

NATIONAL TRANSPORTATION SAFETY BOARD

-----:

IN RE: :

:

THE ACCIDENT INVOLVING : NTSB Accident No.

AMTRAK TRAIN #89 AND MOW : DCA16FR007

EQUIPMENT AND EMPLOYEES :

NEAR CHESTER, PENNSYLVANIA :

ON APRIL 3, 2016 :

:

-----:

INTERVIEW OF: KYLE SNYDER

Tuesday,
April 5, 2016

Sheraton Four Points Hotel
Philadelphia, Pennsylvania

BEFORE

RICHARD HIPSKIND, NTSB
DAVID KANNENBERG, FRA
STEVE STEARN, BMW
MICHAEL TRAINA, AMTRAK
ANDREW KEEFE, AMTRAK
MATTHEW PORTO, AMTRAK
LOU TOMASSONE, FRA
RUDY BOOKER, ARASA
TERRY SPRATT, AMTRAK

This transcript was produced from audio
provided by the National Transportation Safety Board.



I, Kyle Snyder, have read the foregoing pages of a copy of my testimony given during an interview pertaining to the collision of Amtrak Train 89 with maintenance of way equipment and employees resulting in a derailment with passenger injuries on April 3, 2016, at about 7:50 a.m. in Chester, PA and these pages constitute a true and accurate transcription of same with the exception of the following amendments, additions, deletions or corrections:

<u>PAGE NO:</u>	<u>LINE NO:</u>	<u>CHANGE AND REASON FOR CHANGE</u>
<u>5</u>	<u>10</u>	<u>C'S INSTEAD OF CNS</u>
<u>7</u>	<u>14</u>	<u>SURFACING INSTEAD OF SERVICING</u>
<u>10</u>	<u>24</u>	<u>WYE INSTEAD OF WIDE</u>
<u>26</u>	<u>3</u>	<u>REMOVE DID ACTUALLY</u>
<u>26</u>	<u>7</u>	<u>PPE - E WAS MISSING</u>
<u>31</u>	<u>3</u>	<u>GIVE INSTEAD OF GET</u>
<u>32</u>	<u>7</u>	<u>C'S INSTEAD OF CNS</u>
<u>35</u>	<u>6</u>	<u>WINE INSTEAD OF LIKE</u>
<u>40</u>	<u>20</u>	<u>SHOULD SAY I DO NOT KNOW, KNOW IS MISSING</u>
<u>48</u>	<u>8</u>	<u>BAD INSTEAD OF BACK</u>
<u>54</u>	<u>17</u>	<u>BALLAST INSTEAD OF BALLANCE</u>
<u>54</u>	<u>21,23</u>	<u>SURFACING NOT SERVICING</u>
<u>59</u>	<u>19,22</u>	<u>C'S INSTEAD OF CNS</u>

I declare that I have read my statements and that it is true and correct subject to any changes in the form or substance entered here.

Date: 5/20/16

Witness: [REDACTED]

P-R-O-C-E-E-D-I-N-G-S

{time not provided}

MR. HIPSKIND: Good afternoon, everybody.

My name is Richard Hipkind, and I am the Track and Engineering Group Chairman for NTSB, for this accident.

We are here today on April 5th, 2016, at the Sheraton Four Points Hotel in Philadelphia, Pennsylvania, to conduct an interview with Mr. Kyle Snyder, who works for the National Railroad Passenger Corporation, or Amtrak.

This interview is in conjunction with NTSB's investigation of a collision of Amtrak Train 89 with maintenance-of-way equipment and employees, on April 3rd, 2016 at Mile Post 15.7 on Amtrak's PW line near Chester, Pennsylvania in Delaware County.

The NTSB accident reference number is DCA16FR007.

Okay, before we begin our interview and questions, let's go around the table and introduce ourselves. Please spell your last name and please identify who you are representing, and your title.

I would remind everybody to speak clearly and loudly enough, so we can get an accurate recording. I'll lead off, and then pass off to my right.

Again, my name is Richard Hipkind. The

1 spelling of my last name is H-I-P-S-K-I-N-D. I am the
2 Track and Engineering Group Chairman for the NTSB on
3 this accident.

4 MR. KANNENBERG: David Kannenberg, K-A-N-N-
5 E-N-B-E-R-G, Deputy Regional Administrator, Federal
6 Railroad Administration, Region II.

7 MR. STEARN: Steve Stearn. S-T-E-A-R-N.
8 I'm a Vice Chairman with the Brotherhood of Maintenance
9 of Way Employees, and the party spokesman for that
10 organization.

11 MR. TOMASSONE: Lou Tomassone, T-O-M-A-S-S-
12 O-N-E, I'm the Region II Track Inspector and
13 Investigator in Charge for the FRA.

14 MR. KEEFE: Andrew Keefe, K-E-E-F-E. I'm the
15 Deputy Chief Engineer of Maintenance for Amtrak.

16 MR. PORTO: Matthew Porto, P-O-R-T-O,
17 Director of Safety, Amtrak.

18 MR. TRAINA: Michael Traina, T-R-A-I-N-A.
19 ARASA President ET Supervision, Supervisor for New York
20 Division.

21 MR. HIPSKIND: Mr. Snyder, would you put
22 yourself on the record?

23 MR. SNYDER: Yes, Kyle Snyder, S-N-Y-D-E-R,
24 and Assistant Nighttime Supervisor for the Wilmington
25 Division.

1 MR. HIPSKIND: And Mr. Snyder, do you mind
2 if we proceed just on a first name basis?

3 MR. SNYDER: Yes.

4 MR. HIPSKIND: Okay, Kyle, first question is
5 do you wish to be represented?

6 MR. SNYDER: Yes.

7 MR. HIPSKIND: Okay, Rudy, would you like to
8 put your name in on the record here?

9 MR. BOOKER: Yes, Rudy Booker, Chairman
10 Representative for ARASA, Supervisor Track.

11 MR. HIPSKIND: Okay, and as a housekeeping
12 matter, we have one other gentleman, and would you
13 introduce yourself and what your role is here?

14 MR. SPRATT: My name is Terry Spratt. I'm
15 the Director of Operating Practices for Amtrak, and I'm
16 here as an observer, representing the Chief
17 Transportation Officer.

18 MR. HIPSKIND: Okay, thank you for that.
19 Second question, Kyle, do we have your permission to
20 record our interview -- our discussion with you today?

21 MR. SNYDER: Yes.

22 MR. HIPSKIND: Okay, so, first thing, Kyle,
23 just give me a little bit of insight of when you
24 started railroading and just take me through the
25 highlights of some positions that you've held and take

1 me up to your current day and title, and then if you
2 want to continue talking, tell me a little bit about
3 your duties and responsibilities.

4 MR. SNYDER: Okay, I started August of 2013.
5 I came in as an engineering management associate.

6 Basically, it was like the junior
7 engineering program for track, for the first couple
8 months, we had different duties, we would go around to
9 the different departments. We'd spend a week or two at
10 each tracks, CNS, ET and B&B.

11 That lasted for about -- and then we also
12 did a tour on each of the divisions, New England, New
13 York, Mid Atlantic and then also out in Central.

14 Then that was about a like a six month tour,
15 and then I spent a year under assigned to the Mid
16 Atlantic North Division, working with Bill Bentley and
17 Frank Kruse, as kind of a manager in charge, I was in
18 charge of a tie gang, but I would also pretty much just
19 shadow them and learn the ins and outs of the Mid
20 Atlantic North Track Division.

21 I would spend time out on the track with
22 various supervisors. I spent time with all of the
23 supervisors at the time of Mid Atlantic North. I would
24 spend like a week or so with them, and get to learn
25 what they do, how they do it and how they problem

1 solve.

2 In March of 2015, I was awarded the
3 assistant nighttime supervisor in Wilmington. I've
4 been in that position for a little over a year now.

5 My basic duties are to get the gang going.
6 Usually Pete ADAMOVICH {phonetic} would set the jobs up
7 for me. He'd let me know usually what I was doing that
8 night, whether it was changing ties, tamping, or some
9 other various project that he had set up, and my duties
10 are pretty much to supervise the guys, approve their
11 time, make sure they have everything they need and
12 that's about it.

13 MR. HIPSKIND: Okay, so, fair to say that
14 maybe a lot of these projects you're involved in and
15 what not, a lot of work is done in the evening
16 nighttime hours?

17 MR. SNYDER: In my position, all of the work
18 straight time is done. My tour of duty is Sunday to
19 Thursday, 10P to 6A, and yes, other than if the
20 daylight supervisor took off, I would cover his shift
21 for usually four hours, to get everybody in the morning
22 going, but most of my work was done at night.

23 MR. HIPSKIND: Okay, and of course, you know
24 we're out here on this accident investigation, and
25 we're aware that there was kind of a balance cleaning

1 project going on, and we know that there was an outage
2 for like 55 hours.

3 So, why don't you tell me a little bit of
4 background on how you got involved in that, and if you
5 were out there Friday night, Saturday night or
6 whatever, and just kind of open our eyes on all of
7 that.

8 MR. SNYDER: Okay, so, basically Booth
9 Street has been a pretty big problem for us for as long
10 as I've been in Wilmington.

11 We get RMS hits there. We get geometry hits
12 there and we've tamped them, tamped it up with -- we
13 have a -- just a junior tamper. We've tamped it with
14 our junior tamper. We've had production servicing come
15 through and hit it and it still -- it might stay up for
16 a couple days, maybe a wee, but it always ends up
17 falling back down, and we always get hits on it.

18 So, Pete had been wanting to get it for a
19 while with the rail VAC, once they came back off from
20 their Christmas vacation, and pretty much, the plan was
21 to have the rail VAC come out of Phillie on Friday
22 night. He was going to come down. Pete wanted me to
23 suck up a small spot within the north end of Hook
24 interlocking, because we've had a little mud spot
25 growing there.

1 So, we did that, and then we moved up to
2 Booth Street, and well, the idea behind it was, he
3 would have the backhoe operator come in and Pete wanted
4 to undercut the track to get rid of all of the mud.

5 So, he had the backhoe digging down. Like,
6 the rail VAC would suck up, but then he'd hit the hard
7 mud and not be able to really suck up anymore.

8 So, the backhoe was there to scratch the
9 surface of the really hard mud, at like the base of the
10 ties, and get that up, so, the rail VAC can move back
11 forward, suck that up and move back, so the backhoe
12 could keep working.

