

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

COLLISION OF LONG ISLAND RAIL ROAD *
(LIRR) TRAIN NO. 2817 WITH THE *
PLATFORM AT ATLANTIC TERMINAL, *
BROOKLYN, NEW YORK, JANUARY 4, 2017 *

* Accident No.: DCA17FR002

* * * * *

Interview of: JOHN FIORINO

LIRR Facilities
Jamaica, New York

Friday,
January 6, 2017

APPEARANCES:

TOMAS TORRES, Rail Accident Investigator
National Transportation Safety Board

ANNE GARCIA, Human Performance Investigator
National Transportation Safety Board

JANET LEE, Deputy Regional Administrator
Federal Railroad Administration

JOSEPH MEADE, Operating Practice Inspector
Federal Railroad Administration (FRA)

BOB TOMASZEWSKI, Operating Practices Inspector
Federal Railroad Administration

ROBERT MARALDO
Public Transportation Safety Board
New York State Department of Transportation

MARK ELLIOTT, Director of Investigations & Analysis
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BRET BECKER, Superintendent of Engine Service
Long Island Rail Road

DONALD HILL, Safety Task Force
Brotherhood of Locomotive Engineers & Trainmen (BLET)

WILLIAM BATES
SMART National Transportation Safety Team

WILLIAM NEARY
SMART National Transportation Safety Team

DOMINIC AMENDOLARE
SMART National Transportation Safety Team
(Observer)

VINCENT TESSITORE, General Chairman
SMART 645
(On behalf of Mr. Fiorino)

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I N T E R V I E W

(1:42 p.m.)

1
2
3 MR. TORRES: Okay. We're going to get started here with a
4 conductor interview. Time is 1:42 p.m. My name is Tomas Torres,
5 T O M A S, T O R R E S. Today's date is January 6th, 2017, and we
6 are at Jamaica, New York, on the Long Island Railroad facility --
7 F&A facility, correct -- interviewing conductor in connection with
8 an accident that occurred on Atlantic Terminal in Brooklyn, New
9 York, on date of January 4th, 2017. NTSB accident number is
10 DCA17FR002.

11 The purpose of the investigation is to increase safety, not
12 to assign fault, blame or liability. NTSB cannot offer any
13 guarantee of confidentiality or immunity from legal or certificate
14 actions. A transcript or summary of the interview will go in the
15 public docket.

16 The interviewee can have one representative of the
17 interviewee's choice. Do you have somebody?

18 MR. FIORINO: Right here, Vinny.

19 MR. TORRES: Okay. Do you understand the interview is being
20 recorded?

21 MR. FIORINO: Yes.

22 MR. TORRES: Okay. Please state your name, and spell it.

23 MR. FIORINO: John Fiorino, J O H N, F I O R I N O.

24 MR. TORRES: Okay.

25 MS. GARCIA: Anne Garcia, human performance investigator,

1 National Transportation Safety Board.

2 MR. MEADE: Joe Meade, M E A D E, FRA, Op inspector.

3 MR. NEARY: William Neary, N E A R Y, SMART Transportation
4 Safety Team.

5 MR. ELLIOTT: Mark Elliott, E L L I O T T, Director of
6 Investigations and Analysis for Long Island Railroad.

7 MR. AMENDOLARE: Dominic Amendolare, A M E N D O L A R E.
8 SMART Transportation Safety Team, observer.

9 MR. TOMASZEWSKI: Bob Tomaszewski, T O M A S Z E W S K I,
10 Operating Practices Inspector, FRA.

11 MR. MARALDO: Rob Maraldo, M A R A L D O, New York State
12 Department of Transportation, Public Transportation Safety Board,
13 M A R- --

14 MR. HILL: Donald Hill, H I L L, BLET, Safety Task Force.

15 MR. BATES: William Bates, B A T E S, SMART National
16 Transportation Safety Team.

17 MR. BECKER: Bret Becker, B R E T, B E C K E R,
18 Superintendent of Engine Service for the Long Island Railroad.

19 MR. TESSITORE: Vincent Tessitore, Jr., T E S S I T O R E,
20 Vice General Chairman, SMART transportation union representing the
21 member.

22 MS. LEE: Janet Lee, FRA Deputy Regional Administrator.
23 Sorry for being behind your back.

24 MR. TORRES: Okay. Would you mind if we call you by your
25 first name?

1 MR. FIORINO: No problem.

2 MR. TORRES: And your first name, again?

3 MR. FIORINO: John.

4 INTERVIEW OF JOHN FIORINO

5 BY MR. TORRES:

6 Q. John, could you start with telling us your work history with
7 the railroad? When you hired out, your training and
8 certifications.

9 A. Okay. I hired on on June 7th of 1989. I hired on as
10 assistant conductor. I qualified within 5 years, and I guess it
11 was '95 I qualified a head conductor. And I've been head
12 conductor since.

13 Q. And what's your regular schedule?

14 A. I work out of West Hempstead, which is -- I'm the conductor
15 on the job right now from 5:22 in the morning till 3:59 in the
16 afternoon. Saturday and Sunday off.

17 Q. And is -- that's your regular assignment?

18 A. Yes, it is. Every day.

19 Q. Well, where does it go/to from? Can you describe your trip?

20 A. I start in West Hempstead, and we take a trip into Valley
21 Stream, back to West Hempstead; West Hempstead to Atlantic
22 Terminal, Brooklyn; Brooklyn back to West Hempstead. And then
23 it's six scoots back and forth between West Hempstead and Valley
24 Stream.

