

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: RYAN HUNDLEY, Truck Driver
Stein, LLC

Cleveland, Ohio

Wednesday,
March 8, 2023

APPEARANCES:

MIKE HOEPF, 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

SHAWN LAWTON, Investigator
BLET Safety Task Force

RICK SAID, Union Official

ROCKY AGOZZINO, Vice President, Operations
Stein, LLC

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I N T E R V I E W

1
2 MR. HOEPF: Okay, so we are on the record. So my name is
3 Mike Hoepf. Today is March 8th, 2023. We are at the Cleveland
4 Hyatt interviewing the truck driver/steelworker in connection with
5 an accident that occurred in Cleveland on March 7th, 2023. The
6 NTSB accident number is RRD23LR007. The purpose of this
7 investigation is to increase safety, not to assign fault, blame or
8 liability.

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

13 Ryan, do you understand this interview is being recorded?

14 MR. HUNDLEY: Yes.

15 MR. HOEPF: Okay, great. Thanks. And can I just ask you to
16 state your name and spell it, and then I'll have everybody else do
17 the same.

18 MR. HUNDLEY: Ryan Hundley, R-y-a-n H-u-n-d-l-e-y.

19 MR. HOEPF: Okay, great. Thanks.

20 And again, so my name is Mike Hoepf, I'm with the NTSB, I'm
21 assistant safety investigator. Last name is H-o-e-p-f.

22 MR. ALAMPRESE: Michael Alamprese. Last name is spelled
23 A-l-a-m-p-r-e-s-e. Safety inspector/operating practices for the
24 Federal Railroad Administration.

25 MR. BROWNING: Steven Browning, B-r-o-w-n-i-n-g, Occupational

1 Safety and Health Administration.

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

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

6 MR. HOEPF: Okay. And can we have your --

7 MR. SAID: Do you want mine?

8 MR. HOEPF: Yeah, let's get you guys.

9 MR. SAID: Rick Said, S-a-i-d. I'm a union official.

10 MR. HOEPF: Okay, great.

11 MR. AGOZZINO: And Rocky Agozzino, Stein, LLC.

12 A-g-o-z-z-i-n-o.

13 MR. HOEPF: Okay, great. Thanks.

14 INTERVIEW OF RYAN HUNDLEY

15 BY MR. HOEPF:

16 Q. Okay, Ryan, can you just start and just tell us a little
17 bit about your current title and your current job responsibilities
18 and your work history and that kind of thing?

19 A. Well, as a steelworker, I could be driving or burning or on a
20 plant, but I've been driving for the last 5 months, I'd say.

21 Q. Okay, okay. Driving for past 5 months. So who is your
22 employer?

23 A. Stein.

24 Q. Stein, okay. And how long have you been working for Stein,
25 total, do you think?

1 A. Little over a year, I was hired on January 10th, 2022.

2 Q. Okay, January 10, 2022. Okay. And so what's -- talk to me
3 about driving, what's -- you know, what's that job like?

4 A. I pick up a material in one place and I have to deliver it to
5 a different place.

6 Q. Okay. So what material do you typically pick up?

7 A. On the recent job I've been getting limestone, but I could be
8 getting material to run through the plant, could be getting
9 material to deliver to the stockyard for the mill. Just whatever
10 needs got at the time.

11 Q. Okay, okay. And so when you -- when you're driving the
12 truck, do you -- how does it get -- how does it get loaded,
13 typically?

14 A. It all depends on the material. If it's a magnetic material
15 that a crane could pick up with a magnet, then they use a crane,
16 but if it's just like dirt or skim material, they call it, they'll
17 use a loader.

18 Q. Okay, okay. Got you, got you. So, you know, we'll probably
19 -- I'm sure I'll have some more questions about, you know, what
20 it's like to drive these trucks, but let's go ahead and just get
21 out of the way, you know, like just talking about the accident,
22 you know, that's kind of unfortunately what we're here for. So
23 can you just kind of walk me through your day, you know, starting
24 with, you know, what time did you wake up in the morning, you
25 don't have to give us a detailed of your non-workday but, you

1 know, just kind of what time did you get up, what time did you get
2 to work, and just kind of walk us through, you know, your workday
3 and just walk us through everything the best you can, best of your
4 memory.

5 A. I got up around 4:00 p.m. that day, left the house at around
6 8:30, got to work at 9:30 and actually started at 10:00 p.m.

7 Q. Okay, so you left work around 9:30 or arrived at work at
8 9:30.

9 A. Started at 10:00 p.m., yes.

10 Q. Ten o'clock. Where do you -- do you have an hour drive,
11 then?

12 A. About, yeah.

13 Q. Okay.

14 A. I live in Litchfield, Ohio, it's in Medina County.

15 Q. Oh, okay. Medina County, all right, I got you. So yeah, so
16 tell me about -- you know, so what happens at 10 o'clock, what do
17 you do?

18 A. Ten o'clock, we get kicked off by our foreman, he tells us
19 what we're doing, what trucks to take. Then we get in our trucks
20 and start doing our job.

