

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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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

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Interview of: TIMOTHY DODDO

Wednesday,
February 15, 2017

APPEARANCES:

CY GURA, Safety Engineer
National Transportation Safety Board

JOE GORDON, Rail Accident Investigator
National Transportation Safety Board

PETER LAPRE, Railroad Safety Specialist
Federal Railroad Administration (FRA)

MICHAEL ROWAN, Director of Operations Training
Long Island Rail Road (LIRR)

LATCHMAN SINGH, Safety Auditor
American Public Transportation Association (APTA)

LORETTA EBBIGHAUSEN, Chief Safety Officer
Long Island Rail Road
(Representative on behalf of Mr. Doddo)

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I N T E R V I E W

(1:00 p.m.)

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3 MR. GURA: My name is Cy, C-y, Gura, G-u-r-a. And this
4 interview is being conducted on February 15th, 2017 at
5 approximately 1 p.m. with Mr. Timothy Doddo, Mr. Latchman Singh,
6 and Mr. Michael Rowan in regard with the accident that occurred on
7 January 4th, 2017, at 8:18 a.m. Eastern Standard Time at the
8 Atlantic Terminal in Brooklyn, New York.

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

14 The interviewee can have one representative of the
15 interviewee's choice.

16 Timothy, do you have a representative here with you?

17 MR. DODDO: Yes, I do.

18 MR. GURA: Could you identify her, please?

19 MR. DODDO: Ms. Loretta Ebbighausen.

20 MR. GURA: Okay. Laura, will you please identify yourself
21 for the record, spell your name.

22 MS. EBBIGHAUSEN: It's Loretta, L-o-r-e-t-t-a, otherwise
23 known as Lori, L-o-r-i. Last name is Ebbighausen, E-b-b-i-g-h-a-
24 u-s-e-n.

25 MR. GURA: Okay. And I'll ask everyone to please spell your

1 name and introduce yourself for the record. Go ahead, Tim.

2 MR. DODDO: My name is Timothy Doddo, T-i-m-o-t-h-y,
3 D-o-d-d-o.

4 MR. SINGH: My name is Latchman Singh, L-a-t-c-h-m-a-n, last
5 name Singh, S-i-n-g-h.

6 MR. ROWAN: My name is Michael Rowan, M-i-c-h-a-e-l,
7 R-o-w-a-n.

8 MR. LAPRE: My name is Peter Lapre, P-e-t-e-r, L-a-p-r-e.

9 MR. GORDON: Joe Gordon. J-o-e, G-o-r-d-o-n.

10 INTERVIEW OF TIMOTHY DODDO

11 BY MR. GURA:

12 Q. Okay. Cy Gura. Tim, I need to know a little bit about how
13 the System Safety Program Plan works and how that is incorporated
14 with the APTA points for System Safety Program Plans. So could
15 you please tell me how it works, how it functions?

16 A. Sure. It's based on an APTA standard. The APTA standard is
17 a consensus standard. There are discrete elements that are
18 identified therein. We use -- we put those elements into our plan
19 and then we expound upon them to describe the basis for the flag
20 hazards on the Long Island Rail Road and resolving those.

21 Q. Okay. For the Atlantic terminal, how would the Atlantic
22 terminal be handled with the System Safety Program Plan with the
23 APTA bullet points?

24 A. There's various sections that would apply. Mostly the
25 sections on emergency response would describe how we plan for and

1 train on emergency response actions. There are sections for
2 various departments and how they deal with the hazards down at the
3 facility. So the transportation folks specific to the incident.
4 There's various descriptions on how qualify our train crews, how
5 we train them. There are standards that they're expected to hold,
6 the tests and audits that the department does in order to ensure
7 that those standards are upheld.

8 There are also sections in there for our various operating
9 departments such as signal and engineering, how they maintain and
10 inspect the various infrastructure and facility. There's also --
11 it also describes the various safety committees and safety walks
12 and all the ways that we gather information about the hazards and
13 the condition of the facility and the lines of communication and
14 responsibilities for dealing with those.

