

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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CPKC TRAIN DERAILMENT IN *

BORDULAC, NORTH DAKOTA *

Accident No.: RRD24LR012

ON JULY 5, 2024 *

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Interview of: SAM BERNDT, Response Manager
West Central Environmental Consultants

via Microsoft Teams

Wednesday,
July 31, 2024

APPEARANCES:

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

DAVID CASACELI, Investigator-in-Charge
National Transportation Safety Board

BENJAMIN STROT, Railroad Accident Investigator
National Transportation Safety Board

VERNON WALKER, Tank Car Quality Assurance Specialist
Federal Railroad Administration

RAUL GONZALEZ, Accident Investigator
Pipeline and Hazardous Materials Safety Administration

ED DANKBAR, Director, Emergency Management and Hazmat
Response, Northern Region
Canadian Pacific Kansas City (CPKC)

BEN LAWLER, Senior Director, Mechanical Services
Trinity Industries

BRYCE LANHART, Response Manager
West Central Environmental Consultants

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I N T E R V I E W

(2:01 p.m.)

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2
3 MR. STANCIL: Okay, the recording has started. Today is
4 July 31st, 2024. The time is 2:01 p.m. Eastern time. This is an
5 interview that is being conducted in connection with the July 5th,
6 2024 derailment of a CPKC train, the train number was 242-03, in
7 Bordulac, North Dakota. The NTSB number is RRD24LR012. My name
8 is Paul Stancil, Senior Hazardous Materials Accident Investigator
9 with the NTSB, and I'm also the hazardous materials group chairman
10 for this investigation. This is an interview of Mr. Sam Berndt, a
11 response manager for West Central Environmental Consultants, or
12 WCEC.

13 Mr. Berndt, are you aware this conversation is being recorded
14 today?

15 MR. BERNDT: Yeah.

16 MR. STANCIL: And do we have your permission to record this
17 conversation?

18 MR. BERNDT: Yes, you do.

19 MR. STANCIL: Thank you, sir. We are conducting this
20 interview via a Microsoft Teams conference call, so I'll now ask
21 those attending this call to introduce themselves and please spell
22 your last name when you do. Also remember, it's very important
23 for the recording that we all speak loudly, clearly, and slowly.
24 So we'll start off with introductions from the NTSB team, I'll
25 pass it to Mr. Casaceli.

1 MR. CASACELI: David Casaceli, C-a-s-a-c-e-l-i, Investigator-
2 in-Charge, National Transportation Safety Board. Afternoon, Sam.

3 MR. STANCIL: Okay, Mr. Strot.

4 MR. STROT: Ben Strot, S-t-r-o-t, operations group chairman
5 from the NTSB, and good afternoon, Sam.

6 MR. BERNDT: Good afternoon.

7 MR. STANCIL: Okay, now we'll go to the Federal Railroad
8 Administration, Mr. Walker.

9 MR. WALKER: Vernon Walker, W-a-l-k-e-r, Tank Car Quality
10 Assurance Specialist, FRA.

11 MR. STANCIL: Okay, the Pipeline and Hazardous Materials
12 Safety Administration, Mr. Gonzalez.

13 MR. GONZALEZ: I'm Raul Gonzalez, G-o-n-z-a-l-e-z, accident
14 investigation team.

15 MR. STANCIL: Okay, the CPKC railroad, Mr. Dankbar.

16 MR. DANKBAR: Thank you. Ed Dankbar, that's D-a-n-k-b-a-r,
17 Emergency Management and Hazmat Response director for CPKC
18 Northern Region. Afternoon, Sam.

19 MR. STANCIL: Okay, Mr. Lawler with Trinity Tank -- Trinity
20 Industries leasing company, excuse me.

21 MR. LAWLER: Yes, Ben Lawler, L-a-w-l-e-r, Senior Director,
22 Mechanical Services, Trinity Industries.

23 MR. STANCIL: Okay, are there any other folks on the call
24 that I have not called?

25 (No response.)

1 MR. STANCIL: Okay, Mr. Berndt, is there anyone else there
2 with you today or are you by yourself?

3 MR. BERNDT: There is.

4 MR. LANHART: Yes. Bryce Lanhart, L-a-n-h-a-r-t, our
5 response manager for West Central Environmental Consultants.

6 MR. STANCIL: Thank you, sir.

7 Okay, Mr. Berndt, if any of our questions are unclear or you
8 do not understand the question, please ask the questioner to
9 clarify and restate the question, and if you don't know the
10 answer, it's okay to state that you do not know. What we don't
11 want you to do is speculate on any answers that you give to any of
12 our questions, do you understand?

13 (No audible response.)