21 Q. Okay, okay. So when you arrive at 10 o'clock, what's your --
22 what's your supervisor's name?

23 A. That night it was Dale.

24 Q. Dale, okay. And so Dale kind of gives you your directives.
25 About how many of you guys are there with Dale?

1 A. For the limestone job that night, there was three of us.

2 Q. Okay, okay. So Dale briefs with -- so three of us, so you
3 and two other drivers?

4 A. Yeah. And a loader, but --

5 Q. Okay. And a loader. So what's the loader doing, what's he
6 -- what kind of equipment does he -- is it like a -- I'm sorry,
7 I'm not familiar with the operation, can you just --

8 A. That's a --

9 Q. -- describe it to me, like what --

10 A. It's a CAT loader.

11 Q. Okay.

12 A. Frontend loader. Picks up the material in the bucket and
13 puts it in a truck.

14 Q. Okay, so it's got a bucket in front, okay. So, I mean,
15 describe to me the operation, is like the loader basically just
16 stationed at the loading place and then the trucks are cycling
17 through?

18 A. Yes, the trucks are going from the limestone pile and then
19 they go to the upper dock and dump it off.

20 Q. Got you.

21 A. And then they just go back to the pile, yeah.

22 Q. Okay. So when you talk with Dale, is there -- I mean,
23 describe that to me, is that like 5 minutes that you guys are
24 talking, is that like an hour-long briefing, is that --

25 A. No, it's about 5, 10 minutes.

1 Q. Okay, okay. And then is that like a job safety briefing,
2 too, or is that more just kind of like what's the tasking for the
3 day?

4 A. Yeah, there's -- a safety meeting is a part of it, they've
5 got the little safety papers that they read off and show us.

6 Q. Okay, okay. So it's a safety briefing and it's a directives
7 kind of meeting. So he's got like a checklist or something like
8 that, that he goes through or is it like a topic of the week kind
9 of safety thing or is it --

10 A. It's a daily safety thing, I believe.

11 Q. Okay.

12 A. They got a little folder.

13 Q. Okay. Can you just give kind of a general, like what's --
14 like, do you guys talk about like PPE or like --

15 A. Yeah, sometimes, it all depends. Could be PPE, could be like
16 road safety.

17 Q. Okay, got you, got you. Okay, sounds good. So the plan is
18 basically just the limestone route and you're going to -- the plan
19 is basically do that for the night or do you re-brief at some
20 point, like to check in kind of midway and then --

21 A. Yeah, it all depends on what the operation needs at the time.
22 The plan could change halfway through the night.

23 Q. Okay, okay. So it was kind of just like do this until I call
24 you on the radio or something and --

25 A. Yeah.

1 Q. -- tell you to do something else? Okay. And so you had a
2 radio in the truck?

3 A. Yes.

4 Q. Okay, okay. And then do you guys, do you communicate over
5 cell phones at all or is that -- it's just strictly the radio
6 or --

7 A. Sometimes the foreman will send a text out because sometimes
8 the radios aren't -- depending on where you are in the mill,
9 sometimes they get staticky.

10 Q. Okay, okay.

11 A. And it's hard to hear what they're saying.

12 Q. Okay. So is that a personal cell phone or --

13 A. Yes.

14 Q. Okay, okay. So sometimes texting with the phone by your
15 supervisor. So how long does it take to load a truck full of
16 limestone?

17 A. Five minutes, maybe.

18 Q. Okay. So it's 5 minutes to load and then how long do you
19 think it takes you to go drop it off and come back?

20 A. It depends on traffic in the area, train traffic, other
21 vehicles on the road.

22 Q. Oh, okay, okay.

23 A. So it could be anywhere from 15 to 30 minutes to an hour if
24 it's a long train.

25 Q. Oh, okay, okay. So the trains can make it pretty

1 significant. So somewhere in 15 minutes to an hour to do a route
2 there. So talk to me about the trains, I mean, what's the -- so
3 the train's coming, do you -- does the train have the right of
4 way?

5 A. Yes.

6 Q. Okay. So you basically just wait for the train. Got you.
7 Can you tell me about the crossings in the area, are they -- are
8 they protected crossings, are they -- what do they have, just like
9 a stop sign and like a marking there? Do they have any gates or
10 anything like that?

11 A. Some of them do have the warning lights with the gates that
12 come down.

13 Q. Okay.

14 A. Others just have the lights and some of them just have a stop
15 sign.

16 Q. Okay. So it really kind of just depends --

17 A. Yes.

18 Q. -- where you're at. Okay, okay. So does that present any
19 challenges for you in terms of, you know, navigating those, has
20 that ever been something that's been tricky for you before?

21 A. There's a few of them where you have limited line of sight.

22 Q. Okay.

23 A. The road comes up to the tracks at an angle.

24 Q. Um-hum.

25 A. The lighting's not always perfect.

1 Q. Um-hum, um-hum. Got you, got you. Yeah, so walk us, you
2 know, if you can, walk us through, you know, what happened. And,
3 you know, if you need to take a break or anything like that, you
4 know, feel free, but yeah, I mean, can you tell us about what
5 happened, you know, when the impact occurred, you know, the
6 accident, is this -- it's kind of one of these crossings you're
7 talking about that's just a stop sign?

8 A. Yes. It was just the stop sign. I came up to it, I stopped,
9 I looked, my vision was impaired on the right of the truck, and
10 then so I stopped, I looked, I did not see a train, so I let off
11 the brake, I proceeded and then, when I saw the train, I hit the
12 brake again, but it didn't do anything. Not that the brake didn't
13 do anything, I just -- I was too far forward.

14 Q. Got you, got you. Okay, so you had just gotten a load of
15 limestone.

16 A. Yes, I was heading from the limestone pile --

17 Q. Okay.

18 A. -- going to the upper dock.

19 Q. Got you. So you came to the stop sign, stopped, and then
20 when you say your visibility was impaired on the right side, what
21 do you mean by that?

