



NATIONAL TRANSPORTATION SAFETY BOARD
Investigative Hearing

Norfolk Southern Railway general merchandise freight train 32N
derailment with subsequent hazardous material release and fires,
in East Palestine, Ohio, on February 3, 2023

GROUP	G
EXHIBIT	
13	

Agency / Organization

East Palestine Police Department

Title

Interview Transcript – Detective

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

*
*
*
*
*
*

NORFOLK SOUTHERN TRAIN DERAILMENT
IN EAST PALESTINE, OHIO
ON FEBRUARY 3, 2023

Accident No.: RRD23MR005

* * * * *

Interview of: DAN HAUETER, Detective
East Palestine, Ohio Police Department

Via Microsoft Teams

Friday,
March 3, 2023

APPEARANCES:

RICHARD DOWNS, Investigator
National Transportation Safety Board

CYNDI LAKE, Investigator
National Transportation Safety Board

MARK DOUGHERTY, Investigator
National Transportation Safety Board

TROY LLOYD, Investigator
National Transportation Safety Board

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Dan Haueter:	
By Mr. Downs	6
By Ms. Lake	11
By Mr. Dougherty	19
By Mr. Lloyd	20

I N T E R V I E W

(10:35 a.m.)

1
2
3 MR. DOWNS: Good morning. Today's date is March 3, 2023.
4 The approximate time is 10:35 a.m. This interview is being
5 implemented virtually utilizing Microsoft Teams and is being
6 conducted by the Investigative Staff of the National
7 Transportation Safety Board in connection with the Norfolk
8 Southern Railway train derailment that occurred in East Palestine,
9 Ohio on February 3, 2023. The NTSB Accident Investigation
10 Reference Number is RRD23MR005. This is an interview of Detective
11 Dan Haueter. Did I pronounce that correctly sir?

12 MR. HAUETER: You did, yes.

13 MR. DOWNS: Very good, who's affiliated with the East
14 Palestine Police Department. Detective, good morning. Thank you
15 for joining us today, and if you could kindly please spell your
16 last name and state your current job title for the record.

17 MR. HAUETER: Right. It's H-A-U-E-T-E-R, and I'm a Detective
18 with the East Palestine Police Department.

19 MR. DOWNS: Very good. And you understand that this
20 interview is being recorded?

21 MR. HAUETER: I do, yes.

22 MR. DOWNS: Thank you. Now before we start this interview
23 and questions, I'd like to advise the participants that NTSB
24 interview procedures under 49 C.F.R. 831.7 affords persons being
25 interviewed the opportunity to be accompanied by one

1 representative of their choosing in which that participating
2 representative can be anyone, or the interviewee can elect to have
3 no representative to be present. So I'll ask our interviewee,
4 have you elected to have a representative accompany you in this
5 interview?

6 MR. HAUETER: I have not, no.

7 MR. DOWNS: Thank you, sir. Now the purpose of the
8 investigation is to improve safety and not to assign fault, blame,
9 or liability. The sole mission of the NTSB is to improve
10 transportation safety and prevent accidents, and as such, NTSB
11 cannot offer any guarantee of confidentiality, immunity, or
12 immunity from any legal proceeding by any other agency whether
13 it's local, state or federal.

14 Also I just wanted to note to all the participants here, a
15 transcript of this interview will be compiled and placed in the
16 NTSB public docket for this investigation which will be available
17 through the NTSB website, that being www.nts.gov.

18 Now with the above admin items covered, let us go around the
19 virtual room here and introduce yourselves. I'll ask that you
20 please spell your last name, what entity you are representing or
21 affiliated with, and your employment title. I would like to
22 remind everyone to speak clearly for the recording and the
23 transcription. Now as we've already identified our interviewee,
24 I'll start off with myself and then we'll go around the virtual
25 room.

1 My name is Richard Downs, D-O-W-N-S, I'm a Survival Factors
2 Investigator with the National Transportation out of Washington,
3 D.C., D-O-W-N-S, and one of my specialties Emergency Preparedness
4 and Response. And let's proceed to the next person going around
5 the room.

6 MR. DOUGHERTY: My name is Marc Dougherty, spelling my last
7 name, D-O-U-G-H-E-R-T-Y. I'm a Hazardous Materials Accident
8 Investigator with the National Transportation Safety Board.

9 MR. LLOYD: Good morning. My name is Troy Lloyd. I'm with
10 the National Transportation Safety Board. I'm a railroad accident
11 investigator. Spelling of my last name is L-L-O-Y-D.

12 MS. LAKE: Detective Haueter, hello again, my name is Cyndi
13 Lake. I work in the Safety Division at the NTSB and my last name
14 is spelled L-A-K-E.

15 MR. DOWNS: Okay. Now that we have everybody identified,
16 Detective we welcome you to the investigation, and your responses
17 we ask that they be in your own words of course. And if any
18 questions are unclear or you don't understand the question, please
19 don't hesitate to ask the questioner to clarify or restate the
20 question. And if you don't know the answer, of course it's fully
21 permitted to indicate that you don't know. We don't want to cause
22 speculation.

23 INTERVIEW OF DAN HAUETER

24 BY MR. DOWNS:

25 Q. Okay. Detective, can you please tell us about your

1 background, education, expertise with the Police Department there?

2 A. I've been in law enforcement 30 years. I had spent 20 years
3 on the SWAT team, the tactical team here in the County. Currently
4 assigned with the Mahoning Valley Human Trafficking Task Force
5 working human trafficking-related crimes in addition to general
6 detective duties with the East Palestine Police Department.

7 I've had prior training in explosive and mechanical breaching
8 obviously with the TAC team, defensive tactics, chemical weapons,
9 CSOC, stuff like that in addition to general investigatory
10 training classes throughout the course of my 30 years.

11 Q. Very good. And what positions have you had in your career
12 with the PD?

13 A. Patrolman and then Detective.

14 Q. Boy, it sounds like you worked your way up through the ranks.

15 A. Second generation law enforcement. That's pretty much all
16 I've known throughout the course of my life.

17 Q. Very good, thank you. You say you've been there 30 years
18 with the PD?

19 A. Not with that PD. I worked with another PD prior to going to
20 East Palestine.

21 Q. And what police department was that?

22 A. I worked with the New Waterford Police Department and I also
23 spent time with the Salem Police Department and the Goshen
24 Township Police Department early in my career.

