

TED 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: ANDREW KIRKING, Emergency Manager
Foster County, North Dakota

via Microsoft Teams

Monday,
August 12, 2024

APPEARANCES:

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

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

BENJAMIN STROT, Rail Accident Investigator
National Transportation Safety Board

DION MILLER, Hazmat Inspector
Federal Railroad Administration

RON LAWLER, Senior Director, Mechanical Services
Trinity Leasing

RAUL GONZALEZ
Pipeline and Hazardous Materials Safety Administration

EDWARD DANKBAR, Director, Emergency Management and
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CPKC

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I N T E R V I E W

(2:01 p.m. ET)

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3 MR. STANCIL: Today is August 12th, 2024. The time is 2:01
4 p.m. Eastern Time. This is an interview of Mr. Andrew Kirkling
5 [sic], the Foster County, North Dakota Emergency Manager. The
6 interview is being conducted in connection with the July 5th, 2024
7 derailment of CPKC Train Number 242-03 in Bordulac, North Dakota.
8 The NTSB number is RRD24LR012.

9 My name is Paul Stancil. I'm a senior hazardous materials
10 accident investigator with the NTSB. We are conducting this
11 interview via Microsoft Teams Videoconference.

12 Mr. Kirkling, are you aware that this conversation is being
13 recorded?

14 MR. KIRKING: Yes, I am.

15 MR. STANCIL: And do we have your permission to record the
16 conversation?

17 MR. KIRKING: Yes, you do.

18 MR. STANCIL: Thank you very much. And I'll now ask those on
19 the call to introduce themselves. Let's start with the NTSB team,
20 Benjamin.

21 MR. STROT: Good morning or afternoon now. Ben Strot, group
22 chairman for the NTSB.

23 MR. STANCIL: David.

24 MR. CASACELI: David Casaceli, C-a-s-a-c-e-l-i, investigator-
25 in-charge for this accident with the National Transportation

1 Safety Board.

2 MR. STANCIL: Mr. Gonzalez.

3 MR. GONZALEZ: Raul Gonzalez, accident investigator with
4 PHMSA.

5 MR. STANCIL: Mr. Miller. You're muted, sir.

6 MR. MILLER: Yep, yep. Dion Miller, hazmat inspector, Minot,
7 North Dakota, FRA.

8 MR. STANCIL: And, Mr. Dankbar.

9 MR. DANKBAR: Ed Dankbar, D-a-n-k-b as in boy, a-r, CPKC,
10 director of emergency management and hazmat response, northern
11 region.

12 MR. STANCIL: And, Mr. Lawler.

13 MR. LAWLER: Ron Lawler, Trinity Leasing, senior director of
14 mechanical services.

15 MR. STANCIL: Is there anyone else I have not called?

16 (No response.)

17 MR. STANCIL: Okay. I think we're all online here.

18 So, Mr. Kirkling, if any question is unclear or you do not
19 understand the question, please ask the questioner to clarify or
20 restate the question. And if you don't know the answer to any of
21 our questions, it's okay to state that you don't know. What we
22 don't want you to do is have you speculating about the answer if
23 you're unsure. Do you understand?

24 MR. KIRKING: Yes, sir.

25 MR. STANCIL: Great. So, the sole purpose of this

1 investigation is to improve safety. It is not to assign fault,
2 blame or liability. Our mission is to improve transportation
3 safety and prevent accidents. So as such, the NTSB cannot offer
4 any guarantee of confidentiality, immunity from any legal
5 proceeding by any other agency, whether it be local, state or
6 federal.

7 A transcript of this interview will be placed in the public
8 docket for this investigation which will be available via the NTSB
9 website.