22 A. The way you pull up to the tracks is at an angle --

23 Q. Okay.

24 A. -- so you can't see all the way down the tracks.

25 Q. Okay, okay. So when you pull up to the stop sign, you can

1 look out, you can see to the right, but then you've got the bed of
2 the truck that's obstructing, you know -- I mean, obviously, you
3 don't have just like a rearview mirror that you can look straight
4 back or anything like that.

5 A. No.

6 Q. So what do you do when you typically get to that -- I mean, I
7 assume you've been to that stop sign before.

8 A. Yes.

9 Q. When you pull up to that, what's your approach, typically, to
10 that?

11 A. Well, you stop, you look, and if it's -- if there is a train
12 coming, you know, hopefully it's in front of you already or it's
13 the engine and you can see the light from the engine on the
14 tracks.

15 Q. Um-hum. Okay. So you've been to that stop sign before,
16 there's been trains before in the past, so if the train is in
17 front of you, of course, you can see it. If the locomotive
18 headlights are approaching, you can see the headlights?

19 A. Yeah, you could see the lights on the ground.

20 Q. Uh-huh, uh-huh. So in this situation -- but you don't see
21 any lights coming from --

22 A. No.

23 Q. Obviously, you didn't see a train there to your --

24 A. No.

25 Q. -- your right. Okay. I'm just wondering, so when you pull

1 up to -- when you're coming up to the stop sign, do you -- are you
2 trying to look to the right, you know, to see if there's a train
3 because once you get to the stop sign, you really can't see back
4 that way?

5 A. Yeah, I'm trying to -- trying to take stock of the
6 surroundings and see if there's any train or train cars coming
7 from that way.

8 Q. Right, right. So can you use your rearview mirror to see a
9 train or is the rearview mirror, did you have it configured such
10 that, you know, it was really pointing more so like -- like
11 looking around the truck, you know what I mean, does that make
12 sense?

13 A. Yeah, the mirror's set to -- so that you can see the back of
14 the truck so you have the position of the truck and, you know,
15 when you're backing up you're not going to, you know, hit a wall
16 or something.

17 Q. Okay. So once you get to the stop sign, you weren't looking
18 at the rearview mirror?

19 A. No.

20 Q. Okay. And this is kind of a tangent here, but I mean, we're
21 trying to kind of just figure out, you know, understand the
22 challenges of the situation and, you know, we talked about --
23 we've been talking about what you do when you get to the stop sign
24 because it's not 90 degrees, right, it's -- you're kind of coming
25 in at an angle and -- and I went in the truck and I observed that,

1 you know, you can kind of see 90 degrees to your side, maybe a
2 little bit further back, but the -- as far as the -- I was
3 wondering if you could use the rearview mirror, but it sounds like
4 it's not really, you know, you don't have it swung out in a way
5 where you would see, like, the train.

6 A. No, it's not.

7 Q. It's not configured like that --

8 A. No.

9 Q. -- because that's not the purpose that you're using it for.

10 A. Yeah, like you want to have the rear tire, you want to be
11 able to see your rear tire so you know where you're backing up,
12 like when you have to back up to a pile --

13 Q. Right.

14 A. -- you want to know where the truck's actually at.

15 Q. Right, right. So really, I think what I'm hearing is the
16 rearview mirror is kind of a moot point. You weren't looking at
17 it, anyway.

18 A. No.

19 Q. And even if you did, it wouldn't have been any help to you.

20 A. No.

21 Q. I don't want to put words in your mouth, but I'm just trying
22 to like understand, like if it was not configured in a way where
23 you would see that train, therefore there would've been no reason
24 for you to look at it, right.

25 A. Yeah.

1 Q. Okay, okay. So when we're talking about, you know, and sort
2 of kind of get into a lot of details here, we're kind of at the
3 crux of the matter here, but it seems to me, but I want to hear
4 what your opinion is, the biggest issue there is once you got to
5 the stop sign, it's the view of the angle, right? It's that you
6 can't see this train approaching from over here because the bed of
7 the truck is blocking it.

8 A. Yes.

9 Q. Okay. So are there -- is there any other factors that -- is
10 that the key factor there or are there other factors that kind of
11 like make that difficult as well, or is it really just you can't
12 see past the bed of the truck here, right?

13 A. You can't, you can't see past the bed of the truck, it's not
14 a very well lit area.

15 Q. Okay.

16 A. And that's -- there is so many cars there that even if the
17 engine was blowing its horn, I didn't hear it.

18 Q. Okay, okay. So when you say the area's well lit or not well
19 lit --

20 A. Not that well lit.

21 Q. -- not well lit, can you elaborate on that at all?

22 A. Well, there's telephone poles like on the other side of the
23 tracks, they got lights on it --

24 Q. Uh-huh.

25 A. -- and there's some light on the side of the tracks that I

1 was at --

2 Q. Um-hum.

3 A. -- but that area is not -- like they don't have any bright
4 lights --

5 Q. Okay.

6 A. -- to illuminate the tracks.

7 Q. Okay. And I'm just trying to understand this here. If the
8 area was more well lit, I still don't see how that -- again, it's
9 just -- I'm just trying to have a discussion here with you, I'm
10 not trying to assert what your opinion should be or anything, but
11 -- so even if the tracks are well lit there, I don't see how that
12 would help you see further to the right, you know, behind you --

13 A. It wouldn't help me see further to the right, but like while
14 I was stopped --

15 Q. Uh-huh.

16 A. -- if maybe I saw it in my peripheral vision, because it was
17 a black train car.

18 Q. Okay. So maybe --

19 A. If I had --

20 Q. -- it might have been --

21 A. If I had seen it.

22 Q. Yeah. More lighting might've made it more -- it might've
23 entered your peripheral view there. And then I think you said --
24 I can certainly see where if there had been like headlights, then
25 it would've been -- the train would've been casting lights into

1 your field of view, which probably would've made it a lot easier
2 to spot the train.

