

FE-2012-01

Person Interviewed: Nicholas J. Hill  
General Laborer  
Loram Maintenance of Way

Place of Interview: La Quinta Hotel,  
Amarillo, TX

Date of Interview: January 10, 2012

Interviewed by: George P. Rasco,  
Railroad Safety Inspector/S&TC

Others Present: Stacy Stokes, FRA MP&E Inspector  
Robert Carlson, Loram Maintenance of Way

In an interview regarding the employee fatality that occurred on January 9, 2012, on the BNSF tracks, Kansas Division, Hereford Subdivision near mile post 552.3, in Amarillo, Texas, Mr. Hill stated in substance, the following:

Mr. Hill began by stating that he is 22 years of age and resides in Central Point, Oregon. He began his employment about 8 months ago as a general laborer for the Loram Company.

Mr. Hill stated they had arrived at the machine that morning and had done some maintenance work before the BNSF employee had arrived at about 7:30 AM. The BNSF employee had dropped off a hose for them to use. The BNSF employee had left, then returned at about 8:30. After a while two BNSF Supervisors arrived and went over the tools and had a safety meeting. They talked about the priority of safety over production, fire danger and safety at crossings. Mr. Hill stated he had all his personal protective equipment as well his Loram frequency radio. After the safety briefing the BNSF employee stated they had to wait on trains before leaving the yard. After getting permission they headed out of the yard tracks and down the lead towards the Red River Valley switch at East Tower. The BNSF employee had to throw the derails and switches prior to arriving at the end of 1805 track. After stopping the BNSF employee was granted authority to enter the main track. The dispatcher threw the main track switch and the BNSF employee dismounted the J-6 rail grinder and removed the derail. The operator moved the J-6 grinder east past the derail and stopped. The BNSF employee walked down the north side of the grinder towards the east end where he would normally remount the machine. While walking by the grinder and past the cab the BNSF employee noticed an oil leak. The BNSF employee returned and knocked on the side cab yelling at them about the oil leak. The J-6 grinder operator placed the machine in low idle to slow the oil leak. Mr. Hill and the operator dismounted the grinder and looked at the leak. The other Loram employee, the Safety Coordinator remained in the cab. They determined they had to move the machine back into the yard track to make repairs. Mr. Hill stated that as he was mounting the grinder he saw the BNSF employee walking back west on the north side of the grinder. Mr. Hill stated the BNSF employee gave a hand signal to back the machine into the yard track. As Mr. Hill moved to the

point on the west end and north side of the grinder the grinder started moving. He then saw the BNSF employee step into the tracks and begin unlocking the derail. He realized the employee was in danger and he began yelling as loud as he could for him to get out of the way. He did not have time to grab his radio and call the operator to stop. He continued yelling and saw the BNSF employee rise up a little before the end of the machine hit him in the back. The machine stopped and he jumped down. He immediately reached under the machine and checked for a pulse. No pulse. The other Loram employees called 911 as he attempted to perform CPR. He was unable to perform CPR due to the location of the employee under the machine. He continued to check for a pulse until the emergency responders arrived. The police, fire department and ambulance all arrived quickly. After speaking with the investigators and waiting a couple of hours he was taken for a drug test, then returned to the hotel.

#