UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD

METRO-NORTH RAILROAD TRAIN
DERAILMENT, DECEMBER 1, 2013
BRONX, NEW YORK

Docket No.: DCA-14-MR-002

Interview of: WILLIAM ROCKEFELLER

Metro-North Offices
White Plains, New York

Tuesday,
December 3, 2013

The above-captioned matter convened, pursuant to notice.

BEFORE: DAVID BUCHER
Accident Investigator
APPEARANCES:

DAVID BUCHER, Accident Investigator
Operations Group Chairman
Office of Railroad, Pipeline and Hazardous Materials
Investigations
National Transportation Safety Board
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RICK NARVELL, Human Performance Investigator
MARY PAT McKay, Chief Medical Officer
National Transportation Safety Board (NTSB)

BRUCE PARKIN, Safety Inspector
Operating Practices, Region 1
Federal Railroad Administration (FRA)

MICHAEL SCIORTINO, General Road Foreman of Engines
RICHARD FERRARA, Road Foreman
Metro-North Railroad

KIRK THOMAS, Vice General Chairman
Association of Commuter Rail Employees (ACRE)

MICHAEL DOYLE, General Chairman
JOHN POTTHAST, Vice General Chairman
ACRE Local Division 9

JOHN RIZZITELLI, Detective Sergeant
MTA Police Department

STEVEN SMITH, Detective
New York Police Department (NYPD)

JEFFREY CHARTIER
(Counsel on behalf of Mr. Rockefeller)
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MR. BUCHER: This is Dave Bucher, NTSB investigator for the Spuyten Duyvil accident on December 1st. This is NTSB investigation number DCA-14-MR-002. It's the interview of Mr. Rockefeller. It is 3:30 -- or :46. We are at the Metro-North headquarters in White Plains, New York, and I'm going to go around the room for the record.

UNIDENTIFIED SPEAKER: Spell your name.

MR. THOMAS: Kirk Thomas, K-i-r-r, T-h-o-m-a-s, Vice General Chairman, ACRE Local 1.

MR. SCIORTINO: Mike Sciortino, M-i-k-e, S-c-i-o-r-t-i-n-o, General Foreman of Engines, Metro-North Railroad.

MR. FERRARA: Richard Ferrara, R-i-c-h-a-r-d, F-e-r-r-a-r-a, Road Foreman, Metro-North.

MR. POTTHAST: John Potthast, J-o-h-n, P-o-t-t-h-a-s-t, Vice General Chairman, ACRE Number 9.

D/SGT. RIZZITELLI: John Rizzitelli, R-i-z-z-i-t-e-i-l-i, Detective Sergeant, MTA Police.

DET. SMITH: Detective Steven Smith, NYPD, S-t-e-v-e-n, S-m-i-t-h.

MR. NARVELL: Rick Narvell, R-i-c-k, N-a-r-v-e-l-l, I'm a human performance investigator for the NTSB.

MR. PARKIN: Bruce Parkin, B-r-u-c-e, P-a-r-k-i-n,
Federal Railroad Administration, Safety Inspector, Region 1.

MS. MCKAY: Mary Pat, M-a-r-y, P-a-t, McKay, M-c-K-a-y, Chief Medical Officer, NTSB.

MR. DOYLE: Michael Doyle, M-i-c-h-a-e-l, D-o-y-l-e, General Chairman, Locomotive Engineers, ACRE Local Division 9.

MR. BUCHER: And Mr. --

MR. CHARTIER: Jeffrey Chartier, C-h-a-r-t-i-e-r, first name J-e-f-f-r-e-y, counsel.

INTERVIEW OF WILLIAM ROCKEFELLER

BY MR. BUCHER:

Q. Okay, Mr. Rockefeller. If you would, please, could you describe your day on the day of the accident from the time that you got up to go to work and through the time that you got back home?

A. Okay, 3:30 a.m. I woke up, jumped in the shower. Got dressed, fed the cats, then warmed up the car. I actually warmed up the car, then I let the cats' food -- it's a hard food, so I let it soak in water. So I let it soak while I went out to warm up the car. Warmed up the car, came back in, then fed the cats. Then waited a little bit for it to warm up a bit.

I left around -- I believe at that time it was like 4:10, 4:15 when I left the house, because I have an on-duty report time at 5:05:04 out of Poughkeepsie, New York. Excuse me.

Did my 43-minute ride to Poughkeepsie. Pulled in, grabbed all my stuff, my book bag that carries all my material.
that I need. Then I went upstairs, and just routinely I always
get a coffee from the upstairs snack bar. I get a coffee and a
hard roll. Once I got my coffee and a hard roll, then we went
into the assignment room and that's when I met up with my
conductor, Mike Hermann, and we went over our safety briefing,
which was, you know, no stop signs today, speed restriction
such-and-such, and how many cars we're going to use and things of
that such. And then, of course, we always get permission from
mechanical, make sure that they're clear of the tracks and that --
and then -- so, permission from -- Mike had gotten permission from
mechanical and also got permission from RTC that we could move it
up to the platform and that it was okay to leave on time.

Then we finished signing in on paper, signing in on the
computer, looking at different bulletin orders and things, and
then by that time, then it's time we walk downstairs. And as
we're walking down the staircase there in Poughkeepsie, that's
when we power off our cell phones, and then we walked over to 3
South where the equipment was kept. We did our brake test,
leakage test, the horn test. But I also do the horn test before I
move the equipment, because even though you get an okay from
mechanical, I still like to make sure.

So once we finish with all those tests, then Mike gave
me 2 and told me that it was okay to move up to the platform, and
I moved up to the platform with his okay, and then we just loaded
and waited for on time -- or for him to tell me to leave. And
then also with that, our -- oh, what do you call that -- the running brake test is already done because we're moving up to the platform a short period --

Q. Right.

A. -- and it's all included.

So then we -- when I got the 2 to go, we left off of Track 3 and CP-72, crossed from 3 to 2, and then we -- excuse me -- we stopped off -- we made our scheduled stops, all our scheduled stops: New Hamburg, Beacon, Cold Spring, Garrison -- sorry -- Garrison, Peekskill, and then Cortlandt and Croton-Harmon. And we waited probably like a minute and a half at Croton, because at that time of day -- the schedule is really meant for busier -- they have to put some fat in the schedule because of busier times, plus I think they put some extra fat in the schedule because of construction that's been going on and ongoing.

So we had about probably a minute and a half, almost two minutes at Croton-Harmon station, and then at the appropriate time Mike had signaled me to go at the appropriate time, and then we continued and made Ossining, and then we made Tarrytown, and then we expressed to Harlem 125 after that, and after Tarrytown we expressed on Track 2. And every, we just -- no exceptions.

Went -- I remember CP-19, I did a time check. I want to say -- I've been a little less than 2 weeks on this job, and I want to say it was like -- the schedule says 7:10 at CP-19, and I believe
I looked at my watch and it was 7:12 when I did the time check. Then -- excuse me -- then, so that's in 19.

Then we continued and there's a slow-down at the -- a regular speed restriction, a permanent speed restriction at Yonkers and -- which is 50, and I had slowed it down actually to 45. And then there's a temporary speed restriction on Track 2 that's a 60. I forget the exact milepost. I want to say it's just -- it's right around like Ludlow or just before Ludlow. I can't really remember exactly what the milepost is. And so I was throttled out, throttled out trying to pick up speed from 45, at least get up to the 60, and then with the diesel equipment, it takes so long to get the momentum going, so I just kept it throttled out, and I believe it was, you know, like 61 coming out of the restriction.

