

HWY11MH012
Amtrak/UPRR
Grade Crossing Accident
Miriam, Nevada
June 24, 2011

Amtrak Train No. 5
Maintenance of Way Witness
Interview

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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AMTRAK GRADE CROSSING ACCIDENT
MIRIAM, NEVADA
JUNE 24, 2011

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Docket No.: HWY11MH012

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Interview of: ARMANDO VILLANUEVA

Union Pacific Yard Office
Sparks, Nevada

Sunday,
June 26, 2011

The above-captioned matter convened, pursuant to notice.

BEFORE: TED TURPIN
Accident Investigator

APPEARANCES:

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Federal Railroad Administration

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I N T E R V I E W

1
2 MR. TURPIN: I'm Ted Turpin with the National
3 Transportation Safety Board. We're investigating the grade
4 crossing accident that happened at Miriam, Nevada, on June 24th,
5 2011. Today is June 26th, 2011. We're at the Sparks Union
6 Pacific Yard office and we're interviewing a Union Pacific
7 employee who observed the accident alongside the tracks.

8 And with that said, could you please state your name and
9 spell it?

10 MR. VILLANUEVA: Armando Villanueva, A-r-m-a-n-d-o, V-i-
11 l-l-a-n-u-e-v-a.

12 MR. TURPIN: All right. Thank you. And do you
13 understand this recording is being -- or this interview is being
14 recorded?

15 MR. VILLANUEVA: Yes.

16 MR. TURPIN: Okay. Now we'll just go around the table,
17 have everybody introduce themselves and spell their name. You'll
18 know who everybody is.

19 MR. PALMER: Scott Palmer, P-a-l-m-e-r, Brotherhood of
20 Locomotive Engineers, Safety Task Force.

21 MR. PASSI: John Passi, P-a-s-s-i, BLET, Safety Task
22 Force.

23 MR. EDVALSON: Lloyd Edvalson, Manager, Train
24 Operations, Sparks, Nevada.

25 MR. TURPIN: How do you spell it?

26 MR. EDVALSON: L-l-o-y-d, E-d-v-a-l-s-o-n.

1 MR. McCARTHY: R.T. McCarthy, Federal Railroad
2 Administration.

3 MR. LAUBY: Bob Lauby, L-a-u-b-y, Deputy Associate
4 Administrator, Office of Railroad Safety, FRA.

5 MR. MEJIA: Joe Mejia, Deputy Regional Administrator out
6 of Sacramento, Federal Railroad Administration.

7 MR. TURPIN: All right. Thank you.

8 INTERVIEW OF ARMANDO VILLANUEVA

9 BY MR. TURPIN:

10 Q. All right. May I call you Armando?

11 A. Um-hum. Armando's fine.

12 Q. Tell me what happened.

13 A. Okay. My shift, it starts at 10 in the morning. So I
14 took off from home and I had a briefing with Sanchez (ph.), and
15 then I went to the crossing where I usually start. And by then it
16 was, like, 11, somewhere around 11:30 when I got there.

17 So, when I got there, I pulled to the north side of the
18 tracks and east side of the road, on the northeast. I parked
19 there. I was going to get my computer ready to locate trains so I
20 can start patrolling because I'm track inspector. That is what I
21 do every day at that crossing. And then I grabbed my job briefing
22 book and then I heard the bells for the crossing sign things. So,
23 that tells me the train is coming. The track is occupied.

24 So, I looked out and there was Amtrak. So, I got out
25 and then I grabbed my hat from the rear of the track -- the truck.

1 And at that time I saw the gates down and the lights were working
2 and everything was working normal. So, I decided to stand and
3 look at the train as he was coming, because that's what we do. We
4 roll by the train. We look at the train, make sure every car is
5 -- it's all right, all the wheels are okay.