13 MR. HIPSKIND: So, maybe just a different
14 way to clean out the (inaudible) balance in the track?

15 MR. SNYDER: Yes.

16 MR. HIPSKIND: And fair to say that if you
17 had a condition there that was fouled balance, that's
18 would -- is that what you're referring to with the
19 geometry car hits, that there would some surface or
20 profile type --

21 MR. SNYDER: Yes.

22 MR. HIPSKIND: -- condition?

23 MR. SNYDER: Mostly they were profile type
24 spots.

25 MR. HIPSKIND: Okay, so you guys had a list

1 to work on and when this project came about, you
2 started at Hook, but you ended up north of Booth
3 Street?

4 MR. SNYDER: Yes.

5 MR. HIPSKIND: Okay.

6 MR. SNYDER: The spot at Hook was just a
7 small spot that he added on, but the main goal of the
8 55 hour outage was to VAC out and crib out north of
9 Booth Street, pretty much from Booth Street, up to the
10 old signal bridge.

11 MR. HIPSKIND: Okay, and for that piece of
12 equipment to be on -- which main was it?

13 MR. SNYDER: The rail VAC was on two track.

14 MR. HIPSKIND: Okay, did you have some kind
15 of protection or something to do what with that track?

16 MR. SNYDER: Yes, they had Form D, the track
17 was out of service for -- between Baldwin and Hook.

18 Friday night, the out of service was
19 actually between Hook or sorry, Baldwin and Holly, and
20 then we narrowed it between Baldwin and Hook.

21 MR. HIPSKIND: And these names Baldwin and
22 Hook, these are --

23 MR. SNYDER: Interlock.

24 MR. HIPSKIND: -- control points on the
25 railroad?

1 MR. SNYDER: Yes.

2 MR. HIPSKIND: Okay, so, did you happen --
3 the outage started Friday night?

4 MR. SNYDER: Correct.

5 MR. HIPSKIND: Did you happen to work that
6 night?

7 MR. SNYDER: Yes, I did.

8 MR. HIPSKIND: Why don't you describe the
9 manpower that was out there and how things went Friday
10 night?

11 MR. SNYDER: So, Friday night, I came in at
12 8:00 because the -- the regular supervisor -- we have a
13 -- in Wilmington, we have a gang that works Tuesday
14 through Friday, 8:00 p.m. to 6:00 a.m., and their
15 supervisor had been off all week.

16 So, I came in with them at 8:00, and the
17 rest -- like I had -- those guys had their own things
18 to do, they were the welding gang. They were short-
19 handed, so they ended up just doing maintenance on all
20 of their tools and equipment.

21 The other guys for the VAC train did not
22 show up until 11:00 p.m. I talked to -- there was a
23 foreman bringing the VAC train down from Phillie.
24 First, they had to wide the train. So, they got the --

25 MR. HIPSKIND: Wide the train means turn it

1 around?

2 MR. SNYDER: Yes.

3 MR. HIPSKIND: Okay.

4 MR. SNYDER: To turn it.

5 MR. HIPSKIND: All right.

6 MR. SNYDER: And they weren't -- I mean, on
7 a Friday night, they weren't going to get track time
8 until probably 11:00 p.m. or later.

9 So, he had on the board, he had set up to
10 have a truck driver come in, a track man and Joe
11 Carter, who was in the backhoe, and then the foreman
12 would be out of Phillie.

13 So, those guys showed up at eleven. I told
14 them we were meeting the foreman up at Hook, so, this
15 was about 11:00. I can't remember off the top of my
16 head, what time the train actually got down.

17 I know they had some problems with their air
18 lines. I don't think they got down there until about
19 2:00.

20 So, we got the job briefing and foreman got
21 fouls, and first, it started out, the VAC train started
22 to crib everything out. Like, he would basically get
23 everything out to the bottom of the tie, and then what
24 happened was, Joe Carter would come out in the backhoe
25 and he'd scratch down below the bottom of the tie, and

1 he'd to about five cribs, and the VAC train would come
2 up, suck out and then move back, so that Joe could
3 work, I think that spot was maybe 20 ties long, so
4 about 40 feet.

5 And then we had -- that's the way we went
6 through like that spot, was it'd probably be about five
7 ties, Joe would scratch and dig out, and then machine
8 would come up, suck up and then he'd back up, Joe would
9 do the next five ties, machine would come up, suck
10 those up and back up.

11 So, by the time we got up to Booth Street
12 that night, it was late, it was probably like four, and
13 once again, same process. The machine started to like
14 VAC out all the cribs to the extent it could, and then
15 Joe -- Joe started to scratch and dig out. I think
16 that night we only got like four or five cribs with the
17 backhoe.

18 MR. HIPSKIND: Okay, and when you talk about
19 had to get the fouls, why don't you elaborate on that?

20 I get it, the big machine is on two track
21 and that track is out of service, and we're aware that
22 there are four main tracks out there. One track is to
23 the -- I believe it's to the east, two, three, and the
24 four track to the west.

25 MR. SNYDER: Correct.

1 MR. HIPSKIND: Why get the fouls and what's
2 that all about?

3 MR. SNYDER: All right, so, well, the VAC
4 train, they would not work without a foul on one track,
5 because their arm, their crane arm would be fouling one
6 track.

7 The backhoe could not work without fouls on
8 three and four, because he was sitting on three and his
9 outrigger would have been fouling four track.

10 The backhoe also would have been fouling one
11 track, when he'd be reaching across two with the
12 bucket, to get around the edge of the tie.

13 MR. HIPSKIND: Okay, well, I don't know
14 anything about anything, but you effectively had all
15 four tracks.

16 MR. SNYDER: Yes.

17 MR. HIPSKIND: Not out of service, but
18 certainly to where trains weren't allowed in there,
19 right?

20 MR. SNYDER: Yes.

21 MR. HIPSKIND: So, were you doing that
22 because at nighttime, you can get longer stretches of
23 track where you have that many main tracks out of
24 service or --

25 MR. SNYDER: Yes, that -- like usually at

1 night there is -- in between Phillie and -- well, in
2 between Phillie and Wilmington, there is usually a good
3 section where for the most part, where you can get like
4 a three hour, or two hour shot, where you can have all
5 the tracks.

6 There might be a local freight that runs
7 between Arsenal and the Lynwood branch. It varies at
8 what time he'll come through, but other than a couple
9 shot moves, you get like a three hour shot, where you
10 can have everything.

11 MR. HIPSKIND: Okay, and I think you
12 mentioned a job briefing.

13 So, on Friday night, who is in charge? Are
14 you in charge or is there a foreman in charge?

15 MR. SNYDER: There is a foreman in charge.

16 MR. HIPSKIND: Okay, do you recall who that
17 was?

18 MR. SNYDER: Yes, it was Larry Smoot.

19 MR. HIPSKIND: Okay, and the foreman who was
20 in charge on Friday night, on Saturday night, different
21 foreman?

22 MR. SNYDER: Yes.

23 MR. HIPSKIND: And who was that foreman?

24 MR. SNYDER: That foreman was Will Robinson.

25 MR. HIPSKIND: Okay, any difference in how

1 either one of them approach their work or their
2 protection or anything?

3 MR. SNYDER: No, not really.

4 MR. HIPSKIND: Okay, and you were with both
5 foremen on each night?

6 MR. SNYDER: Yes.

7 MR. HIPSKIND: All right. So, same
8 manpower? Same equipment? Same set up procedure to
9 tackle the job or --

10 MR. SNYDER: Yes, the times are different.
11 So, on Friday night, he had the guy start at 11:00,
12 because that's the time the VAC train would get down
13 there.

14 So, he had them start from 11:00 to 6:00 in
15 the morning, and then the day shift was from 6:00 in
16 the morning to 6:00 at night, and night shift was 6:00
17 at night to 6:00 in the morning, and then the final day
18 shift was 6:00 a.m. Sunday morning to 6:00 p.m. Sunday
19 evening.

20 So, that was the only difference between
21 Friday night and Saturday night. He still had a track
22 man, a truck driver, and so, he had the track man and
23 the truck driver start at 6:00, but he told Joe Carter
24 not to come in until 11:00, because he didn't think
25 that we would be able to get enough fouls between 6:00

1 and 11:00. So, he told Joe not to come in until 11:00.

2 So, Joe Carter showed up. He got to the
3 Wilmington base probably around 11:00, and then he
4 showed up on site probably around 12:00, around there.

5 MR. HIPSKIND: Okay, and he you're referring
6 to, is that Pete?

7 MR. SNYDER: Yes, that's Pete. Pete would
8 set up all the -- for the most part, Pete would set up
9 all of my jobs and then let me know what was going on
10 and then I would pretty much take it from there,
11 handling like the manpower and what everybody was going
12 to do.

13 MR. HIPSKIND: Okay, one of the things we
14 were curious about is, if the backhoe operator was
15 starting at 11:00, when do you think he was going to
16 stop work? Was he going to work right on through until
17 11:00 the next morning or was he -- would he go off
18 when the night crew went off?

19 MR. SNYDER: So, he wasn't sure, and when
20 Pete showed up in the morning about 6:30, Pete asked --

21 MR. HIPSKIND: This is the day of --

22 MR. SNYDER: This is the day of the
23 incident.

24 MR. HIPSKIND: All right.

25 MR. SNYDER: When Pete showed up Sunday

1 morning, he asked the backhoe operator, Joe Carter, he
2 asked them if he would want to stay later, or if he
3 wanted to leave, and Joe said that he would stay until
4 11:00 on Sunday morning.

5 MR. HIPSKIND: And the way that you know
6 this is how?

7 MR. SNYDER: I was --

8 MR. HIPSKIND: You overheard it or you --

9 MR. SNYDER: Yes, I was standing there with
10 Pete, whenever he asked Joe.

11 MR. HIPSKIND: Okay, so, the plan on the day
12 of the accident, Sunday morning, was if they could get
13 time and keep the fowls, was to stay over there, keep
14 the work going and the backhoe operator would work
15 until 11:00?

16 MR. SNYDER: Yes.

17 MR. HIPSKIND: Okay, and then what, put his
18 backhoe in the clear and then travel back to
19 Wilmington? Something like that?

20 MR. SNYDER: Yes.

21 MR. HIPSKIND: Okay, all right. So, were
22 you present during the Friday night job briefing?

23 MR. SNYDER: Yes.

24 MR. HIPSKIND: How did that go?

25 MR. SNYDER: The foreman -- well, the

1 foreman got out, because he brought the machine down.
2 He got out and met everybody along the access road, and
3 he gave everybody the on track and their regular job
4 briefing.

