

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

CPKC TRAIN DERAILMENT IN \*

BORDULAC, NORTH DAKOTA \*

Accident No.: RRD24LR012

ON JULY 5, 2024 \*

\*

\* \* \* \* \*

Interview of: ROSS McMAHON, Superintendent, Operations  
Canadian Pacific Kansas City (CPKC)

Jamestown, North Dakota

Sunday,  
July 7, 2024

APPEARANCES:

BEN STROT, Railroad Accident Investigator  
National Transportation Safety Board

RUBEN PAYAN, Railroad Accident Investigator  
National Transportation Safety Board

RYAN DUNN, Operating Practices Inspector  
Federal Railroad Administration

DANIEL KENNER  
Brotherhood of Local Engineers and Trainmen

THOMAS JARED, General Manager  
Canadian Pacific Kansas City (CPKC)

JIM CHASE, Investigator  
SMART Transportation Division

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Ross McMahon:	
By Mr. Strot	5
By Mr. Dunn	9
By Mr. Kenner	9
By Mr. Payan	9
By Mr. Chase	12
By Mr. Jared	13
By Mr. Chase	15
By Mr. Strot	16
By Mr. Jared	16
By Mr. Strot	17

I N T E R V I E W

1  
2 MR. STROT: All right. Good afternoon, my name is Ben Strot,  
3 I'm an investigator with the NTSB, today is July 7th, 2024, and  
4 we're meeting at the Fairfield Inn in Jamestown, North Dakota.  
5 This interview is being conducted in reference to NTSB accident  
6 number RRD24LR012, a derailment near Bordulac, North Dakota, on  
7 the CPKC railroad that occurred on July 5th, 2024.

8 Today we're here to speak with Ross McMahon. Before we  
9 start, we'll go around the room and introduce ourselves for the  
10 record. Please make sure you spell your last name and title as we  
11 go around.

12 MR. DUNN: Ryan Dunn, D-u-n-n, Federal Railroad  
13 Administration, Operating Practices Inspector.

14 MR. KENNER: Daniel Kenner, K-e-n-n-e-r, representative of  
15 the Brotherhood of Locomotive Engineers and Trainmen.

16 MR. PAYAN: Ruben Payan, P-a-y-a-n, I'm an NTSB investigator.

17 MR. McMAHON: Ross McMahon, M-c-M-a-h-o-n, Superintendent,  
18 Operations, CPKC North Dakota.

19 MR. CHASE: Jim Chase, SMART Transportation safety team  
20 investigator.

21 MR. JARED: Thomas Jared, General Manager, CPKC.

22 MR. STROT: And again, my name is Ben Strot, S-t-r-o-t, rail  
23 accident investigator for the NTSB.

24 All right. Mr. McMahon, do you mind if we go by Ross today?

25 MR. McMAHON: That works for me.

1 MR. STROT: All right, Ross. Beforehand we talked about it,  
2 but this interview is being recorded and as such, will be made  
3 part of the public docket. We cannot promise any confidentiality,  
4 do you understand that?

5 MR. McMAHON: Yes, sir.

6 MR. STROT: All right. During this interview, you elected to  
7 not have a representative but you could have one if you had wished  
8 and that's perfectly fine to not have one, we'll move forward  
9 without it. As we talked, please answer all of the questions  
10 today to the best of your recollection.

11 If you don't understand a question or don't hear the whole  
12 question, just ask for it to be repeated or explained, and if you  
13 realize you misstated something or need to modify a previous  
14 answer, just let us know, it's okay to do so. If anybody needs a  
15 break during this interview, please give me the international  
16 symbol for time out and we'll take a break and go off the record.  
17 All right. With that, we'll go ahead and get started.

