National Transportation Safety Board
Office of Highway Safety
Washington, DC 20594

HWY24MH013

MOTOR CARRIER FACTORS ATTACHMENT

Preliminary Crash Investigation

(9 Pages)

UNITED STATES DEPARTMENT OF TRANSPORTATION

US DOT # 2927244

Legal: BEST NATIONAL INDUSTRIES INCORPORATED
Operating (DBA): CJJ INDUSTRIES INC

MC/MX #: 987975 **Federal Tax ID:** [redacted]

Review Type: Non-ratable Review - Special Study

Scope: Principal Office **Location of Review/Audit:** Company facility in the U. S. **Territory:**

Operation Types	Interstate	Intrastate
Carrier:	HM	HM
Shipper:	N/A	N/A
Cargo Tank:	N/A	

Business: Corporation
Gross Revenue: $3,300,000.00 **for year ending:** 12/31/2023

Company Physical Address:

5130 W Lawndale Ave
Summit, IL 60501

Contact Name: Dan Russo
Phone numbers: **(1)** [redacted] **(2)** 708-921-9290 **Fax**
E-Mail Address: main@cjjindustries.com

Company Mailing Address:

PO Box 1286
La Grange Park, IL 60526

Carrier Classification

Authorized for Hire

Cargo Classification

General Freight Chemicals

Hazardous Materials

3 Flammable liquid	Carried	Non-Bulk	8 Corrosive material	Carried	Non-Bulk

Equipment

	Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased
Truck	0	2	0	Truck Tractor	1	0	5
Trailer	7	0	3				

Power units used in the U.S.: 8
Percentage of time used in the U.S.: 100

Does carrier transport placardable quantities of HM? Yes
Is an HM Permit required? N/A

Driver Information

	Inter	Intra
< 100 Miles:	6	
>= 100 Miles:	7	

Average trip leased drivers/month: 0
Total Drivers: 13
CDL Drivers: 12

SLT3EBUS1EYAA

Part A

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:

130 South Martin Luther King, Jr. Drive
Springfield, IL 62703
Phone: (217)492-4608 Fax:(217)492-4986

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Dan Russo **Title:** Co-Owner

Name: Brian Russo **Title:** Co-Owner

CJJ INDUSTRIES INC (BEST NATIONAL INDUSTRIES INCOR dba)
U.S. DOT #: 2927244

Review Date: 10/31/2024

Part B Violations

1 FEDERAL	Primary: 171.16	**Discovered** 1	**Checked** 1	**Drivers/Vehicles** **In Violation** **Checked**

Description
Failing to properly make, submit, retain or update a written report of hazardous material incident occurring during transportation.

Example
Driver Name: Hashim Hall
Trip Date: 8/15/2024
Shipping Document: 1888086-00
4 drums, 1673 lbs of UN1993, Flammable liquids, n.o.s. (acetone, toulene), 3, II
9 drums, 4347 lbs of UN2586, Aryl sulfonic acids, liquid, 8, III
2 IBCs, 4560 lbs of UN2735, Amines, liquid, corrosive, n.o.s. (monoisopropanolamine), 8, II
5 IBCs, 13785 lbs of UN1230, Methanol solution, 3, II

Public Utilities Commission of Ohio identified the unintentional release of hazardous material. The carrier had not made a written report as of 9/18/2024.

2 FEDERAL	Primary: 395.8(f)	**Discovered** 7	**Checked** 30	**Drivers/Vehicles** **In Violation** 1	**Checked** 1

Description
Failing to require driver to prepare record of duty status in form and manner prescribed.

Example
Driver Name: Hashim Hall
Trip Date: 8/14/2024
395.8(f)(12) - no shipping document number or name of shipper and commodity

Safety Fitness Rating Information:

Total Miles Operated	659,000
Recordable Accidents	0

OOS Vehicle (CR):	0
Number of Vehicle Inspected (CR):	0
OOS Vehicle (MCMIS):	0
Number of Vehicles Inspected (MCMIS):	0

Your proposed safety rating is :

This Review is not Rated.

Part B Requirements and/or Recommendations

1. Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business. Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.

- NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

- The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information: https://www.psp.fmcsa.dot.gov/psp/default.aspx

- Seek Out Resources:

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at http://www.fmcsa.dot.gov and http://www.safer.fmcsa.dot.gov.