14 MR. STANCIL: I'm sorry, I haven't heard you, do you
15 understand so far?

16 MR. BERNDT: Yeah, no, I understand.

17 MR. STANCIL: Okay, perfect. The sole purpose of this
18 investigation, as with any other NTSB investigation, is to improve
19 safety, it is not to assign fault, blame, or liability. Our
20 mission is to improve transportation safety and prevent future
21 accidents. As such, the NTSB cannot offer any guarantee of
22 confidentiality, immunity from any legal proceeding by any other
23 agency whether it be local, federal, or state. A transcript of
24 this interview will be placed in the public docket for this
25 investigation, understood?

1 (No response.)

2 MR. STANCIL: I'm sorry, did you understand, sir?

3 MR. BERNDT: Yeah, I understand.

4 MR. STANCIL: Okay.

5 INTERVIEW OF SAM BERNDT

6 BY MR. STANCIL:

7 Q. All right, sir, would you please state your full name and
8 spelling of your last name and your position with WCEC?

9 A. First name, Sam, last name, Berndt, B-e-r-n-d-t, and I'm a
10 response manager for West Central Environmental Consultants.

11 Q. Thank you. Would you tell us a little bit about your
12 background, your education, and expertise?

13 A. I guess I -- I went to the University of Minnesota Duluth and
14 majored in environmental science, graduated in 2015. After
15 graduation, I started off with Wenck Response Services and started
16 doing hazmat tank car work. I was there until 2020, I believe,
17 and then I went to private companies and followed doing the same
18 thing, and then about a month ago, after I (indiscernible) myself,
19 moved over to West Central and I'm still doing hazmat response.

20 Q. And you've been in your current position for how long?

21 A. At West Central, it's about 30 days.

22 Q. Okay. What are your duties and who do you report to at West
23 Central?

24 A. We report to Brian Jensen, he's our direct supervisor. We,
25 you know, do hazmat cleanups for the railroad or trucking

1 companies or -- such things like that. At West Central there
2 really hasn't been a ton because we started and then three days
3 later this event had happened.

4 Q. So was this your first project with WCEC?

5 A. This was the first one, yes.

6 Q. Okay. All right, I'll start by asking you to tell us, as
7 completely as you possibly can, what happened after you were
8 notified of the incident and please walk us through your initial
9 response actions to the train derailment, and you're welcome to do
10 this chronologically, if you would, so just give us the most
11 complete accounting of your involvement in the incident response,
12 what you did, what you saw, your communications with others and
13 other organizations. Please take all the time you need and feel
14 free to refer to any notes or documentations that you might have
15 to give us the most complete accounting as you can remember, so
16 please proceed.

17 A. Yes. So I believe it was Friday, July 5th around 4 o'clock
18 in the morning we got a call from Shawn, right, from Sean
19 Trebiatowski with CP notifying us that there was a derailment up
20 here. We left the Twin Cities, Minnesota, Minneapolis/St. Paul
21 and we got up here around 11:00-ish. Once we got here, we -- we
22 found Ed and started walking down and trying to figure out what
23 was the first car and what was the last car in -- that were
24 derailed and then we started making maps of locations of the cars
25 and what they look like, it was hard to see, it was hard to tell

1 what was actually going on because the whole derailment was on
2 fire.

3 Q. And then what happened?

4 A. Then we helped bring out some of CP's fire equipment and get
5 that set up. And I think by that time most SRS people were there
6 who were there to help put out the fire and then I believe,
7 directly after that, we started doing damage assessments of the
8 cars we could see at that time.

9 Q. Anything else that happened, anything else that you did?

10 A. Do I remember anything after that?

11 Q. Please continue, just tell us the whole story as you can
12 remember.

13 A. I'm trying to pull up some notes here, I don't know --

14 Q. Okay.

15 A. Let me know if this screws up my screen or something.

16 Q. No, you're good.

17 A. I guess -- well, we couldn't identify exactly which tank
18 cars' PRDs were going off, but we were documenting, you know,
19 start time, stop time, how long they went off for and we're noting
20 if anything was changing, if it was getting longer, getting
21 shorter.

22 Q. Are these notes that you have, are these your personal notes
23 or do you have some sort of report?

24 A. I would say they're personal notes, yeah, there's log in,
25 putting a timer on your phone and writing down when it starts and

1 when it stops.

2 Q. Okay, tell us about -- more about that, when did the PRDs
3 start actuating and how long did they actuate and so forth?

4 A. Some of them, they were going off within a half an hour of us
5 getting there, they might've been going off before we got there.
6 I remember how long some of them were going off. The first one,
7 the time was 3:49 p.m.

8 Q. And did you record which PRDs these were, did you assign
9 those to a specific tank car?

10 A. I think there was only one car that we could tell that that
11 was that PRD going off, but the other ones you could hear but you
12 just couldn't tell which tank car they were coming from.

