



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	Trestle	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	Unknown
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 section apply? Yes No	
Number of Fatalities:		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		Suicide: Yes No Undetermined	
Alcohol: Yes No Undetermined	Information supplied by:		
Drugs: Yes No Undetermined	Information supplied by:		
Names of additional fatalities:			

Docket No: TR-

V. Pedestrian, Driver, or Passenger Injuries

Does 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)

Does this section apply? Yes No

Obvious signs of consistent pedestrian trespass? Yes No

If yes, describe:

Pedestrian (not at a crossing) information: Accessing public area? Yes No

If yes, describe:

Deterrents at site, e.g. fence, signs, other? Yes No

If yes, describe:

Previous collisions at or near site? Yes No

If yes, describe:

VII. Crossing History

Does this section apply? Yes No

Prior accidents at this crossing? Yes No How many?

Dates of prior accidents:

Description of prior accidents (fatalities, injuries, property 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:

TR-220223



United States



April 25, 2022



U. S. DOT CROSSING INVENTORY FORM

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

OMB No. 2130-0017

Instructions for the initial reporting of the following types of new or previously unreported crossings: For public highway-rail grade crossings, complete the entire inventory Form. For private highway-rail grade crossings, complete the Header, Parts I and II, and the Submission Information section. For public pathway grade crossings (including pedestrian station grade crossings), complete the Header, Parts I and II, and the Submission Information section. For Private pathway grade crossings, complete the Header, Parts I and II, and the Submission Information section. For grade-separated highway-rail or pathway crossings (including pedestrian station crossings), complete the Header, Part I, and the Submission Information section. For changes to existing data, complete the Header, Part I Items 1-3, and the Submission Information section, in addition to the updated data fields. Note: For private crossings only, Part I Item 20 and Part III Item 2.K. are required unless otherwise noted. An asterisk * denotes an optional field.

A. Revision Date (MM/DD/YYYY) 08 / 03 / 2021	B. Reporting Agency <input type="checkbox"/> Railroad <input type="checkbox"/> Transit <input type="checkbox"/> State <input type="checkbox"/> Other	C. Reason for Update (Select only one) <input type="checkbox"/> Change in Data <input type="checkbox"/> Re-Open <input type="checkbox"/> New Crossing <input type="checkbox"/> Date Change Only <input type="checkbox"/> Closed <input type="checkbox"/> Change in Primary Operating RR <input type="checkbox"/> No Train Traffic <input type="checkbox"/> Quiet Zone Update <input type="checkbox"/> Admin. Correction	D. DOT Crossing Inventory Number 099193C
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Part I: Location and Classification Information

1. Primary Operating Railroad BNSF Railway Company [BNSF]		2. State WASHINGTON		3. County YAKIMA	
4. City / Municipality <input type="checkbox"/> In <input type="checkbox"/> Near TOPPENISH		5. Street/Road Name & Block Number MYERS RD (Street/Road Name) * (Block Number)		6. Highway Type & No. FASD397	
7. Do Other Railroads Operate a Separate Track at Crossing? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Specify RR			8. Do Other Railroads Operate Over Your Track at Crossing? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Specify RR		
9. Railroad Division or Region <input type="checkbox"/> None NORTHWEST		10. Railroad Subdivision or District <input type="checkbox"/> None YAKIMA VALLEY		11. Branch or Line Name <input type="checkbox"/> None SP&S J-ELLENSBG	
12. RR Milepost 0069.990 (prefix) (nnnn.nnn) (suffix)		13. Line Segment * 48		14. Nearest RR Timetable Station * TOPPENISH	
15. Parent RR (if applicable) <input type="checkbox"/> N/A		16. Crossing Owner (if applicable) <input type="checkbox"/> N/A BNSF		17. Crossing Type <input type="checkbox"/> Public <input type="checkbox"/> Private	
18. Crossing Purpose <input type="checkbox"/> Highway <input type="checkbox"/> Pathway, Ped. <input type="checkbox"/> Station, Ped.		19. Crossing Position <input type="checkbox"/> At Grade <input type="checkbox"/> RR Under <input type="checkbox"/> RR Over		20. Public Access (if Private Crossing) <input type="checkbox"/> Yes <input type="checkbox"/> No	
21. Type of Train <input type="checkbox"/> Freight <input type="checkbox"/> Intercity Passenger <input type="checkbox"/> Commuter		<input type="checkbox"/> Transit <input type="checkbox"/> Shared Use Transit <input type="checkbox"/> Tourist/Other		22. Average Passenger Train Count Per Day <input type="checkbox"/> Less Than One Per Day <input type="checkbox"/> Number Per Day 0	
23. Type of Land Use <input type="checkbox"/> Open Space <input type="checkbox"/> Farm <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Recreational <input type="checkbox"/> RR Yard					
24. Is there an Adjacent Crossing with a Separate Number? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Provide Crossing Number			25. Quiet Zone (FRA provided) <input type="checkbox"/> No <input type="checkbox"/> 24 Hr <input type="checkbox"/> Partial <input type="checkbox"/> Chicago Excused Date Established		
26. HSR Corridor ID <input type="checkbox"/> N/A		27. Latitude in decimal degrees (WGS84 std: nn.nnnnnnn) 46.3665044		28. Longitude in decimal degrees (WGS84 std: -nnn.nnnnnnn) -120.293967	
29. Lat/Long Source <input type="checkbox"/> Actual <input type="checkbox"/> Estimated		30.A. Railroad Use *			
30.B. Railroad Use *		31.A. State Use *			
30.C. Railroad Use *		31.B. State Use *			
30.D. Railroad Use *		31.C. State Use *			
30.E. Railroad Use *		31.D. State Use *			
32.A. Narrative (Railroad Use) * (1.27 1.28 1.29) Value Provided by Railroad, Not Yet			32.B. Narrative (State Use) *		
33. Emergency Notification Telephone No. (posted) 800-832-5452		34. Railroad Contact (Telephone No.) 817-352-1549		35. State Contact (Telephone No.) 360-664-1262	

Part II: Railroad Information

1. Estimated Number of Daily Train Movements				
1.A. Total Day Thru Trains (6 AM to 6 PM) 5	1.B. Total Night Thru Trains (6 PM to 6 AM) 5	1.C. Total Switching Trains 0	1.D. Total Transit Trains 0	1.E. Check if Less Than One Movement Per Day <input type="checkbox"/> How many trains per week? _____
2. Year of Train Count Data (YYYY) 2019		3. Speed of Train at Crossing 3.A. Maximum Timetable Speed (mph) 49 3.B. Typical Speed Range Over Crossing (mph) From 1 to 49		
4. Type and Count of Tracks Main 1 Siding 0 Yard 1 Transit 0 Industry 0				
5. Train Detection (Main Track only) <input type="checkbox"/> Constant Warning Time <input type="checkbox"/> Motion Detection <input type="checkbox"/> AFO <input type="checkbox"/> PTC <input type="checkbox"/> DC <input type="checkbox"/> Other <input type="checkbox"/> None				
6. Is Track Signaled? <input type="checkbox"/> Yes <input type="checkbox"/> No		7.A. Event Recorder <input type="checkbox"/> Yes <input type="checkbox"/> No		7.B. Remote Health Monitoring <input type="checkbox"/> Yes <input type="checkbox"/> No

