

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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METRO-NORTH RAILROAD FATAL TRAIN *

CRASH, VALHALLA, NEW YORK * Docket No.: HWY-15-MH-005

FEBRUARY 3, 2015 *

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Interview of: STEVEN SMALLS

Marriott Hotel
Tarrytown, New York

Thursday,
February 5, 2015

The above-captioned matter convened, pursuant to notice.

BEFORE: DAVID BUCHER
Railroad Accident Investigator

APPEARANCES:

DAVID BUCHER, Railroad Accident Investigator
National Transportation Safety Board

KENNETH BRAGG, Human Performance Investigator
National Transportation Safety Board

MARY PAT McKAY, M.D., Chief Medical Officer
National Transportation Safety Board

BRUCE PARKIN, Safety Inspector, Region 1
Federal Railroad Administration

PATRICK VEDDER, Inspector
Federal Railroad Administration

MICHAEL SCIORTINO, General Road Foreman of Engines
Metro-North Railroad

KEVIN MAHONEY, Road Foreman
Metro-North Railroad

TOMMY COOPER, Metro-North Engineer
Local Chairman, Association of Commuter Rail Employees

SEAN CONNOLLY, Detective
MTA Police

JOHN RIZZITELLI, Detective Sergeant
MTA Police

JEFFREY CHARTIER, Esq.
(Attorney on behalf of Steven Smalls)

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I N T E R V I E W

1
2 MR. BUCHER: Okay. This is Dave Bucher, Rail Accident
3 Investigator for the National Transportation Safety Board.

4 This is the interview of Steve Smalls, locomotive
5 engineer for Metro-North. And the interview is in relation to the
6 accident that occurred on February 3, 2015, at Valhalla, New York,
7 at approximately 6:59 p.m. The NTSB accident number is HWY-15-MH-
8 005.

9 To my right, and if you could introduce yourself and go
10 around the table, everyone please spell your name, please.

11 MR. COOPER: Yes. My name is Tommy Cooper, T-o-m-m-y,
12 C-o-o-p-e-r. I'm an engineer with Metro-North, and I'm a local
13 chairman for the union, the Association of Commuter Rail
14 Employees.

15 MR. SCIORTINO: Michael Sciortino. Michael, S-c-i-o-r-
16 t-i-n-o. I'm the general road foreman of engines for Metro-North
17 Railroad.

18 MR. MAHONEY: Kevin Mahoney. It's K-e-v-i-n, M-a-h-o-n-
19 e-y, and I'm a road foreman for Metro-North Railroad.

20 MR. CONNOLLY: Sean, S-e-a-n, Connolly, C-o-n-n-o-l-l-y,
21 and I'm a detective with the MTA Police.

22 MR. RIZZITELLI: John Rizzitelli, J-o-h-n, R-i-z-z-i-t-
23 e-l-l-i, Detective Sergeant with the MTA Police.

24 MR. VEDDER: Patrick Vedder, P-a-t-r-i-c-k, V-e-d-d-e-r.
25 I'm an Inspector with the Federal Railroad Administration.

1 MR. BRAGG: My name is Kenneth Bragg, B-r-a-g-g. I'm a
2 Human Performance Investigator from NTSB Office of Highway Safety.

3 DR. MCKAY: I'm Mary Pat McKay. That's M-a-r-y, P-a-t,
4 M-c-K-a-y, and I'm the Chief Medical Officer for the NTSB.

5 MR. PARKIN: Bruce Parkin, B-r-u-c-e, P-a-r-k-i-n,
6 Federal Railroad Administration, Safety Inspector, Region 1.

7 MR. CHARTIER: Jeffrey Chartier, C-h-a-r-t-i-e-r, 2027
8 Williams Bridge Road, Bronx, New York 10461, attorney for Steven
9 Smalls.

10 MR. BUCHER: Dave Bucher again.

11 INTERVIEW OF STEVEN SMALLS

12 BY MR. BUCHER:

13 Q. Steve, if you could spell your name for the record?

14 A. Steven Smalls, S-t-e-v-e-n, Smalls, S-m-a-l-l-s. I'm a
15 locomotive engineer for Metro-North.

16 Q. Thank you. Steven, as I said before, if you could just
17 relate to us in your own words how your day went, the day of the
18 accident, beginning when you got up to go to work, and just in
19 your -- as much as you can remember, relate to us what you did.

20 A. My day started off, I got a call from the crew
21 management center around 3:32 in the morning. I didn't answer
22 that call because I was asleep. They called me again around 7:30-
23 ish. I answered the phone. They asked me if I wanted to work
24 today. I told them, yeah, I'd be up to work. They asked me what
25 job -- they asked me would I be able work out of Brewster. I

1 asked them what's the job? They told me. I told them -- I asked
2 -- I told them I'll give them a call back, let me look at the job,
3 you know. I looked at the job, gave them a call back. I accepted
4 the job. The job started on duty at 9:37, if I'm not mistaken.

5 After that, I got, you know, washed up, everything,
6 drank some water. My wife drove me to work. She dropped me off
7 at work. I went upstairs, signed in as normal into CMS. I seen
8 the conductor there. I didn't know he was the conductor at first.
9 I introduced myself. I asked him if he was working job 918. He
10 said he was. I told him I'm the engineer for the job. He gave me
11 a safety rundown of how the job goes for the day, of how many cars
12 we're going to be using going down, you know, what the job consist
13 of.

14 After that, we proceeded -- we waited for our train to
15 come into the yard to actually take the train to go down into the
16 city. So our train came. Eventually the train came and we met
17 them in the yard, did my regular head-end checks and everything;
18 coordinated with the yardmaster, did my radio checks also before
19 that with my conductor. Backed me out the yard. We ran I think
20 six cars going down. No problems. We got to GCT. After that, I
21 had another train to do that was actually supposed to go -- it was
22 going to Mt. Kisco and turn.

23 We spoke about how we're going to actually -- how he
24 wants the train to be run, you know. I think he -- at the time, I
25 think he was using the rear four. I can't recall. But anyway, we

1 had a safety briefing, did our regular checks before we started
2 off, as usual. Proceeded up to Mt. Kisco. Everything was safe.
3 Everybody, you know, made -- passengers got off when they needed
4 to. Got to Mt. Kisco. RTC gave me permission to turn and
5 deadhead back, deadheading meaning going back to the city with no
6 stops. I got the permission from them. Got the signal. After I
7 did all my checks and everything with the trainman, you know, my
8 brake test and everything, and ATC test, we went down to the city.

9 Got to the city, had a break. Had like a 3-hour break
10 or 2½-hour break. I can't recall. I went to get myself something
11 to eat. I got myself grilled chicken and rice, something like of
12 that nature, ate something, had water.

13 After that, after the time waiting, that's when I was
14 supposed to do, if I'm not mistaken, my last train to go up to
15 Chappaqua, I think it is -- I mean to go to Southeast, first stop
16 Chappaqua. I met the -- met up with the conductor. He told me it
17 would be on track 111. Went downstairs. Asked me when the time
18 was to leave, got there 20 minutes ahead of time. Met with the
19 conductor. I asked him how -- we had an eight-car train. Asked
20 him, how do you want to run the train? He told me ahead on
21 everywhere. That was what we conducted with our safety briefing.