25 Q. Okay. And --

1 A. It's not that long.

2 Q. On the day of the incident -- of this accident, where were
3 you at?

4 A. Okay. At that time, we were on track 5 in Atlantic Terminal,
5 Brooklyn. My train got into the station at 7:45. We were due out
6 at 8:30. Equipment turns right there on track 5. I was stationed
7 in the second car in the cab with the door open, having a cup of
8 tea, because I have a really bad cold I can't shake. And it was
9 about 8:15, 8:20, I heard equipment coming in on track 6, which
10 always comes in right before we leave. And just keep on going
11 like that?

12 And I guess I heard him coming in. I always just peek up to
13 make sure that it's the train coming in. I saw my engineer, Steve
14 Outlaw. He's walking up, because we're going to do the brake test
15 and get ready to load. And I looked back down and I heard a loud
16 screeching noise coming from the equipment coming in on track 6.
17 So, it caught my attention.

18 I looked up, and I first thought that he -- maybe he was
19 hitting the platform, with the train swaying. I thought that's
20 the first noise I heard, was why is this guy hitting the platform
21 or whatever, with the train swaying. But maybe like a couple of
22 seconds later a loud noise, a loud crash.

23 I jumped up out of the seat, ran out onto the platform and
24 raced up track 6 with my engineer a little bit in front of me.
25 And I got up to the -- probably like the second car, and I could

1 see smoke and debris up in the air, and I saw part of the head car
2 up in the air. The conductor stuck her head out the window and
3 she looked -- she asked me what had happened, or something to that
4 effect. And I told her he went through the bumper block, I see
5 him up. I said he went through the bumper block. And she was
6 like what; what did he do? And I said he's -- are you okay, or
7 something like that. And then she said she couldn't open her
8 doors. And I told her, don't open the head pair because the first
9 door was up in the air. It was a good, I guess like 10 feet.

10 People were banging on the doors from inside the train. So I
11 went to -- we went down to key one of the doors. I think it's in
12 the second car. My engineer was up by the first car, or maybe the
13 second door of the first car. He went to key, and he gave me
14 this, like as in I can't get it open. I went to key; the doors
15 wouldn't open. So she yelled again, I can't get any of the doors
16 open. So I then proceeded to punch the little emergency door
17 window, where you have to punch it and then turn the handle, and
18 slid the door open. I think I got the -- I think it's the R-2
19 door on the second car. And I went down to the next door to punch
20 it; I opened that.

21 And as I did that, I could see up in the head car big dark
22 smoke coming out from the head car. Bad. But I could also see
23 the door opening up in the first car that was up in the air. And
24 that's when I jumped, because it got so dark. I saw a woman's leg
25 start to stick her leg out, and then I didn't see anything. I

1 just saw the red light on the door. So I jumped up and I ran up
2 to that first door and I yelled, don't get off the train, don't
3 jump. People were trying to jump down.

4 I jumped up onto that door. I put my hands out to block
5 anybody from jumping off the train. And I told everybody the door
6 is open, just walk back, walk back. There was a woman screaming
7 that she hurt her leg and her shoulder. I told her to -- don't
8 move, there's going to be people here in two seconds. She went on
9 the floor. I had two or three women in the back of the vestibule
10 screaming "What happened? What happened?"

11 And it was a big crowd by the door. I was trying to push
12 them away, and at the same time I was asking where the engineer
13 was. Because my first instinct was I got to get the people off
14 the train, and I was wondering if the engineer was really
15 seriously injured.

16 They said -- one guy came up in that little vestibule area,
17 and he said he's still in the cab. So I said, okay, please,
18 everybody get out, get out. A police officer at that point came
19 up to the door, and I said to him, look, can you stand here so --
20 I don't want anybody jumping off the train. Because people were
21 panicking. They were -- they just wanted to get off the train.
22 He said, yeah, I'm here, I got it.

23 So I turned and I -- it's the first time I got a good look at
24 the cab and the cabinet behind the cab. It was pretty much
25 crushed and splintered. The door was kind of split, but it was

1 kind of jammed on the floor from the impact. So I pulled the door
2 open and I was expecting to see someone severely injured in the --
3 I opened the door. And I didn't recognize the engineer but at the
4 time I was in a sweatshirt from -- I didn't get my sweatshirt off.
5 So I said, are you okay; are you okay? And he says -- he didn't
6 say anything. He kind of looked at me like who was I, what was I
7 doing there. And I explained to him I'm a conductor on the
8 railroad, are you okay? And he just took his timetable and was
9 putting it in his bag. And he looked shaken. He looked like --
10 he had a gaze, you know, like he didn't know -- I guess he was
11 just in shock. And I just said you -- you know, you're okay,
12 everything is okay, we need -- you know, sit down. There's people
13 coming. Every -- are you hurt in any way? And he was just kind
14 of shaking his head. So I think we sat him down right in the
15 first five seater.

16 And at that time more police were coming up the door -- the
17 one long doorway. People were screaming for their personal
18 belongings from the ground. They wanted a hat, a cap, whatever.
19 And some police, more got on. Then I think at that point we sat
20 him in the middle of the first car to get away from everybody.

21 And transportation manager Ralph Wetzal came on and asked me
22 what was going -- you know, any injuries. And I just said I just
23 have this one woman here on the ground; she's complaining that she
24 thinks she broke her leg. A lot of hysterical people. We were
25 just trying to get them off. I think my engineer at one point

1 grabbed a woman out of the vestibule who was crying and shaking,
2 and walked her up off the train. Because she was getting really
3 -- a little hysterical.