10 Mr. Kirkling, do you have any questions before we get
11 started?

12 MR. KIRKING: I do not, and last name is Kirking, not
13 Kirkling.

14 MR. STANCIL: I'm sorry.

15 MR. KIRKING: Kirking. Yes. Thank you.

16 MR. STANCIL: Okay, yes.

17 INTERVIEW OF ANDREW KIRKING

18 BY MR. STANCIL:

19 Q. Let me ask you to state your full name and spell your last
20 name.

21 A. Yes. My name is Andrew Kirking, K-i-r-k-i-n-g.

22 Q. Thank you very much. I apologize for that error.

23 A. That's okay.

24 Q. Could you please tell us your position and give us your
25 background, education and expertise?

1 A. Yes. I am the emergency manager being contracted by Foster
2 County. I work for Stutsman County, but we entered a joint hours
3 agreement back April 1st of 2024. I've been at Stutsman County
4 just over 3 years. Prior to that, I was in Pembina County, North
5 Dakota, started there in 2013. My education is in emergency
6 management, and I graduated from North Dakota State University
7 December of 2011.

8 Q. And what connection do you have with Foster County? You say
9 you're with Stutsman County.

10 A. Yes. Foster County has been unable to fill the position of
11 emergency manager for about a year. So at the end of 2023, start
12 of 2024, they approached my office to contract with them. So my
13 office -- and so I work for Stutsman. We just help out Foster.

14 Q. Understood. And so how long have you been in your current
15 position altogether?

16 A. I've been an emergency manager for 11 years. I've been in
17 Stutsman just over 3 years, and I started the contract with Foster
18 1 April 2024.

19 Q. Okay. And can you tell us a little bit about what your
20 duties are?

21 A. My duties for Foster County, their priorities are the grant
22 funding opportunities for emergency managers in North Dakota,
23 working with their local emergency planning committee, and then
24 dealing with any emergencies or disasters that require support,
25 more than just first responders.

1 Q. Okay. Excellent. I'll start off here by asking you to tell
2 us as completely as possible, as you possibly can, what happened
3 after you were notified of this incident, and please walk us
4 through what you did, what you saw and your communications with
5 others beginning the date of the derailment. And take all the
6 time you need to get us the most complete accounting as you can
7 remember, okay.

8 A. I'll do what I can.

9 Q. Okay. Please begin.

10 A. On the 5th of July, just before 4 in the morning, I received
11 a phone call from the North Dakota watch center which is a fairly
12 recent organization within the state. Their job is to monitor all
13 counties, keep an eye out for incidents like this. The watch
14 center told me that there was a train on fire near Bordulac. They
15 believed it was derailed, and they said it was likely hazmat.

16 Hearing that, I live -- my home is about an hour away from
17 the derailment site. So, got ready for the day, hopped in my
18 personal vehicle and departed shortly, let's say 4:15 in the
19 morning, headed for Bordulac.

20 On my way to Bordulac, received some more information from
21 Department of Health, the Department of Environmental Quality and
22 I reached out to State Hazardous Materials requesting at least
23 technical assistance. I also reached out to the National Weather
24 Service in Bismarck looking for a spot forecast and to get an idea
25 of what the weather was going to be like that day.

1 I arrived at the scene at approximately 5:30, about 5:15 that
2 morning on the 5th. Coming onto scene, I observed quite a large
3 fireball with thick black smoke coming off of it. I linked up
4 with the first responders and that was the Carrington Fire
5 Department. We were about half a mile west of the scene and just
6 asked for situation update as they understood it. There wasn't a
7 whole lot of information at that time, just that there was a big
8 ball of fire. There was hazardous materials involved. It was
9 dark enough that we were able to see what I believed were flames
10 from the methanol, fire green in color, and just because of the
11 heat and because of the equipment that Carrington had on hand, we
12 were not or the fire department was not able to attack the fire,
13 anything it would have done. We just did not have the resources
14 at that time.

15 We quickly got together, went over the incident and at that
16 point, we had notified hazardous -- the local Regional Hazardous
17 Materials Team based out of Jamestown. At the time, they were
18 just providing technical support which was keep away from it and
19 isolate the area. To do that, we sent fire trucks north, south,
20 east and west meaning that we could intercept anybody that was
21 heading -- that was going towards the fire, whether it was
22 intentional or unintentional.

23 At that time, I was informed that the conductor and engineer
24 were a short ways east of the derailment. So I took again my
25 personal vehicle to see if I could link up with them and glean any

1 information from that, just that they were okay. They reported to
2 me that they had the automatic braking had engaged. The detached
3 the train and had moved to a safe distance.

