UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

Investigation of:

NORFOLK SOUTHERN CONDUCTOR FATALITY * Accident No.: RRD23LR007

AT THE CROSSING AT CLEVELAND CLIFFS, *

CLEVELAND, OHIO ON MARCH 7, 2023

Interview of: JIM COTTRELL, Division Manager Cleveland Cliffs

Cleveland, Ohio

Tuesday, March 7, 2023

APPEARANCES:

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INTERVIEW

MR. HOEPF: My name is Mike Hoepf. Today is March 9th, and we are at the Cleveland Cliffs offices in Cleveland, Ohio, interviewing the division manager with Cleveland Cliffs in connection with an accident that occurred in Cleveland on March 7th, 2023.

The NTSB accident number is RRD23LR007. The purpose of the investigation is to increase safety. Not to assign fault, blame, or liability. NTSB cannot offer any guarantee of confidentiality or immunity from legal or certificate actions. A transcript or summary of the interview will go in the public docket. The interviewee can have one representative of the interviewee's choice.

Jim, do you understand the interview is being recorded?

MR. COTTRELL: Yes.

MR. HOEPF: Okay, great. Thanks. And if you could please state your name and spell it and then I'll have everyone else do the same.

MR. COTTRELL: Jim Cottrell, C-o-t-t-r-e-l-l.

MR. HOEPF: Okay, great. Thanks. My name is Mike Hoepf.

I'm with the National Transportation Safety Board. I'm a system safety investigator -- did I say this? H-o-e-p-f.

MR. ALAMPRESE: Michael Alamprese with the Federal Railroad Administration, railroad safety inspector for operating practices. Last name A-l-a-m-p-r-e-s-e.

MR. WESTERHOFF: I'm Don Westerhoff. W-e-s-t-e-r-h-o-f-f. Cleveland Cliffs Steel. I have the position of program director of compliance assurance with the corporate safety group of Cleveland Cliffs Steel.

MR. CIEMNY: Joseph Ciemny spelled C-i-e-m-n-y. I'm with the national safety team with SMART Transportation Division as an investigator.

MR. BROWNING: Steven Browning, B-r-o-w-n-i-n-g with the Occupational Safety and Health Administration.

MR. LAWTON: Shawn Lawton, L-a-w-t-o-n. BLET, safety task force investigator.

MR. GOODEN: David Gooden, G-o-o-d-e-n, Norfolk Southern Corporation division superintendent Keystone Division.

MR. HANNON: Robert Hannen with Clark Hill. I'm serving as a personal -- or as a representative for Mr. Cottrell at his request.

MR. HOEPF: Thank you, everyone.

INTERVIEW OF JIM COTTRELL

19 BY MR. HOEPF:

- Q. Okay, Jim. So if you could just start off and tell us a little bit about your current position and career and job responsibilities and that kind of thing.
- A. So I'm currently the division manager of the railroad
 operations here in Cleveland. We operate the railway inside for
 our plant here, the CWRO, Cleveland Works Rail Operation. And

- 1 I've currently held the role for approximately four months. Prior
- 2 \parallel to that, I worked in the steel producing operations. And I've
- 3 been here approximately 25 years.
- Q. You've got 25 years of experience. Can you just at a high-5 level talk about what you were doing for --
- 6 A. I've worked in the primary operations for approximately 19 years here.
- 8 Q. That's -- can you talk about what those operations are?
- 9 A. The steel producing operations. We have two steel shops in
- 10 | the Cleveland works plant. Number one and number two steel
- 11 producing. So I've held various responsibilities in each of the
- 12 steel producing shops.
- 13 \parallel Q. Can you give me a couple examples of what those positions
- 14 were?
- 15 A. Castor supervisor, BOF supervisor, shift manager, and
- 16 division manager.
- 17 0. I'm just trying to get a handle on -- so now, in your current
- 18 position, you're overseeing the rail operations.
- 19 A. Correct.
- 20 | Q. But in the past 25 years, was that having mostly to do with
- 21 | rail, you know, railroad stuff or was that --
- 22 A. No, that was always --
- 23 (Crosstalk)

- 24 | A. -- steel making.
 - \parallel Q. So that's like -- you're in a plant or something. Like

- working at a factory or foundry or something like that?
- 2 A. Yes.

- Q. So you've been doing -- can you talk about what's your rail experience, I guess?
- 5 A. It's approximately four months.
- 6 Q. So you're relatively new to this.
- 7 | A. Yes.
- 8 Q. When you say you're in charge of the rail operations, what 9 exactly does that mean? What are the --
- A. So we have a transportation group that handles moving raw
 materials and finished product from our steel shops. And we also
 have a maintenance group that we maintain our rail cars, our
 engines. So we have two groups. The transportation and the
 maintenance group.
- Q. So for rail, you've got transportation and then you've got maintenance. So what goes into transportation?
- A. Transportation -- that's where our employees run the locomotives, move iron from our blast furnaces to our steel plant shops. We move the finished slabs from the steel plant to our hot strip mill. We move coils. We also ship a lot of outbound material that's going to be in the form of coil and slabs.
- Q. So again, I'm just trying to kind of get a high-level understanding here. So are there engineers and --
- 24 A. Yes.
- 25 Q. -- conductors who work for -- within (indiscernible)

- 1 | transportation.
 - A. Yes.

- 3 \parallel Q. So you've got engineers. You've got conductors. Can you
- 4 give me an example of some other positions that would be in
- 5 | transportation? Do you have like yard --
- 6 A. We have a train master, yard master, an assistant yard
- 7 | master.
- 8 0. And then, maintenance -- is maintenance track maintenance.
- 9 Is maintenance mechanical --
- 10 A. Both.
- 11 | Q. Okay. So that's -- so you're maintaining the trains and the
- 12 | track --
- 13 A. Yes.
- 15 | maintaining the track, what all does that include?
- 16 A. Track inspection. If there's any repairs that need to be
- 17 | made per the inspection. Switch maintenance.
- 18 \parallel Q. How about -- so like the roads around this facility, do you
- 19 maintain the roads or is that separate from the rail --
- 20 A. It is separate from the rail.
- 21 Q. So there's like a separate division for the roads. The grade
- 22 crossings, tell me about that. How does that work?
- 23 A. Which crossing?
- 24 Q. So to pick something obvious, not at random, you know,
- 25 | obviously we're here involved -- talking about an accident that

