

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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NATURAL GAS DISTRIBUTION PIPELINE

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LEAK AND MULTISTORY STRUCTURE

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EXPLOSION IN HARLEM, NEW YORK

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MARCH 12, 2014

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Interview of: RICHARD CICALÉ

Con Edison
 4 Irving Place
 New York, New York

Tuesday,
 August 5, 2014

The above-captioned matter convened, pursuant to notice.

BEFORE: RAVI CHHATRE
 Investigator-in-Charge

APPEARANCES:

RAVI CHHATRE, Investigator-in-Charge
National Transportation Safety Board
Washington, D.C.

KALU KELLY EMEABA, Accident Investigator
National Transportation Safety Board

MATTHEW NICHOLSON, Accident Investigator
National Transportation Safety Board

FRANK McCARTON, Deputy Commissioner
Office of Emergency Management
New York, New York
(Party Representative)

ANASTASIOS GEORGELIS, Director of Field Operations
Bureau of Water and Sewer Operations
Department of Environmental Protection
New York, New York

LEONARD SINGH, Chief Engineer
Gas Distribution Services
Con Edison
(Party Representative)

CHRIS STOLICKY, Utility Supervisor (Safety)
New York State Department of Public Service
(Party Representative)

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I N T E R V I E W

MR. CHHATRE: Good afternoon. Today is Tuesday, August 5th, 2014. We are currently in Con Edison's facility located at 4 Irving Place, New York. We are meeting regarding the investigation of natural gas distribution pipeline leak and multi-story structure explosion that occurred on March 12, 2014 in Harlem, New York.

My name is Ravi Chhatre, I'm with the National Transportation Safety Board located in Washington, D.C., and I'm the Investigator-in-Charge of this accident. The NTSB investigation number for the accident is DCA-14-MP-002.

I would like to start by notifying everyone present in this room that we are recording this interview and we will transcribe it at a later date. Transcripts will be provided directly to the interviewee for review and identifying any typographical errors. The transcripts may be posted in NTSB's public docket.

Also I'd like to inform Mr. Richard Cicale that you are permitted to have one other person present with you during the interview. This is a person of your choice: your supervisor, friend, family member or, if you choose, no one at all.

Please state for the record your full name, spelling of your name, organization you work for, your title, business contact information such as mailing address, and whom you have chosen to be present with you during your interview.

1 MR. CICALÉ: Okay. My name is Richard Cicale. I'm
2 director of Manhattan street maintenance for New York City DOT,
3 and I work out of 59 Maiden Lane, 37th Floor in New York.

4 MR. CHHATRE: And do you have anybody with you?

5 MR. CICALÉ: I have nobody with me currently.

6 MR. CHHATRE: Okay. Now, I'll go around the room and
7 have each person introduce themselves. Please state your name,
8 spelling of your name, your title and organization that you
9 represent, and your business contact information, starting from my
10 right.

11 MR. NICHOLSON: Matthew Nicholson, NTSB investigator,
12 spelled M-a-t-t-h-e-w, N-i-c-h-o-l-s-o-n,

13 [REDACTED]

14 MR. EMEABA: Kalu Kelly Emeaba, K-a-l-u, K-e-l-l-y, E-m-
15 e-a-b-a, NTSB investigator. My e-mail address is

16 [REDACTED]

17 MR. GEORGELIS: Anastasios Georgelis, A-n-a-s-t-a-s-i-o-
18 s, G-e-o-r-g-e-l-i-s. I'm with the New York City Department of
19 Environmental Protection. I'm the Director of Field Operations
20 for Water and Sewer Operations, here representing New York City as
21 a party rep. E-mail address: [REDACTED]

22 MR. SINGH: Leonard Singh -- L-e-o-n-a-r-d, S-i-n-g-h --
23 Chief Engineer of Gas Distribution. The NTSB party rep on this
24 team. It's [REDACTED]

25 MR. STOLICKY: Chris Stolicky, S-t-o-l-i-c-k-y. I'm the

1 New York State party rep for this investigation. I am a Utility
2 Supervisor at Safety for the New York State Department of Public
3 Service. E-mail address is [REDACTED]

4 MR. CHHATRE: Thank you.

5 INTERVIEW OF RICHARD CICALÉ

6 BY MR. CHHATRE:

7 Q. Mr. Cicalé, for the record --

8 A. Yes, sir.

9 Q. -- can you give us some background, formal education,
10 informal education, training, and what you do for the department?

11 A. Okay, sure. I've been with the New York City Department
12 of Transportation for 28 years. I actually came up the ranks. I
13 worked in the Bronx as a deputy director prior to this appointment
14 and then I've been in Manhattan for approximately the last five
15 years.

16 Q. Okay. And as a director, what are your
17 responsibilities?

18 A. My responsibilities are the maintenance and repair of
19 the roadways just in the Borough of Manhattan.

20 Q. And that's only for the Borough of Manhattan?

21 A. Just for the Borough of Manhattan.

22 Q. The incident location on Park Avenue, did that fall in
23 your jurisdiction?

24 A. Yes, the roadway system; that's correct.

25 Q. Okay. Can you walk us through as to what does the road

1 repair system involve or does a pothole damage the road -- how
2 does one get repaired through the system?