13 Q. And which one can you identify as actuating?

14 A. That would be Car Number SHQX10732.

15 Q. And again, what time did that one start?

16 A. I'll make sure. The earliest picture I have of that one is
17 July 5th at 5:55 p.m.

18 Q. And in addition to that, how many other cars were -- this was
19 an anhydrous car, correct?

20 A. Yeah, this was an anhydrous car.

21 Q. And how many other cars did you note PRDs actuating?

22 A. Besides this one, I mean, it could've been one car going off,
23 it could've been different ones but, I mean, we couldn't -- we
24 couldn't see which ones they were. All we knew is there was a --
25 there was a few PRDs going off, we didn't know if it was the same

1 car, different car.

2 Q. And these were all anhydrous cars, is that right?

3 A. They could've been, they could've been methanol car PRDs
4 going off, as well.

5 Q. Okay. Let me back up a minute and get back to some of the
6 initial response actions, so you said you arrived at about 11:00,
7 where did your assets deploy from?

8 A. Bryce and myself arrived just in his personal truck and we
9 basically put on our PPE and our respirators and started walking
10 down with the clipboard and making notes.

11 Q. Okay. How many people from your company were involved in the
12 response?

13 A. Actually, I can't answer that, I mean, I don't -- we'd been
14 there for three days, I didn't even know who our employees were.

15 Q. But was it -- it wasn't just you and your partner?

16 A. No, I would -- there was more employees from West Central
17 than just us two.

18 Q. Okay. And did that ramp up over time?

19 A. Yeah. A lot of the West Central people were there for more
20 of the environmental and the hazmat but, yeah, they ramped up to
21 quite a few and then as the show settled down, they -- their
22 numbers went down, as well.

23 Q. Okay. And if you can tell us, what is the size of your
24 company, how many employees?

25 A. West Central is owned by SET and SET is pretty large, so I

1 don't know how many employees they have.

2 Q. Okay. But there's your -- who, again, was your supervisor?

3 A. Brian Jensen.

4 Q. Okay. And would he have a better accounting of the assets
5 that were deployed?

6 A. Yeah, he would.

7 Q. Okay. And you mentioned that you had done tank car damage
8 assessment and some environmental work, can you describe the
9 services that your company provided to CPKC during this response?

10 A. I know some West Central people, they -- they came out right
11 away and started putting boom in the lake on the north side of the
12 derailment, and then Brian Jensen, he brought up a vac truck, if
13 it was needed, and then I know there was some logistical stuff
14 some other West Central people were doing.

15 Q. So is it accurate to say that a part of your company was
16 engaged in the environmental response while others were dealing
17 with the tank cars?

18 A. Yeah.

19 Q. Okay. So how many folks were working with you to do the tank
20 car evaluations?

21 A. I would say the tank car assessments was just Bryce and
22 myself, and then initially there was one more guy from SRS and one
23 guy from E3 also doing damage assessments.

24 Q. One person from SRS?

25 A. Yeah, and the one from E3 Environmental.

1 Q. Great. Okay. And how long was your organization present on
2 the site?

3 A. Bryce and myself are still here and then there's two other
4 West Central employees here doing just logistics, filling
5 generators and air compressors, but -- yeah, so in total there's
6 four of us still here, but they had people cycle in and out
7 throughout.

8 Q. Okay, so you haven't demobilized yet. Did you have any role
9 to play in the unified command?

10 A. No, not particularly.

11 Q. Did anyone from your company?

12 A. I think Brian was in the briefings when they would take the
13 team leads or whatever.

14 Q. And who, again, is Brian?

15 A. He's our direct supervisor for West Central.

16 Q. And his last name, again?

17 A. Jensen.

18 Q. Okay. So you mentioned when you arrived you spent some time
19 locating and identifying the tank cars, can you tell us more about
20 that, how -- how did you indentify what was what during the -- in
21 the pileup?

22 A. So we basically -- we got there, we walked down to -- the
23 first west side of the derailment car, we could see that was
24 derailed, and then about that time we got the consist for the
25 train and then we could walk down, walk around the derailment,

1 down to the east side and see the last car that was derailed, so
2 we kind of had an idea of what cars were, you know, between those
3 two cars based on the consist.

4 Q. And what time frame are we talking about there, when did this
5 happen?

6 A. We got the consist at 11:46 on July 5th.

7 Q. Okay. Did you have any difficulty locating any of the cars
8 or identifying what they were?

9 A. I mean, there was a few hopper cars on the west side that
10 were easy to identify and then the last methanol tank car on the
11 east side was easy to identify, but then other than those couple
12 cars, you couldn't really tell anything right away.

13 Q. How many of the cars did you see that were breached, can you
14 describe what you saw there and what cars have breaching damage?

