

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

BNSF TRAIN DERAILMENT AND COLLISION *
CASSELTON, NORTH DAKOTA *
DECEMBER 30, 2013 *

Docket No. DCA-14-MR-004

* * * * *

Telephonic Interview of: PETE RIGPL

Fargo, North Dakota

Thursday,
January 2, 2014

The above-captioned matter convened, pursuant to notice.

BEFORE: MICHAEL HILLER
Accident Investigator



I, Peter Riepl, have read the foregoing pages of a copy of my testimony given during an interview in the accident investigation of the collision and derailment of BNSF petroleum train with hazardous materials release after striking a derailed car from a BNSF grain train on BNSF's KO Subdivision on December 30, 2013, at about 2:11 p.m. near Casselton, North Dakota and these pages constitute a true and accurate transcription of same with the exception of the following amendments, additions, deletions or corrections:

PAGE NO:	LINE NO:	CHANGE AND REASON FOR CHANGE
<u>08/11</u>	<u>19</u>	<u>CPC to CTC - misspelled</u>
<u>14</u>	<u>16</u>	<u>Ripple to Riepl - misspelled</u>
<u>18</u>	<u>15</u>	<u>Rigpl to Riepl - misspelled</u>
<u>20</u>	<u>15</u>	<u>Rigpl to Riepl - misspelled</u>
<u>16</u>	<u>3</u>	<u>Rigpl to Riepl - misspelled</u>

I declare that I have read my statements and that it is true and correct subject to any changes in the form or substance entered here.

Date: 2/7/14

Witness: [Signature]



I, Peter Riepl, have read the foregoing pages of a copy of my testimony given during an interview in the accident investigation of the collision and derailment of BNSF petroleum train with hazardous materials release after striking a derailed car from a BNSF grain train on BNSF's KO Subdivision on December 30, 2013, at about 2:11 p.m. near Casselton, North Dakota and these pages constitute a true and accurate transcription of same with the exception of the following amendments, additions, deletions or corrections:

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I declare that I have read my statements and that it is true and correct subject to any changes in the form or substance entered here.

Date: 2/7/14

Witness: [Signature]

APPEARANCES:

MICHAEL HILLER, Accident Investigator
National Transportation Safety Board (NTSB)

RAYMOND LINDSEY
MICHAEL BUCHHOLTZ
Operating Practices
Federal Railroad Administration (FRA)

KEVIN WILDE, General Director
System Safety
BNSF Railway

B.J. SHILLINGSTAD
UTU Transportation Safety Team
SMART/UTU

DANIEL KENNER
Safety Task Force
Brotherhood of Locomotive Engineers and
Trainmen (BLET)

JOHN CRAVEN, Chairman
UTU Local 1344
(Representative on behalf of Mr. Rigpl)

I N D E X

ITEM

PAGE

Telephone Interview of Pete Rigpl:

By Mr. Hiller

5

I N T E R V I E W

1
2 MR. HILLER: Good morning. My name is Mike Hiller,
3 that's H-i-l-l-e-r. I'm an Investigator with the National
4 Transportation Safety Board. Today is January 2nd, 2014 with
5 accident number DCA-14-MR-004.

6 This morning we are in the Holiday Inn hotel in
7 Fargo, North Dakota, and we are conducting a telephone interview
8 with Mr. Pete Rigpl, and he was the conductor on the oil train
9 involved in this derailment and collision. Mr. Rigpl is currently
10 located in Bismarck, North Dakota, at 529 66th Street, S.E., with
11 a zip code of 58501. He is being supported in Bismarck by his
12 union representative, Mr. John Craven.

13 At this time, I will begin to introduce the members that
14 are in this room, and I will start to my left.

15 MR. KENNER: Dan Kenner, K-e-n-n-e-r; Brotherhood of
16 Locomotive Engineers and Trainmen, Safety Task Force.

17 MR. SHILLINGSTAD: B.J. Shillingstad,
18 S-h-i-l-l-i-n-g-s-t-a-d, SMART/UTU union.

19 MR. BUCHHOLTZ: Michael Buchholtz, B-u-c-h-h-o-l-t-z;
20 FRA, Operating Practices.

21 MR. LINDSEY: Raymond Lindsay, L-i-n-d-s-e-y, FRA,
22 Operating Practices.

23 MR. WILDE: Kevin Wilde, W-i-l-d-e, BNSF Railway,
24 Safety.

25 MR. HILLER: And Pete and John, if you could please

1 introduce yourselves?

2 MR. RIGPL: Pete Rigpl, R-i-g-p-l, conductor for BNSF.

3 MR. CRAVEN: And John Craven, C-r-a-v-e-n, BNSF
4 conductor and UTU Local Chairman 1344.

5 MR. HILLER: Thank you all.

6 INTERVIEW OF PETER RIGPL

7 BY MR. HILLER:

8 Q. Pete, this morning, I'd like to ask you a question about
9 your day on December 30th, 2013, the day of the accident. Would
10 you please just describe your day from the time you received the
11 call to come to work and the events that led up to the time that
12 your train collided with the grain train?