Then where -- then when we go further, you know, going past Riverdale, and I was just looking straight ahead, and I don't know how to describe it. The sergeant, matter of fact, that day -- I didn't know how to explain it to him, and I said that it was sort of like I was dazed, you know, looking straight ahead, almost like mesmerized. And I don't know if anybody's ever experienced like driving a long period of time in a car and staring at the taillights in front of them, and you get almost like that hypnotic feeling staring straight ahead, because we're taught, you know -- you know, look out the window, make sure you're looking straight ahead, make sure that there's nobody that jumps out onto the

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tracks or anything foreign or et cetera, and we're just so
indoctrinated to look straight ahead. And being on that territory
so long, you know, you just know every inch of that rail. I just
want to say I was just staring straight ahead and I was -- as the
sergeant and I came up with that hypnotized feeling, dazed, that's
what I was in. And the train, when -- the only thing that shook
me out of it was --

UNIDENTIFIED FEMALE: Any Rizzitelli up here?
D/SGT. RIZZITELLI: Yes.
MR. ROCKEFELLER: The only thing that shook me out of it
was the feeling of the train. Something wasn't right with it,
something, and that's when I believe instinctly [sic] I had thrown
it into emergency. I'm not sure if instinctively if I shut it off
and threw it into emergency or if I just threw it into emergency.
And then I know I was thrown around. I don't know if I
was on the floor and got back up or if I -- all I know was I was
up, and then I did what we were taught. Soon as I got my wits
about me, where I was and I did what we were taught. I announced
the "emergency, emergency" three times on the radio. Then I
didn't get any answer. I didn't hear any chatter on the radio.
So I said it like one or -- you know, the "emergency, emergency,
emergency," one or two more series. Then I realized the key was
out of the ignition. It had come out of the ignition and so the
radio was off when I had done so.

Then I don't know if I opened up the door, the barrel
door, or if it was open. And I had seen the condition of the car
and the people, and I saw where Maria was, my assistant conductor,
and first of all and foremost, I asked her if she was okay, and
she had told me that she had hurt her side and her ribs and she
had problems talking. So I asked her if I could -- where her
radio was. Well, first of all, I had got her -- she was on the
other side, on the -- I don't know how you would describe -- I
guess, looking north. She was on this side. So I stabilized her
because she was complaining about a lot of pain and she was -- she
was not stable where she was sitting or where she was propped. So
I had moved some cushions and things and had got her over and
propped her where she was stable.

And at that time I took a scan of the car, and everybody
in my car I could see that was up, moving around, or they were
sitting there, but they were breathing and there was nothing I
could do; that they were coherent and there was nothing I could
do. There was one lady that was laying on the floor. So I walked
over to her and I made sure that she was still breathing and
everything, and there was nothing I could do there because she was
exactly what she was supposed to be doing. She was lying flat and
I didn't want to disturb her and I just saw that she was best
where she was.

Then I went back to Maria, and then that's when I
grabbed the -- had asked her where her radio was, and I grabbed
the radio and I went to also follow up with RTC, and then that's
when I heard my conductor, Mike Hermann, already in charge and
taking command of the situation and was describing everything and
giving all the pertinent information.

Then it was probably between, I don't know, 12, 15
-- well, actually, once I saw everybody was taken care of, it was
the best I could do, I -- that's when I just turned on my phone
and I just -- I stepped off the equipment, turned on my phone. It
seemed like forever for it to power up. I had given Mr. Doyle a
phone call, got a message, and then -- I just wanted to let
somebody know what was going on. And then that's when I turned on
my phone, was then.

Then I got back inside and I stayed with Maria because
she had a hard time focusing and talking, and everybody else --
she seemed like she needed the most attention, to me, that I could
actually help with. So there were -- I forget the one.

Sergeant, what was that one gentleman, the police
officer from the MTA with the bald head?

D/SGT. RIZZITELLI: Detective Cochran (ph.)?

MR. ROCKEFELLER: No, the --

D/SGT. RIZZITELLI: Oh, you mean -- he was from NYPD?

MR. ROCKEFELLER: No, not Dave.

MR. BUCHER: You've got to give your name.

D/SGT. RIZZITELLI: Oh.

MR. ROCKEFELLER: Sorry.

D/SGT. RIZZITELLI: Detective Sergeant John Rizzitelli.
MR. ROCKEFELLER: The gentleman that carried my bag for me and stayed with me right there at the -- the officer. The officer. He was just an MTA officer.

D/SGT. RIZZITELLI: I don't know.

MR. ROCKEFELLER: Okay. Probably don't know.

D/SGT. RIZZITELLI: I wasn't at the scene at that time.

MR. ROCKEFELLER: But anyways, him and his partner tried to get me off the train, and I stayed there helping Maria until, I believe until -- I think she was the last patient off the car, that car anyways. So I stayed with her. Because they all wanted me to get off, and I stayed with her and made sure that she was fine. And then also when the firemen finally did get to her -- like I said, I believe she was the last patient -- and they were putting her on the backboard, things that she would convey to me to tell them, because, number one, she felt comfortable with me. Number two, I can understand her because she already, you know, spoke to me and said her ribs and that, so I knew she had a hard time trying to get her breath to talk, and I stayed helping.

Then at that time when they got her off, I was probably the last one off the car. And then the two Metro-North PD that were trying to get me off, they stayed there around the area. And then finally I -- they followed me over, because I was following Maria over to the staging area. And then at that point -- I don't remember the detective's name. His first name was Dave. I don't remember his last name. The bald gentleman that you mentioned, he
had met up with me and then I was under his supervision then after that point and he directed me where to go. We were at the staging area for a little while. I spoke to Maria. I saw that she was in good hands.

And then we -- then that detective had escorted me upstairs, where I waited, and then that's when I didn't even realize that my shirt was -- everybody was asking me, "Are you okay?" And I guess I was still in shock, and the shirt was ripped on me and then that's when they saw the laceration and bruising on my kidneys, and then there were other bruisings and things, but I didn't realize it, you know. So I fought off medical attention until finally they were ready to strap me down and make me go. And that's when the detective, Dave, from the NYPD, had said, "Go, just go." And so that's when they put me on the gurney and then they took me out and brought me into the ambulance and they brought us to -- was it Presbyterian Hospital? I'm not sure of the name of it, actually. Brought us to the hospital.

And then they wanted to give me pain medication and stuff and I refused, and I waited and waited until -- because I wanted an accurate sample. Because I knew that was going to be coming, so I wanted an accurate sample. I thought -- I was in pain, but -- so they treated me and -- or I should say were looking after me. And then finally when we're able to -- I think when we were able to take the sample, that's when they brought me into -- or I can't remember the turn of events, if they took me in
for a CT before or after the blood alcohol and urine sample. I think they took that first before they put me into the CT, CAT scan. I'm not sure. I believe that's what it was.

And then after they gave me the CAT scan to make sure it wasn't any more bleeding inside where my, where my kidney is and saw that I was okay, then that's, I believe, when I gave my statement to -- Officer Ritelli [sic], is it? I'm sorry. Could you please state --

D/SGT. RIZZITELLI: Sergeant John Rizzitelli.

MR. BUCHER: Okay.

MR. ROCKEFELLER: Sergeant John Rizzitelli. And I had given my statement to him and -- two other detectives, sir?

D/SGT. RIZZITELLI: Yes. Detective Timothy Cochran and Detective Frank Laurie (ph.).

MR. BUCHER: Okay.

MR. ROCKEFELLER: All right. And then that's when I gave my statement to them and --

UNIDENTIFIED SPEAKER: Speak up a little bit, please.

MR. BUCHER: Do you want --

MR. ROCKEFELLER: I'm sorry.

MR. BUCHER: Do you want to take a break?

UNIDENTIFIED SPEAKER: Do you want to take a break?

You're just going down a little bit. I'm afraid we can't --

MR. ROCKEFELLER: I'm sorry.

