

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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DERAILMENT OF UNION PACIFIC *

RAILROAD TRAIN UEBLTG 20 WITH *

Accident No.: RRD19FR007

SUBSEQUENT FIRE AND HAZARDOUS *

MATERIALS RELEASE, FORT WORTH, *

TEXAS, APRIL 24, 2019 *

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Interview of: REYES HERRERA

Witness

[Redacted]
FORT WORTH, TEXAS

Friday,
April 26, 2019

APPEARANCES:

PAUL STANCIL, Senior Hazardous Materials Accident
Investigator
National Transportation Safety Board

FRANCISCO GONZALEZ, III,
Federal Railroad Administration
(Translating for Mr. Herrera)

I N T E R V I E W

(5:02 p.m.)

1
2
3 MR. STANCIL: Okay. Today is April 26, 2019. It's 5:02 p.m.
4 We are at [REDACTED] in Fort Worth, Texas, adjacent to the
5 location of a train derailment, Union Pacific train derailment
6 that occurred on April 24, 2019. The NTSB accident number is
7 RRD19FR007.

8 We are here interviewing the adjacent property owner,
9 Mr. Reyes, R-e-y-e-s, Herrera, H-e-r-r-e-r-a, who is the property
10 owner of [REDACTED]. He lives at [REDACTED].

11 With me here is Francisco Gonzales, III, from the Federal
12 Railroad Administration. He will be acting as a translator, and
13 Mr. Herrera will be narrating for us what exactly happened on the
14 night of the accident. Okay.

15 MR. GONZALEZ: Okay.

INTERVIEW OF REYES HERRERA

17 MR. GONZALEZ: So at around 1 o'clock in the morning that
18 night somebody called him. His house in another street, in
19 another -- away from here. And then somebody from here, from the
20 -- on the other site, call him around 1 o'clock in the morning
21 that it was some accident and there was fire.

22 His house in [REDACTED], Fort Worth, Texas. That's
23 where he was when this person over here, Juan Estrada, call him on
24 the phone and tell him that there was a fire going on. He came
25 here around -- in about 6 minutes he got here.

26 MR. STANCIL: Okay. So this gentleman lives across the

1 street from --

2 MR. HERRERA: (In English) Yeah.

3 MR. STANCIL: -- his property here?

4 MR. GONZALEZ: Right. Exactly.

5 MR. STANCIL: Okay. Okay, tell us what happened. What did
6 you see when you got there?

7 MR. GONZALEZ: So when he came over here, saw the fire, and
8 then the emergency responders, the fire department, came here.
9 And then, saw what was going on and he said that one of the cars
10 exploded. And then the fire department said no, we're not going
11 in and they left. But before they leave, they told them to go
12 away, don't go in because it was a fire.

13 Okay. (In Spanish.)

14 MR. STANCIL: In English, please. Sorry.

15 MR. GONZALEZ: He said that when he got here, he didn't -- he
16 didn't see the explosion, that it already exploded or is a boom.

17 MR. STANCIL: Okay.

18 MR. GONZALEZ: But then, so what the -- the fire department
19 was here and apparently they saw that and they said, no, we're not
20 going in, we're going to go out. But the fire department told
21 them not to go in, to go away, go somewhere else, in other words,
22 evacuate.

23 MR. STANCIL: So the explosion occurred before he arrived?

24 MR. GONZALEZ: Yes, yes.

25 So when -- he didn't hear the explosion, but when it happen,

1 that's when the liquid -- the ethanol, we know --

2 MR. STANCIL: Right.

3 MR. GONZALEZ: -- came into the stables, and that's when it
4 caught on fire. So, and then it got on fire and that's when the
5 fire department told him not to go in, they evacuate.

6 Jose Diaz is the one who called the fire department. And
7 then they came and, apparently, he said that the fire department
8 went in the other side close to the tracks. That's when they saw
9 the problem. And then some other fire department came here. And
10 then came here, saw there was a fire, and then they left. But
11 before they left, they went that way, close all the streets, and
12 they told them to get well away.

13 So when they told them to evacuate, they just told him, you
14 -- these people over here, over here in those two houses, they
15 says please evacuate and go because you cannot stay here; we're
16 going to close all this. And so they close everything, so they
17 left around -- so around 3 o'clock or 4 o'clock, they left. All
18 the families left the property. But -- and they told him that
19 they were going to tell him when to come back.

20 Go back a little more, around 1 -- so around 1 o'clock in the
21 morning, 1 or 1:20, the fire was going, so somebody -- some guys,
22 some young guys went over there and opened the stables to release
23 all -- some of the horses. But when they left, there was already
24 three already dead or burned.

