

# **Rail Incident Investigation Report**

Docket No: TR-	Report Date:
Railroad Owning Track:	Railroad Operating on Track:
FRA Investigation: Yes No	Inspector:
I. Type of Accident	
Public Crossing Private Crossing T	restle Pedestrian at Crossing
Pedestrian Not at Crossing Other (explain)	
II. Time and Location of Accident	
Date:	Time:
USDOT Crossing No.:	UTC Crossing No.:
Railroad Milepost:	GPS Identifier: Lat: Lon:
Number of Tracks:	City: County:
Road name, yard name, bridge:	
III. Conditions Surrounding the Accident	
Weather: Clear to cloudy Fog Rain Snow	
Road Condition: Dry Wet Snow Ice	
Visibility Due to Weather: Daylight Darkness Un	known
Train Type: Freight Passenger Locomotive only	Cars only Train Speed:
Haz-Mat on Train: Yes No N/A	Remote Control: Yes No N/A
Type of Haz-Mat:	
IV. Pedestrian, Driver, or Passenger Fatalities Does this sect	tion apply? Yes No
-	hicle accident, number of passengers:
Name:	
Driver: Passenger Pedestrian Age:	Gender: Male Female non-binary
Pedestrian trying to get on/off train? Yes No Suicide	e: Yes No Undetermined
Alcohol: Yes No Undetermined Information s	supplied by:
Drugs: Yes No Undetermined Information	supplied by:
Names of additional fatalities:	

Docket No: TR-	
V. Pedestrian, Driver, or Passenger Injuries Does	s this section apply? Yes No
Number of people injured:	If a vehicle accident, number of passengers:
Name:	
Driver: Passenger: Pedestrian:	Age: Gender: Male Female non-binary
Pedestrian trying to get on/off train? Yes No	
Drugs: Yes No Undetermined	Alcohol: Yes No Undetermined
Names of additional injured persons:	
VI. Pedestrian Access (not at a Crossing) Doe	es this section apply? Yes No
Obvious signs of consistent pedestrian trespass? Yes If yes, describe:	Νο
Pedestrian (not at a crossing) information: Accessing If yes, describe:	public area? Yes No
Deterrents at site, e.g. fence, signs, other? Yes If yes, describe:	No
Previous collisions at or near site? Yes No If yes, describe:	
VII. Crossing History Do	es this section apply? Yes No
Prior accidents at this crossing? Yes No Dates of prior accidents:	How many?
Description of prior accidents (fatalities, injuries, pro	perty damage)
Last inspection date?	
Defects? Yes No If yes, describe:	
VIII. Attachments	
Railroad incident report? Yes No	Local law enforcement report? Yes No
Coroner/medical examiner report? Yes No	Pictures? Yes No
Death Certificate? Yes No	Copy of most current inventory? Yes No
Other (describe):	

Docket No: TR-			
IX. Comments			
Event Summary:			
Site Description:			
Inspector Recommendations:			

Docket	No:	TR-

Rail Safety Supervisor Comments/Sign Off:

Director of Transportation Safety Comments/Sign Off:

Please see the below information involving a railroad that has been reported the State Emergency Operations Center (EOC). Please reply to this email to confirm receipt of this message.

Thank you,

Name of the Railroad(s) involved: BNSF

Reporting Party Name, Position and Contact Number: Brock Clifton (817-352-2833)

Time and Date Called in to the State EOC: 0252 hours, 12/28/19

Time and Date of the Event: 0228 hrs, 12/28/19

Mile post and/or Address of Event: MP-78.2 on the Yakima Valley Subdivision, about 0.2 miles from Donald Rd.

Circumstances of the Incident: An individual was laying on the track and was killed by an eastbound freight train. The train is currently stopped to await emergency personnel. The train is not blocking any road.

Number of Injuries and/or Fatalities: 1, the trespasser; no injuries among the train crew.

Type of Rail Cars Involved (tank, hopper, box, flat, etc.): 3 x locomotives and 80 cars

Type and Amount of HAZMAT spilled: No hazmat release.

Any Additional Details That Will Assist in Identifying the Necessary Response: Train Symbol/Identification #--XPSAHAS328B

Name and Phone Local POC: Train Master Brian Bocchi is en-route (509-539-8463)

Railroad Incident Number: None.

