

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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COLLISION OF AMTRAK TRAIN 280
WITH MAINTENANCE-OF-WAY EMPLOYEE
ON OCTOBER 29, 2014 IN
COLUMBIA COUNTY, NEW YORK

Docket No.: DCA-15-FR-003

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Telephonic Interview of: DAN SWEENY

Albany Amtrak Station
Kingston, New York

Friday,
October 31, 2014

The above-captioned matter convened, pursuant to notice.

BEFORE: RICHARD HIPSKIND
Investigator-in-Charge



I, Daniel J. Senev Jr., have read the foregoing pages of a copy of my testimony given during an interview in the accident investigation of the collision of National Railroad Passenger Corporation (Amtrak) train A280 with an employee on Amtrak's Hudson Line on October 29, 2014, at about 10:56 a.m. near Clermont, New York 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>1</u>		My name is misspelled; "SENEY" not "SWEENEY"
<u>3</u>		Name misspelled again: "SENEY" not "SWEENEY"
<u>*</u>		ON all pages my last name is spelled incorrectly
<u>5</u>	<u>6</u>	Matt Houser, not "Dan" Houser
<u>5</u>	<u>6</u>	"Jack Beckham"? It was <u>Chad Harmon</u>
<u>7</u>	<u>7</u>	getting our out of service on track 2 (not "her.")
<u>7</u>	<u>19-20</u>	"It took me a full year to realize" ← I don't remember saying this and I don't know what it is supposed to mean.

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: 11/20/14

Witness: [Redacted Signature]

APPEARANCES:

RICHARD HIPSKIND, Investigator-in-Charge
Railroad Accident Investigator
National Transportation Safety Board
Washington, D.C.

DAVE INGERSOLL
(Representative on behalf Mr. Sweeny)

I N D E X

ITEM

PAGE

Telephonic Interview of Dan Sweeny:

By Mr. Hipskind

4

1 I N T E R V I E W

2 MR. HIPSKIND: Dan, I am the Investigator-in-Charge for
3 NTSB. Okay? Do we have your permission to record our short
4 telephone conversation with you?

5 MR. SWEENEY: Yes, you have my permission.

6 MR. HIPSKIND: Okay. And do you wish to have a
7 representative via cell phone as part of your conversation with
8 me?

9 MR. SWEENEY: A what?

10 MR. HIPSKIND: Dan -- or Dave Ingersoll (ph.) is on the
11 other cell phone. Do you wish to --

12 MR. SWEENEY: Oh, yeah, that's fine.

13 MR. HIPSKIND: Okay. And, Dave, you're okay with that?

14 MR. INGERSOLL: Yes, sir.

15 MR. HIPSKIND: Okay. Just give me a little time to talk
16 with Dan and we'll get this thing kind of knocked out pretty
17 quick.

18 First of all, for the record, this is Dick Hipskind.
19 This is a follow-up telephone call with Mr. Dan Sweeney, and he is
20 an Amtrak employee and will establish he was out there on the day
21 of the accident.

22 INTERVIEW OF DAN SWEENEY

23 BY MR. HIPSKIND:

24 Q. And I really just want to -- Dan, for you, I just really
25 want to talk about a little job briefing element. So --

1 A. Okay.

2 Q. -- were you working on October 29th and did you attend a
3 job briefing in the morning and tell me who that was with, please?

4 A. Yes, we had it the morning that day and it included most
5 of the contractors and then all of us Amtrak employees except for
6 Dan Houser (ph.) and Jack Beckham (ph.), they were still coming
7 (indiscernible). And Nikki was, was off (indiscernible). I had
8 her (indiscernible) --

9 Q. You're coming in --

10 A. -- (indiscernible) --

11 Q. Dan, you're coming in a little bit broken up on my end,
12 so let me kind of repeat the key things here.

13 A. Roger.

14 Q. You were working on the 29th and you did attend a large
15 job briefing that was --

16 A. Right.

17 Q. -- conducted by James Novak early in the day, right?

18 A. Yes, correct.

19 Q. Okay. And you mentioned that there was one person that
20 wasn't there, the one I'm concerned about was that Nikki was not
21 present at the job briefing that you attended with James Novak,
22 right? Is that correct?

23 A. Yeah, she wasn't present for the big job brief meeting.

24 Q. Okay. Did James ask you to go find Nikki and to job
25 brief her?

1 Q. Yes. Yes.

2 A. And you were agreeable to do that?

3 Q. Yes.

4 Q. Okay.

5 A. Yeah, usually we try to get everybody at once, but
6 sometimes, you know, with too many things going on, so you try to
7 get as many as you can at once, and then other people are at
8 different locations, so you basically -- you know, as you get in
9 touch.