3 A. Yes.

4 Q. That certainly makes sense to me. I was just trying to
5 understand -- and the overhead lights in terms of how that works,
6 so -- so, I mean, does that seem like a poor design to you, I
7 mean, do you think that there should be some additional
8 protections at that crossing?

9 A. I think there should at least be the warning lights and the
10 gates that come down.

11 MR. HOEPF: Yeah, yeah. Okay. Okay, Ryan, I'm going to take
12 a break and let these other guys ask a couple questions. Are you
13 still good, do you need a break or anything?

14 MR. HUNDLEY: I think I'm fine.

15 MR. HOEPF: Okay. Just at any point, just say I need a
16 break.

17 MR. ALAMPRESE: I don't have anything at this time.

18 BY MR. BROWNING:

19 Q. Hi, Steven Browning with OSHA, B-r-o-w-n-i-n-g. So you've
20 been driving for 5 months, can you like give me an estimate how
21 many trains do you see come through that particular area on a
22 given night? Is it five, ten?

23 A. It all depends on the night, it could be -- I could not see a
24 train or I could see seven or eight.

25 Q. At that particular crossing?

1 A. Yeah.

2 MR. BROWNING: All right, nothing, I'm good for right now.

3 BY MR. CIEMNY:

4 Q. Joseph Ciemny, C-i-e-m-n-y, with SMART on the record. Ryan,
5 I have a couple of questions for you here. You talked about the
6 beginning of your shift that you have this safety briefing, this,
7 you know, what you're going to do for the day and each day they
8 discuss a safety issue, correct?

9 A. Not every day --

10 Q. Okay.

11 A. -- but that is part of it, when they have something to
12 discuss.

13 Q. And this is with a manager from Stein?

14 A. Yeah, a foreman.

15 Q. A foreman from Stein, okay. Any of these discussions over
16 the last year, they involved your line of sight at that particular
17 location?

18 A. Not at that particular location, no.

19 Q. Has it ever been brought up to management or to anybody that
20 this is an obvious issue, that when we stop at this stop sign we
21 are blinded and can't see?

22 A. Yes.

23 Q. Okay. Do you know, did you make that aware to somebody or
24 somebody else?

25 A. I've mentioned it and so have a few other people.

1 Q. Okay. If you could give me a little feedback on what the
2 reply was about or how did they -- how did they expect you to
3 handle -- I mean, from what I heard from you, you're completely
4 blinded once you're at that stop sign. I was out there today and
5 I got the vantage point. What was the feedback you got when you
6 reported this?

7 A. That that's -- we really can't do anything about it, that's
8 not our jurisdiction, we can't change that, how that's set up.

9 Q. You mentioned that there was three limestone drivers that
10 night in turn?

11 A. Yes.

12 Q. Is that typical to have three limestone drivers, is it a
13 normal night, is it usually more or less?

14 A. No, it's been three for this season.

15 Q. Okay. You mentioned that -- all right, you mentioned that
16 your foreman sometimes sends text messages. Is that a
17 requirement, then, that you keep your cell phone on to communicate
18 with your foreman?

19 A. I don't believe it's a requirement, but -- yeah, because
20 there's some, some employees that don't have cell phones.

21 Q. Okay. But that is one of the ways they communicate with you,
22 though, to give you directions and --

23 A. Yes.

24 Q. Your radio inside the cab, what channel is it tuned to, is it
25 tuned in to the same radio channel that the railroad crew was

1 using?

2 A. No, we have our own radio channel.

3 Q. So you couldn't hear the conductor giving his instructions to
4 the engineer?

5 A. No.

6 MR. CIEMNY: Okay. That's all I've got for right now, Ryan,
7 I appreciate your time, thank you.

8 BY MR. LAWTON:

9 Q. Shawn Lawton. Ryan, just a few questions. Have you ever
10 been with Stein or any of your employers for this operation, have
11 you ever had safety training on railroad crossings at all?

12 A. We've had safety discussions at the beginning of the shift, a
13 few of them have been about that.

14 Q. Okay, what does that like, incur, what would be a normal --
15 if I showed up as a driver or a new guy, what would I be
16 instructed, what would that entail?

17 A. Well, when we're getting trained, the driver training us will
18 tell you to stop at the stop sign and to look and make sure
19 there's not a train coming.

20 Q. Okay. Prior to you taking over driving, were you an
21 apprentice or were you trained as, did you have somebody with you,
22 a ride-along, I guess I'm asking, to kind of go through the area
23 to see what the topography is and what kind of hazards you have,
24 what kind of issues are going to come up when you're driving or --

25 A. Yes, the person that trained me told me about the hazards and

1 the lack of view.

2 Q. Okay. So for you, specifically, you, as a driver, when you
3 approach crossings, whether they have lights, gates, bells, stop
4 signs, crosswalks, anything to a crossing, what's your normal
5 "hey, I'm coming to a crossing, what is my normal" -- you know,
6 you see a crossing, what's your normal operation that you, as
7 yourself, normally -- how do you do it?

8 A. Slow down, you know, I try to -- try to keep an eye on the
9 area and then when I stop, look both ways, make sure it's clear.
10 If I don't see anything and then proceed.