5 MR. HIPSKIND: Okay. Did you take any
6 exception to any of that?

7 MR. SNYDER: No.

8 MR. HIPSKIND: Okay, and was there anything
9 different? We know there is a different foreman on
10 Saturday. Did that go differently?

11 MR. SNYDER: On Saturday, Pete told me not
12 to come in until 8:00. So, I wasn't there when the
13 shifts changed on Saturday evening.

14 MR. HIPSKIND: Okay.

15 MR. SNYDER: So, I came in at 8:00 and
16 actually, the Loram guys had just switched their
17 shifts. The day shift for Loram had left and the --
18 the nighttime shift had just gotten there, I guess, and
19 they had gotten their briefing before I got there. I
20 pulled up -- I got to Wilmington probably I think right
21 at 8:00.

22 I got my stuff together and I went up to the
23 job site. Got there around probably 8:45 or 8:30.
24 Went up to the foreman, asked him for job briefing and
25 you know, on track. He gave them to me, signed onto

1 both.

2 But I was not there -- whenever I came up
3 that night, like I said, we weren't sure where Joe
4 Carter was, because I had assumed that he was coming in
5 at 6:00 with everybody else.

6 MR. HIPSKIND: Six in the evening?

7 MR. SNYDER: Six in the evening.

8 MR. HIPSKIND: Okay.

9 MR. SNYDER: Because --

10 MR. HIPSKIND: To work until six in the
11 a.m., tomorrow?

12 MR. SNYDER: Yes.

13 MR. HIPSKIND: Okay.

14 MR. SNYDER: Because the only people there
15 at that point was the truck driver and the track man.
16 So, I was kind of confused, and whenever I talked with
17 Will, he said when Pete left, he -- Pete told Will that
18 Joe wasn't coming in until later.

19 So, I ended up calling Joe around 10:00 and
20 asked him like, what time Pete told him to come in. He
21 said 11:00. So, I was like, all right, well, we'll
22 just have -- pretty much until that point, we had the
23 VAC train just keep sucking cribs out.

24 MR. HIPSKIND: In that stretch onto track --

25 MR. SNYDER: North of --

1 MR. HIPSKIND: -- north of Booth?

2 MR. SNYDER: -- Booth, yes.

3 MR. HIPSKIND: Okay. So, eventually Joe
4 shows up?

5 MR. SNYDER: Yes, Joe showed up, I can't
6 remember off the top of my head, it was around
7 midnight, it was around 12:00 or 12:15, and actually we
8 didn't go to work right away because we had a pretty
9 severe storm roll through. It lasted probably about an
10 hour.

11 So, at that point, everybody was in the
12 clear, watchman, backhoe was in the clear. I think
13 that ended around 1:00 or 1:30, and at that point, we
14 requested the fouls and started to go to work with Joe
15 scratching, trying to crib out some more.

16 MR. HIPSKIND: Okay, even after the storm
17 blew through, it stayed pretty windy, didn't it? Do
18 you recall that or not?

19 MR. SNYDER: Yes, it did.

20 MR. HIPSKIND: And straight through until
21 the morning, right?

22 MR. SNYDER: Yes.

23 MR. HIPSKIND: Okay, when Joe, the backhoe
24 operator finally got there, did you guys use him?

25 MR. SNYDER: No. I mean, well, he sat in

1 the backhoe until after that storm blew through.

2 MR. HIPSKIND: But eventually, did you?

3 MR. SNYDER: Yes, probably around 1:30 or
4 2:00 is when we started using him again.

5 MR. HIPSKIND: Okay, do you recall -- did
6 you ask for the foul from the dispatcher or did the
7 foreman?

8 MR. SNYDER: The foreman did.

9 MR. HIPSKIND: And can you characterize?
10 We're talking about Saturday night now.

11 MR. SNYDER: Yes.

12 MR. HIPSKIND: So, can you characterize how
13 that went or how it was conveyed to you, what was going
14 on?

15 MR. SNYDER: I'd been -- I was sitting in my
16 truck and I was listening on the radio, and the foreman
17 called and asked for fouls on one, three and four. I
18 can't remember if we got them all right then, or if we
19 had to wait for a train one way or another.

20 But whenever Will got fouls, he would -- so,
21 he called the dispatcher and the dispatcher would let
22 us know if we couldn't get the fouls, he'd say he had
23 like one north or one south. He'd give the direction
24 of which train was coming, and he'd be -- he'd say talk
25 to him after that train passes and with good markers.

1 So, once Will got all the fouls, that's when
2 Joe came out, or if Will do not -- if he got fouls on
3 three and four, Joe came out and sat on three, and if
4 we were still waiting on one track, everybody -- there
5 was no work going on until we got one track under foul.

6 MR. HIPSKIND: And that's because the
7 operation of the balance cleaner, he needed that
8 additional foul on one track?

9 MR. SNYDER: Yes, and the backhoe needed it
10 too, if he would be trying to crib out on the far field
11 side of the tie.

12 MR. HIPSKIND: Okay, anything else that
13 Foreman Robinson did, in conjunction with getting the
14 fouls, plural, meaning one, three and four?

15 MR. SNYDER: No. He was -- once he got
16 them, he would let both Joe and the guys in the Loram
17 know. He would call them on the radio, saying that he
18 got foul o one, or he got foul on one, three and four.
19 He let them know which track he got foul on.

20 MR. HIPSKIND: Is the reason that the
21 foreman is getting these fouls either because the
22 balance cleaner is going to foul one track, right, and
23 if the backhoe sits up on three, obviously, he is in
24 the foul of that, and you talked about his stabilizers
25 potentially fouling four track.

1 But that's not like you're going to pick up
2 and easily remove it, right? I mean, how are you guys
3 thinking out the use of fouls? That's what I'm really
4 asking.

5 MR. SNYDER: I'm not sure I understand the
6 question.

7 MR. HIPSKIND: Okay, let me rephrase it.
8 Were you required to use fouls because of the equipment
9 being on the track?

10 MR. SNYDER: Okay, yes. The fouls are
11 solely for the equipment. There was no work being
12 done, if that's what you're asking. There was no work
13 being done on one, three or four.

14 All the work was on two track. The fouls
15 were just for the equipment to work.

16 MR. HIPSKIND: Okay, all right. Is it -- in
17 -- you've been with Amtrak for a couple of years now?

18 MR. SNYDER: Yes.

19 MR. HIPSKIND: Okay, and you've gone through
20 like roadway worker training and all those kinds of
21 procedures and stuff like that?

22 MR. SNYDER: Uh-huh.

23 MR. HIPSKIND: Yes?

24 MR. SNYDER: Yes.

25 MR. HIPSKIND: Okay.

1 MR. SNYDER: Sorry.

2 MR. HIPSKIND: The transcriptionist doesn't
3 know -- okay, so, do you feel comfortable with doing
4 the work and supervising the work?

5 MR. SNYDER: Yes, I do.

6 MR. HIPSKIND: Okay, do you feel
7 knowledgeable about the training that you received?

8 MR. SNYDER: Yes.

9 MR. HIPSKIND: Yes? Okay, and when we think
10 of the fouls, if I went in and read like the procedure
11 for getting fouls and stuff like that, is there any
12 additional requirement that you need to take on, in
13 applying those fouls to the dispatcher?

14 MR. SNYDER: Me, myself? No.

15 MR. HIPSKIND: Okay, what about the foreman?
16 Did they do different than maybe what you would have
17 done?

18 MR. SNYDER: I mean, at times, the -- you're
19 suppose to use -- you can use supplemental shunting
20 devices, SSD's, but at that point, the foreman was not
21 using that.

22 MR. HIPSKIND: Okay, do you know why not?

23 MR. SNYDER: I do not. I did not ask him.

24 MR. HIPSKIND: Okay, do you think that the -
25 - the curiosity I have is that if you're getting fouls

1 on multiple tracks, one, three and four, and he did
2 want to put SSD supplemental shunting device, which --
3 let's talk about what that really is. That's what?

4 MR. SNYDER: It's a strap that throws up a -
5 - I believe it interrupts the current, return current
6 on the rail, the rail return current.

7 MR. HIPSKIND: And so, the dispatcher would
8 what?

9 MR. SNYDER: Like, I think it comes up as a
10 TOL for them, or they call it like a light.

11 MR. HIPSKIND: TOL means? Track occupancy -
12 -

13 MR. SNYDER: Yes, track occupancy light.

14 MR. HIPSKIND: Okay, so, it likely appears
15 on the dispatcher board?

16 MR. SNYDER: Yes, I would assume. I've
17 never been in --

18 MR. HIPSKIND: Okay, all right, but to get
19 back to multiple being -- request fouls through the
20 dispatcher, do you think either of the foremen that you
21 work with had three sets of shunts?

22 MR. SNYDER: I do not.

23 MR. HIPSKIND: You do not think they had
24 them or --

25 MR. SNYDER: I do not think they had them.

1 MR. HIPSKIND: Okay, do they have --

2 MR. SNYDER: The foreman that came down from
3 Phillie on Friday night, he did actually did not have a
4 vehicle. He came down in the actual Loram machine.

5 So, he had no other mode of transportation.
6 So, all he had was like his grab bag with all of his
7 books and his PP.

8 MR. HIPSKIND: So, I think what I hear you
9 saying is, if somebody is going to have shunts and all
10 -- other kinds of things, that they're like to have
11 them with their vehicle or truck?

12 MR. SNYDER: Yes.

13 MR. HIPSKIND: And if they're out just light
14 traveling with machinery, less likely to have stuff
15 with them, all of the things with them?

16 MR. SNYDER: Yes.

17 MR. HIPSKIND: Okay, all right. I think
18 that's all I've got for right now. I want to see what
19 some of my other investigators, what they think, okay?

20 MR. SNYDER: Okay.

21 MR. HIPSKIND: You still good to go?

22 MR. SNYDER: Yes.

23 MR. HIPSKIND: All right, Mr. Kannenberg.

24 MR. KANNENBERG: Let me introduce myself
25 again?

1 MR. HIPSKIND: Yes, please.

2 MR. KANNENBERG: Dave Kannenberg, K-A-N-N-E-
3 N-B-E-R-G. FRA. I forgot.

4 MR. HIPSKIND: Okay.

5 MR. KANNENBERG: It's your procedure, not
6 mine.

7 MR. HIPSKIND: I know.

8 MR. KANNENBERG: It's a lot less formal when
9 I do it.

10 MR. HIPSKIND: Okay.

11 MR. KANNENBERG: Thanks for coming in. I
12 appreciate it. Tough to have to go through something
13 like this.

14 So, just following a little bit up with what
15 Mr. Hipskind was talking about, the SS -- what is it?

16 MR. HIPSKIND: SSD's.

17 MR. SNYDER: SSD's.

18 MR. KANNENBERG: SS?

19 MR. SNYDER: D's.

20 MR. KANNENBERG: D's, okay, is that a
21 barricade or is that separate from a barricade, and
22 would a barricade be needed, and I'm from a western
23 railroad, so I'm not all up on all this east coast
24 stuff.

