

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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NEW JERSEY TRANSIT TRAIN #1614

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ACCIDENT AT HOBOKEN TERMINAL

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Accident No.: DCA16MR011

AT HOBOKEN, NEW JERSEY

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ON SEPTEMBER 29, 2016

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Interview of: THOMAS GALLAGHER

Chatham, New Jersey

Wednesday,  
January 25, 2017

## APPEARANCES:

JAMES SOUTHWORTH, Investigator in Charge  
National Transportation Safety Board

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National Transportation Safety Board

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<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Thomas Gallagher:		
By Mr. Bucher		5
By Dr. Jenner		12
By Mr. Flynn		16
By Mr. Parkin		21
By Mr. Southworth		22
By Dr. Webster		24
By Dr. Jenner		27
By Mr. Parkin		28

I N T E R V I E W

(10:15 a.m.)

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2  
3 MR. BUCHER: This is Dave Bucher, rail accident investigator  
4 for the National Transportation Safety Board. And this is a  
5 follow-up interview with Mr. Thomas Gallagher, locomotive engineer  
6 for New Jersey Transit. The interview -- follow-up interview is  
7 relative to the Hoboken, New Jersey accident that occurred on  
8 September 29, 2016. The time is approximately 10:15, and it's  
9 January 25th, 2017.

10 Purpose of this investigation is to increase safety, not  
11 assign fault, blame or liability; however, NTSB cannot guarantee  
12 confidentiality of the interview because they're going to put that  
13 in the docket. A transcript will go in the public docket.

14 The interviewee can have one representative, and it's  
15 Mr. Arseneault this morning. And it can -- he may be an attorney,  
16 which Mr. Arseneault is. However, he may not testify during the  
17 interview.

18 We'll go around the table. To my left --

19 DR. JENNER: I'm Stephen Jenner, S-T-E-P-H-E-N, J-E-N-N-E-R,  
20 with the NTSB.

21 MR. SOUTHWORTH: Jim Southworth, S-O-U-T-H-W-O-R-T-H. I'm  
22 the investigator in charge for the Hoboken accident.

23 MR. FLYNN: Ed Flynn, F-L-Y-N-N. FRA Region 1.

24 MR. PARKIN: Bruce Parkin, P-A-R-K-I-N. FRA Region 1.

25 MR. GALLAGHER: Thomas Gallagher, locomotive engineer, New

1 Jersey Transit.

2 MR. BUCHER: Spell your last name.

3 MR. GALLAGHER: G-A-L-L-A-G-H-E-R.

4 MR. ARSENEAULT: And Jack Arseneault, counsel for Tom  
5 Gallagher. A-R-S-E-N-E-A-U-L-T.

6 MR. BUCHER: Thank you.

7 INTERVIEW OF THOMAS GALLAGHER

8 BY MR. BUCHER:

9 Q. Tom, as we discussed briefly earlier, the purpose of the  
10 follow-up is to gather additional facts that you may have  
11 remembered since our first interview immediately following the  
12 accident. So I guess I'll open it up and let you speak to  
13 whatever you might have thought about or remembered since our  
14 first interview. And anything that pops into your mind concerning  
15 the trip that day, after the -- through the accident and after the  
16 accident, we're interested in all that information. And then, you  
17 know, following that, we'll just go around the table and ask some  
18 questions.

19 A. All right. I'm not sure I can really add anything. I  
20 reviewed the transcript from the first interview as recently as  
21 last night. And I was looking at it, and actually there was  
22 details in there that I -- it kind of refreshed my recollection.  
23 Other than what was already previously asked and answered, I'm not  
24 really sure I can add much at this time to what was previously  
25 stated.

1 Q. Okay, Dave Bucher again. And that's great. I mean, that's  
2 fine. What we'll do then, because we have looked at the event  
3 recorder in a preliminary part -- it hasn't been put in the docket  
4 yet, but it will be. So we'll go -- I have a set of questions  
5 that we came up with, and then we'll just go around the table.  
6 How's that sound?

7 A. Let's go. Sure.

8 Q. Okay. In your own words, could you briefly explain the  
9 throttle operation of the Comet V control car?

10 A. Okay. The Comet V cab car, which was the one that was -- I  
11 was operating that day at the time of the accident -- I don't  
12 remember the car number. It started with a 6. I don't remember  
13 the number. It has a desk-type control, and the throttle position  
14 would be just a little bit in front of my left arm. It is a short  
15 little stick. It has a round knob on top. And then it has  
16 throttle positions 1 through 9, I believe, and you pull it towards  
17 you to accelerate the train.