15 Q. Okay. Now prior to the accident, has the Atlantic Terminal,
16 through either the walks or through the APTA standards, been
17 identified as a potential hazard with the possibility of a single
18 point failure of a trainman losing control of the train coming
19 into the station?

20 A. I don't know that the plan specifically identifies that
21 particular issue. It identifies the methods by which we identify
22 those hazards. So in the past, when the signal system was
23 designed, those -- and rules that were put into effect were
24 probably considered.

25 We use the plan in order to prioritize the hazards that we

1 encounter for mitigation. That specific hazard was not identified
2 in that plan, was not the document for that.

3 Q. Okay. Had there been any previous incidents of bumping post
4 impacts at the Atlantic Terminal?

5 A. Yes.

6 Q. How many? Do you recall? And were they recent or they were
7 in the past?

8 A. In the past. Was it was recently 5 years or so?

9 Mike, can I ask you if you recall the last bumping post? I
10 think it was about 5 years. I know we identified one in the
11 record.

12 MR. ROWAN: At Atlantic Terminal --

13 MR. DODDO: Yes.

14 MR. ROWAN: -- specifically? I don't --

15 MR. DODDO: Yeah.

16 MR. ROWAN: The only one that I'm aware was, I believe, in
17 1996.

18 MR. DODDO: It was that that far back? Okay. I can't recall
19 the exact date of the, that particular. But I know there was one
20 in recent history that we provided.

21 BY MR. GURA:

22 Q. Okay. And that was about 1996?

23 MR. ROWAN: Yes.

24 MR. GURA: Okay.

25 BY MR. GURA:

1 Q. And were there any injuries or fatalities involved in that
2 bumping post collision?

3 A. I can't say offhand right now. I'd have to look that up for
4 you.

5 Q. Okay. If you wouldn't mind, please, I'll have that for the
6 record.

7 A. Sure.

8 Q. Are there any other facilities that Long Island Rail Road has
9 that have like terminals that end, that have bumping posts at
10 stopping points?

11 A. Yes.

12 Q. Will you identify them, please?

13 A. I couldn't go through the list. We have a special
14 instruction where those are identified. We can also provide that.

15 Q. Okay. Are you aware of any previous collisions at the end of
16 those bumping posts also?

17 A. Yes.

18 Q. And how many were there?

19 A. In a particular span of time, I know we've had one at Port
20 Washington, which was one of them. I'm not familiar with, off the
21 top of my head, any other ones at the moment.

22 Q. Okay. And were there any injuries that you're aware of at
23 Port Washington?

24 A. No. No injuries.

25 Q. Okay. Do you know what the circumstances of the bumping post

1 collisions were?

2 A. At Port Washington?

3 Q. Yes.

4 A. The trainman failed the -- the locomotive engineer failed to
5 control the movement of the train. The train bypassed the bumping
6 post and made contact with the stairway beyond before coming to
7 final rest.

8 Q. Okay. Did it actually leave the track then when it made
9 contact with the stairway? Did it go up on the platform deck?

10 A. No, the track in that particular location's at ground level
11 and the station's higher than that. That's -- and obstruct the
12 stairway, displaced the stairway.

13 Q. Okay. And had anything been done based on those bumping post
14 collisions prior to this accident at Atlantic Terminal?

15 A. I didn't (indiscernible) --

16 Q. As far as to reduce the risk, had any safety procedures been
17 included to reduce the risk?

18 A. I'm going to defer to Mike. I know there were some specific
19 operational considerations that were put into place such as safety
20 stops that were -- rules already in place. So when an issue
21 happens like this, we re-amplify those rules via various means.
22 We have bulletins and we have what's called a Red Alert, where we
23 summarize the incident and the rules that apply.

24 I don't know if Mike can -- can you expound on that at all?

25 MR. ROWAN: I don't know of --

1 MR. GURA: Please introduce yourself, Mike.

2 MR. ROWAN: Mike, Michael Rowan. I'm not sure about a
3 specific operational thing that was done as a result of a specific
4 incident.

