

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: WILLIAM O'BRIEN

Con Edison
 4 Irving Place
 New York, New York

Thursday,
 August 7, 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)

THOMAS J. HALL, Counsel to Hallen Construction
Fabina, Cohen, and Hall, LLP
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I N T E R V I E W

MR. CHHATRE: Good morning.

MR. O'BRIEN: Good morning.

MR. CHHATRE: Today is Thursday, August 7th, 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 National Transportation and 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 may 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. William O'Brien that you are permitted to have one other person present with you during the interview. This is a person of your choice, your friend, supervisor, 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 and your title, business contact information, such as mailing address, and whom you have

1 chosen to be present with you during your interview.

2 MR. O'BRIEN: William O'Brien, Hallen Construction, and
3 I'd like my lawyer present.

4 MR. CHHATRE: Okay. Mr. O'Brien, can you tell us
5 briefly what your background, education, formal training, training
6 classes, and your duties?

7 Oh, yes, and before we do that, let's go around and
8 introduce ourselves. Please state your names, spelling of your
9 name, and title and organization you represent starting from my
10 right.

11 MR. NICHOLSON: Matthew Nicholson, Investigator, NTSB.
12 Spelled M-a-t-t-h-e-w, N-i-c-h-o-l-s-o-n. Contact information
13 [REDACTED].

14 MR. EMEABA: Kalu Kelly Emeaba, K-a-l-u, K-e-l-l-y,
15 E-m-e-a-b-a. I'm an investigator with NTSB. My email address is
16 [REDACTED]

17 MR. McCARTON: Good morning. My name's Frank McCarton.
18 I'm a deputy commissioner in the Office of Emergency Management
19 here in the city of New York. I am the New York City party rep on
20 the investigation with the NTSB. My email is
21 [REDACTED]

22 MR. HALL: Thomas J. Hall, T-h-o-m-a-s, J, like James,
23 Hall, H-a-l-l, Fabina, Cohen, and Hall, that's Frank -- F, like
24 Frank, F-a-b-i-n-a, Cohen, C-o-h-e-n, and Hall, LLP, 570 Lexington
25 Avenue, New York, New York, 10022, counsel to Hallen.

1 MR. SINGH: Leonard Singh, L-e-o-n-a-r-d, S-i-n-g-h,
2 Chief Gas Distribution Engineer, Con Edison, also the NTSB party
3 rep on this incident for Con Edison, [REDACTED]

4 MR. STOLICKY: Chris Stolicky, S-t-o-l-i-c-k-y, I am the
5 New York party rep on this investigation, utility supervisor
6 safety with the New York State Department of Public Service.
7 Email address is [REDACTED]

8 MR. CHHATRE: Okay. Thanks.

9 INTERVIEW OF WILLIAM O'BRIEN

10 BY MR. CHHATRE:

11 Q. Mr. O'Brien, can you tell us about your duties currently
12 and prior to the incident?

13 A. Right. Foreman for the -- for Hallen Construction.

14 Q. And as a foreman, what do you do?

15 A. Set up the jobs, get the guys going, and start the work,
16 tell the guys what we want done.

17 MR. EMEABA: Can you also tell us your educational
18 background? Your trainings and all that?

19 MR. O'BRIEN: Competent person training, all that kind
20 of stuff.

21 BY MR. CHHATRE:

22 Q. So, do you remember working on Park Avenue prior to --

23 A. No.

24 Q. You don't remember?

25 A. No.

1 Q. Do you remember doing any backfill work on Park Avenue?

2 A. I don't remember the job, not from 2011.

3 MR. SINGH: I guess the question, was he the excavator
4 or the backfiller. There's two people (indiscernible) --

5 MR. NICHOLSON: Yeah, that's what I want to know.

6 MR. O'BRIEN: No, backfill. I backfilled the job.

7 MR. CHHATRE: Okay.

8 MR. O'BRIEN: I backfilled the job.

9 MR. NICHOLSON: You're backfill.

10 BY MR. CHHATRE:

11 Q. Okay, you backfilled.

12 A. Right.

13 Q. Maybe you can walk me through as to what you did on the
14 backfill?

15 A. Right. Normally, we set up the work zone, open the
16 plates, get everything going. You know, you cover the pipe with
17 dirt or sand, hit it with a tamper, put the plates back on, and
18 move on to the next one.