18 Q. Okay. Okay. Great, great. And as a follow-up question, I  
19 guess, based on the interview before, did you get -- I guess, have  
20 you remembered more about when you placed the train into emergency  
21 as you came into the station, possibly?

22 A. I don't recall putting the train into emergency. I was told  
23 that the train was placed into emergency. My speculation is that  
24 when I was thrown forward from hitting the block, that my arm --  
25 because usually I run my train with both hands on the controls.

1 Some engineers choose to use one. I usually have one hand on the  
2 throttle and one hand on the brake handle.

3 This particular cab car, the Comet V, has an EPIC brake  
4 handle and an EPIC brake system. And it is a large handle, and to  
5 put the train in emergency, you push it completely forward away  
6 from the engineer. My thought is, my speculation is, is that the  
7 force of the crash into the bumping block threw me forward. And  
8 if my hand was still on that brake handle, it would have been  
9 thrown forward, thus placing the train into emergency. But I do  
10 not recall actually doing that myself, to be frank with you.

11 Q. Okay. Okay. A little more about as the train approached,  
12 and I guess this is in that area where you can't remember a whole  
13 lot. But do you remember ever getting out of the seat for any  
14 reason as you came into the station?

15 A. Oh, no. No.

16 Q. No? Okay. Okay, the event recorder shows you were -- you  
17 went to the fourth notch power as you approached the station,  
18 okay? Do you remember doing that part as you came in, or is  
19 that --

20 A. No, I do not.

21 Q. Okay.

22 A. No. My recollection still, even as I -- like I said, I  
23 reviewed the transcript last night. We were coming in with the  
24 train. We were fully loaded. We had four cars. We were 6,  
25 approximately 6 minutes late. We were coming in on Track 5. I

1 remember coming in. Everything was -- you know, other than being  
2 late it was, it was a normal morning. I could clearly see the end  
3 of the track, the bumping block. Track 6, which normally had a  
4 train on it, was empty that day. That was the only thing I  
5 thought that was out of the ordinary.

6 I blew the horn once long, which is what you're supposed to  
7 do per the rule. I rang the bell, which you pull a little red  
8 knob towards you to ring the bell. And I remember looking at my  
9 watch. We were still 6 minutes down, which is what we left  
10 Secaucus, 6 minutes down. And, you know, we were a distance, a  
11 good distance, away from the block. And that's it. And I really  
12 wish I could remember more. I don't.

13 Q. Okay, okay. Do you remember if the cab signal alarm went off  
14 just before entering the station?

15 A. No, I don't recall.

16 Q. Okay. And this is a question for almost like for afterwards.  
17 Because we went into the cab and got your bag for you and got it  
18 out, and we collected everything that was in the cab. Do you  
19 usually operate with the -- your paperwork, like, your run  
20 paperwork in the operating cab on the desk or anything?

21 A. Yes. That's my norm. And a schedule.

22 Q. And a schedule. Okay.

23 A. Yes.

24 Q. Okay.

25 A. Yeah, the day's paperwork will be on the desk so I can easily



1 access it for anything that's out of service, a reminder for the  
2 -- any speed restrictions. There was two temporary speed  
3 restrictions that particular morning. And then, in a Comet V cab  
4 car, my bag will always be to my left and on the floor.

5 Q. Okay.

6 A. Unless for some reason the floor would be wet, and then I'll  
7 hang it on a hook. But that was not the case that day. It was on  
8 the floor.

9 Q. Okay. If you want to take a break --

10 A. No. I'm fine.

11 Q. No, I --

12 A. Yeah.

13 Q. If I didn't say that --

14 A. Oh, yeah.

15 Q. -- you're more than welcome. Okay.

16 A. I'm not shy, Dave.

17 Q. And this is also based on our collection of your personal  
18 effects in the cab. Do you keep any personal effects out of your  
19 backpack while you're on a run, per chance?

20 A. What would an example be? What do you mean?

21 Q. I don't know. Like your sunglasses or your -- anything like  
22 that.

23 A. No, no. I wear safety glasses. That day I was wearing  
24 shaded safety glasses. But no, no personal effects. My cell  
25 phone was tucked away.

