

INTERVIEW WITH CONDUCTOR OF 292-16

EXECUTIVE COURT REPORTERS, INC.
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NATIONAL TRANSPORTATION SAFETY BOARD

In the Matter of: *
*
DCA-02-MR-002 *
January 18, 2002 *
Accident in Minot, *
North Dakota *

Sunday,
January 20, 2002

The above-entitled matter came on for
hearing, pursuant to notice.

PRESENT:

JIM REMINES, NTSB

1 P R O C E E D I N G S

2 MR. REMINES: My name is Jim Remines with the
3 NTSB. I am Chairman of the Operations Group on the
4 Minot derailment. The date 20 January 2002.

5 We are conducting an interview with the
6 conductor of the accident train. And we are going to
7 introduce ourselves first. I am just ask each person
8 to identify themselves and their position and who they
9 represent.

10 MR. SCHMIDT: D. Schmidt, Chairman, Local 980,
11 representing Craig Benson here today.

12 MR. DWYER: Tom Dwyer, United Transportation
13 Union, Transportation Safety Team.

14 MR. DITZEL: David Ditzel. D-I-T-Z-E-L, BLE
15 Task Force.

16 MR. SALADIM: Jerry Saladim, Manager Operating
17 Practices, Canadian Pacific Railway.

18 MR. MERKLE: Dennis Merkle, Federal Railroad
19 Administration, Bismarck, North Dakota.

20 MR. BENSON: Craig Benson, conductor, Arby,
21 North Dakota.

22 MR. REMINES: Okay. Craig was the conductor on
23 the train. I would like for him to give us his phone
24 number, so we can contact him if we need further

1 questions answered.

2 MR. BENSON: Phone number, area code .

3 MR. REMINES: Okay. Craig, I understand that
4 you were the conductor on Train 292-16.

5 MR. BENSON: That is correct.

6 MR. REMINES: Okay. I would like to take you
7 back to your previous duties to the train 292-16 and
8 tell us when you were relieved and when you went back
9 on duty. And I would like for you to bring us forward
10 as to what transpired during your duty at that time and
11 bring us up to the point of the accident.

12 MR. BENSON: Okay. I was, I went to Portal on
13 a 489 train. I was on duty at 19:30 hours and I tied
14 up in Portal at 07:29. And that was on the 17 of
15 January. I was off for 13 hours and 46 minutes. I
16 returned back to duty on the 17 of January at 21:15
17 hours for assignment 292-16. And we got on duty. We
18 took five minutes for safety, did our paperwork. We
19 delivered the train. I did a complete roll-by of the
20 train as it went by the depot there, standing outside
21 doing the roll-by. We got the train stopped with the
22 rear end device at the depot at Portal. I did a test
23 of the, well, I tested the fred for batteries. It had
24 approximately 51 percent battery left in the end of

1 train device. I told the engineer that I will be
2 replacing the batteries while the clerk in the Customs
3 agents were checking a box car, which is normal
4 procedure. I changed out the batteries on the fred and
5 we did a test on the fred. And everything was in
6 compliance with the operation of the end of train
7 device.

8 We then received a track warrant to leave
9 Portal and proceed eastward and we met a train at
10 Baden, and that was, that was 00 20 hours for the
11 morning of the, it would have been the 18. And after
12 meeting them, we proceeded eastward and we stopped at
13 Foxholm, and I don't have the time on that, because
14 when there isn't a delay, I don't record if it is under
15 five minutes. We stopped and got the east switch at
16 Foxholm. And then we proceeded eastward. And we went
17 over the 481.4 detector and with no defects reported on
18 the train. And I do remember the temperature being
19 around zero degrees on that detector. Prior to that
20 detector, all detectors were, gave the announcement
21 with no defects in our train.