3 A. Okay. There's a couple of ways. People, a citizen will
4 call 311, it will go into system. It will get an actual number, a
5 defect number, and then we'll review it. I'll have my supervisors
6 in the morning look at the actual defects and then it will be
7 assigned to a supervisor. The supervisor will go out and then
8 repair the actual pothole condition.

9 Q. Okay. And do you have only morning shift people or do
10 you have 24/7 people working?

11 A. I have two shifts in Manhattan. I have one from 7 to
12 3:30 and then the second shift is from 8 to 4:30.

13 Q. Both -- oh, one in the morning, one in the afternoon?

14 A. One in the morning and then one at night.

15 Q. Okay.

16 A. One covers from 7 to 1530, 3:30 in the afternoon; and
17 then the second shift is from 8 p.m. till 4:30 in the morning.

18 Q. Okay. Is the only repair request you handle is through
19 311?

20 A. We hit, elected officials, anything that comes into the
21 system, and we also handle special events, as many special events
22 in Manhattan that we address. It'll give us the actual locations
23 and then we'll go out and repair them.

24 Q. What do you mean by special events you handle?

25 A. Special events, the marathon, Thanksgiving Day Parade.

1 Q. Okay.

2 A. You know, all those different events that occur in
3 Manhattan. So we'll address the roadway defects.

4 Q. So you'll go on that particular route, I guess, and then
5 fix --

6 A. That's correct.

7 Q. -- any problems on that route?

8 A. Any roadway defects we'll repair.

9 Q. Okay. Special events is one way to get things fixed and
10 311 is the second way?

11 A. 311 also, that's correct.

12 Q. Is there any other way people can complain about the
13 road problems?

14 A. They -- that's through 311 obviously. Sometimes people,
15 citizens will even call up, you know, different yards or so, you
16 know, and -- you know, if they happen to get a number or -- you
17 know.

18 Q. Okay. And how does your work coordinate with New York
19 City DOT, like the people who work on the night shift?

20 A. Okay, what we do with the potholes -- in the daytime we
21 basically just send out pothole crews.

22 Q. That's all you do?

23 A. Pretty much, yeah, and well -- you know, any type of
24 roadway defects, smaller defects with the day crews.

25 Q. Okay.

1 A. The night shift is more specifically designed for
2 resurfacing, milling and resurfacing, because of the heavy
3 pedestrian and the vehicular traffic in Manhattan.

4 Q. Okay. Now, with the pothole, does that include
5 potholes, depressions, defects and sinkholes or just the potholes?

6 A. Okay, we don't do sinkholes. Anything that's broken
7 through is considered a cave-in and then we'd actually refer that
8 to HIQA --

9 Q. Okay.

10 A. -- which is the Highway Inspection Quality Assurance
11 Division.

12 Q. Okay.

13 A. And then they actually go out and inspect it and then
14 they decide who's responsible for that actual condition.

15 Q. The terminologies we have heard prior to talking to you
16 was potholes, depressions --

17 A. Yeah. Our goal is to make the roadway safe for, you
18 know, for the riding public.

19 Q. Yeah.

20 A. So we'll go out. If we see something that's, you know,
21 unsafe, we'll actually repair it, as long as it's not broken
22 through.

23 Q. Okay. And we were also told that the New York City DOT
24 folks they have a night shift from 3 to 12.

25 A. But there's also what they call like a five borough

1 shift.

2 Q. Right.

3 A. That falls under JETs. It's called a night emergency
4 crew, and they'll --

5 Q. I'm sorry, say that again?

6 A. JETs, the actual name of the actual crew is called the
7 JET crew --

8 Q. Okay.

9 A. -- just like the New York JETs.

10 Q. Okay.

11 A. J-E-T-S, to make it simple.

12 Q. And what do the JETs stand for?

13 A. Well, it was something that we created a while ago. And
14 if my memory jogs me right, Jolt-Elimination Teams or something
15 along that line, you know.

16 Q. Okay, okay. Okay.

17 A. But it's more of a night emergency crew designed really
18 to fix conditions throughout the five boroughs when nobody is
19 basically around.

20 Q. Okay. Including Manhattan?

21 A. Including Manhattan. They'll roll to the actual
22 boroughs and do whatever roadway defects they have to take care
23 of.

24 Q. So is your department in contact with JETs as to what
25 was being done or what's not being done?

1 A. We'll coordinate. I'll have -- I have supervisors under
2 me that will speak to, you know, the JET supervisors when they
3 can, in other words, about certain defects, you know, and so on.

4 Q. Okay. But there is no computer system that's used
5 common by both people to see if some work had been closed?

6 A. We do have a computer system that we use through -- it's
7 called the Mosaic system.

8 Q. Okay.

9 A. And through that Mosaic system it's called a FITS
10 system, F-I-T-S.

11 Q. Okay.

12 A. And what stands for -- that stands for the Field
13 Information Tracking System.

14 Q. Okay.

15 A. That's where we track all our pothole defects that come
16 in.

17 Q. So both your department and the five boroughs, JETs --

18 A. Emergency crew.

19 Q. -- they all will be doing the same system, looking at
20 the same jobs?

21 A. They have -- yes, they can look into the system, into
22 the FITS system also.

23 Q. The reason I'm asking is, if a certain repair is being
24 done by your crew --

25 A. Right.

1 Q. -- how would the JETs crew will know, going after 3
2 months that, my god, somebody has already repaired this and we are
3 coming again?