25 MR. SNYDER: It's separate from a barricade.

1 It's a wire that attaches to both rails.

2 MR. KANNENBERG: Okay.

3 MR. SNYDER: East and west rail, or the
4 north and south rail.

5 MR. KANNENBERG: Okay, is that -- so, would
6 you need a barricade as well as that or no barricade?

7 MR. SNYDER: No barricade.

8 MR. KANNENBERG: Okay, barricade would be
9 for?

10 MR. SNYDER: Barricade would be for like the
11 track out service. We did have a barricade set up on
12 two track, the track out of service.

13 MR. KANNENBERG: At both ends?

14 MR. SNYDER: I know that there was one set
15 up on the south end. I did not walk to see if there
16 was one set up on the north end.

17 If it would have been set up on the north
18 end, it couldn't have been right behind the machine
19 because the machine had to move, to cast off the
20 spoil, once they had filled up.

21 MR. KANNENBERG: Sure.

22 MR. SNYDER: So, the machine was moving.
23 So, there wouldn't have been one right behind the
24 machine. But I am not sure. I did not walk down to
25 where they were dumping at, to see if there was a

1 barricade placed passed there.

2 MR. KANNENBERG: Okay. So, maybe out of the
3 way. When you got there, you were job briefed by?

4 MR. SNYDER: On Saturday night, I was job
5 briefed by Will Robinson.

6 MR. KANNENBERG: Okay, and I'll only talk
7 about Saturday --

8 MR. SNYDER: Okay.

9 MR. KANNENBERG: -- and Sunday. I'm not --

10 MR. SNYDER: Okay.

11 MR. KANNENBERG: -- going to go back to
12 Friday.

13 MR. SNYDER: Okay.

14 MR. KANNENBERG: Were you there at the end
15 of Will's shift, when Mr. Yaeger came on?

16 MR. SNYDER: I was not. Pete had showed up
17 around 6:30. He walked the site and I had gotten out,
18 because at that point, we were not working because we
19 had lot foul on one track.

20 So, Pete had walked the site. He had -- so
21 I had gotten out of my truck, and went up, and that's
22 when I heard him ask Joe, if he -- what time he wanted
23 to stay until.

24 Then I had actually talked with Pete a
25 little bit after that, because he had asked why we

1 weren't working, and he asked if anything was broken or
2 what, and I had said we didn't have foul on one.

3 He said, okay, and then we talked for a
4 little bit longer and I left, I left the job site
5 around 6:50, 6:45 or 6:50.

6 MR. KANNENBERG: Okay.

7 MR. SNYDER: And at that point, Yaeger had
8 not gotten there yet.

9 MR. KANNENBERG: So, throughout the evening
10 when people were coming on and off, when they were
11 giving up fouls in -- and getting fouls back, were
12 updated job briefings being given properly throughout
13 the evening?

14 MR. SNYDER: No, I mean, once we -- like, if
15 we had to give up foul, we'd be sitting for -- like if
16 it was one track, the backhoe would stay sitting on
17 three and four, because we still had fouls on those to.

18 But just nobody would be working at that
19 time. We still had watch men out, but nobody -- like,
20 both machines would be sitting idle.

21 If we lost foul on three, before Will would
22 give foul up, he would contact because Joe had -- there
23 was a radio in the backhoe, and if Joe heard, he'd
24 always voice that he was on his way to get clear, or
25 Will would call him on the radio and ask him, "Joe, are

1 you clear," or, "Joe, I need three track or four
2 track," and then once Joe was in the clear, he'd radio
3 back and then we'd get fouls back.

4 MR. KANNENBERG: Okay, sounds like that's
5 probably the way it's suppose to be done, correct?

6 MR. SNYDER: Yes.

7 MR. KANNENBERG: And again, the SSD,
8 functionally, what would that have changed if that had
9 been used?

10 MR. SNYDER: Functionally, Will or the
11 foreman would have had to physically un-strap the SSD
12 for the dispatcher to run a train through, because if
13 would have shown up as a TOL, and I don't know the ins
14 and outs, but what I've been told is that it shows up
15 as TOL and the train gets a stop signal at whatever
16 block he's coming into, and he would have had to stop
17 and sit there, and then ask dispatcher for orders, and
18 usually if the -- I think if the dispatcher would see
19 that we gave up fouls, if there was still a light, he
20 would ask why, like are you doing anything on that
21 track or there is a reason I have a TOL, or something.

22 MR. KANNENBERG: Okay, and I don't know if
23 you know this or not, but this is -- I don't know
24 either.

25 So, the strap would have caused the red

1 signal and with access, which is PTC, positive train
2 control, would that train's -- even let's say, the
3 engineer didn't see the red, PTC would have stopped the
4 train at that point, right?

5 MR. SNYDER: I do not know.

6 MR. KANNENBERG: Okay.

7 MR. SNYDER: Yes, that's a CNS --

8 MR. KANNENBERG: Okay.

9 MR. SNYDER: That's a CNS thing.

10 MR. KANNENBERG: We'll talk to -- or I'll
11 talk to -- I'll ask them about it.

12 MR. SNYDER: Okay.

13 MR. KANNENBERG: That's all I got. Thanks.

14 MR. HIPSKIND: Thanks, Dave. Steve?

15 MR. STEARN: You guys will have to pardon
16 me. I have to come down here, so I can be heard on this
17 little recorder.

18 Thanks for coming in, Kyle. A couple of
19 questions.

20 You worked with this VAC train on Friday
21 night, with Foreman --

22 MR. SNYDER: Foreman Smoot.

23 MR. STEARN: And in that Friday night, most
24 of the evening was used for him to bring the VAC train
25 down from Philadelphia.

1 MR. SNYDER: Correct.

2 MR. STEARN: Eventually though, he did get
3 down there.

4 MR. SNYDER: Yes.

5 MR. STEARN: And work was begun at the north
6 end of Hook?

7 MR. SNYDER: Correct.

8 MR. STEARN: And so, you did actually crib
9 some ties, VAC some --

10 MR. SNYDER: Yes.

11 MR. STEARN: Was foul time used at Hook?

12 MR. SNYDER: Yes.

13 MR. STEARN: And the same circumstances,
14 using number two -- number two track out under line
15 430, and foul on --

16 MR. SNYDER: On one --

17 MR. STEARN: -- one, three and four --

18 MR. SNYDER: -- three and four.

19 MR. STEARN: -- and likewise, backhoe
20 sitting on three and four when foul --

21 MR. SNYDER: Yes.

22 MR. STEARN: -- and you had the foul, and
23 when they had foul on all, one, three and four, then
24 work could be done?

25 MR. SNYDER: Correct.

1 MR. STEARN: Was Foreman Smoot -- Smoot is
2 using a radio to communicate foul between dispatch and
3 between operators, both Loram and --

4 MR. SNYDER: Correct.

5 MR. STEARN: -- Joe Carter?

6 MR. SNYDER: Yes, the Loram, they have two
7 radios on there, on their machine. They have one
8 that's like a -- it's an inner machine. They're on
9 their own channel, they're own -- like each of the
10 operators has a radio on them, and then there is a
11 radio for them on the machine.

12 But there is also a radio on the machine
13 that is Amtrak -- on all of the Amtrak channels.

14 MR. STEARN: The radios on the VAC train,
15 the Loram machine, are they pretty good radios?

16 MR. SNYDER: Yes, they would be like one of
17 the radios that we would have in -- one of -- in the
18 Amtrak-owned machine.

19 MR. STEARN: The portable, did you have a
20 portable with you?

21 MR. SNYDER: I had a portable with me and I
22 also have a radio in my truck.

23 MR. STEARN: So, when you're not in your
24 truck, when you are out of your truck and supervising
25 work, you would use your handset?

1 MR. SNYDER: Yes.

2 MR. STEARN: Do you have any trouble
3 communicating with your handset?

4 MR. SNYDER: At times, yes. It depends. I
5 know there is -- there are dead spots throughout the PW
6 line, and I know in Wilmington, like interlocking is
7 prime example, but at that point, I was not -- if I'm
8 close to whoever else is using a handset or using a
9 radio with my hand-held, I can hear them.

10 MR. STEARN: Okay, so, that -- so, now, we
11 come forward to Saturday night, and we're performing
12 the same type of work.

13 It would be now my understanding, pretty
14 much finished up down at Hook and we've moved up to
15 north of the Booth Street underpass.

16 MR. SNYDER: Yes.

17 MR. STEARN: And the same type of work is
18 being performed. We've got number two out of service,
19 number two track out of service, and we're attempting
20 to get foul on number one and three and four, for the
21 same configuration, the same placement of a backhoe,
22 and we're using the same methods, only this time, with
23 Foreman Robinson?

24 MR. SNYDER: Yes.

25 MR. STEARN: To secure foul time protection?

1 MR. SNYDER: Yes.

2 MR. STEARN: And that foul time protection
3 was being secured by the use of radios?

4 MR. SNYDER: Yes. I think there might have
5 been, at one point, there was a problem with the radio,
6 where the dispatcher wasn't coming through clear, and
7 Will might have used his cell phone.

8 But at that point, he would still -- I can't
9 remember if it was giving up foul or if it was just a
10 question the dispatcher had.

11 I do know at one point, I remember the
12 dispatcher asking Will to give him a call.

13 MR. STEARN: Was this before or after the
14 storm, the weather event?

15 MR. SNYDER: After.

16 MR. STEARN: So, the problems with the
17 radio, probably was not related to the weather event?

18 MR. SNYDER: I do not know.

19 MR. STEARN: So, he was either getting foul
20 or giving foul back over a cell phone?

21 MR. SNYDER: I can't remember for sure. I
22 do remember that the dispatcher asked him to call him
23 at one point, and I don't know if it was over for a
24 foul or if it was for -- for something else. I can't
25 remember off the top of my head.

