

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

NORFOLK SOUTHERN CONDUCTOR FATALITY \* Accident No.: RRD23LR007  
AT THE CROSSING AT CLEVELAND-CLIFFS, \*  
CLEVELAND, OHIO ON MARCH 7, 2023 \*

\* \* \* \* \*

Interview of: JAMES YAMMARINO, Engineer  
Norfolk Southern Railroad

Cleveland, Ohio

Wednesday,  
March 8, 2023

APPEARANCES:

MIKE HOEPH, Assistant Safety Investigator  
National Transportation Safety Board

MICHAEL ALAMPRESE, Safety Inspector, Operating Practices  
Federal Railroad Administration

STEVEN BROWNING, Safety and Occupational Health  
Management Worker  
Occupational Safety and Health Administration

JOSEPH CIEMNY, Investigator  
SMART Transportation Division

DAVID GOODEN, Division Superintendent  
Keystone Division  
Norfolk Southern Railroad

SHAWN LAWTON, Investigator  
BLET Safety Task Force

SCOTT STEELE, Senior Terminal Manager  
Cleveland Terminal

STEVE SZILAGYI, Local Chairman  
SMART 792  
Representing James Yammarino

NICHOLAS DORSEY, Local Chairman  
SMART 792  
Representing James Yammarino

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I N T E R V I E W

1  
2 MR. HOEPF: Okay. And so we're on the record. So my name is  
3 Mike Hoepf, today is March 8th, 2023rd (sic) and we are at the  
4 Cleveland Hyatt interviewing the engineer in connection with an  
5 accident that occurred in Cleveland on March 7th, 2023. The NTSB  
6 accident number is RRD23LR007. The purpose of this investigation  
7 is to increase safety, not to assign fault, blame or liability.

8 NTSB cannot offer any guarantee of confidentiality or  
9 immunity or certificate actions. The transcript or summary of the  
10 interview will go in the public docket. The interviewee can have  
11 a representative of the interviewee's choice.

12 Jim, do you understand this interview is being recorded?

13 MR. LYAMMARINO: Yes.

14 MR. HOEPF: Okay. And I'll ask you to please state your name  
15 and spell it and then I'll have everyone else in the room do the  
16 same.

17 MR. YAMMARINO: James Yammarino, Y-a-m-m-a-r-i-n-o.

18 MR. HOEPF: Okay, great. Thanks.

19 So again, my name is Mike Hoepf, that's H-o-e-p-f, I'm  
20 assistant safety investigator with the National Transportation  
21 Safety Board.

22 MR. ALAMPRESE: Michael Alamprese, operating practices  
23 inspector for the Federal Railroad Administration.

24 MR. BROWNING: Steven Browning, Occupational Safety and  
25 Health Administration. That's B-r-o-w-n-i-n-g.

1 MR. CIEMNY: Joseph Ciemny, C-i-e-m-n-y. I'm an investigator  
2 with SMART Transportation Division.

3 MR. GOODEN: David Gooden, it's G-o-o-d-e-n, Norfolk Southern  
4 Division superintendent, Keystone Division.

5 MR. LAWTON: Shawn Lawton, L-a-w-t-o-n, BLET Safety Task  
6 Force.

7 MR. STEELE: Scott Steele, S-t-e-e-l-e, Senior Terminal  
8 Manager, Cleveland Terminal.

9 MR. SZILAGYI: Steve Szilagyi, Local Chairman, SMART 792  
10 representing Jim Yammarino.

11 MR. DORSEY: Nick Dorsey, SMART Local Chairman representing  
12 Jim Yammarino.

13 MR. HOEPF: Okay, great. Thank you.

14 INTERVIEW OF JAMES LYAMMARINO

15 BY MR. HOEPF:

16 Q. All right, Jim, so if we could just kind of start, if you  
17 could just tell us a little about yourself and your railroad  
18 career.

19 A. Started in 2000 -- I'm sorry, 1999, as a conductor. I was a  
20 conductor until 2004, went to engine school in October 2004 and  
21 have been engineer since after training, since then.

22 Q. Okay.

23 A. I'll be here 24 years in April.

24 Q. Okay. So all that time with Norfolk Southern?

25 A. Yes.

1 Q. Okay, great, great. Excellent. Can you talk a little bit  
2 about just kind of your -- where your operating area has been?

3 A. Well, I worked on the road for many years, mainly going from  
4 Cleveland to Conway, and then just recently, probably since last  
5 June, that I started working more on a certain job because I was  
6 able to hold it, seniority-wise.

7 Q. Um-hum, um-hum.

8 A. And that was mainly the job I worked, C75 and a C69.

9 Q. Got you, got you. And yeah, can you kind of talk a little  
10 bit about the local operation here, the -- on the Cliffs property?