6 And when I was there watching at the train, I wave at
7 the train, just like we usually do. He wave at me and then -- and
8 then, as he was going by the crossing, I heard the impact and I
9 saw the car almost tips over. He moved a lot. And I saw a fire
10 under the car, the wheels. First thing I thought, I made a
11 mistake and the train derail right at the crossing. So, since the
12 train wasn't completely past the location, I just start to run
13 away because if he derails, the cars would be all over, right.
14 So, as I was running, I looked at the train, kept on running on
15 the tracks. So, he must have not derail. He didn't derail. So
16 he kept on going.

17 And then I run to the truck to get the radio. At the
18 time, the engineer was already announcing his emergency and he was
19 saying that he got hit by a semi. Before that, I did not know
20 that he was hit by the semi. I just thought that he crashed with
21 the crossing, with the planks or something.

22 So, then I looked up and I saw the semi was all rolled
23 over and against the maintainer house. Then I -- since the radio
24 was busy, I decided to go my phone and call 911. And I was
25 talking to them, giving the location where the accident had

1 occurred. The lady that answered the phone was asking me if the
2 semi driver -- if the semi car was -- where was the semi car. So,
3 I couldn't find the semi car, but started running around the
4 crossing. Couldn't find the semi car, so -- and then she said
5 that she was going to send help. So, I laid the phone down and
6 start to go over towards the train. Start to run towards the
7 train. And as I was going towards the train, I looked at the
8 track was okay at the crossing, and then as I approached it, as I
9 got to the train, I started walk -- people wasn't out there.
10 People was not out of the train yet. A couple of them were coming
11 out.

12 And I was checking every wheel and I got to the front of
13 the train and the engineer hand me this fire extinguisher and he
14 told me, "Let's see if you could use it, see if it's good for
15 something." So, I used the extinguisher that he got. But I was
16 looking if the train was still on the track, so then in case we
17 can park it up, because there was very poor access to the location
18 where he stopped for emergency people to get there.

19 So, then I started to look at the roads around the train
20 and I start -- and then I found that they're people -- people
21 could come on the north side with cars or maybe on the south side
22 too, and it wasn't easy, but it was going to be able to do that.

23 And then the fire -- the car that was on fire was
24 completely gone. There was nothing to -- there was nothing I
25 could have done with one fire extinguisher for that car. And then

1 there was body laying on the side, but he was already dead.

2 And then I went back to get my phone I left on the
3 truck. I ran around back to the truck to get the phone and I
4 called 911 again and then they said that the emergency people was
5 on its way, they were coming. At the time, I started calling my
6 boss. Then I called my other track inspector, the one that
7 usually helps me out. And then I called my brother, too. And
8 then all the calls started coming. And then by then the emergency
9 people start arriving. But basically that was all that I saw.

10 After that, they didn't let us see no more, so we had to
11 stay back from the crossing. That's all that happened. That's
12 all I saw. I didn't see the semi coming because I wasn't on the
13 north side, like I said, northeast side of the crossing. And I
14 was looking at the train as he was coming west. So, I was looking
15 towards the other side, so I didn't see the semi coming. I saw
16 that the gates were good because that was the first thing that I
17 heard, the gates coming down -- the bells for the gates, the gates
18 coming down.

19 And the engineer, he was sounding his whistle. I even
20 grabbed my ear plugs and put them on because that's a huge noise
21 he makes with that whistle. So, everything was normal until I saw
22 that the accident happened. And that's all I, that's all I can
23 say.

24 Q. Okay. You mentioned you could see the flashing lights,
25 as well. Is that like on --

1 A. Yes.

2 Q. Yeah, how could you tell from where you were standing?

3 A. I was right here.

4 Q. Over here? Okay.

5 A. Yes. I must have been like a -- let's see, 100, 150
6 feet from the road and like 50 feet away from the track, where I
7 parked. I was parked at -- like I said, I was going to get ready.

8 Q. Okay.

9 A. So, it must have been like 100 feet from the lights,
10 from the gate.

11 Q. Okay. Which way were you going to go, east or west?

12 A. I was going to patrol west.

13 Q. West.

14 A. Towards to Sparks. And that's milepost 318. So, I was
15 supposed to finish my inspection at 360/220.

16 Q. Okay. This is a little bit of a representative of the
17 train. Say this is the engine. This is the baggage car. This is
18 the car that was hit by the truck.