1 MR. STEARN: And I mean, sure, you know,
2 it's a lot to remember, and we don't under -- we're
3 still trying to understand why it was that -- that Joe
4 Carter was instructed to come in at 11:00, instead of
5 with the rest of the gang.

6 MR. SNYDER: I do not know. That was --
7 that was a Pete call. I think -- I mean, I can
8 speculate, but that was not my decision. I didn't even
9 know Joe wasn't coming in until 11:00, until I actually
10 had called him.

11 MR. STEARN: When the VAC train is working,
12 you have foul on one, so they can work, and I was -- I
13 didn't know that they needed foul on that side of their
14 equipment, in order for them to work. I thought they
15 could work.

16 MR. SNYDER: They can. They can do within
17 the gauge, but they just feel more comfortable working
18 with both tracks -- tracks on either side out.

19 MR. STEARN: So, if they want to get on the
20 outside rail --

21 MR. SNYDER: Yes, then they --

22 MR. STEARN: -- they can be comfortable --

23 MR. SNYDER: -- don't have to worry about
24 it.

25 MR. STEARN: Okay, so, at the same time,

1 while you are working the VAC train and getting foul
2 time and you have a backhoe sitting there scratching
3 the mud and trying to get it sucked up, is ET
4 protection being used?

5 MR. SNYDER: Yes.

6 MR. STEARN: Because it's necessary or just
7 as a precaution?

8 MR. SNYDER: As I'm told, it's necessary,
9 because they're a contractor and their conveyor belt
10 comes within -- I'm not sure how close it comes to the
11 wire, or it has the possibility -- capability of
12 extending up into the wire. I'm not -- I'm not 100
13 percent positive.

14 But I do know every time we have gone with
15 it, we get ET protection.

16 MR. STEARN: Okay, and the -- do you -- did
17 you know what the limits of that line four authority
18 was for the Saturday night?

19 MR. SNYDER: Saturday night it was Baldwin
20 to Hook.

21 MR. STEARN: But you're not positive if
22 there was a barricade erected?

23 MR. SNYDER: I'm not positive if there was a
24 barricade erected on the north end. I know on the
25 south end, there was a barricade erected right by the

1 ground stick that ET had put up.

2 MR. STEARN: And that was like halfway
3 between Booth Street and Hook?

4 MR. SNYDER: No, that was -- it was pretty --
5 -- I'd say it was about 100 ties, like 200 feet south
6 of the bridge.

7 MR. STEARN: South of your --

8 MR. SNYDER: Like south of the --

9 MR. STEARN: -- work site?

10 MR. SNYDER: Yes, south of the south
11 approach.

12 MR. STEARN: Okay, and but there were no
13 shunt straps used and the barricade was -- because it
14 was on two, whether it was a shunting or non-shunting
15 barricade was really irrelevant?

16 MR. SNYDER: Yes.

17 MR. STEARN: We're going to -- others are
18 going to ask some questions and we'll probably go
19 around again. But thank you.

20 MR. HIPSKIND: Thanks, Steve. Lou, you want
21 to come on down?

22 MR. TOMASSONE: Yes. Lou Tomassone. How
23 are you doing, Kyle?

24 MR. SNYDER: Good. How are you?

25 MR. TOMASSONE: Track inspector, Region II

1 for the FRA. Okay, you said Friday night, you showed -
2 - you signed up in Wilmington at eight?

3 MR. SNYDER: Yes.

4 MR. TOMASSONE: And you got to the work site
5 around 8:45?

6 MR. SNYDER: On Saturday night?

7 MR. TOMASSONE: Friday night?

8 MR. SNYDER: Friday night, no, I signed up
9 at 8:00. The guys on Friday night did not come in
10 until 11:00.

11 MR. TOMASSONE: Okay, so, between when you
12 signed up and they got there you just --

13 MR. SNYDER: I had another gang there, the
14 welding gang from Wilmington, we were getting them
15 organized and figuring out what they were going to do
16 that night.

17 MR. TOMASSONE: Okay, now, fast-forwarding
18 to Saturday. Will Robinson, the foreman, signed up in
19 Wilmington?

20 MR. SNYDER: I do not.

21 MR. TOMASSONE: Okay.

22 MR. SNYDER: By the time I had gotten there,
23 everybody was -- everybody that came in at 6:00 p.m.
24 had been on the job site.

25 MR. TOMASSONE: Are you familiar with

1 Foreman Robinson, as far as his normal sign up
2 location?

3 MR. SNYDER: I know he's a foreman in
4 Philadelphia.

5 MR. TOMASSONE: Okay, moving onto Saturday
6 night, when you arrived, that was 6:00 p.m.?

7 MR. SNYDER: On Saturday night, I arrived at
8 8:00 p.m.

9 MR. TOMASSONE: Saturday night you arrived
10 at 8:00 p.m., okay, and now, going even further forward
11 to Sunday morning, when you were getting ready to leave
12 and you met Pete.

13 Where was the third track man and watch man
14 at that time?

15 MR. SNYDER: They were still on site. They
16 were waiting for the day shift guys to arrive onto the
17 site.

18 MR. TOMASSONE: Okay, and Saturday at 6:00
19 p.m., Pete was there?

20 MR. SNYDER: Yes, Pete stayed. I don't know
21 what time he left, because he wasn't there whenever I
22 got to the site, but he told me that he was going to
23 stay until 8:00 p.m. that night, so I would come in at
24 8:00.

25 MR. TOMASSONE: Okay, that's all I have.

1 MR. HIPSKIND: Okay, thanks, Lou. Matt, do
2 you want to continue?

3 MR. PORTO: Sure. Just a couple questions.
4 You said you knew Will Robinson. Have you worked with
5 him before?

6 MR. SNYDER: When -- actually, whenever I
7 came into supervision, Will Robinson was EA welder in
8 my gang. That -- on -- Saturday night was actually the
9 first I had worked with him as a foreman.

10 In fact, well, he came into my gang right
11 out of foremen school. I had a foreman vacancy. So, I
12 had -- technically, in my usual gang, I have two
13 foremen, and my one foreman spot was filled and the
14 second foreman was a vacancy.

15 Out of school, he came in, filled the
16 vacancy for one night and then went up to Phillie.

17 So, I mean, at that point -- at that night,
18 the other foreman put track out and pretty much ran as
19 the foreman. So, I didn't really get to work with him
20 as a foreman, until Saturday night.

21 MR. PORTO: Okay. So, on Saturday night,
22 you said except for some of those problems where he had
23 to use the phone to get the foul, when he was using the
24 radio, did he also use the radio communicating to give
25 the foul back?

1 MR. SNYDER: Yes. If he was giving foul
2 back, he would -- he would contact both Loram and the
3 backhoe, and let them know that he had to give foul
4 back that they needed to -- well, if it was on one
5 track, he would let both of them and Joe would stop
6 working and the Loram would stop working.

7 But if he had to give back three or four, he
8 would let Joe know and Loram, but he would let Joe know
9 and Joe would get off and call in that he was clear.

10 MR. PORTO: And this is when he had to use
11 the phone to contact --

12 MR. SNYDER: Yes, he would still -- he would
13 still call over the radio to make sure everybody was
14 clear.

15 MR. PORTO: Okay, and he would wait for them
16 to confirm?

17 MR. SNYDER: Yes.

18 MR. PORTO: And that night, Joe got to the
19 site at around 12:00. How did he get to the site?

20 MR. SNYDER: He brought -- so, moment -- in
21 Wilmington, we have multiple vehicles in Wilmington,
22 but so, the two track -- well, the two watch men came
23 in separate vehicles. One brought a van and one
24 brought -- we call it the Dullie. It's a Ford F450, I
25 think.

1 So, they brought their's -- their own
2 vehicle -- well, not their own vehicles, but the two of
3 the vehicles from the shops. We still had multiple
4 vehicles there.

5 So, Joe, whenever he got to the office in
6 Wilmington, he got in one of the other vehicles and
7 came up.

8 MR. PORTO: Okay, and time did you say you
9 got to the site again?

10 MR. SNYDER: I got to the site on Saturday
11 night, probably around 8:30 or 8:45.

12 MR. PORTO: And do you know what time the on
13 track safety briefing happened with everyone, or did
14 you have a separate one?

15 MR. SNYDER: I had a separate one, because I
16 don't what time he held the briefing. I think -- I
17 can't remember what time he said the briefing was held
18 with everyone, but I do know, like those guys are
19 suppose to start at six.

20 So, I don't know if they got their job
21 briefing at the track offices and then the on track at
22 the location, or if they got both the on track and the
23 RWP track on track briefing at the location.

24 MR. PORTO: Okay, did you take any exception
25 to the job brief on track safety briefing that Will

1 Robinson provided you?

2 MR. SNYDER: Uh-hun.

3 MR. HIPSKIND: You said what?

4 MR. SNYDER: No.

5 MR. PORTO: And did you find it odd for Pete
6 to have changed the schedule for Joe Carter that night?

7 MR. SNYDER: No. He -- Pete -- I mean, Pete
8 has his way of doing things. I mean, everything he --
9 the way he would set up jobs, he has his own way of
10 like, thinking the job can get done and doing things.

11 So, he usually sets it up whatever way he
12 thinks is best, and so, I mean, there is -- I've had
13 other times where Pete, like has set things up, that
14 might not be the way I would have done it. So, it's
15 not anything unusual.

16 MR. PORTO: Does he communicate that with
17 you fairly well, when this has happened or is it kind
18 of, you find out after the fact?

19 MR. SNYDER: Both. Depends. Sometimes I
20 would get an email saying -- giving me -- like laying
21 out when guys are coming in or what's going on, and
22 then other times I would kind of have to figure it out
23 through track usage or through -- like, we have a white
24 board in our offices there, what's up on the white
25 board.

1 So, it was -- it's hit and miss, sometimes.
2 Sometimes he did. Sometimes he didn't.

3 MR. PORTO: And who is your manager?

4 MR. SNYDER: I guess I would report to Frank
5 Kruse.

6 MR. PORTO: Okay, how involved is Frank
7 Kruse with the scheduling of the work and --

8 MR. SNYDER: When it comes to a 55 hour
9 outage, I believe he has to get a little bit involved,
10 because at that point, transportation gets involved to
11 set up schedules.

12 But like for usual like nightly work and
13 daily work, Frank usually leaves a lot of it up to
14 Pete.

15 MR. PORTO: Okay, and with this 55 hour
16 outage, was there much communication with Frank, as far
17 as the planning for it and instructions on what to do?