15 A. Are you talking about initially or as we -- as, you know, the
16 track got cleared or --

17 Q. As the track got cleared or what you initially saw and what
18 you eventually came up with in terms of what was breached and --

19 A. I guess, initially, we didn't know if anything was breached,
20 it could've just been PRDs going off, but then as they started to
21 clear the main, we could tell that there were a couple anhydrous
22 cars leaking and the methanol cars were in poor shape, so we knew
23 a few of those were impacted, as well.

24 Q. So how many anhydrous and how many methanol cars were
25 breached?

1 A. Are you asking as of, like, what we know now, at the end of
2 it?

3 Q. Sure, yes.

4 A. At the end of it now, we had four methanol -- or four
5 anhydrous cars that were breached or impacted, and five -- or five
6 methanol cars. That's right. And five methanol cars.

7 Q. Can you describe the breaching damages to the anhydrous cars
8 and can you identify -- can you identify them by the field number
9 or reporting mark?

10 A. Yeah, so A6, which is SHQX10805, that one -- we got a picture
11 of that, hold on. Yeah, 7:55 on the 6th. Seven fifty-five on
12 July 6th is when we basically got the first signs or -- that that
13 car was leaking. And then --

14 Q. How was that leaking?

15 A. There was a tear in the tank on -- what is that?

16 MR. LANHART: The top left side.

17 MR. BERNDT: Yeah, the top left side of the car.

18 MR. STANCIL: Okay.

19 MR. BERNDT: And then A1, which is TILX500730, after they
20 cleared that one off the main, we found that the entire housing
21 was ripped off of it and nine of the pressure plate bolts were
22 sheared. The BN (ph.) liquid valve was sheared off at the
23 pressure plate and the AN (ph.) liquid valve was damaged and
24 inoperable, and the vapor valve was also damaged and inoperable.
25 And that car was leaking from the valves and the pressure plate.

1 BY MR. STANCIL:

2 Q. Okay, next one?

3 A. A3, which is UTLX971273, that car was also determined to be
4 leaking. The leak is coming from somewhere under the jacket,
5 which we can't access at this time.

6 Q. Okay. And the fourth one?

7 A. Sorry, say that again?

8 Q. The fourth car that was breached?

9 A. The fourth car is A2, which is TILX501050, and that car is
10 similar to the last car where we know it's leaking, we just can't
11 determine where.

12 Q. Okay. And with regard to the methanol cars, you said they
13 were considerably more damaged?

14 A. Yes.

15 Q. All of them are breached in some fashion?

16 A. All of them besides M3, which is PROX45220.

17 Q. Was there any damage that sticks out in your mind as unusual?

18 A. The methanol cars, besides -- which is the one with the
19 housing? I think that's it. Yeah, so all the methanol cars
20 besides M3, which was PROX45220, and 6 were -- they were damaged
21 and leaking product. Tank Car M6, which is CTCX300362, didn't
22 have any tank punctures or breaches that we could find, but that
23 car was not full when we opened the manway, so it was leaking from
24 somewhere. And then the other -- yeah, the other four methanol
25 cars which were MXCX132265, CTCX732476, TILX355610, and

1 CTCX300358, all four of those methanol cars had significant
2 punctures and breaches within the tanks.

3 Q. Okay. Are you all keeping track of the volumes of product
4 that are being recovered from the various cars that still have
5 material in them?

6 A. As we sit now, there's no material in any of the cars, but
7 the product removed was documented.

8 Q. And how was the product documented?

9 A. I wasn't directly involved in the transfers, but they went
10 based on weight of the trucks or outage.

11 MR. LANHART: And radioed.

12 MR. BERNDT: And yeah, the truck weight was radioed in to
13 command and reported there.

14 BY MR. STANCIL:

15 Q. Okay. Did your company or did yourself, did you have any
16 role in stopping leaks or mitigating releases from the anhydrous
17 cars?

18 A. Yeah, we put -- to try to help with the vapors, we put tarps
19 over the holes in a -- or the suspected holes in A1 and A3 to try
20 to mitigate the vapors.

21 Q. And how effective was that effort?

22 A. It definitely pushed the vapor down and eventually from going
23 up in the air.

24 Q. Was that done on any other cars other than the ones that you
25 handled?

1 A. I think -- did Chip (ph.) put one on A2?

2 MR. LANHART: Yes, there was a tarp on A2.

3 MR. BERNDT: Yeah, there's also a tarp on Car A2, which was
4 TILX501050.

5 BY MR. STANCIL:

6 Q. Okay. Anything else?

7 A. Yeah, there was a main (ph.) patch on Car A6, which is
8 SH2X10805.

9 Q. Okay. Any other mitigating actions taken?

10 MR. LANHART: Water and spraying.

11 MR. BERNDT: Yeah, spraying water on spray bars on all four
12 of those cars that were leaking.

13 BY MR. STANCIL:

14 Q. Okay. And was that done by other contractors besides
15 yourself?

16 A. Yeah, I personally didn't put any of the water mitigation on
17 any of the cars.

18 Q. So you just did the tarps on A1 and A3, correct?

19 A. Yeah.

20 Q. Okay. Did you have any role in doing the plume modeling or
21 vapor monitoring, air monitoring?

22 A. No.

23 Q. Okay. What level of protective equipment was required to be
24 used out there?

25 A. We had bunker gear, FR coveralls, and respirators, as well as

1 SCBAs.

2 Q. And how long was SCBAs required, for what period of time?

3 A. It depended on what the GHD was getting for ammonia readings,
4 I don't remember exactly how long SCBs were out on site for, but
5 they were out there for a while.

