

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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COLLISION OF AMTRAK SPECIAL TRAIN *

P0923 31 AT THE HIGHWAY-RAIL GRADE *

CROSSING AT LANETOWN ROAD IN *

Accident No.: HWY18MH005

CROZET, VIRGINIA, JANUARY 31, 2018 *

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Interview of: STEPHEN LEE KENNEY

Omni Hotel
Charlottesville, Virginia

Thursday,
February 1, 2018

APPEARANCES:

GEORGETTA GREGORY, Operations Group Chairman
National Transportation Safety Board

DENNIS COLLINS, Human Performance Group Chairman
National Transportation Safety Board

JOHN RANSCHAERT, Operating Practices Inspector
Federal Railroad Administration, Region II

DAVE KANNENBERG, Regional Administrator
Federal Railroad Administration, Region II

BILL MITCHEM, Superintendent of Operations
Buckingham Branch Railroad

GARY SMITH, Chief Engineer
Buckingham Branch Railroad

THERESA IMPASTATO, Deputy Chief Safety Officer
Amtrak

JOE MORRIS, Superintendent of Operations
Amtrak, Central Region

WILLIAM BATES
SMART National Transportation Safety Team

RANDY FANNON, Safety Task Force
Brotherhood of Locomotive Engineers and Trainmen (BLET)

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I N T E R V I E W

1
2 MS. GREGORY: Okay. My name is Georgetta Gregory. I am the
3 NTSB Operations Group Chairman for the railroad portion of this
4 accident.

5 We are here today on February 1st, 2018, at the Omni Hotel in
6 Charlottesville, Virginia, to conduct an interview with Stephen
7 Lee Kenney, who works for Amtrak as the Road Foreman of Engines.

8 This interview is in conjunction with the NTSB investigation
9 for Amtrak Train P94131 that struck a refuse truck at the highway
10 grade crossing at Longtown [sic] Road in Crozet, Virginia, on
11 January 31, 2018. The NTSB accident reference number is
12 HSW18MH016 [sic].

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

15 Before we begin our interview and questions, let's go around
16 the table and introduce ourselves. Please spell your last name,
17 who you are representing, and your title. I would like to remind
18 everyone to speak clearly so that we can get an accurate
19 recording. I'll start off and pass off to my right.

20 Again, my name is Georgetta Gregory. The spelling of my last
21 name is G-r-e-g-o-r-y, and I am the Operations Group Chairman for
22 this accident.

23 MR. BATES: William Bates, B-a-t-e-s, SMART, National
24 Transportation Safety Team.

25 MR. MITCHEM: Bill Mitchem, M-i-t-c-h-e-m, Buckingham Branch

1 Railroad, Superintendent of Operations.

2 MR. SMITH: Gary Smith, S-m-i-t-h, Buckingham Branch
3 Railroad, Chief Engineer.

4 MS. IMPASTATO: Theresa Impastato, I-m-p-a-s-t-a-t-o, Deputy
5 Chief Safety Officer with Amtrak.

6 MR. MORRIS: Joe Morris, Superintendent of Operations with
7 Amtrak Central Region, M-o-r-r-i-s.

8 MR. FANNON: Randy Fannon, BLET, Safety Task Force,
9 F-a-n-n-o-n.

10 MR. KANNENBERG: Dave Kannenberg, Federal Railroad
11 Administration, Regional Administrator, Region II.

12 MR. COLLINS: Dennis Collins, C-o-l-l-i-n-s, NTSB, Human
13 Performance Group Chairman.

14 MR. KENNEY: Stephen Kenney, K-e-n-n-e-y, Road Foreman of
15 Engines, Amtrak Road Foreman of Engines, Huntington, West
16 Virginia.

17 MR. RANSCHAERT: John Ranschaert, R-a-n-s-c-h-a-e-r-t, FRA,
18 Operations Specialist, Inspector.

19 MS. GREGORY: Okay. Thank you.

20 Again, Mr. Kenney -- may I call you Steve?

21 MR. KENNEY: Yes, ma'am.

22 MS. GREGORY: Do we have your permission to record our
23 discussion today?

24 MR. KENNEY: Yes, ma'am.

25 MS. GREGORY: And you do understand that the transcription

1 will be a part of the public docket; as such, we cannot guarantee
2 confidentiality?

3 MR. KENNEY: Yes, ma'am.

4 MS. GREGORY: Okay. And as we go around and you ask your
5 questions, please announce your name clearly before you start your
6 questions. So I'm Georgetta Gregory, and I'm going to start off
7 the round of questions today.