U. S. DOT CROSSING INVENTORY FORM

A. Revision Date (MM/DD/YYYY) 08/03/2021		PAGE 2		D. Crossing Inventory Number (7 char.) 099193C	
Part III: Highway or Pathway Traffic Control Device Information					
1. Are there Signs or Signals? <input type="checkbox"/> Yes <input type="checkbox"/> No		2. Types of Passive Traffic Control Devices associated with the Crossing			
2.A. Crossbuck Assemblies (count) 2		2.B. STOP Signs (R1-1) (count) 0	2.C. YIELD Signs (R1-2) (count)	2.D. Advance Warning Signs (Check all that apply; include count) <input type="checkbox"/> None <input type="checkbox"/> W10-1 _____ <input type="checkbox"/> W10-3 _____ <input type="checkbox"/> W10-11 _____ <input type="checkbox"/> W10-2 _____ <input type="checkbox"/> W10-4 _____ <input type="checkbox"/> W10-12 _____	
2.E. Low Ground Clearance Sign (W10-5) <input type="checkbox"/> Yes (count _____) <input type="checkbox"/> No		2.F. Pavement Markings <input type="checkbox"/> Stop Lines <input type="checkbox"/> Dynamic Envelope <input type="checkbox"/> RR Xing Symbols <input type="checkbox"/> None		2.G. Channelization Devices/Medians <input type="checkbox"/> All Approaches <input type="checkbox"/> Median <input type="checkbox"/> One Approach <input type="checkbox"/> None	2.H. EXEMPT Sign (R15-3) <input type="checkbox"/> Yes <input type="checkbox"/> No
2.I. ENS Sign (I-13) Displayed <input type="checkbox"/> Yes <input type="checkbox"/> No		2.J. Other MUTCD Signs <input type="checkbox"/> Yes <input type="checkbox"/> No Specify Type _____ Count 2 Specify Type _____ Count 0 Specify Type _____ Count _____		2.K. Private Crossing Signs (if private) <input type="checkbox"/> Yes <input type="checkbox"/> No	2.L. LED Enhanced Signs (List types)
3. Types of Train Activated Warning Devices at the Grade Crossing (specify count of each device for all that apply)					
3.A. Gate Arms (count) Roadway 2 Pedestrian _____	3.B. Gate Configuration <input type="checkbox"/> 2 Quad <input type="checkbox"/> Full (Barrier) Resistance <input type="checkbox"/> 3 Quad <input type="checkbox"/> Median Gates	3.C. Cantilevered (or Bridged) Flashing Light Structures (count) Over Traffic Lane 8 <input type="checkbox"/> Incandescent Not Over Traffic Lane 0 <input type="checkbox"/> LED		3.D. Mast Mounted Flashing Lights (count of masts) 8 <input type="checkbox"/> Incandescent <input type="checkbox"/> LED <input type="checkbox"/> Back Lights Included <input type="checkbox"/> Side Lights Included	3.E. Total Count of Flashing Light Pairs 8
3.F. Installation Date of Current Active Warning Devices: (MM/YYYY) _____/_____/_____ <input type="checkbox"/> Not Required		3.G. Wayside Horn <input type="checkbox"/> Yes Installed on (MM/YYYY) ____/____/_____ <input type="checkbox"/> No		3.H. Highway Traffic Signals Controlling Crossing <input type="checkbox"/> Yes <input type="checkbox"/> No	3.I. Bells (count) 1
3.J. Non-Train Active Warning <input type="checkbox"/> Flagging/Flagman <input type="checkbox"/> Manually Operated Signals <input type="checkbox"/> Watchman <input type="checkbox"/> Floodlighting <input type="checkbox"/> None				3.K. Other Flashing Lights or Warning Devices Count 0 Specify type _____	
4.A. Does nearby Hwy Intersection have Traffic Signals? <input type="checkbox"/> Yes <input type="checkbox"/> No	4.B. Hwy Traffic Signal Interconnection <input type="checkbox"/> Not Interconnected <input type="checkbox"/> For Traffic Signals <input type="checkbox"/> For Warning Signs	4.C. Hwy Traffic Signal Preemption <input type="checkbox"/> Simultaneous <input type="checkbox"/> Advance	5. Highway Traffic Pre-Signals <input type="checkbox"/> Yes <input type="checkbox"/> No Storage Distance * _____ Stop Line Distance * _____	6. Highway Monitoring Devices (Check all that apply) <input type="checkbox"/> Yes - Photo/Video Recording <input type="checkbox"/> Yes - Vehicle Presence Detection <input type="checkbox"/> None	
Part IV: Physical Characteristics					
1. Traffic Lanes Crossing Railroad <input type="checkbox"/> One-way Traffic <input type="checkbox"/> Two-way Traffic Number of Lanes 2 <input type="checkbox"/> Divided Traffic		2. Is Roadway/Pathway Paved? <input type="checkbox"/> Yes <input type="checkbox"/> No	3. Does Track Run Down a Street? <input type="checkbox"/> Yes <input type="checkbox"/> No	4. Is Crossing Illuminated? (Street lights within approx. 50 feet from nearest rail) <input type="checkbox"/> Yes <input type="checkbox"/> No	
5. Crossing Surface (on Main Track, multiple types allowed) Installation Date * (MM/YYYY) ____/____/_____ <input type="checkbox"/> 1 Timber <input type="checkbox"/> 2 Asphalt <input type="checkbox"/> 3 Asphalt and Timber <input type="checkbox"/> 4 Concrete <input type="checkbox"/> 5 Concrete and Rubber <input type="checkbox"/> 6 Rubber <input type="checkbox"/> 7 Metal <input type="checkbox"/> 8 Unconsolidated <input type="checkbox"/> 9 Composite <input type="checkbox"/> 10 Other (specify) _____					
6. Intersecting Roadway within 500 feet? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Approximate Distance (feet) _____		7. Smallest Crossing Angle <input type="checkbox"/> 0° - 29° <input type="checkbox"/> 30° - 59° <input type="checkbox"/> 60° - 90°		8. Is Commercial Power Available? * <input type="checkbox"/> Yes <input type="checkbox"/> No	
Part V: Public Highway Information					
1. Highway System <input type="checkbox"/> (01) Interstate Highway System <input type="checkbox"/> (02) Other Nat Hwy System (NHS) <input type="checkbox"/> (03) Federal AID, Not NHS <input type="checkbox"/> (08) Non-Federal Aid		2. Functional Classification of Road at Crossing <input type="checkbox"/> (0) Rural <input type="checkbox"/> (1) Urban <input type="checkbox"/> (1) Interstate <input type="checkbox"/> (5) Major Collector <input type="checkbox"/> (2) Other Freeways and Expressways <input type="checkbox"/> (3) Other Principal Arterial <input type="checkbox"/> (6) Minor Collector <input type="checkbox"/> (4) Minor Arterial <input type="checkbox"/> (7) Local		3. Is Crossing on State Highway System? <input type="checkbox"/> Yes <input type="checkbox"/> No	4. Highway Speed Limit _____ MPH <input type="checkbox"/> Posted <input type="checkbox"/> Statutory
5. Linear Referencing System (LRS Route ID) *					
6. LRS Milepost *					
7. Annual Average Daily Traffic (AADT) Year 1988 AADT 000700		8. Estimated Percent Trucks 12 %	9. Regularly Used by School Buses? <input type="checkbox"/> Yes <input type="checkbox"/> No Average Number per Day 0		10. Emergency Services Route <input type="checkbox"/> Yes <input type="checkbox"/> No
Submission Information - This information is used for administrative purposes and is not available on the public website.					
Submitted by _____ Organization _____ Phone _____ Date _____					
Public reporting burden for this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS-25 Washington, DC 20590.					