25 Q. Sorry, what was the first one you mentioned?

1 A. The New Waterford Police Department.

2 Q. Is that Ohio?

3 A. Yes sir, all in Ohio.

4 Q. All in Ohio, okay. We covered your duties, and who do you
5 report to?

6 A. Chief Jim Brown.

7 Q. That's the Chief of Police?

8 A. Correct, yes.

9 Q. And your role in the response to the train accident, what was
10 that?

11 A. I was actually working that evening and I was the first one
12 on scene at the crash site.

13 Q. You were working as a detective. You don't patrol the city,
14 is that correct?

15 A. Correct, right.

16 Q. But you were at the station when you heard the radio call?
17 Is that how it transpired?

18 A. Yes. I was at the station when the 911 calls started coming
19 in. One of the patrol officers walked past my office, asked me to
20 go with them because they -- a call had come in that there was an
21 explosion behind the Leake Oil in downtown East Palestine. Now
22 there's two Leake Oils. There's one downtown East Palestine,
23 approximately, not even a half-mile from our station, and there's
24 also the Leake Oil where the train derailment happened. And
25 that's approximately one mile east of our station.

1 Q. I see. And it was clear to you which gas station they were
2 referring to?

3 A. No, the call came in as the Leake Oil downtown. So our
4 initial response was to the downtown area.

5 Q. Okay. And were you able to see fire and everything, and was
6 that how you recognized it was different? Or what transpired once
7 you got to that initial location?

8 A. We went downtown, myself and the other patrol officers, and
9 obviously we did not see any type of explosion, any type of fire,
10 any type of smoke. However, there was a train stopped on the
11 tracks, so we had to take an alternative route to try to find, you
12 know, what the caller had seen because we didn't see anything in
13 that area.

14 Q. So was the call, initial call, did it mention, do you happen
15 to know if it was a train event or just an explosion?

16 A. Just an explosion.

17 Q. Just an explosion. So the fact that there was a train there,
18 there was no direct connection at that point, is that correct?

19 A. That's correct, yes.

20 Q. Very good. And what prompted you to head in the eastern
21 direction rather than around the other way?

22 A. Well, the train was blocked so we had to head west, take the
23 bridge, the West Street bridge to get over the tracks. And then
24 occasionally throughout my career, I've seen calls come in, Baron
25 will be on fire, something will be on -- a small fire on a train.

1 So I thought maybe somebody had seen that so that's why the train
2 had stopped. So we were checking the other crossings to see if at
3 any point, you know, one of the train, you know, there was
4 something was wrong with the train and that's why it stopped.

5 Q. Thinking perhaps it was just a small routine fire as had been
6 previously experienced, is that a fair assessment?

7 A. Correct, yes. And possibly the caller just heard a loud
8 bang, saw some flames, and called it in as an explosion.

9 Q. So it sounds like because you saw no flames or fire in that
10 general area, and the distance between the two Leake stations is
11 roughly how far apart, a couple miles?

12 A. Approximately one mile.

13 Q. One mile. So it sounds like the fires at that juncture,
14 based upon your location, you had no visibility of a fire. The
15 fire might not have been to the magnitude that it later grew to.
16 Would that be a fair appraisal?

17 A. That would be a fair appraisal because none of us saw that
18 fire where we were at that point in time, correct.

19 Q. Well, how many patrol officers were with you? How many cars
20 roughly?

21 A. There were three cars.

22 Q. Three cars, and all patrol cars?

23 A. Yes. My car was unmarked.

24 Q. Okay. Pardon me?

25 A. My car was unmarked, the other cars were patrol cars.

1 Q. Okay, very good, and you had your own car so you could
2 transit around on your own. Very good.

3 MR. DOWNS: Well that settles my initial questions. I'm
4 going to turn the floor over to Ms. Lake initially, and she'll
5 start the round of questioning. Thank you.

6 MS. LAKE: Okay, thanks Rick.

7 BY MS. LAKE:

8 Q. So at what time did you realize then that it was at the other
9 location?

10 A. I sent one of the cruisers to look for the train car to find
11 the engineer and the conductor. I sent him west. I headed east
12 on Taggart Street to see if I could -- unfortunately, I'd never
13 paid attention in all these years which direction which tracks
14 went. So it was pretty much you go east, I'll go west. So I
15 headed east, and when myself and another patrolman who was behind
16 me got closer to the Leake Oil where the derailment happened, we
17 then saw that that was where the fire was originating from. It
18 was burning angry at that point.

19 Q. Okay. And so you mentioned looking for the train conductor,
20 and in the past you've had small fires on the train. Is that part
21 of your standard process when there is a rail car on fire to look
22 for the conductor?

23 A. The couple times -- the few times I should say that I've had
24 that, I do, just to see what the issue is, can we provide some
25 assistance, you know, stuff like that.

1 Q. Okay, great. Thank you. Then I guess describe, walk me
2 through what happened then once you actually got on the scene. So
3 you said you were first on scene. Was the fire department not
4 there yet when you arrived?

5 A. They were not there yet.

6 Q. Okay.

7 A. I radioed our dispatch, told them it was the Leake Oil on the
8 east side of town, and that whatever was on fire was fully
9 engulfed.

10 Q. So would you say since you were technically first on scene
11 that you were the incident commander initially, or how does that
12 work for a fire incident where a non-fire entity shows up first?

13 A. I wouldn't call -- as far as incident command for the PD I
14 would have been, but for the fire, you know, that's their
15 ballgame, you know, so I didn't have any control over the incident
16 command as far as the fire scene.

17 Q. Sure, okay. So then what happened next?

18 A. Again, I radioed dispatch, told them of the fire. Then we
19 continued on to look for the train conductor. I continued east.
20 I had our guy continue west. We could not find -- which I found
21 out later it is protocol they unhook and continue on. But we
22 couldn't find the engine car. My thought process at that time was
23 I want to know what's in the cars, what's burning, is it
24 hazardous, is it not hazardous, what's on fire.

