

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: ROBERT PENNELL

LIRR Facilities
Jamaica, New York

Saturday,
January 7, 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
Long Island Rail Road (LIRR)

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)

E.J. CHINO Vice President
SMART 645
(On behalf of Mr. Pennell)

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I N T E R V I E W

(11:31 a.m.)

1
2
3 MR. TORRES: Okay. We're on the record. It's 11:31 a.m.
4 This is a NTSB informal interview. My name is Tomas Torres, T-o-
5 m-a-s, T-o-r-r-e-s. Today's date, January 7th, 2017. And we are
6 at Jamaica, Queens, New York on the Long Island Railroad JCC
7 facility, and conducting an interview with a conductor in
8 connection with the accident that occurred on the -- at Atlantic
9 terminal January 4th, 2017. The NTSB accident number is
10 DCA17FR002.

11 The purpose of the investigation is to increase safety, not
12 to assign fault, blame or liability. The NTSB cannot offer any
13 guarantee of confidentiality or immunity from legal or certificate
14 actions.

15 A transcript or summary of the interview will go into the
16 docket. The interviewee can have one representative of the
17 interviewee's choice.

18 MR. TORRES: Do you have somebody?

19 MR. PENNELL: E.J. Chino.

20 MR. TORRES: Okay. Would you please state -- oh, do you
21 understand it's being recorded?

22 MR. PENNELL: Yes.

23 MR. TORRES: Okay. Please state your name and spell it out.

24 MR. PENNELL: Robert Pennell, P-e-n-n-e-l-l.

25 MR. TORRES: Do you mind if we call you by your first name?

1 MR. PENNELL: No.

2 MR. TORRES: Okay.

3 MS. GARCIA: Anne Garcia, G-a-r-c-i-a. I'm a human
4 performance investigator with the National Transportation Safety
5 Board.

6 MR. MEADE: Joe Meade, M-e-a-d-e, operating practice
7 inspector for the FRA.

8 MR. BECKER: Bret Becker, B-e-c-k-e-r, superintendent of
9 engine service for the Long Island Railroad.

10 MR. ELLIOTT: Mark Elliott, E-l-l-i-o-t-t, director of
11 investigations and analysis for the Long Island Railroad.

12 MR. TOMASZEWSKI: Bob Tomaszewski, T-o-m-a-s-z-e-w-s-k-i,
13 operating practices inspector, the FRA.

14 MR. MARALDO: Rob Maraldo, M-a-r-a-l-d-o, New York State DOT,
15 Public Transportation Safety Board.

16 MR. HILL: Donald Hill, H-i-l-l, Safety Task Force, BLET

17 MR. BATES: William Bates, B-a-t-e-s, SMART National
18 Transportation Safety team.

19 MR. NEARY: William Neary, N-e-a-r-y, SMART National
20 Transportation Safety Team.

21 MR. CHINO: EJ Chino, C-h-i-n-o, vice president SMART 645.

22 MS. LEE: Janet Lee, deputy regional administrator -- sorry
23 -- L-e-e, FRA.

24 MR. AMENDOLARE: Dominic Amendolare, A-m-e-n-d-o-l-a-r-e,
25 SMART National Transportation Safety Team, observer.

1 INTERVIEW OF ROBERT PENNELL

2 BY MR. TORRES:

3 Q. Tomas Torres with the NTSB. Robert, could you please
4 describe your work history here with the railroad, when were you
5 hired, what your duties are?

6 A. I am a conductor. I hired on in January of 2002. And I work
7 in -- I'm a yard conductor.

8 Q. So you don't take trains out? You just work in the yard?

9 A. Yeah. Yes. We -- my job is to take trains from the station
10 into the yard. And then if we're in the yard and we switch the
11 trains out, move cars from one track to another.

12 Q. Okay. And on the day of the incident or the accident, where
13 were you at? Or --

14 A. I was in the yardmaster's office.

15 Q. Okay. Can you describe the events --

16 A. Well --

17 Q. -- of that morning? Or, you know, from --

18 A. Okay. Well, I --

19 Q. -- the way you understand it?

20 A. I was in the yardmaster's office at the time of the incident.
21 So I don't really know -- at the time I didn't know what was going
22 on. The yardmaster told me that train had hit the bumping block.
23 So our train, that we were supposed to take to the yard hit the
24 bumping block. So I had walked out to track 6 to see what was
25 going on. So --

1 Q. And once you got -- you went -- you walked down to the
2 platform?

3 A. Yeah.

4 Q. And --

5 A. I walked down to track -- I came up track 5, and then walked
6 down to the west end of the platform. And then, of course, there
7 was police, and the fire department had the whole area sectioned
8 off, so, you know, I could see that there, you know, there was a
9 problem there.