4 Ralph asked me if I could stay with the woman until somebody
5 came. I explained to him I'll do that, but my train was due out
6 of the station in 5 minutes, which is right across the platform.
7 He looked at me and said, I got this; go, go make your train. All
8 right. So I climbed out over people. And there were -- had to be
9 50, 60 people right at that area, all -- looked like passengers
10 with cell phones out, taking pictures. Everybody was taking
11 pictures of everything. I had to push my way through the crowd.

12 I told Ralph as I was walking up -- okay, I'm walking up
13 where the engineer was of that train, was in another car. If he
14 needed anything, he knew where -- how to contact me, and we're
15 going to try to make the train. As I walked up, I saw a bunch of
16 people on the ground, shaken up, injured, just taking pictures,
17 whatever.

18 Got up on the equipment on track 5. I walked all the way
19 through the train to open the doors again. I -- the doors were
20 open when I initially jumped off the train. My brakeman said that
21 he had closed the doors when he heard the explosion. He thought
22 there was something underneath the train. He didn't want anybody
23 else getting on the equipment. I reopened the doors. I walked up
24 front to talk to the engineer, to make sure he was okay. We were
25 talking about what was going on. He had to certify the equipment.

1 We proceeded to do the brake test. Brook -- we asked Brook Tower
2 if we had the signal, was good to go. Brook Tower said we were
3 good to go.

4 And I made an announcement that we were going to leave, that
5 anybody who didn't want to be on this train please get off the
6 train, and we're going to try to leave on time. The doors closed,
7 two to go, and we proceeded on to West Hempstead.

8 Q. Okay. When you were on your train, what car were you in
9 again?

10 A. The second east car.

11 Q. East car. And you were facing the direction as the train in
12 track 6?

13 A. I was facing towards the east, east direction.

14 Q. So you could see as the train was approaching?

15 A. No. He -- I -- only thing I can see is, when he pulls up,
16 either past the first doorway or by my window. I can't see around
17 -- it's a little bit of a curve and where I'm sitting on the
18 train, I won't see him.

19 Q. So where did you hear the screeching sound?

20 A. Pretty much after he passed my window. I remember having a
21 cup of tea, and I can hear the train coming into the station like
22 I always do. I looked up, to make sure it was the one on track 6.
23 He's coming in. Okay, great. And I think as he passed, I heard
24 loud -- really loud screeching noise coming off that -- off of
25 track 6. I knew it was coming from there, because I could --

1 because even my engineer, I think, turned and gave a little wince
2 as he was passing because the noise was so loud. It lasted for a
3 couple of seconds and then it was a loud explosion.

4 Q. Uh-huh. And as he was coming in, were you able to gauge --
5 were you able to tell how fast he was coming in?

6 A. Speed-wise, no, I can't. There's no way I would know how
7 fast he was coming.

8 Q. No, I mean -- I mean, not MPH, per hour, but, you know, can
9 you visually say, you know what, he's coming in too fast for the
10 distance that --

11 A. I don't know -- I know the speed limit is 5 miles an hour. I
12 can't -- I couldn't gauge -- by the time he went by me, I wasn't
13 really looking to see how fast he was going, until I heard the
14 screeching noise, and then I looked up again to see what was going
15 on. And it was hard for me to gauge exactly how fast he was
16 going.

17 Q. All right. Can you describe the -- you go in there daily,
18 right, into that --

19 A. Say again.

20 Q. You go in there daily, into that terminal?

21 A. Correct.

22 Q. Can you describe as you're coming into --

23 A. Atlantic Terminal?

24 Q. -- yeah. Can you describe the territory, and --

25 A. Okay. It's --

1 Q. -- what it's like as you're going in there?

2 A. Yeah. We usually come in on track 5. It's a shorter
3 platform. It only holds -- it holds six cars, but only four cars
4 open up on track 5. You make an announcement about -- you come
5 into the interlocking. You slow down. You do your 5 miles an
6 hour through the interlocking. You make an announcement, make
7 sure what track we're coming in on. Protect the rear two cars
8 from opening where the platform doesn't reach. And you open the
9 doors and make sure the people get off safely.

10 Q. Is there any communication between you and the engineer as
11 you're approaching the terminal?

12 A. If I have an extra engineer, he will tell me what track we're
13 coming in on. With my regular engineer, I usually tell him, if
14 it's anything but our normal track, please tell me. If there's a
15 problem with the track, usually the yardmaster or the
16 stationmaster will tell us that we're coming in on a different
17 track, and I know what to do accordingly by what track we come in
18 on.

19 Q. And those signals going in there, who controls those signals?
20 Or they're automatic?

21 A. Brook. Brook tower.

22 Q. Brook tower.

23 MR. TORRES: Anne?

24 MS. GARCIA: Thank you. Anne Garcia.

25 MR. FIORINO: How are you doing, ma'am?

1 BY MS. GARCIA:

2 Q. Couple of questions. First, I want to get a very clear
3 picture of your train and where you were on your train. So how
4 many cars on your train?

5 A. Sure. We had six cars on track 5. We had the head -- the
6 rear five cars open. The head car was closed because it's -- the
7 gap on the end of track 5 is too big. I was stationed in the
8 second car, the second east car, in the cab with the door open.

9 Q. Okay. When you say second east car, so you've got -- working
10 from the bumper forward -- or you work from the front of the train
11 back?

12 A. I'm in the front of the train, which there is no bumper
13 block. It's where the interlocking begins. The back of the train
14 is where the bumper block is.