4 A. Well, okay, what happens is that once the actual repair
5 is done, the information is brought back to the yard and then a
6 clerical person will take that information and close out that
7 defect, you know, whatever that roadway defect is and what was
8 actually done by the crew.

9 Q. Okay.

10 A. So then they'll go in and they'll actually see that that
11 defect is closed.

12 Q. Right. But if I'm -- if the JETs crew is going three
13 months afterwards, the JET crew is going, let's say, three months
14 after to the same location --

15 A. Right.

16 Q. -- because it's under depression at the same location,
17 how would they know that somebody else came and repaired it three
18 months and there may be something serious?

19 A. But what happens, at times too, there's other roadway
20 defects that are out there, so maybe they found other defects
21 beside the one that we actually did.

22 Q. Okay.

23 A. There could have been numerous defects at the location.

24 Q. Okay. With all your 28 years, can you tell us what
25 typically causes the potholes or depressions or --

1 A. Well, potholes basically are caused by, you know, a weak
2 part in the road. Water gets into the actual pothole, it freezes,
3 which it expands.

4 Q. In the winter, okay.

5 A. It will thaw and then the heavy weight of the traffic
6 pounding on it displaces the actual pavement and a pothole will
7 form.

8 Q. Okay. And the depression will be ground settling or --
9 I'm just trying to --

10 A. Yeah, a depression is just some settlement of the ground
11 otherwise underneath.

12 Q. Of the ground, okay. And is there a procedure to repair
13 the potholes, depressions --

14 A. Our procedure for repairing a pothole is basically like
15 a five-step process. We actually just clean out the actual
16 pothole, you know, make sure the material around it is sound. We
17 place what we call a tackle down asphalt cement, which is
18 basically a glue in layman's terms.

19 We'll place the asphalt material into that pothole,
20 we'll compact it. Once it's compacted and level, we'll actually
21 seal it with the same type of material, the asphalt cement that
22 stops the infiltration of water into the pothole.

23 Q. And these are hand compaction or roller compaction?

24 A. A combination of -- combination of both, sir.

25 Q. Combination of both, okay. Now, what happens if

1 somebody's installing a new service tie-in for sewer or water, are
2 they responsible to do the road repair?

3 A. That would be under a contractor. So, that would be
4 under a contractor and then that would be enforced through our
5 HIQA division that actually make sure that these contractors are
6 abiding by the specification that they have on their permits.

7 Q. Okay. So they are responsible for that?

8 A. They are responsible to take care of those utility cuts
9 or any type of work that they're doing, whether it be, you know,
10 water or whatever it may be.

11 Q. Does it happen that you had to go back again and fix
12 because they did not compact it right or they did not do the
13 repair right?

14 A. For our stuff, for our part?

15 Q. Right. No, no. If a sewer contractor comes in --

16 A. Right.

17 Q. -- and ties in a sewer line --

18 A. Right.

19 Q. -- going 10, 15, 20 feet deep --

20 A. Right.

21 Q. -- and a water line comes in and ties in a water
22 connection to the city's water line.

23 A. Right.

24 Q. And if they are required to compact it in a certain way
25 based on the permit.

1 A. Right.

2 Q. If they don't do the job right and it sinks, the road
3 settles down, settles to it.

4 A. Right.

5 Q. Who pays --

6 A. HIQA. Like I can explain to the Highway Inspection
7 Quality Assurance Division would go and actually enforce that
8 permit to get that contractor back.

9 Q. The contractor has to go and do that?

10 A. The contractor has to go back, re-excavate, take all the
11 material out, compact it and make sure it's done properly.

12 Q. And what is the contractual limit for that? How far, I
13 guess in the future, do they have to make sure the road didn't
14 settle down?

15 A. I don't understand.

16 Q. Okay. What I'm saying is after a repair, how long
17 they're liable to fix that particular road in right condition?

18 A. If it's a protected roadway, being like a roadway that
19 we just resurfaced, it's five years.

20 Q. So five years?

21 A. Yeah, it's like basically five years, you know, based on
22 the time that they get into that roadway, and prorate it on, you
23 know, going a little bit forward.

24 Q. That they are responsible to make sure the road --
25 nothing happened from prior years?

1 A. Make sure it's done correctly, yeah.

2 MR. CHHATRE: Okay. And that's all I have. Thank you
3 very much.

4 MR. CICALÉ: Okay, sir.

5 MR. CHHATRE: Kelly.

6 BY MR. EMEABA:

7 Q. What is the rationale or reason why your group don't do
8 cave-ins?

9 A. Why we don't do it? Because basically if you come upon
10 a cave-in, it's actually displacement of the actual foundation of
11 the roadway, you're losing the actual support of the roadway.
12 When everything is falling through, we want to get an
13 investigation to make sure that the actual facility -- maybe it
14 will be water, sewer, or any type of work that was done in an area
15 and proper backfill was done properly, because something went
16 wrong that that roadway actually collapsed and there's no support
17 of the foundation underneath the roadway.

18 Q. Okay.

19 A. Something caused it to collapse.

20 Q. Okay. If your workers or yourself goes out there,
21 whether it's by pick up, they pick up -- we've had the issue of
22 the fact that somebody could be driving by the road and you see a
23 depression.

24 A. Okay.

25 Q. And then, you know, they will notify you, the supervisor

1 and they go out to do it, like what they call the depression.