13 A. Sure. I got my call around -- or I couldn't tell you
14 exact time -- a.m. Central Time in Bismarck to be on duty at 6:10
15 in Mandan Terminal. I was called for, originally called for an M
16 LAUDIL to take to Dilworth. I reported for duty, started my
17 paperwork, grabbed everything I needed to do so.

18 And the yardmaster came out, informed us that he might
19 be switching us to that oil train, the U -- I believe it was a
20 Fryberg train. We just said okay, we'll standby and wait for him
21 to let us know that, yes, that M train had some work to do in
22 Mandan and it was going to be blocked in by some switch crews is
23 the reason for the switch.

24 So the oil train came Mandan. He told us, you know,
25 they were almost set -- you know, we might still be on the train.

1 But I came into Mandan, the carman inspected it and he told us
2 that train was good to go, that he was going to switch us. So I
3 finished my paperwork for the U train.

4 We had GTBs for -- we had job briefed an engineer that
5 we needed to change our GTBs because it was addressed to the BNSF
6 -- I can't remember the initials of that M train. So first thing
7 we did, got up there and contacted the dispatcher, changed our
8 GTBs. A switch crew had gone up and grabbed some bad orders off
9 the east end, and after they were clear, we were okay to depart.
10 We boarded, departed Mandan I would say it was right around 7 in
11 the morning.

12 I believe we had a warrant to Burleigh to meet one
13 train. Departed to Burleigh, had a delay in Burleigh. I don't
14 have correct times in front of -- to the best of my knowledge it
15 was right around a half hour. We got another warrant to pass
16 through to double-track Bloom. Departed Burleigh, was on our way
17 to Bloom. We stopped in Jamestown. A dispatcher had the train
18 that we're meeting, you know, give us a call, let them know that
19 they're on our way so we can start pulling because Jamestown is
20 uphill.

21 Got past Jamestown. I had a delay at Sanborn. There
22 was a train at Berea that had some work to do. I believe they had
23 a -- well, they had their warrant so we had to stop and wait.
24 They had some switch problems with icing. So they had one of the
25 foremen come out -- I can't remember his name -- to check the

1 switches for them to see if they could help them with that icing
2 problem. And told the foreman that if it's just going to be a
3 quick fix to hold on to their warrant; if not, they'll clear up
4 for us, let us by, then get back on the main line. The foreman
5 came out, checked the switches, the switches were pretty iced up.
6 He told us it would take a while. So they cleared up. The
7 dispatcher called us, gave us a warrant all the way to CP -- KO
8 Junction switch. So we departed Sanborn. I suppose that took
9 right around an hour or there, too.

10 Got up closer, called Minot east dispatcher, signaled
11 indication main 2. It was Fargo, so we -- there or just, you
12 know, we just kept rolling, didn't have to stop. We had an
13 approach medium. I called out over the radio (indiscernible) CP-
14 30. Then we got to CP-30. I was doing -- you know, I had another
15 approach medium. You know, had to do my signal awareness form and
16 delay reports along the way.

17 I was going to say had another approach medium, called
18 out over the radio, you know. I was 43 mph, main 2 eastward, and
19 we saw a -- that's when we saw that grain train on main 1
20 traveling west. We got up by him, appeared to be coming to a
21 stop. We had no indication of any problems from that train. We
22 noticed snow was blowing around, which normally it does around
23 that area when trains are going by. If there's loose snow, it
24 kind of kicks up that snow. So we couldn't see past that, so I
25 made a comment to him there about it. Says yeah, there's snow

1 there.

2 And we got into the snow, the snow cloud I'll call it.
3 And when we were in the snow cloud, starting to come out, we
4 noticed, it looked like a shadow over our rail, over main 2. We
5 didn't know what it was at first, and we had talked about it for
6 just a brief second and realized that the grain train had
7 derailed. Threw the train in emergency.

8 I've never been in a situation like that and I asked,
9 you know -- well, I remember looking at the conductor and said,
10 "What do we do?" And he said get on the ground and get ready.
11 So we got on the ground, the floor of the locomotive, and held on.
12 The train is in emergency, called out, "emergency, emergency,
13 emergency." Then we had her impact, and it was a big impact. You
14 know, it jostled us around a bit. I knew just from how we had,
15 the train was moving that we weren't on the rail anymore. It
16 seemed like forever. Everything seemed slow motion to me.

17 We came to a stop, and I kind of looked at myself and
18 was thankful that I was still around. We looked at my -- to
19 ensure that -- give me a second.