18 MR. SNYDER: That, I do not know that. That
19 would have all been Pete. I didn't really -- I had an
20 idea that it was going to happen. But I really -- I
21 had -- honestly, did not even know I was coming in
22 Friday night, until Friday morning.

23 MR. PORTO: That's all I have.

24 MR. HIPSKIND: Thanks, Matt. Mike?

25 MR. TRAINA: All right, Mike Traina. All

1 right, Kyle, I'm going to go over a few questions with
2 you here, and I'm probably going to repeat some of the
3 questions that were asked. I'm a little slow, when it
4 comes to writing all this stuff down, but when was this
5 job planned out, that you know of?

6 MR. SNYDER: The earliest I know of is --
7 Pete had something on the board about overtime, like
8 for the weekend, to work with the VAC train, I think he
9 had it set up -- he had something on the board Tuesday
10 morning.

11 MR. TRAINA: Okay.

12 MR. SNYDER: Yes, I believe. I'm not 100
13 percent positive on that. I do -- Tuesday, I definitely
14 remember seeing it. Monday morning -- actually, yes,
15 it would have been Tuesday morning is when I saw it,
16 because we were off on Sunday, my gang was off on
17 Sunday night for the Easter holiday, or for Good
18 Friday.

19 So, I didn't see anything until Tuesday
20 morning.

21 MR. TRAINA: Okay, did you walk the job at
22 prior --

23 MR. SNYDER: I --

24 MR. TRAINA: -- to this weekend?

25 MR. SNYDER: I did not. I mean, I -- I knew

1 both mud spots because we had hit both of them with our
2 junior tamper. Like I said, we would get a hit on a --
3 an RMS hit or we would get a geometry hit on the
4 geometry run with profiles.

5 So, I knew both locations. I was very
6 familiar with Booth Street. We hit Booth Street
7 probably one a week with our junior tamper because of
8 how back that location is.

9 MR. TRAINA: Okay, all right. So, you were
10 familiar with them. No need to walk it out.

11 MR. SNYDER: Yes, I was familiar with
12 before, actual the VAC train got onto it.

13 MR. TRAINA: Okay, when you found out about
14 this job, which would have been, you said Tuesday
15 morning, when was the first verbal communication you
16 had with Pete regarding this job?

17 MR. SNYDER: I never had any verbal
18 communication with Pete.

19 MR. TRAINA: Really?

20 MR. SNYDER: Yes, because in the morning, I
21 leave at six, and he doesn't get in until like 6:45 or
22 7:00. So, he sends emails. That's how we talk.

23 But in his emails, he never communicated
24 anything about the job, like I said, until Friday
25 morning. He sent me an email saying that -- that the

1 VAC train was coming down on two, being brought down,
2 the guys were coming in at eleven, and he wanted the
3 spot on the north end of Hook done, and then to stay at
4 -- pretty much, to stay at Booth Street for the rest of
5 the time.

6 MR. TRAINA: And when did that begin, Friday
7 night?

8 MR. SNYDER: Yes.

9 MR. TRAINA: All right, you said your tour
10 of duty is 10P to 6A?

11 MR. SNYDER: Yes, my normal tour of duty is
12 10P to 6A.

13 MR. TRAINA: Rest days?

14 MR. SNYDER: Friday and Saturday nights.

15 MR. TRAINA: Do you recall what Pete's
16 shifts are?

17 MR. SNYDER: Pete is 7:00 to 3:30 Monday
18 through Friday.

19 MR. TRAINA: Monday to Friday. How often do
20 you see Pete in a week?

21 MR. SNYDER: Well, it changed. Before I --
22 we got new -- I would stay -- I would spend the hour
23 between six and seven. This was -- last week was like
24 the first week where I -- I wasn't allowed to stay
25 between six and seven.

1 So, I had to leave at six. So, that's why I
2 didn't see Pete all week, until Saturday morning and
3 Sunday morning was the first I had --

4 MR. TRAINA: You weren't allowed to stay
5 because?

6 MR. SNYDER: The overtime.

7 MR. TRAINA: Okay.

8 MR. SNYDER: I guess it wasn't on the
9 approved list. We would -- Pete -- we have a gang that
10 works between six and seven. They're like a contract
11 protection gang, and so, it was determined that they
12 didn't need somebody there, because I was there right
13 when they started, and they would only be there an hour
14 by the time Pete got there. So, we didn't need
15 supervision to stay between that time.

16 So, for that week, I didn't see him. But
17 before, I would see him almost every day. I would stay
18 and then I'd talk with him, and then I'd leave.

19 MR. TRAINA: Okay, I want to just touch back
20 on this other thing here.

21 What qualifications do you have, as far as
22 Amtrak wise?

23 MR. SNYDER: Amtrak wise I have RWP, AMT2,
24 NORAC and that's it. I do not have PC's for the
25 division yet.

1 MR. TRAINA: No PC's? MW1000?

2 MR. SNYDER: Sorry, I knew I was forgetting
3 one. I do have MW1000.

4 MR. TRAINA: Okay, now, let's see here.
5 Now, the Loram on Friday night originated from what was
6 that location? I missed that one. You said it before.

7 MR. SNYDER: He originated in Phillie. He
8 came down from 30th Street station Penn Coach Yard.

9 MR. TRAINA: Penn, okay. Now, you stated
10 that work stops when the foul is surrendered. You can't
11 do any work.

12 MR. SNYDER: No.

13 MR. TRAINA: So, there is probably a good
14 shot at a lot of downtime?

15 MR. SNYDER: At night, not really. I mean,
16 at night, once we get out there, like I said, usually
17 after the last train, you get pretty good shots, it
18 just depends, and if there is a -- the local freight
19 always come through, so you know you're going to have
20 him, but he is usually on one.

21 MR. TRAINA: Okay.

22 MR. SNYDER: But unless there is like a work
23 train or something moving on Friday night or Saturday
24 night, you get pretty good shots. So, you're -- for
25 the most part, you're working. You're down for maybe 10

1 minutes or so, once the train comes through, because
2 he's got to clear from Baldwin to Hook, before we can
3 get the foul back.

4 MR. TRAINA: Now, Saturday night, you
5 started at -- you got onsite about 8:40 approximately?

6 MR. SNYDER: Yes.

7 MR. TRAINA: And where was the Loram when
8 you came in, location wise?

9 MR. SNYDER: The Loram was sitting just
10 north of Booth Street, at the work location.

11 MR. TRAINA: Okay, all right. Now, one more
12 thing, I'm jumping around here, and I'm sorry about
13 that.

14 How many schedule changes with the men, from
15 the time you found out this job was kicking off, we'll
16 say Friday morning, you said?

17 MR. SNYDER: Yes.

18 MR. TRAINA: Now, you had your gang set up.
19 It was down on paper or an email or something like that
20 or what?

21 MR. SNYDER: It was all on the white board.

22 MR. TRAINA: Okay.

23 MR. SNYDER: Everything was on our white
24 board.

25 MR. TRAINA: So, you had a plan that you

1 knew of?

2 MR. SNYDER: Yes, I had an idea.

3 MR. TRAINA: Okay, and then Pete being the
4 supervisor --

5 MR. SNYDER: Yes, he was the one that --

6 MR. TRAINA: Laid it out for you?

7 MR. SNYDER: Yes.

8 MR. TRAINA: Okay, all right. Now, how many
9 changes were made? It was Joe?

10 MR. SNYDER: Yes.

11 MR. TRAINA: Just Joe?

12 MR. SNYDER: Just Joe.

13 MR. TRAINA: Okay.

14 MR. SNYDER: Just having him come in at
15 eleven.

16 MR. TRAINA: And that was Saturday night?

17 MR. SNYDER: Yes, instead of 6:00 p.m. on
18 Saturday, having him come in at eleven.

19 MR. TRAINA: Okay, and Sunday morning, you
20 left approximately -- the day of the incident?

21 MR. SNYDER: Probably around 6:45 or 6:50.

22 MR. TRAINA: Okay, and the rest of your
23 gang?

24 MR. SNYDER: The guys, Will and the two
25 watchmen were still onsite, because none of the

1 daylight guys had gotten there yet. The daylight
2 foreman and the daylight watchman had not gotten there
3 yet. The only person that had arrived from the
4 daylight crew was Pete.

5 MR. TRAINA: And he basically told you to go
6 home or you took it as, he's there and I'm leaving?

7 MR. SNYDER: Pretty much -- I know he
8 doesn't like me staying around when he's there. So, I
9 -- we had -- we actually -- like I said, he came up, he
10 walked what we had done last -- the night before, asked
11 Joe if he wanted to stay and then we walked back over
12 and that's why he asked why we weren't working and I
13 said because we has lost foul on one.

14 Then I asked him what the plan was for that
15 night, if he wanted me to come in early at eight,
16 because I knew he had -- he still had to drop balance
17 and I didn't know if he had guys coming in for that.

18 So, I asked him if he wanted me to come in
19 at eight and he said, no, to come in at my regular
20 shift time, at 10:00, and then I had asked him what the
21 plan for my guys was, was it to work with the servicing
22 unit or did he have something else planned for us, and
23 he told me that we were to work with the servicing unit
24 that night.

25 MR. TRAINA: Okay, support the servicing

1 unit?

2 MR. SNYDER: Yes.

3 MR. TRAINA: And 10:00 p.m. you were going
4 to start at your --

5 MR. SNYDER: At my regular --

6 MR. TRAINA: Okay.

7 MR. SNYDER: At my regular tour of duty
8 start time at Wilmington --

9 MR. TRAINA: Wilmington.

10 MR. SNYDER: -- base.

11 MR. TRAINA: That's where everyone starts?

12 MR. SNYDER: Yes.

13 MR. TRAINA: Wilmington. How far is that
14 from there, the location?

15 MR. SNYDER: Wilmington is probably, I'd say
16 about 15 to 20 minutes.

17 MR. TRAINA: Okay.

18 MR. SNYDER: Depending on which way you take
19 and which traffic you hit.

20 MR. TRAINA: Okay, that's all I have. Thank
21 you.

22 MR. SNYDER: Yes.

23 MR. HIPSKIND: Thank you, Mike. Kyle, are
24 you still good to go?

25 MR. SNYDER: Yes.

1 MR. HIPSKIND: Okay, we're going to do our
2 second round here.

3 You used an acronym RMS. Can you de-code
4 that for me?

5 MR. SNYDER: It's RMS, it's like a ride
6 monitoring -- I forget what exactly, it's like ride
7 monitoring equipment. It's accelerometer basically on
8 -- I think it's only on our Acela train sets that
9 determine rough rides like how rough something is, as
10 the train is going over it or like the lateral movement
11 of like the car-body or the vertical movement of the
12 car-body.