4 After that, after talking with the conductor and the
5 engineer, I returned back to the command post as it were. North
6 Dakota Highway Patrol was on scene and looking to help with
7 traffic control. I believe it was at that time I also spoke to
8 the sheriff of Foster County, and we came up with a plan to
9 further isolate the area, and that involved 74th Avenue or the
10 Bordulac Highway, the paved road running north and south just to
11 the west of Bordulac. We shut down the road half a mile north and
12 south of the railroad crossing anticipating that it would be our
13 staging zone as more equipment filtered into the small town.

14 I linked up or I think I had my first meeting with CP
15 leadership. I have notes here, if you can bear with me just a
16 moment. I guess I don't have the exact time, but I did meet up
17 with CP leadership between 8 and 10 o'clock. I apologize for the
18 vagueness. I just don't have the specific onboarding. We were
19 able to get together, assign roles. At that point, I was
20 identified as the public information officer for the -- I guess it
21 was the local voice, and I partnered with the communications team
22 with CPKC to make sure that we were putting out, were putting out
23 cohesive information, forming a bit of a joint information center.

24 While that was going on, we were also able to utilize the
25 Stutsman County Drone Team. DGI drone do get an aerial view, get

1 an idea of what was going on, help provide some -- I guess some
2 site evaluation that way.

3 The rest of the day was a bit of a blur. My information had
4 gotten up to many of the local media elements, a few national
5 media elements, and I took the time to take down all their
6 information and along with the help of the CP media team, we put
7 together a press release. Scheduled twice a day initially, we put
8 out a press release in the morning, press in the afternoon, the
9 idea being that, the idea being that we wanted to provide the
10 information rather than getting 10, 15, 20 phone calls all the
11 time.

12 By the afternoon of the 5th, we were able to get our hands on
13 a little bigger pumps. We were able to start applying water to
14 the derailment, start cooling things off.

15 Let's see. That turned into the next day, and then I finally
16 -- they had a team huddle -- shucks, a team huddle, after supper
17 that first day, and then I returned to my home, returned for rest
18 at about 1930. That's when we put out that evening press release.

19 The next day, returned back to the scene, still had fire,
20 still getting increased resources coming into the community, but
21 seeing progress on the fire, knocking that down, starting to look
22 at environmental and start looking ahead to how we were going to
23 start dealing with the hazardous materials. I say we. At this
24 point, as the locals, as the first responders, again we did not
25 have the equipment and -- we didn't have the equipment. We did

1 not have the strategies. So it was at that point, that we wanted
2 to the support of some of the hazardous material crews coming in,
3 whether they were CP or other contractors, and we were doing --
4 using our resources to support them the best that we could.

5 I think it was at the end of that day, on the 6th, I had
6 returned home again. Got to my rest period. We were -- the crews
7 were rather starting to move some of the cars around so that we
8 could more effectively fight the fire, again bring the scene to a
9 close. While moving, it was that evening, very late on the 6th,
10 excuse me, on the 7th. On the 7th and the 6th, we both had small
11 ammonia releases on the 6th, July 6th in the evening at about
12 10:16. Got a phone call there had been an anhydrous burp while
13 moving the cars. They seen a spike of the anhydrous in the area.
14 Out of an abundance of caution, the immediate site was evacuated
15 until we were able to get levels down to a reasonable amount.
16 There were no injuries at that time, but it was enough. It was
17 enough that evacuate the scene out of an abundance of caution.

18 On the 7th, had a similar issue, just moving things around,
19 and that was all handled, nothing out of the ordinary.

20 Going onto Sunday, Sunday, we had more of the -- any of the
21 accidental releases, we're seeing that dropped off. Continued the
22 media push.

23 Monday, things cooling again, and finally reopened the rail
24 around noontime.

25 So I guess from the local responder perspective, that is what

1 was of note to me. Kind of after that first weekend, that being
2 July 5, 6, 7, the fire had been knocked down. A lot of that
3 initial concern to us, of course, there was still hazmat on scene.
4 So we did maintain a responder presence for the next couple of
5 weeks following that if they did. One of the biggest pushes was
6 just moving water, also having local ambulances on scene, and then
7 finally getting the hazardous materials removed, I believe it was
8 on, I believe it was on the 25th.