22 Proceeded up to the train, got on the train, did my
23 normal checks, my seals, ATC and brake tests, turned my headlights
24 on bright. I proceeded outside of the train, seen that my
25 headlights were operative, came back on the train, turned my

1 headlights off. Also checked my -- if I'm not mistaken, I checked
2 my radio. We didn't have a trainman that day. So the conductor
3 hit me up. He let me know, gave me the two buzzes to go. We
4 leave on time.

5 Proceeded out of Grand Central my normal way, lights on
6 dim, watching my route, my switches, watching my signals. Got
7 outside of Grand Central, proceeded past all my regular CPs, past
8 125th because we didn't make that stop. The first stop was
9 Chappaqua.

10 So as I get past -- I want to say I get around -- I come
11 outside of White Plains Yard, I go past the crossing. I come up
12 to Valhalla. I have a speed restriction of 40 miles an hour,
13 which I got down to before the whistle post. Did my regular horn,
14 my two longs, a short and a long. I blew for the station at
15 Valhalla.

16 I come out of Valhalla, go past the first crossing, blow
17 my horn. Everything -- headlights is on bright. As I come into
18 Lakeview, same thing, same procedure, blow my horn, my lights is
19 on bright. I get past Lakeview, I see -- I get over the pass.
20 I'm getting my speed up. I can't recall my speed at the time, but
21 I know it was under -- I was not at MAS, maximum authorized speed.

22 I see a reflection on the grade crossing on Commerce
23 Street. I see a reflection or something, and normally when I see
24 a reflection I think it's an animal or something, but this -- I
25 had a feeling that this is obviously not an animal because it's a

1 crossing and it's a reflection of something black and shiny.

2 As I proceeded a little bit closer, I realized it was
3 the front end of a SUV, a black SUV. The front of it was fouling
4 the track, and which anyway, if they weren't able to move, I still
5 would have hit -- even with braking, I still would have struck the
6 front end of the car.

7 As I'm getting closer to the car, I notice it's a car.
8 I put my brakes on -- I dump my train, pretty much putting it into
9 emergency. As I'm doing that, I'm blowing my horn. I'm hoping
10 that the -- excuse me.

11 Q. That's all right.

12 MR. BUCHER: Let's take a break.

13 (Off the record.)

14 (On the record.)

15 MR. BUCHER: Okay. This is Dave Bucher. We're back.

16 BY MR. BUCHER:

17 Q. And you were -- you put the train into emergency.

18 A. I put the train in emergency. I see the SUV's fouling
19 the track. I'm blowing my horn, headlights are on bright. The
20 closer I get to the grade crossing -- the closer I'm getting to
21 the grade crossing, as I'm blowing my horn frantically, I noticed
22 that the SUV moves forward and stops, so the whole truck is
23 directly on the grade crossing. And I'm hoping to myself that
24 she's going to actually zoom all the way, but she stopped. She
25 proceeds -- she was fouling, the front of her car, and then she

1 put her whole car right on the grade crossing.

2 All I could do was I stood up and I just braced myself.
3 I struck her car. I don't know how long the car drove -- dragged
4 her car, but as soon as the train came to a stop, I got onto the
5 radio, yelled to RTC, this is train 659, I just struck a vehicle.
6 I gave them the information. This is what I can remember. I gave
7 them the information that was happening at the time. I was
8 frantic because I'm smelling smoke. I'm hearing people screaming.

9 I opened up the cab door. The first thing I see, I see
10 a guy laying on the floor. His ankles are broken right off, blood
11 everywhere. By the bathroom on that car, the B side of it was
12 pretty much on fire. The fire was moving towards where we were
13 at.

14 I seen a couple of people in distress. I grabbed them,
15 got them off the train. The one guy with his ankles broke, it --
16 he's screaming, crying for somebody to help him. I took a jacket
17 and covered his face. A fireman carried him under his arm, made
18 sure that his limbs weren't going to -- because his limbs were
19 hanging off his body. I picked him up and put him towards the
20 door that was open, that I got some of the other passengers off.

21 I frantically yelled to the people that were outside on
22 the train that had got off, to grab this guy because I got to get
23 other people. They came. I lifted him. They took him. I made
24 sure they took him away from the train.

25 At that point in time, I looked to my right. There's a

1 guy laying in the middle of the aisle. He's passed out from smoke
2 inhalation. I try to do my best to go run to his rescue, but at
3 that point in time the train just got out of hand with the fire
4 and the smoke. I had to get off.

5 I hopped off the train. I go running to the second car
6 because I know I couldn't use the radio on the train, on the head
7 car I was on because of the smoke was just, you know, out of hand
8 and the train pretty much caught fire in the first car. So I ran
9 to, I think, the second car, keyed open the door. The passengers
10 wanted to get off. I told them hold on, let me make sure the
11 third rail is de-energized. I hopped on the train, I ran to -- I
12 opened up the cab door on that train, got on the radio, let RTC
13 know. I asked them is the third rail de-energized. They told me
14 it is. I let them know I got whoever I could evacuated off the
15 first car, that they're evacuated; I'm still in the process of
16 evacuating people. They told me okay.

17 I got off the radio. I left my keys -- I actually left
18 my keys in the -- on the -- in the radio.

19 As I got out the cab, one of the passengers, he looks at
20 me and he tells me there's people still -- you know, there's
21 people stuck in the first car. As we're looking at the barrel
22 door that leads into that first car, I proceed to try to kick the
23 door open. I do what I can do. I try to kick the door open. He
24 grabs a fire extinguisher. I'm like, this is not going to break
25 the glass. We can't.

1 I hop off the train after I got the passengers who I
2 could get off that second car. I proceeded to run to that first
3 car to try to see if I can key it open. Smoke's out of hand. The
4 train's on -- the first car is pretty much on fire now. I realize
5 I don't have my keys on me because I left them in the intercom.

6 I proceed further down the trains where the doors are
7 open letting customers know to get off the train. They were
8 afraid to get off because of the third rail. I left them know the
9 third rail was de-energized; you have nothing to worry about, just
10 get off.

11 I ran down to the rear of the train to try to find the
12 conductor to coordinate with him what was going on up there. I
13 couldn't -- I got to the rear of the train. I hopped on. I
14 didn't see him. I asked the passengers, where are -- where's the
15 conductor? They told me he's a couple of cars up taking care of
16 -- I guess he was doing his emergency procedures. I'm not too
17 sure. I'm pretty sure he was doing what he was supposed to do.

18 I run back up. Around that point in time, I see the
19 EMTs, fire rescuers, investigators, everybody who's at the scene.
20 I tell them what happened. I told them I struck a car. The third
21 rail went through the car. I don't know if it went through the
22 train, but I told them something came through the train and the
23 first car was on fire. I evacuated the people I could get out but
24 there was a couple of people I know for a fact that are
25 casualties, burned, you know.