1 Q. Right.

2 A. The keys to my car were tucked away in my bag. So no, no  
3 personal effects.

4 Q. Okay, that's cool.

5 A. Other than a coat.

6 Q. And just a follow-up question. Your coat, was that hanging  
7 on the back of the cab on one of the hooks, or do you remember  
8 where that was --

9 A. I don't remember if I had a coat that day.

10 Q. Okay. Do you remember stowing anything in your grip prior to  
11 arriving in Hoboken? Like, you know, putting things in the grip  
12 as you came Seacaucus or --

13 A. No.

14 Q. Okay.

15 A. No.

16 Q. Based on the initial interview, you stated that you like to  
17 put your backpack down between the tracks or -- okay. Could you,  
18 I guess, elaborate on that, how you normally do it as opposed to  
19 this day when there was no train there?

20 A. Oh, okay. That particular day, my assignment, we were  
21 running one roundtrip and we had a yard move. So basically after  
22 that train, Train 614, would arrive on, typically, Track 5, like  
23 it did that day. We would discharge all the passengers. Then the  
24 conductor would then go through the train, making sure that the  
25 train was empty. And then we would then take the train, the

1 conductor and I, out into the yard. And then the train would then  
2 stay in the yard for a period of time during the day. And then  
3 from the yard, the conductor and I would walk back into the  
4 terminal and then we would go on our break.

5 Q. Okay.

6 A. Now the bag that I have is a backpack and it's rather heavy.  
7 So rather than carry it all the way in from the yard over ballast  
8 and sometimes rough terrain, I would leave -- there was a grate at  
9 the end of Track 6. And I would put my bag kind of in a hidden  
10 spot there on the grate. It's out of sight of the passengers or  
11 anyone walking through the terminal. In this day and age of  
12 terrorism and problems, it's an unattended bag. So we don't want  
13 to draw any suspicions or any type of -- you know, have anyone  
14 suspect that there's something wrong with that. So I would leave  
15 that there on Track 6, and it was always a little more not in the  
16 open, if there's a train there on 6. And that train wasn't there  
17 that day.

18 Q. Okay. Okay, yeah. And you said that -- that kind of  
19 explains your statement the first time around. I mean, was there  
20 -- did it bother you that day that you couldn't -- that you had to  
21 carry it back that day or any -- did that --

22 A. No, no.

23 Q. -- that you were preparing to do that. I guess we're looking  
24 for just, you know, anything that would have affected the trip.

25 A. No, no. That had nothing to do with it at all.

1 MR. BUCHER: Okay. All right, I think that's all I have for  
2 now, and we'll just go around the table. Dr. Jenner?

3 BY DR. JENNER:

4 Q. Yeah. Steve Jenner. Just a few follow-ups. I'm going to  
5 jump around a bit. You described operating the Comet V. You  
6 would pull the throttle back --

7 A. Towards you.

8 Q. -- towards you to accelerate. In order to move it forward,  
9 did you have to lift it up first, then move it forward?

10 A. On some models, yes. There's a little -- I guess you'd call  
11 it a notch built into that knob. Over time, that notch has worn  
12 out on many of the units and they just, they are -- you no longer  
13 have to lift anymore. They just move rather smoothly. I don't  
14 recall on that cab car what the condition of the knob was.

15 Q. Does it make a difference to you when you're operating the  
16 train if you have to lift or versus if it's a smooth transition?

17 A. No. It's just something that, you know, as someone that's  
18 operating the train, you just notice.

19 Q. Okay. During the first interview, you -- and just a moment  
20 ago we talked about there was no train on Track 6. So you noticed  
21 that when you were coming into the shed, I think in your first  
22 interview, that, well, there's no train. Do you use that train --  
23 if there were a train there, do you use that to help you guide  
24 your approach in, in terms of when you begin braking or any other  
25 type of operations?

1 A. No, I don't believe so. You could. You could look at it and  
2 gauge, well, gee, there's two cars and so I know, wow, I'm two  
3 cars from the block. But it was a clear day. The lighting was  
4 good. There was no issue.

5 Q. Okay. So that train being there versus not being there, in  
6 terms of operations of other things, did that affect your  
7 movement?

8 A. No, it didn't affect, I don't think, anything. I just -- I  
9 remember me trying to, you know, recall as much as I could during  
10 my first interview, and that was a detail that I just happened to  
11 remember. And it was, you know, unique that that track was empty  
12 that day. Just one of the slight differences of that day. I  
13 don't think it had anything to do with the accident whatsoever.

14 Q. Okay, thank you.

15 In the first interview, we talked about operating through the  
16 territory, and you had described there were a lot of grade  
17 crossings.