6 Q. I'm sorry, who was that that was doing industrial hygienist
7 duties?

8 A. GHD was doing the air monitoring.

9 Q. Okay. And you mentioned that your company also works on the
10 waste disposal side, as well, can you tell us more about that?

11 A. I can't really speak to their waste disposal, I don't really
12 know a ton of that yet.

13 Q. So what would that entail, typically?

14 A. I mean, they -- our vac truck just moved methanol and water
15 to a frac tank where it's still sitting on site, so --

16 Q. Got you. Bear with me one second as I go through my notes
17 here. What remedial work remains to be done at this point?

18 A. I can really only speak to the tank cars, I'm not involved in
19 any of the environmental stuff that's going on.

20 Q. Okay. With respect to the tank cars, what's the status now?

21 A. The tank cars are all upright and I think there's two left
22 that are currently being -- three of them that are currently being
23 swept with air to try to get all the cars down to zero readings of
24 LEL, ammonia, VLC, et cetera.

25 Q. So all but three are completed?

1 A. Yeah, all the other ones were metered and completed this
2 morning and then currently, it's A6, which is SHQX10805; A1, which
3 is TILX500730; and that one, right? And M5, which is CTCX300358,
4 they're currently being swept with air.

5 Q. Okay. Were you all involved in any of the flaring work?

6 A. Yeah.

7 Q. Tell us how that came about, how that decision was made and
8 how many cars you did and so forth.

9 A. So for the leaking cars, we wanted to try to send the ammonia
10 vapor somewhere else than just out into the atmosphere, so they
11 were hooked up to flares as best as we could. Some of the cars
12 were tricky to get into, I know SRS and -- who replaced the
13 valves?

14 MR. LANHART: RMS.

15 MR. BERNDT: RMS and SRS replaced some valves and -- on some
16 of the anhydrous cars so they could plumb into them and put a jet
17 pump on there and try to pull the vapors out and send those to the
18 flare.

19 BY MR. STANCIL:

20 Q. Were there any other alternatives considered other than
21 flaring?

22 A. Not to my knowledge, I wasn't really -- I would just help out
23 with that when I needed to or they needed help setting the flare
24 up or something.

25 Q. Okay, what about was anything trans-loaded?

1 A. Are you talking about in total trans-loaded out there or --

2 Q. Well, was any -- was any transloading being conducted or was
3 everything being flared?

4 A. No, they transferred seven anhydrous cars and one methanol
5 car, and one of the methanol cars which was a methanol and water
6 mixture was back-trucked out and it was put in a frac tank.

7 Q. Okay. And going back to the cars you said that had valve
8 replaced or valves replaced, how many cars and which ones did you
9 make valve changes to?

10 A. So Tank Car TILX500730, which is our tank car A1, the PRD was
11 initially removed and replaced with a temporary vapor recovery
12 device and that was used to send to the flare. And then that car
13 also had a new vapor valve -- or the old vapor valve was pulled
14 out and they put a new one in for steaming operations.

15 Q. Okay. Any other cars altered post-accident?

16 A. A6, which is SHQX10805, the vapor valve was replaced with a
17 new vapor valve for steaming operations.

18 Q. Okay. Anything else?

19 A. That is -- I believe that's it for valve and fitting
20 replacement.

21 Q. Okay. Was there any drilling or cutting into tanks for any
22 reason?

23 A. Not to my knowledge.

24 Q. Okay. Any other equipment removed from the tanks?

25 A. Just safety rails and, you know, appliances for wrecking

1 operations.

2 Q. Okay. And in terms of moving the cars, how was that
3 accomplished? For staging.

4 A. Mainline was the wrecking contractor out here and they had a
5 couple cranes and a couple side booms and they'd move them and
6 crate (ph.) them to their staging area where they're sitting now.

7 Q. Okay. Is there any paneling damage that occurred during that
8 process?

9 A. From my knowledge, there was one bolster that broke when they
10 were trying to pull a car out and then other -- like I said
11 before, they had to cut off some safety appliances that were
12 dragging when they were moving over there but other than that, no.