2 A. Okay.

3 Q. Okay. If you see a depression, what level -- what could
4 be the height of the deepest end or deepest point of that
5 depression that will raise an alarm?

6 A. Well, if the supervisor that's out in the field does an
7 inspection, he's actually out and he feels that it's unsafe,
8 they're going to make it safe with the material that they have out
9 there. That's our goal, to make it safe for the riding public.

10 Q. Okay.

11 A. So if he feels -- it's a judgment call that it's unsafe;
12 he's going to make that area safe.

13 Q. Okay. Would the thickness of some roadways, for
14 instance, Park Avenue, which we've been told that has a high
15 traffic, as a result the thickness of the concrete could be up to
16 13 inches.

17 A. I'm sorry, up to?

18 Q. With the example of Park Avenue that has a high traffic
19 and as a result they compared it to a certain named type of
20 roadways you operate with the thickness of the base concrete being
21 up to 13 inches.

22 A. Up to 10 inches, you say?

23 Q. Up more than 10 inches.

24 A. Okay, okay.

25 Q. Okay. If it actually caves in, actual cave-in, and then

1 with the asphalt being up to six inches or more over the concrete,
2 with a partial -- with an underground base cave-in and a partial
3 asphalt cave-in that you can observe, how would you be able to
4 verify if that is not looked into, that it has not already lost
5 its base?

6 A. Well, if the actual cave-in is broken through that you
7 could see down, like there's an actual hole in the ground --

8 Q. Okay.

9 A. -- where you could see the actual base concrete, you can
10 actually take a bar and actually go down and actually look in and
11 see it. You're going to know that that's a cave-in that the
12 roadway is broken through.

13 Q. Okay. So the depression that you make repairs of, if a
14 depression is up to 2 inch or three inches, the deep point, do you
15 have a procedure to actually probe it to see if something was --
16 is below that or do you just pave it --

17 A. Well, sir, we can't probe it because nothing has
18 actually broken through. A depression --

19 Q. You cannot observe what is broken?

20 A. Yeah, there's nothing you could observe from up above.

21 Q. Okay. So everything is based on observation?

22 A. Yes.

23 Q. Okay.

24 A. Yeah. Experience and observation, right.

25 Q. So in your experience, more or less, it all depends on

1 human judgment, okay. That's all I wanted to ask you for now.

2 A. Okay.

3 MR. EMEABA: Thank you.

4 MR. CHHATRE: Chris.

5 BY MR. STOLICKY:

6 Q. HIQA, what umbrella do they fall under?

7 A. They're like a separate unit that, you know, monitors
8 the contractors. Any type of contract, they'll enforce the
9 permits. When an actual contractor comes in to take out a permit,
10 to get an actual permit, there are stipulations on those permits
11 of how large that the restoration should be, whether it be a 5 by
12 5, 5 by 10, right up against the curb. They'll enforce the
13 stipulations on that permit for that contractor to make sure that
14 that --

15 Q. Is there a permit enforcing agency?

16 A. Yeah. And also they -- exactly. And they also review
17 all of the, you know, the actual work that's done by the
18 contractors. They're our enforcement wing to make it so.

19 Q. Do they work under DOT?

20 A. That's correct, yes.

21 Q. Okay. Do they actually perform the physical work,
22 though, meaning will they fix a problem or do they -- are they
23 like the watchdog that goes to hunt down contractors to get them
24 to come back?

25 A. Yes. They don't do any kind of repairs. HIQA just

1 oversees documents, all the information based on the permittee and
2 enforces the stipulations that are on the permits.

3 Q. Now, do they primary work on and focus on failures and
4 sinkholes or would they go after someone for like a bad paving
5 restoration job?

6 A. Well, you know, any kind of restorations. Like I said,
7 also any kind of cave-ins or so would go through them. They're
8 also like our middle person, you know, to make -- you know, make a
9 judgment call on who this actual cave-in belongs to, based on
10 tests that are done.

11 Q. Okay. Can you explain how the Mosaic system and the
12 FITS system talk to each other and are intertwined?

13 A. Yeah. Mosaic is actually the actual computer system and
14 FITS is within that. And then FITS, like I said, when they
15 actually -- let's say if a citizen calls up a 311 operator and
16 they report a pothole condition, they'll actually get a FITS
17 number and it goes into our system. And then once it gets that
18 number attached to it, it will have a location on it and we'll
19 know that it's a pothole that we have to repair. And then what
20 happens in the mornings, my guys will assign it.

21 Q. Okay. And after the work is done, someone closes the
22 loop back into the FITS system and then it just disappears?

23 A. What happens is when the paperwork comes in at the end
24 of the day, a clerical person will take it, review the actual gang
25 sheets, and then put the information in of what repairs that we

1 made for that actual FITS number, defect number, and then close it
2 out so that we know we have a record of repairs that we did there
3 at that location.

4 Q. Okay. And is that database record just basically there
5 in case anyone has a question or files a lawsuit or complains or
6 something?

7 A. That's correct. We can always refer back to that defect
8 number with the location to know that we went there and we did
9 some type of work there.

10 Q. Does anyone ever go back to any kind of analysis to see
11 if there's a history of problems on the street or an area to use
12 to plan big paving jobs in the future or anything?