UNIDENTIFIED SPEAKER: That's okay. It's all right.
MR. ROCKEFELLER: It's just --

UNIDENTIFIED SPEAKER: If you want to take a break, that's fine. I just want to get the volume up a little.

MR. BUCHER: Yeah, I think we ought to take a break. I really do.

UNIDENTIFIED SPEAKER: Okay, let's do.

MR. ROCKEFELLER: Okay, thank you.

MR. BUCHER: Let's take 10 minutes.

UNIDENTIFIED SPEAKER: That's good.

(Off the record.)

(On the record.)

MR. BUCHER: Okay. This is Dave Bucher and we're back from our break.

BY MR. BUCHER:

Q. And, Mr. Rockefeller, if you could try to pick up where you were before?

A. I'm trying to remember where I was before.

Q. Well, you were -- I think you were talking about --

A. I think I was giving my statement?

Q. Statement to one of the MTA policemen.

A. Okay. I gave my statement to the MTA police detectives, and then after I finished giving my statement, you know, they asked me some questions to clarify to make sure that, you know, I was trying to be clear, as clear as I could be after a situation.

And, oh, Detective Cochran (ph.) asked me about my cell
phone, and he asked me if it would be a problem if I gave it to him for evidence, and I remember he had the evidence bag in front of him, and I told him, "No problem." And I had just, you know, made sure it was off and gave it to him, and I told him it was no problem because I had nothing to hide with it.

And then I think I was just awaiting a -- from my blood pressure -- or, yeah, blood pressure to go down or heart rate to go down. It was heart rate. They held me there for quite a while to get my heart rate down because they said my heart rate never went under -- I think at the very end, my heart rate was probably at 117, and they wanted to see it under that. They wanted to see like under 100. So I had a long wait in there to at least convince -- oh, the surgeons had come down. Since I couldn't get my heart rate down, surgeons came down, two surgeons came down, checked it out to make sure there wasn't any blood pooling or bleeding in there, and they were afraid that I was going to bleed out in the middle of the night. So they checked me out and then they -- with their medical opinion, they said that, you know, I was to have another bag of an IV. I believe I went through two bags of IV, and then they were monitoring my heart rate.

And then with their okay, that's when they finally released me, and it was a few -- I don't even remember when I finally got released out of there. I had a ride and that's when that ride person gave me the ride and brought me part of the way home to where I met up with my wife, and then my wife gave me the
ride the rest of the way home. And then I just, you know -- I
don't know how much further you want me to go to. Once I reached
home, I mean, when I first seen my wife, I just hugged my wife
and, you know, had a thankful moment that, you know, we're still
together, and then the tragedy of knowing that other people didn't
make it from that, I --

Q. Okay. You want to take a minute?
A. No. I'm good.

Q. Okay.
A. You know, we just said -- you know, she drove me home
and, you know, we just held hands and didn't really say much. And
then when we got home, just, you know, kind of hugged each other
and just kind of cuddled together and that's pretty much the end
of the day.

Q. Well, thank you. Thank you.
A. Thank you for giving me this opportunity, sir.

Q. What we'll do is, like I explained, we'll go around the
table with some questions.
A. Okay.

Q. I'll start with a couple, just a little bit about the
train trip. When you left, the equipment operated normally? I
guess my question is --

A. Yeah, I seen --

Q. -- were there any issues with the equipment?

A. I mean, I didn't seem to take any exceptions. It felt
Q. Okay. Okay. And the brakes operated -- you know, there was -- when you did your applications and releases going down the line, everything operated normally? You didn't feel anything unusual, I guess, is where we're going?

A. Yeah. Like I said, it wasn't -- it didn't feel unusual to me. I didn't take any exceptions at those points.

Q. Okay. Okay, and to the best of your memory, all the signal indications were normal like you would see on an average run? There was nothing unusual? I'm looking -- I'm trying to clarify that it was a normal run that day and, you know, that all of the signals were what they would normally be on an average day.

A. Signals as far as -- I'm just trying to understand.

Outside and inside the cab?

Q. Outside, yeah, and even inside.

A. Okay. The signals seemed to be no exception.

Q. Okay, great. Were there a lot -- was it a big passenger day for a Sunday or -- I know you mentioned that Sundays tended to be lighter. Number of passenger-wise, did you notice, I mean --

A. No.

Q. -- just to get an idea of the number of people on the train.

A. If I was to speculate, you know, because I always watch the platforms and notice the people because I try to be conductor friendly and spot it as per -- you know, that it evens it out so
I'm not loading up any one person.

Q. Um-hum.

A. And I think it seemed to be probably a total of around 100, it seemed like. I'm not -- that would be my --

Q. Okay. I'm just trying to get a feel for, you know, the number of people on the train. Okay, great.

A. Because periodically at a stop, I'll get up and I'll look through the barrel door and I'll see the front end is heavier than the back and --

Q. Okay, okay. And the majority of your -- it was dark for most of the run, I guess?

A. For most of the trip, yes.

Q. And then it started to get lighter as you got closer?

A. Then it started to get a little bit lighter as you get closer.

Q. Great. And you didn't have any -- I guess were there any visibility issues weather-wise? Was it clear? I mean, you didn't notice anything that would have --

A. It was -- I mean, it was clear for night to dark -- or, I'm sorry, dark to light, or lighter, I should say. Not that it was totally light, but it was lighter. You know, instead of black, it's gray now.

Q. Right. And I guess what -- there was no -- nothing to inhibit your visibility, I guess, is what I'm going towards here.

A. No, I -- no. The visibility seemed like it was clear
and I was --

Q. Okay.

A. -- just focused on in front.

MR. BUCHER: Okay. All right. I'm going to pass off to Kirk.

MR. THOMAS: Kirk Thomas. No questions right now.

MR. SCIORTINO: Mike Sciortino. No questions at this time.

BY MR. FERRARA:

Q. Rich Ferrara. Do you -- you said the assistant conductor, then, was on the head end with you at the time of the incident, or no? Maria?

A. What do you mean on the head end?

Q. Was she in the cab?

A. On the head car or --

Q. In the cab. In the cab with you at the time of the incident.

A. No, she wasn't.

Q. No. And at no time -- was there any time prior to that that she had come in the cab after your last stop after Tarrytown?

A. No.

Q. No?

A. No.

Q. So you were all alone for that whole section of the trip?
A. That whole section, yes.

MR. FERRARA: Okay. I'm done for now, yeah.

MR. POTTHAST: John Potthast.

BY MR. POTTHAST:

Q. Mr. Rockefeller, how long were on that morning job?

A. The jobs took place -- the job switches took place November 17th, which I could not work. I'd been on it since -- excuse me -- November 18th was my first day on it, and my days of rest were Thursday/Friday, and I did not work any off days in between on those Thursday/Fridays. It was just only job days on that job.

Q. And prior to that morning job, what type of job did you work?

A. I always worked nights, Type 2 jobs. I --

Q. Do you recollect how long you had been on nights prior to the 18th?

A. I was on nights for probably 2, 2½ years. I was -- I would -- most of my night jobs started either 5, 6:00 at night and went to anywheres from 2:30 to 4:30 or 4:25 in the morning, and I've always been on those type jobs for like 2½ years.

Your question about how long -- did you have a question of how long since on this --

Q. Yeah, just how far back had you been on a night job? I think you answered it.

A. Okay.
Q. Did you answer it, give me the time?
A. Yes.

Q. Two and a half years?
A. Two and a half -- yeah, 2, 2½ years being on Type 2 night jobs and finishing up at 4:25 or right around there, you know. Because some of these jobs, they're not just straight jobs. They're -- you start -- you got to look at your watch. Today's Tuesday, so it's different than it was Monday. You have a report time of -- well, let me give you an example. The job that I was on since June to November 16th would have been my last day on that, every Monday, Thursday and Friday I started at 5:14 p.m., and then I worked until 0229 a.m.; and then on Saturdays I worked 3 p.m., 1500 hours, to 1:13 a.m.; and then Sunday was 1500 hours to 1:15 a.m.