19 Q. And do you remember how deep was the trench?

20 A. No. No, I don't.

21 Q. So, on a typical job, how -- when do you come in the
22 picture?

23 A. Well, I -- it depends. We have all different --
24 sometimes we excavate them, sometimes someone else. It just so
25 happened that someone else excavated the job before and I didn't

1 have a job to do that day, so I was sent to backfill that one.

2 Q. Okay.

3 A. And that was also the second or third job. I had two
4 jobs that day, I think.

5 Q. Okay. Where do you get the backfill?

6 A. Where do we get the fill from? They get it from a dump.
7 I don't -- there's a few dumps; I'm not sure which one they get it
8 from.

9 Q. Okay. And the compaction (indiscernible), how much you
10 pour in the trench and how you compact it, how do you measure the
11 compaction?

12 A. About two foot of lifts, every two feet.

13 Q. You compact?

14 A. Right.

15 Q. And how do you measure the compaction? With some gauge
16 of --

17 A. We measure it with a ruler or you just -- by doing it
18 every day, you get so used to it, you know.

19 Q. Okay. And do you remember when you started and when you
20 finished?

21 A. No. Not that job, no.

22 Q. Okay. Thank you.

23 MR. CHHATRE: I'll pass to Kelly or Matt? Kelly?

24 MR. EMEABA: I don't have a question at this time.

25 BY MR. NICHOLSON:

1 Q. Well, I -- I mean, let's go back for just a little bit,
2 because we were told on this particular job that there was partial
3 backfilling done and then the construction work was done on the
4 gas main and then further backfill was performed. Is that unusual
5 to get to a site where some backfill has occurred and then you
6 take it the rest of the pipe?

7 A. No.

8 Q. No?

9 A. I mean --

10 Q. Not unusual?

11 A. No. It depends on the situation. There could be
12 someone else working there that had to backfill that so they can
13 get in and work. I mean, it's all different --

14 Q. Okay. So you see that.

15 A. Yeah.

16 Q. Do you have to do anything? When you get there, do you
17 have to check what they've put in the hole before you start
18 backfilling as far as material?

19 A. I mean --

20 Q. Or compaction?

21 A. You look and make sure the pipe's hooked up, that kind
22 of stuff.

23 Q. Okay.

24 A. Make sure nothing's broken or missing, you know, like a
25 duct maybe, a concrete duct or something. And whatever needs to

1 be fixed, you fix it and keep going.

2 Q. Okay. So you're looking for broken pieces of --

3 A. Right. Like concrete duct, that kind of thing,
4 electrical pipe, telephone duct.

5 Q. Broken before you got there?

6 A. Right.

7 Q. Because you don't want to bury --

8 A. Right. You're not going to leave --

9 Q. -- something that's busted?

10 A. Right.

11 Q. So you'll track the gas pipe as well, right?

12 A. Right.

13 Q. Okay. You said you backfill with dirt, is that what you
14 said?

15 A. Dirt or sand. That's what we usually use.

16 Q. And that's a graded --

17 A. Right.

18 Q. That's not just dirt --

19 A. No, it's not rocks or anything like that. It's all
20 cleaned. It's -- they have a name -- I don't know if it's item 3
21 or item 4. They have a name for it. I'm not sure what it is.

22 Q. Okay.

23 MR. STOLICKY: That's sounds right.

24 BY MR. NICHOLSON:

25 Q. When you're backfilling and you're compacting, Ravi

1 asked if you measured it. Is there any test you have to do,
2 beyond just measuring the height, do you have to actually check
3 the compaction? Is there any testing or --

4 A. Only if it's a protected street. If it's not a
5 protected road, we don't have anywhere to test it.

6 Q. Okay. And if it protected, how do you --

7 A. We have a compaction crew. They hire a compaction
8 company that comes and they put a tester in the ground.

9 Q. Okay. What's that tester look like?

10 A. It's a small box, yellow.

11 Q. Okay.

12 A. It has like a rod they push down. I think it has
13 radiation in it. They push that into the ground, and that's how
14 they test.