18 A. On the Pascack Valley line, yes.

19 Q. Right. Are those both protected and unprotected?

20 A. They're all -- for the -- yeah, they're all protected.  
21 Gates, bells, lights. And there's more than 60 of them on the  
22 line.

23 Q. Right.

24 A. That's the challenge of running the Pascack Valley line.

25 Q. Now you -- there's a certain sequence of horn blows that

1 you're required to do before you reach the crossings; is that  
2 correct?

3 A. Yes.

4 Q. Can you just describe --

5 A. Two longs, a short, and then a long for each crossing.

6 Q. Okay. Now given that there's so many crossings, is it a  
7 challenge to execute that sequence before you reach each crossing?

8 A. As a young inexperienced engineer, that would be a problem,  
9 because you're coordinating your hands, speed, bell, the horn.

10 But as someone with my experience -- I've been running trains for  
11 well over 17 years -- it was something -- and I've been very  
12 familiar with that line. I worked for an extended period on that  
13 line. It's just something you get used to. And it was not a  
14 problem or an issue at that time, the day of the accident.

15 Q. I'm sorry. At the end you just said the day of the accident  
16 it was not an issue. So in terms of your recollection, you were  
17 on top of things. You were blowing the horn, proper sequence at  
18 the proper time?

19 A. Yes.

20 Q. Okay. Are there days that affect that? You know,  
21 environmental conditions or darkness or rain or anything that may  
22 affect that?

23 A. Well, if you have an express train, you're going to blow the  
24 horn differently than if you're a local train like I was that day.  
25 That would be one thing that would come to my mind.

1 Q. How long do you think -- and just an estimate. For a new  
2 engineer just starting off, before they're comfortable operating  
3 over that line and making appropriate station stops and blowing  
4 horns at the right time, is it a matter of months or years before  
5 you really gain the confidence?

6 A. Well, I can't speak for other engineers. Speaking for  
7 myself, you know, I had train handling for over 10 months as a  
8 student engineer under the direction of a fully promoted engineer.  
9 And running that line, it was difficult as a student. But like I  
10 said, with repetition, with experience, you know, I got better,  
11 more comfortable with it. And like I said, as far as the day of  
12 the accident, that wasn't an issue at all.

13 Q. Great. I think you also had discussed that you, pre-  
14 departure, you had met your brakeman, who you had some casual  
15 conversations with.

16 A. Yes. Tom Dugan is the rear brakeman. Mark Mari was my  
17 conductor.

18 Q. Right. And do you -- I don't know if we asked you about the  
19 content of those conversations. And you may have talked about a  
20 football game, you know, pre-departure and --

21 A. I don't remember what we talked about that morning, other  
22 than -- we got in, all three of us were on time to work. We had a  
23 quick job briefing. We went over the paperwork. Tom Dugan and I  
24 went out into the yard without the conductor. We did -- we  
25 performed our brake test. We waited for the other trains in front

1 of us to leave. Mark had to line at least one switch, if I  
2 remember correctly, that morning. So he was in front of us on the  
3 ground. He lined us, and then we pulled up and picked him up.  
4 And we hung out for a period of time, a few minutes. And then we  
5 departed Woodbine Yard and began our -- excuse me -- we began our  
6 run.

7 Q. So you don't recall anything work-related that the two of you  
8 exchanged that -- be aware of this; here's -- I just found out  
9 that we have a new speed order, a speed restriction, or anything  
10 that changed your operations?

11 A. No. The only thing that changed our operation, and we  
12 discussed it, and it was an ongoing discussion for the previous --  
13 at least over a week, we were short a car. And that was a  
14 concern. You know, the guys were rolling their eyes. Oh, gee,  
15 you know, we're going to be asses to elbows again with people.  
16 And that was what I remember.

17 DR. JENNER: Very good. Thank you.

18 That's what I had for now. We'll go around.

19 MR. FLYNN: Ed Flynn, FRA Region 1, F-L-Y-N-N.

20 BY MR. FLYNN:

21 Q. Okay, Mr. Gallagher, if you could, if we go back to the  
22 throttle operation, you said this type equipment requires that the  
23 handle be lifted so it can be moved and reposition the throttle?

24 A. Yes.

25 Q. Could you explain that again to me?



1 A. All right. You have a desk in front of you.

2 Q. Right.

3 A. It's on -- to your left. It's a small stick, I would say. I  
4 don't know, no more than 6 inches tall.

5 Q. Right.

6 A. At the top is a little black ball. It's all metal.

7 Q. Right.

8 A. And you have a -- I guess it's a slot that it fits into, and  
9 then there's numbers 1 through 9, and there's also a -- I guess  
10 it's zero. And that's the neutral position, if you want the train  
11 to coast.