8 INTERVIEW OF STEPHEN LEE KENNEY

9 BY MS. GREGORY:

10 Q. Steve, if you could just give us a little background, when
11 you started with Amtrak and how you progressed up to your current
12 position, that would be helpful.

13 A. I started with Amtrak April 8, 2013, as an assistant
14 conductor in Toledo, Ohio. A year later, promoted to conductor
15 and, shortly thereafter, went to engine school to become an
16 engineer in Toledo. I was an engineer in Toledo just under 2
17 years and I promoted to road foreman in Huntington July 31st of
18 2017.

19 Q. Thank you. So if you could just start off with your day
20 yesterday, and just walk us through in your words, what happened
21 when you got on the train -- just start off at the beginning of
22 your day up until the accident.

23 A. I did the conference call at 9:00 in the morning for Central
24 Region, East Road, and drove to the station with my engineer,
25 Shaun Young, Robert Shaun Young. We met the conductor,

1 Mr. Claytor, over there along with Superintendent Joe Morris,
2 Assistant Superintendent Jeremy Gates, and Special Duty
3 Trainmaster Dave Torres. And we -- the CSX -- there was a problem
4 with CSX orders, so I called Ken Gumz to try to get CSX orders.
5 We ended up getting them. I had a job briefing with everybody
6 that I just mentioned, and the train arrived around 10:50 in
7 Charlottesville, I think, and we left at 10:57 from
8 Charlottesville.

9 Q. So you got on the train at Charlottesville?

10 A. Yes, ma'am.

11 Q. And there's a passenger station there?

12 A. Yes, ma'am.

13 Q. And who else got on the train with you there?

14 A. It was just everybody that I just mentioned: myself; Shaun
15 Young, the engineer; and the conductor, Leonard Claytor;
16 Superintendent Joe Morris; Assistant Superintendent Jeremy Gates,
17 and that was it. Not Dave Torres. Dave Torres was driving a
18 vehicle.

19 Q. Okay. And can you tell us what happened between
20 Charlottesville and Crozet?

21 A. It was just -- I mean, as soon as we left, it was normal and
22 then, you know, between 11:15 and 11:20 sometime, I'm not sure,
23 that's when we saw the garbage truck drive around the gates. And
24 when I first saw it -- you know, if he would have kept going, he
25 would have made it past. He was going from north to south. But

1 he stopped either when he heard us blowing the horn or he slowed
2 down enough to where we impacted him.

3 Q. So when you saw him, were the gates in the down position?

4 A. I could tell the north side of the gates definitely were.
5 That's what I noticed.

6 Q. And that's the side he was coming from?

7 A. Yes, yes.

8 Q. And so he went around that gate, is that -- did I hear that
9 correctly?

10 A. Yes, ma'am. Yes. Myself and the engineer did witness that.

11 Q. And you said he stopped on the tracks?

12 A. He stopped or slowed down or something, because if he would
13 have kept going, he could have made it.

14 Q. And could you tell if the lights and bells were activated?

15 A. Yes, on the north side.

16 Q. And was the engineer sounding the horn?

17 A. Yes.

18 Q. And do you know when about he started sounding the horn?

19 A. Around the whistle post.

20 Q. Around the whistle post?

21 A. Um-hum.

22 Q. What else did you see?

23 A. I mean, I was watching it the whole time and, you know, as
24 soon -- when I knew impact was imminent, I got down, stay out of
25 the windshield, and I heard the engineer place the train in

1 emergency and next thing I know we're all on top of each other in
2 the back of the engine.

3 Q. Now where were you located?

4 A. I was sitting in the fireman's seat.

5 Q. Okay.

6 A. On the left-hand side of the engine.

7 Q. For our highway folks, the fireman's seat is on the left-hand
8 side?

9 A. Correct.

10 Q. Okay. Now this is your regular territory?

11 A. Yes, ma'am.

12 Q. And this engineer was assigned to you as one of your
13 engineers?

14 A. Yes, ma'am.

15 Q. Can you tell us a little bit about your interaction with the
16 engineer?

17 A. I mean, as far -- I've done his rides. I've rode on engines
18 several times with him. He's one of the best ones I got. He's
19 definitely one of the best ones I have. Sorry.

20 Q. So your -- so how would you describe his performance
21 yesterday?

22 A. By the book. Very good.

23 MS. GREGORY: That's all I have for right now. I'm going to
24 pass it to Willie Bates. Or, no, excuse me. I'm going to let
25 John go first, sorry, FRA.