15 Q. Okay.

16 A. The moisture in the dirt.

17 Q. That's what it's looking at?

18 A. Yeah.

19 Q. Okay. And so unprotected streets, there is no test
20 required?

21 A. No.

22 Q. And you just compact it? And what are you compacting it
23 with, the backhoe?

24 A. A jumping jack.

25 Q. Okay.

1 A. Yeah, a Wacker.

2 Q. A little walk-behind?

3 A. Right.

4 Q. Yeah, okay.

5 MR. NICHOLSON: Okay. That's all I got. Thanks.

6 BY MR. EMEABA:

7 Q. I ask you a quick question. How much depth do you have
8 to cover the pipeline or the pipe and other services before you
9 start your compacting activity?

10 A. Well, you want to be at least a foot or above it.

11 Q. A foot. Have you had the scenario of, you know, where
12 you felt you had enough dirt over it and when you start your
13 tamping, it actually dropped? And you were able to
14 (indiscernible) that incidental or whatever, you know, impacted
15 the pipe or whatever (indiscernible)?

16 A. No, I've never seen that happen.

17 Q. All right. Thank you.

18 MR. CHHATRE: Chris?

19 BY MR. STOLICKY:

20 Q. When you guys go to backfill -- hi, this is Chris
21 Stolicky. When you guys go to backfill a hole and you look at
22 what's in the hole, what would you do if there wasn't a lot of
23 clearance between the gas pipe and other facilities?

24 A. Well, they have Macado (ph.) board that you use to
25 protect it from electrical pipe or that -- or rubber mats they use

1 in between a water main. They have a certain clearance. I think
2 it's six inches between any other facility that you have to put
3 something in between.

4 Q. So there's actually a defined spec as to when you guys
5 would put that barrier in between facilities?

6 A. Right.

7 Q. Okay. As far as when you put in the lifts and the sand
8 padding around the pipe, how would you make sure that you got
9 enough sand under, let's say, the service T, because you've got
10 the eight-inch main -- well, in this case it was an eight-inch
11 main --

12 A. Right.

13 Q. -- and there was a two-inch T. When you're filling it
14 up, how would you make sure you got enough sand pad underneath?

15 A. Well --

16 Q. Both the main and the service?

17 A. Well, you shovel it under by hand. You know, you build
18 it up, make sure you get it under there, you push it under, and
19 then you build it up above it.

20 Q. And then you tamp it down (indiscernible) --

21 A. Right.

22 Q. -- try to squeeze underneath the pipe and then you just
23 put more in?

24 A. Right.

25 MR. STOLICKY: Okay. That's all.

1 BY MR. CHHATRE:

2 Q. Just a couple of quick follow-ups. When you arrived on
3 the scene on Park Avenue, could you see the plastic pipe laid in
4 the ditch?

5 A. I don't recall.

6 Q. You don't recall.

7 A. From that far back, I mean, you know.

8 Q. Okay. Do you recall that the ditch was partially
9 filled?

10 A. I don't recall.

11 Q. You don't recall? Okay. If you don't recall, you don't
12 recall.

13 A. Right.

14 Q. So who told you to go out and fill the ditch?

15 A. A supervisor.

16 Q. Supervisor, okay. Did he say anything about the work
17 having completed or --

18 A. No.

19 Q. No. Now, you said you hand fill around the service T?

20 A. Right.

21 Q. How much built up you will have on the service T or any
22 connection before you start compacting it?

23 A. You want to be about a foot above it.

24 Q. After you hand fill the gap?

25 A. Right.

1 Q. Then you go one more foot?

2 A. Right.

3 Q. And you -- are your compaction (indiscernible) time, two
4 minutes or so many strokes the same as you build up or they -- you
5 increase your time of compaction as you keep building up this --
6 the backfill? Do you know what I'm asking?

7 A. Right. We do it every day, so you know how much you
8 need to hit it, you know, if you're doing the same thing every --
9 all the time, you know what you need to do to get it done.