State EOC Incident Number: 19-4590

Theodore D. Henkle State Emergency Operations Officer Washington Emergency Management Division 1-800-258-5990 dutyofficer@mil.wa.gov

From:	State Emergency Operations Officer (MIL)
То:	UTC DL WUTC Rail Reporting; ECY RE CRO ERTS COORDINATOR; Yakima County DEM - Duty Officer; Caron,
	<u>Greg (ECY); caron.rs@gmail.com</u>
Subject:	FW: NRC#1267451
Date:	Saturday, December 28, 2019 3:46:34 AM

Here is the NRC Report following up the initial call we received at 0258 hours. Please acknowledge receipt of this message. Thank you.

Theodore D. Henkle State Emergency Operations Officer Washington State Emergency Management Division Building 20, MS: TA-20 Camp Murray, WA 98430-5122 1-800-258-5990

-----Original Message-----From: HQS-PF-fldr-NRC@uscg.mil <HQS-PF-fldr-NRC@uscg.mil> Sent: Saturday, December 28, 2019 3:46 AM To: DUTYOFFICER@EMD.WA.GOV; State Emergency Operations Officer (MIL) <Dutyofficer@mil.wa.gov>; State Emergency Operations Officer (MIL) <Dutyofficer@mil.wa.gov>; Clark, Anthony B (MIL) <Anthony.Clark@mil.wa.gov> Subject: NRC#1267451

#### NATIONAL RESPONSE CENTER 1-800-424-8802 \*\*\*GOVERNMENT USE ONLY\*\*\*GOVERNMENT USE ONLY\*\*\* Information released to a third party shall comply with any applicable federal and/or state Freedom of Information and Privacy Laws

Incident Report # 1267451

### INCIDENT DESCRIPTION

\*Report taken by NRC at 06:36 on 28-DEC-19 Incident Type: RAILROAD NON-RELEASE Incident Cause: TRESPASSER Affected Area: Incident occurred on 28-DEC-19 at 02:28 local incident time. Affected Medium: RAIL REPORT (N/A) / TRESPASSER FATALITY

REPORTING PARTY Name: BROCK CLIFTON Organization: BNSF RAILWAY Address: 2650 LOU MENK DRIVE FORT WORTH, TX 76131 Email Address:

PRIMARY Phone: (817)3522833 Type of Organization: PRIVATE ENTERPRISE

SUSPECTED RESPONSIBLE PARTY Name: UNKNOWN Organization: Address: Type of Organization: UNKNOWN

INCIDENT LOCATION MP: 78 County: YAKIMA SUB: YAKIMA City: WAPATO State: WA MAIN TRACK 1

#### RELEASED MATERIAL(S)

DESCRIPTION OF INCIDENT CALLER STATED A FREIGHT TRAIN STRUCK A TRESPASSER ON THE TRACKS WHICH RESULTED IN FATAL INJURIES. TRACKS ARE CURRENTLY CLOSED IN ALL DIRECTIONS AT THIS TIME.

# SENSITIVE INFORMATION

#### INCIDENT DETAILS

Grade Crossing: NO Location Subdivision: YAKIMA VALLEY Railroad Milepost: 78 Type of Vehicle Involved: Crossing Device Type: Device Operational: YES DOTCrossing Number: Date and Time Service was/will be Restored: Brake Failure: NO Federal Post-Accident 219.201 Sub Part C Testing Required: NO Passenger Train Route: NO Passenger Train Delay Expected: NO Passenger Train Delay Handling: ---RAILROAD INFORMATION----Railroad Involved: BNSF RAILWAY Train Number: XPSAHAS238B Train Type: FREIGHT Train Direction: E Train Speed: Track Speed: Locomotives: 3 Cars: 80 Derailed: Suspected DOT Regulation Non Compliance: UNKNOWN **DERAILED CARS:** Pos. Carnumber Туре Cargo

IMPACT Fire Involved: NO Fire Extinguished: UNKNOWN

INJURIES: NO Sent to Hospital:Empl/Crew:Passenger:FATALITIES: YES Empl/Crew:Passenger:Occupant:EVACUATIONS:NO Who Evacuated:Radius/Area:

Damages: NO

Hours Direction of Closure Type Description of Closure Closed Closure Air: NO

Major Artery:NO

Road: NO

Waterway:NO

Track: YES MAIN TRACK

ALL

Passengers Transferred: NO Environmental Impact: UNKNOWN Media Interest: UNKNOWN Community Impact due to Material:

REMEDIAL ACTIONS YAKIMA SHERIFF OFFICE AND FIRE WERE ONSCENE, INVESTIGATION IS UNDERWAY, TRACK CLOSURE IS ONGOING AT THIS TIME. Release Secured: UNKNOWN Release Rate: Estimated Release Duration:

# WEATHER

# ADDITIONAL AGENCIES NOTIFIED

Federal: State/Local: State/Local On Scene: PD/FD State Agency Number:

