay. But you don't have a physical card that says that --
- 7 A. I am not sure if we --
- 8 Q. -- here's my card, here's my expiration?
- 9 A. -- have it or we got certification. I'm not sure how that
10 works.
- 11 Q. All right. So you said that, when Rubin was grilling you
12 over there for a little bit, you said if you saw a contractor
13 without PPE, right, you could challenge him and deny him access;
14 you can't go out --
- 15 A. Yes.
- 16 Q. -- because you don't have your vest, you don't have a light.
- 17 A. Yeah.
- 18 Q. You can do that, right?
- 19 A. Yes.
- 20 Q. Who inspects a contractor prior to them going onto the
21 roadway or the rail?
- 22 A. I mean, if we're near them, we all -- like maintainers or
23 flagman, whoever sign for it.
- 24 Q. Okay.
- 25 A. Or if any other issue, usually call the foreman or whoever

1 that night that's a senior foreman -- I mean, as a foreman there,
2 we can call and -- or go talk to their contractor's foreman.

3 Q. Okay. That's if you see them?

4 A. If I see them, yeah.

5 Q. Right. But do you know who a person would be that would have
6 to see someone who's going out to make sure that they have proper
7 PPE?

8 A. That's got to be the flagman. I'm saying I think.

9 Q. Okay. Because you're just saying that if you saw someone --

10 A. If I saw someone --

11 Q. -- you can deny them access?

12 A. -- yeah, I can deny them access. Usually the flagman out
13 there with them, so that's the flagman.

14 MR. HERBERT: So -- all right. That's all I have. Thanks.

15 MR. ACIKGOZ: Yes, sir.

16 MR. HERBERT: Good job.

17 MR. BACHMEIER: Robert?

18 BY MR. FINNEGAN:

19 Q. Robert Finnegan, DRPA. Turg, just one question. Who were
20 you partnering with that evening again?

21 A. Gabe. Right down here.

22 MR. FINNEGAN: That was it. Thank you.

23 BY SGT. EBLING:

24 Q. Joe Ebling, police department. How many flagmen were
25 supposed to be out there?

1 A. I am not sure that night how many were assigned for that
2 night.

3 Q. And I just want to -- I think I know the answer, I just want
4 to confirm it. So since that track is being shut down, the
5 flagman's job is to get out there before it's shut down, but once
6 it's shut down, the flagman leaves and puts that flag on the
7 running rail to close that lane down, correct?

8 A. No. The maintainer's job or electrician, but they're called
9 maintainers, so -- their job to shut the track down. Flagmans,
10 they watch the contractors.

11 Q. The flagman watches the contractors?

12 A. Yes.

13 Q. Okay.

14 A. Whoever goes there, that's flagman's job. Because we don't
15 see the flag -- I mean, we don't see the contractors going in and
16 out because we are taking out the outage at that time.

17 Q. That's the flagman's job?

18 A. Yeah. If the contractor is coming out of the -- whatever the
19 site -- also like we taking out by the Camden Yard, right? If the
20 contractor is there, we can see them. If they not coming out of
21 the Camden Yard or whatever, usually -- and if they're on the
22 bridge and going into the work area, we don't see them. Usually
23 the flagman up there with them already.

24 SGT. EBLING: Okay. No other questions.

25 MR. BACHMEIER: Todd?

1 BY MR. KROPILAK:

2 Q. Todd Kropilak. You said when you reported for work you saw
3 the sheet with what you had to --

4 A. Yeah.

5 Q. -- what you had to do. On that sheet did it indicate who the
6 flagman was or --

7 A. It's the maintainer overtime papers, I think, and the track
8 and facility overtime papers, I think. I don't remember they all
9 on that, on our paper, or not. I don't remember it. They might
10 be. I don't remember it.

11 Q. Okay. But you would just contact -- be in contact with the
12 dispatcher to let them know that the power was -- to confirm power
13 was off? That's how you communicate? You would tell the
14 dispatcher on the radio that the power was off?

15 A. Yes.

16 Q. Okay.

17 MR. BACHMEIER: Anything more, Todd?

18 MR. KROPILAK: That's it.

19 MR. BACHMEIER: Gene?

20 BY MR. STEWART:

21 Q. Gene Stewart, OSHA. So when you're going this process, how
22 often are you in communication with the flagman? After you've
23 going out and you've contacted Central Tower, do you communicate
24 directly with those flagmen and -- or, if you do, how often?

25 A. I didn't get that question.

1 Q. Okay. So you're out, you set your flags --

2 A. So you're saying we take the outage --

3 Q. You take the outage.

4 A. -- or whatever, so how many times after that we communicate
5 with the flagman?

6 Q. Correct. Yeah, so you've done your part of the job and you
7 let -- do you radio them to let them know that you clear or are
8 you only contacting dispatch?

9 A. Contractors can't go on the track area without a flagman. So
10 after everything is out, we got permission from Center Tower, then
11 we call the flagman, track is out, track is yours, so he can tell
12 the contractor to go in the track area. That's one time. Or
13 until we hear from him, we don't let nobody go in.