13 A. We'll look at, you know, information based on potholes
14 and what's out there. We'll do inspections on roadways, you know,
15 actual physical inspections to see what the conditions are before
16 we actually resurface.

17 MR. EMEABA: Okay.

18 MR. CHHATRE: Tasos.

19 MR. GEORGELIS: I'm good.

20 BY MR. SINGH:

21 Q. Two quick questions. You mentioned a five-step
22 procedure.

23 A. Sure.

24 Q. Is that a written procedure? Is that used for training
25 or is it just something that's inherent in the steps that you

1 take?

2 A. It's been around for quite many -- you know, quite a few
3 years and we pass it down. Like if there's new employees that
4 come in we, you know, we stress it through our supervisors to make
5 sure that we try to get that actual process down and make sure
6 they understand.

7 Q. Okay. Along the lines of what Chris talked about
8 analysis -- I mean, if there's multiple calls, multiple reports on
9 a street --

10 A. Right.

11 Q. -- maybe not your organization, somewhere in DOT
12 engineering, does someone that will look at that and say we should
13 do some exploratory work on this street or anything like that?

14 A. Well, based on any information that we get from the
15 supervisor back at a location because, you know, my supervisors
16 are speaking to the other supervisors on the roadway, where we
17 would base our information that we get from them also on the
18 inspections and whatever information we have through the FITS on,
19 you know, what we're going to do at that location.

20 Q. The other question. An A hole versus a C hole -- do you
21 see a lot of C holes?

22 A. Well, just to define everything for you --

23 Q. No, I know that --

24 A. There's a termination for the department.

25 Q. No, we know it.

1 A. Oh, you know it already?

2 Q. Yeah.

3 A. Yeah, it's basically to make it -- put it in layman's
4 terms, an A hole is a smaller hole.

5 Q. Right.

6 A. A B hole is a middle size hole.

7 Q. Right.

8 A. And then a C hole -- it's an internal thing -- is a
9 larger hole, in other words.

10 Q. Right. So but the C hole goes from 3 to more, right, 3
11 and above?

12 A. If you want me to put it, my C hole -- I mean, my A hole
13 onto something, I could say 4 to 6 inches on a smaller hole.

14 Q. Right.

15 A. Maybe 8 to 10 on a B size hole, and then maybe anything
16 over like 12 inches in diameter for a large size C hole.

17 Q. Okay.

18 A. Just, I mean, a rough -- and then it could vary, just to
19 give you a rough idea.

20 Q. So a 12 by 12, 17 by 14, you know, inch and a half deep
21 or wider, I mean, those are not typical everyday holes, right?

22 A. Well, now you're not talking about a hole, you're
23 talking about more of a larger area, in other words, yeah.

24 Q. Okay. So how do you -- do you treat that any
25 differently?

1 A. Yes. We treat that like as what they call like a wear
2 and tear job, where we'll go out, like I says, and we'll just do a
3 step process where we'll pack it with the asphalt cement, sweep
4 everything out, and then make a repair and then compact the actual
5 material.

6 Q. So how deep is deep before you raise the flag up?

7 A. That varies to the supervisor out in the field, you
8 know, whatever the conditions are with the depression or whatever
9 the area looks like. You know, it's based on his eyes.

10 MR. CHHATRE: Kelly.

11 BY MR. EMEABA:

12 Q. As a director, what can flag a condition of your workers
13 calling your attention if they find a depression on the road, and
14 the depression that they intend to repave seemed to have been
15 previously paved and then that depression formed? Should that
16 raise a question to you before such re-pavement is done, or do
17 your office just expect once you are there, whether by spot
18 checking or through what other you get to road that have been --
19 there is a depression previously paved, you should just go ahead
20 and repave it?

21 A. So your question is, if a depression is there and it
22 fails, is that --

23 Q. They did a previous paving on that depression, they've
24 just observed.

25 A. That it failed, in other words, is that what you're

1 saying? If they find a depression --

2 Q. Yes.

3 A. -- like I mentioned to you, if my guys find a
4 depression.

5 Q. And that segment had been previously paved.

6 A. Right.

7 Q. So the depression they found was a previously paved
8 depression.

9 A. Previous -- oh, okay. So they're seeing a depression
10 that was paved already?

11 Q. Yes.

12 A. I'd say we'd probably take action, maybe refer it to
13 HIQA if -- dependent upon how deep it is or what's going on, you
14 know, based on what the supervisor sees out in the field.

15 Q. So and that's (indiscernible) of the depth and which you
16 stated is based on the judgment of the individuals?

17 A. Right.

18 Q. So, yes, which is correct. But shouldn't the fact that
19 that same area they want to pave has been previously paved that
20 has a depression, should that alone not cause a question?

21 A. I can't -- I couldn't answer that unless I was out there
22 to see what was actually going on or if the supervisor -- what
23 information he brought back to me. It's based on what the
24 supervisor told me about what he seen out there.

25 If a red flag came up that he felt that he had to go

1 further with it, do a test or anything like that, then we'd look
2 to do it. If he felt that it was safe and it was good, it was
3 sound, the job was done properly, then we would repave, based on
4 information from the supervisor.

5 Q. Okay. In the trainings that have been given to your
6 workers, what advice or what training have you given to them when
7 there is such conditions?