You are encouraged to review your company's record at the following website: http://ai.fmcsa.dot.gov/SMS. You will need to use your PIN Number that has been provided by the FMCSA. If you do not have a PIN Number, use the link below to request a PIN number for your DOT number and MC Number. The PIN number allows you to complete any updates on-line and much quicker than via the mail or fax. The PIN number is sent to you via U.S. mail and should take about a week. https://li-public.fmcsa.dot.gov/LIVIEW/PKG_PIN_START.PRC_INTRO

Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

FMCSA Rules and Regulations http://www.fmcsa.dot.gov/rules-regulations/rules-regulations.htm

FMCSA Safety and Security http://www.fmcsa.dot.gov/safety-security/safety-security.htm

The Motor Carrier Safety Planner is available for free on the FMCSA website. This online guide provides simple explanations and templates to help companies that operate CMVs understand and comply with Federal safety regulations. https://www.fmcsa.dot.gov/safety/carrier-safety/motor-carriers-guide-improving-highway-safety

For an overview of the complete North American Standard Inspection Level I process, you can obtain a brochure or view a video at https://www.fmcsa.dot.gov/international-programs

- The CSA Safety Management Cycle is a model that provides a holistic system view of the management processes and safety improvement practices a carrier should have in place in order to ensure compliance with FMCSA regulations. The six safety management processes in the cycle are areas that a motor carrier can systematically explore to discover what safety management processes are ineffective or not in place, thus identifying the process breakdowns.

Policies and Procedures
Roles and Responsibilities
Qualification and Hiring
Training and Communication
Monitoring and Tracking
Meaningful Action

Part B Requirements and/or Recommendations

If you have any questions concerning this report, please contact:

William Jagnow
Federal Motor Carrier Safety Administration
Illinois Division
130 S Martin Luther King, Jr. Drive
Springfield, IL 62703
Phone: [redacted]

385.1005 Prohibition.

Two or more motor carriers shall not use common ownership, common management, common control, or common familial relationship to enable any or all such motor carriers to avoid compliance, or mask or otherwise conceal non-compliance, or a history of non-compliance, with statutory or regulatory requirements prescribed under 49 U.S.C. Chapter 311, subchapter III, or with an order issued under such requirements.

385.1007 Determination of violation.

(a) General. The Agency Official may issue an order to suspend or revoke the registration of one or more motor carriers if he or she determines that the motor carrier or motor carriers have reincarnated or affiliated to avoid regulatory compliance or mask or otherwise conceal regulatory noncompliance, or a history of noncompliance.

(b) Reincarnation or affiliation. The Agency Official may determine that one or more motor carriers are reincarnated if there is substantial continuity between entities such that one is merely a continuation of the other. The Agency Official may determine that motor carriers are affiliates if business operations are under common ownership, common management, common control or common familial relationship. To make these determinations, the Agency Official may consider, among other things, the factors in 49 CFR 386.73(c) and examine, among other things, the records identified in 49 CFR 386.73(d).

(c) Regulatory noncompliance. The Agency Official may determine that a motor carrier or its officer, employee, agent, or authorized representative, avoids regulatory compliance or masks or otherwise conceals regulatory noncompliance, or a history of noncompliance by operating or attempting to operate a motor carrier as a reincarnated or affiliated entity to:

- Avoid complying with an FMCSA order;
- Avoid complying with a statutory or regulatory requirement;
- Avoid paying a civil penalty;
- Avoid responding to an enforcement action; or
- Avoid being linked with a negative compliance history.

385.1017 Penalties.

Any motor carrier that the Agency determines to be in violation of this subpart shall be subject to the civil or criminal penalty provisions of 49 U.S.C. 521(b) and applicable regulations.

Part C

Reason for Review: Other PCI
Planned Action: Compliance Monitoring

Parts Reviewed Certification:

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177	178	180
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Prior Reviews **Prior Prosecutions** **Reason not Rated:** Special Study **Study Code:** PC

Unsat/Unfit Information

Is the motor carrier of passengers subject to the safety fitness procedures contained in 49 CFR part 385 subpart A, AND does it transport passengers in a commercial motor vehicle?