15 Q. Right.

16 A. Okay.

17 Q. Okay. So you were in which car?

18 A. The second east car, which is called the front of the train.

19 Q. And when you say east, what does that mean?

20 A. Well, it -- Brooklyn -- Atlantic Terminal, the last stop is
21 west, as west as you're going to get. It's a bumper block there.
22 So that's the west end of Atlantic Terminal. The east end would
23 be toward where the interlocking is.

24 Q. Okay. So you're just referring to the second car in?

25 A. Correct.

1 Q. Okay. From the east.

2 A. From the east, correct.

3 Q. Which side of the car were you on?

4 A. I would be on the off-cab side, which would be off the
5 platform side.

6 Q. Okay. Thank you.

7 A. Okay.

8 Q. So from that side, if that's your seat, you would have to
9 look across --

10 A. Correct.

11 Q. -- the left of the train and then through --

12 A. I have to look to my, I have to --

13 Q. -- the window --

14 A. Correct.

15 Q. -- to see? Okay.

16 Did you have any interaction with the conductor from the
17 incident train?

18 A. After the impact at the bumper block, yes.

19 Q. Okay. What was that?

20 A. I ran up. I didn't see her initially as I passed the second
21 cab. I think she was in the third car, if I remember correctly.
22 And I saw my engineer walk up, and he was trying to get one of the
23 doors open; he couldn't do it. And then I turned, started running
24 back to try to key the doors open in the second car. And she
25 stuck her head out, and she -- I think she said, what happened?

1 Something to that effect. And I said he went up onto the bumper
2 block, looks like. And she said, what? And I'm like, can you get
3 the doors open? And she's like, I'm trying; I can't get the doors
4 open. I said, okay, do not open up the head two cars because
5 there's going to be people piling out.

6 Q. Uh-huh.

7 A. And I was afraid they were going to -- especially in the head
8 car, that they were going to fall. She said, well, I can't get
9 any of the doors open. So, then, that's when I decided to punch
10 the emergency door and manually open up the -- each car.

11 Q. Okay. And did you see the brakeman on that car?

12 A. No, I did not.

13 Q. Okay.

14 A. He's on -- I believe -- I would imagine he's on -- all the
15 way on the east end, at the end of the train. So I didn't see
16 him.

17 MS. GARCIA: Okay. Good. Thank you. That's all.

18 MR. FIORINO: You're welcome.

19 MR. MEADE: Joe Meade, FRA.

20 BY MR. MEADE:

21 Q. Just on the physical characteristics of the terminal, as you
22 say. You're in the second car from the east end.

23 A. Correct.

24 Q. So, over on track 6, that's kind of into the curve. I --

25 A. You're almost at the beginning of the curve coming in.

1 Q. So you're almost at the beginning of the curve onto track 6.

2 A. Correct.

3 Q. On a normal day, do you hear any screeching coming in?

4 A. Just the regular normal wheel --

5 Q. Just your normal flange?

6 A. Flange hitting the wheel. That's what I, that's what I
7 usually listen for to know that he's coming in.

8 Q. Right.

9 A. I heard that.

10 Q. And you --

11 A. And then I heard the other screeching noise, which I knew
12 wasn't a normal noise.

13 Q. Right. So it was -- you know, your words, your -- the normal
14 screeching coming in that, you know, most of us are aware of --

15 A. Correct.

16 Q. -- but this was louder and longer than normal.

17 A. Much louder.

18 Q. Which caught your attention.

19 A. Absolutely.

20 Q. And then right after that is when you heard the --

21 A. Impact.

22 Q. -- the impact.

23 MR. MEADE: Okay. Okay. That's all I have. Thank you.

24 MR. FIORINO: You're welcome.

25 UNIDENTIFIED SPEAKER: No questions.

1 MR. FIORINO: Okay.

2 UNIDENTIFIED SPEAKER: No questions. Thanks, John. Nice
3 job.

4 UNIDENTIFIED SPEAKER: Not right at this time.

5 UNIDENTIFIED SPEAKER: No questions.

6 MR. HILL: I don't have any questions for you. Donald Hill.

7 MR. BATES: Thank you for all your help, John. No questions.

8 MR. FIORINO: Okay.

9 MR. BECKER: Bret Becker, Long Island. No, I don't have any
10 questions for you, John. Thanks.

11 MS. LEE: I have no questions either.

12 MR. FIORINO: That's it?

13 UNIDENTIFIED SPEAKER: You did a good job.

14 UNIDENTIFIED SPEAKER: Oh, wait, did you --

15 MR. TORRES: I'll let everybody go ahead.

16 MS. GARCIA: Just a couple of basic questions, that -- Anne
17 Garcia.

18 BY MS. GARCIA:

19 Q. I understand that conductors have refresher training.

20 A. Correct.

21 Q. And is that scheduled every 2 years?

22 A. Correct.

23 Q. Okay. Do you recall when the last time you had it?

24 A. December of 2015.

25 Q. Okay. Okay. And did you receive a portion in that or a

1 module that was on managing fatigue?

2 A. I do remember, but it was very minimal.

3 Q. Okay.

4 A. It was a minimal, not -- I don't remember anything
5 distinctive about it, but I do remember we getting it.

6 Q. Okay. Good. Thank you.

7 Do you receive any training on what to do if you are on scene
8 when an accident happens?

9 A. On the train, yes. Off the train, I guess, you know, we
10 always follow what -- safety is the first importance. And, you
11 know, just -- I think my main concern we're always taught is -- in
12 something like that, is to try to get the people off the train.
13 And I think that was my first priority, to get the people off the
14 train and to make sure that the engineer was safe. But I don't
15 know if we have any training that takes place about stuff that
16 takes place outside the train, like, that's not on my equipment.