18 INTERVIEW OF ROSS McMAHON

19 BY MR. STROT:

20 Q. Ross, if you can just start off with a little bit about your  
21 railroad career and what you've done here.

22 A. I hired out as a conductor July of 2001 in Grand Forks, North  
23 Dakota, I worked throughout the Midwest, West Coast, California,  
24 Arizona, and then the Powder River, as well. Started with CP in  
25 2008 as a conductor, into management in 2009. I progressed

1 through the Midwest in various positions and most recently,  
2 superintendent of North Dakota. Prior to that, I was in Canada  
3 for about six and a half years working as an assistant  
4 superintendent/superintendent across Manitoba, Ontario, Quebec,  
5 and the Northeast U.S.

6 Q. Okay. Appreciate that. If you can just give us a rundown of  
7 the night of the incident, from the time you got called until  
8 let's say the crew departed the area, if you can just kind of give  
9 us a rundown of what you did, your interactions with the first  
10 responders, things of that nature.

11 A. I received a call approximately 3:40 Friday morning from the  
12 operation center in Minneapolis about a crew that was in  
13 emergency, a potential derailment due to slack action and  
14 potentially a fire. Told the director to validate what exactly  
15 she -- what they found, she was going to get back to me. At that  
16 time I talked with the trainmaster covering the area and got him  
17 on the road headed that way and then I made a call to the road  
18 foreman to see where he was at.

19 At that time I followed back up with the director. The next  
20 phone call was Mr. Jared and then to the hazmat director for the  
21 area. Once I got on the road headed to the site, I spoke with  
22 engineering, hazmat, a few more times and then hazmat did call me  
23 back with the fire chief on the line, who was on scene. Walked  
24 through what dangerous commodities were on the train, they had yet  
25 to get a car down to where things had been derailed. When they

1 were able to give me a number, we walked through what had been  
2 over the site at that time and what was potentially involved as  
3 far as the hazardous commodities. Upon my arrival, got close to  
4 the site where we're set up within the command center area now,  
5 near the elevator, and spoke with the chief, kind of walked  
6 through what his thoughts were of what we were able to do.

7 At that time the crew was bringing a light engine back  
8 towards the standing portion on the east side of the site and they  
9 pulled that to the east. The chief and I discussed what the plans  
10 were for the standing cut to the west of the site. Both of us  
11 discussed and came up with we were going to make the cut right at  
12 the first derailed car. With the wind and where the fire was at,  
13 the decision was to make the cut there.

14 At that time I went and got the conductor and the engineer  
15 and brought them back, dropped the engineer off at the crossing,  
16 went back with the conductor to speak with the chief as to what we  
17 were going to do, just kind of brief through it with the  
18 conductor. The conductor and one of the firefighters, I'm not  
19 sure what position he was, they ended up going back with their  
20 monitoring and SCBAs to pull the pin on that car to pull that cut  
21 to the west into Carrington.

22 Q. Okay. So whenever hazmat called with the first responder on  
23 the phone, you had a list in your hand of the train and that's  
24 what you all were talking through?

25 A. Yes. I actually got the AskRail app on my phone so I could

1 get the car that he was able to see, pull it up on that also, it  
2 gives me the entirety of the consist of the train.

3 Q. Got you. Do you know if the fire chief had AskRail?

4 A. I brought it up and the way he made it sound, he had it.

5 Q. Okay, okay. All right. Do you know, were they ever given a  
6 train list or do you think they used that AskRail to get what they  
7 needed in that initial response?

8 A. I told him that all the paperwork was on the head end of the  
9 available aux. I gave the crew the list prior --

10 Q. Yeah.

11 A. -- to departing Harvey when I was with them prior to all of  
12 this happening.

13 Q. Yeah, okay. Interesting. You said the fire chief made it  
14 sound like he had AskRail.

15 A. That's what I recall, I told him I was going through AskRail  
16 and he'd be able to get through it, as well.

17 Q. Okay, all right. All right, that's good. When the conductor  
18 went in to make that cut on the rear portion of the train and you  
19 all had had that discussion, had the fire department given the all  
20 clear to make that move with the equipment they had or was it --  
21 how was the decision made that it was, you know, safe for him to  
22 go in there and make that cut?