22 And rolling along, we came up to a slow order
23 and I believe it was at Milepost 477. And that is a 25
24 mile per hour speed restriction, for a full mile up to

1 Milepost 476.0. And we proceeded through there and
2 then this brings us to the point of our cause.

3 MR. REMINES: What time did you depart when,
4 after you got the train ready and you were ready to go,
5 what time did you leave the yard there at --

6 MR. BENSON: We departed Portal at 22:55 on
7 the 17th of January.

8 MR. REMINES: When you met the train at Baden,
9 did you do a roll-by of them of any sort?

10 MR. BENSON: A roll-by of --

11 MR. REMINES: Inspection of the train. Did
12 they look you over, did you look them over, anything
13 like that?

14 MR. BENSON: We always, of course, they are
15 sitting waiting for us, so, we look, we look for
16 anything hanging.

17 MR. REMINES: Okay.

18 MR. BENSON: Or make sure that everything is
19 in proper order of their train and they watch our train
20 as we went by and we did get a complete by, a good
21 roll-by.

22 MR. REMINES: Did you exchange results with
23 each other at that point?

24 MR. BENSON: Yes, we did.

1 MR. REMINES: Okay. Anybody have any
2 questions?

3 Identify yourself for the record.

4 MR. DWYER: Tom Dwyer.

5 MR. REMINES: Okay.

6 MR. DWYER: What was the number of that train,
7 do you remember?

8 MR. BENSON: It was CP 9104 West.

9 MR. DWYER: (inaudible)

10 MR. BENSON: That is correct.

11 MR. DWYER: It is just 10 miles from the 414.

12 Do you know, that 4140, do you know what time you went
13 by that?

14 MR. BENSON: No, I don't.

15 MR. DWYER: That is just ten miles from the
16 wreck was --

17 MR. BENSON: Approximately 10 miles.

18 MR. DWYER: That is all the questions I have.

19 MR. DITZEL: BLE, no questions.

20 MR. SALADIM: Jerry Saladim, and Craig, just
21 to clarify for me here, what is the milepost location
22 there?

23 MR. BENSON: At Baden it is Milepost 507 to
24 509, the approximate citing there.

1 MR. SALADIM: Okay. Thank you. And then at
2 Baden were you holding the main track and the 9104 was
3 in the siding then.

4 MR. BENSON: We held, our train held the main
5 at Baden.

6 MR. SALADIM: Okay. All right, thank you, no
7 more questions at this time.

8 MR. MERKLE: No questions from the Federal
9 Railroad Administration.

10 MR. REMINES: Great. Okay. At this point I
11 would like you to describe what your experience, during
12 the accident, just prior to the accident and anything
13 you can remember, how you notified, who you notified,
14 what notifications, what were your actions at that
15 point and what did you observe going on?

16 MR. BENSON: Well, coming into Minot, we had
17 the, we had the okay on the BMFF Diamond. We contacted
18 Fort Worth. We got that. Coming through Burlington,
19 that is where we had that, and we had a warrant through
20 Minot, so we were proceeding on signal indication at
21 Sioux Tower. And coming into Minot we were observing
22 coming around the train at Milepost 471.5, looking for
23 a signal at 470.5, that is our distant signal for the
24 BM Diamond. On coming around the corner, we went over

1 a rough spot. Continuing on that Milepost 470.5,
2 approximately is the distant signal for the Diamond.
3 That is what we were in search for coming around the
4 corner to make sure that we had the clear indication on
5 the Diamond. At that point we ran over a rough spot.
6 I immediately knew that it was a very rough spot, that
7 it had never felt before like that. I immediately told
8 my engineer. Continuing on we went over the rough
9 spot, I immediately told my engineer that we need to
10 stop the train, bring her to a controllable stop. I
11 immediately, upon doing that he put his hand on the
12 automatic brake. I turned and looked out the window
13 and I began to see sparks flying out from underneath
14 the wheels. And by the time I turned and looked out,
15 it was approximately three to five seconds, we had our
16 air and we need that we had a mess. I began to see a
17 lot of commotion back there. At the time we were
18 running it, there was a light snow, so there was a lot
19 of snow cloud along, you know, the route. We traveled
20 a reasonable distance and ended up underneath the
21 bridge, overpass at Milepost 471.