19 A. Yes.

20 Q. Okay. This is the second car. When you walked up here,
21 did you see any of the people being taken out of the cars or
22 any --

23 A. No.

24 Q. -- any activity around there?

25 A. No. No, activity. This was completely on fire.

1 Q. Okay.

2 A. Completely on fire. You had a big hole where the semi
3 was still inside.

4 Q. Yep.

5 A. And there was no --

6 Q. Where were you trying to put the fire out?

7 A. Over here.

8 Q. On this car?

9 A. On this car, but there was only a little bit of fire on
10 the corner. And then when I was doing that, somebody got out over
11 here, and then that's it.

12 Q. Were there any people in -- left in that car?

13 A. There was only one body laying right here and he was
14 dead on this side, on the bank.

15 Q. Okay.

16 A. And then when I was coming this way, the heat, the heat
17 of the fire was so strong. So I won't burn my hand -- I felt like
18 it burned, so I kind of got away. And then the engineer came out
19 and he was going to come. Then I told him to go on the other
20 side, because he was going to walk back, so -- because it was
21 extremely, it was extremely hot right there. So, then as I saw
22 that all the rest of the train was okay, there was no fire, there
23 was nothing, so I assumed they were going to start coming out, but
24 I didn't know how many people that were in there. I never got on
25 the train, because I didn't know the train on the inside.

1 Q. Okay.

2 A. So, the first thing I had to do was start looking for a
3 way for the emergency people to come in and I ran back to my
4 phone. But then, after that, I made a couple of phone calls and
5 everything start -- everybody started arriving.

6 Q. Were there any cars you noticed on the highway, on the
7 north side?

8 A. No, nobody.

9 Q. Nobody?

10 A. Nobody. On my side, there was nobody coming.

11 Q. Okay.

12 A. Actually, nobody came.

13 Q. You said --

14 A. But on the other side, on the south side, there were
15 people, because when I started going to the train people were
16 doing the same thing too.

17 Q. Oh, Okay.

18 A. So, there was drivers over there. They were -- they
19 went to the train too.

20 Q. Cars or trucks or --

21 A. Trucks.

22 Q. Trucks.

23 UNIDENTIFIED SPEAKER: How many?

24 MR. VILLANUEVA: Oh, I don't know, a few. I didn't look
25 at the traffic, but there was trucks and there was -- there were

1 cars too.

2 BY MR. TURPIN:

3 Q. Okay. Did you get a sense of time of how long it took
4 for the emergency response to show up?

5 A. No. It must have been around 60 minutes. It couldn't
6 be that fast, because I know the emergency people there is Fallon
7 and Lovelock and Fernley, and we were out in the middle of
8 nowhere.

9 Q. Yeah.

10 A. And helicopters just start coming too, so -- but it kind
11 of took a little bit.

12 Q. Took a while?

13 A. Took a while.

14 Q. You sit on at this crossing a lot?

15 A. Yes, till most -- let's see, one day I sit on
16 (indiscernible) and I get off at that crossing. The next day, I
17 sit on that crossing and go to the other side. The next day, I
18 sit on a car and sit off of at that crossing, and then the next
19 day I sit on at that crossing and go through (indiscernible). So,
20 basically I use that crossing for 4 days.

21 Q. Okay.

22 A. Every day.

23 Q. Do you see a lot of those gravel trucks on that highway?

24 A. Oh, that highway is busy all the time.

25 Q. Busy?

1 A. Yes, busy.

2 Q. With those -- with trucks, with the trucks?

3 A. With trucks and the -- the road, I believe, is 70 mile
4 an hour. I was thinking it was 65, but I -- someone told me it's
5 70, so --

6 Q. Have you ever seen any other incidents there or anything
7 involving the trucks?

8 A. No. No. The only thing I noticed is that when I'm
9 going to sit on or sit off, I try to stay as far away from the
10 road as I can because they --

11 Q. Hit you.

12 A. -- the cars don't stop. They don't --

13 Q. Yeah.

14 A. -- they don't want to wait too much. So, just to bring
15 the chance down, when those things come -- start coming down, and
16 then once the cars are stopped, then I start going. I start
17 bringing the wheels up. But, I don't -- I think the semi never
18 tried to stop.