12 Q. Right.

13 A. So the train would normally be in, especially in the yard,  
14 would be in neutral. You have to then lift that knob to then pull  
15 it towards you to actuate it to then take throttle.

16 Q. Right. Okay. On that particular day, on 9/29/16, that  
17 equipment, that cab car that you were operating, as you were  
18 operating that from Spring Valley, New York, did you have to lift  
19 that handle to move that throttle position on that equipment?

20 A. I don't remember.

21 Q. You don't remember operating the throttle throughout that  
22 day, throughout that train movement?

23 A. No, I don't remember if I had to -- some of them, like I  
24 indicated, some of these throttles, as they've aged, on certain  
25 Comet V's --

1 Q. Right.

2 A. -- no longer require you to lift it. I don't recall if that  
3 was one of them.

4 Q. Okay. Also, could you explain -- in your first -- I read the  
5 transcript. I wasn't at the first interview, but I read the  
6 transcript numerous times. And one thing that we -- I saw in the  
7 transcript was that you considered it important that there was no  
8 train on Track 6. Could you explain that to me, why you  
9 considered that important?

10 A. I don't think it was necessarily important. It was just  
11 something that was different that day.

12 Q. Yeah, I mean, you quoted in the first -- that's why I'm  
13 questioning. Because you quoted yourself that it was important.  
14 Why was it important to you that day?

15 A. It just simply meant that I'd have to do something different  
16 with my bag, that's all.

17 Q. Okay. And what was your normal routine with your bag? What  
18 would you do every -- is that your normal move with that train, to  
19 come into Hoboken on 5 and --

20 A. Only on, I guess it was Thursdays and Fridays with that  
21 assignment. It was only 2 days a week.

22 Q. Okay. On those 2 days a week, what was your normal routine  
23 with that train movement coming into Hoboken?

24 A. You park the train.

25 Q. Right.

1 A. Discharge the passengers.

2 Q. Right.

3 A. I would then change ends. Go up to the locomotive, from the  
4 cab car to the locomotive, other end of the train, the west end of  
5 the train. The conductor would walk through, make sure the train  
6 was empty.

7 Q. Right.

8 A. And then we would go out into the yard.

9 Q. And what would you do with your bag? Take it with you or --

10 A. No, my bag -- when I got off the cab car --

11 Q. Right.

12 A. -- I would then go to the east end of Track 6, put my bag  
13 behind a little bit of a -- a little barrier --

14 Q. Right.

15 A. -- on a grate.

16 Q. Okay.

17 A. And then I would walk west to the engine.

18 Q. So that was your normal move. You would normally take that  
19 bag and move it there. And there was a concern then that, because  
20 there was no train on Track 6, that you couldn't do that? Is that  
21 what --

22 MR. ARSENEAULT: Just stop that, please.

23 MR. FLYNN: Yeah.

24 MR. ARSENEAULT: Go off the record.

25 MR. FLYNN: Yeah.

1 (Off the record.)

2 (On the record.)

3 MR. BUCHER: Okay, Dave Bucher. We're back from break.

4 BY MR. FLYNN:

5 Q. Okay, just to rephrase the question --

6 MR. BUCHER: Name again.

7 MR. FLYNN: Name is Ed Flynn, F-L-Y-N-N, FRA Region 1.

8 BY MR. FLYNN:

9 Q. To rephrase the question, then. Was there a concern that the  
10 train was not there on Track 6? Were you concerned about that?

11 A. No.

12 Q. And where did you first realize that there was no train on  
13 Track 6? What was the position of the F end of the train when you  
14 realized that?

15 A. We were at the very western end of Track 5's train shed.

16 Q. Did you enter the train shed already when you noticed that?  
17 Was the train under the train shed?

18 A. No.

19 Q. Was it just entering under the train shed?

20 A. Yes.

21 Q. Okay. So it would be -- is it correct to say, then, that the  
22 train was at the very west end of the train shed when you noticed  
23 that Track 6 was empty?

24 A. Yes.

25 Q. Okay. All right. And what was the position of the throttle

1 when you entered the train shed?

2 A. I don't -- I don't know now. I don't, I don't know.

3 Q. Well, you stated in the first -- numerous times in the first  
4 interview that it was --

5 MR. ARSENEAULT: We're going to take a break.

6 MR. FLYNN: Yeah, let's take a break.

7 (Off the record.)