From: [State Emergency Operations Officer \(MIL\)](#)
To: [Eldon Offutt](#); [Jacob Mungin](#); [Hunter, Kathy \(UTC\)](#); [Kenneth W. Holgard](#); [Kevin Pannell](#); [Michael Pirato](#); [Powell, John \(FRA\)](#); [Randall Boyington](#); [Stacey Thompson \(Fed Railroad Association Reg 8\)](#); [Stacey Weller](#); [Steven Travers](#); [WUTC Rail Reporting \(UTC\)](#)
Subject: State Incident #21-2168
Date: Wednesday, June 16, 2021 7:27:07 PM

Please see the below information involving a railroad incident that has been reported to the State Emergency Operations Center (EOC). Please reply to this email upon confirmation of receipt. Thank you

Name of the Railroad(s) involved: BNSF

Reporting Party Name, Position and Contact Number: Steve Yost @ 1-817-593-6823

Time and Date Called in to the State EOC: 1919, 06/16/2021

Time and Date of the Event: 1849, 06/16/2021

Mile post and/or Address of Event: MP 69.9, Myers Rd., Toppenish, WA

Circumstances of the Incident: Train vs Trespasser resulting in a fatality.

Number of Injuries and/or Fatalities: 1

Type of Rail Cars Involved (tank, hopper, box, flat, etc.): Freight Train.

Type and Amount of HAZMAT spilled: N/A

Any Additional Details That Will Assist in Identifying the Necessary Response: N/A

Name and Phone Local POC: Steve Yost @ 1-817-593-6823

Railroad Incident Number:

State EOC Incident Number: 21-2168

[State Emergency Operations Officer \(SEOO\)](#)

Alert & Warning Center

Emergency Management Division

Washington Military Department

Office: (800) 258-5990

dutyofficer@mil.wa.gov

Hancock, Katie (UTC)

From: State Emergency Operations Officer (MIL)
Sent: Thursday, September 23, 2021 10:26 AM
To: Yakima County DEM - Duty Officer; Wilson, Andy (ECY); Harris, Anna (ECY); ECY RE CRO ERTS COORDINATOR; Hunn, Sam (ECY); Eldon Offutt; Jacob Mungin; Hunter, Kathy (UTC); Kenneth W. Holgard; Kevin Pannell; Michael Pirato; Powell, John (FRA); Randall Boyington; Stacey Thompson (Fed Railroad Association Reg 8); Stacey Weller; Steven Travers; WUTC Rail Reporting (UTC)
Subject: BNSF Train vs Trespasser Fatality - YakimaNRC#1317679

For Your Information. This occurred on Jun 16 and WAS called in by RP at that time. State incident #21-2168

Please confirm receipt.

Scott Caldwell
State Emergency Operations Officer
Washington Emergency Management Division Building 20: MS: TA-20 Camp Murray, WA 98430-5122
dutyofficer@mil.wa.gov

-----Original Message-----

From: HQS-SMB-NRC@uscg.mil <HQS-SMB-NRC@uscg.mil>
Sent: Thursday, September 23, 2021 10:21 AM
To: 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#1317679

External Email

NATIONAL RESPONSE CENTER 1-800-424-8802

GOVERNMENT USE ONLYGOVERNMENT 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 # 1317679

INCIDENT DESCRIPTION

*Report taken by NRC on 23-SEP-21 at 13:12 ET.
Incident Type: RAILROAD NON-RELEASE
Incident Cause: TRESPASSER
Affected Area:
Incident occurred on 16-JUN-21 at 20:49 local incident time.
Affected Medium: RAIL REPORT (N/A) / TRESPASSER

REPORTING PARTY

Name: STEVE YOST
Organization: BNSF RAILWAY
Address: 2650 LOU MENK DRIVE
FORT WORTH, TX 76131
Email Address:

PRIMARY Phone: (817)5936823
Type of Organization: PRIVATE ENTERPRISE

SUSPECTED RESPONSIBLE PARTY

Name: UNKNOWN
Organization:
Address:

Type of Organization: UNKNOWN

INCIDENT LOCATION

MP: 69.9 County: YAKIMA
SUB: YAKIMA VALLEY
City: TOPPENISH State: WA

RELEASED MATERIAL(S)

DESCRIPTION OF INCIDENT

CALLER IS REPORTING THAT A FREIGHT TRAIN STRUCK A TRESPASSER
RESULTING IN ONE FATALITY AT A GRADE CROSSING.

SENSITIVE INFORMATION

INCIDENT DETAILS

Grade Crossing: YES
Location Subdivision: YAKIMA VALLEY
Railroad Milepost: 69.9
Type of Vehicle Involved: NONE
Crossing Device Type: GATES/LIGHTS/BELLS
Device Operational: UNKNOWN
DOT Crossing Number: 099193C
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: XKAHMEC8-15
Train Type: FREIGHT Train Direction: E
Train Speed: Track Speed:
Locomotives: 3 Cars: 116 Derailed: 0
Suspected DOT Regulation Non Compliance: UNKNOWN
DERAILED CARS:
Pos. Car number Type 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

Road: Major
Artery:NO

Waterway:NO

Track: YES SIGNLE MAIN 4 E/W

Passengers Transferred: NO
Environmental Impact: NO
Media Interest: UNKNOWN

REMEDIAL ACTIONS

LOCAL PD CONDUCTED AN INVESTIGATION
Release Secured: UNKNOWN
Release Rate:
Estimated Release Duration:

WEATHER

ADDITIONAL AGENCIES NOTIFIED

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

NOTIFICATIONS BY NRC

CENTERS FOR DISEASE CONTROL (GRASP)
23-SEP-21 13:20 (770)4887100
ASST COMDT FOR INTELLIGENCE (CG-2) (OFFICE OF INTELLIGENCE PLANS AND POLICY
(CG-25))
23-SEP-21 13:20 (202)3722886
CGIS D13 FIELD OFFICE (CGIS D13 COMMAND CENTER)
23-SEP-21 13:20 (206)2207141
CBP TRADE PTNRSHIP AGAINST TERRORISM (LOS ANGELES FIELD OFFICE)
23-SEP-21 13:20 (562)3663864
DEPT OF HEALTH AND HUMAN SERVICES (SECRETARY OPERATION CENTER (SOC))
23-SEP-21 13:20

NATIONAL COORDINATING CTR FOR COMMS (NCC COMM-ISAC)
23-SEP-21 13:20 (703)2355626
DHS CYBER & INFRASTRUCTURE SECURITY (OFC OF INFRASTRUCTURE PROTECTION RGN X)
23-SEP-21 13:20 (202)8215301
OFFICE OF INFRASTRUCTURE PROTECTION (WA STATE PROTECTIVE SECURITY ADVISOR)
23-SEP-21 13:20 (202)8053379
DOT CRISIS MANAGEMENT CENTER (MAIN OFFICE)
23-SEP-21 13:20 (202)3661863
FEDERAL RAILROAD ADMIN. (MAIN OFFICE (AUTO))
23-SEP-21 13:20 (202)4930636
U.S. EPA X SEATTLE (CID OREGON)
23-SEP-21 13:20 (206)5531263
FEMA REGION 10 (MAIN OFFICE)
23-SEP-21 13:20 (425)4874704
NATIONAL HWY TRANS SAFETY ADMIN (MAIN OFFICE)
23-SEP-21 13:20 (202)4412924
CISA CENTRAL (MAIN OFFICE)
23-SEP-21 13:20 (202)2829201
NOAA RPTS FOR WA (MAIN OFFICE)
23-SEP-21 13:20 (206)5264911
NTSB RAIL (MAIN OFFICE)
23-SEP-21 13:20 (202)3146293
OREGON TITAN FUSION CENTER (FUSION COMMAND CENTER)
23-SEP-21 13:20 (877)6204702
OCCUPATIONAL SAFETY & HEALTH ADMIN (MAIN OFFICE)
23-SEP-21 13:20 (801)9180995
SECTOR COLUMBIA RIVER (IMD-DD-PORTLAND DUTY PHONE)
23-SEP-21 13:20 (618)2148480
SECTOR COLUMBIA RIVER (IMD-ASTORIA DUTY PHONE)
23-SEP-21 13:20 (503)8616447
WA STATE EMERGENCY MANAGEMENT (MAIN OFFICE)
23-SEP-21 13:20 (800)2585990
TSA OPERATIONS CENTER (LAW ENFORCEMENT)
23-SEP-21 13:20 (571)3542564
TSA OFFICE OF SECURITY OPERATIONS (SURFACE OPS/PSAT - OREGON OFFICE)
23-SEP-21 13:20 (614)7328440
TSA SURFACE TRANSPORTATION SECURITY (TWIC ENFORCEMENT)
23-SEP-21 13:20 (206)3875236
USCG DISTRICT 13 (DISTRICT THIRTEEN (DRAT - DRMM))
23-SEP-21 13:20 (206)2207221
VOLPE CENTER (TRANSPORTATION HUMAN FACTORS)
23-SEP-21 13:20 (617)4942000
WASHINGTON STATE FUSION CENTER (FUSION COMMAND CENTER)
23-SEP-21 13:20 (877)8439522
WA UTILITIES & TRANSPORTATION COMM (RAILROAD SAFETY)
23-SEP-21 13:20 (360)6641160