- 1 happened. So we'll just talk about that one, for example. So
- 2 | what's the story there? So you've got -- I guess, you've got a
- 3 road that goes through there. It's a dirt road. And then you've
- 4 got a track. So I don't know if the road side of -- it would
- 5 | maintain anything on the dirt side of things but tell me about the
- 6 | intersection there. So do you maintain that?
- 8 the rail.
- $9 \mid 0$. Not the rail?
- 10 A. Correct.
- 11 | Q. So the maintenance group, the maintenance side of your rail
- 12 operations is maintaining the road aspect of that. So what does
- 13 | that include?
- 14 A. That would be if any paving needs are done, road repairs need
- 15 | to get done.
- $16 \parallel Q$. And so, does that include the crossing gates and stop signs
- 17 and all that kind of stuff?
- 18 A. We have put up those stop signs but that's not our
- 19 responsibility. That's not our track.
- 20 | Q. So your group has put up stop signs in the past.
- 21 A. In our crossings.
- 22 Q. In your crossings.
- 23 A. Yes.
- $24 \parallel Q$. Is that the stop signs -- basically, so again, at the
- 25 accident location, there's basically a stop sign there and then

- 1 \parallel there's the rail indication on that stop sign. So you physically
- 2 -- not you personally but the rail maintenance side would put
- 3 | those up or you have put them up?
- $4 \mid \mid A$. We have put them up at our crossings.
- 5 Q. At your crossings.
- 6 A. Correct, on our tracks.
- 7 Q. So when you say your tracks, you're talking about Cleveland
- 8 Cliffs property?
- 9 A. Yes. Our railway that we use.
- 10 Q. The railway that you use?
- 11 A. Yes.
- 12 Q. So -- okay, so the -- again, to pick something not at random,
- 13 who would've put in the stop sign at the accident location, at the
- 14 | crossing there?
- 15 A. I'm not sure who put those crossing (indiscernible) in. That
- 16 is our stop sign that we put up. But we don't maintain the NS
- 17 | tracks.
- 18 | O. So --
- 19 A. If you go down further from where the accident location was,
- 20 | those crossing gates, crossing signals. Those are ours. Those
- 21 | are our tracks and we maintain those signals.
- 22 Q. So the track that you use, you maintain.
- 23 A. Yes.
- 24 Q. The crossing gates.
- 25 A. Yes.

- 1 Q. And in this situation, that would be -- at the accident
- 2 | location, that would be your stop sign that's there.
- $3 \parallel A$. We put up that stop sign.
- $4 \parallel Q$. So Norfolk Southern would maintain the track infrastructure.
- 5 Right? The --
- $6 \parallel A$. Yes.
- $7 \parallel Q$. -- rails, the ties, that sort of thing.
- 8 A. Yes.
- 9 Q. Are you telling me that there's within the Cleveland Cliffs
- 10 property -- are there some grade crossings where the sticks, you
- 11 | know, that cross, are those --
- 12 A. Crossing gates.
- 13 Q. Crossing gates. Are some of those -- some of those belong to
- 14 | Norfolk Southern and some of those belonging to Cleveland Cliffs?
- 15 A. Yes.
- 16 Q. So within the Cleveland Cliffs general property -- so we're
- 17 | not talking about public property. We're talking about the
- 18 Cleveland Cliffs property. There's still -- even within that,
- 19 there's a mix of Norfolk Southern grade crossing and Cleveland
- 20 | Cliffs grade crossing?
- 21 A. Yes.
- 22 Q. Okay, okay. So what makes -- yeah, how do you guys break
- 23 | that up between --
- 24 A. There's NS tracks and there's Cleveland Works tracks.
- 25 \parallel Q. So there's NS tracks and there's Cleveland Works tracks. So

- I'm guessing the Cleveland Works tracks are -- like you've got
- 2 your transportation department. You've got your engineers.
- 3 You've got your conductors. So they're -- do they just run
- 4 exclusively on the Cleveland Works tracks?
- 5 | A. Yes.
- 6 Q. Does Norfolk Southern run exclusively on the Norfolk Southern
- 7 | tracks?
- 8 | A. Yes.
- 9 Q. And I don't mean this in like -- I know you couldn't know
- 10 every possible situation. But could there be a situation where
- 11 here's a Norfolk Southern train and crew on a Cleveland Works
- 12 tracks? I mean, is that -- is that -- would that really surprise
- 13 you, I mean, if that --
- 14 $\mid A$. Yes, that happens. I mean, we have an interchange. That's
- 15 | what the Campbell Road yard is. They bring in our raw materials
- 16 and we take them out. We ship out our finished goods on their
- 17 tracks. So the yardmasters communicate that interaction.
- 18 Q. So this is -- so generally, Norfolk Southern crews are on
- 19 Norfolk Southern tracks and generally, Cleveland Cliffs' crews are
- 20 | on Cleveland Works tracks but there could be some exceptions where
- 21 | there's a mix.
- 22 | A. And when that exception takes place, the yardmasters
- 23 communicate that need.
- 24 | Q. And this was the Camel --
- 25 A. Campbell Road.

- 1 Q. Oh, Campbell. Campbell Road. So -- and there's a yardmaster
- 2 there. Now, is that Cleveland Cliffs' yardmaster or is that
- 3 Norfolk Southern's yardmaster?
- $4 \mid \mid A$. Each company has their own yardmaster. We have our own and
- 5 NS has their own.
- 6 Q. So there's -- so there's two yardmasters.
- $7 \mid \mid A$. Yes. We have our own and they have their own.
- 8 Q. At the same general site?
- 9 A. Yes.
- 10 Q. The location of the accident is Norfolk Southern track?
- 11 A. Yes.
- 12 Q. But in this particular situation, the Cleveland Cliffs put up
- 13 | the stop sign?
- 14 $\mid A$. I believe so. Those -- the blinking stop sign is our stop
- 15 | sign.
- 16 Q. Okay, okay. I got you. So -- and again, this is just to
- 17 | your knowledge. So don't -- don't speculate. To your knowledge,
- 18 | that's your stop sign. So would you know -- because I feel like
- 19 I'm a little bit. I must've got turned around here somewhere.
- 20 | But if that's Norfolk Southern tracks, generally, would you expect
- 21 | them to put up the blinking stop sign?
- 22 A. Yes.
- 23 \parallel Q. But that's just not the case in this particular one, to your
- 24 | knowledge?
- 25 A. To my knowledge. If the stop sign fell, we're going to put

the stop sign back up.

- Q. I got you. So there's a certain amount of just maintenance of getting things done and --
 - A. Correct.

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- O. -- keeping things working.
- A. We know there's supposed to be a stop sign in that area.

grade crossing protections on Norfolk Southern lines?