25 Q. Okay. And is that -- so were you thinking hazardous

1 materials then in that initial --

2 A. I didn't know, but I wanted to err on the side of, you know,
3 whatever's burning, you know, is it something that we need to not
4 be in the area, is it something we need to start getting people
5 out of the area. Just some, you know, regular rail cars. I
6 didn't know, but I definitely wanted to find out, an immediate
7 concern.

8 Q. Okay. So then you didn't find the conductor, then I guess
9 what happened next? Do you remember when the fire department
10 showed up?

11 A. Right. The fire department started rolling in not too long
12 after, you know, I had radioed that's where it was. I went back
13 to the fire scene. Their trucks started rolling in to the Leake
14 Oil parking lot. I started talking to one of the fire
15 lieutenants. I told him I would have the street blocked off
16 because I obviously knew that there was going to be a large amount
17 of fire apparatus coming in, so I told him I would shut the street
18 down. And I had one of the guys come up and start shutting the
19 street down. And it wasn't too long after that more fire
20 apparatus started rolling in, and I realized that it looked like
21 cars were starting to catch on fire and spread west.

22 Q. Parked cars? Sorry.

23 A. The train cars.

24 Q. Oh gotcha, sorry.

25 A. Yes. It looked like the fire was starting to spread west on

1 the train cars quite rapidly. Initially when I got there, it was
2 contained almost right behind Leake Oil, and just an inferno. But
3 then it really looked like it was starting to spread rapidly west.

4 Q. Okay. What other things were you doing then as the event
5 continued to unfold?

6 A. I radioed our one unit and said we need to start getting
7 people out of -- the tracks are paralleled by two streets, so
8 Taggart Street and Clark Street -- and there's houses that are
9 very close proximity to those tracks, but almost in their
10 backyards. When I noticed that those cars were starting to pop
11 one after another, I said you know, we probably need to start
12 getting people out of these houses if the fire department can't
13 get that stopped or under control.

14 Q. Okay. Do you remember around what time that was? Or how
15 soon into your arrival on scene?

16 A. It probably was within 20 minutes or half-hour. It wasn't
17 too long after, but, you know, it wasn't immediate but there was a
18 little bit of time, but it wasn't a whole long after.

19 Q. That was accomplished by going door-to-door?

20 A. Right. I had our units. We had other units from a
21 neighboring police department and the State Highway Patrol show
22 up. And we started going door-to-door on those two streets
23 getting people out of their -- telling them to listen, you know,
24 there's a fire coming. At that point I was just concerned about
25 the fire. Because I mean this thing's spreading and there's

1 houses. So I started getting them out.

2 Q. Okay. And did you direct them to another location? Because
3 I know there was, you know, was it the high school that was set up
4 for the evacuation, but it sounds like that was a little bit
5 later.

6 A. It was. At that point, we were just concerned. We didn't
7 have any time to get anything set up. It was just, hey look,
8 there's a fire, leave your house, you know. And people were
9 asking where to go, and we were actually telling them, listen, I
10 don't know at this point, just leave your house because we don't
11 know if this fire is going to continue to spread or they're going
12 to be able to get it under control quickly.

13 Q. Okay. And do you remember when you got the communication
14 about the specifics of what was on the train as far as hazardous
15 materials?

16 A. That goes a little further. We got the one mile -- after we
17 literally had just got the two streets cleared, our dispatch
18 notified us that the fire department wanted one-mile radius
19 evacuated. At that point I realized that wasn't just for a fire,
20 that was probably chemical-related, you know, explosion fires that
21 would impact that one mile. So I inferred and assumed that that
22 was chemicals at that point.

23 So it wasn't until, I'm going to say, around 1:30 in the
24 morning when I was emailed, our EMA director had forwarded an
25 email from Norfolk Southern, the train car, what their cars

1 contained. She had emailed me that to print, so they were having
2 a meeting. That was 1:30 in the morning. I read those, and
3 that's when I learned what was on the train cars.

4 Q. Okay, and that was from Peggy Clark that sent you that?

5 A. Yes.

6 Q. Okay. So when dispatch notified about the one-mile
7 evacuation, do you remember about what time that was or how much,
8 because you said about 20 minutes into the incident is when the
9 houses, when you started getting people out of the houses?

10 A. It was probably -- I know the fire department was pulled from
11 the scene before midnight, so I'm going to take a guess maybe
12 around 10:30, around that time. It took us some time to go those
13 two streets, so probably ballpark around 10:30-ish.

14 Q. So dispatch, was that message directed towards the first
15 responders and the community in terms of that evacuation?

16 A. That message came over our radios. You know, she dispatch
17 radioed us, you know, distance of one mile. Obviously a one-mile
18 radius, at that time we had off-duty units come in, but we were
19 bringing in other units from other areas. But I still knew that
20 was going to be a large task to accomplish.

21 I reached out, we had one dispatcher at that time, and
22 obviously I know how things get in situations. I had her call in
23 another dispatcher, but I had no knowledge if she arrived yet and
24 I knew she was getting inundated. So I have a contact with a news
25 media station. I sent him a text message and asked him if he

1 could get it out on their -- it was WKBN, channel 27, if he could
2 get that out that we needed this area evacuated. Because I knew
3 she wasn't going to have time at that point, and I figured one
4 station is better than no station at that point.

5 Q. Okay. And was that a mandatory or a voluntary evacuation?

6 A. At that point it wasn't even listed. I said we need people
7 to evacuate. So I didn't have that information whether it was
8 going to be mandatory or what. I didn't have -- like I said, all
9 I knew at that point the information I had was we needed one-mile
10 evacuated.

11 MS. LAKE: Rick, go ahead.

12 MR. DOWNS: I'm going to intercede here if I may.

13 MS. LAKE: Sure.

14 BY MR. DOWNS:

15 Q. It sounds like, Detective, that if you were not ordering
16 folks to leave and you were kind of persuading, it sounds like a
17 voluntary?

18 A. Yes. We weren't like telling them hey you've got to leave.
19 But the good thing is nobody's -- I think people realized, they
20 looked out and said, yes, I'm going to leave.

21 Q. So like I said, the big characterization, correct me if I'm
22 wrong, but it would've been a voluntary, but the folks took that
23 persuasion very seriously. It sounds just by the visual that they
24 were getting being close to the site. Would that be a fair
25 assessment?