13 Q. Which car had the bolster damage?

14 A. The car was A1, is where the bolster was snapped.

15 Q. Okay. That will be helpful for us when we come out next week
16 to take a look as terms of differentiating derailment from
17 handling damage, so thank you for that. Anything else with
18 respect to your observations on the cars that you think is
19 important?

20 A. Anything else? I think that's pretty much it for the tank
21 cars.

22 Q. Okay. In terms of the extent of the environmental impact, is
23 that other elements of your company that are handling that?

24 A. Yeah, they are doing some -- Bryce and myself aren't involved
25 in that.

1 Q. Okay. Are they working with any government agencies out
2 there?

3 A. I don't know --

4 Q. I'm sorry, I lost your audio there for a second, could you
5 repeat that, please? Sam, it looks like your screen locked up
6 momentarily, could you repeat that, please?

7 A. I don't know if they are working with any governmental
8 agencies.

9 Q. Okay. And what other contractors, you mentioned SPSI and
10 Rybak and a couple of other companies, what other companies were
11 you working with on site?

12 A. SPSI wasn't here, it was SRS.

13 Q. SRS, I'm sorry, my error there. SRS? Okay, who else?

14 A. Yeah, SRS. E3 Environmental.

15 Q. Anyone else?

16 A. HEPACO.

17 Q. And you mentioned Mainline.

18 A. Yeah, Mainline. RMS.

19 Q. And in terms of those contractors, whom did you work with the
20 most on this?

21 A. SRS and E3, probably.

22 Q. Okay. Are you --

23 A. And (indiscernible).

24 Q. Are you subcontracted to any of those or are you working
25 directly for CP?

1 A. No, for CP.

2 MR. STANCIL: Okay, perfect. All right. All right, I'm
3 going to -- for now I'm going to pass it on to some of my
4 colleagues and give them an opportunity to ask questions and then
5 I may regroup here at the end for any follow up, so let's start
6 off with Mr. Strot.

7 MR. STROT: All right, thanks, Paul.

8 BY MR. STROT:

9 Q. Hey, Sam, thanks for coming here and answering some questions
10 for us, I just have a couple of follow-up clarifiers. What time
11 did you say you all got notified to head out to the scene, when
12 did you all get the call?

13 A. Sorry, you --

14 Q. We're losing you, Sam. We lost you for a second there. What
15 time did you all get notified to head out to the accident scene?

16 A. Approximately 4:00, I don't remember the exact time.

17 Q. Okay, appreciate that. And then you said that you all
18 received the consist information around 11:46, who did you all get
19 that consist information from?

20 A. We got the consist off of AskRail.

21 Q. Okay. All right, so that was just when you all arrived on
22 scene and saw a car number, you looked it up on AskRail?

23 A. Yeah.

24 Q. You pulled it that way? Okay. Any issues with using AskRail
25 in getting that consist?

1 A. No, it worked great.

2 Q. Awesome, good to know. All right. And then the last
3 question just, again, clarifying, you all were talking about
4 trans-loading and you said seven anhydrous ammonia cars were
5 trans-loaded and you said one methanol car and -- was there two
6 methanol cars, one that was trans-loaded and one that was sent to
7 the frac pond by the back truck?

8 A. There was one complete intact methanol car that was
9 transferred and then the other methanol car, which was this one,
10 right?

11 MR. LANHART: Back truck one?

12 MR. BERNDT: Yeah.

13 MR. LANHART: That was this one.

14 MR. BERNDT: Yeah. And then there was M6, which was
15 CTCX300362, that car was not full when we opened the manway, so
16 that was -- it was determined that wasn't product anymore, so that
17 got backed out and went to a frac tank on site.

18 MR. STROT: Got you, okay. That's all the questions I have.
19 Appreciate it, Sam.

20 MR. STANCIL: Okay, Benjamin -- FRA, Mr. Walker.

21 BY MR. WALKER:

22 Q. Yeah, thank you. Vernon Walker here. You said that the
23 bolster broke when you were moving the TILX500730 car. Do you
24 remember which end it was?

25 A. I can find it for you. It is the A end, right side of the

1 car.

2 MR. WALKER: Okay. Okay, thank you, that's all the questions
3 I have.

4 MR. STANCIL: Okay, thank you, Vernon.

5 PHMSA, Mr. Gonzalez.

6 BY MR. GONZALEZ:

7 Q. Yeah. One quick question. Given that you had just started
8 on your new job, did you receive any type of additional hazardous
9 materials training or an overview of -- of hazmat by your new
10 company?

11 A. No, I mean, we did it at both the previous companies all the
12 time.

13 Q. When was your last training provided, DOT training? Like a
14 date.

15 A. Sorry, I lost you again.

16 Q. Yeah, approximately when -- when were you trained last?

17 A. When we first started at West -- yeah, West Central, we went
18 through of all of their on-boarding trainings, but then our last
19 training would've been at Rybak, which was back in March -- in
20 March of this year was our last 40-hour refresher.