Does carrier transport placardable quantities of hazardous materials? Yes - Interstate and Intrastate

Unsat/Unfit rule: Not Applicable

Corporate Contact: Dan Russo
Corporate Contact Title: Co-Owner

Special Study Information: PC

Remarks:

INVESTIGATION CONDUCTED BY: William Jagnow US1538

REASON FOR INVESTIGATION:

On 8/15/2024 at approximately 0534 Central Time, a crash occurred between a tractor-trailer and a passenger vehicle on I-80 Eastbound near a toll facility at mile marker 49 in Swanton OH. The crash resulted in fatalities for two occupants of the passenger vehicle and injuries to two other occupants of the same, as well as the driver of the tractor-trailer. Additionally, the trailer was compromised which resulted in the release of Hazardous Materials. Both vehicles were towed. Following this crash, other crashes occurred within the traffic queues created by the event, some of which resulted in injuries or fatalities. A Crash Investigation and a Post-Crash Driver/Vehicle Examination Report were conducted by the Public Utilities Commission of Ohio (PUCO). The National Transportation Board initiated an investigation of the crash. My investigation was conducted in collaboration with the NTSB, and I was named as a Group Member of the Motor Carrier Factors Group in the NTSB's Investigation.

SCOPE OF INVESTIGATION:

The carrier for the above tractor-trailer, Best National Industries Incorporated, dba CJJ Industries Inc., USDOT 2927244, was assigned to me for a Preliminary Crash Investigation (PCI), per the Operations Directive Significant Crash / Incident Memorandum dated 4/29/2008. At the time of the assignment, the carrier was on the Moderate Risk 2 Risk-Based List.

The Preliminary Crash Investigation focused on CJJ Industries' driver at the time of the crash, Hashim Hall, the Truck-Tractor with VIN 1M1AN3GY6KM007078, and the Trailer with VIN 1GRAA06239T549798.

In consultation with IL Division management, the PCI was expanded to include a HAZMAT Supplemental Review, which was limited to include only that which was directly connected to the crash - i.e. driver Hashim Hall, the specific HAZMAT load from the crash, etc.

CARRIER DESCRIPTION:

CJJ Industries is a for-hire interstate motor carrier that transports general freight and chemicals. The carrier uses cargo vans, straight trucks, and tractor-trailers. The three cargo vans fall below 10,000 lbs GVWR and are not included in Part A of this report. The carrier's count of trip-leased truck tractors and trailers varies often; five and three respectively are the

most recent estimates. The carrier's customers are varied but includes routine business for HAZMAT shipper Brenntag. The PPOB is a small building with adjacent parking. A secondary business location is the owners' home at [redacted] of Lombard IL. This was the location of both on-site meetings in which I participated, which were arranged by the NTSB.

An updated vehicle list and driver list will be uploaded to EDMS.

Safety management is overseen by the co-owners and brothers, Dan Russo and Brian Russo. During this review, the carrier was represented by attorneys Zachary Ballard of Salmon, Ricchezza, Singer & Turchi, LLP, and David Hudson of Reminger. I noted no emergency relief, exemptions, or waivers relevant to this review. I found no issues with regards to authority or insurance.

DRIVER FITNESS:

Hashim Hall was hired on 11/13/2017. His employment application indicated that he had approximately five years of CDL driving experience (to include passenger bus) prior to hiring with CJJ Industries. I reviewed the Driver Qualification file and CDLIS report for Mr. Hall and found no violations. Mr. Hall's CDLIS report reflected convictions for three moving violations in a CMV and four not in a CMV between 5/31/2014 and the present. I found no information in the driver's Medical Examination certificate or report which plausibly contributed to the crash.

CONTROLLED SUBSTANCES AND ALCOHOL:

Controlled Substances and Alcohol testing documents pertaining to Hashim Hall were requested from the carrier. The carrier did provide a pre-employment test dated 10/5/2017 which was negative, as well as numerous random and post-crash drug and alcohol tests from throughout his employment, all of which were negative. In his employment file, I found a signed receipt for the carrier's Drug and Alcohol policy. I found that the carrier had conducted the required annual DACH queries for Mr. Hall. I found two crashes within the prior year for Mr. Hall, dated 11/9/2023 and 7/22/2024, but neither crash required post-crash testing. I found no issues with the carrier's random testing program. The carrier was not able to conduct post-crash drug or alcohol testing for Mr. Hall as he was immediately transported to the hospital with serious injuries. The results of his blood screen at the hospital have been requested but were not available at the time of this report.

HOURS OF SERVICE:

I reviewed the following documents pertinent to HOS, for driver Hashim Hall from 8/7/2024 to 8/15/2024: ELD RODS (loaded to ERODS via raw data file), Bills of Lading, Pay Statements, Toll reports, and GPS position reports. The driver used a Samsara VG34 device.I reviewed the RODS for violations and checked them against timed supporting documents for violations. I found several form and manner violation in that the RODS did not include the shipping document number or name of shipper and commodity. I found no other HOS violations.