17 Q. Uh-huh. Okay.

18 A. I'm not too -- just train evac. I'm trying to think, but I'm
19 not -- that's usually in the tunnel stuff. But --

20 Q. And that's when you're acting in your official capacity on
21 the train --

22 A. On the train.

23 Q. -- as a conductor --

24 A. Correct.

25 Q. -- taking care of your passengers?

1 A. Correct.

2 Q. Okay. And what is that training, if you could tell us? What
3 does that involve?

4 A. Well, just get people out of the affected cars. If there's a
5 fire or if there's a -- some kind of medical emergency, get them
6 out of the car. Communication between the tower and the
7 passengers on the train. And 204, you know -- 204 is Movement
8 Bureau, the people in charge of all the decision-making on Long
9 Island. Just trying to be there for anybody who needs medical
10 assistance, anybody who needs any kind of help. And always try to
11 assign -- you know, get the crew working together to try to get
12 the problem taken care of.

13 Q. So, if you could, does that training -- how does it instruct
14 you to prioritize your actions?

15 A. I think the priority has always been safety of the
16 passengers, safety of the crew, the people on the train. And if
17 you think that the problem is taking place on the train, to get
18 them out of that affected car as safely and as quickly as
19 possible. And I -- they always tell us to stay calm, to try to
20 give them as much communication as you can. You know, try not to
21 panic, stuff like that.

22 Q. So, just to -- thank you. And just to get a little more
23 specific, in what order would you do things? Would it -- so, you
24 mentioned safety of the passengers, safety of the crew, and
25 communicating. So in what order? Or is there no order given?

1 A. Are you talking about if I'm on the train or if I'm -- when
2 I'm on the platform?

3 Q. If you're on the train. Yeah.

4 A. The people on the train. The safety of everybody on the
5 train, would be my first priority. That's what we're taught.

6 Q. Okay. Good. And your actions as an employee -- and thank
7 you for all the efforts that you put forth to make sure people
8 were safe.

9 So your actions as an employee, if it's not your train, do
10 you have any type of guidance on that?

11 A. Not -- I'm being honest. I'm not sure. We're always told to
12 work together to try to help. But I don't think I've ever gotten
13 specific actions if there's a problem that I need to jump in and
14 take care of a problem, no.

15 Q. Okay. And do you receive any training on first aid?

16 A. We had --

17 Q. How to administer it?

18 A. Years ago, I had CPR.

19 Q. Okay.

20 A. But I don't believe we get CPR anymore.

21 Q. Okay. And what about other types of injuries?

22 A. No.

23 Q. Okay.

24 A. No.

25 Q. Okay. Thank you.

1 A. You're welcome.

2 MS. LEE: I actually --

3 MR. NEARY: I have one further question.

4 MS. LEE: Oh, yes.

5 MR. NEARY: William Neary. Did you go first?

6 MS. LEE: No, go ahead.

7 MR. NEARY: Okay. William Neary, SMART, TST.

8 BY MR. NEARY:

9 Q. Before you were ordered to evacuate your train -- I mean, to
10 depart your train, were you aware that all the passengers were
11 safely evacuated?

12 A. No.

13 Q. You didn't know if they were all off the train yet?

14 A. No. Absolutely not.

15 Q. Was there a time after this where you learned that all the
16 passengers were safely off? Did you get any word from anybody?

17 A. No.

18 Q. So when you departed, you didn't -- maybe there was still
19 passengers on that train?

20 A. It could have been, for all I knew. I just knew what was
21 taking place in the head car that I was in, to get everybody off
22 that car, and everybody was off that head car in -- which I was
23 in.

24 Q. Okay. Thank you. That --

25 MR. NEARY: I have no more questions.

1 MS. LEE: So I -- I have a question. Janet Lee, FRA. Kind
2 of a follow-up to your question.

3 BY MS. LEE:

4 Q. How did you feel that you still were responsible for getting
5 on your train and going out and doing your run?

6 A. How did I feel?

7 Q. Yeah.

8 A. It sounds funny, but we're always taught to try -- you know,
9 our job is to get the trains out. And at that point there was a
10 lot of police officers and a lot of firemen, and a lot of havoc
11 running back and forth. And it was supervised, as I saw a couple.
12 And if he would have told me to stay with this woman and -- I
13 would have stayed with the woman, and everything was great. When
14 he -- once he told me, okay, can you get 904 out -- all right,
15 that's my job, to get 904 out. And that's what I did.

16 Q. But did you feel that you were in the right frame of mind to
17 get on a train and work?

18 A. I didn't have time to think --

19 Q. But as you were on your train --

20 A. -- to if I was in the right frame of mind. It was --

21 Q. -- you were working?

22 A. It was surreal. Because what I explained was, this -- I
23 think the train hit the bumper block at 8:18. We jumped off and
24 got everybody out of the head two cars. We took the engineer out
25 of the cab, dealt with the police, dealt with the firemen, dealt

1 with transportation managers. And by 8:30 our train was
2 certified, brake tested and moving out of the station. That's 12
3 minutes.

4 So it was kind of surreal where we were up in the cab and I'm
5 like -- I made sure he was okay. Because now that's my main
6 concern, is, look, are we going to -- you know, I want to make
7 sure the passengers know. Because all the passengers were looking
8 at me, as in, like, are we going? What are we doing? What's
9 going on? I just -- you know, I was like everything is fine;
10 we're going to leave on time.