9 So that's was my 30,000 foot view. I apologize for cheating
10 on the notes. I'll be happy to answer any questions.

11 Q. Well, certainly do refer to any notes that you might have if
12 that is helpful to you for your recollection. Did you have a
13 written chronology of event prepared for this?

14 A. I have -- I completed my own 214 document. Much of that
15 references the 201, ICS 201 put together by I believe it was the
16 STARS (ph.) Company was managing the documentation. So, yes, I do
17 have my own personal timekeeping as well as dates and times put
18 together by the North Dakota State Watch Center.

19 Q. Okay. Are those documents that you could send to us?

20 A. I can certainly send the one, what I have done. I will
21 double check with the State. I don't think they'll have an issue
22 with me sharing that but I want to make sure I'm not stepping on
23 their toes either.

24 Q. I appreciate that. And theirs would be ICS 214 and 201s?

25 A. I have my 214s. I will look and see if I still have the 201s

1 from SRS.

2 Q. And SRS, who were they doing this for? The incident
3 commander or for the railroad?

4 A. It was my understanding that SRS was the document -- the
5 record keeping element. I believe they are contracted for name
6 specific, but I do not know for sure.

7 Q. Okay. Then we'll check on that. I appreciate it. You told
8 us about your role in the incident command. You were part of the
9 joint information center. Was there any other role that you
10 fulfilled for this incident?

11 A. On the organizational chart, I was entered into unified
12 command. My belief for that is just to be the local
13 representative in addition to the fire chief, and then the first
14 day, we had our local drone working, and on recommendation by the
15 fire chief, we put together a temporary flight restriction, TFR,
16 and somehow that got me involved as the air operations branch
17 director for about 48 hours.

18 Q. Understood. Well, I understand from the fire chief that --
19 and we -- and by the way, we have received a number of videos of
20 your drone work which is excellent by the way, but I understand
21 from the fire chief, that you may have some additional video that
22 shows some of the pressure relief devices that were actuating. Is
23 that correct?

24 A. I believe that my assistant, Riley Schaeffer (ph.), has
25 passed along all of the information that we have. We're been

1 working with David in a link that he shared. I can follow up to
2 see if anything has been missed, just because of the sheer volume
3 of data we put together.

4 Q. Yeah, there was a large volume of data. I just want to make
5 sure that -- whether or not there are more, there are more videos
6 to come. If not, please let us know.

7 A. Yes, sir.

8 Q. What other agencies participated in the incident command?

9 A. In the incident or the unified command?

10 Q. In the unified command.

11 A. Unified command, it was Carrington Fire Department, and that
12 was either chief, Ken Wangen or assistant chief, Jason Wolsky.
13 There was myself and then Mr. Mark Redd with Canadian Pacific as
14 unified command.

15 Q. Okay. Was there a request for the Regional Hazmat Team
16 resources during this?

17 A. There was a request early the morning of the 5th as the
18 incident would have eclipsed even their capabilities. They were
19 able to provide only technical assistance.

20 Q. Did they deploy a unit to the scene?

21 A. Not as the Hazardous Materials Team. Jamestown Fire
22 Department was a member of the team did respond, but not in a
23 hazmat capacity.

24 Q. Okay. Was there any particular reason for that?

25 A. For hazmat not responding?

1 Q. Yes.

2 A. Once hazmat was in contact with the fire chief for the
3 initial size up, our regional resources, the incident would have
4 surpassed our regional resources.

5 Q. Okay. And, you worked with the contractors that CP sent to
6 the scene. Is that correct?

7 A. Yes.

8 Q. And what time did they arrive onsite?

9 A. I don't know the particulars. As I was bouncing around, I
10 could not tell you good arrival times for many of the contractors.

11 Q. Did you have any interactions with or receive any technical
12 device from any of their contractors?

13 A. I personally did not.

14 Q. Okay. And you mentioned the evacuations or air monitoring.
15 Were you part of the decision making on the evacuation?