20 Q. Do you need to stop?

21 A. Yeah.

22 MR. HILLER: All right. We're going to take a break.
23 I'm going to stop the recording right now.

24 (Off the record.)

25 (On the record.)

1 MR. HILLER: This interview is now continued. It's 9:20
2 on Thursday, January 2nd, 2014; the interview of Mr. Pete Rigpl.

3 BY MR. HILLER:

4 Q. Pete, when we were last talking, you had described going
5 through a snow cloud, into the snow cloud, and as it cleared you
6 saw a shadow. If you don't mind picking up from there?

7 A. We saw a shadow coming out of the snow cloud, and we
8 realized that the grain train had derailed, that we had a car over
9 our track. Threw the train in emergency, got on the radio, called
10 "emergency, emergency, emergency." I asked the engineer what do
11 we do, and he said get on the ground, hold on, get ready.

12 So I got down on the ground and held on. We hit that
13 grain car. It was a big impact. We kind of, you know, jostled
14 around a little bit in the cab. Just in the way the train was
15 riding, I knew we weren't on the rail anymore, and it seemed kind
16 of slow motion and it just didn't seem real. Finally, the
17 locomotive came to a stop, and I looked at myself and, you know, I
18 realized I'm okay. I looked over at my engineer. He appeared to
19 be in, you know, pretty good shape considering what had just
20 happened.

21 Stood out -- looked out the window to see what's going
22 on. There was a fire. So my engineer immediately told me, grab
23 your cell phone and get out of the unit. I believe he grabbed the
24 radio again and yelled out -- you know, I can't remember exactly.
25 I believe he said, you know, "we are a key train; I repeat, we are

1 a key train, and we are on fire."

2 And I was exiting the cab then and started to get away
3 from all the fire. It was -- the heat was intense. I mean, the
4 whole situation just --I was in knee-deep snow. I couldn't get
5 away as quickly as I would like to. The engineer, I looked back,
6 he had exited the train as well, and we were heading east. We
7 couldn't head north because the grain train was there. We
8 couldn't head south because that's where the smoke was. We got
9 about -- trying to get away and it was about a minute later the
10 locomotive that we were traveling in was engulfed in flames. I
11 suppose we were about 200 yards. I believe that that's when one
12 of the tankers exploded.

13 There was a man in a pickup that was part of the
14 elevator that came down and asked us if we needed anything, needed
15 a ride. We got in with them. Minot east dispatcher called my
16 cell phone. We called 9-1-1. I notified who we could of the
17 situation. We were instructed to go to the school that was -- I
18 don't know which grade it was, the Casselton school, where we sat
19 and waited. The trainmaster had come. The road foreman had come.
20 I believe that was Gibbs. And the road foreman was -- what was
21 his name?

22 Craven, do you remember what was his name, the road --

23 MR. CRAVEN: Douglas?

24 THE WITNESS: Yeah, Paul Douglas, who we talked with him
25 and took us to another area where the fire trucks, the ambulance

1 were. I guess that's kind of where they took over. I knew we
2 were away. It was just horrible.

3 MR. HILLER: Yeah, it sounds like it was. This is
4 Mike Hiller, H-i-l-l-e-r. I've got some questions for you, Pete.

5 MR. RIGPL: Sure.

6 BY MR. HILLER:

7 Q. I think you did a good job in characterizing the
8 timeline during the actual event -- I'm going to call it the event
9 -- the point at which, you know, you realized you were going to
10 strike the grain train. But let's just back up a little bit to
11 where you were in the process of clearing a track warrant as you
12 were coming into Fargo. Could you just explain to me your process
13 of clearing track warrants so I have a better understanding?

14 A. Are you talking about after we get the clear of CP -- or
15 in CPC or passing CP KO junction?

16 Q. Yeah, I think so.

17 A. You go back to channel 39, get a hold of the dispatcher,
18 which was WRO. Usually you have to tone him and then he'll answer
19 the radio. As soon as your rear end passes the CPC KO Junction
20 switch, put a clear time on your warrants, and give him back his
21 warrant, I guess.

22 Q. Okay. And did that -- were you in the process of
23 clearing the track warrant minutes before this event?

24 A. I can't remember exactly the radio. I'm on the
25 conductor's side of the cab, and the radio channel to change the

1 channels was on the engineer's side.

2 Q. Okay. So what --

3 A. As far as, we got there, we put a clear time on that
4 track warrant. And then, you know, then we noticed the grain
5 train, and I had noticed the snow. I don't like to not be able to
6 see what's not -- you know, in front of me. I like to have a
7 clear vision of -- so.

8 Q. When the emergency was called out, who first called out
9 that emergency?

10 A. My engineer.

11 Q. Your -- the engineer?

12 A. Brian Thompson.

13 Q. Okay. Are you aware of a mayday rule or an emergency
14 rule, and can you just summarize what that is?

15 A. If your train goes into emergency, you must call out
16 "emergency, emergency, emergency" and warn foreign railroads if
17 need be, or notify anybody who needs notification.