11 But it happened way too fast. Within 12 minutes, this entire
12 thing -- you know, took place, and we were pulling out of the
13 station already. So any other information I got on that was on
14 the TV once we got to West Hempstead.

15 MS. LEE: Okay. Thanks.

16 MS. GARCIA: I have additional questions following up on
17 that.

18 BY MS. GARCIA:

19 Q. So, the engineer of your train -- you were working with him
20 to help?

21 A. Correct.

22 Q. Okay. And did you notice if he was injured?

23 A. I didn't notice any injuries. We kind of didn't even say
24 anything to each other. We just kind of both ran toward the front
25 of the train, and I could see he was trying to key the door open

1 and he threw his hands up. I knew that meant he wasn't getting
2 the door open. I tried; I couldn't get the door open. So, he
3 looked at me and I gave him like a little punch. We punched it,
4 and we really didn't have any kind of communication with each
5 other. We just kind of -- the only reason I jumped up onto the
6 equipment on that head car was when I saw the people somehow get
7 that door open, and the black smoke. The black smoke is when I
8 first got concerned, because now I thought there was -- might
9 going to be some kind of fire or something. So I ran toward that
10 and that's when I jumped up on the equipment.

11 Because the lady who was going to try to jump off the train,
12 she had to be seventies. She was going to try to jump down off
13 the equipment. And I'm like don't, you know. But they panic.
14 They figured -- they didn't know what it was. But we really -- me
15 and the engineer didn't have any communication, really, until we
16 got back on my equipment to leave. And he asked, can you believe
17 that? Yeah, you all right? Yeah. What are we doing -- I think
18 he might have even said, can you believe we're making this train
19 out, you know. And I'm like it is what -- we always say, it is
20 what it is, you know. Take the train and we'll figure it out
21 later, you know. And that's --

22 Q. Yeah.

23 A. -- what happened.

24 Q. Thank you. You mentioned that it was Ralph Wetzel, the
25 transportation manager --

1 A. Correct.

2 Q. -- who came up to you when you were with the woman --

3 A. On the equipment, yeah.

4 Q. -- who was injured, and he asked you to go and make your
5 train?

6 A. Well, he asked had -- did you see the engineer? Are there
7 any other injuries on the train? Are you okay? What's going on?
8 And I said looks like everybody is okay up here, except for this
9 woman here; I think she says she -- said she broke her leg. He
10 was very calm. He was very good about -- you know, he says, okay,
11 John, can you stay with this woman?

12 Q. Uh-huh.

13 A. And I said absolutely, I'll stay here. I won't move. But I
14 said to him, okay, that's my train over on track 5. He's going to
15 get -- you know, that's 904. And he paused for a second, and he
16 says, okay, can you make 904 out? I'll get someone else to stay
17 with the woman.

18 So I saw my engineer in the middle of the car and I said, we
19 got to get out of here, we got to make our train. And he said
20 okay. So we just climbed down and walked up and took -- made sure
21 everything was set for that train to leave.

22 Q. Thank you. That clarifies things. And were you injured?
23 You mentioned punching the windows in.

24 A. I thought I had broke my hand. I didn't even realize that my
25 hand was bleeding until I was walking up to get on my train. A

1 police officer grabbed me and said, are you okay? And I'm like,
2 yeah, sort of -- you know, but he's -- I guess he was referring to
3 my hand. I had cuts across my hand, and it was bleeding, just
4 from punching the little plastic Plexiglas thing. I guess when I
5 did it real fast -- and you did it two or three times, whatever.

6 Q. Right.

7 A. But I -- you know, my hand was a little sore but I didn't
8 really -- but, you know what I'm forgetting, the smoke. I had the
9 cold, and when I jumped up onto the train, I was having a little
10 trouble breathing when I got on the train because it was thick
11 black smoke. But it dissipated relatively fast. Like it -- I was
12 surprised how fast. It's a -- that was the only thing. I had a
13 little trouble breathing, but I was thinking it was more of my
14 cold than anything else.

15 Q. Uh-huh.

16 A. And my hand. So, when I got to West Hempstead I called the
17 transportation manager to say I just want to get checked out, I
18 just want to make sure that I'm not going to work the whole day
19 and then something's wrong with me. So they relieved me and I
20 went to get x-rays and checked out and everything came out good.

21 Q. Good.

22 A. Yeah.

23 Q. And just a general question. Would -- how would you say your
24 health is overall?

25 A. Damn good. For my age. I turn 51 a week from today. So,

1 I'm happy where I'm at. I could lose a couple of pounds, but
2 other than that I'm all right.

3 Q. Okay. Good. And when was the last time that you had your
4 railroad physical?

5 A. That has to be -- whatever the Book of Rules. So, December
6 of 2015.

7 Q. Okay. And your vision is --

8 A. Vision is fine, 20/20.

9 Q. Okay. Hearing?

10 A. For the most part, pretty good.

11 Q. Okay. Good. Are you on any regular medication?

12 A. No.

13 Q. Okay. And just a question, is -- who is your supervisor?

14 A. I got 400 supervisors. My immediate -- it depends where I am
15 and what station I'm at and -- I'm in charge of the train when I'm
16 on the train so I guess I'm the supervisor then. But if I'm in
17 Brooklyn, it's somebody. If I'm in Jamaica, it's somebody. If
18 I'm in West Hempstead, it's somebody else. So there is no -- I
19 would -- you know, there's people I know where to call but it's
20 going to be a different person each time. It's not going to be
21 the same person.