10 Q. Were you involved in assisting?

11 A. No. I was -- yeah, no, I wasn't. Because they -- the police
12 and the fire department were just pushing everybody back, so they
13 didn't really want anybody to be involved, by the time I got
14 there, of course.

15 Q. So you didn't hear anything or see anything at all?

16 A. I didn't.

17 MR. TORRES: Anne.

18 MS. GARCIA: Okay. Thank you.

19 BY MS. GARCIA:

20 Q. Anne Garcia, you mentioned that -- is it Robert, Rob --

21 A. Yeah, Robert is fine.

22 Q. Robert. Okay.

23 A. Yeah.

24 Q. Thank you. Robert, you mentioned that you were in the
25 yardmaster's office.

1 A. Yes.

2 Q. For the record, and for those of us who don't work there,
3 could you describe where that is in relation to the tracks>?

4 A. Okay. The tower, it's the tower, Brook tower, and the
5 yardmaster's office is inside the tower. I believe it's at the
6 end of track 3 and 4. Yeah. It's at the very east end of track 3
7 and 4, there's a building. And I was inside the building.

8 Q. Okay. And could you go through, again, how you received word
9 that there was an incident that happened?

10 A. Well, you know, in the morning, when we report to the
11 yardmaster, he'll tell us what it is that -- you know, what train
12 we have to take down to the yard. So I was getting my briefing
13 from my yardmaster, and then he had told me that the train we were
14 taking had hit the bumping block. And I was like, all right, let
15 me go down there and take a look and see if everything's all
16 right. And then by the time I got down there, you know --

17 Q. Right.

18 A. -- everything was, you know --

19 Q. What are your normal duty hours and days?

20 A. That day it was 8 to 4.

21 Q. And the rest of your workweek, what is that like?

22 A. Well, I'm not -- I'm on a list, so my days are not the same
23 every day. So the next day I could be working from 6 to 2. But
24 generally it's usually working during the day.

25 Q. Okay. So you report where at 8 o'clock?

1 A. That particular day I reported to the yardmaster's office.

2 Q. Okay. Okay. Thank you. So then when went down to see what
3 was going on, you mentioned that you came up track 5?

4 A. Yeah. Well, the platform.

5 Q. Okay. Could you describe -- I don't understand what that
6 means.

7 A. Okay.

8 Q. So, describe it. You came down the steps? You went --

9 A. Okay. So I had walked out of the stationmaster's office, the
10 building, and crossed track 5 on the tracks.

11 Q. You walked across the tracks?

12 A. Right. Across the tracks.

13 Q. Okay.

14 A. And then at the end of the platform is a ladder, stairs, so I
15 came up the stairs at the east end of the platform, and then I
16 proceeded to walk down, heading west down the platform.

17 Q. Okay. So there was a train on track 5?

18 A. I don't recall at that time when I walked up. I really
19 don't. I don't -- because if there was a train, it might have
20 been blocking the staircase, so -- but I don't really remember at
21 the time when I walked up if there was a train there or not.

22 Q. Okay. So --

23 A. But I would have to say no, because if there was, it probably
24 would have been blocking the staircase at the end of the platform,
25 because there's a staircase there.

1 Q. So about what time was this?

2 A. It had to -- well, the incident had to have happened, so it
3 must have been, you know, 8- -- 8:30, maybe, 8:20, you know. I'm
4 not really sure exactly time, but it -- the incident had happened.
5 It had to be after the incident, so whatever the time of the
6 incident happened --

7 Q. Okay.

8 A. -- you know, meaning, within 4 or 5 minutes of the incident,
9 so --

10 Q. Oh, okay, that quickly after the incident occurred?

11 A. Um-hum.

12 Q. Okay. So you only walked across track 5?

13 A. Yeah. It would have to be -- no, it would have to be 4. It
14 would have to be 4 and 5, because -- yeah, I would have had to
15 cross 4, 5, and then I came up 5, right.

16 Q. Okay. Is that your normal way that you would go to the train
17 that you're going to be working on?

18 A. Yeah.

19 Q. Okay.

20 A. Yeah. Yeah, they have walkway across there, over there.

21 Q. There's a walkway across the tracks?

22 A. Yeah, there's a walkway in front of the yardmaster's office
23 over there, so --

24 Q. Okay. Thank you. That's very helpful in painting the scene.
25 So your job, as you mentioned, is that you take -- for this

1 particular train, you were to work with the engineer --

2 A. Yes.

3 Q. -- and the two of you would take the train back to the yard?

4 A. Yes.

5 Q. Okay. What other train movements do you participate in?

6 A. In the yard, we will take trains, take pairs of cars and move
7 them from track to track. In the yard.

8 Q. Within the yard?

9 A. Yeah.

10 Q. Okay. And your qualifications as a conductor, do you qualify
11 to work on any train within Long Island Railroad or is it specific
12 to only work in the yard?