1 A. Fair and accurate.

2 MR. DOWNS: Thank you. Sorry for that interruption, Ms.
3 Lake.

4 MS. LAKE: No worried.

5 BY MS. LAKE:

6 Q. So then with the evacuation, tell us a little bit about your
7 role. You talked about reaching out to the news media and
8 obviously sending people door-to-door, but what else was involved
9 as part of that?

10 A. I went back and obviously plotted out a map of about a one-
11 mile radius. The communication was an issue with the other
12 agencies because we're all on the same radio frequency. So there
13 really wasn't time to get everybody at one location, so I was just
14 telling our guys, if you see the State Patrol units, if you see
15 the Columbiana PD units, see the Salem PD units, have them hit
16 these streets and then call us and let us know when they are clear
17 of those streets. I assigned obviously our guys to certain
18 streets.

19 Q. Okay.

20 A. I met with our City Manager, Tracy, and Peggy Clark, the EMA
21 Director. They were then going to put out a -- this was after we
22 had already started the one-mile, probably halfway through the one
23 mile if not three-fourths through the one-mile. I went back to
24 the PD. They wanted to get a release to all the news media, and
25 you know, about the one-mile evacuation. So they wanted to know

1 which streets, from which distance to which distance people needed
2 to leave. You know, if you're from this street over from Leake
3 Oil, we recommend you leave you residence.

4 MR. DOWNS: If I may interject, Detective.

5 MS. LAKE: Go ahead.

6 BY MR. DOWNS:

7 Q. The evacuation was initiated by the PD or upon the fire
8 department's request, or how did that work? How did that
9 initiation start?

10 A. The initial two streets were our request. The one mile was
11 from the fire department's request.

12 MR. DOWNS: Very good, okay thank you.

13 MS. LAKE: Okay, so I think here I'll pause and let others
14 jump in and ask if they have any questions, and then we'll follow-
15 up on kind of training and exercises with the railroad after that.

16 MR. DOWNS: Who would like to be next? Mr. Dougherty?

17 BY MR. DOUGHERTY:

18 Q. I'll go. How are you Detective?

19 A. I'm well, thank you.

20 Q. Good. Just one question for you. I understand that your
21 department had set up a live camera for Norfolk Southern to
22 monitor those cars that were flaring. Do you know if that,
23 although it is a live-feed, if any of that was recorded?

24 A. It was not. And the reason is, they wanted it specifically
25 focused on that one car that they felt that the valve was

1 malfunctioning on. So they were working with an IT guy to see how
2 they could do that, and we volunteered our pole cam that we use
3 for dope houses and stuff which is a live feed. The issue with
4 that is the computer that that goes to, they had a large monitor
5 set up in the initial command center, a large TV actually that
6 they'd purchased. It was going to sit out there. The computer
7 and the external hard drive that that stuff downloads to for our
8 cases contains cell phone dumps with child pornography, evidence
9 of crimes, so I couldn't leave that system out there. We went and
10 bought a stand-alone computer to run that on for them, but to
11 record that it would have taken up the capacity of that hard
12 drive.

13 Q. I can imagine.

14 A. It just was played and monitored, you know, throughout the
15 process. It did not record. It wasn't set up to.

16 MR. DOUGHERTY: That makes sense, thanks. That's actually
17 the only question I have.

18 MR. DOWNS: Mr. Lloyd, you have the floor.

19 MR. LLOYD: Thank you Mr. Downs.

20 BY MR. LLOYD:

21 Q. I've just got a couple questions, mostly some follow-up what
22 Ms. Lake was asking. And you get there, just getting some
23 confirmation, you get this call, you said you're about a mile
24 away. So I guess around like the Market Street I guess? I
25 remember going across Market Street, that's where like the gas

1 station, a Pizza Hut, and all that stuff was?

2 A. Correct. You go over those tracks heading northbound, that
3 Leake Oil is on the right once you get over the tracks.

4 Q. Okay. So you get there, you really don't see anything, it's
5 mostly, you just see a train parked on the tracks. There's really
6 no smoke, no big fireball in the sky. So it's much more of you're
7 in that what's happening, like an investigative mode?

8 A. Absolutely.

9 Q. And how long was it when you sort of estimated what do we
10 have here until all of a sudden things started kicking off?

11 A. I'd say, probably estimate five minutes because we had to
12 take, again we couldn't get over the tracks. We had to go west to
13 go back east, so we checked the crossing at James Street --
14 actually got to the crossing, looked down and didn't see anything.
15 And then had to drive back west to go back east, so probably I'd
16 say five minutes or so.

17 Q. Yes, and eventually you got to James or Pleasant Drive. I
18 think that's where the pileup was, east of Pleasant Drive?

19 A. Yes. I was on Taggart, heading east, and then when you got
20 up closer to Leake Oil, you saw (indiscernible).

21 Q. So the thing started kicking off. What was your first
22 impression? I mean, now before that it's something that never
23 occurs in the village of East Palestine. So this really never
24 occurs -- I don't want to say never -- but it's one of those
25 incidents that's the once-in-a-lifetime thing. So what was the

1 first impressions when things started like, oh my god?

2 A. When I first saw it, I mean it was probably one of the
3 strangest, craziest things I ever saw. The diesel fire alone, I
4 mean how hot and how angry it was burning. You know, I remember
5 thinking like wow, I mean, because I remember my radio chatter,
6 whatever it is it is fully engulfed, and it was burning angry. My
7 initial impression was it was crazy.

8 As the fire days wore on, I made several comments, I said
9 this is like a disaster movie and we are just living the live feed
10 of it. I go back to the Dante's Peak movie with Pierce Brosnan.
11 I've often thought of that, like this is a disaster movie and the
12 volcano is going to erupt.

13 Q. Oh yes. The lava pits in Las Vegas -- no, Los Angeles. So I
14 guess at that moment, I guess it's more of a, for the cops out of
15 the house it's scene security, just start blocking streets off,
16 whatever. Because it's 9 o'clock, there's still going to be
17 traffic in East Palestine going on, right?

18 A. I was getting -- I was radioing, and I was working with the
19 City Manager. I wanted to get streets blocked off because at one
20 point it was like the Toledo Turnpike. I mean people were just
21 driving a block and just filling up the streets to see what was
22 going on. So we didn't have the manpower because we were sending
23 everybody to get people out of the houses.