5 MR. DODDO: We definitely have them in a -- we can have that
6 in a report. We can provide you what was done.

7 MR. GURA: Okay, please do.

8 MS. EBBIGHAUSEN: Could we --

9 MR. GURA: Go ahead, Lori. Please identify yourself then, if
10 you want to clarify something.

11 MS. EBBIGHAUSEN: Loretta Ebbighausen, Lori. So your
12 question relates to what might have been done across the property
13 in relation to stub-end terminal tracks and what was -- what we
14 might have done to mitigate against that type of incident from
15 occurring?

16 MR. GURA: Correct.

17 MS. EBBIGHAUSEN: Okay. So based on the safety advisory that
18 was issued in the beginning of December of 2016, prior to the
19 incident, FRA had issued a safety advisory as a result of the
20 Hoboken incident and listed a number of different mitigations.

21 So we had been in the process of going through what those
22 various mitigations are that were recommended. And we had
23 actually developed a notice that was to go into effect the day of
24 the incident that requires two individuals -- a qualified
25 individual to be in the cab with the locomotive engineer in order

1 to address should the engineer become incapacitated, that that
2 would be a second individual in the cab to help mitigate against
3 that, among other things that were part of the safety advisory.
4 But as it directly relates to this incident, that had been in
5 progress. So I'm not sure if that's what you're looking to
6 explore or address.

7 MR. GURA: Right.

8 BY MR. GURA:

9 Q. Tim, again, with the -- prior to the incident, nothing was
10 done with those two incidents that you talked about. But because
11 of the Hoboken incident, the FRA put out an advisory.

12 A. Correct.

13 Q. And then after this advisory, that's when Long Island Rail
14 Road was looking at the advisory to make safety advancements in
15 the case of an engineer became incapacitated.

16 MS. EBBIGHAUSEN: Could I make a correction for the -- I know
17 we need to -- this is Loretta Ebbighausen.

18 MR. GURA: Yes.

19 MS. EBBIGHAUSEN: That we need to go back to look at those
20 incidents to confirm what, if anything, was done. So I don't want
21 to, you know, have the record reflect that nothing was done
22 because we are not prepared to speak to that at this moment.

23 MR. GURA: Okay.

24 MS. EBBIGHAUSEN: So that would be something that we'd be
25 happy to research and get back to you.

1 MR. ROWAN: Mike Rowan. Also, yes, like because of the time
2 frame of the date of the Port Washington incident, I can't speak
3 exactly, now as to what --

4 MR. DODDO: Yeah.

5 MR. ROWAN: -- might have been done in response --

6 MS. EBBIGHAUSEN: Right.

7 MR. ROWAN: -- to that.

8 MR. DODDO: We have those documents. We'll get you the --

9 MR. GURA: Okay.

10 MR. DODDO: -- remedial actions that were done.

11 Regarding the order that came out, the executive order or
12 the --

13 MS. EBBIGHAUSEN: Safety advisory.

14 MR. DODDO: -- safety advisory that came out the FRA,
15 previously Long Island Rail Road held to the philosophy that the
16 locomotive engineer's cab was to be kept sterile; in other words,
17 we were attempting to make sure that there was no distraction to
18 the locomotive engineer. At the time, that was the preferred
19 mitigation. With current knowledge and the current
20 considerations, that's when we decided to add the second person in
21 the cab under certain circumstances.

22 BY MR. GURA:

23 Q. Okay. With the APTA standards, do you review it on an
24 annual, is it twice a year, 3-year basis? Explain that, how it's
25 reviewed and how, if anything's identified as far as a risk, how

1 that becomes implemented.

2 A. The document's considered living. At any time during the
3 document's life there are -- there could be some incremental
4 updates. But there are -- and a complete overhaul of the entire
5 document to coincide with the audits, the triennial audits that
6 APTA would conduct.

7 That's done by committee and by section, where we bring the
8 operating departments in to go over those documents and update
9 them as necessary. If there are any identified hazards during the
10 way, we would ask that the -- if it hasn't been done already, that
11 the department incorporate the mitigations that follow.