16 A. No, sir. That was during my rest period.

17 Q. Okay. Was that -- do you know whether that was done based on
18 plume modeling or air monitoring?

19 A. My understanding is that they had -- the contractor in charge
20 of air monitoring had both handheld units as well as stationary
21 mounts. When they detected, I believe the threshold was 20, 2-0,
22 parts per million or above, that is what prompted the evacuation
23 of the incident scene.

24 Q. And what -- you said that occurred the second evening when a
25 car was moved?

1 A. I used to have notes. Thank you for bearing with me.

2 Q. No problem, sir. Take your time.

3 A. It would have been the evening of the 6th, shortly before 10
4 p.m. There was also an apparent release -- no, I'm sorry. Just
5 the way that this report is printed out, it was on the 6th of
6 July.

7 Q. Was there one on the day before on the 5th? Was there an
8 evacuation as well initially?

9 A. On the 5th, I had no notes saying that there was. There was,
10 there was a -- and to be clear, when I say there was an evacuation
11 due to these burps, these small spikes, that was of contractors
12 and individuals working on the derailment. Those evacuations did
13 not impact any of the citizens nearby. It is a pretty sparsely
14 populated area. So very early on, there weren't firefighters
15 knocking on doors. There was a voluntary evacuation of two homes
16 in the area, just to be clear that that was separate from
17 evacuating the incident site during these burps.

18 Q. Thank you for that clarification. So with respect to
19 residential evacuations, when did that begin and when was that
20 lifted?

21 A. That was early on the morning of the 5th, and was lifted 48
22 hours later.

23 Q. Okay. Bare with me one second please. With respect to
24 learning about the identify and the location of the hazardous
25 materials involved in the train, was that any of your concern?

1 A. Specific to what?

2 Q. What were the hazardous materials on the train and where they
3 were located? What I'm getting at is the train consist or
4 manifest? Were you involved in getting any of that information
5 together?

6 A. I was forwarded the train manifest, and if I'm reading it
7 correctly, it is emergency procedures from the railroad. I
8 received that document between 4:15 and 5:15 in the morning, the
9 morning of the 5th.

10 Q. And who did that come from?

11 A. That's a wonderful question. Bear with me again if you would
12 please. I received, I received dangerous goods information from
13 Travis Krein, Krein. I'll spell it out for you, K-r-e-i-n, from
14 the watch center. And I'm showing that I received that email at
15 4:21, the morning of the 5th.

16 Q. Did you have any discussions with the fire department? Did
17 you convey any of that information to them or were they able to
18 get it separately?

19 A. I was able -- they received it separately and, yes, we did
20 communicate about the hazards.

21 Q. Can you tell me a little bit more about that? Did you refer
22 to any guides such as the *Emergency Response Guidebook* or any
23 other resource to determine what level of protection would be
24 needed?

25 A. I personally did not. The fire department was aware of

1 hazards. How they gained that information, I do not know.

2 Q. Tell me a little bit about your conversations about the
3 hazards with the fire department?

4 A. Our main concern, our main concern early on was just the
5 fire, knowing that there was anhydrous ammonia involved. The
6 Carrington Fire Department has experience working with anhydrous
7 ammonia in the past. And they have historical knowledge,
8 anecdotal knowledge is how they knew -- they knew the hazards and
9 what protection was required.

10 Q. This was not their first anhydrous incident?

11 A. Correct.

12 Q. Okay. Can you describe how the fire behaved from the time
13 you arrived and how it progressed during that morning?

14 A. Getting onto scene, it's certainly the biggest fire I've ever
15 seen. I want to check that off my list. How it behaved
16 throughout the day, it was relatively constant in the intensity,
17 certainly until noon on the 5th. Moving into the afternoon, it
18 seemed to abate somewhat naturally, and then when we were able to
19 apply water to it, obviously saw a great reduction in the fire
20 behavior from that. Leaving the day of the 5th, major
21 improvement, and then when I returned on the 6th, yeah, a dramatic
22 improvement knowing the flames down.