22 Q. Okay. Thank you.

23 Now Ralph Wetzel -- you know him.

24 A. Correct.

25 Q. You knew him beforehand. What is your relationship with him?

1 A. We're friends. Not off the property, but on -- when I see
2 him, we talk about hockey and talk about -- we've gone out to
3 baseball games together, as a railroad group. Really nice guy.

4 Q. Good. And so what is his role? He's transportation manager,
5 you mentioned.

6 A. Yeah. He is the -- he's not the stationmaster. Frankie
7 Degiulio is the stationmaster. So, I guess he's just the
8 transportation manager. He's in charge of Brooklyn, right? You
9 would know.

10 MR. BECKER: Bret Becker, Long Island Railroad. He's -- his
11 title, he's the lead transportation manager --

12 MR. FIORINO: Manager.

13 MR. BECKER: -- and he's assigned to the Brooklyn Terminal.

14 MS. GARCIA: Okay. So -- and if I may, in that capacity what
15 is he in charge of? What does he --

16 MR. BECKER: Operations in that terminal.

17 MS. GARCIA: The trains?

18 MR. BECKER: Yes. Overall railroad operations, which can
19 consider -- it's a vast area. He's a transportation manager, so
20 he's part of the transportation department. He doesn't deal with
21 mechanical. He doesn't deal with infrastructure, although we have
22 our places in, you know, dealings with those departments as well.
23 But overall operation for the on-time performance and safe
24 operation of the trains. He's in charge in Brooklyn at that time.

25 MS. GARCIA: Okay. But he has no supervisory or managerial

1 authority over John?

2 MR. BECKER: Oh, no. That includes transportation crews.

3 MS. GARCIA: Okay.

4 MR. BECKER: He can tell him when to work, what to do.

5 MR. FIORINO: Absolutely.

6 MR. BECKER: Yes. He can assign --

7 MR. FIORINO: And he does.

8 MR. BECKER: -- him into different trains. You know, that's,
9 that's their responsibility.

10 MS. GARCIA: Okay. And I apologize, but to ask you a follow-
11 up question. Is he familiar with all of the crew members and any
12 -- if they would have any personal physical issues or things --

13 MR. BECKER: You'd have to ask -- I'm sorry, but you'd have
14 to -- Bret Becker, again. You'd have to ask him that question.

15 MS. GARCIA: Okay.

16 MR. BECKER: All right. And generally speaking, are we
17 required to know if there's any personal or physical ailments for
18 a crew member -- absolutely not.

19 MS. GARCIA: Okay.

20 MR. BECKER: Okay.

21 MS. GARCIA: Thank you. That's all I have.

22 UNIDENTIFIED SPEAKER: No, no further.

23 UNIDENTIFIED SPEAKER: Nothing further. Thank you.

24 UNIDENTIFIED SPEAKER: Nothing further. Thank you.

25 MR. TOMASZEWSKI: One question. Bob Tomaszewski, FRA.

1 BY MR. TOMASZEWSKI:

2 Q. With everything going on, how long do you think it might have
3 been before your -- the police and the fire department showed up?

4 A. From when the initial impact, or --

5 Q. Yeah, from the initial incident.

6 A. Maybe 5 minutes.

7 Q. Okay. Good. Thank you.

8 A. You're welcome.

9 UNIDENTIFIED SPEAKER: I have nothing. I'm good.

10 UNIDENTIFIED SPEAKER: Oh, I have nothing.

11 UNIDENTIFIED SPEAKER: I don't have anything. Thank you.

12 UNIDENTIFIED SPEAKER: Okay. I have nothing further.

13 MS. LEE: I have nothing. Thank you.

14 MS. GARCIA: Okay.

15 MR. TORRES: Tomas Torres with the NTSB.

16 BY MR. TORRES:

17 Q. You said -- you mentioned that you saw smoke. Was that due
18 to a smoldering? Was there a fire? Or was that dust?

19 A. I saw two types. When it first -- when I first got there,
20 right after impact, it looked dust and like light smoke. Like
21 whitish, dusty, going up toward the ceiling. By the time I had
22 punched the doors open to get the people out, it was thick black
23 smoke, all of a sudden, coming from the head end. That was really
24 hard to see. But like I said, by the time I got there and jumped
25 up, it had dissipated to the point where you could see again and

1 you can get everybody out. But it was -- initially it was dust
2 and, I guess, just from the impact, you could see light smoke.
3 The second one was thick black smoke.

4 Q. Okay. What kind of air test do you guys conduct in your
5 trains?

6 A. What kind of what?

7 Q. Brake tests.

8 A. It's -- we test the emergency brakes and the regular brakes,
9 the braking system to stop the train at each stop.

10 Q. Can you describe the process? I know -- do --

11 A. I can do it in my head, but --

12 Q. Best as you can.

13 A. All you're doing is you're testing the deadman emergency by
14 the emergency cord, by his handle, and making sure the brakes
15 apply and release in the -- on the rear car of the train.

16 Q. And how do you verify that?

17 A. By gauges on the back of the train.

18 Q. Okay. And when you depart, is there a test after that? When
19 the train --

20 A. The engineer might do -- we do a running brake test, where he
21 tests the brakes to see if they come on and release. That's part
22 of what the engineers do.