Q. Um-hum.
A. And that job was Tuesday/Wednesday off.
Q. Okay.
A. And that's what I was doing from, I believe, June.
Q. Okay. For the previous two years?
A. For -- well, this was the -- not being able -- holding similar jobs to that, but that's what I was doing from June until this job here.
Q. The change from nights to days, was that a choice?
A. Not really. We have to pick and we go through a pick every 6 months, and a lot of different people that don't normally
work nights came to nights. It would either push me back to a job that every morning I would be getting done at -- I think it finished around 4-something. I believe it did, and that's why I didn't -- it was a much later job for more of the days out of the week. So since I couldn't hold the other night jobs that have been in that realm, I took this job. So I -- did I have a choice? No. I wished I could have stayed on the job that I was on.

MR. POTTHAST: Okay. No further questions.

D/SGT. RIZZITELLI: Detective Sergeant John Rizzitelli.

No questions.

DET. SMITH: Detective Smith.

BY DET. SMITH:

Q. I basically just have one question, just so if you could clarify. Tarrytown is the stop just prior to as you're coming south, right?

A. Prior to where?

Q. To the incident location.

A. No. Well, that was the last stop on the schedule.

Q. Right. That's what I'm saying.

A. It was the -- because the prior stop -- the last station would be Riverdale. So the last stop that I made was --

Q. Was Tarrytown, right?

A. -- Tarrytown. Correct.

Q. Okay. And then there's a permanent speed restriction, then a temporary speed restriction after that, correct, that you
A. There's a permanent speed restriction at -- yes, after Tarrytown.

Q. Right.

A. Yes, you're correct. And then it was a temporary after Tarrytown, right.

Q. So in your experience, because I don't know, about how far is it from those speed restrictions to the incident location where the derailment happened?

A. I was -- I'm trying to think. What's that, 15.-- something to 12 -- 3 miles approximately; 2½, 3 miles, somewheres in there.

Q. In those 3 miles, do you at all recall when you went through this, like, phase where you were dazed? Do you remember when that happened? Because obviously you adhere to the speed restrictions, the temporary and a permanent.

A. Right.

Q. Do you remember when you went into that stage that you said that you got like a daze?

A. You know, I remember seeing in a distance. You know, I guess I really can't -- I'm really not sure about when. You know, I remember seeing, you know, the old code point for, you know, Riverdale -- or by Riverdale and that, that we don't use the code points and that. I can't give an exact location where I felt that.
Q. Okay, all right. Thank you.

MR. NARVELL: Is that all?

DET. SMITH: That's all. No further questions.

MR. NARVELL: This is Rick Narvell with the NTSB.

BY MR. NARVELL:

Q. Mr. Rockefeller, as we discussed prior to our beginning here this afternoon, I'll come back for some background kind of questions here when we're done this initial round.

A. Okay.

Q. And then, of course, when we're completely done, we'll get with FRA on some, for lack of a better term, like some fatigue-oriented type questions. Okay? So, but I do have a couple questions based on what we -- what you've said here today.

When you got up and left the house about 0410, and you went 43 minutes, right?

A. Yeah.

Q. A 43-minute ride?

A. Correct.

Q. Is that a standard --

A. That's standard for me.

Q. Okay, all right. How did you feel? Did you feel physically fine when you got up that day? Did you have any stomach ache -- I'm just throwing out examples. Did your head ache? Any physical or mental ailments --

A. No.
Q. -- headache?
A. No.
Q. Okay. So you felt okay. All right.
A. Yes.
Q. Back to this -- you mentioned the going into or entering into this, like a daze type -- do you recall your speed? What was your speed there; do you remember?
A. No, I don't recall exactly at that point. Like I -- you know, I believe I was doing, you know, like 62 through the temporary, you know, coming out of the temporary, and I was still picking up speed to get it up to speed.
Q. Okay.
A. And I don't remember the following after that speed.
Q. Okay.
A. I don't remember.
Q. So again, I --
A. Because it takes -- I'm sorry.
Q. Oh, yeah, go ahead.
A. It takes quite a while for a diesel to start picking up with the traction motor and the speed.
Q. Okay. And I -- this may have been asked and answered here, and forgive me, I'm not familiar with the territory out there.
A. (Coughing.) Sorry.
Q. You okay?
UNIDENTIFIED SPEAKER: Drink your water.

BY MR. NARVELL:

Q. So your last station was -- prior to the incident was Tarrytown? Is that --

A. Correct.

Q. -- what I just heard? And that's about 3 miles, roughly?

A. No, no.

Q. No?

A. Not that one. It was --

MR. SCIORTINO: Fourteen.

MR. NARVELL: I'm sorry?

MR. SCIORTINO: This is Mike Sciortino, General Road Foreman. It's approximately 14 miles.

BY MR. NARVELL:

Q. Fourteen miles. So what would have been your last station? Let me rephrase. What was your last station that you stopped and collected passengers, whatever, and then moved up till the incident? How many miles was that?

A. I was about 14 miles --

Q. So that is, that is the last station?

A. That's 12 to -- yeah --

Q. Okay, okay.

A. -- to 25, 12 to 25.

Q. So it's about 14 miles from your (indiscernible) --
A. (Coughing.) Right.

Q. -- until the incident. Okay. And how long have you operated in this territory? How many -- just ballpark. Months, years.

A. Years. This territory, probably minus, say, 10 -- probably like a solid 7 years, probably solidly.

Q. Okay. So you know this area very well, then?

A. Probably 7 years solidly, because I spent some time over in New Haven, a lot of time over in New -- for the first 3 years.

Q. Okay.

A. And then just periodically I would go over there.

Q. Okay.

A. And then I spent some time on the Harlem Line. Then periodically, I -- but, yeah, the main line was -- is the --

Q. So you've got some pretty extensive time over this stretch of railroad?

A. Correct.

Q. Okay.

A. Correct.

Q. Just a couple more for now on the -- your -- those conditions you've described. Can you recall, okay, for lack of a better term, you know, entering into or slipping into or where it was something's not right, where I'm kind of not paying attention or in this daze? Can you recall anything about that? Was it quick? Was it slow? Was it -- or do you know?
A. I'm not really sure what you're asking, sir.
Q. Okay, fair enough. So you're going along, you're coming down the railroad track, and at some point you mentioned going or entering into this daze phase or state; is that right? Can you recall any details surrounding that? What were you doing or --
A. When I was entering? I don't --
Q. It just happened?
A. It -- yeah.
Q. Okay. I don't want to put words in your mouth. I'm just trying to, I'm trying to understand surrounding that.
A. I don't know when I entered the state.
Q. Okay, all right. And were you aware that you were in a curve?
A. I -- when? When --
Q. When you were operating your train, when you were going down the track when you were in this state, were you aware that, hey, there's a curve here, or do we know?
A. When I -- I'm really trying to -- when I was in this state --
Q. Yes. Did you -- were you cognizant enough to know that you were in a curve?
A. Apparently not.
Q. Okay. That's fine. I'm just trying to understand, you know, this daze.
A. Right.
Q. Okay. All right. And then right before that, again, I asked you a moment ago, did you feel okay? Did you feel physically fine?

A. Physically I was fine.

Q. Okay.

A. You know, just any other normal day. No ailments, no, you know --

Q. All right. Were you up manipulating any of the controls: throttle, brake, horn, anything that you can recall, any other controls that you were fooling with or manipulating?