11 A. Well, we service, I think, six industries, Chemical Solvents,  
12 they've changed names so I call them by the names I remember them  
13 at, I don't know if it's Fair's (ph.) or Weingold. Chemtrade,  
14 St. Mary's, and Newburgh. I think that's all. And we do that  
15 pretty much every night, I'll usually hit at least three, usually  
16 four or five of them, sometimes all of them.

17 Q. Oh, okay, so you're --

18 (Crosstalk)

19 MR. YAMMARINO: It's all within that area.

20 BY MR. HOEPF:

21 Q. Oh, in that area. Okay, okay. I got you. So what's your  
22 typical tour of duty, do you -- do you typically work nights,  
23 typically work days?

24 A. Yeah, 6:30 p.m. start time, Monday through Friday.

25 Q. Six-thirty p.m. Monday to Friday. What time do you get off?

1 A. Usually, 2:30. Usually 8 hours. Sometimes you can work 12,  
2 depending on the work we have.

3 Q. Okay. So sometimes you get some overtime. Okay, great.  
4 Excellent. Okay, so I mean, I won't beat around the bush,  
5 obviously we're, you know, here to talk about the accident that  
6 happened yesterday and, you know, basically, we just want to hear  
7 what happened.

8 So if you can kind of just -- just try to walk us through  
9 your day, you know, as best you can, you know, from the time, you  
10 know -- at a high level, you know, what time you typically wake up  
11 in the day, what time do you report to work, you know, and then  
12 kind of just walk us through your workday.

13 A. Well, that day I woke up at 6:15 in the morning because I was  
14 off Saturday/Sunday.

15 Q. Okay.

16 A. So I just kind of -- I slept, I don't even know how many  
17 hours, probably 9 hours is a good night's sleep and I was up until  
18 -- I don't know, it was a long time on that day, but I go to work,  
19 I show up usually right around 6:25, we go over our paperwork, Lou  
20 has it all out usually and he's looking over what we have to do  
21 and that particular day we swung three tracks, that was the first  
22 thing we did, just had to swing over from certain -- we usually do  
23 that in the beginning. And then we went to -- on that end, on the  
24 west end of the yard, we went to Chemical Solvents, picked up one  
25 car, no place, just to pull, put that in the yard and then we

1 didn't have -- we didn't have Weingold, we didn't have anything  
2 there. And then Lou set up all the cars to go up to Newburgh,  
3 that's up the hill. I don't know how far that is, a mile and a  
4 half, maybe something like that up the hill. And we waited a  
5 little, probably about 20 minutes because I remember he called his  
6 son, talked to his son in the office, I always stay on the engine-  
7 because usually around 10 o'clock is the best time to call to go  
8 up to Newburgh because that's when -- that's when the crow (ph.)  
9 aren't intersecting, a lot of our tracks will intersect, but they  
10 work and we work, so we have to call to be able to go up to  
11 Newburgh.

12 So he usually does it at 10:00 almost like clockwork, they  
13 almost always let us go at 10:00, so that's usually what we do.  
14 So we did that, went up the hill, we had five cars to shove up the  
15 hill, there's no other way to do that, you shove it up the hill.  
16 Set those off and picked up, I don't know the amount, I don't know  
17 if it was six, I'm not sure, and brought those back down, shoved  
18 those into the yard.

19 He already had set up the cars for St. Mary's, which is on  
20 the east end, and Chemtrade. So we're back in the yard, we tied  
21 on to those cars, he had them in order the way he wanted to set  
22 them up and we headed out or we don't ask permission for that,  
23 it's our track, we just go out there, so we went out to Chemtrade  
24 and stopped there first and we picked up four and I think we  
25 placed two, we spotted them there, left those cars. I think we



1 had -- I don't know if we had -- I don't think we had -- oh, we  
2 had one place for St. Mary's, but we left it on the siding because  
3 we had to pick up, I think, seven cars and we're just going in  
4 there tomorrow anyways, next day, with more so they don't -- they  
5 wouldn't need it. So we left it on the siding, set off or picked  
6 up the seven cars in St. Mary's, came out, tied on to our cars,  
7 tied on to the four Chemtrade, which were tanker cars, and Lou  
8 closed everything up.

9       You know, there's two derails, close that up and then he --  
10 you know, the whole time I was pumping air in the train and he  
11 just asked me to set it up, set up, like he normally does and off  
12 that and I released them, off that, and then started shoving back  
13 to the yard. Do you want to know all that, what we did then when  
14 I let out from there?

15 Q.   Yeah, yeah. And I know, I know this is really, you know,  
16 tough, so you know, take your time. It's -- yeah, just kind of,  
17 you know, to the best of your recollection, you know, walk us  
18 through it.