ADDITIONAL INFORMATION

*** END INCIDENT REPORT #1317679 ***

Report any problems by calling 1-800-424-8802

PLEASE VISIT OUR WEB SITE AT

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fnc.uscg.mil%2F&data=04%7C01%7CDutyofficer%40mil.wa.gov%7Cc6277e8d8eb84d0fbaca08d97eb68c82%7C11d0e217264e400a8ba057dcc127d72d%7C0%7C637680144780169263%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikh1haWwiLCJXVCi6Mn0%3D%7C1000&data=Kko%2Fo3DFA4UBBhSLT4xIOc4MeuQ%2FZHateJ8JdqGi1kU%3D&reserved=0>

From: [Service, Interruption Desk](#)
To: [WUTC Rail Reporting \(UTC\)](#)
Subject: FW: 061621 XKAHMEC815 - trespasser - Yakima Valley Sub
Date: Wednesday, June 16, 2021 11:11:02 PM

External Email

Ticket #: 13676
Create D/T: 6/16/2021 8:49:05 PM
Resource: 099193C
Division: Northwest
Subdivision: Yakima Valley
MilePost: 69.986
Line Segment: 48
City: Toppenish
County: Yakima
State: WA
D Code: 216110
Train Symbol: XKAHMEC815A (BNSF3977) east

Trouble Code: Trespasser
Trouble Desc: 2049CT X KAHMEC8 15 travelling east on single main track reported striking a trespasser at Meyers Road North grade crossing in Toppenish, MP 69.986. No crew injuries reported. Toppenish police report the trespasser was fatally injured. Meyers Road North grade crossing (DOT# 099193C) shows equipped with gates, bells, and flashers.
0040CT All work groups clear, Signal inspection complete. X KAHMEC8 15 released.

Train Soup: 0-116-3596-6725'
Train Direction: East
Lead Locos: BNSF 3977, BNSF 6749, BNSF 6289 DP Locos:
Conductor Name: AL Perreault
Engineer Name: JT Kephart
Other Name:
On Duty Time and Date: 6/16/2021 10:00:00 AM Crew Origin/Destination: AUB PAS

Name of Law Enforcement Agency on scene: Toppenish police FRA Post Accident Testing Required:
Crossing DOT: 099193C
Crossing Equipped With: Gates, bells, and flashers

Haz Material: No
Haz Material Commodity:
Amount Released:
Impact to Waterway: None
Evacuations: None
Weather: 77*, clear, SE winds 4 mph

State Report number: WA 21-2168
NRC Report Number: Not reportable

Derailed Equipment:

Estimated Costs & Damages
Track: 0.00 USD
Signal: 0.00 USD
Other: 0.00 USD

Car Damages: 0.00 USD
Locomotive Damages: 0.00 USD

Contractor Expense: 0.00 USD
Estimated Lading Recovery Costs: 0.00 USD Prelim. Lading Loss Estimates: 0.00 USD Trailer/Container Damages:
0.00 USD

FRA Reportable Subtotal: 0.00 USD

Not FRA Reportable Subtotal: 0.00 USD

Estimated Grand Total: 0.00 USD

NOTIFIED event(s):

6/16/2021 9:29:14 NOTIFIED - MDPH --> Remedy
6/16/2021 9:29:06 NOTIFIED - Signal Desk --> Remedy
6/16/2021 9:22:26 NOTIFIED - State --> 21-2168
6/16/2021 8:56:36 NOTIFIED - RFE --> Mike Tycksen
6/16/2021 8:56:10 NOTIFIED - Trainmaster --> Brian Bocchi
6/16/2021 8:51:08 NOTIFIED - NOC GDT --> Liz Hill
6/16/2021 8:50:44 NOTIFIED - ROC --> Sandy Griffith

1. Name of Reporting Railroad BNSF Railway Company [BNSF]				1a. Alphabetic Code BNSF		1b. Railroad Accident/Incident No. NW0621205	
2. Name of Other Railroad or Other Entity Filing for Equipment Involved in Train Accident/Incident				2a. Alphabetic Code		2b. Railroad Accident/Incident No.	
3. Name of Railroad or Other Entity Responsible for Track Maintenance (single entry) BNSF Railway Company [BNSF]				3a. Alphabetic Code BNSF		3b. Railroad Accident/Incident No. NW0621205	
4. U.S. DOT Grade Crossing ID No. 099193C				5. Date of Accident/Incident month day year 0 6 1 6 2021		6. Time of Accident/Incident 6:30 AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	
7. Nearest Railroad Station TOPPENISH		8. Subdivision YAKIMA VALLEY		9. County YAKIMA		10. State Abbr. WA Code 53	
11. City (if in a city) TOPPENISH			12. Highway Name or No. MYERS RD.			Public <input checked="" type="checkbox"/> Private <input type="checkbox"/>	
Highway User Involved				Rail Equipment Involved			
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian Code B. Truck E. Van H. Motorcycle M. Other (specify) K				17. Equipment 1. Train (units pulling) 2. Train (units pushing) 3. Train (standing) 4. Car(s) (moving) 5. Car(s) (standing) 6. Light loco(s) (moving) 7. Light loco(s) (standing) 8. Other (specify) A. Train pulling- RCL B. Train pushing- RCL C. Train standing- RCL D. EMU Locomotive(s) E. DMU Locomotive(s) Code 1			
14. Vehicle Speed (est. mph at impact) 0		15. Direction (geographical) 1. North 2. South 3. East 4. West Code 2		18. Position of Car Unit in Train 1			
16. Position 1. Stalled or stuck on crossing 2. Stopped on Crossing 3. Moving over crossing 4. Trapped on crossing by traffic 5. Blocked on crossing by gates Code 2				19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user Code 1			
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither Code 4				20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither Code 4			
20c. State here the name and quantity of the hazardous material released, if any							
21. Temperature (specify if minus) 80 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark Code 3		23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow Code 1			
24. Type of Equipment 1. Freight Train 2. Passenger Train-Pulling (single entry) 3. Commuter Train-Pulling 4. Work Train 5. Single Car 6. Cut of cars 7. Yard/Switching 8. Light loco(s) 9. Maint./inspect. car A. Spec. MoW Equip. B. Passenger Train-Pushing C. Commuter Train-Pushing D. EMU E. DMU Code 1				25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry Code 1		26. Track Number or Name SINGLE MAIN TRACK	
27. FRA Track Class (1-9,X) 4		28. Number of Locomotive Units 3		29. Number of Cars 116		30. Consist Speed (Recorded speed if available) R. Recorded 44 mph E. Estimated E	
31. Time Table Direction 1. North 2. South 3. East 4. West Code 3				32. Type of Crossing Warning 1. Gates 2. Cantilever FLS 3. Standard FLS 4. Wig wags 5. Hwy. traffic signals 6. Audible 7. Crossbucks 8. Stop signs 9. Watchman 10. Flagged by crew 11. Other (specify) 12. None Code(s) 01 02 03 06 07			
33. Signaled Crossing Warning (See reverse side for instructions and codes) Code 1				34. Roadway Conditions A. Dry B. Wet C. Snow/Slush D. Ice E. Sand, Mud, Dirt, Oil, Gravel F. Water (Standing, Moving) Code A			
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach Code 1			36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown Code 2			37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown Code 2	
38. Highway User's Age 23		39. Highway User's Gender 1. Male 2. Female Code 1		40. Highway User Went Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown Code 2		41. Highway User 1. Went around the gate 2. Stopped and then proceeded 3. Did not stop 4. Stopped on crossing 5. Other (specify) 6. Went around/thru temporary barricade (if yes, see instructions) 7. Went thru the gate 8. Suicide/Attempted suicide Code 5	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown Code			43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 2. Standing railroad equipment 3. Passing Train 4. Topography 5. Vegetation 6. Highway Vehicles 7. Other (specify) 8. Not Obstructed Code 8				
Casualties to:		Killed		Injured		44. Driver was 1. Killed 2. Injured 3. Uninjured	
46. Highway-Rail Crossing Users 1		0		47. Highway Vehicle Property Damage (est. dollar damage) \$0		45. Was Driver in the Vehicle? 1. Yes 2. No Code	
49. Railroad Employees 0		0		50. Total Number of People on Train (include passengers and train crew) ?		48. Total Number of Vehicle Occupants (including driver) 0	
52. Passengers on Train 0		0		51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No Code 2			
53a. Special Study Block Video Taken? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Video Used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				53b. Special Study Block			
54. Narrative Description (Be specific, and continue on separate sheet if necessary) X KAHMEC8 15 ON SINGLE MAIN TRACK STRUCK A PERSON AT A CROSSING. NO HAZMAT WAS RELEASED							
55. Typed Name and Title				56. Signature		57. Date	