Q. Right, right. So and again, this is just to your knowledge, right. But so, how does this -- give me the bigger picture on how this works within the property. Does Cleveland Cliffs decide what is the appropriate type of grade crossing protection on Cleveland Cliffs lines and Norfolk Southern decides what's the appropriate

Do you guys meet ever to -- I mean, I understand that this is probably -- a lot of these are just in place. And I don't know if this is -- it's probably not like a weekly meeting. But how would that work? I mean, how would you expect that to work generally? Is that up to each individual company to make that decision?

- A. Yes.
- 19 Q. Or is there some kind of coordination?
- A. There's no coordination, to my knowledge. Cleveland Cliffs works under its own safety standards that says this is what the minimum requirements are.
- Q. To your knowledge, you've -- and again, you've been there for four months so just from your perspective, you've never been a part of any conversations with Norfolk Southern about what to do

- on these individual grade crossings.
- A. No.

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- Q. How about just on the Cleveland Cliffs property. So -- and again, I understand probably a lot of this is just inertia what's in place. But have you ever been a part of any conversations
- about what a good grade crossing production would be? Has that ever been something that's come to your desk or your awareness?
- 8 A. Yes.
- 9 Q. Can you tell me about that?
- A. You know, there's a minimum -- there's a standard that says you must have this. It's part of the Cleveland Cliffs' standard. Then trying to get better, improve. If there's a crossing that has higher traffic or whether it be pedestrian or vehicle or
- 14 train, then we may look to improve that crossing.
- 15 | Q. So this is something that's on your radar?
- 16 | A. Yes.
- Q. If you -- I mean, it's not so much about naming names here
 but really just kind of positions. Do you have somebody from the
 safety department that you talk about this with? Do you have
 somebody -- like who would these -- do you have a weekly safety
 meeting, a monthly safety meeting? What -- at what point would
- inceeding, a monenty bareey meeting. What at what point would
- this come up where you'd have a conversation about grade
- 23 || crossings?
- A. If we felt -- like I said, if there was an area that has high train traffic, high vehicular traffic, high pedestrian traffic,

- 1 | then we may want to enhance that level of (indiscernible).
- $2 \parallel Q$. Is that based on if somebody reports something to you and you
- 3 -- and I mean, are you responding to feedback from somebody about
- 4 | that or are -- you know what I mean? Is -- like is somebody --
- 5 A. Yeah, if somebody --
- 6 Q. Do you have like a close-call reporting --
- 7 A. -- says hey there's --
- 8 Q. -- system or something like that?
- 9 A. Yes. If there's an area where we see more traffic than
- 10 normal, if we divert traffic from another area, if we change an
- 11 operation somehow, then we'll look at that. But we're not going
- 12 to put crossing gates in an area that rarely gets used.
- 13 Q. Right, right. So people could report an issue or do you -- I
- 14 | mean, it sounds like you also proactively attempt to get data
- 15 about what's going on out there. And I mean, you tell me. But so
- 16 | it sounds like, okay, we're going to reroute through here. And
- 17 based on this, maybe we should take a look at the crossing
- 18 protection there. I mean, is that something that you kind of plan
- 19 as you're setting up a new project or something?
- 20 A. Yes.

- 21 Q. The grade crossing where this accident happened, has this
- 22 particular one ever been on your radar before? Has anybody, to
- 23 your knowledge, ever reported to you that maybe we need some
- 24 | additional protections here?
 - \parallel A. Nothing has been reported to me in my time here.

- Q. So you've never heard it. Are you familiar with this particular grade crossing? I mean, have you physically been to that location before?
- A. I've been there in the past. But it's not an area that I frequent that often. There's not a lot of reason for me in my current role or in previous roles to be in that area that often.
- Q. So is that a high traffic area or a low traffic area or does it just depend?
- A. I would say it's a lower -- again, it goes back to what type of traffic you're looking at. I would say it's on the lower side of pedestrian or vehicular. But in terms of equipment, there's more heavy equipment in that area than there would be vehicular traffic.
 - Q. Oh, okay. So less people driving their cars across it but --
- 15 | A. Correct.

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- Q. -- there's heavy dump trucks going through the area. So this
 -- I -- I mean, just to the point here, right, I'm trying to be -I'm not trying to play the hide the ball here. So going out
 there, you know, the potential issue to me is that the road kind
 of comes up at an angle. Right. It doesn't come at 90 degrees.
- 21 So to me, it looks like it may be difficult to see from a train 22 because you don't really have a lot of visibility that way.
 - Has that ever been a factor that you guys have looked at before in terms of the angles of the roads coming to the grade crossing? Has that ever been a factor in terms of wanting to

upgrade the protection there?

- Not for that particular area. I think whenever you put a crossing, you look at how you'd best put it so you would be perpendicular to the crossing. And I think even where that stop sign signal is, it's placed to try and cross those tracks perpendicularly.
- 7 Sorry. I'm not quite following you. Can you explain that again? So --8
 - Where the signals are, to try and cross the tracks at a perpendicular angle so you're not going on an acute angle.
- So what you're saying is generally speaking, you would try --12 if you were going to set up -- if there was going to be a new 13 grade crossing, you would try to configure it such that it's at 90 14 degrees.
- 15 Correct.

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- Okay, okay. But has there -- I mean, have you ever had any discussions in the past about here's an intersection where it's not 90 degrees and maybe we should upgrade that? I know it's only been four months but have you ever --
- I have not had those discussions. 20
- 21 So that's not something that's been on your radar. Fair 22 enough. So it sounds like the volume of traffic is kind of the 23 main factor in your mind that you're aware of in terms of driving 24 the type of protection there.
- 25 Α. Yes.

- Q. Is there any other factors that you can recall considering?
- 2 | A. No.

- $3 \parallel Q$. And so, this particular grade crossing was -- it sounds like
- 4 | it was your stop sign but it sounds like it was generally -- you
- 5 | would expect Norfolk Southern to make that -- if the protection
- 6 | there was going to be upgraded, it sounds like you would expect
- 7 | Norfolk Southern to do that because it's their track. Is that a
- 8 fair characterization or is that -- would you say that that would
- 9 be --
- 10 A. I think that conversation there would have to be a
- 11 conversation (indiscernible) between Cleveland and the NS.
- 12 Because we cannot just go put a signal on their track.
- 13 Q. Let's say that somebody had reported that it was an unsafe
- 14 crossing. What would you do if you -- if you did become aware of
- 15 | that, what would you do?
- 16 A. We would have to take that to NS.
- 17 | Q. So you would -- say you would go to NS. And say we've got a
- 18 report that this is an unsafe crossing, we would like you to
- 19 upgrade it, the protection there. How would that work?
- 20 A. Yeah. We would have to have that conversation In order to
- 21 | put in any type of signal indicator, something would have to go on
- 22 | to their tracks.
- 23 \parallel Q. So what do you expect Norfolk Southern to pay for it because
- 24 | it's their track?