14 Q. Okay. And do you normally work the same flagmen, or how
15 many --

16 A. Every week is different.

17 Q. Every week's different?

18 A. Yeah.

19 Q. And do you recall who the flagman was that evening or who was
20 assigned to that part of the outage that evening?

21 A. All I know is one guy, and that was Jay at that time. But it
22 might be more than one. So that's -- we usually see each other
23 all the time. I see him that night. I thought that was him
24 that -- that, and he responded on the bridge, too, that night,
25 too.

1 MR. STEWART: No further questions.

2 BY MR. PAYAN:

3 Q. This is Rubin --

4 A. Now back to you. Yes?

5 Q. Rubin, NTSB. I'm back again. So just, I was trying to
6 clarify in my mind. The flagman job, does it always come out of
7 the track department?

8 A. No.

9 Q. So sometimes the signal --

10 A. We can be, too.

11 Q. -- power and signals are --

12 A. Yes. If nobody there, if they need us as a flagman, we go
13 there, too. Yes.

14 Q. Okay. But on the day -- on Friday, when you showed up, that
15 paper, was a flagman a power guy, power and signal guy, or was he
16 a track guy?

17 A. He was a track guy.

18 Q. He was a track guy?

19 A. Yes.

20 Q. Okay. And are there any requirements -- can I be a flagman?
21 I mean, if I show up on a job --

22 A. It's usual the track guys and the maintainers.

23 Q. Uh-huh. They're the ones --

24 A. And ET we call it, I think, ET? Yes, ET.

25 Q. Okay.

- 1 A. No custodian, no other ones. So I think there are three --
2 like I said, track, maintainers, and the ET can be a flagman.
- 3 Q. Okay. And to be a flagman --
- 4 A. Yeah, we got test and all we do on the computer, you know,
5 that -- take a test.
- 6 Q. Oh, there is? Okay, qualifications?
- 7 A. Yes, what we have to do, what the -- what they are, yes.
- 8 Q. Okay. How often do you do that?
- 9 A. I think every year.
- 10 Q. Every year? Okay. How about equipment-wise? Do they need
11 additional equipment to be a flagman?
- 12 A. No.
- 13 Q. No? Just somebody can --
- 14 A. They (indiscernible), yeah, radio and all that. Whatever
15 your safety things are, they have to have it.
- 16 Q. Okay. And the radio, you get it before you leave --
- 17 A. Your radios are always right there, so -- it's your radio.
18 You sign for that radio.
- 19 Q. Okay. And how many channels do you have?
- 20 A. We got channels, but we only talk on one channel.
- 21 Q. Okay. What channel is that?
- 22 A. Channel 2.
- 23 Q. And who's on that channel?
- 24 A. Track guys, ETs, maintainers. That's all I remember.
- 25 Q. You can talk to the dispatcher?

- 1 A. Yes. Talk directly with the dispatcher. You can talk to
2 each other and the dispatcher, yeah.
- 3 Q. Can you hear the train traffic, train communication?
- 4 A. No. That's a different channel.
- 5 Q. Okay. So it's just the maintenance of way, maintainers --
- 6 A. Yeah, maintenance --
- 7 Q. -- and the dispatcher?
- 8 A. -- dispatcher, yes.
- 9 Q. Okay. Do you know what channel that -- what it's called?
10 What the channel's called or the --
- 11 A. What do you mean with that?
- 12 Q. Is it a Channel 2, MOW channel, or -- what does it --
- 13 A. The channel we talk?
- 14 Q. Yeah.
- 15 A. It's a P and S and TF.
- 16 Q. P and S --
- 17 A. Power, signal, and track and facilities.
- 18 Q. It makes sense when you say it like that.
- 19 MR. PAYAN: All right. That's all I have. Thank you. Thank
20 you, Turg.
- 21 MR. ACIKGOZ: Okay. Here we go.
- 22 BY MR. BACHMEIER:
- 23 Q. Okay. Turg, do you have anything you'd like to add to --
- 24 A. Oh, I can add (indiscernible), no.
- 25 Q. If we have any follow-up questions, okay to contact you?

1 A. Yes.

2 Q. Okay.

3 MR. BACHMEIER: On behalf of the NTSB and our entire group
4 here, thank you for your time and cooperation.

5 MR. ACIKGOZ: No problem.

6 MR. BACHMEIER: And this ends our interview. Thank you.

7 MR. ACIKGOZ: No problem.

8 (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: MULTIPLE FATALITIES TO PATCO
 CONTRACTORS ON BENJAMIN FRANKLIN BRIDGE
 IN CAMDEN, NEW JERSEY
 ON OCTOBER 14, 2022
 Interview of Turgay Acikgoz

ACCIDENT NO.: RRD23FR001

PLACE: Philadelphia, Pennsylvania

DATE: October 17, 2022

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.



Kay Maurer
Transcriber