8 (On the record.)

9 MR. BUCHER: Okay. This is Dave Bucher and we're back from  
10 break. And we're going to -- we're back with Ed Flynn asking a  
11 couple more questions. Go ahead, Mr. Flynn.

12 MR. FLYNN: Yes. Ed Flynn, FRA Region 1, F-L-Y-N-N.

13 BY MR. FLYNN:

14 Q. Mr. Gallagher, was there anything that was bothering you that  
15 day, either prior to or during the train movement, Train 1614, on  
16 that day, 9/29/16?

17 A. No. No. The only thing I would say was that we were simply  
18 -- the frustration of being a car short for yet another day.

19 MR. FLYNN: Okay. Thank you.

20 MR. PARKIN: Bruce Parkin, FRA.

21 BY MR. PARKIN:

22 Q. Tom, so you were approaching the shed, and as you explained  
23 in the first interview, you noticed you were still 6 minutes  
24 late --

25 A. Yes.

1 Q. -- looked at your speedometer. You rang the bell and blew  
2 the horn. After that, what's the very last thing you recall?

3 A. I recall the train was moving. We were heading east towards  
4 the block. We were at the west end of Track 5. And that's it.  
5 Then there's a period that passes, and the next thing I know, I  
6 hear a loud crashing sound, like a boom. And I remember looking,  
7 and then I see debris coming towards me. And I blacked out.

8 Q. To the best --

9 UNIDENTIFIED SPEAKER: Did (indiscernible) -- I'm sorry. Go  
10 ahead.

11 BY MR. PARKIN:

12 Q. To the best of your recollection, approximately how far away  
13 from the bumping post were you, at what you just described as the  
14 last thing you recalled?

15 A. I know in my first statement I said 100 yards. It was more  
16 than 100 yards, as was pointed out by Fred Mattison later on. I  
17 don't know, but it was over 100 yards.

18 Q. In car lengths, could you give us a description? Was it 2  
19 car lengths, 2½ car lengths? Do you recall?

20 A. It was more than that, but I can't -- no, I don't recall that  
21 specifically anymore.

22 MR. PARKIN: Okay. That's all.

23 BY MR. SOUTHWORTH:

24 Q. Jim Southworth, NTSB. Just a quick follow-up. I know you  
25 testified before and we've got all that information. I put out

1 information periodically during an accident investigation. We put  
2 out some preliminary information about the event recorder. And  
3 you recalled being at 10 miles per hour, and the event recorder --

4 A. Yes.

5 Q. -- event recorder -- preliminary data from the event recorder  
6 shows 8, so we're right in that area. What I'd like to know is,  
7 at that point -- and this is where you do recall and then don't  
8 recall the rest, but at that point, and you were at 10, was it  
9 slowing down, speeding up? And if it was slowing down or speeding  
10 up, what would you do?

11 A. No, my recollection was we were doing 10 and the throttle was  
12 in neutral.

13 Q. Okay.

14 A. And I had blown the horn once and the bell was ringing.

15 Q. Yeah, I got the horn, and I got the bell. But that's fine.  
16 I just wanted to know if there was anything more to it, was it  
17 speeding up or slowing down. You said no. That's fine.

18 A. No. My recollection was we were coasting.

19 MR. SOUTHWORTH: Okay. Great. Thank you.

20 MR. BUCHER: Dave Bucher. I don't have any more questions at  
21 the moment.

22 DR. JENNER: I do not have any more questions. Steve Jenner.

23 MR. SOUTHWORTH: No. I don't. Jim Southworth.

24 MR. FLYNN: No.

25 MR. PARKIN: No.

1 MR. BUCHER: Okay, what we'll do is call Dr. Webster.

2 UNIDENTIFIED SPEAKER: Dr. Webster. Sure.

3 MR. GALLAGHER: Okay.

4 MR. BUCHER: Yeah.

5 UNIDENTIFIED SPEAKER: I'm going to pause the mics.

6 MR. BUCHER: We're going to take a quick break.

7 (Off the record.)

8 (On the record.)

9 DR. WEBSTER: Nicholas --

10 MR. BUCHER: Wait a second.

11 DR. WEBSTER: -- Webster.

12 MR. BUCHER: Give me -- okay, could you restart it over  
13 again? I got them started.

14 DR. WEBSTER: Again, for the record, this is Dr. Nicholas  
15 Webster, W-E-B-S-T-E-R. And just a -- thanks for taking time to  
16 talk to us.