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A. I don't know who would handle the expenses of that.

- 1 Obviously, that would be a discussion.
- $2 \parallel Q$. Again, this is just to your knowledge so you're not
- 3 | specifically aware of the contracting details of who would be
- 4 | financially responsible --
- 5 | A. Correct.
- 6 Q. -- for paying for that upgrade. Would it be fair to say if
- 7 there was a different grade crossing, that you became aware of a
- 8 safety issue and let's say it was on Cleveland -- it was Cleveland
- 9 Cliffs, Cleveland Works, you know, property. In that situation,
- 10 | it would basically just be on Cleveland Cliffs to upgrade it on
- 11 | your own at your own expense. Right?
- 12 | A. Yes.
- 13 Q. So this Particular situation is a little bit more complicated
- 14 | because it's a Norfolk Southern line.
- 15 A. Correct.
- 16 Q. Jim, you doing okay? You need a break or anything?
- 17 A. I'm good. Thank you.
- 18 MR. HOEPF: I'm going to pass it off and let Mike ask some
- 19 | questions here.
- 20 BY MR. ALAMPRESE:
- 21 Q. Mike Alamprese with the FRA on the record questioning Jim. So
- 22 Jim, the Crow, that railroad is owned directly by Cleveland
- 23 | Works --
- 24 A. Yes.
- 25 Q. What operating rules do they follow? Have you guys fashioned

- them off of like NORAC or GCOR or are they they're own operating rules?
- $3 \parallel A$. We follow the federal rules. The CFR --
- 4 Q. So that's all -- that you guys give them a CFR book or do they have like, an operating rulebook?
- $6 \parallel A$. We have an operating rulebook that's based on the CFR.
 - Q. Okay. Those employees in a situation of operating across these crossings, what is your rule if they're making a shoving move over a road crossing that's protected with stop signs and cross bucks but not automatic protection devices? What -- how do
- 12 A. I believe it's (indiscernible) front-end protection, lead-end protection.
- Q. Which is they have to stop to move and have a position on the ground in order to protect that crossing or --
- 16 | A. No.

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17 0. They do not.

they operate?

- 18 | A. Do not.
- Q. How many employees -- and I know this doesn't involve this incident doesn't -- but I'm just trying to get a better understanding of how the Crow operates inside of this facility.

 So I could try to gain an understanding of what the truck drivers might come to expect or see. So they're -- they see a train
- 24 approaching a crossing. They have no expectation to assume that 25 train is going to stop and flag that crossing. They assume the

- train has the right of way.
- Yes.

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- 3 In that situation. Nothing further at this MR. ALAMPRESE: 4 time. I'll pass it.
- 5 BY MR. CIEMNY:
- 6 Joseph Ciemny, C-i-e-m-n-y, on the record here. Jim, I just 7 have a couple questions here. Do you know anybody by the name of
- Nathan Schaffer?
 - Α. Yes.
- 10 Can you describe for the record who he is?
- 11 He's the (indiscernible) superintendent for the Cleveland 12 plant.
- 13 So in connection to your position, would -- you and him,
- 14 would you be like direct liaisons with each other as far as what's
- 15 going on inside the plant, in the rail, and things like that?
- 16 A. No, we would not have direct -- we don't have that working
- 17 relationship, the railroad, with Stein. We don't have that.
- Stein is more involved with our blast furnace and steelmaking 18
- 19 operations.
- 20 So if Stein were to have a safety complaint or an issue come
- up with the rail, would they come to you? 21
- 22 Α. Yes, or --
- 23 You position at that time?
- 24 My position or one of my supervisors.
- 25 And just -- I'm not sure if I (indiscernible) questions here.

- So to your knowledge, since you've been in this position, there has been no complaints made by your employees or by Stein that that crossing where this incident took place, that there was -- it was felt to be unsafe?
- 5 A. Nothing has been brought to my attention.
- 6 MR. CIEMNY: I have nothing else. Thank you, Jim.
- 7 BY MR. BROWNING:

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- Q. Steven Browning. B-r-o-w-n-i-n-g. With OSHA. I just -gouple of things. You said maintenance maintains the roads. But
 you said we don't maintain the roads at the crossings.
- 11 A. So our plant service maintenance group maintains our roads.
 12 Not the rail maintenance.
- Q. Not the rail maintenance. So the area in between where the accident occurred and the dirt that's in between and then the next (indiscernible) becomes Cleveland Cliffs rail, who maintains that section in there or is that --
 - A. The roadway we -- would be maintained by Cleveland's Plant Services Group. And then the area with the rail and approximately two feet on each side of the rail would be our maintenance group. So our Cleveland Works railway is going to handle the rail and approximately two feet on each side of the rail. But then the Plant Services Group; would maintain the roadway.
- Q. Then when you get to Norfolk Southern track, the -- is there five feet from that we don't mess with or is it the standard two feet or --

- 1 A. Standard. Yeah, it's not going to be -- we're not going to 2 maintain that track area.
- 3 Q. Then you said something about safety standards for crossings.
- 4 Is that the Crow or is Cleveland Cliffs' safety standard for crossing different than what the Crow uses?
- 6 A. No. We would use the Cleveland Cliffs' standard.
- Q. Is that the standards that the Crow have or like how do those | -- would I read the same standard for crossing in Cleveland Cliffs
- 9 that would be for what the Crow have?
- 10 A. I believe so.
- 11 MR. BROWNING: That's all I have now. Thank you.
- 12 BY MR. LAWTON:
- 13 Q. Shawn Lawton with the BLET. Jim, what type of railroad
- 14 | training do you have?
- 15 A. Do I have?
- 16 Q. Yeah.
- 17 A. Very little.
- 18 Q. Can you describe anything, what you've been taught? Were you
- 19 | just thrown into the position and given a title? What -- any kind
- 20 of training that you went through or did?
- 21 A. My training has been more with the CFA, the rulebook, and
- 22 going through the standards.
- 23 Q. So it's safe to assume you haven't had any railroad training
- 24 | safety, specific to railroads and crossings and just railroad
- 25 operations in general?