11 Q. If you guys -- has Stein or you guys, when you come up to a
12 crossing as such and you said you approached, you didn't see a
13 train, you did stop, have you guys ever been in conversation with
14 management or ever taken it upon yourselves that I can't see, to
15 get out and go look or ever been instructed to never leave the
16 cab?

17 A. I haven't been instructed to never leave the cab, but I'm not
18 sure on that first part.

19 Q. Okay. When you come up, you mentioned that you traverse
20 crossings that have, again, the bells, the lights, the gates,
21 there's different crossings throughout the whole -- your whole
22 route, do you approach the crossings differently depending on
23 their warning devices? Again, if some have gates and bells do we
24 just assume or do you have to stop at every single crossing, what
25 is the rule, what is the procedure?

1 A. You have to stop at every crossing that has a stop sign.

2 Q. Okay. Now, with the ones with gates and bells and lights, do
3 they have stop signs, do you know?

4 A. Yes, they have stop signs.

5 Q. Okay. So every crossing you stop at?

6 A. Some of the crossings do not have stop signs.

7 Q. Okay. But you guys are normally instructed to stop and look
8 or is it more of yield that you're told or --

9 A. For the ones that don't have stop signs, it's yield if you
10 see a train in the area.

11 Q. Okay. In this particular crossing, did you have anything
12 obstructing your view, any issues leading up to the crossing?
13 Could you see both sides coming to the crossing, both areas, is
14 there anything that's blocking the sight of a train or anything
15 like that?

16 A. There's some pipes on the right, some pipes that are in
17 between where the truck is and where the tracks are.

18 Q. Okay. Have you ever been involved in an incident like this
19 with Stein driving, any kind of railroad crossing incident?

20 A. No.

21 Q. Okay. Did you have any noise, the radio going, music going,
22 anything in the cab?

23 A. No, just the engine.

24 Q. Just the engine of the truck?

25 A. Yeah.

1 Q. Okay. Are you allowed to use your cell phone while at work?

2 A. Not while you're driving. If you're parked.

3 Q. Okay. On any of the crossings that you go throughout your
4 route, I might describe this incorrectly, but are there any of the
5 large bubble type of mirrors that allow you to come up to a blind
6 crossing or one that has an obstructed view to use that mirror to
7 see what's off to your sides?

8 A. Yes, there is.

9 Q. There is. Was there one at this crossing?

10 A. No.

11 Q. My last question is you said it's poor lighting there, if I'm
12 quoting you wrong, when you approached the crossing was there any
13 lighting that interfered with your view of the tracks? In other
14 words, when I am driving down a street, I have cars coming at me,
15 it affects my vision, you know, just most of us it does. Was
16 there anything in the background on your approach to the crossing
17 that affected your line of sight?

18 A. I don't remember if there was any lighting like that.

19 MR. LAWTON: Okay. That's all I have for now, thank you.

20 MR. HOEPF: Okay. You still doing okay?

21 MR. HUNDLEY: Yeah.

22 BY MR. HOEPF:

23 Q. All right, okay. I think we're making some pretty good
24 progress here. I'm just going to try to fill in a couple of gaps
25 here, this and that. I think you said the engine noise is pretty

1 loud when you're in the truck?

2 A. If you're on the accelerator, yes.

3 Q. Oh.

4 A. If you're just at an idle, then it's manageable.

5 Q. Oh, okay, okay. I got you. So louder than a typical car,
6 obviously?

7 A. Yes.

8 Q. Louder than a diesel truck, like a -- you know, I mean, can
9 you give us something that we can compare it to, I mean, just to
10 give me an idea? Like, would it be like, you know, a semi driving
11 down the -- driving down the highway or something or maybe a
12 little bit quieter than that or maybe a little bit louder than
13 that?

14 A. I don't really know what I could compare it to.

15 Q. Okay. But anyway, so I take it you didn't hear a train.

16 A. No.

17 Q. And your opinion would be that you wouldn't be able to hear a
18 train over the ambient engine noise?

19 A. You would, you could hear like the horn.

20 Q. Okay. So you think you could hear the horn but not just the
21 engine noise of a locomotive?

22 A. If it was close, yeah, you could.

23 Q. Okay. So it just depends on your distance --

24 A. Yes.

25 Q. -- to the locomotive. Okay, okay. Was it raining at the

1 time of the accident or snowing?

2 A. It was --

3 Q. Sleet?

4 A. -- freezing rain.

5 Q. Okay. Did that present any challenges to you?

6 A. It was on the windshield.

7 Q. So you got freezing rain on the windshield, so that wasn't
8 making your life any easier as you were trying to discern what's
9 going on; anything, any other elaborations on that? I mean, is it
10 -- did you have -- is it good, well-maintained windshield wipers
11 and defrost system on there or did you get a little bit of
12 streaking that was beginning to (indiscernible) see?

13 A. I don't believe so.

14 Q. So you think it was okay?

15 A. Yeah.

16 Q. Okay. And then how about the -- how about your side window,
17 would that -- was that impacted by the rain or was that kind of
18 underneath the --

19 A. The passenger side window is underneath the cab protector, so
20 it was -- it was fine.

21 Q. Okay, okay. So you talked a little bit about your training.
22 Is there a -- is there like a -- is it like on-the-job training,
23 it sounds like you do?

24 A. Yes.

25 Q. Okay, so there's not like a classroom training or something

1 where you sit down in a classroom and go through a PowerPoint and
2 that kind of thing or do you do both?