28-DEC-19 06:45 (202)2829201 NOAA RPTS FOR WA (MAIN OFFICE) 28-DEC-19 06:45 (206)5264911 NTSB RAIL (MAIN OFFICE) 28-DEC-19 06:45 (202)3146293 OREGON TITAN FUSION CENTER (FUSION COMMAND CENTER) 28-DEC-19 06:45 (877)6204702 OCCUPATIONAL SAFETY & HEALTH ADMIN (MAIN OFFICE) 28-DEC-19 06:45 (801)9180995 WA STATE EMERGENCY MANAGEMENT (MAIN OFFICE) 28-DEC-19 06:45 (800)2585990 TSA OFFICE OF SECURITY OPERATIONS (SURFACE OPS/PSAT - OREGON OFFICE) 28-DEC-19 06:45 (614)7328440 TSA SURFACE TRANSPORTATION SECURITY (TWIC ENFORCEMENT) 28-DEC-19 06:45 (206)3875236 USCG DISTRICT 13 (DISTRICT THIRTEEN (DRAT - DRMM)) 28-DEC-19 06:45 (206)2207221 VOLPE CENTER (TRANSPORTATION HUMAN FACTORS) 28-DEC-19 06:45 (617)4942000 WASHINGTON STATE FUSION CENTER (FUSION COMMAND CENTER) 28-DEC-19 06:45 (877)8439522 WASHINGTON STATE NATIONAL GUARD (COMMAND CENTER) 28-DEC-19 06:45 (253)5128159 WA UTILITIES & TRANSPORTATION COMM (RAILROAD SAFETY) 28-DEC-19 06:45 (360)6641160

ADDITIONAL INFORMATION

\*\*\* END INCIDENT REPORT #1267451 \*\*\* Report any problems by calling 1-800-424-8802 PLEASE VISIT OUR WEB SITE AT http://nrc.uscg.mil

# BNSF Fort Worth – Network Operations Center – INCIDENT REPORT

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Line Seg							48			•		
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Nearest	Nearest Major Terminal (distance/direction):					Kennewick WA south 70 Miles						
Weather	Con	ditior	ns (Tem	p, <mark>wind</mark> ,	precipitat	tion):	26* Clea	ar Winds	s WSW 2 Mph			
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Name:						Craft:						
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	Trailer/Container Damages	Excludes contents. (Mktg-Equip Mtce Team – Evita Murdock)
\$ 0	Not FRA Reportable Subtotal	
\$ 0	Estimated Grand Total (FRA Reporta	ble Subtotal + Not FRA Reportable Subtotal)

Cause Code:	Decoription		
Brief Narrative of Inc	ident:		
Train struck a trespasse			
	Post Accident	Testing (FR	A):
Did this incident meet F	RA Post Accident Testing criteria		
Contact MEH Dept at:			
(817) 352-1648 during no	rmal business hours.		
(817) 352-1613 after hour	s, weekends and holidays. If no		
	rly Farris and Julie Murphy when the		
following applies:			
-Employee/Contractor F			
	perty exceeding \$1.5 million.		
-Collision with injury or			
-Human Factor Grade-C	nt with reportable injury		
If Yes, Name of Claims Ac			
	material that results in an		
evacuation or a reporta			
Does the NOC GDT agree	e with the above analysis?		
Craft being Post Accider	nt Tested:		

Notificati	ons:			
Time:	Entity:	Person Notified:	Reminders:	
0428CT	Service Interruption:	bhc - DS 107	Include who notified SID.	
0433CT	Resource Operations:	Kim Latta		
	OPR DL Cargorelated		Copy of this report	
0440CT	DTM/Terminal Manager:	Brian Bocchi	Get ETA, check Cell number.	
	RFE:		Get ETA, check Cell number.	
0446CT	Signal Desk:	Remdy Notification	817-593-5998	
0446CT	MOW Desk:	Remdy Notification	817-593-6823 Option 1	
0446CT	Mechanical Desk:	Remdy Notification	817-593-9128	
0435CT	NOC GDT:	Luke Johnson		
	Div. General Manager:	Craig Morehouse		
	Div. GDT:	Jason Moyer		
	Corridor Supt:	Daniel Clark		
	Div. Sup Ops / Term Sup:			
	MDPR	Remdy Notification	817-352-1312	
	Passenger Service:	N/A	Email report to Rich Wessler and Tamara Noel.	
	Superintendent Safety and Operating Practices	Scott Huston	California Coleman, Herbert T Chicago Wazny, William A Red River Cleveland, Scott M Kansas Valencia, Randy J Montana Boggs, Landon S. Heartland Musgrove, Chris E Northwest Huston, Scott T Powder River Hein, Joshua B Southwest Strot, Benjamin K. Twin Cities Lund, Michael E	
	The following group list is for the following departments: Safety, Law, Rules, Workforce Management, Rules and field Support, Corporate Relations, Government Affairs, and Evidence Preservation Major event group page list (Not MIP) Also page Region VP.		Page for the following events: Major derailments or train collisions which are expected to exceed 16 hours or \$1,000,000 in damages, 4-8 hour range after the 1 <sup>st</sup> conference call. Derailments or collisions with evacuations, explosions, or involving crude oil trains. Major Hazardous Incidents Employee Fatalities, life threatening injuries, or amputations.	
	(It is located with the SID Locomotive group lists)		Add "Preliminary Report" to the subject line.	