A. During my trip, yeah. You know, blowing a horn for the station --

Q. Okay.

A. -- because, you know, there were people on the platform, and plus it was after 6, so --

Q. Okay. And you also mentioned that earlier that morning you had a coffee and a roll, correct?

A. Correct.

Q. Did you ingest any other -- have any other food or drink from after that up to the time of the incident?

A. No.

Q. So it was just a coffee and a roll?

A. Just coffee and a roll. That's it. A buttered roll and a coffee. That was sort of my MO every morning.

MR. NARVELL: Okay, okay. Good. Okay. That's all I
have for right now, and we'll go around and we'll come back after that.

MR. PARKIN: Bruce Parkin, FRA.

BY MR. PARKIN:

Q. Mr. Rockefeller, can we just talk about your craft? What did you do before you were an engineer on the railroad?

A. I was fire safety director for Grand Central Terminal from January 1st -- or, I'm sorry -- January 31st, 2001 to -- it would have been my last day in that office at May 26th -- let me think for a minute. I used to tease myself and practice and try to remember dates. It would be 05/26/03 was my last day. I used to try and remember dates for different positions.

Q. And so when you started your career on the railroad, is that the position you started in?

A. No, it was not.

Q. Kind of go over your railroad history, where you started and what craft and, you know, the next crafts that you covered until you became a locomotive engineer.

A. Okay. I was hired, I believe, October 25, '99. I was a custodian out of Grand Central. I was an "E" cleaner, so I was strictly nights. I worked -- what was it -- my shift was 11 to 7, 11 p.m. to 7 a.m. Excuse me. I want to say I did that for approximately 15 months, I guess it would have been, and then I started as the fire safety director in Grand Central, and that was my -- the shifts were 8-hour days, but since it was tough on a lot
of us living upstate, we had switched it to four 12-hour days. So we would do 12 hours in the office and 4 days on/4 days off, like the fire department does, a typical schedule like that.

Q. Then from the director of fire safety, then from that position you went into --
A. Engineer school.

Q. -- locomotive engineer school? Okay. And the year you entered that was?

Q. As the fire safety director, was that a -- did you hold that position as a craft position or was that a management position?
A. That was management.

Q. That was management. Okay. So we'll go back to the date of the incident. When you reported for work, you did your job briefing, and when you went out to the equipment, was the equipment already pre-tested with the air brakes and cab signals?
A. I can only go by what's on the slip, as long as the slips are updated.

Q. Okay. So when you looked at the slips --
A. They were updated and I signed the proper slip, the MEA.

Q. Okay. So it had already had the Class 1 brake test?
A. Already had it done.

Q. And the cab signal tests were already done?
A. That's why I signed it.
Q. Did you take any exception to the paperwork there?
A. There were no exceptions to the paperwork.
Q. Okay. Now, you stated that you also performed the
Class 3, the application and release test, between yourself and
the conductor?
A. That's correct.
Q. Okay. Did you take any exception during that test, that
one?
A. No exceptions.
Q. Okay. Now, you -- after you did that, you said you
proceeded to the station from the yard. Okay.
A. After I -- what was your question? After I finished --
Q. Okay.
A. -- which now? Just the brake tests or everything
involving the brake tests or everything involving pre-trip?
Q. Did you do anything, any other pre-departure tests after
you did your application and release with the conductor?
A. Yes. I did my leakage.
Q. You did your leakage test. Okay.
A. Yes.
Q. And did you take any exception to that?
A. No.
Q. Okay. When you took -- when you did all your required
tests, the conductor and you then conferred and he told you to
proceed into the -- from the yard into the station? Is that what
happened?

A. To move ahead. Correct.

Q. Move ahead. And at that point do you get anybody's permission to do that, or just the conductor gets the permission from a yardmaster or an RTC? Can you tell us how that took place?

A. Well, we covered earlier was that my conductor, before we left the sign-in room, he had called mechanical to make sure they were clear and we had proper clearance to move the equipment, and also we had -- he had also got approval from RTC to move the equipment up and leave at proper leaving time, and then I received my signal from -- for him to go, to -- but we already had approval.

Q. Okay.

A. So now it was up to him to get back on the equipment safely and give me the proper signals to move it up.

Q. And how did he give you the signal to go? Was it by radio or communication buzzer?

A. I think it was both. I believe it was both. I remember the two, and then I think he also said on the radio, "Okay, move it up."

Q. Okay. Approximately how far is the distance from the point where he told you okay to move it up to the station?

A. Let's see. It's hard to -- it's not that big of a distance. It's like -- just I don't know how many feet it would be. Maybe 200 feet to get to the station?
MR. POTTHAST: John Potthast, ACRE 9. I would say it's about -- would you agree, it's about two train lengths?

MR. ROCKEFELLER: To -- right.

MR. POTTHAST: About right?

MR. ROCKEFELLER: It'll be two train lengths to get it to the spot on the platform, but one train length to get there. Yeah, I wouldn't even say it's a full train length, but, yeah, it's probably close to it to get it to the station.

BY MR. PARKIN:

Q. And just so we're all aware, and what's the speed that you go from the time -- that distance? Is there a restriction; 5 miles an hour, 10 miles an hour? Just so --

A. That's a controlled siding track. Metro-North territory is 30 miles an hour on controlled sidings.

Q. Okay. Approximately how fast did you go, then, leaving that point till you came to the station?

A. I think I was only doing maybe 10.

Q. Okay.

A. I was just creeping into the station.

Q. Okay. And you said --

A. Because I'm also looking out for -- because there's equipment on 5, and my big concern is mechanical personnel or coach cleaners not looking and going across the apron and cutting in front. So I always blow the horn twice and I always creep out of there. And it's no need to try and throttle it up and go --
you couldn't physically get up to 30 miles an hour if you wanted to. But I like to creep through there because, number one, you don't know who's going to walk through there. So I was just creeping into the station just to spot it. And actually my focus was on the people, because a lot of times they stand too close to the edge of the platform and it's just one of my concerns, so I'm watching the people as well and making sure that they're not too close to the platform so I can stop it.

Q. Okay. And was that during that time you stated you performed your running brake test?

A. Correct.

Q. Okay. Did you take any exception to that?

A. No.

Q. Okay. Now, were you -- when you reported for work that morning, were you fully rested? Let me rephrase this. Were you rested according to the hours of service to come in and perform your duties?

A. Correct.

Q. Okay. While you're making your trip during that day, you know, you went into great detail about it, did you -- that condition you expressed that you had, that dazed condition, did you experience that at all at any time during the trip or any lightheadedness or fluttering or anything that --