1 MR. RANSCHAERT: John Ranschaert, FRA, Operating Practices
2 Inspector.

3 BY MR. RANSCHAERT:

4 Q. Can you verify the individuals -- we've got conflicting
5 reports of who was in the cab with you when the accident occurred.
6 Can you specify who exactly was in the cab?

7 A. Absolutely. It was myself; the engineer, Shaun Young; a
8 mechanical employee from Washington, D.C. named Mike Chase,
9 C-h-a-s-e; [REDACTED]

10 [REDACTED] That's all I know.

11 Q. Okay.

12 A. He didn't tell me his last name.

13 MR. RANSCHAERT: Okay. That's all I have for right now. I
14 just needed to clarify who was in the cab with you. I'll turn it
15 over to the next person.

16 MR. BATES: No questions.

17 MR. MITCHEM: I have no questions at this time.

18 MR. SMITH: Gary Smith, Buckingham Branch.

19 BY MR. SMITH:

20 Q. Did you notice how far the truck was into the crossing when
21 you first saw it?

22 A. When we first saw him, we saw him drive around the gate.

23 MR. SMITH: Okay. I have no other questions.

24 MS. IMPASTATO: Theresa Impastato, Amtrak.

25 BY MR. IMPASTATO:

1 Q. Are there any visibility issues with the grade crossing?

2 A. No. I mean, we could see him come around the gates. I mean
3 -- do you mean if it's on -- it is on a curve, but we could see
4 the truck because it was a garbage truck. So we could see the
5 truck. But as far as like if it was a normal vehicle, we might
6 have had a little difficulty seeing the vehicle at first.

7 Q. Approximately how far from the crossing did you see the
8 truck?

9 A. I'd say a little under a quarter mile, I would say.

10 Q. And when the engineer observed the truck, did he apply the
11 brakes?

12 A. No.

13 Q. When did he apply the brakes?

14 A. It was as soon as he knew we were going to impact the truck,
15 which was within seconds before impact. Because we -- I mean, I
16 thought myself that the truck was going to make it. So if he
17 would have kept going at the speed he was going, he would have
18 made it.

19 MS. IMPASTATO: I have no other questions.

20 MR. MORRIS: Joe Morris, Amtrak.

21 BY MR. MORRIS:

22 Q. Steve, you were treated by EMS at the scene, correct?

23 A. Correct.

24 Q. You were later transported to the hospital?

25 A. Correct.

1 Q. Okay. When you originally was receiving treatment on the
2 scene, it was in an ambulance?

3 A. Correct.

4 Q. And that -- the driver, at least the gentleman that alleged
5 he was the driver, of the garbage truck was in the same ambulance?

6 A. That's correct.

7 Q. Did you overhear him make any statements regarding the
8 incident?

9 A. Yes. He did say he was trying to beat the train and that he
10 was stupid, and that his life was over, amongst complaining a lot.

11 Q. Okay.

12 A. And I asked to be transported out of that ambulance as soon
13 as possible.

14 Q. Okay. You said he was complaining a lot?

15 A. He was just complaining about how stupid he was and that his
16 life was over and he was very agitating and annoying to myself.

17 Q. Okay. Did he know that you was in there?

18 A. I don't think he knew who I was.

19 Q. Okay. And could you tell approximately how fast he was
20 coming when he approached the crossing? I mean, was -- him going
21 around the gates, did you sense that he maybe couldn't get stopped
22 or that he just flat out was trying to beat the train?

23 A. I just think he was trying to beat the train. But, I mean, I
24 saw -- I saw the truck when he went around the crossing. That's
25 all I saw. I don't know if he was stopped at the crossing first.

1 I don't know.

2 MR. MORRIS: Okay. That's all the questions I have.

3 MR. FANNON: No questions.

4 BY MR. KANNENBERG:

5 Q. I've got just a couple of quick things. Maybe a little bit
6 repetitive. I just want to thank you right now. You've painted a
7 great picture for me. I think I've got a very good understanding
8 of what happened, but I just want to hammer a couple of points
9 home for my -- you know, make sure I've got everything right in my
10 head. And that was a great thing about the driver said in the
11 ambulance that he was trying to beat the train and he was stupid.

12 Were there any other conversations you had with the police
13 department or anybody else that would shed any other light on
14 this?

15 A. No.

16 Q. And you said that you saw the gates down with the lights
17 flashing and the truck drove around them. Is that to say that the
18 gates were not coming down when the truck was at the crossing;
19 they were down before he got to the crossing and then went around
20 them?