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Conference Calls:		If Conf Call is being established: Notify: NOC MECH/MOW Desk & ROC	
		Page for all Hazardous Incidents: Pat Brady, Piper, Justin, Reid, Clay D,	
		Howard Horn, David C Clark, John D.	
Manager		Lovenburg, Allen Stegman	
ChemTrec (USA)		Call Emergency Number listed on the	
800-424-9300		Waybill whenever a HAZ MAT car is	
		involved in a derailment or damaged;	
CanuTec (Canada)		whether leaking or not.	
888-226-8832 or		g	
613-996-6666		Run TSS: WBCOPY & HAZ & EXCR	
NRC: 800 – 424 – 8802 (Initial SID Analysis) Examples for notifying: Passenger Train/Route \$150,000 incident Employee/Contractor Fatality	Ralls NRC Report # 126-7451	Obtain their Report Number and name of person who took the report.	
State:	Ted Report # 19-4590		
California - CUPA			
Foreign Railroad:			
Page "Go Team"		If appropriate notify Mark Schulze.	
		Copy of this report: Maia LaSalle: MT, WY Jeanelle Davis: AL, AR,LA, MS, TN, TX	
State Corporate Relations:	Gus Melonas / Courtney Wallace	Lena Kent: AZ, CA, TX, LA, MS, AR, AL, TN Amy McBeth: MB, MN, ND, SD, WI Joe Sloan: CO, OK, NM, UT, NV Gus Melonas/Courtney Wallace: BC, ID, OR, WA Andy Williams: KS, MO, NE, IL, KY, IA	
State Corporate Relations:	Gus Melonas / Courtney Wallace	Lena Kent: AZ, CA, TX, LA, MS, AR, AL, TN Amy McBeth: MB, MN, ND, SD, WI Joe Sloan: CO, OK, NM, UT, NV Gus Melonas/Courtney Wallace: BC, ID, OR, WA	
	Gus Melonas / Courtney Wallace	Lena Kent: AZ, CA, TX, LA, MS, AR, AL, TN Amy McBeth: MB, MN, ND, SD, WI Joe Sloan: CO, OK, NM, UT, NV Gus Melonas/Courtney Wallace: BC, ID, OR, WA Andy Williams: KS, MO, NE, IL, KY, IA Notify the Energy Desk of crude oil train derailments: OPR DL Energy Desk managers	
	Gus Melonas / Courtney Wallace	Lena Kent: AZ, CA, TX, LA, MS, AR, AL, TN Amy McBeth: MB, MN, ND, SD, WI Joe Sloan: CO, OK, NM, UT, NV Gus Melonas/Courtney Wallace: BC, ID, OR, WA Andy Williams: KS, MO, NE, IL, KY, IA Notify the Energy Desk of crude oil train derailments: OPR DL Energy Desk managers	
	CanuTec (Canada) 888-226-8832 or 613-996-6666 NRC: 800 – 424 – 8802 (Initial SID Analysis) Examples for notifying: Passenger Train/Route \$150,000 incident Employee/Contractor Fatality State: California - CUPA	Hazardous Incidents: Contact East/West On-call ManagerChemTrec (USA) 800-424-9300	

09/01/20 15:40	Yakima County Sheriff's Office LAW INCIDENT TABLE	831 Page: 1
Occurred before When reported Date disposition declar Incident number Primary incident number Incident nature Incident address State abbreviation ZIP Code Contact or caller	: 19C22780 r : SUSPICIOUS CIRC E WAPATO RD & N TRACK RD WA 98951 r : 189686 BNSF RAILROAD C3WA City of Wapato Mora Carlos T Telephone YCSO Yakima County Sherif Garcia Ad SPC Suspicious Person/Ci TRA Transferred : 257643 2205895 :	f's Office
INVOLVEMENTS: Px Record # Date	Description R	elationship
NM 189686 12/28/19	PALMER, AMOS YEMOWAT RYAN BNSF RAILROAD COMPANY, * 02:36 12/28/19 SUSPICIOUS CIRC *	Complainant