13 MR. HIPSKIND: So, how often do you get that
14 kind of data?

15 MR. SNYDER: I get it every -- I get like
16 the list of all the hits for the month. So, I get that
17 at the end of every month.

18 But I know -- I think it gets sent out in
19 like an actual email. I don't know if it's just the
20 managers and supervisors or who, but they'll get -- if
21 like an alert comes out, like because there is
22 different thresholds and it's like within the
23 threshold, like it's getting high. I see that on a
24 monthly, but like, I think they get a report if like it
25 passes that threshold and now, it becomes like an alert

1 or an alarm. I'm not sure. I forget which is -- I
2 think the alarm is worse. The alert means you're
3 getting close to it.

4 MR. HIPSKIND: So, if you get one of these
5 data points or something, you guys put out (inaudible)?

6 MR. SNYDER: If you get -- I think it is if
7 you get two alarms in the same location, you have to
8 put a restriction on the track. The track gets -- I
9 think it gets put on a hold and then a track inspector
10 has to -- or foreman that's qualified, has to observe
11 the track and then put on whatever restriction goes
12 with it, like whatever restriction that is needed.

13 MR. HIPSKIND: Okay, in this whole project,
14 this 55 hour outage and what not, and the planning of
15 it, is that considered like a voluntary thing, and you
16 go out and ask a lot of people who wants to work on it,
17 or do you and Pete just assign who is going to work on
18 it?

19 MR. SNYDER: No. What Pete does is, we have
20 -- like I said, we have a white board down in
21 Wilmington, and he writes up a list and he puts it on
22 the white board. He'll put up -- so, like for this
23 job, he had -- he'll put the time, eleven for Friday
24 night, he'll put 11P to 6A, and then he'll put foreman
25 and a blank spot, and then truck driver, blank spot,

1 and track man, blank spot.

2 MR. HIPSKIND: Okay.

3 MR. SNYDER: And he does that for all the
4 shifts. If Saturday would have been Saturday 6A to 6P,
5 6P to 6A and then Sunday 6A to 6P, and each of them had
6 like the same thing, a foreman and a truck driver,
7 track man and then the nighttime ones, the 6P or the
8 11P to 6A, on Friday night had a backhoe operator there
9 also, and then the -- the -- or sorry, the Saturday
10 night, the 6P to 6A had the backhoe operator also.

11 MR. HIPSKIND: Okay, but --

12 MR. SNYDER: And guys can come in --
13 whenever the guys come in, they just put their name on
14 the board and it goes by seniority, like a lower guy
15 puts his name on the board and higher senior guy can
16 come in and either he can either I guess erase the name
17 or put his name up there also, like above it or
18 underneath it, and the Pete will come through, erase
19 the lower guy, put in the higher senior guy, more
20 senior guy and the position.

21 MR. HIPSKIND: Okay, but somewhere in all
22 that explanation, it sounds like I'm volunteering.

23 MR. SNYDER: Yes, oh, yes, it's --

24 MR. HIPSKIND: It's a blank and if I want to
25 put my name in it --

1 MR. SNYDER: Yes, at no point --

2 MR. HIPSKIND: I'm volunteering, right?

3 MR. SNYDER: Yes, at no point is it a force,
4 like you have to work.

5 MR. HIPSKIND: Okay, okay. So, depending on
6 who puts their name up there and who doesn't want to
7 put their name up there, and who is senior and who is
8 junior, I guess what I'm thinking is, people who work
9 on different gangs could end up working on this
10 project?

11 MR. SNYDER: Yes.

12 MR. HIPSKIND: So, there may be some
13 unfamiliarity of just who I've worked with lately type
14 stuff, right?

15 MR. SNYDER: Yes.

16 MR. HIPSKIND: Okay, all right. PTC
17 positive train control. Where is that at?

18 MR. SNYDER: I honestly -- that -- I know
19 they have the -- like I said, that's mostly a CNS. The
20 only thing I know about them is, they told us the
21 transponders are very expensive, and if we drag rail or
22 do any type of servicing, we need to tell CNS so they
23 can bring somebody in to remove the PTC things, so we
24 do not damage them.

25 MR. HIPSKIND: So, the corridor that we're

1 talking about, the four main tracks, it's PTC
2 territory?

3 MR. SNYDER: As far as -- as far as I know,
4 those -- well, the transponders are there. As long as
5 -- whether they're active or not, I do not know, but
6 they are there.

7 MR. HIPSKIND: Okay, so, we also talked
8 about supporting shunting devices, SSD's.

9 Okay, you've been around long enough.
10 You've been out with a lot of gangs. You've been out
11 with gangs that use foul time, I mean, a lot.

12 MR. SNYDER: Yes.

13 MR. HIPSKIND: Right?

14 MR. SNYDER: Yes.

15 MR. HIPSKIND: When is the last trip --
16 describe for me, the last time that you saw somebody
17 put down an SSD? Tell me what that was about or what
18 you were doing or how long ago that was.

19 MR. SNYDER: It would have been probably
20 like three weeks ago.

21 MR. HIPSKIND: What were the circumstances?

22 MR. SNYDER: Three weeks? Four weeks ago.
23 We were putting ties in with the backhoe. We were
24 putting ties in on -- we have a restriction on 1F --
25 actually, we have restriction on 2F track between Holly

1 and Bell right now, and we were putting ties in there.

2 MR. HIPSKIND: Did that seem like the right
3 thing to do?

4 MR. SNYDER: At that point, yes, it was
5 because we were having problems. We were going through
6 real problems with radios at that point. Like, you
7 couldn't get dispatch or dispatcher couldn't hear us.

8 So, there was a lot of work being done over
9 the phone, a lot of communication being done over the
10 phone.

11 MR. HIPSKIND: Now, I don't want to put
12 words in your mouth, Kyle, but I think about these
13 things.

14 If you had really good communications over
15 the radio or over the phone, would you have been okay
16 if the SSD's were not applied?

17 MR. SNYDER: If we had really good
18 communication? Yes.

19 MR. HIPSKIND: Okay, in the thing that
20 you're describing, did you use foul time?

21 MR. SNYDER: Yes. We used foul time on --
22 well, we used foul time on 2F track and we used -- we
23 actually had 1F and three track out of service.

24 MR. HIPSKIND: So, all right. That's all
25 I've got. I've got do to the close out piece with you,

1 but let's see if anybody else has got any questions.

2 Okay?

3 MR. SNYDER: Okay.

4 MR. HIPSKIND: Dave?

5 MR. KANNENBERG: We're already passed our
6 deadline, so, I'm going to go as quick as I can, and
7 I'll fire this.

8 I don't know if this -- this is the on track
9 safety briefing sheet and job safety briefing sheet for
10 Will Robinson. Did you sign this?

11 MR. SNYDER: Yes.

12 MR. KANNENBERG: Okay, which one is you?

13 MR. SNYDER: That is me.

14 MR. KANNENBERG: Okay, I thought it was.

15 MR. SNYDER: Okay.

16 MR. KANNENBERG: They're just tough.

17 MR. SNYDER: Yes.

18 MR. KANNENBERG: They're just tough. I
19 thought it was. I was just double checking. Couple
20 things I just had questions about on here.

21 It says no adjacent control tracks were
22 involved. In fact, but there would have been two
23 adjacent control tracks there, correct?

24 MR. SNYDER: Yes.

25 MR. KANNENBERG: Okay, this has got checked

1 that there were not adjacent tracks controlled, and
2 since was checked 'no', it didn't check foul time for
3 the protection used on the adjacent control track. Not
4 the end of the world, just --

5 MR. SNYDER: Yes, I missed that.

6 MR. KANNENBERG: -- maybe you missed that,
7 okay, and then the -- it has the place of safety is in
8 the gauge of track two or the field side of one --

9 MR. SNYDER: One and four.

10 MR. KANNENBERG: -- and four. Did anybody
11 clear up in the gauge of track two, as the trains would
12 go by?

13 MR. SNYDER: As trains would go by, there
14 were -- we would clear up, unless -- I mean, actually
15 for the most part of -- if we had lost foul on one or
16 three or four, mostly the guys were -- because the
17 backhoe was off the railroad, everybody was off the
18 railroad.

19 So, we would have mostly cleared up on the
20 field side of four track, but occasionally -- and the
21 gauge of two track.

22 MR. KANNENBERG: Okay, and what speed were
23 the trains coming by at?

24 MR. SNYDER: They were coming by at full
25 speed.

1 MR. KANNENBERG: Okay, so, by rule, is that
2 allowed to have somebody on the ground around machinery
3 and trains coming by at 110 miles per hour?

4 MR. SNYDER: As long as you're not close to
5 the machine. As long as you're the minimum distance
6 away from the machine.

7 MR. KANNENBERG: Okay, I believe I had one
8 more quick one, and I believe that had to do with
9 shunts. It does say that no shunts were up.

10 By your NORAC rule, were shunts mandatory
11 when using foul time with machinery on the track for
12 more than five minutes?

13 MR. SNYDER: I honestly do not remember.

14 MR. KANNENBERG: Well, I mean --

15 MR. SNYDER: I am not off the top of my
16 head. I'd have to look at the book.

17 MR. KANNENBERG: Fair enough. Thank you.

18 INTERVIEWER: So, real quick Kyle. These 55
19 hour outages are a very unique set of circumstances,
20 but becoming less and less unique in the Amtrak
21 environment.

22 Was this your first project of -- under a 55
23 hour outage?

24 MR. SNYDER: Under -- well, long term
25 outage, was up on the bio-duct when we did -- when B&B

1 replaced all of the bridge timbers on three track of
2 the bio-duct.

3 INTERVIEWER: But that was --

4 MR. SNYDER: That was like a --

5 INTERVIEWER: That B&B project --

6 MR. SNYDER: That was like a three week
7 outage. The only other one, I've worked a couple.
8 I've worked one actually with Pete and it was like a --
9 a curve patch at Ridley Park. Then I did the prep
10 work for another 55 hour outage, also for another
11 curve patch down at -- between Yard and Regan.

12 INTERVIEWER: Okay, how many foremen does
13 the Wilmington sub-division staff?

14 MR. SNYDER: Currently, we have --

15 INTERVIEWER: And where I'm going with this
16 was, Smoot obviously is a Philadelphia foreman who
17 piloted the VAC train down.