21 Q. When you trans-loaded the hazardous materials onto what type
22 of tanks, were they like mobile tanks, trucks, mounted or --

23 A. Yeah, both the anhydrous and methanol went into highway
24 tankers.

25 Q. Highway tankers. Were those placarded for highway

1 transportation?

2 A. Yes.

3 MR. GONZALEZ: That's all the questions I have.

4 MR. STANCIL: Okay. Thank you, Mr. Gonzalez.

5 Mr. Dankbar, CPKC.

6 MR. DANKBAR: Thank you, Paul, no questions at this time.

7 Thank you.

8 MR. STANCIL: Thank you, sir.

9 Mr. Lawler, Trinity.

10 BY MR. LAWLER:

11 Q. I just have a couple of questions. One, you mentioned
12 TILX500730, that it sheared nine bolts. Were those from the
13 housing or were those from the pressure plate?

14 MR. LANHART: Pressure plate.

15 MR. BERNDT: The pressure plate bolts.

16 MR. LANHART: The entire housing.

17 MR. BERNDT: Yeah, the entire housing was sheared off, then
18 there was nine pressure plate bolts that were sheared off.

19 BY MR. LAWLER:

20 Q. Okay. And then this body bolster that you were talking about
21 tore off, were they using a shear on their backhoe to move cars or
22 how did they get --

23 A. No, they had a -- they had a crane and a boom winch on the
24 one bolster, trying to roll it back over and that's how it
25 unsnapped.

1 MR. LAWLER: Okay, thank you.

2 MR. STANCIL: Okay. Thank you, Mr. Lawler.

3 Mr. Casaceli.

4 BY MR. CASACELI:

5 Q. Thank you, Sam. I think I'm the last one for this round,
6 anyway, unless there's another one. I appreciate your time. Was
7 your -- I think you said your direct supervisor was Mr. Jensen,
8 was he ever on scene?

9 A. Yeah, he has been here the whole time and then he left this
10 morning.

11 Q. Okay. And so who are you taking direction from for the
12 duration here and if that's multiple people, kind of lay out how
13 that played out.

14 A. Mostly just from the CP DGOs that were on site.

15 Q. All right. And when did you become aware in your response of
16 what materials you were dealing with, was that before you got the
17 consist or did you not know until that time?

18 A. I think we knew within a couple hours of being on the road
19 that it was at least methanol and anhydrous.

20 Q. On the way there. And were you around on the night of the
21 6th when there was some sort of release and evacuation from the
22 scene or were you on day shift?

23 A. I was around.

24 Q. Can you walk me through what happened at that time? You
25 know, my understanding -- I was supposed to come out that night

1 and then got pushed out because of some sort of release that
2 happened, can you kind of walk me through what happened that
3 evening, to the best of your knowledge?

4 A. Yeah, from the best of my knowledge, basically, the wind just
5 died and the -- the anhydrous that was blowing away and going up
6 just decided to come back down.

7 Q. Oh, I see I'm frozen here, I'll make sure we got all that.
8 There we go. I lost you for a minute there, so just to make sure
9 I got everything, I heard you say the anhydrous that was going up
10 just stopped and came back down and I didn't hear anything after
11 that, was there more?

12 A. Yeah, I think it just -- the wind died in a split second and
13 the anhydrous that used to be going up and going around just
14 pulled up and then started dropping down instead of moving away.

15 Q. So what happened then?

16 A. People just got out of the area, essentially.

17 Q. Okay. And that included you?

18 A. That did include me.

19 Q. How did you make your way out?

20 A. I was in a side-by-side and -- my respirator on and drove off
21 with a couple other people.

22 Q. Okay. And where did you go?

23 A. We went -- we were -- went to the -- we were on the south
24 side of the site and then we went east and went basically back,
25 way around to the south, back to the clean area.

1 Q. Okay, but did the -- do we know how accountability for folks
2 on site was tracked during that time to make sure everybody was
3 accounted for or notified?

4 A. There was a sign-in sheet that everyone signed in the day and
5 then multiple people had radios out there that people were telling
6 them go this way and then meet back at our muster points.

7 MR. CASACELI: Okay, good deal. Thank you.

8 That's all I have, Paul.

9 MR. STANCIL: Okay, thank you, Dave.

10 BY MR. STANCIL:

11 Q. I just have a couple more, sir, I appreciate it. In terms of
12 records, notes, and photographs, can you describe to what extent
13 those materials exist?

14 A. Are you asking like do we have photos and notes of stuff from
15 this derailment in general or just tank cars or --

16 Q. Yeah, what records do you have for the site, tank cars and
17 everything else, just walk me through what you've collected in
18 terms of notes and records and photographs.