21 A. Yes.

22 MR. KANNENBERG: I appreciate the help again. This clears it
23 up a lot for me. Thank you.

24 MR. COLLINS: Dennis Collins with the NTSB.

25 BY MR. COLLINS:

1 Q. Did you begin your day at your residence?

2 A. No.

3 Q. Where did you begin your day?

4 A. The Holiday Inn Monticello.

5 Q. And was your engineer at the same place?

6 A. Yes, sir.

7 Q. And you said, if I recall correctly, that the two of you
8 drove to the yard in the same vehicle?

9 A. Yes.

10 Q. And what were your -- what's your recollection of the
11 engineer during that car trip, his demeanor, how he was behaving?
12 Did he mention he was having anything going on during that car
13 ride?

14 A. No, very normal.

15 MR. COLLINS: And that's all I have in the first round.

16 MS. GREGORY: Okay. This is Georgetta Gregory again.

17 BY MS. GREGORY:

18 Q. Did you happen to notice how fast the train was going at the
19 time of the accident?

20 A. Yeah. It was going 60 miles an hour.

21 Q. 60 miles an hour?

22 A. Yes, ma'am.

23 Q. And just -- and I know you answered it, but --

24 A. It could have been going slower when we hit because, like I
25 said, I ducked my head before impact. So --

1 Q. And the engineer plugged it --

2 A. Yes.

3 Q. -- before impact?

4 A. Correct.

5 Q. But you said the anticipation was that he was going to --

6 A. He was going to make it.

7 Q. -- that the train -- the truck was going to clear. So he
8 didn't start to slow --

9 A. Right.

10 Q. -- until a few seconds before impact.

11 A. Absolutely.

12 Q. Did I understand --

13 A. Absolutely.

14 MS. GREGORY: That was the only other question I had.
15 John?

16 MR. RANSCHAERT: John Ranschaert, FRA again.

17 BY MR. RANSCHAERT:

18 Q. Do you recall the weather conditions during this trip?

19 A. It was clear, sunny.

20 Q. Clear and sunny?

21 A. Yes, sir.

22 Q. All right. And you don't recall -- you probably don't have
23 any indication what the temperature was? Was it --

24 A. Afterwards I was told it was 40.

25 Q. 40?

1 A. That was afterwards, yeah.

2 Q. Okay.

3 A. But I'm not sure.

4 Q. Okay. Do you recall the position of any of the occupants of
5 the vehicle location-wise, how many passengers were in the cab of
6 the truck?

7 A. Oh, no, I couldn't tell that.

8 Q. Okay. Nobody riding in the side of the truck, do you recall?

9 A. Not that I noticed.

10 Q. Okay. All right. And you said the visibility -- so when you
11 were approaching him, you said the visibility was just under a
12 quarter mile that you saw the crossing and the gates were down.

13 A. That's me guessing.

14 Q. Okay. Were you able to -- as you were coming into the
15 crossing, were you able to see the truck on the road from the
16 quarter mile? Was he moving at all or when you -- can you
17 describe the location? As you're coming into that road crossing,
18 can you give a little bit more detail of --

19 A. Well, like I said, we saw him going around the gates.

20 Q. Okay.

21 A. The engineer was blowing his horn like he was supposed to.

22 Q. Okay.

23 A. And I -- we saw him go around -- we saw him go around the
24 gates, and then he slowed down or stopped, and -- you know, it
25 happened quick, and that's when. you know, I ducked for cover. We

1 all ended up in the back of the cab.

2 MR. RANSCHAERT: Okay. Appreciate it. That's all I have.

3 MR. BATES: No questions.

4 MR. MITCHEM: No, no questions.

5 MR. SMITH: Gary Smith, Buckingham Branch.

6 BY MR. SMITH:

7 Q. Just to clarify, the truck -- the gates were down when the
8 truck entered the quadrants there and he was at a diagonal to go
9 around the gates?