1 After that, after coordinating with them, letting them
2 know what happened, I ran back down to the rear of the train to
3 see if I could find the conductor. I found the conductor,
4 explained to him what was going on. He already knew and he told
5 me that he was speaking to -- he told me he was speaking to the
6 RTC on the radio.

7 After that, a couple of the fire rescue and a couple of
8 detectives, people asked me, you know, asked me what happened. I
9 told them the same thing. One of the fire rescue people asked me
10 if I needed medical attention. At that point in time I said, yes,
11 I've been outside for like I don't know how long, but I was
12 coughing from breathing all the smoke. They gave me a ride to the
13 -- took me to the ambulance. They put me on oxygen at that point
14 in time. They took me to the hospital, and I went -- I ended up
15 in Westchester Medical and that's, that's where it left off at.
16 Westchester Medical, a couple of -- you know, my union reps and
17 everybody came to see me, and that was it.

18 Q. Okay. Thank you. That was very detailed. What we'll
19 do is just go around and ask you some follow-up questions.

20 When you got on the train leaving Grand Central
21 Station --

22 A. Yes.

23 Q. -- Dave Bucher -- you did your tests. The train handled
24 as normal. There were -- you didn't notice any issues with the
25 train at all?

1 A. No, I didn't. I did a -- I checked, my headlights were
2 operative and my seals were in place. I even opened up the door,
3 checked my seals. That's on my -- where my cutouts are, my ATC
4 and all the rest of my cab signal cutouts. Then I open up the
5 other cab door, I check my other seals, my speed sensor and my
6 blue light or something like that, I check those seals also. I
7 did my ATC test. It showed passed. I did my brake test. I got
8 my release. I got my releases, I got my alerter, let the full
9 brakes on and everything. I got my buzzes from my conductor who I
10 was coordinating the brake test with.

11 When I got -- when I had got my permission, I did my
12 running brake test, which is under -- I did it at 5 miles an hour,
13 train stop -- train -- applied the brakes as I was supposed to.
14 When I hit CP3, I got the train up to 19 miles per hour, put my
15 brakes on, checked my dynamic. My dynamic was perfect. I seen
16 the red showing in my dynamic on my computer display screen, so --
17 and my horn worked as I blew past 125th. So everything from what
18 I can recall that I'm responsible for in my checks was operating.

19 Q. Okay. Okay, do you remember if you passed any trains
20 coming the other way near the crossing?

21 A. That I can't recall.

22 Q. Okay. That's, that's fine. That's okay. Was the train
23 very crowded, do you remember, that night?

24 A. From my cab, from the car -- I only can tell from the
25 car I was sitting. Actually, no. To be honest with you, the car

1 was -- the whole train was -- it was a lot of people, because as I
2 was running down on the scene to try to get people off the train
3 that I could, it was a fair amount of people. Regular capacity
4 for a train of eight cars.

5 Q. Okay.

6 A. As far as in my car, from what I could see before I --
7 you know, after I checked my headlights, I would say maybe -- I
8 can't recall. Say, like maybe 20 some people. It was a quiet
9 car. A lot of people don't like to, you know, be in the quiet
10 car.

11 Q. You answered my next question.

12 MR. BUCHER: Okay. I'm going to pass off my questioning
13 to -- go ahead.

14 MR. COOPER: Yes. Tom Cooper.

15 BY MR. COOPER:

16 Q. Steve, when you recognized that there could be a
17 situation ahead, you immediately applied the brakes in the
18 emergency position?

19 A. Yes, as soon as I seen, as soon as I seen the SUV
20 fouling the track. Well, actually, as soon as I was able to
21 recognize it was an actual vehicle, an SUV on that crossing, I
22 blew my horn. And when I got close and I realized that's what it
23 was, I applied my train in emergency. I what you call dumped it.
24 The closer I got, the person that was operating the vehicle, just
25 inched up enough to get the full car on there and stopped. I felt

1 that -- I felt and I could see that they had enough time to either
2 reverse or go forward to avoid this from happening.

3 Q. And after repeatedly blowing the horn and making impact,
4 as soon as possible, you notified the rail traffic controller?

5 A. Yeah, I notified them as soon as -- as soon as I hit
6 them and I want to say it was when the train came to a stop. But
7 the first thing I did -- first -- my first course of action was on
8 the radio, emergency three times, let them know a vehicle has been
9 struck. I told them my train number, 659 -- emergency, emergency,
10 emergency, train 659 has struck a SUV at a crossing. I couldn't
11 -- I can't recall if I got any more information out than that
12 because -- any more information relayed to them because of the
13 smoke that started filling up in my cab. So I kicked open -- I
14 heard the screaming, opened the door and observed the situation
15 that was going on once I opened up my cab door.

16 Q. On this date, Train 659, were you operating north on
17 track 2?

18 A. Roger that. I was running north on track 2.

19 Q. And you did your best to evacuate the north car?

20 A. Yeah, I did my best. I was the last person off that
21 car, even to the point where, I mean, I left my belongings that I
22 thought I lost, which I didn't. But even to the point after
23 saving the people like that I -- getting the people off that I
24 could, even the passenger asked me if his wallet -- I even threw
25 him his wallet. I was the last person off the car.

1 Q. And then you moved to other areas of the train consist
2 and --

3 A. Yes.

4 Q. -- helped to evacuate people as best you could?

5 A. When -- if I'm not mistaken -- the best I could. If I'm
6 not mistaken, I went to the second, order of the second car and
7 got on the radio. I wanted to let -- give RTC an update of what
8 was going on and I wanted to make sure that third rail was de-
9 energized because the car -- the train was on fire, the first car,
10 you know. With that third rail being on, I didn't know or not,
11 and it could have been -- I felt it could have been more
12 catastrophic if fire could have contacted that third rail with
13 gasoline from her car.

14 Q. And you said you absorbed quite a bit of smoke
15 inhalation.

16 A. Yes.

17 Q. And did you have other injuries from the impact or from
18 helping evacuate the train?

19 A. My shoulder -- later on that day, at Westchester
20 Medical, my shoulder was in pain. I don't know if it was from
21 impact. I don't know if it was from lifting things. I don't know
22 if I ran into anything, because at that point in time I was just
23 in survival mode, and also I'm just, you know, a little -- I'm
24 actually traumatized from the whole situation, you know, that
25 happened.

1 Q. Thank you, Steve.

2 MR. COOPER: I have no further questions.

3 MR. SCIORTINO: Mike Sciortino, general road foreman,
4 Metro-North.

5 BY MR. SCIORTINO:

6 Q. Steve, right before the impact, you said you stood up.
7 You -- because you knew you were about to hit, you braced
8 yourself?

9 A. I did. I stood up. I had a feeling that I was going to
10 most likely strike this car when I -- especially when I seen she
11 put the full car on the crossing and didn't move. I braced
12 myself. I stood up.

13 Q. In approximation, do you know close you were when the
14 car came fully on the crossing? One car length, two car lengths?