25 MR. STANCIL: That was before he arrived?

1 MR. GONZALEZ: No, he was here. But he didn't go there, but
2 the young guys went over there and opened up because they were
3 concerned. And, of course, the fire was going.

4 And then after that, that's when they told him to go, they
5 told him to leave the property. So they got together and
6 everything; they left around 3 o'clock in the morning. And then
7 he said he came around 8 o'clock -- 7 or 8 o'clock he came over
8 here and the fire department were here. So the fire department
9 were here when he showed up 7, 8 o'clock in the morning, the fire
10 department was here and they already put the fire out and they
11 left.

12 So he came here 8 o'clock and -- 7, 8 o'clock, the fire
13 department was already put the fire out and left. And then
14 around, he said around noon -- there was a police in the entrance
15 over there not letting anybody in. And then around noon, they
16 told him to -- you guys, can come up. But when -- he says, when
17 they told him about the evacuation, he says, because the smoke is
18 toxic and it will -- it was just dangerous to smell the fumes or
19 the smoke, that's why they told him to leave. So around noon,
20 they told him to come back.

21 MR. STANCIL: Did the people who had to evacuate, did they
22 have a place to go?

23 MR. GONZALEZ: No, he say that the -- this family over here
24 and the family over there, they left, and this family over here,
25 which is -- this one over here is kind of family, the family of

1 him.

2 MR. STANCIL: Okay.

3 MR. GONZALEZ: Okay. So this is not their family and they're
4 not related to him, it's just friends. And then there's the
5 neighbors. So these two neighbors, they left to somewhere. They
6 don't -- the fire department never tell them all go somewhere.

7 MR. STANCIL: They didn't give them a shelter? No?

8 MR. GONZALEZ: No. I asked him that before and he says no,
9 they just told him, just got to go.

10 MR. STANCIL: Oh.

11 MR. GONZALEZ: And so they went to their families or
12 somewhere. He has another house that was in [REDACTED] --

13 MR. HERRERA: (In English) [REDACTED].

14 MR. GONZALEZ: [REDACTED] ?

15 MR. HERRERA: [REDACTED] Street.

16 MR. GONZALEZ: [REDACTED] Street, which is away from here.

17 MR. STANCIL: Okay.

18 MR. GONZALEZ: That where he was before he came here. So him
19 and some of the family went to his house.

20 So the family who this over here, is related to him, they
21 just left. But he doesn't know where they went. But, and then
22 they couldn't come back until about noon.

23 MR. STANCIL: Okay. In terms of damages to his property, can
24 he tell us all of the losses that he sustained from the incident?

25 MR. GONZALEZ: He said the damages is all equipment necessary

1 to, you know -- I don't know how to say in English -- is that, you
2 know, everything that you put on a horse, you know, the seat or
3 the --

4 MR. STANCIL: The saddle.

5 MR. GONZALEZ: The saddle, everything that you need to -- you
6 know, the things that you put in the horse.

7 MR. STANCIL: Okay.

8 MR. GONZALEZ: What is --

9 MR. STANCIL: The bridle and the --

10 MR. GONZALEZ: The bridle -- okay, thank you. And so all the
11 equipment that they need for like -- they say they have like 19
12 horses. So all the equipment for the 19 horses were there.

13 MR. STANCIL: Was destroyed?

14 MR. GONZALEZ: It was destroyed. Yeah, everything's
15 destroyed, along with the three --

16 MR. STANCIL: Three --

17 MR. GONZALEZ: -- the three horses.

18 MR. STANCIL: Three horses were killed?

19 MR. GONZALEZ: Were killed, um-hum.

20 MR. STANCIL: Were any of the people in the area, did they
21 feel like they were in any danger from the incident?

22 MR. GONZALEZ: Yes, yes. Everybody -- but the people who
23 went there to save the horses, they kind of risked their lives to
24 save them.

25 MR. STANCIL: I understand.

1 MR. GONZALEZ: So the fire department told them, look, just
2 go, leave the horses there; you're going to lose the horses and
3 everything, but it's better to save your lives than the horses.
4 But they -- two guys, young guys decide to go there and open it up
5 and let them go.

6 MR. STANCIL: I'm very sorry for your loss, sir.

7 Is there anything else that he would like to tell us about
8 what happened?

9 MR. GONZALEZ: So it was like one of those, like a camper
10 that -- it was like a camper, one of those that you pull in a car,
11 that is like for two or three people. They use -- they have it
12 there kind of ready just to take a siesta or to relax, but not to
13 sleep there or to live. Or they take -- so it was just to have it
14 there just to take a nap or to relax, but not to live there or to
15 take it other places.