19 Q. Yeah.

20 A. There were -- I don't -- I didn't see very good marks
21 that he will stop or something, I think, or was so hard. I just
22 saw almost the train tipped over. That's why I thought it was
23 just a derailment.

24 Q. All right. When did you start work with the UP?

25 A. Between -- May 21st, '98.

1 Q. Where did you start? (indiscernible) --

2 A. I start at Doyle. My boss was Rolly Woods (ph.). I was
3 hired here in Sparks, but then they send me to Doyle.

4 Q. Okay. What were you doing?

5 A. I was doing labor.

6 Q. Labor?

7 A. I was hired as a contract labor.

8 Q. Um-hum. And then?

9 A. And then -- and now I got all the titles.

10 Q. You got all the titles? Okay.

11 A. Basically, yeah.

12 Q. Very good. And basic -- right now you're a track
13 inspector?

14 A. Right now I'm a track inspector.

15 Q. Okay. How long you been doing track inspector?

16 A. At this time, it must have been April -- I got the job
17 in April, maybe the first week of April on this year.

18 Q. This year?

19 A. This year. But I was track inspector before, 5 years
20 ago, and I did that for about 6 months.

21 Q. Uh-huh.

22 A. Same area, same location, same everything, same routine.
23 Nothing has changed. So, I did it for 6 months and then I went
24 and got some other seniorities. And then I came back because the
25 job was open again and I was on the system, I guess nearly

1 (indiscernible), so I came here.

2 Q. Very good. All right, now I'll just go around the room
3 and see if anybody has anything else.

4 UNIDENTIFIED SPEAKER: I don't have any questions.

5 BY UNIDENTIFIED SPEAKER:

6 Q. Armando, how long were you on the scene?

7 A. All the time, 10 hours, 12 hours, I guess.

8 Q. Okay. Did you inspect any of the tracks afterwards?

9 A. I didn't -- no. I didn't have any chance. I didn't
10 move out of there because I was going to take off to inspect but
11 people start -- just like you guys did, call me, interview me.

12 Q. Correct.

13 A. People start doing the same thing. So, I had to come
14 back in. So, the other inspector took care of the inspection next
15 day. And I inspect that area from the train to the crossing. I
16 walked the area. I inspected by foot. I reported what we found
17 up to that and it was repaired before traffic.

18 Q. Thank you.

19 A. So, I didn't do inspections, so it -- that was not
20 inspected that day, until the next day.

21 MR. TURPIN: Okay.

22 UNIDENTIFIED SPEAKER: No questions.

23 BY UNIDENTIFIED SPEAKER:

24 Q. Armando, do you remember, the Amtrak engineer, do you
25 remember when he sounded his whistle, and how long, and was it

1 easy to hear?

2 A. Yes, it was easy to hear. Because I'm pretty sensitive
3 on my ears so I never let that whistle hurt my ears. So, I always
4 put my ear plugs in. So I went to the car, into the compartment
5 (indiscernible).

6 Q. A glove compartment.

7 A. Glove compartment, and got out my ear plugs, and I put
8 them on. So, there was time for me to do all of that. Got out of
9 the truck, put my ear plugs on, grab my hard hat. Heard those
10 things and then I heard the whistle. And he did -- everything was
11 normal.