18 MR. SNYDER: Yes.

19 INTERVIEWER: Is Robinson a Wilmington sub-
20 division foreman?

21 MR. SNYDER: No, he is a Philadelphia sub-
22 division foreman.

23 INTERVIEWER: So, back to what Mr. Hipkind
24 was saying, it's not uncommon in these circumstances
25 for guys who have never worked together before, to now

1 suddenly, as a result of 55 hour outage conditions, and
2 seniority provisions, that individuals who have never
3 worked together before are suddenly involved in a work
4 process?

5 MR. SNYDER: Um-hum.

6 MR. HIPSKIND: Is that a --

7 MR. SNYDER: Yes.

8 MR. HIPSKIND: Thank you.

9 INTERVIEWER: But you were familiar with all
10 of the employees?

11 MR. SNYDER: All the employees, yes. The
12 only thing is, like I said, I haven't really worked
13 with Will as a foreman before.

14 INTERVIEWER: Was he a track foreman or a
15 welder foreman?

16 MR. SNYDER: He was -- I think he's actually
17 the EA welding foreman in Phillie. But that was the
18 first time I had -- he was once in my gang, as an EA
19 welder. So, I had worked with him as that, but I had
20 never worked with him in a foreman capacity.

21 INTERVIEWER: In that he was a Philadelphia
22 welder foreman, perhaps his PC's did you -- are you --
23 are you aware if he had PC's for the Wilmington
24 territory to work the Booth Street --

25 MR. SNYDER: I am not aware.

1 INTERVIEWER: Okay, thank you.

2 MR. HIPSKIND: Could you tell me what are
3 PC's?

4 INTERVIEWER: I'm sorry, PC's are physical
5 characteristics and they are a qualification where an
6 employee has to demonstrate his knowledge of the
7 territory.

8 MR. HIPSKIND: Okay, thanks. That's
9 helpful.

10 MR. TOMASSONE: Lou Tomassone. Back one
11 more time. You said the two track guys from Wilmington
12 took two separate vehicles on Saturday night.

13 MR. SNYDER: Yes.

14 MR. TOMASSONE: Is that like a pretty common
15 thing, for two employees to take two separate vehicles?

16 MR. SNYDER: Sometimes. It depends on the
17 employees and whether they get along or not.

18 MR. TOMASSONE: Okay. Is there standard
19 tools that should be on most MW vehicles?

20 MR. SNYDER: Yes and no. We have a problem
21 in Wilmington with tools being left in trucks and the
22 trucks being a mess. So, in the past, the guys have
23 been clearing all of the tools out of the trucks and
24 putting them into the tool shed.

25 MR. TOMASSONE: Okay, the backhoe, when the

1 backhoe operator was operating it, did he have the cab
2 fully enclosed or were there windows down? Do you
3 remember?

4 MR. SNYDER: He had his rear window down.

5 MR. TOMASSONE: Okay, was there a time while
6 the VAC train was working during that 55 hour outage
7 where there wasn't a supervisor on site somewhere?

8 MR. SNYDER: Yes, probably the time between
9 when Pete left on Saturday, and I got there Saturday
10 night, on Saturday night. I don't know what time Pete
11 left. Like I said, I had gotten there around 8:45.

12 MR. TOMASSONE: Okay, last question. Do you
13 ever, during your nighttime work, see any Amtrak safety
14 officers out there doing safety checks?

15 MR. SNYDER: We have safety liaisons, like
16 the BMW safety liaison. We've seen him a couple times.

17 MR. TOMASSONE: Anyone else from Amtrak or
18 the FRA that comes out at night?

19 MR. SNYDER: No.

20 MR. TOMASSONE: Okay, that's all I got.

21 MR. HIPSKIND: Thanks, Lou. Matt?

22 MR. PORTO: Just one follow up question.
23 With the schedule on the 55 hour outage, you said it
24 was voluntary.

25 MR. SNYDER: Yes.

1 MR. PORTO: Was it voluntary for you?

2 MR. SNYDER: It really wasn't voiced, but I
3 figured that at that point, there was really no other -
4 - we don't have any other supervisors in Wilmington,
5 because like I said, the one supervisor was on vacation
6 that week, and so, it was pretty much just me and Pete.
7 So, I assumed that if I didn't take it, there would be
8 nobody there.

9 MR. PORTO: Okay, and what -- what was the
10 shift that he told you, or whoever told you about this
11 job, that you would be working that weekend?

12 MR. SNYDER: He didn't really give me --
13 like I said, he didn't really give me too much of an
14 idea. I just knew Saturday, he said that I was coming
15 -- or sorry, Friday night, I was coming in at eight, to
16 like get the welders going and then to have the VAC
17 train, and then when I talked to him on Saturday
18 morning, he told me not to come in until eight that
19 night, and then pretty much Sunday, or Saturday morning
20 also, I left when Pete got there and the same with
21 Sunday, I just left when Pete got there.

22 MR. PORTO: Was there ever a defined end
23 time for the weekend work for you?

24 MR. SNYDER: For me? No, not really. I
25 mean, it was pretty much whenever Pete got there, I

1 left.

2 MR. PORTO: Okay.

3 MR. SNYDER: But yes, both days I think,
4 both days I left at around like -- I left the site,
5 went back to the office, put time in and then headed
6 out around like seven -- 7:30, 7:30, around there.

7 MR. PORTO: That's all I got.

8 MR. HIPSKIND: Thank you, Matt. Go ahead,
9 Mike.

10 MR. TRAINA: I have two questions. Just for
11 the record, your birth date?

12 MR. SNYDER: One-14-1990.

13 MR. TRAINA: Oh, no.

14 MR. HIPSKIND: Go ahead.

15 MR. TRAINA: Okay, SSD's, supplemental
16 shunting devices, do you have access to them at the
17 headquarters?

18 MR. SNYDER: I do not know where we keep
19 them. I think -- yes, I don't know. I know one
20 foreman has them. He keeps them locked in his truck,
21 but that's it. That's the only place I know where
22 they're at.

23 MR. TRAINA: And at that location, at the
24 headquarter there, everything is locked up obviously?

25 MR. SNYDER: Yes.

1 MR. TRAINA: Do you have access to that? Do
2 you have keys?

3 MR. SNYDER: Not to that truck. I do have
4 access to our shed.

5 MR. TRAINA: Okay.

6 MR. SNYDER: But I don't know where to find
7 them in our shed. I have never really seen them in our
8 shed.

9 MR. TRAINA: Okay, all right. That's all I
10 have. Thank you.

11 MR. HIPSKIND: Thank you, Mike. Rudy, do
12 you want to chime in on anything, in terms of a
13 clarification or anything?

14 MR. BOOKER: Just the -- well, he was
15 talking about the PCT's or whatever that is.

16 MR. HIPSKIND: PTC?

17 MR. BOOKER: PTC's, that is --

18 MR. HIPSKIND: Positive --

19 MR. BOOKER: That's something that we -- in
20 the track, we don't deal with that too much. I think
21 that's CNS thing and we leave that with CNS, we leave
22 track with track, and you know what I mean? I know he
23 got caught up on it, but we got nothing to do with
24 CTC's, PCT's or whatever it is.

25 As far as the -- the SSD's, you know what I

1 mean, like he said, he doesn't have access to them.
2 That's more of a foremen thing, because as a foreman,
3 you taking foul time, you suppose to make sure you have
4 whatever you need. The supervisor -- we don't have
5 SSD's. We can only tell you if you need them, we'll
6 get them for you, or try to get them for you.

7 But we don't -- we don't supply them. We
8 don't have them right on hand here, that's a foremen
9 thing. That's part of the foremen's job.

10 MR. HIPSKIND: Okay. Anything else?

11 MR. BOOKER: No, that's it.

12 MR. HIPSKIND: Does anybody have any other
13 follow up? If not, I'm going to do a -- start the
14 close out.

15 All right, great job, Kyle. Let me go over
16 some of these questions. Let me put my glasses on
17 here.

18 Is there --

19 MR. BOOKER: Can I --

20 MR. HIPSKIND: Sure, go ahead, Rudy.

21 MR. BOOKER: Reference the job briefing.
22 When Pete came out there, did he make contact with the
23 foreman, the off going foreman?

24 MR. SNYDER: Not -- he did, but it would
25 have been after I left.

1 MR. BOOKER: Okay, so off going foreman --

2 MR. SNYDER: The off going foreman --

3 whenever Pete came out, Will was up with -- he was
4 either in the machine or around the machine, and Pete
5 came, looked at what we did, and then talked with Joe.
6 I talked with Pete and then I left.

7 So, at that point, he hadn't seen Will yet.

8 MR. BOOKER: So, who briefed Pete?

9 MR. SNYDER: I do not know.

10 MR. HIPSKIND: By brief, you mean job brief?

11 MR. BOOKER: Yes.

12 MR. SNYDER: I don't know.

13 MR. HIPSKIND: Okay?

14 MR. BOOKER: That's it. That's all I have.

15 MR. HIPSKIND: All right, thank you for
16 that. That was important.

17 Is there -- Kyle, is there anything that you
18 would like to add or change about anything we discussed
19 here today?

20 MR. SNYDER: Not that I can think of.

21 MR. HIPSKIND: Okay, are there any questions
22 we should have asked but did not, or topics?

23 MR. SNYDER: Not that I can think of.

24 MR. HIPSKIND: Okay, do you have any
25 suggestions for preventing a recurrence?

1 MR. SNYDER: Not at this time. I'll
2 probably have to think on it.

3 MR. HIPSKIND: Okay, that's fine. You have
4 my card.

5 MR. SNYDER: Yes.

6 MR. HIPSKIND: And you can reach out, any
7 time, day or night.

8 Is there anyone else who we should
9 interview?

10 MR. SNYDER: I don't --

11 MR. HIPSKIND: Just so you know, we're going
12 to talk to other guys that were on the gangs out there.

13 MR. SNYDER: Yes, well, I mean, other than
14 that, the guys who were there, I can't think of
15 anybody.

16 MR. HIPSKIND: Okay, does anybody else have
17 any closing questions? Comments?

18 All right, and on behalf of all the
19 investigating team here, we greatly appreciate your
20 patience, waiting on us to do the interview, and the
21 fact that you came in. It's added value to our
22 investigation. So, thank you very much.

23 {Off the record.}
24
25

C E R T I F I C A T E

MATTER: Amtrak Train 89 Accident
April 3, 2016 near Chester, PA
Accident No. DC16FR007
Interview of Kyle Snyder

DATE: 04-05-16

I hereby certify that the attached transcription of page 1 to 75 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701