16 MR. STANCIL: And that was destroyed?

17 MR. GONZALEZ: And that was destroyed.

18 MR. STANCIL: Yeah, I see there's some buildings also.
19 Buildings were destroyed or barns?

20 MR. GONZALEZ: So there was another trailer that he uses to
21 move animals. So it was like a, it was like -- if they have to
22 transport some of the animals, not the horses but the sheep or
23 anything else, and then he put them in there, then take them
24 somewhere. So it can be used for horse, you know, to transport a
25 horse or all the animals.

1 MR. STANCIL: I see.

2 MR. GONZALEZ: And that was destroyed, too.

3 MR. STANCIL: Okay.

4 MR. GONZALEZ: It was metal, but it was -- you know, it had
5 some -- you know, the floor is wood and of course the tires and
6 everything, so everything was destroyed.

7 MR. STANCIL: Okay. So my last question, unless he has
8 anything else, if he could tell us about the severity of the
9 flooding? Has it been getting worse? Has it been something that
10 happens a lot?

11 MR. GONZALEZ: Oh, you mean the flooding that the --

12 MR. STANCIL: The flooding of the stream over here, is it --
13 was it unusually bad this time or has there been a history of
14 problems with flooding?

15 MR. GONZALEZ: Before that, I'm going to -- I think we didn't
16 finish the other part.

17 MR. STANCIL: Oh, I'm sorry.

18 MR. GONZALEZ: No, no, but that's okay.

19 MR. STANCIL: Okay.

20 MR. GONZALEZ: Yeah, I there was -- they would use other
21 things they use to -- like wheelbarrows they use to clean out the
22 stables and everything, that's also destroyed that was outside.
23 But no houses, no other things, so --

24 He say that when they were here, they were seeing flames or
25 something jumping and getting close to the house. And he says

1 that his property was somewhere over there, and one of them went
2 over there and there was some debris in there and they got on
3 fire. But they were scared that those flames or something he says
4 something was jumping out of the fire and then it went like --
5 went close to the house but it didn't get on fire.

6 MR. STANCIL: Okay.

7 MR. GONZALEZ: So they were -- that's why they left and all,
8 just to go --

9 MR. STANCIL: Understood.

10 MR. GONZALEZ: Um-hum. And --

11 MR. STANCIL: So the question about the floods?

12 MR. GONZALEZ: The question --

13 So they -- I don't know how like -- like the compartment or
14 the gate to leave -- in the lake, to get the water out, supposedly
15 is obstructed and is not working. So when they -- instead of --
16 it's not opening, so they open it and then the water goes that
17 way. So if the, if that gate --

18 Okay. So it was a culvert, it was a culvert that is over
19 there and it has a screen to trap debris that goes there. And
20 apparently that screen either tore down or something happened, so
21 all the debris went over in the culvert and obstruct it so it
22 doesn't go to this other -- not river, but a -- what is lower than
23 a river --

24 MR. STANCIL: Stream?

25 MR. GONZALEZ: Stream. Thank you. And so because it's not

1 doing that, now it goes next to the tracks. And it's been going
2 on and he says it's getting worse. It got worse --

3 MR. STANCIL: How long has it been going on?

4 MR. GONZALEZ: So it's been months that that has been
5 happening.

6 So, yeah, like about a few months that -- he doesn't recall
7 how many, but a month. And now because the water doesn't go to
8 the other side, it comes over here. So it's a lot more water in
9 the last couple of months.

10 MR. STANCIL: Okay. Okay. All right. Well, I think, unless
11 there's anything else --

12 MR. GONZALEZ: I give him my card so if he remembers anything
13 or he wants to say something else, he can call me or email me.

14 MR. STANCIL: That would be great. Thank you.

15 MR. GONZALEZ: I tell him -- he says, what -- I don't going
16 to get in trouble to telling you this much. I said, no, we
17 investigating an accident and we want to know what's going on with
18 the lake and the water so we can tell the railroads or somebody to
19 fix this.

20 He said about a year ago or last year, because of this
21 problem, he says that a lot of the ballast -- so he says about a
22 year ago some -- you know, a lot of the ballast went all the way
23 to the other side and then it dump it over there. He says if we
24 want to go, we can stop over there and we see all the ballast in
25 there.

1 So he said that the ballast that is over there, now is
2 stopping the water from going to another stream on that side. He
3 says it's about a year.

4 He said that the person -- he doesn't live there, but he has
5 some of his stables there. And then he also -- he already went
6 into the City of Fort Worth and complain to do something with the
7 water because at one point his stables were flooded because all
8 the ballast was obstructing the flow of the stream. Okay. So he
9 called the City of Fort Worth and somebody came and talked to him
10 and went over there to show him what the problem was.