8 A. A depression?

9 Q. Yes.

10 A. If a depression -- if there's something that's unsafe we
11 look to make it safe. Any kind of roadway defect that we see is
12 unsafe, we want to make the area safe, whether it's a pothole or
13 whatever it may be. If there's something broken through, whether
14 it be a cave-in or so, we'll refer it to our HIQA Division for
15 further investigation and additional tests.

16 MR. EMEABA: Okay. Thank you.

17 MR. CICALÉ: You're welcome.

18 BY MR. STOLICKY:

19 Q. Is that process in a procedure somewhere? Is it
20 (indiscernible) been done forever?

21 A. No, no, we've had that in a procedure as an SOP, like an
22 actual cave-in procedure. Yeah, and if it's broken through, we'll
23 refer it to our HIQA Division. And then once it gets to the HIQA
24 Division, then they'll decide if they have to get the DEP or
25 whatever utility involved to check the subsurface, the utilities

1 and do an investigation.

2 Q. And the guys who are out there doing the work, do they
3 have any formal training or is it just on-the-job training from
4 the beginning?

5 A. I think they do. Our department does training before
6 they let them out onto, you know, to their actual roadway, to the
7 yards before they're assigned, to do some training with them.

8 Q. Do you know if that training would involve going through
9 the SOPs or procedures or just how to physically use the equipment
10 and (indiscernible)?

11 A. I couldn't answer everything within the training, but I
12 know that they offer training to our employees prior to being
13 assigned to an actual yard or a unit.

14 Q. Okay.

15 BY MR. EMEABA:

16 Q. One more. Is it possible we can have a copy of this
17 procedure which gives your workers directives on what they should
18 repave and what should not be paved? Can we get a copy of that
19 procedure?

20 A. I don't know what we have, but I could ask. I could,
21 you know, ask and see whatever we have, you can have. It's not a
22 problem at all.

23 MR. CHHATRE: That would be great.

24 MR. CICALÉ: Yeah.

25 ME. EMEABA: Please.

1 MR. CHHATRE: Any procedures you have, training-wise or
2 whatever.

3 MR. CICALÉ: Sure.

4 MR. CHHATRE: Just let us know.

5 MR. CICALÉ: Not a problem at all. I'll mention it.

6 MR. CHHATRE: You can send it through Frank or you can
7 send it to me directly. I'll give you my card.

8 MR. CICALÉ: Okay.

9 MR. GEORGELIS: Frank, you can send it to Frank
10 McCarton.

11 MR. SINGH: Frank McCarton. Do you know Frank McCarton?

12 MR. GEORGELIS: Which Frank McCarton is the OEM deputy.

13 MR. CICALÉ: Deputy. Okay, he's the deputy, okay.

14 MR. GEORGELIS: Everything goes through him.

15 MR. CICALÉ: Okay.

16 MR. GEORGELIS: He had to leave.

17 MR. CICALÉ: He had to -- all right. Okay, I was
18 wondering why --

19 (Simultaneous conversation.)

20 MR. CICALÉ: Okay. Do you want it sent directly? Is
21 this good?

22 MR. CHHATRE: No, I mean, get ahold of Frank.

23 MR. CICALÉ: Okay.

24 MR. CHHATRE: But if you can contact me and I'll make
25 sure that Frank knows that something is done.

1 MR. CICALÉ: Okay. Sure, sure, not a problem at all.
2 So you'd just like any SOPs that we have as far as training and
3 stuff like that? That's not a problem.

4 MR. CHHATRE: Training and -- excuse me.

5 MR. EMEABA: And the expectations of the workers in the
6 field, what you want them to do based on their observation.

7 MR. CICALÉ: Okay.

8 MR. EMEABA: What helps them to make the judgment call,
9 what to pave, what not to pave.

10 MR. CICALÉ: Got it.

11 MR. EMEABA: Please, thank you.

12 BY MR. STOLICKY:

13 Q. Now, I guess another way to say it, and this is what we
14 look at with utility companies, is that when they go through their
15 OQ training they're trained to identify AOCs, an Abnormal
16 Operating Condition.

17 A. Okay.

18 Q. They're trained to recognize that something is wrong
19 here and we need to do something about it.

20 A. Right. Okay.

21 Q. And that's kind of what I'm getting at here.

22 A. Okay, what action do we take when you see --

23 Q. I mean, recognizing there's a problem and what to do.

24 A. Okay, sure. I'll get you that information, what we
25 have.

1 MR. CHHATRE: And what are looking for here really is
2 whatever the procedures were in existence prior to --

3 MR. EMEABA: The accident.

4 MR. CHHATRE: -- March 12, 2013.

5 MR. CICALÉ: Sure.

6 MR. CHHATRE: Matt?

7 BY MR. NICHOLSON:

8 Q. I have just a couple of easy clarifications.

9 A. Sure.

10 Q. When they go -- when your crews go out to pave a
11 depression, is it safe to assume they just bring it to level with
12 the existing road or do they overfill it a little bit to allow
13 for --

14 A. They'll just bring it to grade pitch.

15 Q. Just bring it to grade.

16 A. No, we don't want a bump or anything like that. We'll
17 just bring it to grade so it's level with the existing railway.

18 Q. Okay. And then I'm still not quite sure I understand
19 the distinction between this JETs crew and your -- you've got an
20 8 p.m. to 4:30 a.m. and they run 3 to 12 a.m.