1. Name of Reporting Railroad Burlington Northern Railroad Company [BN]				1a. Alphabetic Code BN		1b. Railroad Accident/Incident No. PO345	
2. Name of Other Railroad or Other Entity Filing for Equipment Involved in Train Accident/Incident				2a. Alphabetic Code		2b. Railroad Accident/Incident No.	
3. Name of Railroad or Other Entity Responsible for Track Maintenance (single entry) Burlington Northern Railroad Company [BN]				3a. Alphabetic Code BN		3b. Railroad Accident/Incident No. PO345	
4. U.S. DOT Grade Crossing ID No. 099193C				5. Date of Accident/Incident month day year 0 6 2 1 1984		6. Time of Accident/Incident 5:15 AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	
7. Nearest Railroad Station TOPPENISH		8. Subdivision		9. County YAKIMA		10. State Abbr. WA Code 53	
11. City (if in a city) TOPPENISH			12. Highway Name or No. MYERS RD			Public <input checked="" type="checkbox"/> Private <input type="checkbox"/>	
Highway User Involved				Rail Equipment Involved			
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian Code B. Truck E. Van H. Motorcycle M. Other (specify) B				17. Equipment 4. Car(s) (moving) A. Train pulling- RCL 5. Car(s) (standing) B. Train pushing- RCL 6. Light loco(s) (moving) C. Train standing- RCL 7. Light loco(s) (standing) D. EMU Locomotive(s) Code 8. Other (specify) E. DMU Locomotive(s) 1			
14. Vehicle Speed (est. mph at impact) 30		15. Direction (geographical) 1. North 2. South 3. East 4. West Code 2		18. Position of Car Unit in Train 1			
16. Position 1. Stalled or stuck on crossing 4. Trapped on crossing by traffic 2. Stopped on Crossing 5. Blocked on crossing by gates Code 3 3. Moving over crossing				19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user Code 1			
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither Code 4				20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither Code			
20c. State here the name and quantity of the hazardous material released, if any							
21. Temperature (specify if minus) 65 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark Code 1		23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow Code 1			
24. Type of Equipment 1. Freight Train 5. Single Car 9. Maint./inspect. car D. EMU Consist 2. Passenger Train-Pulling 6. Cut of cars A. Spec. MoW Equip. E. DMU (single entry) 3. Commuter Train-Pulling 7. Yard/Switching B. Passenger Train-Pushing Code 4. Work Train 8. Light loco(s) C. Commuter Train-Pushing 1				25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry Code 1		26. Track Number or Name SINGLE MAIN TRACK	
27. FRA Track Class (1-9,X) 4		28. Number of Locomotive Units 2		29. Number of Cars 33		30. Consist Speed (Recorded speed if available) R. Recorded 48 mph E. Estimated E	
31. Time Table Direction 1. North 3. East Code 4 2. South 4. West				32. Type of Crossing Warning 1. Gates 4. Wig wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) 3. Standard FLS 6. Audible 9. Watchman 12. None Code(s) 07			
33. Signaled Crossing Warning (See reverse side for instructions and codes) Code				34. Roadway Conditions A. Dry B. Wet C. Snow/Slush D. Ice E. Sand, Mud, Dirt, Oil, Gravel F. Water (Standing, Moving) Code			
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach Code 1			36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown Code 2			37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown Code 2	
38. Highway User's Gender 1. Male Code 2. Female		39. Highway User's Age		40. Highway User Went Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown Code 2		41. Highway User 1. Went around the gate 5. Other (specify) 2. Stopped and then proceeded 6. Went around/thru temporary barricade (if yes, see instructions) Code 3. Did not stop 7. Went thru the gate 3 4. Stopped on crossing 8. Suicide/Attempted suicide	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown Code 2				43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 3. Passing Train 5. Vegetation 7. Other (specify) 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed Code 8			
Casualties to:		Killed		Injured		44. Driver was 1. Killed 2. Injured 3. Uninjured Code 1	
45. Was Driver in the Vehicle? 1. Yes 2. No Code 1		46. Highway-Rail Crossing Users 1 5		47. Highway Vehicle Property Damage (est. dollar damage) \$5,000		48. Total Number of Vehicle Occupants (including driver) 6	
49. Railroad Employees 0 0		50. Total Number of People on Train (include passengers and train crew)		51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No Code 2			
52. Passengers on Train 0 0		53a. Special Study Block Video Taken? <input type="checkbox"/> Yes <input type="checkbox"/> No Video Used? <input type="checkbox"/> Yes <input type="checkbox"/> No		53b. Special Study Block			
54. Narrative Description (Be specific, and continue on separate sheet if necessary)							
55. Typed Name and Title				56. Signature		57. Date	

NOTE: This report is part of the reporting railroad's accident report pursuant to the accident reports statute and, as such shall not "be admitted as evidence or used for any purpose in any suit or action for damages growing out of any matter mentioned in said report..." 49 U.S.C. 20903. See 49 C.F.R. 225.7 (b).