15 A. I can't recall, but I was in -- at that point in time I
16 would say I was in emergency. I was maybe a car length or so when
17 I seen she put the full car on there. It just seemed kind of
18 ironic to me because I thought she would actually back up or go
19 forward and the closer I got, she put the car on and just kept it
20 there.

21 Q. And after you went into the passenger compartment, were
22 you able to key open the door to -- the first door, or did you
23 have to go to another door?

24 A. No, it was open. The first door was able to be opened.
25 The first door was open. It was pretty much the B part of that

1 car that was really on fire --

2 Q. Okay.

3 A. -- by the bathroom, which was moving up towards the A
4 side where we were at.

5 Q. Okay.

6 MR. SCIORTINO: That's all the questions I have.

7 MR. MAHONEY: Kevin Mahoney, Metro-North, road foreman.

8 MR. BUCHER: You have to speak up a little bit.

9 MR. MAHONEY: Kevin Mahoney, Metro-North, road foreman.

10 BY MR. MAHONEY:

11 Q. I just have one question for you, Steve. Did you feel
12 that you were rested enough to work that job that day when they
13 called you?

14 A. Yes, I was well rested. I had over -- prior to that, I
15 had over at least -- because I was tired from shoveling. I had at
16 least over like 12 or 14 hours of sleep. Even after I didn't
17 accept the first call from the crew management center at 3:30, I
18 went back to sleep. So it was -- I was well rested. I didn't
19 feel any fatigue or anything. Yeah.

20 Q. And while you were operating that train that you had the
21 accident, you felt no fatigue at all?

22 A. No, I didn't feel any fatigue. I was -- I had ate
23 something probably like an hour or so prior to that. I was
24 hydrated. I was alert. I wasn't --

25 Q. And I do have one other question about visibility. What

1 would you say the visibility was at that time of day? Was it
2 completely dark?

3 A. It was dark. It was night, nighttime. That's why it
4 took a little bit to actually notice there was something fouling
5 the track and then --

6 Q. So your range of vision was probably two car -- two
7 train lengths maybe, if I had to suggest?

8 A. Yeah.

9 Q. Okay. Thank you.

10 DR. McKAY: So Mary Pat McKay.

11 BY DR. McKAY:

12 Q. I have a couple of hats that I wear here, so let me
13 preface this a little bit. I want to talk a little bit about a
14 couple of days before this happened and then I'm going to have
15 some questions about what happened afterwards, because I kind of
16 work on the before as well as the survival afterwards.

17 A. Okay.

18 Q. Okay. So if you can go back, let's see, this was
19 Wednesday. So if you can go back to Sunday and just kind of tell
20 me, if you would, what your schedule was like. So when did you
21 get up? When did you go to work?

22 A. Okay. Sunday, I got a call -- I was working the Grand
23 Central extra list, with Friday, Saturday off. Got a call from
24 crew management, that was working that job. I don't remember -- I
25 don't recall the job number, but the job was on duty at -- sign-in

1 for the job was at 5:08, if I can recall. I drove my car into the
2 city. I mean, I took the job. I drove my car into the city.
3 That particular job was a job that ran the Harlem Line also. I
4 can't remember, you know, the runs of whether it was expresses or
5 if all locals, but I did that job.

6 After I got off -- that job ended -- I got off that job
7 around like 1:00, 1:15 or maybe 1:20-ish. I can't recall, but it
8 was around that area. I spoke to a couple of people as normal
9 after work, before I left Grand Central. Got in my car, drove
10 home. I got home, ate something. Crew management called me, I
11 think, around 4:00 or so. They asked me if I wanted to double
12 out. Doubling out is pretty much working twice in a day. Because
13 I was -- I would -- their job they wanted me to double out started
14 at 11:59, which had me rested 8 hours prior. I accepted the job.
15 After that, I got my sleep. I slept. I woke up around 8:00. No,
16 I woke up -- yeah, woke up around 8:00.

17 MR. BUCHER: AM or PM?

18 MR. SMALLS: AM. I'm sorry. Ate something. My normal
19 routine, took a shower, make sure I'm alert, everything. I think
20 it was snowing, starting to snow. It was kind of snowing that
21 day. I drove to the train station, deadheaded down on a train to
22 go to work. I think it was the 10:12 train. As I was on the
23 train, I got extra sleep because, you know, because I was working
24 overnight. I worked what they called the emergency room, which is
25 making moves with the train in Grand Central Terminal.

1 I got there. I did my normal -- they gave me a list of
2 things. I coordinated with the other engineers, how we were going
3 to work it. I was part of what you call a MU crew, which means I
4 had a conductor give me reverse moves. I coordinated with him.
5 We worked the job, no problem. Called the signals, everything
6 we're supposed to do. I got off of work around 9:59 is when that
7 job ended.

8 MR. BUCHER: AM or PM?

9 MR. SMALLS: AM, I'm sorry.

10 MR. BUCHER: Okay.

11 MR. SMALLS: I got off at 9:59 a.m., took my normal
12 train home. I got home that day. That day was the snowstorm. So
13 I had to drive through the snowstorm, so I got home a little bit
14 later. I think I got home around like 12:30 or so. When I got
15 home, I had to shovel because my driveway was full of snow. I
16 shoveled out my driveway. I got done around like maybe like 3:00.
17 And I ate something and watched a little TV and I went to sleep
18 from 4 p.m. until crew called me, which was like 3:32 in the
19 morning.

20 When they called me, I answered the -- no, I didn't
21 answer the phone. When they called me, I seen they called and I
22 went back to sleep because I was just tired. I was still sleepy.
23 They called around 7:30. I was up around that time when they
24 called and that's when they called me for this job, 918.

25 BY DR. MCKAY:

1 Q. Okay. And is this schedule where you're pretty much
2 just on call and it's rotating all around the hours of the day?
3 Is that pretty much what you've been doing or is that a change
4 from the preceding few weeks?

5 A. I've been holding -- I've been doing what they call hold
6 down on jobs, in which if there's a job open that nobody bid on, I
7 -- I'll hold that job for the week unless I get bumped. The way
8 it's been normally working with me is I would hold a job, but
9 being things are -- been little tight for the winter, and with the
10 storms, they've been, you know, needing people as directed. But
11 with that being said, anything I accepted I was rested, and if I
12 didn't feel rested, I wouldn't take it.

13 Q. And not working any other jobs or doing anything else?

14 A. No.

15 Q. And I understand you have a kind of long drive home?

16 A. Yes.

17 Q. Is that right?

18 A. I drive -- my drive from Beacon -- well, I drive to
19 Beacon Station if I have to work the city or if I have to work
20 Harmon, which only takes me like 35 minutes. But the drive to GC,
21 to Grand Central Station is roughly around an hour and a half,
22 maybe a 2-hour drive, or if I drive from Harmon. If I have to
23 drive to Harmon, it's an hour and 20 minutes or so.