A. Correct.

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- 2 Q. Since -- if I'm following it correctly, Cleveland Cliffs owns
- 3 the property. Stein is a contractor. Stein is doing all the
- 4 operations for this particular move with dump trucks, back and
- 5 | forth, moving material. Does Cleveland Cliffs provide safety
- 6 training with Stein, are you guys -- or is Stein left on their own
- 7 to handle their own people or do you, as Cleveland Cliffs, oversee
- 8 | safety with Stein?
- 9 A. Stein is responsible for their own safety. We do provide
- 10 guidelines for contractors that we expect our contractors to
- 11 | adhere to.
- 12 Q. So since Stein is running around operating -- the guys are
- 13 operating. Do you guys as the property owners, do you ever meet
- 14 | up with other Stein management to operational test Stein employees
- 15 on driving, making sure we're stopping at stop signs and adhering
- 16 to safety rules or are the employees kind of left on their own
- 17 | throughout the property?
- 18 A. We will perform audits. You know, if I observe a Stein
- 19 employee doing something that I feel is unsafe, we will stop that
- 20 | behavior.
- 21 Q. Are you aware -- and I could get the description wrong. But
- 22 | yesterday, it was brought up in the interviews that I believe
- 23 | Ryan, the truck driver said (indiscernible) have the big large
- 24 mirrors, the bubble mirrors that if you come up to a corner or a
- 25 | curb that you're unable to see. Are you aware if there's any of

- those on the Cleveland Cliffs' property at all?
- $2 \mid A$. Yes, we have some on our property.
- $3 \mid\mid Q$. Do you know if any of those are at crossing locations?
- $4 \mid \mid A$. I do not recall where they're at but I have seen them.
- 5 Q. Do we -- so getting back to the Campbell Road just so I'm
- 6 understanding correctly. You said there's a dual yardmaster. We
- 7 | have an NS yardmaster and a Crow yardmaster.
- 8 A. Correct.

- 9 Q. Is the Crow yardmaster in the same office at Campbell yard or
- 10 | is that strictly the NS yardmaster and the Crow yardmaster is on
- 11 | in a different location?
- 12 A. The Crow yardmaster is in a different location.
- 13 MR. LAWTON: That's all I got for now.
- 14 BY MR. GOODEN:
- 15 Q. Dave Gooden with Norfolk Southern. Jim, just a few questions
- 16 for you. So do you know why there is an LED flashing stop sign on
- 17 the one end or the one side of the crossing and a normal stop sign
- 18 | with no LED lights on the other?
- 19 A. I do not know why.
- 20 | Q. Do you know or would know -- who would've installed the Led
- 21 | light?
- 22 A. I believe that was our group.
- 23 Q. How many vehicles in the crossing -- the accident site
- 24 crossing -- do you know how many vehicles are intended to cross at
- 25 one time at that crossing?

- $\|A.\|$ I do not know.
- 2 \parallel Q. Would you -- well, I'm not going to ask you that. So and --
- 3 have you -- you said you are not too familiar with the crossing.
- 4 | Is that what you said earlier?
- $5 \parallel A$. Yes.

- 6 Q. So do you know if there's been any modifications to that
- 7 crossing through -- intentionally or unintentionally to make a
- 8 | bigger path for more multiple vehicles to cross?
- 9 A. I do not know that.
- 10 Q. To your knowledge, whether -- as your time as division
- 11 | manager or any time, has any complaints been brought to Norfolk
- 12 | Southern or the Crow regarding that crossing by anyone?
- 13 A. Not to my knowledge.
- 14 MR. GOODEN: That's all that questions I have.
- 15 MR. HOEPF: Jim, you still doing okay?
- 16 MR. COTTRELL: I'm doing great.
- 17 BY MR. HOEPF:
- 18 Q. You know, again, this is --
- 19 A. Correct.
- 20 \parallel Q. Right? We're trying to -- you know, we're just trying to
- 21 | understand --
- 22 A. I'm trying to be --
- 23 Q. -- what we've heard. Right? So Nathan Schaffer -- actually,
- 24 we haven't talked to Nathan specifically but we talked to Dale
- 25 Kincaid. He said he reported to Nathan Schaffer that he had a

safety issue with this particular grade crossing. Nobody ever got back to Dale about what happened with that. So I know you've only been in the position four months. But I'm just wondering who, to

- 5 Nathan Schaffer would've talked to?
 - A. He would've probably spoken with one of my supervisors or to myself.

your knowledge, that's within this company, who do you think that

- MR. HOEPF: Do you need to pause the record?
- 9 MR. HANNEN: Yes, please.
- 10 MR. HOEPF: We're going to pause the record here.
- 11 (Off the record.)

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- 12 (On the record.)
- MR. COTTRELL: Yeah. I don't want to make the assumption that a complaint was made because it was never brought to my attention.
- 16 BY MR. HOEPF:
- Q. Oh, right, right. Yeah, yeah. I was just saying, I know you've already said that that has never been brought to your attention. But just in terms of generally, so you wouldn't necessarily expect Nathan to have communicated to you directly anyway. You're thinking it might've been one of your --
- 22 A. He could've gone to --
- 23 Q. -- subordinates?
- 24 A. -- somebody else with the issue.
- 25 | Q. Do you know who he would've gone to? I mean, just their

- position titles would be okay. I'm not --
- A. He could've gone to --
- 3 (Crosstalk)
- $4 \mid \mid A$. -- a section manager or a process manager.
- 5 Q. So I don't mean to confuse you with any terms here or
- 6 anything like that but let me just ask, does Cleveland Cliffs have
- 7 | a safety management system or something like that?
- 8 | A. Yes.
- 9 Q. (Indiscernible) refer to it as a safety management system
- 10 | but --

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- 11 A. Yes.
- 12 Q. Can you kind of just describe that to me at a high level?
- 13 | A. I would --
- 14 0. Very high level.
- 15 A. -- defer that to Don. He's -- you know, we do have a safety
- 16 program with safety advocates that are hourly, salary advocates
- 17 | that report up through a safety manager. That report up through
- 18 corporate safety team.
- 19 | Q. Can you -- and again, just -- if this is outside your
- 20 | knowledge, just don't comment but can you speak to the risk
- 21 | management piece of that at all in terms of -- do you have like a
- 22 | risk register as it pertains to grade crossings? Do you keep like
- 23 -- do you have like a log where you would say, you know, da, da,
- 24 da, here is all 50 grade crossings we got or 20 or whatever it is.
- 25 And this one right here is -- I'm going to say this has got a high