19 A.   He started shoving back and he gave me car counts, he usually  
20 gives me -- it depends because there's some curves there so he  
21 might give me five or ten cars and, you know, until we can see  
22 more because it curves a lot coming down there until it  
23 straightens out a bit. So we were going back, he straightened --  
24 he's obviously on the end of the movement. He told me then 20  
25 when he could see more when it's straighter, cleared 20, we come

1 up the first crossing, he always says crossing protected, no  
2 traffic. I repeat it to him. Keep shoving back. Then the next  
3 crossing he says 20, clear 20 and crossing protected, no traffic  
4 and then it wasn't much longer after that, that he just yelled  
5 stop, you know, he just yelled stop, so I -- I just put full  
6 service and the independent on and we stopped pretty quickly.

7 And then I didn't think, I wasn't -- and then he -- his voice  
8 wasn't panicky at all, he just seemed more mad than anything by  
9 saying stop, so I didn't really freak out at all, I just asked  
10 hey, Lou and I didn't hear nothing and I said it again, I didn't  
11 hear nothing. So then I immediately got down and started running  
12 towards the end, which is only a few, 11 cars, and I see a truck,  
13 a very large truck that run through there, I don't know if you've  
14 ever noticed, know what they are, but they're huge trucks, their  
15 wheels are like 6 feet tall.

16 And I could see it cornered into the last car, so I knew that  
17 something happened. So I was running and I assumed that the  
18 driver of the truck was running towards me and yelling call an  
19 ambulance, call an ambulance, and I said -- I said did you call,  
20 did you call an ambulance and he -- I think he said he didn't have  
21 a phone and I yelled at him and I was mad because now I got to run  
22 back when all I want to do is go to the end of the train --

23 Q. Um-hum.

24 A. -- and I ran back on the engine and called my yardmaster and  
25 told him we need an ambulance out here right away and he answered

1 immediately and said he would do that and then I immediately  
2 grabbed the first -- all the stuff out of the first-aid kit and  
3 ran to the end of the train.

4 Q. Um-hum.

5 A. And Lou was -- he was laying underneath the -- underneath the  
6 truck, front bumper.

7 Q. Um-hum, um-hum.

8 A. And it was right at the end of the last car and he was on his  
9 back and there was a lot of blood on his face, lips, and glasses  
10 and on his chest and his legs were broken because they were all  
11 twisted. And the driver was standing there and he was just -- he  
12 didn't know what to do, he was in really bad sorts and I -- you  
13 know, I was, also.

14 I saw the blood, so I wanted to unzip his jacket to see where  
15 his injuries were besides his legs and I -- he had wore a rain  
16 jacket because it was raining out there and he had it on his head  
17 pulled tight and then the jacket underneath, so I unzipped two  
18 jackets and I look at his shirt and there was nothing, it was  
19 completely clean.

20 Q. Um-hum.

21 A. But I just -- you know, he was not breathing at all, his  
22 mouth was open and -- and I was -- then I was freaking out because  
23 I knew he was banged up and I didn't want to move him --

24 Q. Um-hum.

25 A. -- but I couldn't really get in close to him --

1 Q. Um-hum.

2 A. -- and I don't want to start pressing on anything that  
3 could've been internally broken and I don't know if it was the  
4 right decision. And then I noticed a lot of blood because it was  
5 all wet and muddy in that area and it was all draining underneath  
6 his back, coming down towards me. And we waited a long time for  
7 the medical people to get there, it took them a long time, they  
8 couldn't find us, it's hard to find the exact spot there.

9 Then they showed up and -- well, even before that,  
10 trainmaster Chris Rentzer (ph.) showed up and -- and we just stood  
11 out there for a while and then all the people from the truck that  
12 hit, all of his people were there, and the medics came and I just  
13 found it strange that she -- the medic walked up to Lou and she  
14 didn't even get maybe 6 feet from him and just turned around and  
15 walked back and got a blanket and covered him up. I don't know  
16 what her assessment was of the situation, but apparently she knew  
17 he was dead.

18 Q. All right. Well, thank you, Jim, we appreciate it. It was  
19 an excellent, you know, recall of a very difficult situation,  
20 obviously. I'm just going to back up, you know, to a little bit  
21 earlier. I think you've given us really enough detail about, you  
22 know, the aftermath of the accident. So trainmaster Chris, what's  
23 his name?

24 A. I don't know how to spell his name, Retzer (ph.), Rentzer.

25 Q. Rentzer, okay. Is he kind of like -- would he be your

1 supervisor in the situation there?

2 A. Well, yeah, but Scott showed up, Scott showed up quickly  
3 after that, after -- and he's more -- was in more control of the  
4 situation.