24 Q. Okay. So that's a lot of driving, too. Okay. And any
25 trouble with your eyesight or your health in any way?

1 A. No. I don't have any problems with my eyes. I work
2 out. I'm in the Air Force Guard so I have to keep my fitness up
3 to their standards for working with them.

4 Q. Okay. And not any over-the-counter medicines, herbal
5 medicines?

6 A. No. I just take my regular Vitamin D pills.

7 Q. Okay.

8 A. That's all.

9 Q. Sorry. I was writing like a fiend here. Anything
10 particularly, other than this now, but anything going on in the
11 last couple of weeks that's particularly stressful?

12 A. No. My life is a regular, normal life: watch TV, enjoy
13 my kids and my family.

14 Q. Okay. All right. One of the things that we see when we
15 look at the train now is the way that that third rail came into
16 that first car. Were you aware of that as it was happening?

17 A. No, I wasn't aware.

18 Q. Okay.

19 A. The only thing I was aware of was her -- when I struck
20 her car, I can see some of her car, and I can see just a flash of
21 -- I just seen it as a flash that it was a female, go under the
22 train. I was hoping -- I was more concerned with the train
23 derailing with me, you know, operating the head end. I seen
24 sparks coming from the side and those sparks I thought were -- I
25 assumed were her car, you know, from being struck and being

1 dragged.

2 Q. Okay. Okay. And then when you first opened the door
3 and you looked at -- I just want to make sure that I understand
4 this. There was a lot of smoke, I know.

5 A. Um-hum.

6 Q. But where were there flames? Where in the car?

7 A. There was flames -- there were flames -- on the
8 fireman's side, there's a four -- I want to say it was a four
9 seater. That seat kind of was on fire. But right behind that,
10 that door, the first door, a little bit behind that door, I seen
11 the smoke and the flames, like more than what was coming out of my
12 cab.

13 Q. Were there flames coming out the window in front?

14 A. There were flames coming out, yes.

15 Q. Okay. So I have to confess, I am not a railroader. So
16 when you say the area --

17 A. Oh, just the front -- that's the front door. The very
18 first door of the train --

19 Q. Okay.

20 A. -- of that first car.

21 Q. Okay. So the first door -- the first side doors?

22 A. The first side door will be on the engineer's side.

23 Q. All right.

24 A. On the right side.

25 Q. On the right side. So behind that?

1 A. Yes.

2 Q. That was one of the first places that you saw --

3 A. To the left of that, that's where I seen smoke from over
4 there, on those seats, and then behind that door.

5 Q. Behind that first set of doors?

6 A. Yeah. It was maybe a couple of seats and I seen -- I
7 don't know what was going on, but it was --

8 Q. Okay.

9 A. -- probably pretty much on fire back there. I just seen
10 a lot of black smoke and some flames.

11 Q. Okay. And then could you see further back in the car?

12 A. I couldn't -- I don't -- at first, when I was evacuating
13 people, I can see the bathroom. After I got the guy off with the
14 -- his limbs broken, after I got him off, I -- there was a guy
15 that was laying in the middle of the aisle that was -- I was
16 trying to go reach for, but by that time, I turned around, it was
17 out of hand. I couldn't see that bathroom anymore, and I started
18 seeing him getting engulfed in the smoke and the fire was reaching
19 him.

20 Q. Okay. Best as you can, was there one area where there
21 were flames or was there more than one area?

22 A. There was more than one area. By where the bathroom was
23 at, was the most -- from what I can see, that was the most smoke.
24 So I want to say that area probably was fully on fire, the back
25 part of that car.

1 Q. Okay. That's really helpful. And then the -- as you
2 were trying to help other people out of the car, were there other
3 passengers trying to help each other or was there any --

4 A. There were other passengers trying to help --

5 Q. -- EMS people there?

6 A. There were other passengers trying to help each other,
7 other passengers trying to help each other. I was the last person
8 left on that train that -- like I said, there were passengers that
9 helped me grab this guy to get him out of the way, the one with
10 the broken legs, and whoever -- other people were, you know --
11 people were assisting each other.

12 Q. Okay.

13 A. But when I went to the second car -- well, when I was
14 explaining about that barrel door that I could not get open, that
15 was on fire. When I -- what I could see, that was --

16 Q. Through the window, there was fire?

17 A. It was on fire, and there was a guy laying right there
18 on those seats that sit right behind that door.

19 Q. Um-hum. Okay. And then how long after -- I mean, it
20 sounds like you had time to help rescue people, get off the first
21 car, get on the second car -- well, second car to get to the radio
22 and make sure that things were de-energized, right?

23 A. Um-hum.

24 Q. How long after all that were you aware that there were
25 fire and ambulances and sirens?

1 A. Prior to me striking the vehicle at the crossing, there
2 wasn't -- I don't know what was going on, but there was adjacent
3 -- that adjacent highway, there was an ambulance or something over
4 there with police activity. I don't know what it was.

5 Q. So you saw lights or something?

6 A. I seen lights prior to this happening. But I would say
7 the response time, probably after everything happened, I want to
8 say maybe like -- I can't recall. I want to say maybe 10 minutes,
9 but they were there pretty, they were there pretty quick.

10 Q. Okay. One of the things that you mentioned was about
11 the front car being a quiet car.

12 A. Yes.

13 Q. Is that just a standard on that?

14 A. It depends. With peak hour trains, they usually we keep
15 the -- they usually have a car where it's, you know, a quiet car,
16 which, you know, the people relax on, no talking, the cell phones
17 are off or, you know, like that.

18 Q. Okay. And is that an official thing or is that --

19 A. No. I mean, I'm not too sure it's an official thing but
20 it's usually -- I guess it's more -- I don't know if it's a
21 courtesy thing or what, you know, for the people.

22 Q. And then I notice on this line that some of the stations
23 aren't as long as -- sometimes you run longer trains than some of
24 the stations. So when you say that you and the conductor
25 discussed how you wanted the train run --

1 A. Um-hum.

2 Q. -- am I -- I want to make sure I understand this right.

3 A. Yeah.

4 Q. That what you're saying is you're going to pull up to
5 the front of the station --

6 A. Yes.

7 Q. -- and if it's a short station, some of the rear cars --

8 A. The rear cars will be -- the rear cars won't -- the rear
9 cars, the cars that are not on the platform, the doors will not
10 open. He'll throw the through switch, which means those doors
11 won't open. My doors will open. Everything that's on the
12 platform will open; everything beyond that will not open.

13 Q. Okay. And that only applies to the rear cars?

14 A. It depends. Wherever -- however they want to run the
15 train. If he wanted two off, then the head two of my car would be
16 -- the through switch would be thrown, which means my doors won't
17 open. So I pull two cars off the platform and the rear four or
18 six, however --

19 Q. Okay.

20 A. -- will have their own --

21 Q. And was this a regular conductor on this route?

22 A. I'm not sure. I met him that day.

23 Q. Okay.

24 A. I don't know if he was the regular on there.

25 Q. I'm asking these questions because one of the things

1 that we're trying to understand is how many people were in that
2 first car to begin with.