24 You know, I just wanted to get streets blocked. I don't care
25 if it's street trucks, I don't care if it's barricades, jersey

1 bears, just park something on the streets to block them off.

2 Q. Right. So Cyndi brought up the evacuations. Differently
3 with the evacuation of firefighters, that's more of a coordinated,
4 you must do what the incident commander says, we're backing up,
5 we're evacuating, that's a shall moment. But when you started the
6 evacuations of the houses, especially the ones I think it ran --
7 if you're looking at the tracks, I guess looking east, there's
8 some houses on the left-hand side and there's a business on the
9 right-hand side right there about where the pileup was --

10 A. There is, yes.

11 Q. Yes, so how was that coordinated? Was it pretty much -- like
12 I said, it's something that doesn't happen all the time, so was it
13 hard to coordinate that effort, evacuation effort of the families?

14 A. The initial two streets, I had called in our off-duty Lt.
15 Johnson and Sgt. Moore. I had them call them in because at that
16 time, you know, we had just a few bodies. I sent two of our
17 patrolmen to Taggart Street and I started Clark Street, and Lt.
18 Johnson showed up and he helped me with Clark Street. And then
19 some Columbiana NSP guys arrived. And we were able to get it
20 done. It wasn't like a planned, hey sit down, you take this
21 house, you take this house, you take this street, you start going
22 door-to-door.

23 Q. Yes, it's something, let's just start doing this, absolutely.
24 Just do the best you can, let's just start getting as many people
25 notified as possible. That's usually what happens when the first

1 half hour of something like it takes place. So talk to me about
2 the, you guys are doing this, the fire department's doing their
3 thing. What's that called, a unified command system, everybody's
4 connected. Talk to me about the unified command system once all
5 that was established, communications between you guys and the fire
6 department. You guys might be on encrypted stuff, I don't know,
7 but talk about that.

8 A. When they moved the -- they initially had their command
9 center set up when they were on scene in the parking lot at
10 Leake's. Obviously, that didn't last long. They got pulled off
11 of there. And the command center then got moved to the old fire
12 bay. We use it for parking our vehicles now. But the fire
13 department had a section of -- the fire department and the police
14 department were in one building. They had a bay for the longest
15 time.

16 So they took over that bay that's adjacent to our police
17 department, and they set up the unified command center in there.
18 EMA was in there, Norfolk, hazardous materials, pretty much
19 everybody, the fire department worked out of that command center
20 up until the day, the Sunday that they were going to do the
21 controlled burn on that Monday.

22 We were actually in the mile. We were up at .09 miles within
23 that mile radius. So then that's when the unified command center
24 was then moved to the library at the elementary school.

25 Q. Okay. And I guess you guys had, because I remember talking

1 to several sheriff department members, East Palestine, and I was
2 the first one at 9 o'clock the next morning. It was at that
3 firehouse, you go through the door and there's like I guess a
4 dispatcher or somebody sitting there.

5 A. The dispatcher's to the left and you go into that room on the
6 right, yes.

7 MR. LLOYD: Okay. That's all I have right now Cyndi or Mr.
8 Downs. I'll just probably do some follow-up once everybody's
9 done. Thank you sir.

10 MR. DOWNS: Very good. Thank you Mr. Lloyd. I'm going to
11 turn the floor back to Ms. Lake because she had mentioned that she
12 wants to address some of the training, which is on my list of
13 things to ask, so I'll allow you to have the floor there Ms.
14 Cyndi.

15 BY MS. LAKE:

16 Q. Okay. So Detective, do you usually do training with the fire
17 department and other entities like EMA for disasters similar to
18 this one?

19 A. I have never had a train disaster training other than in 1992
20 when I was going through the Police Academy. They give you those
21 little yellow HAZMAT books and a pair of binoculars and tell you
22 to identify the placards.

23 Q. Okay.

24 A. My largest training was with the SWAT team. We did train
25 interdiction. Like if a train, Amtrak or something gets taken

1 hostage, you know, we learn, you know, how to crawl under them and
2 access them. But as far as actual train disasters, never had one
3 in my life.

4 Q. Okay. So what about general emergencies? Like do you have
5 drills and exercises that you do with the other responders in the
6 community, whether it's a -- I mean it could be like a terrorist
7 event, or an active shooter, or something where all the
8 departments have to work together similar to this?

9 A. As far as a joint interagency, you know, from other police
10 departments, we will work -- we do active shooter training at our
11 school. We do invite like the fire, I think the Fire Chief came
12 to the last one if memory serves me right, and a couple of the
13 paramedics and the EMTs. We do do that stuff as far as active
14 shooter.

15 Q. Okay.

16 A. But as far as disasters, I know the Chief works and plans
17 with Peggy, and the Fire Chief, they have plans and mock setups
18 and stuff. But as far as hands-on, pick a day, we're going to do
19 this training, I've never been a part of that, no.

20 Q. Okay. And so I take that -- sorry.

21 A. Just active shooter.

22 Q. Yes, okay. So I take that, so there was an exercise that
23 Norfolk Southern put on. I think it happened in East Liverpool in
24 October of 2022, it was a tabletop exercise. And I know the fire
25 department was included, so you were not invited as part of that?

1 A. If I was invited, I don't remember. I didn't go --

2 Q. You didn't go, okay.

3 A. Yes, didn't go to that one. Which --

4 Q. Any other training related to hazardous materials that you've
5 had as part of your role in the police department?

6 A. No, not that I can remember. If I have, I don't remember.
7 It would've been years ago. I don't remember if I did, but
8 nothing comes to mind.

9 MS. LAKE: Okay, great. I think that's all I have, so either
10 I'll turn it over to you Mr. Downs or see if anybody else has any
11 follow-up.

12 MR. DOWNS: Thank you Ms. Lake.

13 BY MR. DOWNS:

14 Q. A question just popped up on my memory here. Preparedness
15 plan, does the PD have a preparedness plan, a joint plan that the
16 City has there at the department?

17 A. The PD has a plan as far as any like disastrous, specific
18 example is like we had to move our dispatch center to a
19 neighboring police department. That plan is already in place.
20 Although it's never actually been enacted, you know, we had never
21 had to enact it, that plan had already been in place, but we knew
22 where the dispatch center was going.