#### LAW INCIDENT RESPONDERS DETAIL:

Se	Responding offi	Unit number	Unit number
1	Garcia Ad	C52	YAKIMA CO SHERIFF DEPUTY
	TOFFOT CONCOM	C39	YAKIMA CO SHERIFF SGT
3	Bazan Gilbert	C70	YCSO Deputy
4	Wuitschick A	C37	YAKIMA CO SHERIFF LIEUTENANT

#### LAW INCIDENT OFFENSES DETAIL:

Se	Offe	Offense coo	de	Arson	Dama
1	SPC	Suspicious	Person/Circumstance		0.00

#### LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Wuitschick A	05:54:29 12/28/2019

09/01/20 Yakima County Sheriff's Office 831 15:40 LAW INCIDENT TABLE Page: 2 CAD Call info/comments \_\_\_\_\_ TRAIN DRIVER WAS HEADING EB AND MAY HAVE HIT SOMETHING OR SOMEONE NEAR LOCATION 02:38:07 12/28/2019 - Mora Carlos BELIVE IT WILL BE AT IVY ST 02:38:26 12/28/2019 - Mora Carlos BNSD 1800 352 5452 02:46:53 12/28/2019 - West Jennifer BNSF CALLED BACK/WERE ABLE TO CHECK AND IT IS A PERSON THAT WAS STRUCK 02:48:36 12/28/2019 - West Jennifer Nature change from SUSPICIOUS CIRC to EMR MEDIC 02:48:57 12/28/2019 - West Jennifer Nature change from EMR MEDIC to SUSPICIOUS CIRC 02:49:24 12/28/2019 - West Jennifer UNABLE TO GET ACROSS AT DONALD/TRAIN BLOCKING ROADWAY 02:49:29 12/28/2019 - Mora Carlos - From: Pepper Jason TRAIN STOP ACROSS THE TRACK AT DONALD RD MAY HAVE TO COME DOWN N TRACK 02:51:07 12/28/2019 - Mora Carlos - From: Garcia Ad ITS CONFIRMED CODE 5 AID CAN CANCLE 02:56:54 12/28/2019 - Mora Carlos TRIBAL ENRT 03:00:07 12/28/2019 - Mora Carlos TRIBAL ON SCENE 03:00:17 12/28/2019 - Mora Carlos - From: Bazan Gilbert IF YOU CAN LET TRIBAL THAT THE TRAIN BLOCKING IF THEY CAN COME FROM WEST SIDE DONALD/ IVY THEY CAN GET THROUGH A FILED THATS PARALLEL TO TRACKS SOME ITEMS THERE THEY NEED TO LOOK AT 03:01:09 12/28/2019 - Mora Carlos TRIBAL ADV/ UNITS ARRIVED WHEN GIVEN INFO

09/01/20 15:40	Yakima County Sheriff's Office LAW INCIDENT TABLE	Page:	831 3			
INVOLVEMENT DETAIL: CAD Master Call Table						
Record number Call type (Law/Fire/EMS Call nature Priority of Call When Occured Earliest When Occured Latest When Reported Respond-to Address City code Person to Contact Contacts Phone Number Complainant name number How Received Who took Call Alarm ID number Geobase address ID Directions number Contacts address Call Received? (Y/N) Hold Until Plate number of stopped Plate state abbreviation Determinant	<pre>: SUSPICIOUS CIRC : 3 : 02:36:24 12/28/2019 : 02:36:56 12/28/2019 : E WAPATO RD &amp; N TRACK RD : WAP : : ( ) - : : T Telephone : Mora Carlos : : 257643 : : : Y : **:**:** **/**/**** veh :</pre>					
		= = = =	= =			

# **MEMO TO FILE**

**DATE**: March 5, 2021

**FROM**: Katie Hancock, Transportation Specialist

# SUBJECT: Apparent Cause of Death for UTC Pedestrian Accident 16001

Per a phone conversation on March 5, 2021, with Theresa Campbell of the Yakima County Coroner Office at (509) 574-1610, the cause and manner of death of Amos Yemowat Ryan Palmer on December 28, 2019 at 0228 hours when struck by BNSF Railway Co. train at milepost 78.2, in Wapato, Yakima County were as follows:

Cause of death: Severe body trauma, struck by railroad train

Manner of death: Accident