12 Q. And then you said that you don't recall at all hearing
13 the truck?

14 A. I didn't see the truck.

15 Q. You didn't hear the engine -- or hear it or any --

16 A. No. I didn't hear it.

17 Q. You saw the light and the impact?

18 A. I didn't hear it because I was listening to the whistle.

19 Q. Okay. Thank you.

20 A. The whistle on the train. So that's a stronger noise.

21 Q. Okay. Thanks.

22 BY MR. LAUBY:

23 Q. Just a couple questions, Armando, you said that the
24 train almost tipped over, the car almost tipped over.

25 A. Um-hum.

1 Q. How did you know it was almost tipping over?

2 A. It -- yes. That's where he was. He just moved like
3 that and I saw --

4 Q. He moved way over?

5 A. He moved kind of over, but there was fire underneath.
6 So, I thought he crashed with the planks or white gates or
7 whatever, something. And I thought that caused him to tipped
8 over, but he never did tipped over all the way.

9 Q. Um-hum. And you thought the train was going to derail
10 at that time?

11 A. I thought he was derailing. I thought he derailed at
12 that time. And then I run away, but -- fell and got up running
13 and fell and then I went back to the truck and he never derail.

14 Q. You were parked on the north side of the track, but when
15 you approached the train was it on the south side?

16 A. No.

17 Q. Or did you approach on the north side of the track?

18 A. I took Freeway I-80, then I got off. I was traveling
19 south. So, then I parked before the tracks, on my left-hand side,
20 because I do that all the time --

21 Q. Um-hum.

22 A. -- the same way. That's my shortest route and it's a
23 big space right there for me to park and plan my day. So, I
24 parked there just like every day.

25 MR. TURPIN: But -- I'm sorry.

1 MR. LAUBY: I'm asking when --

2 MR. TURPIN: When you walked towards the train --

3 MR. VILLANUEVA: Uh-huh.

4 MR. TURPIN: -- how did you walk towards the train?

5 MR. VILLANUEVA: Right on the track.

6 MR. TURPIN: Left side? Right side?

7 UNIDENTIFIED SPEAKER: Engineer side? Conductor side?

8 UNIDENTIFIED SPEAKER: Between the rails?

9 MR. VILLANUEVA: Middle.

10 UNIDENTIFIED SPEAKER: In the middle of the track.

11 Okay.

12 MR. VILLANUEVA: (indiscernible) --

13 UNIDENTIFIED SPEAKER: Okay.

14 MR. VILLANUEVA: -- down the middle.

15 UNIDENTIFIED SPEAKER: Okay.

16 MR. VILLANUEVA: In the middle, because I needed to see
17 the track straight. I saw both of them was straight, so I didn't
18 even bother checking gauge or nothing. The train was still on the
19 -- and as I was going, I was watching on the left side of the
20 train.

21 BY MR. LAUBY:

22 Q. Okay.

23 A. And I looked, every wheel was -- were in there.

24 Q. And that would be the south side?

25 A. That would be the south side. That would be the

1 opposite side for the engineer.

2 Q. Okay. You didn't see any evacuations, any passengers on
3 the right-of-way when you got up to the train?

4 A. Just when I came back. When I came back, there were a
5 couple --

6 Q. The time from going to the crossing, walking up there,
7 and going along the train, the passengers had not evacuated yet?

8 A. No, not yet. Maybe a couple of them were out and --
9 there was the -- the body was there, but he was already -- like,
10 he was already gone.

11 UNIDENTIFIED SPEAKER: The truck driver's body?

12 MR. VILLANUEVA: No. I didn't see the truck -- I never
13 saw the truck driver.

14 MR. LAUBY: That's what --

15 MR. TURPIN: Down at the train, the conductor.

16 MR. LAUBY: The conductor.

17 MR. VILLANUEVA: I had to think it was the conductor.
18 That's what they told me later.

19 BY MR. LAUBY:

20 Q. One other question, you mentioned that there were other
21 people in the area doing the same thing as you were doing.