23 A. The fire chief and I, I mean, the fire chief being the  
24 incident commander, walked through it, he said they had air  
25 monitoring and, you know, just as a precaution, the SCBAs.

1 Q. Okay. Did he say, had they been doing air monitoring prior  
2 to that?

3 A. He said they -- the air monitoring was brought up as far as  
4 being done.

5 MR. STROT: Okay, okay. That's all the questions I have.

6 BY MR. DUNN:

7 Q. Ryan Dunn, FRA. Did the engineer mention any unusual slack  
8 action when you talked to him, that you remember?

9 A. I asked about slack and he says it wasn't real severe.

10 MR. DUNN: Okay. That's all I've got for right now.

11 BY MR. KENNER:

12 Q. Daniel Kenner with the BLET. You talked about the conductor  
13 going with the fireman to don the SCBAs, was the conductor trained  
14 on how to wear those or had he ever worn one? Because we noticed  
15 he had a full face beard.

16 A. That I'm unsure of.

17 Q. And you were with him at Harvey when they made their pickup?

18 A. Yes, sir.

19 Q. Okay. Did you note the stranger that was in their list when  
20 they picked up?

21 A. Not until after they departed.

22 MR. KENNER: After they departed, okay. That's all I have.

23 MR. STROT: Okay.

24 BY MR. PAYAN:

25 Q. All right, Ruben Payan, NTSB. Just if you could help us out,

1 we're going to try and do a timeline of events, so if you could  
2 kind of -- if you can, provide some times as best as you can. You  
3 mentioned at 3:40 you were called, notified of the derailment?

4 A. Yes, sir.

5 Q. And you were at home?

6 A. Yes.

7 Q. And then you mentioned that you talked to the fire chief and  
8 your hazmat personnel on scene, do you remember around how long  
9 that was after you were notified?

10 A. I can pull it right out of my phone log, if that works.

11 Q. If you want, yes.

12 MR. STROT: Yeah.

13 MR. PAYAN: Yeah, that would help us out.

14 (Pause.)

15 MR. McMAHON: Approximately 4:50.

16 BY MR. PAYAN:

17 Q. Four fifty, okay. And then is that when you mentioned that  
18 you and him were comparing notes on the consist?

19 A. That's when he had the fire chief on the line.

20 Q. Okay. At that time did he have the consist, do you know? Or  
21 did he discuss anything about the consist?

22 A. The chief or the hazmat director?

23 Q. Whoever you spoke to at 4:50.

24 A. He talked about the consist, as well.

25 Q. He did? Okay, so by that time he knew what was -- what was

1 on the train.

2 A. Correct.

3 Q. Okay. And then you departed your residence and about what  
4 time did you arrive on scene?

5 A. I talked to the fire chief and the hazmat director while I  
6 was en route, approximately 6:25, 6:30 I arrived on scene.

7 Q. On scene around 6:00, between 6:00 --

8 A. Six fifteen, six thirty, somewhere in there.

9 Q. Okay. And when you arrived on scene at the command post,  
10 where was the train crew at that time?

11 A. They were to the east of the site, east of the derailment  
12 site.

13 Q. Still on the locomotive or --

14 A. Yes.

15 Q. Okay. And who brought the crew over to the command post or  
16 to the rear?

17 A. Once they pulled that east portion to the east to clear the  
18 site, I drove up to the closest crossing and picked them up.

19 Q. Okay, so you're the one who picked them up, okay. And then  
20 you brought them to the command post or to the rear portion?

21 A. We brought them toward where the -- the command post area.

22 Q. Okay. And then at that time the decision was made to -- or  
23 what was the decision after you took him to the command post?

24 A. The chief and I had previously spoken to -- prior to me  
25 picking them up, as to what we planned on doing or what was going

1 to work for him.