23 Q. Did you notice any popping sounds or venting from any of the
24 tank cars?

25 A. I did hear venting, and my understanding is that is the over

1 pressure vents from the anhydrous cars.

2 Q. Did you by chance note the times when those occurred?

3 A. No, sir.

4 Q. How many times did you hear that happen?

5 A. That I was conscious of it, just a handful of times.

6 Q. So, what happened? Did it come on, go off after a while?

7 How did that seem to you?

8 A. Yeah. To me it sounded like an air compressor being opened,
9 that whooshing sound. I wasn't paying attention how long that
10 sound continued, and then it would stop.

11 Q. Can you estimate about when the first time that happened?

12 A. I -- no.

13 Q. Do you know if it was the first day or the second day?

14 A. Certainly the first day.

15 Q. Okay. It wasn't immediately after you got there, was it?

16 A. I don't recall.

17 Q. Okay. Any other occurrences that occurred there that were
18 noteworthy?

19 A. Me going through my first train wreck, it was all pretty
20 noteworthy to me. As far as it -- as far as anything out of the
21 ordinary to me, no.

22 Q. Okay. Did you happen to reach out to any of the shippers of
23 the hazardous materials for technical assistance?

24 A. I did not.

25 Q. Okay. So you would not have been involved in that?

1 A. No, sir.

2 Q. Okay. All right. I think that's all I have for the moment.
3 I'm going to pass it around to some of my colleagues and give them
4 a chance to ask you some questions.

5 MR. STANCIL: So we'll begin with Mr. Strot, NTSB.

6 MR. STROT: Ben Strot, NTSB.

7 BY MR. STROT:

8 Q. Mr. Kirking, thank you for the detail. I only have one
9 follow-up question. When you say North Dakota Watch, would that
10 be the same as North Dakota State Radio?

11 A. No, sir. State Radio is a dispatch center that is employed
12 by small counties that cannot justify having their own public
13 service answering point. They would have been who the initial I
14 assume 911 call went to. The watch center is a separate entity
15 that aggregates information like this from across the state.

16 Q. Gotcha. Okay. Thank you. That's all I have. It's helped.

17 MR. STANCIL: Thank you, sir. Next, let's go to Dion Miller,
18 FRA.

19 MR. MILLER: I don't have nothing to ask Mr. Kirking.

20 MR. STANCIL: Okay, sir. Raul Gonzalez from PHMSA. You're
21 still muted, Raul.

22 BY MR. GONZALEZ:

23 Q. I do have questions for you. When I first initially learned
24 about the incident, it was on Twitter, and the neighbor posted
25 video and pictures of this. Did you by any chance get copies of

1 those videos or do you have access to the videos from the
2 neighbor?

3 A. I do not.

4 Q. Did you -- do you have the name of that person?

5 A. Yes.

6 Q. The reason I'm asking is it looks like Paul is looking for
7 the PRDs, and in one of those pictures, you clearly see the timing
8 when the PRD start going off.

9 A. I see.

10 Q. So that's why I ask.

11 A. No, I understand. I can find out for you, sir. I don't have
12 it right in front of me.

13 Q. Thank you. That's it. Thank you for the information.

14 MR. GONZALEZ: That's all I have.

15 MR. STANCIL: Okay. Thank you, sir. Next, let's go to
16 Mr. Dankbar, CPKC Railroad.

17 MR. DANKBAR: Thanks, Paul.

18 BY MR. DANKBAR:

19 Q. Hey, Andrew. I'm with CPKC. I just have one question. Did
20 the unified command group hold regular meetings throughout the
21 day?

22 A. No, we did not have anything regular. We had -- I was a part
23 of the all hands meetings, one in the morning, one in the evening.
24 We would briefly meet after that just to discuss the goings on and
25 educate me with what was happening. Otherwise, it would just be

1 very informal meetings if we met each other in staging.

2 Q. All right. Thank you.

3 MR. DANKBAR: That's all I've got.

4 MR. STANCIL: Okay. Thank you, Ed. Mr. Lawler, Trinity
5 Industries.

6 MR. LAWLER: Thank you. Just one question.

7 BY MR. LAWLER:

8 Q. Do you have any idea of how long the safety valve released
9 when they did release? Was 5 minutes, 10 minutes, onward?