21 A. Okay, sure.

22 Q. But how are they different? I mean, they kind of
23 overlap, don't they?

24 A. No. Well, our night crew is specifically assigned to
25 more like resurfacing bigger work, milling and resurfacing work.

1 Q. Oh, okay. That's --

2 A. The stripping down of a roadway and the actual
3 resurfacing from curb to curb of a roadway.

4 Q. I see. Big work?

5 A. Big work.

6 Q. And JETs are just small --

7 A. JETs is more or less the roving crew throughout the five
8 boroughs.

9 Q. Okay.

10 A. And they basically go into a borough and make whatever
11 conditions safe or do whatever roadway defects that they have to
12 do.

13 Q. Okay. Terrific. Thanks.

14 UNIDENTIFIED SPEAKER: Aren't the Giants and JETs
15 sharing the same stadium, share Manhattan?

16 UNIDENTIFIED SPEAKER: Just in Jersey.

17 BY MR. EMEABA:

18 Q. And based on the question he asked, your people's
19 classification of the JET group and the other one --

20 A. Right.

21 Q. Is that considered with respect to the traffic flow
22 times? Because the night crew is 3 to 12, the reason you put them
23 to do that job, is it because of the traffic within the city at
24 that time, why you do the other ones later part of the day and the
25 other one do smaller job, because of the traffics?

1 A. Well, yeah, I mentioned that to you, sir. I said like
2 with our day operation -- just to explain it a little bit further
3 -- it's a 7 to 3:30 operation. We basically fill pothole crews.
4 So those crews will go out and do whatever necessary potholes for
5 the day.

6 My night crew that starts like -- that runs from 8 to
7 4:30, they're doing the larger work because of the heavy
8 pedestrian and vehicular traffic that's in the city.

9 Q. Okay.

10 A. And the JET crew is an actual roving crew that goes
11 around.

12 Q. Thank you.

13 MR. CHHATRE: Anybody have any questions?

14 UNIDENTIFIED SPEAKER: I'm done.

15 BY MR. CHHATRE:

16 Q. I just need a clarification question.

17 A. Sure.

18 Q. Particularly with Park Avenue.

19 A. Sure.

20 Q. We understand there was some work done with a tie-in on
21 the 1642 building. Now, do you recall any work being done by your
22 crew or JETs crew on Park Avenue prior to the explosion?

23 A. I don't recall any, no, I don't. I don't know.

24 Q. None of your pothole crew went there on Park Avenue,
25 that you know of?

1 A. They could have went there. You know, they could have
2 went there. I can't say that for sure, you know.

3 Q. That's fine.

4 MR. CHHATRE: If nobody has any questions --

5 MR. NICHOLSON: No one's -- we haven't requested a dump
6 from the FITS system for this crew?

7 MR. CHHATRE: No, we have not. Can we get a copy of the
8 work orders and work being done --

9 MR. CICALÉ: On Park Avenue?

10 MR. CHHATRE: -- on Park Avenue since 2011?

11 MR. NICHOLSON: Between 116th and 117th?

12 MR. EMEABA: Yes.

13 MR. GEORGELIS: What do you mean for this crew? They
14 didn't provide the documents for --

15 MR. NICHOLSON: That's what I'm asking.

16 MR. CHHATRE: No, not from --

17 MR. GEORGELIS: They should have it all from DOT.
18 Everything should be there.

19 MR. CICALÉ: Yeah, right. That's what I thought.

20 MR. CHHATRE: Okay. Then we have it.

21 MR. GEORGELIS: You got everything from DOT, right?

22 MR. CICALÉ: Yeah. I thought they there was completely
23 different databases.

24 MR. GEORGELIS: No, they're documents were looked at
25 before.

1 MR. NICHOLSON: No, it's -- so what we have is mixed up
2 for all the DOT work?

3 MR. CICALÉ: You should have everything.

4 MR. GEORGELIS: You should have everything.

5 MR. CHHATRE: No, we have it.

6 MR. GEORGELIS: We have to confer with Frank, but I do
7 believe you have everything.

8 MR. CHHATRE: I'm still trying to settle in my mind with
9 these different crews that way, so --

10 MR. CICALÉ: Yeah, well, let me -- I'll explain a little
11 bit further. The JET crew doesn't fall under me. Like I said,
12 it's a five borough crew --

13 MR. CHHATRE: I understand. That's why we're asking for
14 your specific data, but --

15 MR. NICHOLSON: Will it say, will we know on the FITs
16 sheet which crews? Will it say JETs or --

17 MR. CICALÉ: It will actually say the supervisor's
18 name --

19 MR. NICHOLSON: Okay.

20 MR. CICALÉ: -- and then by, you know, by knowing the
21 supervisor's name you'll know what work unit he comes out of, in
22 other words, basically.

23 MR. NICHOLSON: Okay.

24 BY MR. CHHATRE:

25 Q. Just one last question.

1 A. Sure.

2 Q. Now, if for depression crew -- I mean, if a crew goes
3 and sees a depression --

4 A. Right.

5 Q. -- and fixes it.

6 A. Right.

7 Q. Would that crew -- how would that crew know that maybe
8 there was repair work done and the contractor may have done some
9 repair work involving that particular street, and maybe would be
10 the contractor's responsibility? But even a crew that is going in
11 there to fix that, they may not know that. How do you settle
12 that?