12 Q. Okay. And who's part of the APTA review or audit?

13 A. Oh, at the railroad?

14 Q. Yes.

15 A. Corporate Safety chairs that committee, and they -- and we
16 ask the department heads to assign representation to that
17 committee. So that could change year to year.

18 Q. Okay. So each department head, so you would -- what
19 departments would be involved in the audit then?

20 A. We usually start with the operating departments. So that
21 would be engineering, transportation and then we work our ways
22 through the various administrative departments. And we probably
23 have a crew of about 15 people or so at the table, and we go
24 through each section.

25 Usually it's -- there's specific sections of documents go out

1 first so those folks can become -- can provide edits during the
2 meeting, make it a working meeting. And the best practices are
3 shared during the committee.

4 Q. Okay. How far down the risk area do you go? Like for --
5 during this audit, would you actually -- would a risk of a single
6 point failure of that engineer be identified during audit or could
7 it be identified?

8 A. It could. Likely, that particular instance, that type of
9 hazard was such an infrequent occurrence that it was deemed not a
10 risk that we were going to mitigate any further at that point,
11 with the given technologies available.

12 Q. Okay. And the technologies that are available at the time,
13 what kind of operating environment do you have outside the
14 terminal and does it continue into the terminal?

15 A. We've signal systems that are incorporated with a cab control
16 system in the train, automatic train control. Coming into the
17 station, the speed limit is limited by rule to 5 miles per hour.
18 The signal system drops out and the code in the train goes -- they
19 actually lose code in the train, meaning that that would be a
20 restricted speed -- right, Mike -- which is physically limited to
21 15 miles per hour. So at this point, the signal system can only
22 limit the train to around 15 miles per hour.

23 Q. Okay. So once the code drops out, the train can go anywhere
24 between 5 and 15 miles an hour?

25 A. Zero to 15, yes.

1 Q. Zero to 15?

2 A. Yes, sir.

3 Q. Within the terminal?

4 A. Yes, sir.

5 MR. GURA: Okay. What -- I'm going to pass it on.

6 Mr. Lapre, do you have -- please identify yourself and if you
7 have any questions.

8 MR. LAPRE: Sure. Thank you. Peter Lapre with the FRA.

9 BY MR. LAPRE:

10 Q. Timmy, with regard to restricted speed, the CFR has a
11 definition for restricted speed. I just wanted to confirm with
12 you that your cab signals enforce 15, or is it something higher,
13 like 20?

14 A. I can't give you that much technical detail. As I understand
15 it, there's some variation between the trains, but it's around 15
16 that the system is supposed to limit the train once that code is
17 received.

18 Q. Okay. Thank you.

19 MS. EBBIGHAUSEN: Can you help with that, Mike?

20 MR. ROWAN: Yeah. Mike Rowan. I'm a qualified locomotive
21 engineer at the Long Island Rail Road. And the speed, with no
22 code, is 15. And then, as you know, the rules would then, in
23 certain locations, tell the engineer that they have a more
24 restricted speed. Although that's a differential, like you said,
25 from -- up to 15 miles an hour.

1 MR. LAPRE: Okay. So it's lower -- Peter Lapre again. It's
2 lower than 15?

3 MR. ROWAN: Yes.

4 MR. LAPRE: Fifteen is the MAS --

5 MR. ROWAN: Yes.

6 MR. LAPRE: -- for restricted speed.

7 MR. ROWAN: Yes. Well --

8 MR. LAPRE: Okay. Signal would --

9 MR. DODDO: Unless otherwise noted, as in this case.

10 MR. ROWAN: That's the, that's the highest speed the
11 equipment could do.

12 MS. EBBIGHAUSEN: That's not the -- Lori, Loretta
13 Ebbighausen. That's not the definition that we use for restricted
14 speed. Restricted speed is a mode of operation that requires --

15 MR. ROWAN: Right.

16 MS. EBBIGHAUSEN: -- a verbatim perspective. Mike Rowan,
17 perhaps you can just --

18 MR. ROWAN: Yeah. So our restricted speed definition spells
19 out, you know, it could be up to 15, unless it's otherwise
20 restricted, and then all the things that the locomotive engineer
21 is required to be looking out for while operating under restricted
22 speed.