1. Name of Reporting Railroad Burlington Northern Railroad Company [BN]				1a. Alphabetic Code BN		1b. Railroad Accident/Incident No. PO785	
2. Name of Other Railroad or Other Entity Filing for Equipment Involved in Train Accident/Incident				2a. Alphabetic Code		2b. Railroad Accident/Incident No.	
3. Name of Railroad or Other Entity Responsible for Track Maintenance (single entry) Burlington Northern Railroad Company [BN]				3a. Alphabetic Code BN		3b. Railroad Accident/Incident No. PO785	
4. U.S. DOT Grade Crossing ID No. 099193C				5. Date of Accident/Incident month day year 1 2 2 3 1983		6. Time of Accident/Incident 9:40 AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	
7. Nearest Railroad Station TOPPENISH		8. Subdivision		9. County YAKIMA		10. State Abbr. WA Code 53	
11. City (if in a city) TOPPENISH			12. Highway Name or No. MEYERS RD			Public <input checked="" type="checkbox"/> Private <input type="checkbox"/>	
Highway User Involved				Rail Equipment Involved			
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian Code B. Truck E. Van H. Motorcycle M. Other (specify) B				17. Equipment 1. Train (units pulling) 2. Train (units pushing) 3. Train (standing) 4. Car(s) (moving) 5. Car(s) (standing) 6. Light loco(s) (moving) 7. Light loco(s) (standing) 8. Other (specify) A. Train pulling- RCL B. Train pushing- RCL C. Train standing- RCL D. EMU Locomotive(s) E. DMU Locomotive(s) Code 1			
14. Vehicle Speed (est. mph at impact) 15		15. Direction (geographical) 1. North 2. South 3. East 4. West Code 2		18. Position of Car Unit in Train 1			
16. Position 1. Stalled or stuck on crossing 2. Stopped on Crossing 3. Moving over crossing 4. Trapped on crossing by traffic 5. Blocked on crossing by gates Code 3				19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user Code 2			
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither Code 4				20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither Code			
20c. State here the name and quantity of the hazardous material released, if any							
21. Temperature (specify if minus) 0 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark Code 2		23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow Code 1			
24. Type of Equipment Consist (single entry) 1. Freight Train 2. Passenger Train-Pulling 3. Commuter Train-Pulling 4. Work Train 5. Single Car 6. Cut of cars 7. Yard/Switching 8. Light loco(s) 9. Maint./inspect. car A. Spec. MoW Equip. B. Passenger Train-Pushing C. Commuter Train-Pushing Code 1				25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry Code 1		26. Track Number or Name SINGLE MAIN	
27. FRA Track Class (1-9,X) 5		28. Number of Locomotive Units 2		29. Number of Cars 21		30. Consist Speed (Recorded speed if available) R. Recorded 40 mph E. Estimated E Code	
31. Time Table Direction 1. North 2. South 3. East 4. West Code 4				32. Type of Crossing Warning 1. Gates 2. Cantilever FLS 3. Standard FLS 4. Wig wags 5. Hwy. traffic signals 6. Audible 7. Crossbucks 8. Stop signs 9. Watchman 10. Flagged by crew 11. Other (specify) 12. None Code(s) 07			
33. Signaled Crossing Warning (See reverse side for instructions and codes) Code				34. Roadway Conditions A. Dry B. Wet C. Snow/Slush D. Ice E. Sand, Mud, Dirt, Oil, Gravel F. Water (Standing, Moving) Code			
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach Code 1			36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown Code 2			37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown Code 2	
38. Highway User's Age 1. Male 2. Female Code		39. Highway User's Gender Code		40. Highway User Went Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown Code 2		41. Highway User 1. Went around the gate 2. Stopped and then proceeded 3. Did not stop 4. Stopped on crossing 5. Other (specify) 6. Went around/thru temporary barricade (if yes, see instructions) 7. Went thru the gate 8. Suicide/Attempted suicide Code 3	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown Code 2				43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 2. Standing railroad equipment 3. Passing Train 4. Topography 5. Vegetation 6. Highway Vehicles 7. Other (specify) 8. Not Obstructed Code 8			
Casualties to:		Killed		Injured		44. Driver was 1. Killed 2. Injured 3. Uninjured Code 1	
46. Highway-Rail Crossing Users 1		0		47. Highway Vehicle Property Damage (est. dollar damage) \$2,200		45. Was Driver in the Vehicle? 1. Yes 2. No Code 1	
49. Railroad Employees 0		0		50. Total Number of People on Train (include passengers and train crew)		48. Total Number of Vehicle Occupants (including driver) 1 Code	
52. Passengers on Train 0		0		51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No Code 2			
53a. Special Study Block Video Taken? <input type="checkbox"/> Yes <input type="checkbox"/> No Video Used? <input type="checkbox"/> Yes <input type="checkbox"/> No				53b. Special Study Block			
54. Narrative Description (Be specific, and continue on separate sheet if necessary)							
55. Typed Name and Title				56. Signature		57. Date	

NOTE: This report is part of the reporting railroad's accident report pursuant to the accident reports statute and, as such shall not "be admitted as evidence or used for any purpose in any suit or action for damages growing out of any matter mentioned in said report..." 49 U.S.C. 20903. See 49 C.F.R. 225.7 (b).

1. Name of Reporting Railroad Burlington Northern Railroad Company [BN]				1a. Alphabetic Code BN		1b. Railroad Accident/Incident No. PO728	
2. Name of Other Railroad or Other Entity Filing for Equipment Involved in Train Accident/Incident				2a. Alphabetic Code		2b. Railroad Accident/Incident No.	
3. Name of Railroad or Other Entity Responsible for Track Maintenance (single entry) Burlington Northern Railroad Company [BN]				3a. Alphabetic Code BN		3b. Railroad Accident/Incident No. PO728	
4. U.S. DOT Grade Crossing ID No. 099193C				5. Date of Accident/Incident month day year 1 2 1 0 1982		6. Time of Accident/Incident 11:45 AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	
7. Nearest Railroad Station TOPPENISH		8. Subdivision		9. County YAKIMA		10. State Abbr. WA Code 53	
11. City (if in a city) TOPPENISH			12. Highway Name or No. MYERS RD			Public <input checked="" type="checkbox"/> Private <input type="checkbox"/>	
Highway User Involved				Rail Equipment Involved			
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian Code B. Truck E. Van H. Motorcycle M. Other (specify) A				17. Equipment 1. Train (units pulling) 2. Train (units pushing) 3. Train (standing) 4. Car(s) (moving) 5. Car(s) (standing) 6. Light loco(s) (moving) 7. Light loco(s) (standing) 8. Other (specify) A. Train pulling- RCL B. Train pushing- RCL C. Train standing- RCL D. EMU Locomotive(s) E. DMU Locomotive(s) Code 1			
14. Vehicle Speed (est. mph at impact) 35		15. Direction (geographical) 1. North 2. South 3. East 4. West Code 2		18. Position of Car Unit in Train 1			
16. Position 1. Stalled or stuck on crossing 2. Stopped on Crossing 3. Moving over crossing 4. Trapped on crossing by traffic 5. Blocked on crossing by gates Code 3				19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user Code 2			
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither Code 4				20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither Code			
20c. State here the name and quantity of the hazardous material released, if any							
21. Temperature (specify if minus) 30 °F		22. Visibility (single entry) Code 4 1. Dawn 2. Day 3. Dusk 4. Dark		23. Weather (single entry) Code 1 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow			
24. Type of Equipment 1. Freight Train 2. Passenger Train-Pulling (single entry) 3. Commuter Train-Pulling 4. Work Train 5. Single Car 6. Cut of cars 7. Yard/Switching 8. Light loco(s) 9. Maint./inspect. car A. Spec. MoW Equip. B. Passenger Train-Pushing C. Commuter Train-Pushing D. EMU E. DMU Code 1				25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry Code 1		26. Track Number or Name SINGLE MAIN TRACK	
27. FRA Track Class (1-9,X) 4		28. Number of Locomotive Units 3		29. Number of Cars 34		30. Consist Speed (Recorded speed if available) R. Recorded 45 mph E. Estimated E	
31. Time Table Direction 1. North 2. South 3. East 4. West Code 3				32. Type of Crossing Warning 1. Gates 2. Cantilever FLS 3. Standard FLS 4. Wig wags 5. Hwy. traffic signals 6. Audible 7. Crossbucks 8. Stop signs 9. Watchman 10. Flagged by crew 11. Other (specify) 12. None Code(s) 07			
33. Signaled Crossing Warning (See reverse side for instructions and codes) Code				34. Roadway Conditions A. Dry B. Wet C. Snow/Slush D. Ice E. Sand, Mud, Dirt, Oil, Gravel F. Water (Standing, Moving) Code			
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach Code 1			36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown Code 2			37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown Code 2	
38. Highway User's Age 1. Male 2. Female Code		39. Highway User's Gender Code		40. Highway User Went Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown Code 2		41. Highway User 1. Went around the gate 2. Stopped and then proceeded 3. Did not stop 4. Stopped on crossing 5. Other (specify) 6. Went around/thru temporary barricade (if yes, see instructions) 7. Went thru the gate 8. Suicide/Attempted suicide Code 3	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown Code 2				43. View of Track Obscured by (primary obstruction) Code 8 1. Permanent Structure 2. Standing railroad equipment 3. Passing Train 4. Topography 5. Vegetation 6. Highway Vehicles 7. Other (specify) 8. Not Obstructed			
Casualties to:		Killed		Injured		44. Driver was 1. Killed 2. Injured 3. Uninjured Code 3	
46. Highway-Rail Crossing Users 0		2		47. Highway Vehicle Property Damage (est. dollar damage) \$1,000		45. Was Driver in the Vehicle? 1. Yes 2. No Code 1	
49. Railroad Employees 0		0		50. Total Number of People on Train (include passengers and train crew)		48. Total Number of Vehicle Occupants (including driver) 4	
52. Passengers on Train 0		0		51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No Code 2			
53a. Special Study Block Video Taken? <input type="checkbox"/> Yes <input type="checkbox"/> No Video Used? <input type="checkbox"/> Yes <input type="checkbox"/> No				53b. Special Study Block			
54. Narrative Description (Be specific, and continue on separate sheet if necessary)							
55. Typed Name and Title				56. Signature		57. Date	