- 1 traffic and poor visibility. So this is the high risk one. We're
- $2 \mid going to peg this for -- we should replace this guy. And then$
- 3 kind of work your way down to this one. This is low traffic, good
- 4 visibility. This is a low priority. You know, do you have like a
- 5 | log like that?
- 6 A. I'm not aware of that log.
- $7 \parallel Q$. If you do have one, you're not aware of it?
- 8 A. Correct.
- 9 Q. Do you have anything like that for like other risks, other
- 10 | hazards?
- 11 A. Yes. I mean, we'll look at other hazards for other jobs.
- 12 And try to engineer solutions. It goes all the way down to
- 13 personal protective equipment.
- 14 Q. Right, right. Okay. Do you have a reporting system as part
- 15 | of that where you keep track of -- I know that you personally did
- 16 | not hear from Nathan Schaffer about this particular railroad
- 17 accident but do you have some kind of records system where you --
- 18 or safety issues that have been reported or logged?
- 19 A. Yes.
- 20 Q. Can you describe what that system is like?
- 21 A. We have an incident tracking system that will record
- 22 | injuries, near misses, or equipment damage.
- 23 Q. If Nathan said something about -- would you expect that to be
- 24 put into -- entered into that system or would that be a different
- 25 | system than --

- A. That would not go into that system. No.
- $2 \mid \mid Q$. Do you have a system for -- again, and we don't know that
- 3 Nathan did say anything to anybody from Cleveland Cliffs but
- $4 \mid$ assuming that he did, what -- do you have a system where that
- 5 | issue would be logged?
- 6 A. No.

- $7 \parallel Q$. So how would you ensure that it's followed up on?
- 8 A. If that was brought to my attention, there would be a meeting
- 9 discussion and we would track that, you know, the cost associated
- 10 with making whatever repair would be needed. So there would be
- 11 | that dialogue. There would be orders that would be placed to
- 12 purchase material, purchase orders.
- 13 Q. So I don't say -- I'm not saying this to sound accusatory or
- 14 | anything like that. But if you don't have a system that logs that
- 15 | and nobody brings it to your attention, that doesn't really sound
- 16 | like there's anything you can do to -- I mean, nothing personally
- 17 | that you can do to address it. I'm saying if there's not a system
- 18 | where safety issues are -- were logged when they're reported and
- 19 nobody brings it up to you --
- 20 | A. So in order for it to be a safety issue like you're referring
- 21 | to --
- 22 | O. Yeah.
- 23 | A. -- there would be a near miss. So there'd be a near miss
- 24 where a piece of equipment -- you know, we almost had an accident.
- 25 | That near miss would be recorded in the system. Now, if you just

- 1 came to me with a suggestion that says hey, I think you should go 2 paint this yellow, there's no long for me to say, oh, Mike made that suggestion. But if the near miss --
- 4 There's no log of --

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- You know, there's got to be a reason for it to be a safety issue. A safety concern. So if there was a near miss in that area, it would get recorded as a near miss and then we'd have a
- So if it's not a near miss, it won't be logged. 9
- 10 It could be logged as equipment damage. It could be logged 11 as an accident.

corrective action. That corrective action would be logged.

- 12 Just making sure this is still going. If there's damage, it would be --13
- 14 That would go as an equipment damage.
- 15 -- it would be logged. But --
- 16 If it was a near miss where there could be an incident there, 17 that's how it would be logged.
- If it was a near miss, it would be logged. 18
- 19 Α. Yes.
- 20 But if somebody just says hey, you know what, I think you 21 should pain that yellow or hey, you know what, this is kind of 22 slick or hey, you know what, I think they should do something 23 about this grade crossing, it's not necessarily going to be logged 24 anywhere.
- 25 Α. Correct.

MR. HOEPF: I got you. I got you. I am going to pass it off to Mike here for a second round of questions.

MR. ALAMPRESE: Nothing further.

MR. CIEMNY: I don't think I have anything.

UNIDENTIFIED SPEAKER: I have nothing.

BY MR. BROWNING:

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- Q. Steven Browning with OSHA. B-r-o-w-n-i-n-g. Is there a work order system or a PM system for the rails?
- 9 A. There's a tracking system for the rails where we track our 10 rail maintenance. Yes.
 - Q. You mentioned early on about if this is high traffic area, we may look to enhance the policy and whatever. How is that -- is that tracked some way, measured some sort of way? How do you
- distinguish a high area? Is it visual by you or how is that actually determined what's a high area versus --
- A. It would be visual by the Crow. Not necessarily by me. If the employees would come back and say this is an area that we see more traffic in. They would like to see enhanced protection.
- 19 Q. And is that logged or tracked somewhere or --
- 20 | A. No.
- Q. So it's just a visual or a conversation that you would have in passing?
- A. It would be more than just a conversation in passing. At that point, we would get engineering involved. Is there a reason why there is more traffic in that area than in the past. Was

- there a change in condition that prompted that?
- $2 \parallel Q$. So if it goes to engineering, what system would that -- would
- 3 we want to see those records? What is that called? Like is it
- 4 | rail enhancements? What -- I mean, what do they -- or is it just
- $5 \parallel --$ what -- well, what generates a work order here or what -- I
- 6 mean, what gets things done? What is that system called?
- 7 A. So that would be our TabWare system.
- 8 0. Tab Works?
- 9 A. TabWare.
- 10 Q. TabWare?
- 11 A. Yes.

- 12 MR. BROWNING: Thank you.
- 13 BY MR. LAWTON:
- 14 \parallel Q. Shawn Lawton, BLET. Jim, is there any way to identify this
- 15 crossing, the name of it, any type of identifying -- you know,
- 16 | hey, we had an accident at this crossing? How does anybody know
- 17 where to go to that crossing?
- 18 A. That -- not for that crossing because that would be the NS
- 19 | track so that's how we would refer to it.
- 20 | Q. And how -- in an estimation on your Cleveland Cliffs'
- 21 property, how many NS tracks and crossings are there? Basically,
- 22 what I'm trying to do is narrow down if we had an accident, how is
- 23 somebody reporting the accident's location?
- $24 \mid A$. They would refer to the track numbers in that area.
- 25 | Q. And the track numbers in that area are?

- A. There's 100 and then the 400 series.
- $2 \parallel Q$. So there's no specific name for the crossing then. If Stein
- 3 operates 24/7, as far as I understood, do you have a liaison or a
- 4 manager or somebody on site as Cleveland Cliffs if an issue
- 5 happens, whether it's safety, rail accident, somebody injured, to
- 6 contact to get a hold of Cleveland Cliffs, or what's the process
- 7 | for that?