18 Q. Okay. Now how did you exit the locomotive?

19 A. We had to open the back door. The front door was jammed
20 from the impact so we had to go through the engineer's door back
21 behind where he sits.

22 Q. Okay. And when you exited and you began to clear the
23 area, you had mentioned there was a time that you looked back and
24 saw the locomotive was completely engulfed in flames. How much
25 time was that?

1 A. It seemed like we were running -- I mean, I didn't look
2 at my watch through this whole ordeal. It seemed like we were
3 moving, it seems like, a minute to me, a couple minutes. We
4 turned around -- I turned around to make sure my engineer was
5 behind me and that's when I noticed that the locomotive was being
6 engulfed in flames.

7 Q. And then how much longer after that did you experience
8 the first explosion?

9 A. I want to say maybe 5 minutes.

10 Q. Okay.

11 A. But I'm not too clear on times there.

12 Q. I understand. After that first explosion, were you
13 looking directly in the area of the wreckage when that happened?

14 A. No. I was heading east.

15 Q. Did you hear other explosions after the first one?

16 A. Multiple.

17 Q. Multiple, okay.

18 A. About every 10 minutes, something like that. I heard
19 firemen say -- you know, it wasn't part of my crew. Said he
20 thought every 7 to 10 minutes.

21 Q. Okay. So you did hear the first one. That was about 5
22 minutes after you had exited the locomotive cab?

23 A. Five --

24 Q. Go ahead.

25 A. Yeah, it was about 5 minutes, I would say.

1 Q. Okay. And you heard other explosions after that, or you
2 just were aware of them after talking to emergency responders?

3 A. No, we heard and saw them.

4 Q. You had mentioned that you had a discussion with the
5 road foreman, Paul Douglas. Can you characterize the discussion
6 that you had with him, please?

7 Are you still with us?

8 (Tone.)

9 MR. HILLER: I think we've lost the call, so I'll pause
10 right now until we are able to get back on line.

11 (Off the record.)

12 (On the record.)

13 MR. HILLER: Good morning. We had a technical issue
14 with the connection. We have now reestablished the connection.
15 It's 9:38 on Thursday, the 2nd of January, 2014. And we are
16 continuing our interview with Mr. Pete Ripple.

17 BY MR. HILLER:

18 Q. When we last left off, I believe the question was being
19 asked -- I wanted for you to characterize your discussion with the
20 road foreman, Paul Douglas. Can you just recall, you know, what
21 you communicated about in the conversation that took place,
22 please?

23 A. He basically met us at the school. And he said, you
24 know, I'm glad you guys are okay. And they were talking with
25 somebody on the phone, I believe Gibbs was, and we got in their

1 vehicle -- they had took us to that other place where we stood
2 with the other fire trucks and stuff. He really didn't
3 communicate too much with me.

4 Q. Okay. You had said you met him at the school and he was
5 asking you if you were all right and then he was talking with
6 somebody named Gibbs on the phone, or can you --

7 A. No, Gibbs was -- sorry, Gibbs was with him. Gibbs was
8 on the phone. Paul Douglas got out of his vehicle and, you know,
9 kind of said, you know, told us, "I'm glad you guys are okay," and
10 told us where we were going to go. I can't remember the name of
11 the place. And he said that we'll probably have to, you know
12 -- more or less, trying to handle what was happening right now,
13 not with us, but with the train.

14 MR. HILLER: Okay. No more questions for me. I'm going
15 to go to my left here and pass on to any follow-up questions.

16 MR. KENNER: No questions. I have no questions.

17 MR. HILLER: Do you have anything to offer? No comment?

18 MR. RIGPL: Are you talking to me?

19 MR. HILLER: Yeah.

20 MR. RIGPL: No. I'm okay here.

21 MR. SHILLINGSTAD: And I have no questions.

22 MR. BUCHHOLTZ: No questions, Pete.

23 MR. LINDSEY: No questions.

24 MR. WILDE: Kevin Wilde, BNSF Railway, no questions.

25 MR. HILLER: Okay. I believe that's the conclusion of

1 our interview. From here we'll say at 10:40 -- or, excuse me,
2 9:40 on Thursday, January 2nd. So concludes the interview of
3 Mr. Pete Rigpl, conductor on the oil train.

4 (Whereupon, at 9:40 a.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: BNSF TRAIN DERAILMENT AND COLLISION
 CASSELTON, NORTH DAKOTA
 DECEMBER 30, 2013
 Telephone Interview of Pete Rigpl

DOCKET NUMBER: DCA-14-MR-004

PLACE: Fargo, North Dakota

DATE: January 2, 2013

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Christina Neilson
Transcriber