23 MS. EBBIGHAUSEN: And -- Loretta Ebbighausen. So it's not a
24 speed rule. It's a stop rule that the restricted speed requires
25 the engineer to be aware -- or whoever's operating the equipment,

1 to be aware of their surroundings and understand that, based on
2 those surroundings and the conditions that they find themselves
3 in, that they need to operate at the appropriate speed which --

4 MR. ROWAN: And even, no matter what the speed is, the
5 philosophy is that you have -- since you have to stop within one-
6 half the range of vision, even in those locations where you can go
7 15, you may have to go slower because conditions requiring you to
8 stop within one-half the range of vision might require you to go
9 slower.

10 MR. LAPRE: Peter Lapre. Okay, thank you.

11 BY MR. LAPRE:

12 Q. Yeah, what I was looking for is what was the cab signal speed
13 that would be enforced. And I think we're pretty concrete there,
14 is that it would enforce 15 miles an hour --

15 A. Yes.

16 Q. -- as the maximum speed that it could do under that signal or
17 no code.

18 A. Yes.

19 Q. Thank you. If I may? You mentioned before, when we were
20 talking about Atlantic Terminal, that you conduct audits, safety
21 walks and there's a myriad of committees that do this. And you
22 also said that you monitor for compliance with tests and
23 observations.

24 A. Correct.

25 Q. Could you explain to me a little bit about the test and

1 observation program?

2 MR. GURA: Is this specific to operating trains?

3 MR. LAPRE: This is -- no. The discussion was about
4 identifying hazards within the terminal --

5 MR. GURA: Yes.

6 MR. LAPRE: -- and how they're addressed with the System
7 Safety Plan. So this is not T&E type observations. This is test
8 and observations for, I guess, hazards or compliance with specific
9 rules within the Atlantic Terminal.

10 MR. DODDO: So you want --

11 MR. LAPRE: Unless I misunderstood you.

12 MR. DODDO: So you want know how the efficiency testing
13 system would be used to find hazards at the -- at Atlantic?

14 MS. EBBIGHAUSEN: Loretta Ebbighausen. For clarification,
15 are you talking about infrastructure facility observations or
16 inspections or are you talking about people observation and
17 inspections?

18 MR. LAPRE: I think I'm talking about both.

19 MS. EBBIGHAUSEN: Okay.

20 BY MR. LAPRE:

21 Q. So this is specific -- the question is specific to Atlantic
22 Terminal. And I was looking for clarification. Perhaps I
23 misunderstood you, but you said you had your committees that would
24 go walk through the terminal and they would look for things that,
25 you know, had been addressed, I guess, in your System Safety

1 Program Plan, and that you would conduct test and observations to
2 make sure that there was compliance with those mitigations.

3 A. So the tests that I was referring to are the efficiency
4 testing, so that would be the operation into the terminal. The
5 various committees, like you said, there are a myriad of them.
6 The System Safety Program Plan also outlines the frequency by
7 which the departments themselves conduct observations. And
8 employees themselves are responsible for identifying hazards and
9 mitigating those. The lines of communication and those
10 responsibilities are also spelled out.

11 Q. Okay. And when we talked about the committees, you mentioned
12 engineering, operations, and I'm sure mechanical is there. But I
13 think there's a whole lot more, like B&B, building services, third
14 rail power --

15 A. Just about every department has a process to take information
16 from the field. So they'll -- employees have a line of
17 communication straight from the ground. We have scheduled audits
18 that go down for the purposes of identifying hazards.

19 Those identified, if they require to be repaired, obviously a
20 repair of some kind goes into a system. That system is documented
21 by -- I think it's called -- I forget the name of it, the exact
22 system. Is it Maximo, I think it is? A ticket number is
23 generated. Someone is prioritizing those based on the hazard to
24 get fixed. So there's significant number of systems in place to
25 identify and resolve hazards.