10 A. I do not have -- I could not tell you an exact time. It did
11 not seem to be that long, meaning it did not seem like 10 minutes,
12 but it's not something I was checking my watch to.

13 Q. Gotcha. Thank you.

14 MR. STANCIL: Okay. Mr. Casaceli.

15 BY MR. CASACELI:

16 Q. All right, Andrew. Just one I think just to clean up the
17 record. So you have made some comments about public information
18 officer and working with CPKC media. You were making regular
19 updates. Can you just add any conversation you had with myself or
20 the NTSB regarding the nature of those updates just so the
21 transcript is clear on what you were and were not updating so that
22 will be a picture of not doing something foul.

23 A. Yes, sir. When you and I spoke when I met you and when your
24 team was first on scene, you made it quite clear or at least it
25 was my understanding that as this was an investigation, you asked

1 me to avoid speculating the cause of the derailment or really
2 anything not relating to the response from the local crew, and it
3 was not disrespectful talking with Canadian Pacific. It was my
4 understanding that I was talking about the local response and not
5 to speculate.

6 Q. I just wanted to make sure that was on the record, so nobody
7 had to ask it later. So thank you, sir.

8 A. Yes, sir.

9 MR. CASACELI: That's all.

10 MR. STANCIL: Okay. Thank you, David. I have nothing
11 further. Would anybody else like to ask a question?

12 (No response.)

13 BY MR. STANCIL:

14 Q. Okay. Hearing none, I think we'll go ahead and terminate
15 this interview. And before I do that, Mr. Kirking, is there
16 anything else that you would like to tell us that you think we
17 should know about or something we maybe have forgotten to ask you?

18 A. No, sir. As far as the, as far as the local responders, I'm
19 doing my best to get everything I need. No, I appreciate the
20 time. I guess my questions for you, to make sure, that I'm
21 getting you the right information. I will see if I can get the
22 watch center transcript which I think you're looking for. You
23 were looking for my personal 214s, and then you're looking for the
24 name of the gentleman that posted on Twitter. Is there anything
25 else that I can provide for you all?

1 MR. CASACELI: David, NTSB. Before Paul goes, we have talked
2 -- I think we do have all of the stuff on drone videos. I've got
3 lots and lots of those. I think we got it all there. But if you
4 have any pictures or videos from before that was airborne from you
5 or your team, a cell phone shot or something like that, one thing
6 we are kind of lacking is those pictures from before daylight, if
7 you will, on the morning of the 5th. So if you have any of those,
8 send them my way but you'll need an upload link. I can do that or
9 you can share them with me by any sharing means you've got. So.

10 MR. KIRKING: All right, sir.

11 MR. CASACELI: Thanks.

12 MR. STANCIL: And like I say, I don't have anything further
13 to request from you, unless you can think of anything else that
14 you think might be useful, I appreciate what you listed thus far.

15 All right. Well, hearing no other questions, I'm going to go
16 ahead and end the interview. It's 2:44 p.m., and we will stop the
17 recording now.

18 (Whereupon, at 2:40 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

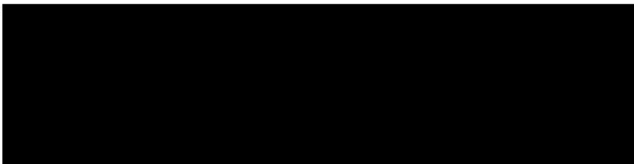
IN THE MATTER OF: CPKC TRAIN DERAILMENT IN
BORDULAC, NORTH DAKOTA
ON JULY 5, 2024
Interview of Andrew Kirking

ACCIDENT NO.: RRD24LR012

PLACE: via Microsoft Teams

DATE: August 12, 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.



Kathryn A. Mirfin
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: Andrew Kirking,

The enclosed transcript of your interview on August 12, 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 **October 4, 2024**. Please delete or destroy the transcript after providing your comments.

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

Phone: [REDACTED] Mobile: [REDACTED]

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