22 And all of our emergency response, I called
23 our locomotive number CP-9106 East, emergency,
24 emergency, emergency, over. And I did not get any

1 response. We kept calling out that distress signal.
2 And we were not getting any response. I then looked
3 out the window again and we had a major explosion.

4 I should back up a little bit, prior to
5 calling out the distress, I had watched the explosions
6 and the arcs from our train and the plumes of smoke
7 that came up with the explosions. I knew there were
8 explosions because I felt the concussion and I heard
9 it. And upon knowing that and knowing that the
10 hazardous material that we had in our train, that is
11 when I started the distress calls. And we were unable,
12 after approximately four distress calls to get the
13 dispatcher to answer us. I began, I reached into my
14 grip and I grabbed my cell phone and I dialed 911. My
15 engineer was smart enough to grab his cell phone and
16 call Harvey, so that, to reach somebody there to try to
17 get ahold of the dispatcher on our, our home base box
18 in the depot. He did get a crew right away. He
19 believed that this was an Endilin crew. He said we
20 have had a derailment. We need to speak to the
21 dispatcher immediately. Upon hanging we got the
22 dispatcher right away. My engineer explained that we
23 have a derailment or our train went into emergency. We
24 have a derailment. We have possibly hazardous material

1 in the air. And because of what we seen back there, we
2 had an enormous cloud and it was coming at us.

3 And at that time, while getting the
4 dispatcher, I was on the phone with 911 dispatcher.
5 And I told them that we have a derailment two miles
6 west of Arrowhead. And that we have hazardous
7 materials in our train and that we do have a possible
8 spill. That we have a large cloud of smoke coming
9 towards the city, that we need to be prepared
10 immediately that we have a dangerous situation. And I
11 notified him that we were the CP Rail train.

12 I don't know how many minutes or what the
13 time span was, all of this happening, but, by the time
14 we got done, we were in the plume of smoke. It was
15 over it. It was surrounding us. At that point, we
16 made the decision to, that we needed to evacuate out of
17 there. That the only way out was to go back and cut
18 the power from our train and get off from the site as
19 soon as possible. I ran back, I didn't have my
20 lantern, I didn't want it, I had my radio, I had it on.

21 I got back and I turned the angle cock on the power,
22 and tried to get the pins on the car, and I couldn't
23 get it because we were stretched out from the emergency
24 application. I got up on the power and I jerked four

1 times on the pin lift or on the power and I finally got
2 it. I ran back to the head end of the locomotive of
3 the rear steps and climbed aboard and ran to the door,
4 and got inside and told my engineer to take them ahead
5 and highball to the east end. I did not want to use
6 radio communication because of the chemical that was in
7 the air, not knowing what, what trigger on the response
8 on the radio transmitter.

9 We proceeded eastward. We were pretty much
10 engulfed in. At that time I knew that we were in
11 anhydrous anomia. And it was a pretty heavy cloud.
12 We proceeded eastward to Arrowhead crossing, which is
13 Milepost 470.2. We stopped our train there and when we
14 stopped we had, we were running right in the cloud. It
15 was already passing by the Lamp Lighter and Harley's
16 Gas Station, Standard Station in Minot.

17 We got to the crossing the gates came down.
18 We did not cross the crossing. We stopped at the
19 crossing. I noticed a Minot Fire Department jeep
20 sitting there. At first I thought it was my
21 supervisor, John Wilks, but it, when I got off the
22 train, it was not. When we got off the train, we were
23 still in the anhydrous anomia. I ran to the fire
24 department and asked him where their people were, that

1 we have got to get these people here, but we need to
2 keep them away. They have to know that this is an
3 anhydrous spill and it is very dangerous. He knew
4 nothing of what had happened. This is the first time
5 that he had heard and this was approximately 20 to 30
6 minutes after the derailment had happened.

7 He then proceeded towards Arrowhead and had
8 to turn around and come back because he couldn't, he
9 couldn't stay in the cloud. It was too tough for him.