A. No.

Q. Okay. Now, you stated that -- well, just prior to the

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incident going into the curve, did you experience the train
derail? Did you feel it physically derail?
A. At what point?
Q. At any point.
A. I'm still trying to figure out your question. Could you
just repeat that, please?
Q. Sure. At any time -- I'll just make it more general.
At any time did you feel the train derail?
A. Yes.
Q. Okay. And can you just describe what you may have
heard, what you may have saw, what -- anything you experienced
that would -- that was a little -- that was unusual and indicated
that we're derailing, that --
A. Okay. Now, your question is -- I'm trying to figure out
where your question is starting. Is this starting when I snapped
out of a daze or after that? I don't know where your question is
-- where your timeline is.
Q. Okay. I would really prefer that you answer that as to
at what point you noticed that you were derailing. Was it before
you felt dazed? After you felt dazed? I want -- prefer that you
describe it --
A. Okay.
Q. -- rather than me try to ask any specific questions --
A. Okay.
Q. -- to what happened.
Q. Okay. Did you -- at some point you stated that you felt yourself kind of snap out of it.
A. Um-hum, and that was before the derail, before I felt the derail or anything. That was before.
Q. Okay. So you were not dazed when you derailed. You kind of snapped out of it and then you were visually seeing yourself come -- in this derailment?
A. I believe so.
Q. Okay. I really don't want to put any kind of words in your mouth.
A. Right.
Q. It's best if you describe, and if you prefer not to, we can really just move on. It's just --
A. I just don't know how to describe it.
Q. Okay.
A. I don't know how to -- I don't know how many different ways I can answer the -- at any point -- I don't mean to be rude. I just don't know. I just don't understand how I can answer it any different. I mean, if I could, I truly would.
Q. Okay. That's good. When you did turn your phone on --
A. Um-hum.
Q. -- you said you called your local chairman, Michael Doyle.
A. Correct.
Q. Can you describe to us what that conversation might have entailed or what you asked him?
A. I just left a message, letting him know what has happened.
Q. Oh, okay.
A. That was it.
Q. You just left a message. Okay, good.
A. I just -- yes.
Q. After you did that, did you call anyone else?
A. I called John just to let him know what happened --
Q. Did you --
A. -- and I just said this is what happened and this is where I am and, you know, just letting you know. And that was the end of the conversation.
Q. So you did speak with him?
A. I spoke with him and I just let him know. My thing was -- what I said was, John, I've been in a derailment at this place and this is where it is, and that's it. I didn't give him any detail. I didn't -- I just kept it short and sweet because I wanted to get back onto the train and I didn't want to leave Maria to begin with, but I -- just probably out of a force of habit, getting off the equipment to use the phone is probably what it was, was just a force of habit of stepping off the equipment to make the phone call.
Q. Did you ask Mr. Potthast for any advice?
A. No.

Q. No.

A. No. I just stated where I was, what happened, and that's it.

Q. Okay. Approximately the length of the phone call, then, was?

A. A minute, if that.

MR. PARKIN: Okay.

MR. THOMAS: Kirk Thomas. Just for the record, Mr. Doyle is the General Chairman of Local 9.

MR. PARKIN: Oh, I'm sorry.

MR. THOMAS: Mr. Potthast is the Vice General Chairman, also local chairman.

MR. PARKIN: Okay. Thank you. Sorry for those mistakes.

MR. THOMAS: No, that's --

MR. PARKIN: Hang on one second here. Would you like to take a break at this point? Why don't we take a short recess and --

MR. BUCHER: Take a 10-minute break.

(Off the record.)

(On the record.)

MR. BUCHER: Okay. This is Dave Bucher. We're back. Bruce Parkin still has a question or two yet.

MR. PARKIN: Yes.
Q. Mr. Rockefeller, just one question that I'd like to ask you, is --

MR. BUCHER: Is that on?

MR. NARVELL: Yeah. We'll do it real quick --

MR. BUCHER: Yeah.

MR. NARVELL: -- because I've got a low battery, and then I'll change it out. Go ahead.

UNIDENTIFIED SPEAKER: Do you want to change it now, because both of you guys --

MR. BUCHER: Let's stop and change it.

MR. NARVELL: Yeah.

UNIDENTIFIED SPEAKER: Yeah.

(Off the record.)

(On the record.)

MR. BUCHER: Okay. We're back. Bruce, Bruce Parkin, has one or two additional questions.

MR. PARKIN: Bruce Parkin, FRA.

BY MR. PARKIN:

Q. Mr. Rockefeller, as you described, Tarrytown was your last stop prior to the incident occurring. Leaving Tarrytown, was there anyone on the head end of the train in the cab with you?

A. Like I answered Rich Ferrara's question, there was nobody on the head end.

Q. Okay, I -- okay. No one at all? Because I believe Rich
asked you about Maria, the assistant conductor.

A. Oh --

Q. He asked about Maria.

A. -- I'm sorry. You're clarifying.

Q. Yeah.

A. I'm sorry. No one at all.

Q. No one at all. Okay.

A. Just me.

MR. PARKIN: Okay, thank you. That's the only question I have.

MR. BUCHER: Okay, and this is Dave Bucher.

BY MR. BUCHER:

Q. And that was kind of my question. Did anybody come up in the control cab at all during the trip that you remember?

A. Absolutely not.

MR. BUCHER: Okay. That was my question, Bruce.

I'm going to pass off to --

MR. THOMAS: This is Kirk Thomas. Just one quick question.

BY MR. THOMAS:

Q. When the -- after the incident when the train came to a stop, you were shaken up, and once you recovered yourself, what was your actions right after that?

A. Well, I wanted to do the right thing and do the "emergency, emergency, emergency," what we're taught, because that
also protects other trains that are coming and going. And after I
found out that -- after I did that and I saw that the radio was
off, it was kind of a moot point to me. I wanted to open up that
barrel door and I wanted to see how the passengers were doing. I
wanted to see what condition my train was. I wanted to see people
in general. You know, I come from a fire department background
and rescue background. I just -- general welfare of everybody.
And once I was able to ascertain the situation and try to wrap my
head around this situation, which I still can't do, but, you know,
at the time I was trying to just make sure that everybody was okay
as the best they can after a tragedy like that, or I don't even
know what to call it at that point.

Then I -- that's when I made my rounds and I, you know,
at first dealt with Maria and made sure she was stable and talked
with her and found out her condition, and then I walked throughout
the car the best I could and just to make sure that everybody was
in a situation where -- the best situation that they could be in
until the rescuers got to them. You know, I wanted to make sure
that everybody was upright or breathing or if somebody wasn't with
their head down and blocked their airway. You know, just
different things like that. I wanted to make sure that people
were coherent, like that lady who wasn't moving, but she was in
the best possible spot, straight out in the aisle and laying flat.

And then -- and actually I -- it was when the MTA police
actually, you know, told me I got to get off the train, this and
that, and that's when I stepped off the train, because I was following their orders, and that's when I made -- turned on my phone and made the phone call. And then it's like, you know, after I made the phone call and I'm like, you know -- no offense, but I'm like -- police and firemen always go at it. So the fire in me -- fireman in me said, the heck with this, I'm going back on and I'm going to stay with my trainman. So that's -- did I answer? I'm sorry.

Q. No, you answered my question.

Last question, real quick. You did get a radio from the trainman?

A. From the assistant conductor.

Q. From the assistant conductor?

A. Correct.

Q. Okay.

A. Yes. And then that's when I found out that my conductor, Mike Hermann, was already in charge of the situation and already had done what he was supposed to do and giving RTC pertinent information. So I monitored and I tried not to step on anybody.

MR. THOMAS: Thank you. I'm done.

MR. SCIORTINO: Mike Sciortino, General Road Foreman of Engines for Metro-North.

BY MR. SCIORTINO:

Q. After departing Tarrytown station, what was your cab
signal indication?
A. (Coughing.) Excuse me. That was a normal cab.
Q. Okay. Did it remain normal cab the entire time or did you get any downgrades from Tarrytown to the point of incident?
Sight indications above or
A. A fair amount of them.
Q. To the best --
A. Yes.
A. Maybe not all of them.

Q. All right. So, now take us to the point where you're -- you know, you just passed Riverdale and you, you know, come to CP-12. At that point do you recall seeing the 2-S signal at CP-12?

A. I would say like way in the distance. I would say I was -- that it was there, blinking.

Q. I mean, in your mind do you recall? Do you recall seeing it clear?

A. In my mind, I recall it.

Q. You do? Can you please tell us what it showed, what indication?

A. It showed a proceed cab, which was green.

Q. I'm sorry, sir?

A. Which is a green flashing, proceed cab.

Q. So after -- so now you're traversing through CP-12. Can you tell us -- you know, you're lined straight Track 2; is that correct?

A. Correct.

Q. Can you take us from there, while going through the interlocking? What do you recall going through the interlocking, from the point you passed the signal to after that?