23 Obviously, you know, every plan's great until you actually
24 hit the door and then you realize that there's some bugs because
25 you never enacted it. So there was some kinks to work out when

1 the dispatch center got moved because it's never actually
2 physically been moved, but the plan was in place. So yes, there
3 is stuff like that.

4 Q. Who is the keeper of the plan these days?

5 A. Jim Brown, Chief James Brown.

6 Q. Chief Brown, all right. Well we'll ask him when we interview
7 him, maybe get a copy of that to see what that's all about. Often
8 we've discovered, often the FPA makes templates available and the
9 cities can often adopt that, do a name change so to speak and just
10 utilize the sequence and the logistics and everything. So we'll
11 probe a little bit on that later on. You mentioned the
12 evacuation. Does the PD there have an auxiliary police force or
13 people that can come in, support, assist type of operation,
14 community emergency response?

15 A. Yes. We have a reserve unit, but I think -- as far as I know
16 there's nobody on it. They're not active. We don't have people
17 to come out and ride. It's just our bodies on the street. We
18 have a hard enough time filling paid positions, so --

19 Q. Right. It's called, often in jurisdictions, a Community
20 Emergency Response Team, CERT, and those folks are kind of vetted,
21 meaning you can call upon them at a moment's notice, and they can
22 assist with evacuations or crowd control or highway blockages,
23 whatever, much like if the fire department would be able to do if
24 the fire department was tied up as in they were tied up here. I
25 figured I would ask that. On your training you covered that

1 nicely, nothing recent with the railroad. That covers my
2 training. Anybody else have in our follow-up circle of questions?

3 MR. LLOYD: I do Mr. Downs, just two quick ones.

4 MR. DOWNS: Proceed.

5 BY MR. LLOYD:

6 Q. So Dan, so at the ECC, the dispatch center, is the police and
7 fire together or are they separate communication pieces?

8 A. It's police, the dispatcher handles the police and fire.
9 It's all from the same console, although different channels.

10 Q. Okay, so one stop shop. If there were a request for
11 documents, you would probably be able to get both the police and
12 fire department from the same place?

13 A. Well the request comes in through the dispatcher. Then she
14 would forward it to the fire department or the police department.
15 But like if you were to call, I guess if you were to call the
16 police department or the fire department number, the dispatcher is
17 the one, the same dispatcher is going to answer it.

18 Now she's going to forward, like if a request would come in
19 for a public document for the police department, she would forward
20 that to the Police Chief. If it came in for the fire department,
21 she would forward that to the fire department.

22 Q. Yes, and I'm more asking about like your CAD paperwork,
23 dispatch times, on-scene times --

24 A. Yes, that would definitely --

25 Q. -- so that would all come from the same place?

1 A. Yes. And Chief Brown, Police Chief, would probably be the
2 one to handle even that I think since he's the one in charge of
3 the dispatch center, correct.

4 Q. Right, right.

5 MS. LAKE: He sent that to us, Troy, so we have that.

6 BY MR. LLOYD:

7 Q. So being on-scene and living the Tommy Lee moment, lessons
8 learned?

9 MR. DOWNS: If I may interrupt, we don't want to get ahead of
10 ourselves just yet there, Troy. Because we might have
11 consolidated thoughts on the lessons learned. Detective, we lost
12 your camera there, if you're still there?

13 MR. HAUETER: I'm still here. I'm showing me.

14 MR. DOWNS: Okay, yes, I don't know what happened.

15 MR. HAUETER: Let me turn it off and turn it back on, hold on
16 one second.

17 MR. DOWNS: Okay.

18 MR. HAUETER: I'm turning camera off, I'm turning camera back
19 on. Do you see me now?

20 MR. DOWNS: We've got you now, yes.

21 MR. HAUETER: All right, there we go.

22 MR. DOWNS: Not critical, but we like to be able to visualize
23 where we can and keep everybody looped in as they say. Okay,
24 anybody else, Marc, any final thoughts in the questions here on
25 the round-robin?

1 MR. DOUGHERTY: No sir.

2 MR. DOWNS: Okay, well, I'm going to go back to Troy's point,
3 lessons learned.

4 BY MR. DOWNS:

5 Q. Relevant to your role in the accident, in retrospect, knowing
6 what you know now, and that's a key thing, might you be able to
7 offer any thoughts or observations on lessons learned? Or is
8 there anything that you might have done differently to sort of
9 help circumvent challenges, pitfalls, and the like?

10 A. I probably just would have kept driving.

11 Q. Driving?

12 A. I would have just kept driving.

13 MS. LAKE: Good answer.

14 A. I guess that covers it, I guess just don't go back.

15 Q. It's nice that you have a little levity, thank God. There's
16 no unseen injuries, that kind of thing. It's a catastrophe in
17 terms of the damage done and everything.

18 A. Lessons learned from a personal standpoint, I know I went
19 there -- when the fire department arrived, I went there and got
20 out. From a personal standpoint, I mean it was a concern of mine
21 what's in those cars. I know the fire department got out and
22 started walking toward the fire, no PPE. So I was kind of using
23 maybe the blue canary theory, if they haven't dropped I should be
24 all right.

25 From a personal standpoint, that probably wasn't the smartest

1 thing. Because we don't, you know, at that point nobody knew what
2 was on the cars. They could've just dropped as easy as I would
3 have dropped depending on what it was. So from a personal
4 standpoint I probably, you know, would've not jumped out like
5 that. Just because I saw them walking doesn't mean that, you
6 know, it wasn't any good.

7 As far as the evacuation, I really don't because, you know,
8 things happen on the fly. Everything sometimes we do is on the
9 fly. I think that went pretty well as far as that goes,
10 especially with the fact that we don't have any mode of
11 communication. There was an issue at some point in the evening
12 whether we got some conflicting things as far as whether people
13 were allowed to come back in their house. We got some conflicting
14 things with evacuation, we don't need to evacuate any more. I
15 probably would have clarified that a little more.