10 I realized that. We got off the train, we were
11 detrained at that time. We began stopping traffic from
12 coming into the area. We then had an officer that had
13 went through. He turned around and came back, because
14 they couldn't, they couldn't make it through it. He
15 dropped an officer off, he put a gas mask on, he
16 continued back in. And we continued to stop traffic
17 and turn them away. They wanted to get into their
18 homes. We wouldn't let them. We told them to go to
19 the truck stop, out of the plumes and have coffee,
20 whatever. And at that point, we were one block south
21 of the Arrowhead crossing, to be out of it, but it kept
22 coming towards us. We then told the officer that he
23 needed to keep going south, to stay away from that
24 plume.

1 At that point, my train master, John Lewis,
2 contacted me and asked me where I was at. I told him.
3 He was at the water treatment plant at that point,
4 which is two blocks away. And he came and picked us
5 up, and we got out of the mess and we, we kind of drove
6 around to see where, what all was happening and to try
7 to find where they were setting up a command center.
8 At that point we went out to the Beam Truck Stop and
9 that is where we found the command center was set up.
10 When we got there, there was no power. The power was
11 out. And I related back, seeing high intense type
12 explosions or lighting at the scene and that,
13 evidently, I told John, that is why they don't have
14 power is because our train had somehow snapped the
15 power lines. And because I have been around
16 electricity, I know what it arc like and I thought they
17 were some type of explosions, but then I realized that
18 those were electrical explosions type.

19 We then started discussing what to do for
20 setting up the command center. They were asking us to,
21 so we could get in and speak with them. At that point,
22 we were getting into the plume. The plume was coming
23 our way. And they decided to take and put the command
24 center at the new fire department up on 20th Avenue,

1 Southwest in Minot. We went to the fire department.
2 We gave them the information of what we had on our
3 train. We gave them, my engineer gave them his copies
4 of our emergency response, our train list, what we had
5 in the train, and at that point they were very well
6 informed in what we had and started taking the
7 approximate actions.

8 I then offered them to draw a map of the
9 site. I am familiar with the Minot area very well. I
10 was born and raised here. And I, to the best of my
11 ability, I gave them a description of where the wreck
12 was at, where we were located at, our train. And at
13 that point, Mr. Lewis said that there is nothing more
14 that we could do here. That we need to go to the
15 hospital and go through the testing that the company
16 has for these types of situations. And he figured
17 that we should get there for medical help because we
18 were in pretty dire straits at that time. We got to
19 the hospital, we could not get, we were block south of
20 the hospital, we could not go any further. It was
21 totally engulfed in anhydrous anomia cloud. And my
22 supervisor, John Lewis, said that he did not want to go
23 in there, to subject us to any more. So, we went to
24 the top of the hill of Third Street, because we knew

1 that the Minot switch engine, the night road switch was
2 out there, and coming towards Minot. We thought that
3 it would best to warn them that it was probably unsafe
4 to enter the city limits at that time. We did get
5 ahold of them. We had them get stopped at, I believe
6 it was Sawyer, they were at Delva at the time.

7 We went down to the round house because we
8 needed liquids. We were dried up. We got down there.

9 We had a cup of coffee and some water. Everything
10 taken care of there. Mr. Lewis talked with the
11 dispatcher, I believe. From there we figured we, I was
12 in a situation where I had to urinate, and I figured that
13 the best thing to do was to get up and get as close to
14 the hospital as can be and get in and get the
15 procedures done with the test. And, and, get inside
16 and receive medical treatment.

17 And from there on, that is how the accident
18 happened and we were admitted into the hospital.

19 MR. REMINES: Thanks. Okay. Let's go back,
20 you said you saw a rough spot two blocks past the first
21 one, you described it was almost routine. That was
22 prior to the accident. Do you, was it a switch or a
23 diamond or something that caused that rough condition
24 there or was it just track conditions?

1 MR. BENSON: The only spot that I felt was the
2 spot that we went over.

3 MR. REMINES: Oh.

4 MR. BENSON: And derailed. There was no other
5 rough spots.

6 MR. REMINES: I thought I understood you said
7 there was another one before that.

8 MR. BENSON: No, just the one spot, where the
9 derailment site is. I haven't been to the site, I have
10 driven by, but, I have not been out to look over
11 anything.