5 Q. Oh, right, right. Yeah, I just mean like generally, I guess,  
6 like --

7 A. Yeah, yeah, he's the trainmaster.

8 Q. Okay, okay. I got you. So you said it was raining outside.

9 A. Yeah. Earlier in the day, it wasn't -- wasn't raining then  
10 but it was raining earlier.

11 Q. Okay, so it wasn't raining like right at the time of the  
12 accident but it was raining --

13 A. I don't think it was, no, I don't think it was.

14 Q. Okay. So how was -- you know, what's -- what's it like when  
15 it's raining out there, is that a big deal, does that make it kind  
16 of any more challenging from your perspective as an engineer?

17 A. No, I don't -- I don't think it does because in that  
18 situation we're shoving back with all empties, so it's very light.

19 Q. Okay.

20 A. We pick up our empties, Chemtrade's empties, it's a very  
21 light and easily controlled train.

22 Q. Okay, okay. It's easy to control. So this, you know,  
23 location where the accident happened, can you just tell me, just  
24 -- irrespective of the -- you know, yesterday, how does this work,  
25 how does this intersection work? I mean, you've got trucks going

1 by, you've got the train going by, what's that process supposed to  
2 look like, who's supposed to stop?

3 A. Well, they yield, they'll yield to us.

4 Q. Okay.

5 A. And they are good at doing it, they stop. All the time, even  
6 if you're close to the crossing and not -- in that case, that  
7 crossing was just bucks, cross bucks and stop signs on it that  
8 reflect the light.

9 Q. Um-hum.

10 A. I think one of them, I think on the north side flashed, but  
11 the other one didn't. But that -- they usually stop even -- and  
12 they wait, they wait until we go across almost every time but --  
13 which I didn't even know on this crossing, this one seems to have  
14 another road that intersects, that comes in at an angle, you know,  
15 instead of straight across, which I think Lou obviously was  
16 telling me about being clear, protected and clear, because it was,  
17 there's nobody coming this way, back and forth. But there's  
18 another road that seems to come in at an angle and that's what I  
19 think, but I'm not positive, but I think that's the way the truck  
20 was coming.

21 Q. Oh, okay, okay. So there's -- there's a road that -- and we  
22 were out there early today and yesterday, but -- so there's a -- I  
23 think I know what you're talking about, there's a road that more  
24 -- is maybe not 90 degrees, but closer to 90 degrees that comes  
25 across there, but there's another road that --

1 A. Yeah, there's a straight road and then there's another one  
2 that --

3 Q. Kind of follows alongside --

4 A. No, no --

5 Q. Or not alongside.

6 A. Yeah, it skims into the crossing, so they will meet.

7 Q. Yeah, maybe like a 45 degree angle or something like that.

8 Yeah. Okay, okay. And so did you say -- so walk me through, just  
9 generally speaking, when you're going along in a situation like  
10 that, you've got a shoving movement, Lou would be riding in the  
11 front and so the trucks would have to stop for you, so --

12 A. Yeah, there's cross bucks and a stop sign, so that's what  
13 they should be doing, stopping and looking and then go.

14 Q. Okay. Have you ever had a situation where Lou or another  
15 conductor has said stop because of truck traffic or otherwise  
16 through there?

17 A. No, I mean, he would tell me to stop if he saw someone coming  
18 over before we get there, way before we get there and see  
19 somebody, maybe, but not the way he yelled stop that night.

20 Q. Okay.

21 A. That was because something was right there at that moment.

22 Q. Got you, got you. Okay. Before he yelled stop, what was --  
23 and I know you told me this, but just remind me again, what was  
24 the thing he said before that?

25 A. He said clear 20 and then crossing protected, no traffic, and

1 then I don't even think it was a couple car lengths that he told  
2 me to stop.

3 Q. Okay. So he says clear 20, which is telling you you're clear  
4 to move 20 car lengths?

5 A. Around 10, usually half.

6 Q. Okay, so you would -- you would interpret that to be --

7 A. He keeps updating, though, yes.

8 Q. -- 10, okay, car lengths. But then maybe two car lengths  
9 from that point, he just yelled stop.

10 A. Yes.

11 Q. But it doesn't sound, he doesn't sound panicked to you --

12 A. No, he sounds mad.

13 Q. He sounds mad.

14 A. Like he was yelling at the truck, that's what I think, just  
15 "Stop, like slow down, what are you doing? Stop."

16 Q. Oh, okay, okay. I got you, I got you. And, you know, I  
17 understand this is just your thinking and if you don't have any  
18 thoughts on that, you know, that's certainly fine, but -- so  
19 you're kind of -- what sounded like to you at the time was not  
20 necessarily he was panicking but more so maybe some frustration  
21 that there's a truck here and --

22 A. That's what I thought.

23 Q. -- this truck doesn't realize that he's supposed to be  
24 stopping.

25 A. Well, that I can't answer.



1 Q. Yeah.

2 A. I just know that he was -- was "stop" and wanted me to stop.

3 MR. HOEPF: Yeah. Okay, okay. That's all the questions I've  
4 got for you right now, so I'm going to go ahead and -- if you're  
5 still okay or do you need a break or anything?