3 A. No, it's you're trained in the truck, you get time in the
4 passenger seat and observe how the person who's training you
5 drives.

6 Q. Okay, okay.

7 A. And then you get time in the driver's seat with someone in
8 the passenger seat.

9 Q. Okay. So do you need a commercial driver's license, is that
10 -- what do you need to drive these?

11 A. Yeah, a CDL.

12 Q. Okay.

13 A. At least a Class B.

14 Q. CDL, Class B, okay. Is that something that like, you know,
15 you basically have when you apply for this job or is that
16 something that, you know, you already had that or --

17 A. I already had that, yes.

18 Q. Okay, okay. I got you, I got you. So when you're doing the
19 on-the-job training, so this particular vehicle that was involved
20 in the accident, there's not really a passenger compartment in it,
21 but --

22 A. There is not a passenger seat in that one.

23 Q. Yeah, but there's other similar trucks that do have a
24 passenger seat, basically?

25 A. Yes.

1 Q. Okay. And can you just walk me through, you know, the
2 conversations about these rail crossings, you know, when you're --
3 when you're going around, just any detail that you can remember
4 about what your trainee (sic) was saying about the rail crossings?

5 A. Just to come to a stop and look, keep an eye out, and that
6 some of them are difficult to see down.

7 Q. Okay. So basically, just kind of a word of caution. Are you
8 supposed to stay there for any designated period of time, like
9 stop and wait 5 seconds or 10 seconds or is it basically just
10 stop, look, and then you're free to go?

11 A. I don't know of any specific time you're supposed to stay
12 there.

13 MR. HOEPF: Okay, okay. All right, I'm going to go ahead and
14 pass it around for another round of questions. I do have some
15 very like, just standard questions that we'll kind of run through,
16 so I do have a couple more for you, but Mike, do you have
17 anything?

18 MR. ALAMPRESE: Yes.

19 BY MR. ALAMPRESE:

20 Q. Ryan, how often do you guys attend safety training?

21 A. Safety training as in?

22 Q. You know, for your employment, like is it a yearly thing or
23 is there anything further or you just have to maintain your CDL as
24 part of your employment and that's all you get or --

25 A. Do you mean like going off site and getting trained?

1 Q. Off site, on site, any type of safety training that Stein
2 provides.

3 A. We have our -- the safety talks at the kickoff.

4 MR. ALAMPRESE: But I mean not just job briefings or safety
5 briefings, but actual training. Okay, all right. I had a bunch
6 of questions but he asked them already, so okay, next.

7 BY MR. BROWNING:

8 Q. Steven Browning, OSHA. How long is your on-the-job training,
9 what's the length? Do you get a signoff that you're good to drive
10 or --

11 A. A week in the passenger seat and then a week driving with a
12 passenger.

13 Q. Okay. And you mentioned when you're on the accelerator it's
14 difficult to hear, is that the same in the training vehicle versus
15 the one you were driving or --

16 A. No, some of the trucks are louder than others.

17 Q. So when you were doing your training, were you able to
18 communicate with your trainer?

19 A. Yes.

20 MR. BROWNING: Okay. Thank you.

21 BY MR. CIEMNY:

22 Q. Joseph Ciemny with SMART on the record again, I just want to
23 follow up on one thing, Ryan. When you say your vantage point,
24 your stop sign before the collision, you couldn't see anything, at
25 any point were you able to see the conductor's light, his lamp?

1 A. No, not until I had started going and the train car came into
2 view.

3 MR. BROWNING: Thank you.

4 BY MR. LAWTON:

5 Q. Shawn Lawton, a few more questions for you. You mentioned a
6 training vehicle has a spot for two people and you sit in it for a
7 week as the trainee and the instructor's driving and then you swap
8 spots for a week, is that correct?

9 A. Yes.

10 Q. So how comparable is the truck you're training in to the one
11 of the night of the incident?

12 A. It's a similar truck, it's a dump truck, 35 ton. It has --
13 it's about the same, it's got -- it doesn't have the -- the one
14 that I trained in didn't have the window behind the passenger
15 door, but --

16 Q. So size-wise, I don't know a thing about trucks, so size-
17 wise, they're pretty -- length, height, width --

18 A. Yes.

19 Q. -- relatively close?

20 A. Yes.

21 (Noise interference.)

22 BY MR. LAWTON:

23 Q. Minus the cab difference?

24 A. Yeah.

25 Q. Is there a specific truck that is used for training and

1 training only or is it just go to the lot, pick a truck that can
2 sit two people and we train in it?

3 A. No, there's not a specific one.

4 Q. Okay. So during normal runs, you could have a truck with a
5 single cab, you could have one with two seats, it wouldn't be
6 anything out of the ordinary to have that or are you -- only
7 specific one-seated trucks when you're doing your normal
8 operations?

9 A. It's just whatever.

10 Q. Okay.

11 A. Whatever truck's assigned.

12 Q. All right. When you get started for your day, you said you
13 came in, started work at 10 o'clock, what type of walk-around do
14 you do with the truck, what's your normal -- is there a normal
15 procedure, operation that Stein has you do to the truck or do you
16 just hop in it and go?

17 A. No, you have to do a pre-trip.

18 Q. Okay, what does that entail, like, if I was with you, what
19 would we be doing around the truck?

20 A. You would check your flashing lights, you would check your
21 headlights, you check all the tires, you check your oil, you check
22 your engine oil, you check your hydraulic oil, you check your
23 transmission oil and again, you check your tires, make sure none
24 of them are flat or anything, you check your reverse lights, you
25 check all the lights that are on the vehicle and you're looking

1 for any components that could be damaged.