3 A. Okay.

4 Q. And so if you're going to -- depending on where people
5 want to get off, they may --

6 A. Yes.

7 Q. -- be making choices. Okay. There's a story from a
8 host of folks about some kind of an explosion happening. Was that
9 something that you saw or --

10 A. I don't really recall an explosion.

11 Q. Okay.

12 A. Like I said, when I got -- when I was in the rear --
13 when I ran back to the rear of the train to look for the conductor
14 and I -- whenever I got back up to the front of the train, it was
15 just -- it was pretty much just gone.

16 Q. Okay.

17 A. I didn't hear -- I don't -- I didn't hear an explosion
18 myself. I was too busy just running back and forth to notice an
19 explosion.

20 Q. Okay.

21 MR. BRAGG: I just want to --

22 DR. MCKAY: Kenny Bragg.

23 MR. BRAGG: Yeah, I'm sorry.

24 BY MR. BRAGG:

25 Q. I'm Kenny Bragg. I'm a human performance investigator,

1 and one of my responsibilities is just to try and develop some
2 type of timeline of what you did for days leading up to this, and
3 I have some questions about the weekend. You said you were off
4 Friday and Saturday, Sunday?

5 A. My job that I was holding, the rest days of that job
6 were Friday, Saturday.

7 Q. Friday -- you're off Friday and Saturday?

8 A. Yes.

9 Q. And did you do any reserve duty that weekend?

10 A. No, I didn't do any reserve duty that weekend.

11 Q. Okay. So what did you do those days? Just leisure
12 time.

13 A. I usually just -- I'm trying to recall to make sure I
14 didn't work. I relaxed Friday. And I'm not too sure -- I don't
15 think I worked -- I think I took those 2 days off actually.

16 Q. Okay. And so Sunday you worked and you got a call about
17 5:08 --

18 A. Yes.

19 Q. -- a.m.?

20 A. No, I was supposed to be on duty at 5:08. I got a call
21 actually around 2:30.

22 Q. 2:30 a.m.?

23 A. Yes.

24 Q. And when you got up at 2:30 a.m. on Sunday, did you go
25 back to sleep or were you up?

1 A. No, I was up. First thing I do, I normally drink a
2 glass of water, do a couple of pushups, take a shower, proceed
3 about my day.

4 Q. And so you were actually on duty at 5:08?

5 A. Yes.

6 Q. And you worked your day and you were off about 1:15
7 p.m.; is that correct?

8 A. It was around -- between 1:15 and 1:30.

9 Q. Okay. And then you drove home?

10 A. Yes.

11 Q. And when you got home, you went to bed at what time?

12 A. I got home. Let me see. I went to sleep. They called
13 me around 4:00. So I went to sleep, I went to sleep right --
14 probably like around 4:30, 5:00, I went to sleep.

15 Q. PM?

16 A. PM.

17 Q. Okay. And what time did you get up the next morning?

18 A. Well --

19 DR. MCKAY: He's -- it's the same day.

20 MR. SMALLS: That's Sunday, right?

21 DR. MCKAY: Yeah.

22 MR. SMALLS: So I worked that same day.

23 BY MR. BRAGG:

24 Q. So -- and what time did you report to duty that day?

25 A. I reported to duty at 11:59 that day.

1 Q. 11:59?

2 A. Yes.

3 Q. So what time did you wake up?

4 A. I woke up around -- I want to say around 8 or so, 8 p.m.
5 or so.

6 Q. Okay.

7 A. Maybe a little bit later, give or take.

8 Q. Okay, and that's where I was confused. So you slept
9 from 4:30 to 8 p.m., and then you got up?

10 A. Yes.

11 Q. And you went to work. And what time did you get off
12 that day?

13 A. I got off that day at 11:59, I mean 9:59 a.m.

14 DR. McKAY: The next day.

15 MS. SMALLS: The next day.

16 BY MR. BRAGG:

17 Q. And that's when the snowstorm hit, right?

18 A. Yes.

19 Q. And so you didn't get into bed until?

20 A. I didn't get into bed until around 4:00 or so that day.

21 Q. Okay. How long did you sleep that day?

22 A. I slept until crew called me. I slept actually -- they
23 called me at 3:30. I looked at the phone, and I went back to
24 sleep. So I officially probably woke up around 7 a.m.

25 Q. Now, do you -- so you job, and I'm not a railroader

1 either, so forgive the question. So you typically, you work
2 whatever work is available; is that --

3 A. That's when I'm in limbo, if I don't really -- if I'm
4 working like a extra list job, then they call me when -- you know,
5 after 8 hours, I can work -- you know, I can be called for work to
6 be rested. But typically, yes, I usually work maybe 8 hours.
7 Well, I get my rest and then I work whenever, you know, they give
8 me a call or something.

9 Q. So do you normally work 8 -- morning shifts? You
10 normally work --

11 A. I normally -- it's kind of -- I normally work nights
12 when I usually work.

13 Q. And how's your sleep experience generally? Are you
14 generally a good sleeper or --

15 A. Yeah, I get good sleep.

16 Q. Do you ever take any sleep aids?

17 A. No. I'm generally rested. I mean, myself I'm generally
18 fully rested, you know. It doesn't take much. I just make sure I
19 sleep right away, get good a quality, and I also utilize my sleep
20 going to work if I take the train, you know.

21 Q. Do you -- you have -- you're married. Do you have kids
22 as well?

23 A. Yes.

24 Q. How old are your kids?

25 A. Two and 8.

1 Q. Two and 8.

2 MR. BRAGG: That's all I have. Thanks.

3 MR. PARKIN: Bruce Parkin.

4 BY MR. PARKIN:

5 Q. Steve, when did you start on the railroad, your railroad
6 career?

7 A. November 10, 2010.

8 Q. November 2010. And what did you hire as?

9 A. I hired on as a MOV electrician.

10 Q. Okay. And from that position, did you go to engineer
11 school?

12 A. Yeah, I worked my way as an electrician, then I applied
13 for engineer. Got accepted and I went to engineer school.

14 Q. And so what would be the date you were promoted to
15 engineer?

16 A. I started sometime in March 2013. I can't recall the
17 actual date.

18 Q. Okay. When you reported at Grand Central for the first
19 portion of your trip, throughout your trip throughout that day,
20 did you have the same conductor or did they use different
21 conductors? Did you have different conductors on different trips
22 or was it the same conductor?

23 A. For that particular job that day?

24 Q. Yeah, for this job that you worked.

25 A. I was with the same conductor the whole day.

1 Q. Okay.

2 A. Yes.

3 Q. And I know Dave asked you a couple of questions about
4 your pre-departure and you explained about that. Throughout the
5 trip of Train 659, did you take any exceptions to the performance
6 of the train?

7 A. No, I didn't take any exceptions. I got my normal --
8 everything was -- everything worked as normal. I get, you know,
9 the normal downgrades for approaching White Plains, which is a 35-
10 mile-an-hour curve. I got my normal limited before you get there.
11 Everything was intact that I can recall.

12 Q. After the train struck the vehicle, were you able to
13 continue to use the radio in the -- in your operator's
14 compartment?