13 A. As far as a contractor's cut, in other words?

14 Q. Right, yeah.

15 A. Yeah, I mean, they'll -- the supervisor could identify
16 the understanding, you know, with the contractor's cut. A lot of
17 the times they're marked. They have markings on them. You know,
18 there's like a green for a sewer; it'll be orange for the cable in
19 the roadway. So a lot of stuff is marked. And if we see anything
20 that we feel that belongs to a contractor, we'll contact our HIQA
21 Division and we'll look to get the contractor back to do it.

22 Q. If I understand, the contractor's responsible for five
23 years?

24 A. Right.

25 Q. And but markings may not stay there for five years.

1 A. Yeah, but that's on a protected roadway. It's less on
2 -- if they go onto a roadway that's not an actual protected
3 roadway, just a regular roadway, I think it's three years off the
4 top of my head.

5 Q. Three years only? .

6 A. Yes, that's correct.

7 MR. GEORGELIS: Rich, can you explain to them what a
8 protected roadway is?

9 MR. CICALÉ: Yes. Once we go in and resurface a
10 roadway, we label it as a protected roadway. So if an actual
11 utility wants to come in to do any type of work, when they request
12 a permit, it comes through our office and we give them a more
13 stringent restoration because we just paved the roadway and we
14 want to, you know, keep that actual roadway in good condition. So
15 we'll review the actual permits and then we'll release it based on
16 our stipulation. And then what happens is HIQA will enforce our
17 stipulations that are placed on the permits. That's only for the
18 protected roadways.

19 BY MR. CHHATRE:

20 Q. And that is for five years?

21 A. And that's for five years. An unprotected roadway is a
22 roadway that we haven't resurfaced. Think about it, we didn't
23 touch it as of yet, hasn't been resurfaced. So that's an
24 unprotected roadway.

25 Q. And Park Avenue is, what, unprotected?

1 A. I think prior to -- I think it was unprotected, if I'm
2 correct at the time.

3 MR. EMEABA: And when you said you've not resurfaced, is
4 it you've not resurfaced it for the past 5 years or 10 years or
5 how?

6 MR. CICALÉ: What we do is we're hoping that that street
7 is going to hold up based on traffic conditions and everything,
8 and we'll, you know, we'll monitor it. But we're hoping that's
9 going to last beyond the five or seven years based on the work
10 that we just did, but sometimes you get, you know, failure, and
11 we'll just review it. If we get any complaints we'll go back and
12 check it and if it needs attention we'll address it. We'll
13 address it through maintenance crews and until we can do our
14 actual resurfacing.

15 MR. EMEABA: Okay. No, my question is this: When you
16 say unprotected, is it a street that has not been resurfaced ever
17 since its initial construction?

18 MR. CICALÉ: It's outside of the five year plan.

19 MR. EMEABA: Okay.

20 MR. CICALÉ: That's the best way to put it. It's
21 outside the five year plan.

22 MR. CHHATRE: Yeah, okay.

23 BY MR. NICHOLSON:

24 Q. Your crew would have resurfaced Park Avenue then,
25 between 116th and 117th, at some point?

1 A. We could have resurfaced. At some point we could have
2 based on the ratings. We have a rating system too we look at.

3 Q. Okay.

4 A. Another system that we look at.

5 Q. So if we want to know when it was resurfaced last, you
6 would be able to show us?

7 A. You should have all -- they should have all that
8 information too, I think they've provided.

9 MR. CHHATRE: Any other questions?

10 MR. STOLICKY: Do you know if it's been resurfaced since
11 the incident?

12 MR. CICALÉ: Yes, it has.

13 MR. STOLICKY: It has?

14 MR. CICALÉ: Yes.

15 MR. CHHATRE: So now it becomes protected?

16 MR. CICALÉ: Now it's a protected roadway. Now you
17 understand something else.

18 UNIDENTIFIED SPEAKER: The entire block was done?

19 MR. CICALÉ: Yeah. We actually resurfaced Park Avenue
20 from East 116th Street to East 132nd Street north and southbound.

21 MR. CHHATRE: Okay.

22 BY MR. NICHOLSON:

23 Q. And just to be clear, that's where you mill off all the
24 asphalt down to concrete and then build it up?

25 A. That's correct. We'll have it milled first.

1 Q. Yeah.

2 A. Once the roadway's milled, then we'll come in and so the
3 resurfacing.

4 UNIDENTIFIED SPEAKER: 132nd to 116, both sides?

5 MR. CICALÉ: Both sides, north and southbound sides,
6 yes.

7 MR. STOLICKY: If they decide to rebuild there, you're
8 not taking down the part under that gas main.

9 MR. SINGH: Yes, we will. The expense --

10 MR. CICALÉ: Your permit's got to come to us.

11 UNIDENTIFIED SPEAKER: It'll be expensive.

12 MR. CHHATRE: Okay. If no other questions, thank you so
13 much for coming and helping us.

14 MR. CICALÉ: Okay. Thanks.

15 MR. CHHATRE: Off the record.

16 (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: NATURAL GAS DISTRIBUTION PIPELINE
 LEAK AND MULTISTORY STRUCTURE
 EXPLOSION IN HARLEM, NEW YORK
 MARCH 12, 2014
 Interview of Richard Cicale

DOCKET NUMBER: DCA-14-MP-002

PLACE: New York, New York

DATE: August 5, 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.

Cheryl Farner Donovan
Transcriber