6 (Inaudible response.)

7 MR. HOEPF: Okay. I'm going to go ahead and pass it on to --  
8 if you want to just identify yourself for the record.

9 BY MR. ALAMPRESE:

10 Q. This is Mike Alamprese, last name A-l-a-m-p-r-e-s-e, with the  
11 Federal Railroad Administration commencing with questions. First  
12 of all, let me express my deepest condolences to you, I'm sorry.  
13 Jim, do you remember -- so you had -- this was your first start  
14 because you're starting Monday evening.

15 A. Monday, yeah.

16 Q. Yeah. And you woke up at what time in the morning, did you  
17 say?

18 A. I think was 6:15 --

19 Q. Okay.

20 A. -- that morning.

21 Q. All right. And did you -- any other napping or anything  
22 before you went to work that evening or not?

23 A. I usually lay down in the afternoon, but I couldn't say that  
24 I slept a half an hour or something like that.

25 Q. Okay, all right. What was your duration of sleep, to the

1 best of your recollection?

2 A. Oh, it was a good night, I slept --

3 Q. Yeah.

4 A. -- maybe like 9 hours, I had a good sleep.

5 Q. Okay. And good quality of sleep, as well.

6 A. Yeah.

7 Q. Okay. And no -- no problem with alertness or anything prior  
8 to the accident?

9 A. No, no.

10 Q. As you're approaching the crossing, is Lou counting you down  
11 to the road so you know what proximity you are to the crossing  
12 or --

13 A. I don't know, I don't know if he did it there and he usually  
14 does, too, he's always -- but usually he'll do that at the last  
15 road because that's a main paved road and then I usually slow a  
16 lot for that because we have to wait for the gates to come down.

17 Q. Sure.

18 A. But on these, these are not really -- I mean, they're roads,  
19 they're dirt --

20 Q. Yeah.

21 A. -- crossings, which you hardly have that much traffic on. I  
22 mean, the trucks run there, but not as much as you would, like,  
23 security vehicles or backhoes or bigger trucks on them would use  
24 the main paved road. So, you know, he just told me another 20. I  
25 don't remember if he said to the road or not, just clear 20. And

1 I know the proximity of the crossing distances, so I know what  
2 he's giving me and then he tells me if the crossing is protected  
3 and no traffic.

4 MR. ALAMPRESE: I think that's all I have for right now.

5 MR. HOEPF: All right, thanks.

6 BY MR. BROWNING:

7 Q. Steven Browning, B-r-o-w-n-i-n-g, OSHA, again, I express my  
8 condolences. I just really have one question. You mentioned a  
9 raincoat, is this standard gear for you guys or --

10 A. It was his personal raincoat.

11 Q. And it was sort of reflective?

12 A. Well, he wears the reflective over the raincoat.

13 MR. BROWNING: Okay. Thank you.

14 BY MR. CIEMNY:

15 Q. Joseph Ciemny, C-i-e-m-n-y, with SMART. Jim, again, we  
16 express our condolences to you, Brother, it's a difficult time, I  
17 can tell. I just had a couple of questions now and you may have  
18 said this, but how long have you been on that job?

19 A. On the job?

20 Q. Yeah.

21 A. On that job, it was the fifth week.

22 Q. Okay.

23 A. But I've worked at -- off extra boards or other times, many  
24 times.

25 Q. And what about working with Lou, how long have you guys been

1 connected together?

2 A. Oh, geez, we worked on the C69 before the 75, so I don't  
3 know, I'd say 8 weeks, maybe, straight.

4 Q. And he had been with you all 5 weeks that you were on this?

5 A. Yeah.

6 MR. BROWNING: Okay. That's all I've got for you, thank you.

7 MR. YAMMARINO: Yeah.

8 MR. GOODEN: David Gooden, G-o-o-d-e-n, Norfolk Southern.

9 Jim, I have no questions for you today, I just want to express my  
10 condolences for the loss of one of your brothers.

11 MR. YAMMARINO: Thank you.

12 BY MR. LAWTON:

13 Q. Shawn Lawton, BLET. Jim, we're obviously sorry for your loss  
14 and all of that. When you said he has a reflective over, is that  
15 -- I'm assuming he's wearing a vest?