17 BY DR. WEBSTER:

18 Q. Mr. Gallagher, I was -- just wanted to make sure that you're  
19 doing okay today, and hoping that -- I read the record from your  
20 sleep apnea studies, and hoping the studies -- the CPAP is going  
21 well.

22 A. Yes, it is, and thank you for your concern.

23 Q. Wonderful. I understand how the CPAP works and understand  
24 the importance of being well-treated.

25 When I was reviewing the records that Mr. Arseneault sent to



1 me that were the records regarding your sleep evaluation --

2 A. Yes.

3 Q. -- I was looking over the notes the physician had written on  
4 his physical examination. And part of the -- in the notes, he  
5 said, during the examination, the physician noted that you had had  
6 some surgery on your soft palate at some time. Didn't clarify  
7 that. And I wondered if you could clarify the surgery that you  
8 had on your soft palate for us?

9 A. I had -- yes, I had surgery on my soft palate. It was part  
10 of a -- I had a deviated septum, and I was being treated for that.  
11 The origin of the problem, I had come home on a plane from a  
12 vacation, and my ear would not pop as the plane was descending  
13 into Newark. And so my ear did not pop, and I had a lot of  
14 pressure in my head. And I went to see a Dr. Freifeld in  
15 Millburn, New Jersey -- he's an ear, nose and throat specialist --  
16 for that problem. And at that time, when he manually manipulated  
17 my eardrum to release the pressure, he examined me and he told me  
18 I had a badly deviated septum, which was causing that problem.  
19 And he suggested surgery to correct it.

20 Q. Very good. When was that surgery?

21 A. That I can't recall. It was more than 5 years ago.

22 Q. Okay. Any problems past -- after the surgery?

23 A. No.

24 Q. Did that resolve your issues with the ear blocks?

25 A. Yes.

1 Q. Okay. And so let me just confirm this. As part of the  
2 surgery, because of your congestion and blocked eardrums, the --  
3 you had surgery to repair the deviated septum, and they also did  
4 palatoplasty and took the uvula off a little bit. And since that  
5 time, you've had no problems; is that a correct summary?

6 A. Yes, yes. They clipped my uvula.

7 Q. Okay. All right. Well, I appreciate you clearing that up.  
8 That's one of the things I needed to know.

9 And one other thing that I had noticed -- well, that concerns  
10 me, is that obviously you had a period where you don't remember  
11 what happened for a period of time coming into the station. Since  
12 you've been treated with the CPAP and it's -- or any time since  
13 the accident, have you experienced similar symptoms?

14 A. Of lack of memory of an incident? Loss of time? Is that  
15 what you're asking?

16 Q. Yes, sir.

17 A. No, I haven't.

18 Q. Okay. I just wanted to see if everything was doing well. Do  
19 you have any questions for me? Those are the two questions I had  
20 for you, and I was wondering if you had any questions for me.

21 A. No, not at this time.

22 DR. WEBSTER: Okay. Any other questions medically related  
23 for anybody else in the room?

24 DR. JENNER: I do. Steve Jenner.

25 DR. WEBSTER: Thank you, Steve.

1 BY DR. JENNER:

2 Q. Yeah, could you talk to us a little bit about life with the  
3 CPAP for you?

4 A. Okay. I go to bed. I have a full-face mask. There's  
5 different types of CPAPs. Mine is a full mask. It covers my nose  
6 and my mouth. And it has a built-in humidifier, so I have to put  
7 water into the machine before bed on a daily basis. And it's Wi-  
8 Fi-enabled. It's great. My doctor can check my progress at any  
9 time. He can confirm that I'm using it as opposed to not using  
10 it. I use it every day since I've gotten it, and the record will  
11 show that from my doctor. And that's it. I use it and I sleep  
12 better with it, and my wife's happier because I don't snore.

13 Q. Okay. Has it affected the -- I think you just alluded to it.  
14 Did overall quality of life improve?

15 A. Well, the quality of my sleep and my wife's sleep has  
16 definitely improved.

17 Q. Right.

18 A. The quality of my life, it's arguable because I'm out of work  
19 right now.

20 Q. I understand. I'm not sure if we talked about daytime  
21 sleepiness in the past, but is -- what other improvements have you  
22 seen? Has daytime sleepiness been reduced?