A. I can't. Like I said earlier to Rick was I don't remember -- you know, it was like a dazed state and I don't remember specifically going through it.
Q. Would you say that the last thing you remembered was seeing the signal at CP-12? Would that be the last thing you saw --

A. I would say from a distance, focus, maybe the last thing I remember --

MR. BUCHER: Can we take a break?

(Off the record.)

(On the record.)

MR. BUCHER: Let's go back on. We're back.

MR. SCIORTINO: Mike Sciortino, General Road Foreman of Engines for Metro-North.

BY MR. SCIORTINO:

Q. I just clarified earlier. If I'm mistaken, did you say, you know, at some point you snapped out of it?

A. I felt a condition and -- a strange condition and I snapped out of, snapped out of it.

Q. To your recollection, do you know what caused you to snap out of it possibly?

A. I believe, like I said before, it felt funny and I -- the train felt funny and I throttled off and hit the brake as soon as I could and threw it in emergency as soon as I -- as soon as it felt funny to me. And I believe that's what I stated before.

MR. SCIORTINO: No more questions. No questions. I apologize.

UNIDENTIFIED SPEAKER: That's okay.
UNIDENTIFIED SPEAKER: No questions.

MR. POTTHAST: John Potthast, ACRE 9. I have one question.

BY MR. POTTHAST:

Q. Mr. Rockefeller, could you answer to the best of your knowledge and experience, is that type of equipment, Bombardier coaches being pushed or pulled by a Genesis engine, is the acceleration rate higher as the speed --

A. Oh, God.

Q. -- is greater?

A. I'm sorry. Are you done?

Q. Did you hear the question?

UNIDENTIFIED SPEAKER: Do you want to repeat it, please?

MR. ROCKEFELLER: Yeah. I'm sorry. Because some parts go through my mind about the acceleration.

BY MR. POTTHAST:

Q. With that type of equipment, Bombardier coaches pushed or pulled by a Genesis engine, is it your experience that the acceleration of that equipment, it accelerates quicker at higher speeds than at lower speeds?

A. Oh, yes, yes. You know, it takes forever to get up to 70 miles an hour, but once it get to 70 miles an hour, it just about -- I think every engineer with the Genesis engine has experienced -- you're at, say, 68 and -- you're at 68 miles an hour and you're waiting to get to 70, and you look down at your
schedule to see what your next stop is or you're checking, doing
your time check or, you know, could be doing a milepost check, at
70, it just -- it's almost like a turbo that kicks in and it's
almost instant with those things where the rate of speed increases
so fast from 70 to up above. It just -- it's -- 70 to 80 is like
that; 70 to 90 was like that. But to get it to 70 took forever.
Q. One follow-up question based on your comment. Do you --
do we -- is there territory that has speeds in excess of 80 miles
an hour on the Hudson division?
A. There used to be. There were speeds of excess of 90
until it was changed.

MR. POTTHAST: I have no further questions. Thank you.
D/SGT. RIZZITELLI: Detective Sergeant John Rizzitelli.

No questions.

DET. SMITH: Detective Smith. One quick question.

BY DET. SMITH:

Q. Any medication that you were on that day or just prior
to that?
A. No, sir.

DET. SMITH: Okay. Thank you very much.

MR. NARVELL: Okay.

MR. ROCKEFELLER: I'm sorry. I take omeprazole, which
is just heartburn. It's like Prilosec.

DET. SMITH: Okay. Thank you.

MR. ROCKEFELLER: Yeah. And then --
MR. NARVELL: Well, this is -- I'm sorry. You all done,
Detective?

DET. SMITH: I'm all done.

MR. NARVELL: Okay.

BY MR. NARVELL:

Q. This is timely, because, as we talked about this
afternoon before we got started here, we're going to kind of shift
gears a little bit to what I'll call some kind of background
questions, and the final thing will be the -- what I'll call the
fatigue-type related questions. So medications will be one of
these that we'll get to in a minute. Okay? And we'll get that
information.

Mr. Rockefeller, in the last, I'll say, 6 months to a
year and then up to and including the day of the incident, has
there been anything in your life that might have been a basis for
distraction or preoccupation? And let me run a couple of examples
of that by you that I've seen in this job, okay? These are just
examples.

For example, you know, perhaps somebody had recent or a
couple months before medical news, financial news, a death in the
family, something from a doctor. Anything at all that may have
been the basis for distraction or preoccupation?

A. No, sir.

Q. Up to and including when you marked up?

A. Up to when --
Q. Is that true?
A. Up to and when I marked up?
Q. When you went on duty. I'm sorry.
A. Oh, okay. Because I was thinking marked up.
Q. That's fine.
A. Okay.
Q. Until you went on duty. Anything?
A. No. No, sir.
Q. All right. Great. Let's go to the medical here. How would you characterize your health?
A. Excellent. I don't usually go to the doctors unless the wife drags me there to get a check-up.
Q. Okay. You must have been looking at my notes during a break. When was your last physical?
A. Oh.
Q. Prior to Sunday.
A. Was it last year or the year before? I think the year before. Actually, my wife would have that exact date because she always makes the appointments and makes me go.
Q. Okay.
A. So it's within a year and a half, I would say.
Q. So would that have been sometime in '11, 2011?
Q. Okay. All right. And was this for railroad purposes or was this a personal physician?
A. Oh, personal physician just for a check-up. She's always making sure I get checked up.

Q. And did the doc take any exception to your health or note anything?

A. No, you know, just low testosterone and --

Q. Okay. Any other ailments or major conditions?

A. Just -- not major. Just my thyroid just acts a little slow, I believe.

Q. Okay, all right. And, of course, per the FRA regulations, you have to have your physical -- you know, hearing and vision every 3 years.

A. Correct.

Q. When was your last certification, most recent certification? Do you remember?

A. Let me see. Must have been sometime in '11.

Q. In '11?

A. 2011, because '12, '13, '14. I believe I'm due in -- 2014 I'm due.

Q. Next year? Okay.

A. Yeah, next year.

Q. Well, I'm sorry. Let me double back here on the thyroid. Was that something that medication was prescribed for or --

A. Yeah, levothyroxine. I can't pronounce it, but it was checked out that it was not to bother. It just -- it speeds up my
thyroid for --

MR. POTTHAST: John Potthast. Can I give this to Mr. Rockefeller? This is the listing of his two --

MR. ROCKEFELLER: Oh.

MR. POTTHAST: -- medications.

MR. ROCKEFELLER: The two.

MR. NARVELL: By all means.

MR. POTTHAST: Which I got from his wife.

MR. ROCKEFELLER: Thank you.

UNIDENTIFIED SPEAKER: You might want to read it.

MR. ROCKEFELLER: Yeah. Levothyroxine? Can somebody else do better?

BY MR. NARVELL:

Q. Let me jot this down in a little bit and I'll give it back to you. Okay. And how long have you been on these, Mr. Rockefeller? Roughly.

A. I really don't -- probably maybe a day or two, because I had a big break and I don't always remember to take it when I should. I was supposed to take it, and it was issued to me or prescribed to me to take probably last year.

Q. Okay.

A. And, you know, I'll take it for a little bit and then I forget and --

Q. Did you take either one of these the day of the incident?
A. I think the only thing I took was the --

Q. The "O" or the "I"?

A. The "I", I believe. That makes it easier.

Q. And is that something that's -- that you took that day?

Do you know what time you took it, what time of day?

A. Yeah. It would have been as soon as I got up.

Q. Okay.

A. Because they want you to take that at least 15 minutes before you can eat.

Q. Okay. But the "O" one, you didn't take that day?

A. No. I took it the night before. I believe I -- I believe I took it when I went to bed. That's usually when I do it, because if you're lying horizontal, that's when you get the ochner (ph.). Your esophagus opens up and you get the ochner.

Q. And just to wrap up on this, Mr. Rockefeller, this is -- these two -- I think I heard you say, and I want to clarify, you don't take them every day?