1 Q. And across all different kinds of disciplines that --

2 A. Yes.

3 Q. -- that encompass the Atlantic Terminal?

4 A. Correct. Correct.

5 Q. One more question, if I could. So you talked about Port
6 Washington as being perhaps the last incident, and that was in
7 1996.

8 A. No, that was more recent. That was more recent. I don't
9 know the year.

10 MS. EBBIGHAUSEN: Yes, if I could. Loretta Ebbighausen. I
11 think rather than people trying to speculate when things were and
12 where they were and when they occurred, I would prefer if we could
13 get that information to you after this interview. So --

14 MR. LAPRE: Sure.

15 MS. EBBIGHAUSEN: -- that way it will be factual and not
16 based on someone's speculation or recollection of what may or may
17 not have occurred.

18 MR. LAPRE: That's a good idea.

19 BY MR. LAPRE:

20 Q. The question was going to be, to the best of your
21 recollection, do you have a totality of bumping block incidents, a
22 number that perhaps occurred at --

23 A. Off the top of my head, no.

24 MR. LAPRE: Okay. Thank you very much.

25 MR. GORDON: Joe Gordon, NTSB.

1 BY MR. GORDON:

2 Q. You mentioned that many of the terminals have stub-end
3 tracks. You come into the end of the track and there's a stub-
4 end, and those are equipped with bumping posts. Are there --
5 could you give us a number, an idea of how many of those have a
6 passenger walkway beyond the end of the track?

7 A. I guess those were the ones we considered for the special
8 instruction. And, again, I'd be speculating, but the list is
9 about five, six, somewhere in that -- somewhere in that region.

10 Q. Okay.

11 A. Less than 10.

12 Q. Terminals?

13 A. Yes.

14 Q. And so we're talking multiple tracks in each of those
15 terminals?

16 A. Yes.

17 Q. Okay. Was there ever any hazard recognition of the
18 passengers walking beyond those bumping posts? And if an incident
19 occurred, like the overrun of a bumping post, was that ever
20 anything that was identified in the application of the System
21 Safety Program Plan?

22 A. To my knowledge, no.

23 Q. Okay. Thank you for that. Cab signals, I think the term
24 that was used was that the cab signals drop out at 15 mph. Is
25 there a challenge -- could that speed be dropped down to, cab

1 signaling down to 5 mph? Would there be an operational issue with
2 that?

3 A. I'd have to review that with our folks.

4 Q. Okay.

5 A. But I understand that it is physically -- technologically
6 possible.

7 Q. Okay. Okay, and one more question on the bumping post.

8 MR. GORDON: And, Cy, if I'm getting ahead of you, you can --

9 MR. GURA: No, go ahead.

10 MR. GORDON: -- punch me.

11 BY MR. GORDON:

12 Q. Has the railroad looked at energy-dissipating bumping posts
13 such as some of the bumping posts where they're actually friction
14 pads that interrails within the actual gauge running rails, and
15 these bumping posts will actually absorb some of the energy of a
16 train that hits the post? Has that been anything that you guys
17 have explored?

18 A. As a result of the incident, all of the -- all of the bumping
19 posts in the system are under evaluation now by our engineering
20 department.

21 MS. EBBIGHAUSEN: Yes, and a correction, for the record, that
22 that -- Loretta Ebbighausen -- that that actually started before
23 the Atlantic Terminal incident. So that's something that had been
24 in process as far as a complete inventory of the bumping posts and
25 what their capabilities were. So that had been undertaken prior

1 to the Atlantic Terminal incident.

2 MR. GORDON: Okay. And are you guys doing that? Is that
3 in-house analysis that's being done or have you reached out to --

4 MS. EBBIGHAUSEN: Right. Right now it was an internal
5 review. As a result of the Atlantic Terminal incident, that may
6 perhaps change. But at this point it was being done internally by
7 our engineering department.