23 A. Yes, yes. I am much more peppy throughout the day, and I  
24 feel better. I don't know if it's simply because of the CPAP or  
25 also because my other injuries from the accident have improved as

1 well. But as I sit here today -- you know, you last interviewed  
2 me on October 1st. I feel much, much better than I did at that  
3 time.

4 DR. JENNER: Okay, that's good to hear. Thank you.

5 UNIDENTIFIED SPEAKER: I have a question.

6 MR. BUCHER: Okay, well --

7 UNIDENTIFIED SPEAKER: I don't know if it's appropriate or  
8 not.

9 MR. BUCHER: Can we take a break?

10 MR. GALLAGHER: Sure.

11 MR. BUCHER: Okay, we're going to take a break here, guys.

12 (Off the record.)

13 (On the record.)

14 MR. BUCHER: Okay, this is Dave Bucher and we're back from  
15 break and --

16 UNIDENTIFIED SPEAKER: Any follow-up questions.

17 MR. BUCHER: -- any follow-up questions for the group around  
18 the table?

19 MR. BUCHER: We've got Bruce with one more follow-up  
20 question?

21 MR. PARKIN: Yes.

22 BY MR. PARKIN:

23 Q. Actually, it's based on what was just discussed. Tom, you're  
24 required under NJT rules to take a physical -- is it annually?

25 A. Yes, in the month of my birth.

1 Q. And what month would that be?

2 A. July.

3 Q. Okay. So do you recall taking your physical this past July?

4 A. Yes.

5 Q. Okay. And even in previous ones, do you recall taking them  
6 each year?

7 A. Yes.

8 Q. Okay. And can you tell us, with July and any previous  
9 physicals that you took, this was with a company doctor, NJT  
10 company doctor?

11 A. Yes.

12 Q. Okay. Do you recall any questions being asked or any forms  
13 that you had to fill out or you were asked questions off of that  
14 would ask you about any type of sleeping disorders, about your  
15 sleeping habits, your snoring or anything else?

16 A. In previous years leading up to this one, no. This year --  
17 and I was trying to remember. When I was in with the doctor, the  
18 doctor this year was new. He was a different doctor than I'd been  
19 seeing, and I was seen in Hoboken. New Jersey Transit has  
20 -- you can be seen in Hoboken or you can go to Maplewood, to the  
21 office in Maplewood where Medical Service is located. And those  
22 are the two places I've been examined over the years.

23 This particular year, 2016, I was in Hoboken with a new  
24 doctor. I don't recall his name. He was very, very thorough in  
25 his examination, the physical examination. And he had a checklist

1 in front of him. He was asking me questions about sleep habits  
2 and such. And I did not get to see it, and I was struggling to  
3 remember, did I -- you have to fill out as an employee, you have  
4 to fill out all these forms as part of your physical. You know,  
5 your name, and then they have a whole detailed questionnaire, you  
6 know, medical conditions, you know -- you have to check yes or no  
7 and fill in things. It's several pages long. And I was trying to  
8 remember was there a questionnaire with sleep, and I can't say  
9 with certainty.

10 Q. Okay. During the examination -- so you don't recall you  
11 filling out any questionnaires in that regard?

12 A. I can't, I can't recall.

13 Q. Okay.

14 A. But I do remember the doctor verbally asking me questions  
15 with a checklist, you know, about sleep, and do you feel daytime  
16 sleepiness? Do you take naps? And like I said, we had a  
17 discussion, and it concluded with me passing. The only  
18 restriction I had, I have to wear corrective lenses, which is as  
19 always. And he advised me to lose weight, which is not uncommon,  
20 you know, for a doctor to recommend to a patient.

21 Q. And those were the only two recommendations?

22 A. That was it.

23 Q. And nothing discussed as far as -- anything to do with any  
24 sleep disorders?

25 A. Correct.

1 Q. Okay.

2 MR. PARKIN: I have no further questions right now.

3 MR. BUCHER: Okay, that -- we'll go look around. I see  
4 nobody else with any additional questions, so that concludes the  
5 follow-up interview of Mr. Gallagher.

6 (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:           NEW JERSEY TRANSIT TRAIN #1614  
                                  ACCIDENT AT HOBOKEN TERMINAL  
                                  AT HOBOKEN, NEW JERSEY  
                                  ON SEPTEMBER 29, 2016  
                                  Interview of Thomas Gallagher

DOCKET NUMBER:           DCA16MR011

PLACE:                      Chatham, New Jersey

DATE:                        January 25, 2017

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.

---

Eileen Gonzalez  
Transcriber