2 Q. Okay. And then who -- you took -- you proceeded with the  
3 crew to the rear or did somebody else take them?

4 A. Well, upon my arrival, I spoke with the chief and then I went  
5 and picked the crew up and then we talked about what we were going  
6 to do on the way back to the west portion of the train.

7 Q. Okay.

8 A. The engineer was dropped off towards the head end at the  
9 crossing and the conductor and I were back with the chief.

10 MR. PAYAN: Okay. That's all I have right now. Thank you.

11 BY MR. CHASE:

12 Q. Jim Chase, C-h-a-s-e, SMART Transportation. Do you know what  
13 the last car where they made that cut on the west end, what the  
14 contents were, by chance?

15 A. Plastic pellets.

16 Q. Plastic pellets, okay. What's the policy for relieving crews  
17 that have been in an accident or a derailment? What's CP's  
18 policy?

19 A. They were asked initially if they were okay and I checked to  
20 see how they were doing and then they were like here's what we'd  
21 like to do and then they wanted -- they were fine doing the work.

22 Q. Yeah, I guess what my question is, is there -- does CP have a  
23 policy on relieving crews? Let's say that you're involved in an  
24 accident or a collision with a car or something like that, is  
25 there a provision to relieve that crew?

1 A. That's at the crew's discretion.

2 Q. The crew's discretion. So they have to request to be  
3 relieved?

4 A. Yes, sir.

5 MR. CHASE: Okay. That's all I have for right now.

6 MR. STROT: Okay.

7 BY MR. JARED:

8 Q. Did you pick up the crew from the crossing -- did you pick up  
9 the crew after they made the first move on the east end?

10 A. Yes, sir.

11 Q. Were they concerned at that time with their safety and what  
12 they're being asked to do?

13 A. No. We talked through what the plan was, what I previously  
14 discussed with the fire chief, safety precautions, I mentioned the  
15 air monitoring, he did have a firefighter with him doing such and  
16 then subsequently, when we went to make the move, that's when the  
17 firefighter mentioned, you know, maybe just on the safe side put  
18 the SCBA on.

19 Q. When you said the engineer -- did you go from the east end  
20 picking the crew up and you drove past the command site and you  
21 dropped the engineer off at the DB motor at a crossing?

22 A. To get in from where he came back, looked around, came up the  
23 highway and I dropped the engineer off at the highway crossing.  
24 About, I don't know, 10 to 15 cars west of that crossing is what  
25 he had walk and then we took a ride into the -- into town that

1 way.

2 Q. And it was you and the conductor?

3 A. Yes, sir.

4 Q. And then you had a conversation at some point there with the  
5 fire chief, was the conductor there?

6 A. Yes, the -- yeah, the conductor was there when we talked  
7 through what we were going to do again with the briefing right  
8 down to the SCBA and monitoring with the other firefighter.

9 Q. Did the conductor at any time express any concern about his  
10 safety?

11 A. No, sir.

12 Q. And then what happened after that, then?

13 A. Once the cut was made --

14 Q. I'm sorry to interrupt, but to back up, the command center,  
15 are you talking about the red trailer next to the elevator?

16 A. Yes, we were near the elevator.

17 Q. And from there, the conductor and the firefighter walked to  
18 the rear car?

19 A. From what I recall, yes.

20 Q. Okay. And Jim mentioned that the rear car was pellets, what  
21 was the other commodities if you go towards the west, do you  
22 remember?

23 A. The sounding cars or all the cars that were in that area?

24 Q. To the rear of the train, not every one of them, but in  
25 general, what was the commodity of the train?

1 A. The car we cut away from was a car of plastic pellets,  
2 plastic pellets, and then it was methanol and anhydrous to the  
3 west.