15 A. I was -- no, I wasn't able to because of -- I got over
16 -- a lot of smoke came. I don't know if it was coming from her
17 car, but my cab got full of smoke. The main thing, I was -- the
18 main -- my main concern was letting them know my train number and
19 emergency three times, just to stop any traffic incoming from any
20 direction. They asked me my location, but around that point in
21 time, I couldn't talk. I started coughing. I had -- and I heard
22 a lot of commotion going on. So that was just my next priority.

23 Q. But the RTC did respond --

24 A. They responded.

25 Q. -- that they had heard your call?

1 A. They heard me. They asked -- the last thing I remember
2 them asking me was my location. I was coughing, and like I said,
3 I heard a lot of commotion and I decided to go back to see, you
4 know, what was going on, you know, to observe the situation. But
5 they heard me.

6 Q. Okay. Did you hear any PA announcements being made by
7 the conductor at all?

8 A. The conductor was trying to hit me -- I'm sorry, not hit
9 me. He was trying to communicate with me on the intercom.

10 Q. Yeah.

11 A. It was beeping. But at that point in time I was talking
12 to the RTC. And right after, like I said, that I said my
13 emergency and told them I struck a vehicle at a crossing, after
14 that, I opened up and I just started just doing what I had to do.
15 I don't know if I would have been able to hear him make an
16 announcement because at that point in time the back part of that
17 train was on fire, or something was on fire obviously, and I don't
18 know if that would have burned the communication, the PA or
19 anything like that. So I don't know. Between all the commotion
20 and stuff, I didn't -- you know, and even when I went to the
21 second car, I was just pretty much talking to the RTC. I didn't
22 really know anything.

23 Q. And did you notice a strong odor of gasoline throughout
24 that first car?

25 A. No, I just smelled this -- it didn't -- it was just like

1 electrical odor, you know, of some sort.

2 Q. Okay. And when you -- you said that at one point you
3 had to kick a door open or something. You were attempting to get
4 through a door?

5 A. I was attempting to kick the barrel door open to the --
6 that was on the B end of the first car, which is the back end;
7 there's a barrel door you can walk in. And that door seemed to be
8 bent at an angle and which you couldn't use the handles to turn
9 it. I thought maybe by kicking it, I can probably just get it to
10 open or something. A passenger grabbed the fire extinguisher, and
11 I told him that's not going to break through that glass, you know,
12 and it's not -- and we're not going to be able to, you know, do
13 anything with that. So, yeah, it was pretty much bent in, that
14 door.

15 Q. So how were you or how did you or any of the passengers
16 -- did you walk through the first car? I mean, how did you
17 evacuate --

18 A. The second car?

19 Q. The first car.

20 A. Oh, the first car, that -- the F end door, the first
21 door, it was open. I -- if I can remember, I keyed it open. So
22 that door was open getting people out. That's where the people
23 exited out of that first car.

24 Q. So they evacuated through the outside of the train?

25 A. Yes.

1 Q. Everybody did?

2 A. Yes.

3 Q. Okay. So --

4 A. In that first car.

5 Q. In the first car?

6 A. Um-hum.

7 Q. And you went out the first car through the outside and
8 then boarded the second car?

9 A. Yes.

10 Q. From the outside to get in?

11 A. Yes.

12 Q. Okay. Your Metro-North training, do you receive
13 training in emergency preparedness, emergency evacuation?

14 A. Yes. They have what they call egress training which
15 goes over emergency procedures, code Bravo in the case of a -- any
16 kind of natural disaster or terrorist attack, I would assume. And
17 then pretty much -- it's pretty much kind of -- for me, it was
18 pretty much beaten into me how to handle situations in which that
19 occurred. You know, first thing, first things first, get on the
20 radio, communicate emergency and have everything stopped, you
21 know. So, yes, I received training.

22 Q. So aside from your military training, do you feel that
23 the training you received helped you in this situation?

24 A. Yes.

25 Q. Okay. Now, I understand that train had only a conductor

1 on it and yourself. When you did your job briefing or spoke with
2 the conductor that day, did he express -- did he say anything to
3 you as to he was only working by himself?

4 A. Prior to leaving, he contacted me on the intercom and he
5 asked me is there a trainman. I looked. I told him, I said, no,
6 there's not a trainman. With that being said, that's when he told
7 me, he said, well, I guess it's me and you for this actual run.

8 Q. Okay. Did he take any exception? Did he say anything
9 to you about -- that he had to work it by himself?

10 A. No, he didn't. No, he was pretty much -- because
11 usually the trainman, you kind of see them towards the front of
12 the train. So he -- I guess he didn't see him, see anybody when
13 he started, you know, working -- before he worked this train. I
14 guess when he -- I guess he walked up and down half of the train
15 or wherever he's at. Because he didn't see anybody, so I guess he
16 wanted to check with me to see if maybe there was somebody up
17 towards where I'm at that was supposed to be working with him or
18 something like that. So that's why he asked me did I see anybody.

19 Q. In your opinion though, if there was a trainman towards
20 the head end, towards the middle of the train, would it have been
21 more helpful with the evacuation of the train?

22 A. To be honest with you, I think that if there was a
23 trainman that was in that first car, and most likely they would
24 have probably been in the rear, I think they would have actually
25 lost their life, because they're not in the front cab with me

1 whole ride. Where they would have been at, I'm pretty sure they
2 would have most likely been injured or lost their life because,
3 like I said, the back end of that first car was just destroyed. I
4 mean, I don't know. It depends where the trainman would have been
5 at. If they would have been anywhere past those first two, beyond
6 -- you know, beyond -- behind those first two cars, then, yes,
7 they could have possibly helped with the evacuating. But then
8 again, I don't know if they would have known the nature of the
9 situation that was going on.

10 Q. With the damage located more towards the rear of the
11 car, would you attribute that to -- because of the third rail
12 coming through and being located at that end, or in your -- what
13 would you think that might have contributed to that?

14 A. Yeah, I would assume it had to be the third rail because
15 it was on fire and smoking. It wasn't her -- I don't want to say
16 it was her vehicle because her vehicle -- I struck her vehicle
17 and, like I said, when I struck her vehicle, I -- it dragged it
18 and to the side I seen sparks. But I didn't -- you know, the
19 third rail most likely caused that part of the train to probably
20 be on fire.

21 Q. Okay. Thank you. Thank you very much.

22 A. No problem.

23 MR. BUCHER: Dave Bucher.

24 BY MR. BUCHER:

25 Q. I just have a couple of quick questions.

1 A. Okay.

2 Q. And then we'll probably go around again and people will
3 have a follow-up or two, and then we'll be done.

4 A. Yeah.

5 Q. In your estimate, and I know you go on a lot of -- on
6 all three lines at different times of the day obviously. About
7 how many times a week do you think you go through that --

8 A. That particular --

9 Q. -- the Valhalla area?

10 A. That particular, maybe like three, three times a week.

11 Q. Three or four times a week?

12 A. Yeah.

13 Q. Okay. And you feel comfortable with your qualifications
14 taking a train through there?

15 A. Yes. The thing, with that being said, that in
16 particular crossing, Commerce, is just a -- it's just an odd
17 crossing, you know what I mean, as far as just in general, you
18 know, with vehicles.