- 8 \mid A. Yes. We have management on site 24/7. So there's a
- 9 | trainmaster.
- 10 Q. So I'm a Stein driver and I just hit a train. What is
- 11 | Cleveland Cliffs -- I guess what would they want to see Stein do
- 12 | and what -- how does the pyramid fall back to get back to the
- 13 property owner, I guess, is what I'm asking. Is how are they
- 14 going to get a hold of you guys or what is the process to aware
- 15 | the property owners that we have an issue because clearly, Stein
- 16 is going to keep pumping it up the chain. That hey, we had an
- 17 incident at a crossing. They're going to talk to the property
- 18 owners. Who is Stein talking to? You or somebody that's on site
- 19 | that night?
- 20 A. Somebody on site. So that would go through our dispatch
- 21 security system. 7101. And it would go to the trainmaster or the
- 22 | yardmaster and then that would get pushed up the chain.
- 23 Q. Now, the radios in the trucks, are they monitored by Stein
- 24 and Crow or is that just a specific Stein radio they work amongst
- 25 | themselves?

- A. That's a Stein radio.
- Q. Are you aware of any Crow incidents particularly last summer
- 3 | accident -- grade crossing accidents within the plant?
- 4 | A. Yes.

- [5] Q. Can you describe where that was, what was involved? Was it
- 6 on Crow territory, on NS territory?
- 7 A. That was on Cleveland Works territory.
- 8 Q. Was there any rules put in place after that?
- 9 A. We did install crossing gates after that.
- 10 Q. Was there any rule changes for the crews for operation
- 11 purposes that you're aware of?
- 12 | A. No.
- 13 MR. LAWTON: No. Okay. That's all I have.
- 14 BY MR. GOODEN:
- 15 Q. Dave Gooden back on record again. Jim, just a few things to
- 16 | follow up. You know who owns the property on either side of the
- 17 crossing in question?
- 18 A. That would be Cleveland.
- 19 Q. Cleveland. And any special instructions or anything
- 20 | regarding operating (indiscernible) during a shove move within the
- 21 | Cleveland Cliff proper -- I know it's Norfolk Southern track --
- 22 but any special instructions that even Norfolk Southern crews
- 23 would have to comply with being that it's inside the plant?
- 24 A. Not that I'm aware of.
- 25 MR. GOODEN: That's all I have.

BY MR. HOEPF:

- 2 \mathbb{Q} . We're probably getting close to the end here. You're doing
- 3 | -- still doing all right, Jim?
- 4 | A. Yes.

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- 5 Q. So just to follow up on something somebody else asked here
- 6 earlier. They were asking about -- there's a question about prior
- 7 grade crossing accidents. Do you recall the specific details of
- 8 | that?
- $9 \parallel A$. I do not.
- 10 Q. Do you recall if it was a dump truck or a car?
- 11 A. I believe it was a semitruck.
- 12 Q. Semitruck. And so, as a result of that accident, Cleveland
- 13 | Cliffs did upgrade the protection at the grade crossing?
- 14 | A. Yes.
- 15 Q. So there's a history there of upgrading the protection at
- 16 grade crossings when necessary.
- 17 A. Yes.
- 18 Q. But there's still no system to manage that. Can you talk
- 19 about Norfolk Southern and just the big picture? How does the --
- 20 | can you talk very high level about the operational -- you know,
- 21 how you work together at a operations level and then a safety
- 22 | level. I know it's two different questions and they're both very
- 23 | high level. So first, can you just talk about kind of the
- 24 perational contract with Norfolk Southern?
- 25 A. I can't speak to the contract. I don't --

- Q. Not the specific details of the contract. But basically, what does Norfolk Southern do for you?
- $3 \parallel A$. So we order raw materials for steelmaking process.
- 4 Particularly scrap, coke, and NS brings that down to our property
- 5 and then we ship out finished goods in the form of slabs and coils
- 6 and the NS takes that from our property. And that generally takes
- 7 place at the Campbell Road yard.
- 8 Q. Okay, great. That's perfect. So what is the -- how do you
- 9 \parallel -- how do the two companies combine on safety? How do you -- do
- 10 you guys have safety meetings?
- 11 A. We do not.

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- 12 Q. So there's no standing monthly safety meeting with the
- 13 different Stein, Norfolk Southern, Cliffs. You guys don't all get
- 14 | together and have like a bi-monthly or -- I mean, do you guys --
- 15 when do you guys get together? At what point do you get together
- 16 to talk about safety issues?
- 17 A. I'm not aware of previous times, if there were any safety
- 18 | discussions.
- 19 | Q. So --
- 20 | A. There has not been anything in my four-month period.
- 21 | Q. In your four-month period, you can't recall a time where
- 22 | Cliffs, Norfolk Southern, and Stein all got together and said
- 23 | let's powwow and have a safety big-picture discussion meeting?
- 24 | That's never happened?
- 25 A. Correct.

- Q. How do you guys coordinate on safety issues?
- \blacksquare A. As far as -- what are you asking me?
- Q. So you've got a safety management system. Is there -- how do
- 4 you manage the contracting piece of that?
- 5 A. So we have the yearly meeting with contractors that do work
- 6 in our plant. And tell them what our guidelines are and what our
- $7 \mid$ expectations are. And that's how that's handled with contractors.
- 8 But NS isn't -- they're not a contractor for Cleveland Cliffs.
- 9 Q. So Stein is a contractor for Cleveland Cliffs. So you have
- 10 | your yearly meeting. And you stipulate here is the safety rules
- 11 | that you'll follow basically?
- 12 A. Yes.

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- 13 Q. And then you conduct audits of their safety performance. Is
- 14 | that a fair characterization?
- 15 A. Yes.
- 16 Q. So Norfolk Southern -- you're not -- do you conduct audits of
- 17 | Norfolk Southern safety performance?
- 18 A. No.
- 19 Q. Does Norfolk Southern conduct audits of Cleveland Cliffs'
- 20 | safety performance?
- 21 || A. Not that I'm aware of.
- 22 \parallel Q. So you -- the two companies -- to your -- this is just to
- 23 your knowledge. This is just through your perspective and your
- 24 | four months. But I mean, do you -- how would you describe the
- 25 | relationship? I mean, do you guys just function independently?