NOTE: This report is part of the reporting railroad's accident report pursuant to the accident reports statute and, as such shall not "be admitted as evidence or used for any purpose in any suit or action for damages growing out of any matter mentioned in said report..." 49 U.S.C. 20903. See 49 C.F.R. 225.7 (b).

12/30/21
11:28

Yakima County Sheriff's Office
LAW INCIDENT TABLE

Page: 831
1

City : TOPPENISH
 Occurred after : 18:45:28 06/16/2021
 Occurred before : 18:45:38 06/16/2021
 When reported : 18:46:13 06/16/2021
 Date disposition declared : 06/17/2021
 Incident number : 21C09900
 Primary incident number :
 Incident nature : AGENCY ASSIST AGENCY ASSIST
 Incident address : N MEYERS RD & S TRACK RD
 State abbreviation : WA
 ZIP Code : 98948
 Contact or caller : VERIZON
 Complainant name number :
 Area location code : C3W YCSO Precinct 3 West
 Received by : Knack W
 How received : 9 911 Line
 Agency code : YCSO Yakima County Sheriff's Office
 Responsible officer : Garcia Ad
 Offense as Taken : TAPI Traffic Accident, Pers Injury
 Offense as Observed :
 Disposition : CLO Closed Case
 Misc. number : jr
 Geobase address ID : 256765
 Long-term call ID : 2577319
 Clearance Code : CRO Cleared by Responding Officer
 Judicial Status :

=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	366146	06/17/21	PERREAULT, ANDREW LEON	
NM	421590	06/17/21	KEPHART, TRAVIS	
NM	228719	06/16/21	WYENA, MARK DEWEY JR	
CA	2577319	06/16/21	18:46 06/16/21 ACCIDENT INJURY	*Initiating Call
DS	75562	06/21/21	GREGORY TRI	VC

LAW INCIDENT NARRATIVE:

12/30/21
11:28

Yakima County Sheriff's Office
LAW INCIDENT TABLE

831
Page: 2

Yakima County Sheriff's Office - Incident Narrative Report

On 6/16/21 at approximately 1845 hours, I was dispatched to the area of N Meyers Rd and S Track Rd reference a train vs pedestrian collision. The conductor of the train reported possibly striking a pedestrian that was on the tracks in this area.

Upon arrival, I located a male on the south side of the train about 30 feet from the intersection. The male was face down and I observed a laceration to his left leg. I called out to the male with no response. I turned the male over and observed he had blood in his hair indicative of head trauma. Aid on scene and began working on the male. After a few minutes I was advised the male was deceased.

I recognized the male as Mark Wyena whom I had contacted the day prior in the same area after he was laying in the tracks and was nearly struck by the train as well. I was advised by Toppenish Pd officer Sinfuentes that Wyena had been contacted earlier in the day on the tracks as well.

I contacted the train conductor identified as Andrew Perrault who said he observed Wyena on the tracks just prior to being struck. Andrew said Wyena was seen on the tracks as the train approached the area and jumped off the tracks. Andrew said Wyena was then observed getting back on the tracks and running toward the train head on. Andrew said as the train got closer Wyena was observed turning around and running away from the train right before being struck by the train.

Tribal Pd arrived on scene and advised they had a detective in route to investigate the scene since Wyena was enrolled. I spoke to Andrew who advised the lead engine was #3977 with a train ID of X-KAHMEC8-15A. Andrew said there were a total of 116 cars attached to the main engine which was operated by BNSF out of Auburn Wa. I walked to the front of the train with Andrew and confirmed the horn, bell and lights were all in working order. I noted the car at the crossing was the 25th car in line and the end of the train was approximately one mile from the point of impact. I observed the rail road crossing had an ID number of 099193C. I noticed the rail road crossing in this area had light and bell combination which were functioning as well as wig wag flashing warning lights. I observed the arms were still down and all the warning lights on the arms were activated.

Andrew said the only other crew member on board was the engineer identified as Travis Kephart. Andrew said there was a crew that was going to be in route from the Pasco area to assist.

I contacted Sgt. Rojas who advised since Tribal Pd had investigators in route I could clear and release the scene to them. I then cleared with no further action taken.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima is true and correct, and I am entering my authorized user ID and password to authenticate it.

Date, Time:
Thu Jun 17 03:05:22 PDT 2021
Reporting Officer:

12/30/21
11:28

Yakima County Sheriff's Office
LAW INCIDENT TABLE

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A Garcia #52

LAW INCIDENT OFFENSES DETAIL:

Se	Offe	Offense code	Arson	Dama
1	TAPI	Traffic Accident, Pers Injury	0.00	
2	TAFa	Traffic Accident, Fatal	0.00	

LAW INCIDENT RESPONDERS DETAIL:

Se	Responding offi	Unit number	Unit number
1	Garcia Ad	C52	YAKIMA CO SHERIFF DEPUTY
2	Rojas J	C42	YCSO Sgt
3	Sifuentes, L	P310	Toppenish Patrol Unit

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Kampert C	19:56:16 06/16/2021

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Yakima County Sheriff's Office
LAW INCIDENT TABLE