2 Q. Okay. I'm going to jump off real quick. When you said
3 flashing lights, is there a requirement to have flashing lights,
4 where are these flashing lights? When you tell me flashing
5 lights, a guy that has no clue about trucks, can you explain that
6 to me?

7 A. Well, it's just for -- I know there's at least one on each
8 side.

9 Q. Where are they located?

10 A. It would be underneath the bed.

11 Q. So halfway back between the front and the --

12 A. Yeah.

13 Q. -- back of the truck? Is that something that is required by
14 Stein or the properties you're on to have on all the time when
15 you're moving or are they if you're only in a hazard, if you're
16 stopped, or when are those lit?

17 A. No, they're lit all the time.

18 Q. Lit all the time, okay. So you said you walk around the
19 truck, you're supposed to do a safety inspection, if you have
20 issues, broken mirrors, lights, tires or anything, you're to
21 report them. Do you report them to somebody that's on site and
22 are they fixed or how is that handled? If I have a broken mirror
23 or a broken tail light, how do I handle that as a driver?

24 A. You'd report it to your foreman and write it up on your
25 paperwork for your pre-trip.

1 Q. So is that foreman on site?

2 A. Yes.

3 Q. Face to face? Is that something that okay, if I'm missing a
4 headlight, I'm missing a hazard flashing light, a mirror's broken,
5 a wiper's not working, is that something that is going to get
6 fixed when Ryan writes it up or are you told to go work with that
7 situation and we'll fix it later, how is that normally handled?

8 A. That all depends on the component, like if it's something
9 small like a grease line, they'd have you run with it, but if it
10 was like your bed pins snapped, they're about to come out, you
11 can't drive that truck.

12 Q. So headlights, brake lights, flashers, are those lights that
13 are going to be told to keep it moving or we're going to get them
14 fixed when we report them?

15 A. I'm not sure.

16 Q. Okay. Do you know if all of the lights and the blinking
17 lights, every light worked on that truck on the night of the
18 incident, do you recall?

19 A. When I did my pre-trip, yes.

20 Q. Okay. In the cab, the one specific to that night, it was a
21 single seater, excuse my language if I'm not correct, it's a
22 single seat cab. Do any of your windows open on what would be the
23 passenger side or your right side of the cab or the left side of
24 the cab, is anything open?

25 A. The passenger side has a small, like a smoker's window, you

1 can slide it back, half of it you can slide back, and the -- or
2 the driver's side has an actual window you can drop down.

3 Q. Okay. Was any of that open?

4 A. No.

5 Q. No, okay. You mentioned loud noises in the truck only happen
6 when you're hitting the gas when you're driving the truck,
7 correct? When you are braking and more specifically, the night of
8 the incident, because you said you pulled up and stopped or you
9 came to the crossing, so obviously we had to slow down and stop at
10 the crossing, we used our brakes here, was there any loud noises
11 to the brakes, are they super quiet, anything out of the ordinary?

12 A. Nothing out of the ordinary.

13 Q. All right. Do you think the weather hampered you from
14 stopping, after you stopped at the stop sign, at the crossing, and
15 then you started to take off and then the train car came into view
16 and you went to stop, you feel that the weather had any -- it
17 hampered you at all from making that second stop before striking
18 the train?

19 A. No.

20 Q. No, okay. Do you guys -- my last question on the windows.
21 Obviously driving around, things get dirty. Are they regularly
22 clean, did you -- were they clean that night, is it something that
23 obstructs your view, do you have any issues with that truck that
24 night for viewing purposes out of any of the windows?

25 A. That truck, no, I cleaned the windows before I started

1 driving it.

2 MR. LAWTON: Okay, I'm good. Thank you.

3 MR. HOEPF: Okay, great. All right, still doing okay?

4 MR. HUNDLEY: Yeah.

5 BY MR. HOEPF:

6 Q. Okay. All right, so I have just -- these are what are called
7 standard human performance questions, so I ask these for
8 everybody, you know, who's involved in an accident, don't think
9 I'm insinuating anything with this, okay? So one thing we have to
10 do is kind of try to build a 72-hour history which is basically
11 related to fatigue and I know that, you know, memory's not going
12 to be perfect, but just kind of the best to your memory and then,
13 you know, cell phones, alcohol, drugs, like that. So I'm just
14 going to walk through that stuff but again, it's not -- don't read
15 into it, it's just standard stuff. So how did you feel on the
16 night of the accident, did you feel okay, did you feel fatigued?

17 A. No, I felt fine.

18 Q. Okay, okay. So you had woken up 4:00 p.m.

19 A. Yeah.

20 Q. The night before that or day before that, what time did you
21 go to sleep, do you think? Did you go to sleep at the usual time
22 or does it kind of just depend?

23 A. I probably went to sleep sometime around 8:00 a.m.

24 Q. Okay, 8:00 a.m. to 4:00 p.m., okay. So that would've been
25 March 6th, which would've been one day. And again, I understand

1 there's memory effects here. What's your normal tour of duty, I
2 guess, might be a helpful starting point. Do you work Monday
3 through Friday, typically, or --

4 A. Seven days a week.

5 Q. You work 7 days a week, okay. Do you always work from --
6 sorry, you said you started at 6:00, 6:30, no, 7:00?

7 A. No, I started at 10:00.

8 Q. Well, you get started actually to work at 10:00, but you
9 arrived at work at 9:30?

10 A. Nine-thirty, yeah.

11 Q. Okay, okay. Sorry. Oh, sorry, my bad. Okay. So your
12 actual hours, do you clock in there when you get there at 9:30 or
13 do your hours like start at 10:00?