16 I think Peggy was giving, you know, some direction. The Fire
17 Chief was giving some direction. I think Norfolk may have been
18 giving some direction. I probably would've taken the time to
19 actually like somebody make a decision, give me an answer, and
20 this is what we're sticking with. Because our dispatchers were
21 getting calls and, you know, we didn't have the answer.

22 You know, going back, you know, Monday morning quarterback, I
23 probably would've said, hey listen, we need to make a decision to
24 unify what's going to happen with these people so they're not --
25 you know, they have an answer and they know. So that's one of the

1 things. I probably would've pinned down Norfolk a little quicker
2 as far as what was on the cars instead of trying to, you know,
3 instead of waiting to find out just because I was reading some
4 documents. Just in retrospect as things played out, I would have
5 liked to have probably done that, you know, from a personal
6 aspect.

7 Q. Okay. Anything else comes to mind?

8 A. I kept driving. No. You know, like I said, it's a
9 generational, not even, maybe longer than a generational thing.
10 It's not like anybody woke up that morning and thought we were
11 going to have a, you know, an event like that. So I think
12 overall, obviously you can go back. You know some people
13 criticized putting the command center right there, not moving it
14 to Lisbon where they have a big, you know, EMA thing.

15 Personally, I think their decision to keep it local was good.
16 I think, you know, the first responders, the fire department
17 wanted to be there, that's their hometown. They wanted to be in
18 the area. I think you get a boots on the ground type feeling.
19 You know, you're able to help if you're at least close. I think
20 moving it to Lisbon 10, 15 miles away wouldn't have been conducive
21 to what they were dealing with. So I agreed with that decision.

22 Q. Very good, okay. Reverse 911 system. Does the City have
23 reverse 911 by chance, do you know?

24 A. When you say reverse 911, I'm not familiar with --

25 Q. That's where, it kind of reverse the messages. When you call

1 911 to report, there's a system whereby the city can send a, you
2 pre-register as a resident on your phone --

3 A. Oh no, no.

4 Q. -- and they can send you a recorded message on your phone
5 saying we've got an emergency, blah, blah, blah.

6 A. No they don't have that. Now EMA has a system where they can
7 send out mass texts to everybody, and they did do that throughout
8 the course. I know they did it the night of the controlled burn
9 and I think one other time.

10 Q. We'll get with the EMA and follow up. I just wanted to see
11 if the city had one.

12 A. No, we do not.

13 Q. The preparedness plan, do you happen to know in the plan -- I
14 don't have a copy in front of me -- often evacuation sites would
15 be stated. Do you happen to know if that was in the plan or that
16 came to somebody's mind, the location came to somebody's mind, oh
17 it was outside of the evacuation zone, big enough area to accept
18 people. Do you know how that particular was set up?

19 A. I think the school is in the evacuation plan. We used that
20 night, I commandeered a place in New Waterford, which is about
21 five miles away, a church as one area and we used the school as
22 another area.

23 Q. Very good, so there were two sites?

24 A. Correct.

25 Q. But initially it was no sites, you just get out now, we've

1 got a critical situation. And people took a look and said no
2 argument here and they split. It would then evolve to where the
3 school now was the designated destination.

4 A. Right. When the one mile came into effect, we realized it
5 was not just the fire, obviously it would have been the chemical-
6 related, that's when we set up the stations at the school and the
7 church in New Waterford. And then we had to use, because
8 obviously we have a group home, like an assisted living home, and
9 we have an apartment complex where there's some elderly and people
10 that don't drive. So I had one of our guys who is actually on the
11 school board commandeer a school bus to transport those folks out
12 of there.

13 Q. Very good, okay. Yes, that's a good point that you had those
14 elements in the plan and were actually engaged. That's a good
15 point.

16 MR. DOWNS: Okay, anybody else, any follow-up questions
17 before I start to wrap this up? Okay, upon hearing none,
18 Detective we've asked a number of questions today, so to close, is
19 there anything we haven't asked you or might there be any
20 information or knowledge that you have relative to the accident
21 which you believe might be important to the investigation which
22 you would care to share with the investigation?

23 MR. HAUETER: I do know that, and I don't know how accurate
24 it is because that wasn't mine, I do know there was some I'll say
25 Ring Doorbell camera, maybe some security camera footage from

1 Salem and possibly Columbiana in the middle location that they
2 claim to show the wheel bearing on fire. I know we have cameras,
3 or police department maintained cameras that are downtown that
4 show the tracks.

5 I know we watched those cameras. And at that point in time
6 when the train came through there was no -- I know I watched them,
7 one of our dispatchers and other patrolmen watched them -- and
8 they did not see any fire or anything from the bearing at that
9 point in time that they showed on the other cameras. I saw those
10 other videos, I don't know if they're authentic or not. I can't
11 attest to that. But we did not see anything on ours. But maybe,
12 you know, it's possible that that wheel bearing had just burned
13 out to the point that it wasn't even there and wasn't even on fire
14 anymore from just an educated guess, I have no idea. But that's
15 the only thing I can think of that we did not see that on our
16 camera when we pulled it up.

17 MR. DOWNS: Okay, very good. That's good information.
18 Thanks so much. And if you do happen to think of anything
19 additional, by all means please don't hesitate to contact us. I'm
20 going to make Ms. Lake be contact person on that since you had
21 prior conversations and everything.

22 MS. LAKE: Sure.

23 MR. DOWNS: Okay. Again thank you Detective for your time
24 and for your responses to our questions today. This will conclude
25 out interview. The time now is 11:27 a.m. and we can conclude the

1 recording.

2 (Whereupon, at 11:27 a.m., the interview was concluded.)

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: NORFOLK SOUTHERN TRAIN DERAILMENT
 IN EAST PALESTINE, OHIO
 ON FEBRUARY 3, 2023
 Interview of Dan Haueter

ACCIDENT NO.: RRD23MR005

PLACE: Via Microsoft Teams

DATE: March 3, 2023

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.



Jennifer Allen
Transcriber

Downs Richard

From: Downs Richard
Sent: Tuesday, May 30, 2023 8:49 AM
To: Lloyd Troy
Cc: Lake Cyndi; Dougherty Marc
Subject: FW: NTSB / East Palestine, OH (RRD23MR005) - Interview Transcript transmittal [for review] + Errata Sheet

May 30, 2023

Mr Troy Lloyd / Panel 1 Chair – further to this, this to document that the Interview Transcript and the corresponding Errata Sheet transmittal, as described in the message below, had been sent to the identified Interviewee [recipient of the message below], to afford an opportunity to provide transcript corrections / comments, in which no reply had been, as yet, forthcoming in response to this transmittal inquiry.