23 Q. Does he communicate that with you when he's conducting --

24 A. No. I know by the train stopping and starting, but he won't
25 communicate that to me.

1 Q. So, when he takes off he does a running air brake test?

2 A. Running brake test, yeah.

3 Q. And then -- but you can tell when he's conducting that test?

4 A. Yeah. Yeah. Absolutely.

5 Q. When's the last time a manager rode with you or gave you a
6 test, efficiency test?

7 A. Efficiency test? Do we get efficiency tests?

8 UNIDENTIFIED SPEAKER: Safety.

9 UNIDENTIFIED SPEAKER: Crew check.

10 MR. FIORINO: Crew check?

11 UNIDENTIFIED SPEAKER: Safeties.

12 MR. FIORINO: Safety? We get -- honestly, we get a couple.

13 I get like maybe one -- once a month, I would get one. Something
14 -- where somebody -- the train audit test, and making sure --
15 Neville comes out and check to make sure we have our book up to
16 date and all our -- all that stuff is together.

17 BY MR. TORRES:

18 Q. Okay. On the train that was involved in the incident, have
19 you ever worked with him before? Are you familiar with him?

20 A. With the -- with who?

21 Q. The engineer that was involved in the accident.

22 A. No. Surprisingly not. I did not recognize him. No. I
23 don't -- I mean, I'm on the railroad almost 28 years. So maybe
24 I'm -- I've never worked a regular job with him. I did not
25 recognize him right away. I did not know who he was. So I might

1 have worked with him, if he covered a job off the list one day,
2 but I don't recall ever working with him before, no.

3 MR. TORRES: Thank you.

4 MS. GARCIA: Just a couple of additional questions.

5 BY MS. GARCIA:

6 Q. How long have you been working on trains that come in and out
7 of that station?

8 A. My entire career.

9 Q. Okay. So, with that expertise, just a question on -- there's
10 an employee break room that is right on the other side of the
11 bumper. Is that what it's called?

12 A. It's not really an employee break room. It's an entranceway
13 to an employee break room, I would think. And that's recent.
14 It's not something that been there forever. It's where the CAMs,
15 the car appearance maintainers, they key in and they go in that
16 area and they go out on the back. It's like -- just like a glass
17 little atrium. It's not -- people usually don't congregate there.
18 I would not say it's a normal place to congregate, no.

19 Q. Okay. So I heard it called an employee break room, but
20 that's not what you would call it?

21 A. No. Absolutely not.

22 Q. What -- so, what would you call it?

23 A. Just an entranceway to get to back rooms around the side of
24 track 6, that people have rooms back there.

25 Q. Okay. And do you recall when that was constructed?

1 A. It's -- I would say within the last 5 years. That glass
2 atrium stuff --

3 Q. Uh-huh.

4 A. -- it's relatively new.

5 Q. Okay. Thank you. That's helpful.

6 A. All right.

7 BY MR. TESSITORE:

8 Q. One follow-up. She had mentioned in reference to the glass
9 atrium. That's not a transportation area.

10 A. No.

11 Q. Correct?

12 A. No.

13 Q. Okay. And we're not --

14 A. I'm never in there. Never been back there.

15 Q. You haven't -- you've never been back there.

16 MR. TESSITORE: Okay. Thank you. That's it.

17 MS. GARCIA: Okay. Just to clarify -- Anne Garcia again.

18 When you say it's not a transportation area, what do you mean?

19 MR. BECKER: In other words, you had mentioned that it was a
20 crew break -- this is Bret Becker. You mentioned it was a crew
21 break room. It's not a transportation crew break room. There
22 would never be any transportation employees -- transportation
23 department employees in that area. And his knowledge of that area
24 would probably be very minimal. He's never gone down there, and
25 very few -- I don't think many at all -- transportation employees

1 have been in that area at all.

2 MS. GARCIA: Okay. Do you know what the function is of that
3 room?

4 MR. BECKER: I don't know what the function is. I know --

5 MR. FIORINO: For CAMs, I think.

6 MR. TESSITORE: Vincent Tessitore. The M of E side of --
7 Vincent Tessitore. The maintenance of equipment staff has a break
8 room, and offices on that side. So car appearance maintainers,
9 car inspectors would go that way. Right.

10 MR. FIORINO: And I think they thumbprint --

11 MR. TESSITORE: Right. They thumbprint to get in, gain
12 access, but continue walking through that area that was
13 compromised to get to another location. As where the
14 transportation guys, who are all brothers in the same union,
15 congregate to the other side of the Atlantic Terminal.

16 MS. GARCIA: Thank you.

17 MR. BECKER: It's the area that -- this is Bret Becker. In
18 the area that we were -- that the incident command center
19 transferred to that we had initially met with you folks, that --
20 and that was transportation manager -- our lead transportation
21 manager, Ralph Wetzels office, right next door to that was the
22 crew facility for where the transportation crew congregates, for
23 break room-wise.

24 MS. GARCIA: Thank you.

25 MR. BECKER: You're welcome.

1 MS. GARCIA: I have nothing else.

2 MR. TORRES: Anybody else?

3 Okay. It's 2:25 p.m. and this will conclude the interview.

4 Thank you.

5 MR. FIORINO: Thank you very much. Thank you everybody.

6 (Whereupon, at 2:25 p.m., 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: COLLISION OF LONG ISLAND RAILROAD (LIRR)
 TRAIN NO. 2817 WITH THE PLATFORM AT
 ATLANTIC TERMINAL, BROOKLYN, NEW YORK,
 JANUARY 4, 2017
 Interview of John Fiorino

ACCIDENT NUMBER: DCA17FR002

PLACE: Jamaica, New York

DATE: January 6, 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.

Jane W. Gilliam
Transcriber