11 MR. STANCIL: When did this happen?

12 MR. GONZALEZ: So somebody from the city came last Wednesday
13 just before the accident. And they went over there and told
14 him --

15 MR. HERRERA: (In English) Sorry.

16 MR. GONZALEZ: No, no this is good.

17 MR. HERRERA: Oh, okay.

18 MR. GONZALEZ: It's good. No, no --

19 MR. HERRERA: Oh, okay.

20 MR. GONZALEZ: So there's another -- okay. So this guy
21 called the city and somebody came this Wednesday, which is the --
22 what's that, the 20- -- what are we now?

23 MR. STANCIL: It's like a week before the accident?

24 MR. GONZALEZ: No, no, the day before the accident.

25 MR. STANCIL: Oh, day before. Okay.

1 MR. GONZALEZ: The Wednesday before the accident. And
2 somebody came and then he took him over there to the -- and tell
3 him what the problem was. And then the accident happened that
4 night.

5 And then another one, he says that one guy who lives over
6 here, David, goes to the community center when they have like a
7 town hall meetings every month. Like a community center, they
8 have like town hall every month. And so people come over here.
9 So David, the guy who lives -- David, who lives around here in the
10 neighborhood, goes over there about a month ago on the last
11 meeting. So on the last meeting, he told them about the problem.

12 MR. STANCIL: And that would have been a month ago?

13 MR. GONZALEZ: About a month ago.

14 MR. STANCIL: Okay.

15 MR. GONZALEZ: And then this last Wednesday -- so today,
16 David told him that about a month or 2 months ago -- he doesn't
17 remember -- that he went to that meeting and told them about the
18 problem. So let's say 2 months.

19 MR. STANCIL: Okay. Who is David?

20 MR. GONZALEZ: It's a neighbor that lives -- David Gonzalez.

21 MR. STANCIL: David Gonzalez. Okay.

22 MR. GONZALEZ: So he is a neighbor that -- David Gonzalez who
23 lives in 1 -- like 2 blocks from here. And then he told him this
24 -- so today around 2 or 3 o'clock, they were -- so they were
25 talking, they were just chatting today around 2 o'clock, and he

1 told him, he says, yeah, I went to that community center in the
2 meeting, the town hall, and told them about it about a month, 2
3 months ago.

4 MR. STANCIL: And who at the town hall? Was it a city
5 official that he told?

6 MR. GONZALEZ: So he said, yeah, and he used to go there but
7 because he doesn't speak English, he didn't understand much. But
8 it's a policeman, people from the city or the community. So they
9 talk about the -- how -- you know, community. And so David
10 Gonzalez mention that a month to 2 months ago, he went to that
11 meeting and mention about the problem of the flooding.

12 MR. STANCIL: Okay. All right. Very good.

13 Can we have permission to photograph the damage to his
14 property?

15 MR. GONZALEZ: Yeah, he said it's okay.

16 MR. STANCIL: Okay, sir --

17 MR. GONZALEZ: He says he wish that everything gets better
18 and with those here. But he doesn't want to say, wow, this guy
19 was a whistleblower or something and then come and do something to
20 him.

21 MR. STANCIL: Okay.

22 MR. GONZALEZ: So --

23 MR. STANCIL: Well, one thing I wanted to stress to him that
24 the information that we gather is public, but, you know, we're --
25 again, it's used to prevent accidents, for accident prevention, to

1 learn from the circumstances so that we can prevent it from
2 happening again. That's the whole idea here.

3 MR. GONZALEZ: So that's why he wants to cooperate, too, so
4 it can get better and then prevent these problems.

5 MR. STANCIL: Exactly. Very good.

6 MR. HERRERA: (In English) Yeah, yeah, exactly. Yeah.

7 (Conversation in Spanish)

8 MR. GONZALEZ: So I just told him that, you know, he has my
9 card. If he wants to say something else or ask for something,
10 then just send me an email, call me, and everything. He says,
11 yeah, but right now is when everything's going on, so I might
12 forget something.

13 MR. STANCIL: Perfect. *Muchas gracias, senior.*

14 MR. HERRERA: *Senior, muchas gracias. Como se llama?*

15 MR. GONZALEZ: *Se llama Paul.*

16 MR. HERRERA: Paul.

17 MR. STANCIL: Paul.

18 MR. GONZALEZ: Paul or Pablo.

19 MR. HERRERA: Pablo. Pablo.

20 MR. GONZALEZ: Pablo Stancil.

21 MR. STANCIL: Okay. Let me -- I'll go ahead and end the
22 interview now.

23 (Whereupon, the interview was concluded.)

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

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RAILROAD TRAIN UEBLTG 20 WITH
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TEXAS, APRIL 24, 2019
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ACCIDENT NO.: RRD19FR007

PLACE: Fort Worth, Texas

DATE: April 26, 2019

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.



Kay Mavrer
Transcriber