- 1 A. No. I think the relationship is -- it's a business
- 2 \parallel relationship. We buy raw materials and they bring them to us. We
- 3 ship out finished goods and they take them from us. They provide
- 4 transportation for our goods whether it be in the form of raw
- 5 material or finished goods.
- 6 Q. Right. No, I mean, I understand that. But I mean, like do
- 7 your safety departments talk? Do you share safety data?
- 8 A. Not that I'm aware of.
- 9 | Q. And I understand this is from your perspective. Is there --
- 10 | just so I understand your position. What is your reporting
- 11 | structure? Who do you report to and who reports to you?
- 12 A. I report to the plant manager. And then, below me I have a
- 13 section manager and four process managers. And five trainmasters.
- $14 \parallel Q$. On the rail side of things, is there anybody above you?
- 15 | A. No.
- MR. HOEPF: I got you. That's all the questions I've got for
- 17 | right now. Mike, anything?
- 18 MR. ALAMPRESE: Would you mind if we just took a quick short
- 19 break?
- 20 MR. HOEPF: Oh, yeah, absolutely.
- 21 MR. ALAMPRESE: Yeah, I just need a drink of water. I didn't
- 22 | bring anything in.
- 23 MR. HOEPF: No, no. You're totally fine.
- 24 (Off the record.)
- 25 (On the record.)

MR. HOEPF: We are back on the record. And I think we were just going around. Sorry, Jim. A third round of interviews. But I think this will probably be close to the last round minus a couple of clarifications. So --

BY MR. LAWTON:

- Q. Shawn Lawton, BLET. You said you guys have yearly safety meetings with your contractors. Correct?
- A. Yes.

- Q. Specifically, with Stein. I guess with anybody since you guys are throughout the plant. Has railroad crossing or railroad safety ever been a topic in these yearly meetings that you're aware of?
- A. I have not attended the meeting. But we have discussed going through railroad crossings, protected tracks. That is driving through the plant is a topic that is covered with contractors.

 Because they drive throughout our entire plant. And there's crossings. There's a lot of different hazards. So that is discussed. You know, proper driving procedures throughout the plant.

MR. LAWTON: That's all my -- that's all I have.

UNIDENTIFIED SPEAKER: I have no questions.

UNIDENTIFIED SPEAKER: Do you want it on?

MR. HOEPF: Yeah. So there was some discussion off the record and we just -- one of the interviewees, Don, I think wanted to talk briefly about the safety management --

MR. BROWNING: I have one question. Steven Browning with OSHA. Are you --

MR. HOEPF: Oh, yeah. No, go ahead. We're going to go to -- OSHA's got a follow-up question.

BY MR. BROWNING:

- Q. Four months on the job as rail supervisor, general supervisor, and you got about 10 people underneath you and you said audits are done. How many audits have been done regarding crossings, people either stopping good or not stopping in that four-month period have occurred and where would we find that information?
- A. That -- I don't know that it's documented. But one of the requirements of our trainmasters is to go around and watch specific jobs and audit jobs for those types of events.
- 15 Q. But it may or may not be documented?
 - A. Correct. I would have to double check but that is a requirement for the trainmaster is to audit specific jobs and crossings.
- 19 MR. BROWNING: Thank you. (Indiscernible).
 - MR. HOEPF: No, good question. Thank you. Appreciate it.

 We're in no rush here. Anyway, I think one of the interviewees,

 Don, had a clarification that he wanted to mention.
- MR. WESTERHOFF: Yeah. There was -- been a number of
 questions regarding our safety management system. We do have a
 safety management system. We've been OSAS or ISA certified for a

number of years. And there's a number of written programs and standards that apply including a rail safety standard. And there's been a bit of a transition process under Cleveland Cliffs. But historically, we've taken a lot of our standards (indiscernible) used them in developing the Cleveland Cliffs' standards.

With regard to the tracking system, I would say that if somebody raises a concern that could lead to a potential injury or equipment damage or some other scenario that would be considered near miss in our system and would be tracked (indiscernible) in that way. Otherwise, it might just be considered suggestion that would be looked into. I'm not sure what -- where that classification is with regard to the alleged complaint or concern that was raised before.

But we do have, as well as -- with regard to contractor training, we do conduct a training session for our contractors on an annual basis. We bring them to -- up to speed on any changes to our standards. And we also use a third-party system called ISNetworld where contractors have to sign off on acknowledging and understanding the rules that we have within our standards one of which of this is our rail standard, as well.

Our rail standard does have verbiage in it with regard to crossings. Basically left it at -- it's kind of general. And it just says that crossings shall be identified with stop signs, cross bucks, signals, or gates. Sites have generally used it --

used to their own discretion in determining what type of crossing is suitable for each individual crossing. (Indiscernible) any formalized process or risk management system that is used for making those evaluations.

It's rather just based on understanding the type of traffic that's being used, the frequency of use of the rail, what type of people or vehicles are going to be crossing that. If it's something that a lot of employees that might be accessing that road. There might be some different ideas on what kind of protection goes into that crossing versus something like (indiscernible) road or something like that. But there isn't a formalized system for tracking that at this time.

MR. HOEPF: Thanks for clarifying that. And did you identify yourself for the record?

MR. WESTERHOFF: I did not. Don Westerhoff.

MR. HOEPF: And then --

(Crosstalk)

MR. HOEPF: Thank you. Perfect. And then, okay. Yeah, so that's great. So we'll request the safety management system and we'll take a look at the verbiage. We can do that offline, of course. Does anybody else have any questions, clarifications before I close out the interview?

So Jim, just two questions we ask everybody. Did we forget to talk about anything or was there anything that you wanted to clarify or elaborate on that we forgot to talk about or --

MR. COTTRELL: No. MR. HOEPF: -- anything like that. Then do you have any recommendations for safety to prevent a reoccurrence of a similar accident in the future? MR. COTTRELL: Yes. I think we need to look at all of our crossings and how they're used. Yeah, I think there's improvements to be made everywhere to really take a hard look at the crossings and what they're really -- what they were originally intended for and how they may have morphed into something else over time. MR. HOEPF: Yeah. Yep. Well, thanks for that insight. That's appreciated. So with that, we are --(Whereupon, the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: NORFOLK SOUTHERN CONDUCTOR FATALITY

AT THE CROSSING AT CLEVELAND CLIFFS,

CLEVELAND, OHIO ON MARCH 7, 2023

Interview of Jim Cottrell

ACCIDENT NO.: RRD23LR007

PLACE: Cleveland, Ohio

DATE: March 7, 2023

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.

Katie Leach Transcriber



I, Jim Cottre//, have read the foregoing pages of a copy of my testimony given during the NTSB investigation into the March 7, 2023, accident in Cleveland, Ohio (RRD23LR007). These pages constitute a true and accurate transcription of same with the exception of the following amendments, additions, deletions or corrections:

PAGE NO:	LINE NO:	CHANGE AND REASON FOR CHANGE		
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