8 MR. GORDON: Okay. All right, thank you. I have no further
9 questions right at this time.

10 MR. GURA: This is Cy Gura.

11 BY MR. GURA:

12 Q. I just passed Tim -- could you identify that, Tim? You were
13 asked some questions about --

14 A. Sure.

15 Q. -- that specific area.

16 A. Cy just passed me a General Notice, No. 252, dated January
17 4th, 2017. And what became effective at 5:01 p.m., Wednesday,
18 January 4th, 2017, was the Special Instruction 1033. That
19 describes the instructions related to approaching stations with a
20 conductor and engineer on the leading end. And it goes into which
21 stations those -- it details those stations.

22 Q. Yeah. You were asked those stations. Could you identify
23 whatever stations there that it became effective in?

24 A. Sure. Long Island City, Greenport, Montauk, Atlantic
25 Terminal, Far Rockaway, Long Beach, Port Washington, Hempstead,

1 West Hempstead.

2 Q. And all of those facilities have stub-end tracks?

3 A. Correct.

4 Q. And that's where the qualified employee comes up to the cab
5 with the engineer to make sure he does a proper station stop?

6 A. Correct.

7 Q. Thank you. Tim, the next question I have -- the APTA plan,
8 is it still effective or are you starting to transition over into
9 the FRA requirement?

10 A. We are at this time altering the plan to meet the FRA
11 requirements.

12 Q. Okay. Are you still working under the APTA standards then?
13 Are you going to have another audit? Or is it going to transition
14 right into the FRA?

15 A. It's going to be transitioning right into the FRA. Right now
16 the effective plan is the APTA standard, meets the APTA standard.
17 But once the FRA's rule becomes effective, that plan will become
18 effective.

19 Q. Okay. With the APTA plan, what are the penalties if you fail
20 to follow the audit's recommended changes?

21 A. Penalties. There's no penalty that I know of other than the
22 -- APTA writes a recommendation. Those recommendations are then
23 shared with our business process management folks, and they will
24 audit the process by which we either comply or not accept the
25 recommendation for cause.

1 MR. GURA: Yeah. Go ahead.

2 MS. EBBIGHAUSEN: Okay. Loretta Ebbighausen. Historically,
3 the FRA has been in attendance during our APTA audits. They did
4 not participate in our 2014.

5 MR. ROWAN: '14.

6 MS. EBBIGHAUSEN: But historically, they have been. And as
7 the findings may relate to our obligation to adhere to an FRA
8 regulation, there were conversations or potential penalties, which
9 we'd have to go back and research whether one was actually
10 assessed. But that collaboration during the APTA audit did result
11 in us having conversations with FRA regarding regulatory
12 compliance.

13 MR. GURA: Okay.

14 BY MR. GURA:

15 Q. And then, just to make sure this is totally understood, the
16 APTA audits never did identify the hazard of a bumping post
17 overrun with potential passengers walking behind or anything like
18 that as a risk?

19 A. Since my tenure at the Long Island Rail Road in 2008,
20 starting in June 2008, that has not come up. I can't speak for
21 the previous audits.

22 Q. Okay. And in the -- this is -- the Long Island Rail Road is
23 still part of the FRA oversight for both transportation and
24 maintenance in that facility?

25 A. Yes.

1 Q. So you have FRA inspectors that come out to your facility to
2 identify any deviations from federal standards?

3 A. Yes.

4 Q. Okay. And the fact that the FRA, have they ever found any
5 deviations with operating past a bumping post or through a bumping
6 post?

7 A. That I'd have to find out for you. But I'm not --

8 Q. Okay.

9 A. I don't know right offhand.

10 Q. Would that be part of, you know, the two records that you
11 identified of bumping post impacts? Would that be reported to the
12 FRA?

13 A. If -- oh, yeah. If -- those would meet the reportable
14 criteria, so the FRA would have a report on that. I'd have to
15 look into the files to see if we documented whether there were any
16 violations issued as a result.

17 Q. If you wouldn't mind, please, include that into the record.

18 A. Absolutely.

19 MS. EBBIGHAUSEN: And for clarification, what span of time
20 are we looking to address, for the purposes of our research?