22 A. Yes, they came and --

23 Q. Can you describe that? Were they approaching the train?
24 Were they helping people? What were they doing?

25 A. I don't know. I don't know. It was too fast. Because

1 I just saw them going towards the train. Because from that road
2 to where the train parked, it's like half a mile, so --

3 Q. Um-hum.

4 A. We walked like a half a mile -- I was kind of running
5 and then I ran back, so I couldn't say who was who.

6 Q. Um-hum.

7 A. I couldn't -- there's no difference in -- because they
8 don't wear a uniform, so -- I don't know. At that time that I
9 came back, I don't know who was who.

10 Q. Thank you.

11 MR. TURPIN: Okay. Joe?

12 BY MR. MEJIA:

13 Q. Which way did you run, away from the train, right?

14 A. When I saw it, yes, away, away from it.

15 MR. TURPIN: Up the road?

16 BY MR. MEJIA:

17 Q. Towards your truck?

18 A. Yes. Yes. Um-hum. And I run north, so -- where I was
19 going to be safe.

20 Q. Exactly.

21 MR. TURPIN: Did -- oh.

22 BY MR. MEJIA:

23 Q. You're a track inspector, not a track supervisor?

24 A. About the same thing.

25 Q. Same thing? Okay, track inspector --

1 A. Track inspector.

2 Q. All right. Thank you. That's all I have.

3 BY MR. TURPIN:

4 Q. Did you have -- or notice other people with fire
5 extinguishers?

6 A. There were fire extinguishers laying everywhere around
7 the car where there was fire. Yes, there were fire extinguishers.

8 Q. But nobody was using any when you were using it?

9 A. No.

10 Q. Okay. And I know you said this, but when you pulled up
11 to the crossing, you were going to call the dispatcher but you saw
12 the train?

13 A. No. I was -- first I was going to call the -- I was
14 just going to call 911 on the radio, but the radio was busy by the
15 engineer.

16 Q. Not the emergency. I mean, when you first got there at
17 the very beginning of the day.

18 A. Oh, at the very beginning of the day, I got there and I
19 didn't know any traffic or nothing, so I just parked. Start
20 planning my day.

21 Q. Um-hum.

22 A. Getting stuff out. And that's when I heard those things
23 -- those bells.

24 Q. Okay. So, you hadn't called the dispatcher yet?

25 A. No --

1 Q. You hadn't started anything up?

2 A. -- I hadn't held our briefing or anything like that.

3 Q. Okay.

4 A. She didn't even know I was there yet. It was just the
5 engineer that saw me and --

6 Q. So, how long do you think you were actually there then
7 before the train showed up?

8 A. Before the train showed up?

9 Q. Um-hum.

10 A. Two minutes.

11 Q. Two minutes? Okay.

12 A. Or a minute, maybe.

13 Q. Yeah.

14 A. It was that quick. And that be -- usually, it's usually
15 always the same train that gets there when I get there, that I got
16 to wait for, because they make you wait for a train for a while.

17 Q. Yeah. Okay. Anybody else have anything?

18 UNIDENTIFIED SPEAKER: Just a quick question, Armando.
19 Do you remember when the UP train showed up behind the Amtrak?
20 Was that right away?

21 MR. VILLANUEVA: No. I don't think it was right away.

22 UNIDENTIFIED SPEAKER: It wasn't right away? Okay.

23 BY UNIDENTIFIED SPEAKER:

24 Q. I have just one question, just to confirm. Did you hear
25 anything out of the ordinary before the collision? Any --

1 A. No.

2 Q. -- any sounds? Was the engineer blowing the horn
3 different than --

4 A. No.

5 Q. -- he normally would? Everything was normal, as far as
6 you could tell?

7 A. Everything was normal. He didn't do anything different.
8 No one did anything different.

9 Q. Okay.

10 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: AMTRAK GRADE CROSSING ACCIDENT
 MIRIAM, NEVADA
 JUNE 24, 2011
 Interview of Armando Villanueva

DOCKET NUMBER: HWY11MH012

PLACE: Reno, Nevada

DATE: June 26, 2011

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been compared to
the recording accomplished at the hearing.

Jennifer Ames
Transcriber