16 A. Yeah. I'm trying to think what -- yeah, he wears the vest  
17 almost all the time. We usually wear it -- like, we have all  
18 different jackets and coats, but he has a vest, I think, the tear-  
19 away vest he had on, but I'm not positive, but I think he did.

20 Q. Okay. You said there's a lot of crossings that you guys  
21 cover, whether it's dirt, whether they're inside this industry.  
22 Is it common to go through there, what's the procedure, horn,  
23 bell, we get off and flag, what's -- do we just keep pulling,  
24 what's the --

25 A. Well, on the shove, no, we -- you know, we'll slow down

1 coming up to it or if he sees there's no traffic, I think I was  
2 probably 8 miles an hour, something like that, going through. But  
3 again, it's all -- for me, it's control of the train, I have to  
4 know what I have and what weight I have and I can stop, I could've  
5 stopped at like a car length, so it's not -- it's not something  
6 I'm worried about stopping. Now, in the other direction with the  
7 -- when we go down there, yeah, you know, you're blowing the horn  
8 at a crossing, even the -- even the dirt ones.

9 Q. Okay, throughout the industry -- when we were down there I  
10 noticed a lot of stop signs, crosswalks, is there -- is it more  
11 common to see crossings with stop signs or gates and bells and  
12 lights? What's the most common throughout the industry?

13 A. That I don't know because I don't work throughout that whole  
14 place, only in certain areas, but for any type of paved road, they  
15 have a cross -- or the gates and lights.

16 Q. Okay.

17 A. And a lot of it, dirt roads have the flashing -- the stop  
18 sign, it will be around the exterior of the stop sign, flashes all  
19 the time.

20 Q. Okay. And you said the movement was you guys were headed  
21 back to the yard, was that movement in an east direction, west  
22 direction?

23 A. No, east to west.

24 Q. East, so you were shoving east?

25 A. No, shoving west.

1 Q. Shoving west back to the yard?

2 A. Yeah.

3 MR. LAWTON: Okay. That's all the questions I have.

4 MR. HOEPF: Okay. So I think that's the first round. Still  
5 doing okay?

6 MR. YAMMARINO: Yeah.

7 BY MR. HOEPF:

8 Q. Okay, great. So we'll do a second round, so I do have some  
9 more questions. A lot of the questions I've got are kind of just  
10 like standard human factors questions, so don't, you know, read  
11 into these as anything that's, you know, accusatory or anything  
12 like that, they're just -- they're just some standard questions,  
13 so -- but first, let me just talk a little bit more about -- a  
14 little bit about the environment. So how's the lighting, in your  
15 point of view, in that area?

16 A. In what, in the area where it happened or the whole thing in  
17 general?

18 Q. Maybe you can just comment on both a little bit.

19 A. Well, I mean, I think -- I think the lighting's -- I think  
20 it's adequate for an experienced conductor, you know, or  
21 experienced engineer, to move, navigate, because we know the  
22 tracks. I mean, there's a lot to say for that. Also, if you know  
23 your train and know where you're going, it's a lot easier to  
24 navigate and you don't depend on bright light. But I think, you  
25 know, it's lit, but at times -- at times it's sort of dark. It

1 depends on truck movement, too, they all have lights and you can  
2 see them, but I mean, for navigating and seeing the rail, I would  
3 think that from my standpoint, I could see it and have no problem  
4 doing that.

5 Q. Okay. So --

6 A. I can't --

7 Q. -- okay, at least from your --

8 A. I can't explain for Lou, yeah, I don't --

9 Q. -- perspective as an engineer, but --

10 A. I don't know if it's harder -- was harder for him when he did  
11 it, I can't answer for that.

12 Q. Um-hum, um-hum. Did you ever hear Lou talk about the  
13 lighting or, you know, complain about, you know, it's dark over  
14 here or anything like that?

15 A. No, no, because he always has his lantern with him, yeah.

16 Q. Okay.

17 A. But no, I never heard him say that.

18 Q. Is the lantern pretty, pretty bright, then?

19 A. Oh, yeah, he's got the LED, they're super bright.

20 Q. Okay, okay. So --

21 A. So bright that I hate when he used to point it at me because  
22 it would flash off the mirror and blind me, but it's --

23 Q. Oh, okay, that bright.

24 A. They're bright.

25 Q. Yeah, okay. All right, so it doesn't sound like there was

1 really an issue there. Again, just kind of standard stuff here.  
2 So how was your night going in terms of -- were you rushed or  
3 anything like that or stressed out or --

4 A. No, not at all.

5 Q. -- anything atypical going on?

6 A. No, Lou knows that job, he knows how to work everything. He  
7 knows how to set everything up for his whole night and every --  
8 and he's always, always ahead, always thinking ahead, lining  
9 tracks that we're going to use that I can't even imagine, 2 hours  
10 from now he lines them up or has everything -- never wastes moves,  
11 you know, and he's really methodical, he's not -- he's not  
12 rushing. He don't have to, he can do all that without worrying  
13 about getting it done, he gets it done every time.