4 Q. Okay. And did the conductor and the firefighter, did they  
5 ride it out, the train out or did they walk out?

6 A. I believe they walked out.

7 Q. Okay. Where did you make contact with the conductor again?

8 A. I spoke with him right around that command center, elevator  
9 area, once he got back up to where we were at.

10 Q. Okay. And do you know how far the engineer pulled that cut  
11 up?

12 A. That cut was pulled into Carrington, into the siding.

13 Q. Where was the conductor at that time?

14 A. I believe the trainmaster picked him up and gave him a ride,  
15 from what I recall.

16 MR. JARED: Okay, I don't have any further questions.

17 MR. STROT: Okay. Ben Strot, NTSB, I don't have any  
18 follow-on questions.

19 MR. DUNN: FRA, Ryan Dunn, I don't have any questions.

20 MR. KENNER: D.B. Kenner, BLET, no more.

21 MR. PAYAN: I'm good.

22 MR. STROT: Jim?

23 BY MR. CHASE:

24 Q. Jim Chase, C-h-a-s-e, SMART Transportation. Do you know how  
25 long the crew was actually on duty then, when they tied up, by

1 chance?

2 A. After their post-incident testing, the required one, and  
3 getting a cab back into Enderlin, I want to say it was 18 hours  
4 plus.

5 MR. CHASE: Okay. That's all I had, thank you.

6 MR. JARED: General Manager Tom Jared, no further questions.

7 BY MR. STROT:

8 Q. I only have one, one follow-up that I want to throw out  
9 there. The tox box for the FRA testing, did you have that on you  
10 or did you have to go somewhere to get it?

11 A. The trainmaster had to go get it.

12 MR. STROT: Okay, okay. All right, anybody else?

13 (No response.)

14 MR. STROT: Okay. Yeah, go ahead.

15 MR. JARED: Sorry.

16 BY MR. JARED:

17 Q. Tom Jared, General Manager. The conductor, and this is  
18 something you and I talked about just after the fact, you said the  
19 conductor actually -- afterwards, he said he was excited or  
20 something about having to go do that or what did he say actually  
21 about it?

22 A. So when he -- when they pulled the cut out, when he got back  
23 up to where we were at, I asked him how it was back there, you  
24 know, just what the general thought process was or to see how  
25 things -- how he was doing back there, you know, the words were

1 along the lines of this isn't -- the air pack or this isn't in the  
2 job description, but that was fucking awesome.

3 MR. STROT: All right. Anything else, anybody else have any?

4 (No response.)

5 MR. STROT: Okay.

6 BY MR. STROT:

7 Q. All right, a couple last questions. Is there anything we  
8 should've asked you that we did not or anything that you would  
9 like to add?

10 A. I think it's all been covered.

11 Q. Good. So we talked to the conductor and we talked to the  
12 engineer and we talked to a track supervisor, is there anyone else  
13 that you can think of that you think that we should interview in  
14 response to this accident?

15 A. I'm going through my head who all was involved. First  
16 knowledge, it's -- you got everybody.

17 Q. Got it, all right. And if we have any follow-up questions,  
18 do you mind if I contact you on the number you gave me?

19 A. That's not a problem.

20 MR. STROT: Okay. Like I said, the next thing you'll get is  
21 a copy of the transcript and an errata sheet from me, probably 20  
22 days or so, but on behalf of the NTSB, I appreciate your time and  
23 your cooperation and detail, thanks for coming in and talking to  
24 us.

25 MR. McMAHON: Yes, sir.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. STROT: All right.

(Whereupon, the interview concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

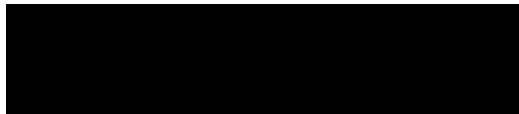
IN THE MATTER OF: CPKC TRAIN DERAILMENT IN BORDULAC,  
NORTH DAKOTA ON JULY 5, 2024  
Interview of Ross McMahon

ACCIDENT NO.: RRD24LR012

PLACE: Jamestown, North Dakota

DATE: July 7, 2024

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.



---

David A. Martini  
Transcriber