A. The -- no. No, I haven't. And the omeprazole was actually designed to take 14 days and then take 14 days off. It's just like Prilosec. You're not supposed to take Prilosec every day.

Q. Okay. So are these the only two prescription drugs?

A. Those are the only two.

Q. Okay. I'll (indiscernible) --

A. I don't even like to take aspirin.
Q. Okay.
A. Usually she's trying to push when I'm complaining about a headache, and I don't even want to take aspirin.
Q. I understand. Let's do one more here. This omeprazole -- and we'll get the spelling. We have our doc here. But did you take it that morning?
A. No. I believe I took it that night. I think I -- I believe I took it at -- that's when I've been trying to take it, is at night.
Q. Did you take it the night before?
A. Yeah. That's what I mean. I took it like the night before.
Q. Okay. And then is this a pill or is this --
A. It's a pill.
Q. Okay. Do you know how many milligrams, the dosage?
A. I do not.
Q. If you don't know, that's fine.
A. Wait a minute. Is it on there?
MR. NARVELL: Oh.
MS. McKay: Here.
BY MR. NARVELL:
Q. Never mind. Okay. So that's the "O" one. Okay. Any other medications?
A. No.
Q. Okay.
A. No. I don't --
Q. So just these two?
A. -- even like to take cough medicine.
Q. Okay. And you're not sure how long you've been on them, but -- fine. Okay. So your doc gave you a clean bill of health?
A. Yes.
Q. Okay. How about your vision? Do you know what your vision rating is off the top of your head? 20/20, 20/30?
A. Oh, the last time I got checked, I -- I get checked once every 3 years with the re-certification.
Q. Okay.
A. And I've always -- it used to be 13 -- or 20/13. Then -- that's right?
Q. That's good.
A. Yeah. That's the better one. I was trying -- because I usually reverse it. It's usually the 20/13 and then the 20/15, and then it's regressed to 20/20.
Q. So it's 20/20 now?
A. Three years ago.
Q. Okay. So in '11 --
A. So it's regressing, and probably due to working nights a lot and straining eyes and having lights blind you and --
Q. Sure.
A. So it's -- you know, I notice that, you know, what I could read here, I just have to pull back to here.
Q. Do you have reading glasses?
A. No.
Q. Okay.
A. Not needed. Like I said, I used to just play games and read stuff like here. Now I have to pull it to here.
Q. I gotcha. Same question regarding your hearing. Any problems with your hearing?
A. No, no.
Q. When you had your physician check you out in 2011 or early 2012, was vision and hearing a part of that exam?
A. I want to say no.
Q. Okay. All right.
A. Because I always did the hearing and the vision with medical for -- through the railroad.
Q. Through Part 240 --
A. Right.
Q. -- recertification? Okay. Okay, so just to wrap up here real quick, the two medications, I'll write them down. And there's no other medications. How about over-the-counter drugs? Any over-the-counter?
A. Uh-uh.
Q. All right. And talk a little bit about -- I think we may have touched on this earlier, but just to clarify again, the work load, your work load that day up to the incident, was it a busy day, an average day, or a low work load day? How would you
characterize it?

A. Work load as far as --

Q. Were you doing a lot of stuff? Was it normal? Was it kind of a quiet, easy run?

A. It was just a normal run.

Q. Okay.

A. It's never anything about easy about the work load of that job.

Q. Okay. You also mentioned on one answer you had no problems with your equipment, took no exception to your equipment. Okay. Did you have any interaction at all with your conductor after you left Poughkeepsie? Face to face?

A. Oh, face to face, it was no.

Q. How about -- I'm not sure if this was -- how about radio? Was there any radio transmission between you and he?

A. I think all the radio transmission's pretty much done after he told me to move up in Poughkeepsie, and then everything was done by signal indication as far as conductor signals.

Q. Okay, great. And you also mentioned your cell phone. You turned it off and stowed it --

A. Correct.

Q. -- when you left Poughkeepsie, so there was no cell phone use whatsoever until after the incident?

A. Until after. Correct.

Q. Okay. Did you have a grip? Did you take a grip up in
the control compartment? Did you have your grip or a grip?

A. What are --

UNIDENTIFIED SPEAKER: A bag.

BY MR. NARVELL:

Q. A bag?

A. Oh, I had a bag with me. I had my bag with my -- all my -- I had my daily bulletin order. I had my bag with my FRA reports I have to carry.

Q. I think you said that.

A. I have to carry my book of rules, my MN-401 --

Q. Um-hum.

A. -- and I also have a actual file. Since I'm qualified on every bit of territory, I have a file that's broken down into Hudson, Harlem, New Haven, and I have all the daily -- not daily bulletins, but all the bulletin orders --

Q. Okay.

A. -- for each line in that folder. So it's a thick folder, you know, like this, and I have that in my bag at all times.

Q. Okay. How about any kind of a personal bag with food or drink or --

A. I don't usually carry -- no. I don't carry food or drink with me usually.

Q. Okay. When would you have gone off duty that day? When would you have?
A. I believe that's 2:55 -- or, yeah, p.m., which would be 1455 hours.

Q. 2:55, gotcha. Okay. Prior to this, any previous railroad incidents or accidents in your file, roughly?

A. I've never had an incident, never had a -- you know, in 10½ years of -- 10½, 11 years of running --

Q. Okay.

A. -- I've never had a violation, an incident, or a reprimand or anything --

Q. Okay. Good.

A. -- that I remember.

Q. Just a few more here and I'll be done. And we touched on this a little while ago, but I'll get some specifics if you can recall. Post-accident drug and alcohol testing, you provided samples?

A. Yes.

Q. Do you know what they were?

A. What the tests were?

Q. What did they take from you?

A. Oh. They took -- well, first breathalyzer. So, breath, then I think blood was next.

Q. Okay.

A. And then urine.

Q. Okay. And do you know the results of any of those tests today?
A. Just scuttlebutt that I heard that somebody -- I mean, I know what the results are.

Q. Okay.

A. So I don't even care about what the hearsay is. I know what the results are.

Q. Okay.

A. That they're clean.

Q. All right. And again, just for the record here, any alcohol or illegal drug ingestion prior to you going on duty?

A. Absolutely not.

Q. Okay. Good. All right. I really don't think I have any more at this point. Thank you.

MR. BUCHER: Bruce?

BY MR. PARKIN:

Q. One question, Mr. Rockefeller. Did you perform a check of your speedometer when you left Poughkeepsie at all?

A. The only place that we got to do that is milepost 68-67, and it checked out okay.

Q. Took no exceptions to the --

A. I didn't take any exceptions. I mean, it's really tough to -- it was within a mile per hour. It's really tough -- it's a crazy way to check the speedometer, but it's the only thing that we got.

Q. Thank you. That's the only question I have.

MR. BUCHER: Okay. Dave Bucher. I've been -- I'm done.
MR. ROCKEFELLER: Mr. Bucher, the only thing I could say is, you know, I understand it was a tragedy, and I mean my heart goes out to those people, the families, and -- of the injured and deceased. I really -- it's such a big thing that it's hard to understand and hard to wrap your head around or just -- it's just an unbelievable occurrence that it happened, and my heart really goes out to everybody involved, you know, from passengers, crews, the EMS workers that had to deal with the tragedy. My heart goes out to everybody. I don't know how to describe it. It was just eerie, dark, and I just want to say that my heart goes out to everybody that was involved. Thank you.

MR. BUCHER: Okay. We will conclude the interview.

(Whereupon, the interview was concluded.)
CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: METRO-NORTH RAILROAD TRAIN
DERAILMENT DECEMBER 1, 2013
BRONX, NEW YORK
Interview of William Rockefeller

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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.

Karen L. Banks
Transcriber

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