I found that at the time of the crash, Hashim Hall had "worked" (driving time plus on duty not driving) approximately 85 hours and 9 minutes in the eight days prior to the crash and the day of the crash. However, between 8/9 and 8/11, Mr. Hall was off duty for approx. 58 hours and 31 minutes. Following this "34 hour reset," Mr. Hall had worked approx. 45 hours and 16 minutes from 8/11/2024 to the time of the crash on 8/15/2024. I found that during the sampled period, Mr. Hall's earliest start time for his duty day was 2318 Central Time (CT) and the latest was 2343 CT. His earliest end time for the duty day was 1238 CT and the latest was 1256 CT.

Mr. Hall stated that he generally completed the exact same route every single day, and that he had been doing so since approximately March or April of 2020. He stated that he lived alone and generally slept between 1500 or 1600 CT to 2315 or 2320 CT [a reported approximate range of between 7 hours 15 minutes and 8 hours 20 minutes between "shifts"]. He stated that the room he slept in had blinds. Mr. Hall stated that his sleep patterns left him "relatively" well rested. He stated that the days prior to the crash were "a little bit more hectic" than usual while he was off-duty as he had to attend to CDL renewal related tasks, but that this had not prevented him from getting his usual sleep. I did not find any circumstances in the expected delivery schedule which would have caused Mr. Hall to feel under pressure to deliver the load by a certain time.

DRIVER/VEHICLE EXAMINATION REPORT

A Level I Driver/Vehicle Examination was conducted immediately following the crash by PUCO, report number OH3217301443. It found several different violations for damage caused to the vehicles by the crash and

characterized both tractor and trailer as “a total loss.” The report identified the same RODS form and manner violations that I did. The report identified that the periodic (annual) inspection of the trailer “was questionable for the inspector qualifications.” It stated that the periodic inspection report “indicated several items were ok on the trailer that did not exist, steer tires, air compressor, low pressure indicator and also all coupling devices were N/A.” The roadside inspection report stated that the inspector elected not to cite any violations related to this periodic inspection, but rather to refer the matter to NTSB Investigator Shawn Currie.

VEHICLE MAINTENANCE

I reviewed the Vehicle Maintenance file, Periodic (Annual) Inspections, and Driver Vehicle Inspection Reports for the truck-tractor and trailer. I found no violations. The carrier indicated that vehicle maintenance was conducted by a variety of third-party facilities. The NTSB encountered some difficulty in acquiring maintenance records for the truck-tractor as it was leased and the lessor was slow in providing these documents; the maintenance documents were provided (and reviewed by me) after approximately 2-3 weeks. I found that the roadside inspection’s findings regarding the trailer periodic inspection were accurate, and that some fields were filled out which were not appropriate for a trailer. I found no carrier violation related to this periodic inspection, especially as the trailer was trip leased. At the time of this report, the NTSB was still investigating the potential issues with the trailer periodic inspection. Shawn Currie indicated that he might seek the FMCSA’s help with the inspection facility in the future.

HAZMAT SUPPLEMENTAL

A HAZMAT Supplemental Review was conducted, but it consisted only of items directly related to the crash vehicle, driver, and HAZMAT load. I found PHMSA registration for the carrier expiring 6/30/2025, registration number 060222550210EG. I found no issues with regards to Mr. Hall’s HAZMAT Training. Mr. Hall stated that he would routinely handle HAZMAT Load Securement and/or verification of the shipper’s load securement himself, and would personally handle selecting and applying the correct HAZMAT placards and markings. I found no issues with the HAZMAT shipping paper for the load in question. I found no evidence that a security plan was required. I did find that HAZMAT was released following the collision, and that CJJ Industries had failed to make a written report as required by 171.16. The carrier indicated that they did not realize a report was required as the EPA had contacted the carrier shortly after the accident and before the carrier could make a report.

COMPLIANCE HISTORY:

Safety Audit (Onsite) - 10/11/2017 - Pass - IL0108

ENFORCEMENT ACTION: None.

DOCUMENTS PROVIDED TO CARRIER: Copy of this Investigative Report.

INVESTIGATIVE REPORT RECEIVED BY: Owner Dan Russo on 10/31/2024

CONCLUSION: No violations of the FMCSRs or HMRs were found which plausibly contributed to the crash. I did not identify any non-violation factors which may have contributed to the crash.

Upload Authorized:	**Yes**	**No**	
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