14 Q. Okay. So it sounds like he was pretty skilled at his  
15 craft --

16 A. Oh, yeah.

17 Q. -- and he was able to keep you guys on schedule pretty well  
18 and it sounds like that was the case that night, as well.

19 A. Yeah, no problems.

20 Q. You seem to be -- you said you've been working with Lou for 8  
21 weeks straight on that job and then, you know, further from that,  
22 did you guys get along okay?

23 A. Well, we were on 5 weeks for that job.

24 Q. Oh, 5 weeks for that job.

25 A. And C69 was before that. Yeah, we get along, we have banter



1 all the time, you know.

2 Q. Um-hum.

3 A. We argue sometimes, but we always seem to laugh it off.

4 Q. Um-hum. So again, these are just standard questions, so did  
5 Lou seem okay to you, I mean, he didn't show up intoxicated or  
6 anything like that?

7 A. No, absolutely not.

8 Q. Okay. And so he was behaving normally and --

9 A. Yes.

10 Q. -- all that? Okay. Again, standard question, so how about  
11 you, were you feeling okay, were you feeling fatigued?

12 A. No. I was fine.

13 Q. Were either one of you using your cell phone, personal cell  
14 phone?

15 A. No.

16 Q. Okay. Standard questions. Any drugs or alcohol or anything  
17 like that?

18 A. No.

19 Q. Okay. And do you have any medications that would make you  
20 drowsy or anything like that?

21 A. No.

22 Q. Okay, great. Yeah, again, just standard questions there.

23 Okay. So one of the other things I've just got on my list here is  
24 just -- so you said this was not a very busy intersection with  
25 these trucks, so I mean, can you give me just the flavor for -- I

1 mean, I don't even know how you would rate that but as you're  
2 coming through this intersection, I mean, there's a truck there 5  
3 percent of the time, 3 percent of the time, 50 percent of the  
4 time? I mean, I know it would be difficult to judge, but I mean,  
5 is this kind of rare that there's a truck there?

6 A. No, it's not rare, they use it.

7 Q. Um-hum.

8 A. But just not -- I mean, I don't think I've seen maybe, at one  
9 time, three of those types of trucks in the whole area that we  
10 work, ever. Maybe like if I see one coming from one area, one has  
11 already come through and one is maybe at another area, that's  
12 probably the most I've ever seen.

13 Q. Um-hum.

14 A. And they're doing a constant rotation, but it's not -- I know  
15 they have to load up or what they have to with what they're  
16 carrying, I don't know --

17 Q. Um-hum.

18 A. -- besides stone. But percentage, I don't know how I could  
19 determine a percentage.

20 Q. Yeah, that's okay. I guess what I'm just trying to get at  
21 is, you know, is it -- has this ever been an issue, I guess, in  
22 the past, have you ever had any close calls with the trucks kind  
23 of coming close to the train or --

24 A. No.

25 Q. -- ever heard of any fender bender type accidents, less

1 serious accidents?

2 A. No, I never had any issues.

3 Q. Okay. Have you heard about anybody else having any kind of  
4 issues or anything like that with the -- with the trucks?

5 A. No, not that I can think of, no.

6 MR. HOEPF: Okay, okay. I'm going to go ahead and pass it  
7 off, back to do another round, it's probably going to be a pretty  
8 quick one, I'm guessing, but Mike, do you have anything?

9 MR. ALAMPRESE: Nothing further.

10 MR. BROWNING: Nothing.

11 BY MR. CIEMNY:

12 Q. Joseph Ciemny again with SMART, just one quick question for  
13 you, Jim. This job was on duty at 6:30 at night?

14 A. Yes.

15 Q. Is there a first shift assignment?

16 A. Six-thirty in the morning until 6:30 at night.

17 Q. So does one follow that?

18 A. I mean, they start at 6:30.

19 Q. Okay, so one follows the other?

20 A. Yeah.

21 Q. Okay. And working in the same area?

22 A. No, they -- well, they work in the yard but they go up the  
23 hill up to Rockport, they don't work any industries.