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CAD Call info/comments

=====

m vs train train stopped
18:46:52 06/16/2021 - Knack W
rp cannot see pt/on other side of train
18:46:53 06/16/2021 - Mora Carlos
sees shoes in the middle of the rd
18:47:21 06/16/2021 - Mora Carlos
rp on the other side of the tracks
18:47:26 06/16/2021 - Mora Carlos
approach from the side
18:47:46 06/16/2021 - Mora Carlos
south
18:48:25 06/16/2021 - Davis C H
TRIBAL ENROUTE
18:49:10 06/16/2021 - Mora Carlos
cont earlier with male last name of wayena
18:49:21 06/16/2021 - Mora Carlos
nude male on the tracks at this loc 3 seperate calls
18:50:06 06/16/2021 - Mora Carlos
mark wyena*
18:50:24 06/16/2021 - Mora Carlos
nn 89715
18:52:40 06/16/2021 - Mora Carlos
bnfs / ticket 21115608
18:53:55 06/16/2021 - Mora Carlos - From: Garcia Ad
1 male down on the south side of the track east of crossing
18:54:35 06/16/2021 - Mora Carlos
fire on scnee
18:54:39 06/16/2021 - Mora Carlos
scene*
18:56:05 06/16/2021 - Anderson L
TP11 ADV WILL BE S OF THE TRACKS ON N MEYERS
18:56:36 06/16/2021 - Mora Carlos - From: Garcia Ad
aid on scene
18:57:24 06/16/2021 - Anderson L
TP11 ADV ALL OTHER UNITS CAN CANCEL
18:57:30 06/16/2021 - Anderson L
AMR HANDLING, CODE
18:57:52 06/16/2021 - Mora Carlos - From: Garcia Ad
subj enrl and 1 confirmed
19:00:46 06/16/2021 - Kampert C
PER C37 BNSF RR TEAM COMING OUT OF SEATTLE

2 Rojas J 03:37:57 06/17/2021

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Yakima County Sheriff's Office
LAW INCIDENT TABLE

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Yakima County Sheriff's Office - Incident Narrative Report

On 06/16/21, I, Sgt. Rojas, assisted Deputy Garcia with a fatality accident involving a train and a pedestrian. When I arrived the victim, Mark Wyena, was pronounced deceased by aid personnel.

Mark was an enrolled tribal member and Yakama Nation PD requested to take over the investigation. Officials from BNSF were contacted and advised Yakama Nation PD would be their point of contact. I photographed the scene and placed the photos into DigitalOnQ and cleared with no further actions.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, is true and correct. My typed name below is my signature

Date, Time:

Thu Jun 17 03:38:15 PDT 2021

Reporting Officer:

J. Rojas #42

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Yakima County Sheriff's Office
LAW INCIDENT TABLE

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INVOLVEMENT DETAIL: Main Names Table

Name Number : 366146
Last name : PERREAULT
First name : ANDREW
Middle name : LEON
Suffix name :
Street address : 28325 SE 228TH ST
Birth Date : 03/11/1963
Weight : 190
City of residence : MAPLE VALLEY
State abbreviation : WA
ZIP Code : 98038
Driver's license number : WDL7P67B143B
Driver's license state : WA
Home phone_ number : (206)920-7597
Work telephone number : () -
Soc sec number : - -
State ID number :
FBI number :
Height : 5'09"
Sex : M
Race category : W N-White, Non-Hisp
Hair color : BRO Brown
Eye color : BRO Brown
Facial hair :
Glasses (corrective lenses) :
Physical build :
Skin complexion :
Teeth condition :
Ethnic group :
Hair style :
Speech type :
Real Name (y/n): : N
Death Date : **/**/****
Alias name number :
Geobase address ID : NOGEO
Soundex name : paralt
Name Type : INDIV Individual
Gender :
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Yakima County Sheriff's Office
LAW INCIDENT TABLE

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INVOLVEMENT DETAIL: Main Names Table

Name Number	:	421590
Last name	:	KEPHART
First name	:	TRAVIS
Middle name	:	
Suffix name	:	
Street address	:	510 3rd ave NW
Birth Date	:	05/16/1980
Weight	:	0
City of residence	:	CHEHALIS
State abbreviation	:	WA
ZIP Code	:	98532
Driver's license number	:	
Driver's license state	:	
Home phone_ number	:	(360)869-3305
Work telephone number	:	() -
Soc sec number	:	- -
State ID number	:	
FBI number	:	
Height	:	' "
Sex	:	M
Race category	:	W N-White, Non-Hisp
Hair color	:	
Eye color	:	
Facial hair	:	
Glasses (corrective lenses)	:	
Physical build	:	
Skin complexion	:	
Teeth condition	:	
Ethnic group	:	
Hair style	:	
Speech type	:	
Real Name (y/n):	:	N
Death Date	:	**/**/****
Alias name number	:	
Geobase address ID	:	NOGEO
Soundex name	:	cafad
Name Type	:	INDIV Individual
Gender	:	MAL Male

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Yakima County Sheriff's Office
LAW INCIDENT TABLE

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INVOLVEMENT DETAIL: Main Names Table

Name Number : 228719
Last name : WYENA
First name : MARK
Middle name : DEWEY
Suffix name : JR
Street address : 15730 FORT RD
Birth Date : 09/29/1997
Weight : 165
City of residence : WHITE SWAN
State abbreviation : WA
ZIP Code : 98952
Driver's license number : WDL6B548093B
Driver's license state : WA
Home phone_ number : (509)406-4199 CELL
Work telephone number : () -
Soc sec number : 532-39-7078
State ID number : WA29966494
FBI number :
Height : 5'06"
Sex : M
Race category : I I-American Indian or Alaska Na
Hair color : BLK Black
Eye color : BRO Brown
Facial hair :
Glasses (corrective lenses) :
Physical build :
Skin complexion :
Teeth condition :
Ethnic group :
Hair style :
Speech type :
Real Name (y/n): : N
Death Date : 06/16/2021
Alias name number :
Geobase address ID : 1893
Soundex name : wan
Name Type : INDIV Individual
Gender :

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Yakima County Sheriff's Office
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INVOLVEMENT DETAIL: CAD Master Call Table

Record number : 2577319
Call type (Law/Fire/EMS) : lf
Call nature : ACCIDENT INJURY ACCIDENT - INJURY
Priority of Call : 1
When Occured Earliest : 18:45:28 06/16/2021
When Occured Latest : 18:45:38 06/16/2021
When Reported : 18:46:13 06/16/2021
Respond-to Address : N MEYERS RD & S TRACK RD
City code : TOP
Person to Contact : VERIZON
Contacts Phone Number : (509)930-1971
Complainant name number :
How Received : 9 911 Line
Who took Call : Knack W
Alarm ID number :
Geobase address ID : 256765
Directions number :
Contacts address : 900 A.D. LN # NW
Call Received? (Y/N) : Y
Hold Until : **:*** **/**/****
Plate number of stopped veh :
Plate state abbreviation :
Determinant :
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Yakima County Sheriff's Office
LAW INCIDENT TABLE

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INVOLVEMENT DETAIL: Dissemination Table

Disseminator	:	Conway V
When Disseminated	:	13:50:21 06/21/2021
Agency	:	YCSO Yakima County Sheriff's Office
Dissemination Number	:	75562
Organization	:	BNSF
Recipient	:	GREGORY TRI
Address	:	GREGORY.TRI@BNSF.COM
Reason for Inquiry	:	INV
Dissemination Method	:	EMAIL
Information Disseminated	:	(see below)

To: Yakima County Sheriff's Office - Records Section
1 page(s) - includes cover page

Subject: Incident Report Request - 21C09900

From: Greg Tri - Senior Special Agent
Date: 06/17/2021

BNSF Railway Police
3940 N. Railroad Ave.
Pasco WA. 99301

Telephone: (509) 851-3123

Email: gregory.tri@bnsf.com

FAX: (509) 546-3258

COMMENTS: When available, could I please get a copy of the officer reports for case number 21C09900 which are related to a trespasser strike at the N. Meyers Road crossing involving a BNSF train.

Thank you.

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MEMO TO FILE

DATE: March 30, 2022

FROM: Katie Hancock, Transportation Specialist

SUBJECT: Apparent Cause of Death for UTC Crossing Accident 17203

Per a phone conversation on March 30, 2022, with Yakima County Medical Examiner's Office at 509-574-1610, the cause and manner of death of Mark Wyena struck by a train in Toppenish, Yakima County, at rail crossing USDOT 099193C, on June 16, 2021, were as follows:

Cause of death: Blunt force injuries to the head and body

Manner of death: Accident