14 A. Hours start at 10:00.

15 Q. Okay, hours start at 10:00. Okay, okay. So do you always
16 start at 10 o'clock?

17 A. No, it's just whenever they have you scheduled for.

18 Q. Okay.

19 A. You know, one week you could be starting at 10:00, the next
20 week they might need you on a different shift.

21 Q. Okay, okay. I got you. So this shift started at 10:00, you
22 had gotten up around 4:00, went to bed around 8:00, do you
23 remember the prior day before that at all?

24 A. I had worked 7:00 p.m. to 7:00 a.m.

25 Q. Seven p.m. to 7:00 a.m., okay. And I know we're kind of

1 going back a ways here and, you know, we can look at your schedule
2 and things like that but, you know, do you recall what time you
3 woke up for that shift before doing that 7:00 to 7:00, do you
4 recall what time you woke up before going to that shift?

5 A. No.

6 Q. Okay, that's okay, and I don't want you to speculate or
7 anything like that. So you felt okay, you know, on the day of the
8 accident. Have you had any fatigue in general? Have you ever had
9 a tough time with the schedule, keeping up 7 days a week,
10 different shifts? It sounds like that could be a little bit
11 challenging, but did you find it challenging or was that okay with
12 you?

13 A. In the past, it's -- I had to drink energy drinks to stay
14 awake.

15 Q. Okay, okay. So not this time but sometimes before you had to
16 -- something with a little bit of caffeine to --

17 A. Yes.

18 Q. -- kind of make it through. Okay, okay. I got you. Did you
19 ever bring up any concerns with your supervisor or anything about,
20 you know, hey, this schedule's pretty, pretty tough, you know, I
21 need a break here, has that ever been a conversation you've had?

22 A. Yes.

23 Q. Did you get any support from that, any feedback on those
24 comments?

25 A. Not really.

1 Q. Okay, okay. So in an ideal world and obviously, we don't
2 live in an ideal world, but maybe some, maybe a schedule that was
3 a little bit more conducive to sleeping would be helpful, do you
4 think or is that -- would you agree with that assessment?

5 A. I don't know.

6 Q. Okay. You know, I'm not trying to put you on the spot or
7 anything, you know, that's okay, that's -- you don't have to say
8 anything about that. Okay, let's go to cell phones, did you use
9 your personal cell phone while you were driving?

10 A. Not while I was driving, no.

11 Q. Okay. So one of the standard things we'll do is just -- in
12 the sense of transparency here, is we typically will subpoena cell
13 phone records and stuff and it's just standard stuff, but -- so if
14 we see cell phone usage activity, we should assume you were parked
15 at the time?

16 A. Yes.

17 Q. Okay, okay. Got you, got you. Personal phone calls, work
18 phone calls, you know, it's okay if it's a personal phone call but
19 basically on your break, maybe a mix of the two?

20 A. Only when I was parked.

21 Q. Got you, got you. Okay, no problem. And did you ingest any
22 drugs or alcohol just after or beforehand?

23 A. No.

24 MR. HOEPF: Okay, great. I'm going to go around the room one
25 more time, see if anybody else has any final questions and we're

1 just about done.

2 BY MR. BROWNING:

3 Q. I have one, Steven Browning with OSHA. Your mode of travel
4 from the limestone pit to the crossing, is that standard every
5 time, you go the same way or can you go another way to approach
6 the crossing in a more direct, perpendicular manner? I guess I
7 asked two questions. One, first one is do you normally approach
8 it the way you did that night and then is there a better way to
9 maybe approach it?

10 A. I normally approach it the way that I did and the way that I
11 did provides more sight to the right than the other way you could
12 go.

13 MR. BROWNING: Okay. That's it for me.

14 MR. HOEPF: All right.

15 UNIDENTIFIED SPEAKER: Nothing.

16 BY MR. LAWTON:

17 Q. Shawn Lawton, just a couple follow-ups. The name of the
18 place, where was the location that you loaded the truck?

19 A. The middle dock.

20 Q. Okay. And you said that that was -- your trip was from the
21 middle dock up to the upper dock --

22 A. Yes.

23 Q. -- is that correct? Okay. And if you had to guess, I don't
24 need an exact distance, what's your distance of travel one way
25 from the middle dock to the upper dock?

1 A. I have no idea.

2 MR. LAWTON: Okay, that's all I have.

3 BY MR. HOEPF:

4 Q. Okay, all right. So Ryan, we're at the end, there's just two
5 questions that I close out every interview with. Did we forget to
6 talk about anything? Was there, you know, something that you were
7 thinking about, you know, we're going to talk about this today and
8 then we forgot, missed it, is there anything we should have talked
9 about that we didn't?

10 A. Not that I know of.

11 Q. Okay. And the last one is -- and I think you've already
12 maybe touched on this but let me just give it to you open ended,
13 is there any recommendations that you would have to improve safety
14 and prevent the possibility of something like this happening again
15 in the future?

16 A. Warning lights and some -- the gate arms that come down so
17 that you know there's an oncoming train.

18 MR. HOEPF: All right, sounds good, sounds good. All right,
19 with that, we're off.

20 (Whereupon, the interview concluded.)
21
22
23
24
25

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 Ryan Hundley

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.



Karen D. Martini
Transcriber