19 Q. Okay. And is it common to see a lot of vehicles at that
20 crossing?

21 A. Yeah, you see them -- you see the vehicles usually, you
22 know, outside the gates.

23 Q. Right.

24 A. Because the gates are protecting things.

25 Q. But they're --

1 A. It depends what time of the day. More towards night
2 where traffic is, yeah.

3 Q. Okay. Thank you.

4 MR. BUCHER: All right. That's all I have.

5 MR. SMALLS: During the day you won't -- I usually don't
6 see any vehicles.

7 MR. BUCHER: Okay. Go ahead. Any -- go ahead.

8 BY MR. COOPER:

9 Q. Just one follow-up question, Steve. Do you feel your
10 speed was under the maximum authorized speed for that territory?

11 A. Yes. I come out of Valhalla which is a 40-mile-an-hour
12 curve. I kept it at 40 miles an hour and just a little bit
13 beyond. Then I decided to pick up speed. With that being said,
14 even if I -- I usually approach crossings 2 miles under the MAS,
15 the maximum authorized speed, which the maximum speed there was 60
16 miles an hour. I don't think I got past -- I was up around 58,
17 maybe even 56.

18 Q. Okay. Thank you, Steve.

19 MR. BUCHER: That was from Tommy Cooper.

20 MR. COOPER: Tommy Cooper. Thank you, sir.

21 MR. SCIORTINO: I have no questions.

22 MR. MAHONEY: Kevin Mahoney.

23 BY MR. MAHONEY:

24 Q. I just have one follow-up on the day you reported for
25 work; you had mentioned that your wife drove you. You had to

1 report to Brewster?

2 A. Yes.

3 Q. So you didn't operate the car?

4 A. No.

5 Q. Your wife drove you.

6 A. She drove me to work. Yes, roger.

7 Q. Okay.

8 MR. BUCHER: Anything else over here?

9 UNIDENTIFIED SPEAKER: I have nothing.

10 DR. McKAY: I have one clarification.

11 BY DR. McKAY:

12 Q. The train's facing forward. The engineer sits on the
13 right.

14 A. Um-hum.

15 Q. When you left the first car, you said there was a door
16 that you opened on the first car.

17 A. Um-hum.

18 Q. That was the first door on the right or the left?

19 A. On the right.

20 Q. On the right. And when you entered the second car, you
21 went in the first door?

22 A. First door, same side.

23 Q. The same side.

24 A. Um-hum.

25 Q. And did you notice if there was anybody going out the

1 windows, you know, out the window?

2 A. I seen some windows open, but at that point in time I
3 was just, just --

4 Q. Okay.

5 A. -- handling the situation. But as far as the door
6 situation, I can draw it out for you if you'd like me to.

7 Q. That would be great.

8 UNIDENTIFIED SPEAKER: So this is the front -- back?

9 MR. SMALLS: This is the front.

10 UNIDENTIFIED SPEAKER: Okay.

11 MR. SMALLS: This is back. This is the front of the
12 train.

13 That's pretty much --

14 BY DR. MCKAY:

15 Q. Okay. And would you just put where the lav is on there
16 for me.

17 MR. BUCHER: Where's the bathroom?

18 BY DR. MCKAY:

19 Q. The bathroom.

20 A. This is the first car, first train car. Here's the
21 bathroom.

22 Q. Yeah.

23 A. I may have probably made it a little --

24 UNIDENTIFIED SPEAKER: You're here.

25 MR. SMALLS: Yeah, I'm sitting here.

1 UNIDENTIFIED SPEAKER: And there's a door here?

2 MR. SMALLS: There's a door -- there's a door here to
3 get out.

4 UNIDENTIFIED SPEAKER: Is that the first door you went
5 through?

6 MR. SMALLS: That's the door for me to get out of the
7 cab, yeah.

8 UNIDENTIFIED SPEAKER: Yes.

9 DR. MCKAY: Yeah.

10 MR. SMALLS: And this is the door to exit.

11 DR. MCKAY: Okay. Great. That's really helpful. We're
12 trying -- we're really trying to figure out what happened, how and
13 what went on fire and how it went on fire.

14 UNIDENTIFIED SPEAKER: So you were helping some people
15 when the smoke was coming?

16 MR. SMALLS: Yes.

17 UNIDENTIFIED SPEAKER: Okay.

18 DR. MCKAY: Okay. Thank you.

19 MR. BUCHER: Bruce?

20 MR. PARKIN: Yes.

21 BY MR. PARKIN:

22 Q. You mentioned that --

23 MR. BUCHER: Bruce Parkin.

24 MR. PARKIN: Bruce Parkin. I'm sorry.

25 BY MR. PARKIN:

1 Q. You mentioned that Commerce Street was a little unusual.
2 Could you elaborate on that?

3 A. Just the prior stories of -- I've heard from fellow
4 workers, fellow engineers, that that's -- and also that the rescue
5 that was on site, that normally that's a trouble crossing with
6 cars being stuck on at a point in time. But in my particular
7 situation that happened with me, the front of her car was fouling
8 that track and then when I got closer, she just moved and stopped.
9 I felt that she could have avoided being struck by the train.

10 Q. So, but there were no vehicles in front of her. She
11 could have proceeded forward?

12 A. Yes. There was nothing in front of her. She could have
13 proceeded forward. I mean, if she would have to break the gate,
14 you know, but, yeah, there was nothing stopping her from going
15 forward.

16 Q. Okay.

17 UNIDENTIFIED SPEAKER: The gate was down in front of
18 her?

19 MR. SMALLS: I couldn't see if the gate was down in
20 front of her.

21 BY MR. PARKIN:

22 Q. And then one last question. You remained inside the cab
23 with the door closed until the train came to a complete stop?

24 A. Yes.

25 Q. Okay.

1 A. I felt like if I would have dumped the train and ran
2 back, I -- most likely, I don't -- I guess it was the third rail
3 or something -- I don't know how this guy broke his limbs -- but
4 it probably would have -- I would have probably been injured
5 myself. I just stayed in the cab and waited until it came to a
6 stop so I can do what I have to do with the emergency procedures.

7 Q. As luck would have it, you made the right decision.

8 A. Yeah.

9 MR. PARKIN: No more question. Thank you.

10 MR. BUCHER: Okay. I think we're done.

11 Okay. This concludes the interview of Steve. Thank you
12 very much. I appreciate it.

13 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: METRO-NORTH RAILROAD FATAL TRAIN
CRASH, VALHALLA, NEW YORK
FEBRUARY 3, 2015
Interview of Steven Smalls

DOCKET NUMBER: HWY-15-MH-005

PLACE: Tarrytown, New York

DATE: February 5, 2015

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been compared to
the recording accomplished at the interview.

Kathryn A. Mirfin
Transcriber