19 A. Basically, we just have been doing damage assessments every
20 day and we have a damage assessment for each car every day and
21 some initial photos, the ones you could get, and then photos once
22 the car is moved, photos of stuff they cut off or was broken, and
23 then final photographs of all the cars when they're staged like
24 how they are now.

25 Q. And who's collecting those photographs?

1 A. So Bryce or myself, you know, we take the photos or do the
2 damage assessments and then they're given to Stars (ph.) in the IC
3 trailer.

4 Q. You're giving them to CPKC, as well?

5 A. That, I -- I give them to Stars, I don't know where they go
6 from there.

7 Q. And who is Stars?

8 A. What is their -- they are running incident command, CP's
9 incident command trailer.

10 Q. Okay. And do you produce a daily report or do you have any
11 other documentation as to your activities out there?

12 A. We turn in damage assessments of each car every single day
13 out here.

14 Q. And what do they look like?

15 A. Basically, it's -- it's a sheet that shows every side of the
16 car and we'll write on there what's wrong, what -- if it's leaking
17 from here, this bolster's damaged, this bolster's damaged, the
18 sub-seal's damaged, jacket damage here, puncture here, et cetera.

19 Q. Okay. Anything else?

20 A. That is -- that's the basis of what we're doing.

21 Q. Okay. Is there a written remediation plan for this site?

22 A. That wouldn't be something I would know about.

23 Q. That's not your function, okay. How about a site safety
24 plan, have you seen one of those?

25 A. Yeah.

1 Q. Is that widely available, is that distributed on site?

2 A. Our company has our own site safety plan.

3 Q. Is it site specific?

4 A. Yeah.

5 MR. STANCIL: Okay. All right, I think that's all I have,
6 does anyone have any final questions before we terminate the
7 interview?

8 (No response.)

9 MR. STANCIL: Okay, seeing none, I think that does it for the
10 day, I'm going to stop the recording.

11 (Whereupon, at 3:00 p.m., the interview concluded.)

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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 Sam Berndt

ACCIDENT NO.: RRD24LR012

PLACE: via Microsoft Teams

DATE: July 31, 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.



Karen D. Martini
Transcriber



National Transportation Safety Board
Washington, D.C. 20594

Transcript Errata

Subj: Transcript Review Request for: Derailment of CPKC Freight Train 242-03 with Hazardous Materials Release in Bordulac, North Dakota, on July 5, 2024.

Accident No.: RRD24LR012

To: Mr. Sam Berndt

Dear Mr. Berndt,

The enclosed transcript of your interview on July 31, 2024, is provided for your review and comment to ensure its accuracy. It is not for public release.

The transcript is investigative information of the National Transportation Safety Board (NTSB) created as part of the NTSB's investigation into the derailment of CPKC freight train 242-03 with hazardous materials release in Bordulac, North Dakota, on July 5, 2024. (NTSB Accident No. RRD24LR012).

NTSB regulations prohibit the public release of investigative information prior to release by the NTSB without the permission of the NTSB Investigator in Charge (IIC). See 49 C.F.R. § 831.13(b). The IIC has not approved public release of this information at this time. Therefore, we request that you refrain from any further dissemination of this transcript.

Kindly review this transcript for accuracy and provide corrections, if any, in the attached table. Please print, sign, and return it to me via email by **September 6, 2024**. Please return or destroy the transcript after providing your comments.

Comments must be returned no later than September 6, 2024. Requests for an extension of this deadline must be in writing and received prior to the due date. If comments are not received by the due date, we will consider the transcript to be final without comment.

Thank you in advance for your attention to this matter. If you have any question regarding the process, please feel free to contact me.

Paul L. Stancil, CHMM

Senior Hazardous Materials Accident Investigator
National Transportation Safety Board

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National Transportation Safety Board
Washington, D.C. 20594

Transcript Errata

TABLE OF CORRECTIONS FOR TRANSCRIPT INTERVIEW WITH: Sam Berndt
RECORDED ON July 31, 2024

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
7	17	Private	Rybak
8	18	Shawn	Sean Trepiatowski (CP)
15	4	Four methanol -- or	Five methanol -- and
15	22	BN	B-End
15	23	AN	A-End.
16	20	and 6	and M6
17	22	Eventually	Helped it
18	7	main (PH)	Mag path
18	8	SH2x10805	SH2x 10805
19	24	VLC, et cetera	VOL, ETC
19	4	SCBs	SCBAs
21	6	back-Trucked	Val-trucked
21	12	Sent to	Sent Ammonia to
25	11	Back	Val
29	6	Just decided to	Started to
29	25	Clean	Stagging

If, to the best of your knowledge, no corrections are needed kindly circle the statement "no corrections needed" and initial in the space provided.

NO CORRECTIONS NEEDED. _____
Initials

SAM BERNDT

Printed Name of Person providing the above information



Signature of Person providing the above information

8/26/24

Date