Accordingly, given the approaching due-date for the required submission of Exhibits into the public docket for the Public Hearing, which would include the Interview Transcript and corresponding Errata Sheet, this to document that the Interview Transcript [as received from the agency transcription contractor], and the corresponding Errata Sheet [as sent to the interviewee], will be placed into the public docket for the Public Hearing, which will include a copy of this message, as documentation of the transmittal non-response.

Further, if an Errata Sheet [with, or without, described transcript corrections / comments] for this transmittal non-response is subsequently received by the Panel 1 investigation, that responded documentation will be correspondingly placed into the public docket for the Public Hearing, as a follow-up docket-placement item, such to reflect that an Errata Sheet for the subject Interview Transcript had been conveyed to the investigation. -- Richard Downs, Jr., P.E. / Panel 1 [investigative support]

From: Downs Richard
Sent: Friday, May 19, 2023 11:24 PM
To: d.a.haueter@eastpalestine-oh.gov
Cc: Lloyd Troy <Troy.Lloyd@ntsb.gov>; Lake Cyndi <Cyndi.Lake@ntsb.gov>; Dougherty Marc <Marc.Dougherty@ntsb.gov>
Subject: NTSB / East Palestine, OH (RRD23MR005) - Interview Transcript transmittal [for review] + Errata Sheet

May 19, 2023

Detective Dan Haueter / Village of East Palestine, OH, Police Department –

First off, I want to thank you for your support to the NTSB Investigation, and for your participation in the interview as conducted in the investigation. The interview resulted in an official transcript that will be very useful to our investigative process and provide valuable insight to support the NTSB's Public Hearing, that is being scheduled to address the above referenced accident investigation.

As mentioned during the interview activity, you (as the interviewee) are afforded the opportunity to review the transcript that's generated from the interview recording, such to provide prospective transcript content corrections feedback to the investigation, which you would like to propose for consideration by the investigation.

Accordingly, to that end, attached please find a .pdf copy of your interview transcript (as received from the transcription contractor), which is hereby provided for your review / corrections response opportunity, along with an Errata Sheet (transmittal form).

Correspondingly, given the above, to execute this transcript review / feedback process, kindly please printout the attached transcript document and Errata Sheet, which will enable your review of the full transcript, in which the Errata

Sheet is used in your reply transmittal. Completion of the data in the Errata Sheet is self-explanatory (... simply check the appropriate response box, affix a signature, and date, and if needed, attach any identified transcript changes -- per the Errata Sheet).

Kindly please return to me, via reply email, the completed Errata Sheet, along with any transcript changes, in which it's requested that you kindly submit your response, even if there are no transcript changes identified, by **not later than May 24, 2023**.

Lastly, please note, [1] that investigation transcripts must be maintained as confidential at this time, in which the transcript is for your use only, and not for release outside of the investigation, and [2] I welcome you to contact me, or any of my Tech Panel 1 colleagues (cc'd here, for your convenience), should there be any thoughts or questions regarding this transcript review / Errata Sheet response process.

Thank you for your support to the investigation, and for your assistance and cooperation in this response.



Richard M. Downs, Jr., P.E.
Mechanical Engineer (Crashworthiness)
Sr. Survival Factors Investigator
National Transportation Safety Board
490 L'Enfant Plaza SW, Washington, DC 20594
Mobile - 202.320.6315
downsr@ntsb.gov



National Transportation Safety Board
Office of Railroad, Pipeline and Hazardous Materials Investigations
Washington, D.C. 20594

Date: May 19, 2023

Interviewee: Dan Haueter / Village of East Palestine, OH, Police Department

Reference: **Errata Sheet** Transmittal / **Transcribed Interview**, regarding the February 3, 2023, Norfolk Southern Railway train derailment and fire, in East Palestine, OH -- NTSB Investigation number RRD23MR005

As indicated during the subject interview, attached for your attention and response, please find a copy of the transcript of your interview that was conducted on May 3, 2023, which was compiled as a preparation activity [element], of an NTSB Public Hearing, that is being scheduled to address the above referenced accident. Kindly please review the enclosed transcript for accuracy, and please utilize this sheet to convey (to the investigation) any necessary editorial changes.

Your response in this may be either ...

- [1] submission of an 'itemized tabulation' of your suggested transcript changes (i.e., in a tabulation format, cite the relevant page and line number, along with any suggested change(s)), -- or --
- [2] you may 'redline' (i.e., manually, or digitally markup, with an inserted corresponding notation) any suggested changes to a copy of the transcript, to which kindly please initial any changes cited, in which only the individual pages containing the cited changes need to returned in your response.

When replying, please use this transmittal sheet for your response, even if there are no changes identified in your review, to which, please be sure to apply a checkmark to one of the three statements below, and please affix your signature and date. It's requested that you kindly please submit your response to me, via **reply email**, by **not later than** the CoB of **May 24, 2023**.

I have reviewed the enclosed transcript(s) from the above referenced accident, and ...

- I have no comment(s) to offer,
- my comments are submitted herewith (as an itemized tabulation), --- OR ---
- my comments are indicated on the attached / marked-up ("redlined") transcript copy.

Respondent's signature _____ Date _____

Please note that investigation transcripts must be maintained as confidential at this time, in which the transcript [provided at this time, for your accuracy review] is for your use only, and not for release outside of the investigation. Upon NTSB receipt of your errata sheet response to this, a copy of the transcript and corresponding errata sheet may be placed in the public docket. If you have any questions, I welcome you to contact me by phone, or by reply email.

Thank you for your support to the investigation, and for your assistance and cooperation in this response.

-- Richard Downs, Jr. / Technical Panel 1 – Emergency Response Efforts



Richard M. Downs, Jr., P.E.
Mechanical Engineer (Crashworthiness)
Sr. Survival Factors Investigator
National Transportation Safety Board
490 L'Enfant Plaza SW, Washington, DC 20594
Mobile - 202.320.6315
downsr@ntsb.gov