10 A. That's correct.

11 Q. Okay. And you said it looked like he slowed down?

12 A. Yes.

13 Q. You think he slowed down because of the other gate on the
14 other side?

15 A. That could have been a possibility, too. I don't know why he
16 slowed down or stopped.

17 MR. SMITH: No other questions.

18 MS. IMPASTATO: Theresa Impastato, Amtrak.

19 BY MS. IMPASTATO:

20 Q. Are you aware of the history of accidents at this crossing?

21 A. No.

22 Q. In your career at Amtrak how many grade crossing accidents
23 have you responded to?

24 A. This is the first one that I've been involved in.

25 MS. IMPASTATO: Thank you. No more questions.

1 MR. MORRIS: Joe Morris of Amtrak.

2 BY MR. MORRIS:

3 Q. Steve, there was no signal indication or temporary speed
4 restrictions at this location, correct?

5 A. Correct.

6 Q. Track speed -- maximum level track speed is 60 miles per
7 hour?

8 A. That's correct.

9 MR. MORRIS: That's all I have.

10 MR. FANNON: No questions.

11 MR. KANNENBERG: I'm good. Thank you.

12 MR. COLLINS: Dennis Collins with the NTSB.

13 BY MR. COLLINS:

14 Q. To the best of your knowledge, were there any mechanical or
15 other issues with the train between departing Charlottesville and
16 Crozet?

17 A. No. I know they checked a hot bearing in Charlottesville,
18 but there was not defects found whenever they did the inspection.

19 Q. And do you remember what time you left the Holiday Inn that
20 morning?

21 A. It was about 9:20.

22 Q. 9:20. Okay. And what time did you get to the yard?

23 A. Between 9:30 and 9:35.

24 Q. And while you were in the rear of the ambulance with the
25 truck driver -- you gave us some descriptions of his demeanor. Do

1 you have any other observations about him during that time you
2 were near him and interacting with him in the rear of that
3 ambulance?

4 A. No, like I said, he just -- he seemed agitated and upset. He
5 said he was stupid. I mean, everything I just said in the
6 previous questions.

7 Q. Okay. Thank you.

8 A. You're welcome.

9 BY MS. GREGORY:

10 Q. I just have one last question. What time did you leave
11 Charlottesville?

12 A. I think -- 10:57.

13 Q. 10:57.

14 MS. GREGORY: And that is all for me. One more round?

15 BY MR. RANSCHAERT:

16 Q. I got one last question. Do you recall if there was anybody
17 else sitting at the crossing, if there was another vehicle --

18 A. I don't recall.

19 Q. Okay.

20 A. Like I said, whenever I knew we were going to hit, I got
21 down.

22 Q. Got you. All right. Thank you. Appreciate it.

23 A. No problem.

24 MR. MORRIS: Joe Morris, Amtrak.

25 BY MR. MORRIS:

1 Q. Steve, did you guys have the opportunity to set the brakes on
2 the train any time prior to this incident?

3 A. Yeah, we did a running brake test when we departed and he did
4 apply the brakes to control train speed going down a grade, and I
5 believe he slowed down for a 40-mile-an-hour permanent speed
6 restriction. That's what I recall.

7 Q. So at any point did you notice anything out of the ordinary
8 as far as the operation of the brakes on the train?

9 A. Absolutely not.

10 Q. Did you notice anything out of the ordinary with the
11 operation of the horn?

12 A. Absolutely not.

13 Q. Did you notice anything out of the ordinary with the
14 operation of the bell?

15 A. No.

16 Q. Did you notice when the train came in, were the headlights
17 and ditch lights functioning as intended?

18 A. Yes, they were.

19 Q. So just basically a general summation of all those questions,
20 you did not notice anything -- you didn't take any mechanical
21 exceptions as far as the operation of this equipment that you
22 find?

23 A. Correct.

24 MR. MORRIS: That's all I have.

25 MS. GREGORY: Okay. If there are no further questions from

1 them, Steve, is there anything you'd like to add?

2 MR. KENNEY: Not at this time.

3 MS. GREGORY: Okay. Well, on behalf of the NTSB and the FRA
4 and the Buckingham Railroad and Amtrak, I'd like to thank you for
5 consenting to this interview, being open and forward with us.
6 You've enlightened all of us. What you've provided today really
7 gives us a better picture of what happened yesterday. So I really
8 appreciate that, and thank you for your time and cooperation.

9 MR. KENNEY: Thank you.

10 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

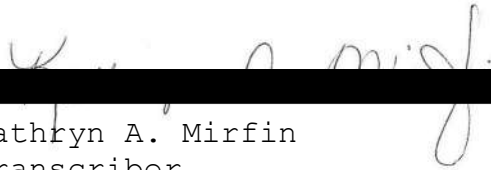

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P0923 31 AT THE HIGHWAY-RAIL GRADE
CROSSING AT LANETOWN ROAD IN
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Interview of Stephen Lee Kenney

ACCIDENT NO.: HWY18MH005

PLACE: Charlottesville, Virginia

DATE: February 1, 2018

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.



Kathryn A. Mirfin
Transcriber