21 MR. GURA: For the -- from -- I'm going to just go by from
22 what I understand. Potentially, there was one in 1996. And --

23 MR. DODDO: Or thereabouts.

24 MR. GURA: Somewhere in that area, somewhere around 1996.

25 And then the other one would have been somewhere between, I'm

1 going to say, recently, between 10 years, somewhere around ten
2 years. I believe I asked Tim earlier if there was any bumping
3 post accidents within the last 5 years, and there were no bumping
4 post accidents in the last 5 years. So we're going outside that
5 5-year realm. And from what I understand from this, there was two
6 previous, possibly.

7 MS. EBBIGHAUSEN: Yeah, for my clarification, are you looking
8 at bumping posts across the property or stub-end terminal bumping
9 posts? What's our --

10 MR. GURA: Stub-end bumping posts within terminals, not
11 yard --

12 MS. EBBIGHAUSEN: Okay.

13 MR. GURA: -- type.

14 MS. EBBIGHAUSEN: So stub-end bumping --

15 MR. DODDO: At those locations?

16 MR. GURA: Yes.

17 MS. EBBIGHAUSEN: Okay, so for those location, as identified
18 in the general notice, you'd like us to look back in our records
19 and identify incidents including whether there were injuries; what
20 the potential causation was, if we were able to identify it, for
21 the incident; whether there was an FRA violation --

22 MR. GURA: Issued.

23 MS. EBBIGHAUSEN: -- issued and what mitigations might have
24 resulted from those incidents?

25 MR. GURA: Correct.

1 MS. EBBIGHAUSEN: So those are the four areas, and that's
2 stub-end terminal bumping posts incidents.

3 MR. GURA: Right.

4 MS. EBBIGHAUSEN: Okay. Thank you for the clarification.

5 MR. GURA: And with that, I have no further questions.

6 Mr. Lapre?

7 MR. LAPRE: Yes, I do have one question.

8 BY MR. LAPRE:

9 Q. The last APTA audit was in 2014. The FRA did not participate
10 in that, you said. Were there any significant reports that came
11 out of that audit?

12 A. Defer to Mr. Singh who was -- who chaired that audit.

13 MR. SINGH: This is Latchman Singh. I will need a further
14 clarification as to what you mean by significant. We did have
15 findings. We have addressed the majority of those findings and
16 there are a couple that are still open.

17 MR. LAPRE: Sure. This is Peter Lapre. With regard to --
18 from the APTA audits, anything regarding train movements into
19 terminals with stub-end tracks approaching bumping posts?

20 MR. SINGH: There were not any that was identified during the
21 2014 audit in regards to that particular item.

22 MR. LAPRE: Thank you.

23 MR. SINGH: Sure.

24 MR. LAPRE: That's it.

25 MR. GORDON: Joe Gordon, NTSB. I just want to, on the

1 record, just kind of clarify two things that I think NTSB would
2 have interest in. One would be the limit of the speed of trains
3 to 5 mph after the cab signaling drops out, you know, what's being
4 done, if that's an option that's being explored. If it is
5 explored and there are challenges that make that something that's
6 not feasible, if we could hear back on what those challenges are.

7 And the second thing being the bumping post, whatever work's
8 being done, looking at the different options on the bumping post,
9 if we could get a report back when that work is complete as to,
10 you know, what decisions were made and kind of give us the thought
11 process behind those decisions.

12 And those are the two things that I have, so I will -- end of
13 my questions and pass it back over to Mr. Gura.

14 MR. GURA: Do you have any -- Tim, do you have any
15 clarification of -- or questions based on what we asked for and --

16 MR. DODDO: I believe I'm clear on what you need, and we'll
17 get that to you.

18 MR. GURA: We're done. Thank you.

19 MR. DODDO: Sure. Thank you.

20 MR. GURA: Off the record.

21 (Whereupon, the interview was concluded.)
22
23
24
25

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 Timothy Doddo

ACCIDENT NUMBER: DCA17FR002

PLACE:

DATE: February 15, 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.

Kimberlee Kondrat
Transcriber