10 Q. Okay. Did --

11 A. And (indiscernible).

12 Q. Did you know and understand the job briefing that James
13 Novak gave you?

14 A. Yes, he was very clear.

15 Q. Okay. And where did you go, and who did you meet, and
16 what did you tell them?

17 A. What? For the briefing?

18 Q. No, no, after you completed your job briefing with James
19 Novak --

20 A. Oh.

21 Q. -- and he asked you --

22 A. Yes.

23 Q. -- who did he ask you to go find? Where did you find
24 them? And then what did you say to them?

25 Q. He asked me to brief Nikki because she had just arrived

1 and he was in the middle of getting his Form D for Track 2. So,
2 you know, he (indiscernible) somebody, so I said, yeah, I'll go
3 brief her, and I briefed her.

4 Q. Okay. And --

5 A. I made it a point --

6 Q. And --

7 A. I made it a special point to tell her that we were
8 getting her out of service on Track 2, because she (indiscernible)
9 weeks we had been on Track 1. So, you know, I made it a point to
10 tell her that. And she understood and she saw the work train.

11 Q. And so help me out, where did you have this conversation
12 with her, and how was she able to see the work train?

13 A. Because we were maybe 20 feet north of the crossing, of
14 Tivoli Crossing. And the work train was just south of the
15 crossing on Track 2.

16 Q. Okay. And we're talking about the crossing at the
17 railroad location out there on the east side of the Hudson River,
18 right?

19 A. Yes, it's on Tivoli Bay, I think it's called, Tivoli
20 Crossing. It took me a full year to realize.

21 Q. I can actually say I know where you're talking about.

22 A. Okay. Yeah, 99, mile marker 99.

23 Q. Okay. And just -- we're almost done, Dan, so just be
24 patient. So how long of a time did you talk to Nikki to convey
25 everything in the job briefing?

1 A. It only takes about three or four minutes to go over it
2 all.

3 Q. All right. And go over just one more time slowly and
4 fairly loudly --

5 A. Yes.

6 Q. -- what did you tell her about each of the main tracks?

7 A. That we -- that today we'd be working on Track 2, we
8 would have an out-of-service on Track 2 and that we'd get foul
9 time on Track 1 when it was necessary, you know. She was actually
10 on the radio getting foul time on Track 1. That's why I don't
11 know how she -- you know, I don't know what happened.

12 Q. Well, that she went and got the foul time, but that was
13 later on in the day?

14 A. Yes, yeah.

15 Q. That's after you two job briefed?

16 A. Right.

17 Q. Okay.

18 A. Yes.

19 Q. Dan, do you have any questions for me?

20 A. No, I mean --

21 Q. Okay.

22 A. (Indiscernible).

23 MR. HIPSKIND: And, Dave, do you have any questions for
24 me?

25 MR. INGERSOLL: No, I do not.

1 BY MR. HIPSKIND:

2 Q. Okay. And, Dan, in closing, is -- did Nikki acknowledge
3 the information that you gave her about what tracks were out of
4 service and what were in service?

5 A. Yes. Yes, and she signed both sides of it.

6 Q. And you say she signed what?

7 A. Both sides of the job briefing.

8 Q. Okay. So I thought that was going to be my last
9 question, the other question, but --

10 A. That's okay.

11 Q. -- so you got the job briefing form from James, and you
12 carried it out and you and Nikki went over that, right?

13 A. Correct.

14 Q. And we should find her signature on it, as well as
15 yours, as well as James?

16 A. Absolutely.

17 Q. Okay. Thank you very much late on a Friday afternoon
18 for making yourself available. That's all I have. And I'm the
19 only one asking questions on behalf of the investigative team.
20 And I just want to tell you that you've added a lot of value to
21 our investigation in that there was this one loose thread, and we
22 really do appreciate getting it chased down and understanding how
23 all that went.

24 A. Okay, yep.

25 MR. HIPSKIND: Okay, Dave, that's all I've got. And,

1 Dan, Dave, thanks so much for calling in, and I'm going to hang up
2 now. That's the end of the interview.

3 MR. SWEENY: Okay, thank you.

4 MR. INGERSOLL: Roger.

5 MR. HIPSKIND: All right. Have a safe weekend, guys.

6 MR. INGERSOLL: All right.

7 MR. HIPSKIND: Bye-bye.

8 MR. SWEENY: You too.

9 MR. INGERSOLL: Bye.

10 (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: COLLISION OF AMTRAK TRAIN 280
 WITH MAINTENANCE-OF-WAY EMPLOYEE
 ON OCTOBER 29, 2014 IN
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 Telephonic Interview of Dan Sweeny

DOCKET NUMBER: DCA-15-FR-003

PLACE: Kingston, New York

DATE: October 31, 2014

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Shari K. Doyle
Transcriber