13 A. No, we're trained to work in all our -- in different areas of
14 our job skill.

15 Q. Okay.

16 A. So the yards, transportation, and so --

17 Q. So if needed, you would be qualified to go on a train and
18 have it do its regular run --

19 A. Yes.

20 Q. -- as the conductor?

21 A. I am qualified, yeah.

22 Q. Okay. Thank you very much.

23 A. Okay.

24 Q. So did you -- when you arrived on the scene there, did you
25 see any other employees of the railroad?

1 A. Well, I mean, my -- of course, I had met my engineer at that
2 point, because I had talked to my engineer, so --

3 Q. Where did you meet up with him?

4 A. On the west end of the platform. Where the incident
5 happened.

6 Q. Okay. And what was your conversation with him?

7 A. I don't remember, really. You know, I mean --

8 Q. Yeah.

9 A. -- there was so much going on. So I don't really remember
10 exactly our conversation, you know.

11 Q. Okay.

12 A. I hadn't seen him yet that morning, so that was my first
13 meeting with him at that point, so --

14 Q. Okay. That's where you met up with him on the scene?

15 A. Yeah.

16 Q. -- on the platform?

17 A. Yeah. When this all was going on, so --

18 Q. Okay. And then what did you do after that?

19 A. Okay. Well, I mean, I just observed for, you know, a small
20 period of time, and then, of course, checked back in with the
21 yardmaster to make sure that, you know, there wasn't anything that
22 he needed us to do, so --

23 Q. And then?

24 A. We just waited. You know, I basically just waited for
25 direction from my -- from the-- you know, from my boss, the

1 yardmaster, so --

2 Q. Right.

3 A. Yeah.

4 Q. And what was that direction when it came?

5 A. Well, he basically told us to -- because they were -- they
6 wanted us to move a train down into the yard, you know, I was
7 waiting to find out when our next train, you know --

8 Q. A different train?

9 A. Yeah, another train --

10 Q. Okay.

11 A. -- from another track, to move down to the yard, basically,
12 you know, I guess after everything settled down. So we were
13 basically just waiting, standing around and waiting for direction.

14 Q. Okay. So would that have been a normal schedule then? You
15 would have picked up on your normal schedule?

16 A. No. No.

17 Q. No?

18 A. I'm sure it wasn't. I'm not there at this job every day. I
19 just happened to be there that day.

20 Q. Okay.

21 A. I was filling in for somebody who was off.

22 Q. Okay.

23 A. So there really isn't any normal schedule for me. You know,
24 I mean, I just, you know, so --

25 Q. Okay.

1 A. Yeah, I was just there for that day.

2 Q. Good.

3 A. Okay?

4 Q. Okay. So, basically, just to rephrase, then, you stayed
5 there on the platform until you heard that you were needed to go
6 someplace else?

7 A. Well, it might have been in the, you know, outside in the
8 area, you know.

9 Q. Okay.

10 A. Out there. Yeah. I basically was standing around outside of
11 the incident area, you know, waiting for --

12 Q. Right.

13 A. -- following the -- you know, for my next direction, what are
14 you, we were supposed to do.

15 Q. Very good. And then the rest of your day, until 4, went as a
16 normal day?

17 A. Right?

18 Q. Okay.

19 A. Pretty much. Yeah.

20 Q. Thank you.

21 A. Okay.

22 UNIDENTIFIED PERSON: No questions.

23 MR. BECKER: Bret Becker, no questions.

24 BY MR. ELLIOTT:

25 Q. Mary Elliott. Just a couple questions. Yard assignment,

1 what was the assignment number?

2 A. The YE-23.

3 Q. And you don't wear a uniform, correct?

4 A. No.

5 Q. At any time did you attempt to board the train on track 6?

6 A. No.

7 Q. That's all. Thank you very much.

8 MR. TOMASZEWSKI: Bob Tomaszewski, FRA, no questions.

9 MR. MARALDO: Rob Maraldo, no questions.

10 MR. HILL: No question.

11 UNIDENTIFIED PERSON: No questions.

12 UNIDENTIFIED PERSON: No questions, and thank you.

13 MS. LEE: No questions.

14 MR. TORRES: Tomas Torres with the NTSB. I have no further
15 questions. If nobody else does, this will conclude the interview
16 at 11:46 a.m.

17 (Whereupon, at 11:46 a.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 RAIL ROAD
 (LIRR) TRAIN NO. 2817 WITH THE
 PLATFORM AT ATLANTIC TERMINAL,
 BROOKLYN, NEW YORK, JANUARY 4, 2017
 Interview of Robert Pennell

ACCIDENT NUMBER: DCA17FR002

PLACE: Jamaica, New York

DATE: January 7, 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.

Karen Coen Brooks
Transcriber