24 Q. Okay.

25 A. We do all the industry work.

1 Q. So would it be feasible for the job you're on to work during  
2 daylight hours?

3 A. No, because we share the power.

4 Q. So you share the same power. Oh, you share. Do you work the  
5 same lead, the same yard?

6 A. Yeah, we --

7 Q. Okay.

8 A. Yeah, we get the engines out of the house there and put the  
9 same -- I mean, they'll work separate, it might be different  
10 tracks they come in, but yeah, we couldn't --

11 Q. Okay.

12 A. I don't think we could do it at the same time.

13 MR. CIEMNY: Thank you.

14 MR. GOODEN: No questions.

15 BY MR. LAWTON:

16 Q. Shawn Lawton, I've got a couple follow-up questions. Who do  
17 you guys answer to as supervisor, a yardmaster, a trainmaster,  
18 who's your direct contact? If something happens or you need to  
19 find out what we're doing on the job, who do you guys contact?

20 A. The yardmaster in Rockport.

21 Q. So they're not physically on site down there at Campbell  
22 yard, they're at a different location?

23 A. Yes.

24 Q. Okay. When this incident occurred, did you guys call anybody  
25 on the radio when it first went on, when you went back to the

1 engine? I believe you said you went back to the engine to either  
2 get a first-aid kit or something?

3 A. Yeah, when I went back, I called because I didn't know the  
4 situation until I called for Lou two times and then I just -- I  
5 wanted to get to the end of the train to see what was happening --

6 Q. Okay.

7 A. -- because he didn't answer me. And he would not answer me  
8 if he was okay.

9 Q. Okay.

10 A. So I didn't think anything about calling anyone, I didn't  
11 even know the situation.

12 Q. Do you know who was contacted outside of you and the driver  
13 to say hey, we have an issue down here? Did you call, did the  
14 driver call, who called to get the first responders there?

15 A. I called the yardmaster, when I ran back on the engine, I  
16 called the yardmaster and he called --

17 Q. Okay.

18 A. -- for medical or the 911 call.

19 MR. LAWTON: Okay, that's all the questions I have.

20 BY MR. HOEPF:

21 Q. Okay. Almost done here, almost done here. So from your  
22 perspective in the cab, you can't -- can you describe what you can  
23 see, visually? I mean, you know, I'm assuming it's fairly limited  
24 in a shoving movement, but can you just kind of describe what you  
25 were able to see from your vantage point?

1 A. Well, in that particular movement, I had a short nose lead  
2 facing west, so I was on the left side of the movement, on the  
3 left side or on the -- facing the engine on the left side. And  
4 the direction of the movement, I would've been going west, I was  
5 sitting on the right side and Lou was probably on -- must have  
6 been on the left side or -- but I wouldn't have been able to see  
7 him anyways, he couldn't -- he's not giving me hand signals on 11  
8 cars.

9 Q. Right, right.

10 A. Yeah. So I'm just going on the radio.

11 Q. Right. But can you -- I'm just kind of wondering if you can  
12 talk about, you know --

13 A. I can't -- short as it is, but it's not that I can look over  
14 the -- and see anything because I have cars in front of me.

15 Q. Right.

16 A. So I'm just looking at a hopper car.

17 Q. Yeah.

18 A. So to my right I can see --

19 Q. Um-hum.

20 A. -- but I'm not -- can't see anything on my left.

21 Q. You can look out like your side window --

22 A. Yeah, I --

23 Q. -- but you --

24 A. Yeah, you know, but I'm concentrating on just listening and  
25 running in that direction that I'm going and he's my eyes and

1 ears.

2 Q. Got you, got you. I'm just trying to kind of -- you know,  
3 kind of for the record explain that, you know, so you're really  
4 more focused on the operation of the train and you're just  
5 listening --

6 A. Listening to Lou, yeah.

7 Q. -- and Lou's, right, functioning as your eyes and ears there,  
8 so -- well, at this point, I'm guessing there's probably not  
9 questions from the rest of the group, so you know, just a couple  
10 of question that I always ask to close out the interview, I mean,  
11 is there -- did we miss anything in this interview that we should  
12 talk about, is there anything that was on your mind that you  
13 thought we would mention or come up that I forgot to ask about?

14 A. Not that I can think of, no.

15 Q. Okay, okay. And then do you have any suggestions for safety  
16 intervention that could be implemented that could prevent  
17 something like this from happening in the future?

18 A. Well, short of putting up gates there or, you know, putting  
19 up lights and gates, that's the only thing that could stop and  
20 make the vehicles more aware of that cross or those two crossings  
21 because obviously, he didn't -- the driver didn't see him or  
22 didn't see us coming.

23 MR. HOEPF: Got you, got you. Okay. Well, thank you very  
24 much, we really appreciate it, and I'm going to go off the record.

25 (Whereupon, the interview 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 James Yammarino

ACCIDENT NO.: RRD23LR007

PLACE: Cleveland, Ohio

DATE: March 8, 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.



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Karen D. Martini  
Transcriber