10 Q. So you know the feel of the --

11 A. Right.

12 Q. -- the backfill?

13 A. You can feel it in the dirt. If it's soft, you know it.

14 Q. And how far you feel it (indiscernible) level on the
15 street? Up to the --

16 A. One foot down. Well, depending on the type of roadway.
17 Generally, one foot down.

18 Q. One foot down.

19 A. Right.

20 Q. And do you know what happens within that one foot? What
21 is next?

22 A. The next step is they get the pavement company to pave
23 or pour concrete or a binder.

24 Q. That's fine. So you leave about a foot (indiscernible)?

25 A. Right.

1 Q. And that's how you did that day?

2 A. I don't recall from 2011. Long time ago.

3 Q. Okay. All right. Thank you so much.

4 MR. CHHATRE: Any follow-up questions?

5 BY MR. NICHOLSON:

6 Q. Yeah, you said you work the night shift, is that what --

7 A. Right.

8 Q. Or is that just currently?

9 A. No, currently.

10 Q. Okay. So in 2011, you must have been --

11 A. That was days.

12 Q. Days, okay. And what would that shift have been? From
13 when to when?

14 A. Usually, 7 to 3:30, 7 a.m.

15 Q. So you would have been backfilling this job sometime
16 before 3:30? It must have been.

17 A. Yeah, I guess I'm -- you know.

18 Q. Okay. The equipment you use, it's a backhoe, is that
19 correct?

20 A. We have a backhoe, yeah.

21 Q. To fill?

22 A. Yep.

23 Q. What's the -- who makes it? How big is it?

24 A. It's 710 John Deere.

25 Q. 710 John Deere. And I think you already answered this,

1 but I'll ask you again, who comes in after your work's done?

2 A. New York Paving.

3 Q. New York Paving, okay. And do -- like you said, they
4 either do concrete --

5 A. Or a binder.

6 Q. What's the binder?

7 A. It's bigger than asphalt.

8 Q. Okay.

9 A. I guess, to -- I don't know. You know, that's just the
10 name they call it, binder.

11 Q. But that would go directly on top of what you had just
12 left?

13 A. Right.

14 MR. NICHOLSON: Okay. All right. I got nothing else.

15 BY MR. EMEABA:

16 Q. If I may ask you a question, assuming you see a picture
17 of this property you worked on or a map of the area, do you think
18 that would help you to remember a little bit more than what you
19 can?

20 A. I'll take a look, but that far back, I mean, sometimes
21 we have three or four jobs a day, it's hard to remember something
22 from that long ago. Especially -- if I was the one that dug the
23 job or put the pipe in, I would have a little better memory, but
24 just going to someone's else's job and just filling it in, I mean,
25 there's not really thing that sticks out in my mind that I can,

1 you know --

2 Q. Okay. Thank you.

3 MR. CHHATRE: Frank?

4 BY MR. McCARTON:

5 Q. Mr. O'Brien, you -- in 2011, you were hired by who? Who
6 was making you -- asking you to backfill this hole? Do you recall
7 or are you privy to that or I mean --

8 A. As far as from my company?

9 Q. Yeah.

10 A. Or the super?

11 Q. Yeah.

12 A. I'm not sure exactly which super. I don't know.

13 Q. Okay.

14 MR. SINGH: I'm sorry for -- he works for Hallen
15 Construction.

16 MR. McCARTON: Hallen Construction, but who hired them
17 to do the work?

18 MR. SINGH: Con Edison.

19 MR. McCARTON: Con Edison. You did, okay.

20 MR. SINGH: Uh-huh.

21 BY MR. McCARTON:

22 Q. How many have you done this in your career? Like how
23 many -- just roughly, I mean --

24 A. Ten thousand?

25 Q. How many years you been doing this?

1 A. I've been doing this since -- I've been doing it 15
2 years.

3 Q. This job is just like an ordinary other job that --

4 A. This backfill, yeah.

5 Q. Okay. Thank you.

6 A. Thank you.

7 MR. CHHATRE: Lenny?

8 BY MR. SINGH:

9 Q. William, did you backfill both the main and the service,
10 do you remember?

11 A. I don't remember.

12 MR. SINGH: That's the only question I had.

13 MR. CHHATRE: Okay.

14 MR. EMEABA: No, sir.

15 MR. CHHATRE: Okay. If no other follow-up questions,
16 thank you so much for coming. We (indiscernible).

17 MR. McCARTON: Yeah, get you to bed.

18 MR. O'BRIEN: Yeah, thank you.

19 MR. CHHATRE: Thank for helping us.

20 (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 William O'Brien

DOCKET NUMBER: DCA-14-MP-002

PLACE: New York, New York

DATE: August 7, 2014

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

Shari K. Doyle
Transcriber