12 MR. REMINES: Okay. How often do you travel
13 that area, every other day or frequently, or
14 infrequently?

15 MR. BENSON: Prior to this incident, I worked
16 the Minot road switch from approximately August 20
17 until the 13 of January. We had gone westward, maybe
18 twice to dog catch another road switch that is part of
19 our territory. Maybe been up over that line, maybe
20 twice in the last five months.

21 MR. REMINES: Do you know whether the engineer
22 put the train into emergency or it was it train line
23 induced emergency at the time you decided to stop the
24 train and go over the rough spot?

1 MR. BENSON: As far as my knowledge is, is the
2 engineer took first service to bring the train into a
3 controllable stop. He did not, to my knowledge, did
4 not place the train into the emergency. I do know that
5 I did see him place his hand on the automatic, at that
6 point, he took a reduction and I immediately had turned
7 and looked out the window and he, he did the best job
8 of, of placing his train into a controllable stop.
9 But, as soon as his automatic was placed where he
10 needed to place his train, I noticed that we had, our
11 air had dumped on our train. I knew that we had an
12 emergency application leak made on our train. And at
13 that point I knew and felt just that we were traveling,
14 that, that we were busted away from our train.

15 MR. REMINES: When you called 911, was that
16 your personal telephone or is that company issued?

17 MR. BENSON: (inaudible)

18 MR. REMINES: Do you know how quickly that
19 phone call was made to 911, timewise?

20 MR. BENSON: We, we, immediately after
21 stopping and getting our train to a stop position, we
22 started in, we dialed up our tower, the Minot Tower for
23 a dispatcher. We got the tone up, there was no
24 answer. Immediately, I started calling out CP 9146

1 East, emergency, emergency, emergency, over. And to my
2 recollection I believe I said it three or four times.
3 We did not get a response. I then grabbed my cell
4 phone out of my grip, and dialed 911, and we still had
5 the tower lit up. We knew that because we didn't get
6 an answer, we did get a tone up.

7 MR. REMINES: Okay.

8 MR. BENSON: And that is it.

9 MR. REMINES: How long do you think that took,
10 that you didn't the answer until you got the 911? Was
11 it one minute, two minutes, three minutes, four
12 minutes?

13 MR. BENSON: I would say three minutes until I
14 grabbed my phone because I knew that we weren't getting
15 a response. And we needed to get in contact with
16 somebody. We needed to get a couple of options going.

17 MR. REMINES: Okay. What I am trying to do is
18 pinpoint the derailment time. I am not trying to
19 figure out anything else other than there has been a
20 question about what time the derailment was.
21 What time did you record it?

22 MR. BENSON: When we stopped, my train delay
23 report, I wrote, when we knew that we had something
24 going on, I wrote down Minot, and I wrote down 01:45.

1 I do not remember where we were at, if we were at the
2 underpass, before I cut my train off or it was at
3 Arrowhead Crossing. But, it was in that time span, it
4 was, it was a lot of commotion going on, and I didn't
5 want to write anything down, but I wanted to write down
6 the time and that is all I have on my delay report.

7 MR. REMINES: Had you contacted dispatcher
8 from the time you got to the road crossing and saw the
9 emergency response or just 911?

10 MR. BENSON: We had, we had talked to our
11 dispatcher, in fact, our CP dispatcher came on the same
12 time that 911 dispatcher answered the phone.

13 MR. REMINES: Okay.

14 MR. BENSON: So, both the engineer and I was
15 talking to separate people at the same time.

16 MR. REMINES: Okay. Have you received
17 training in responding to hazardous materials with your
18 train and if so, would you describe what you have been
19 taught?

20 MR. BENSON: As far as hazardous material, I
21 have never had any real training in any hazardous
22 material.

23 MR. REMINES: Okay. Did you have any kind of
24 instructions with you that would describe how to, I am

1 sure in the operating rulebook it must have something
2 about how you respond to a derailment. I think you
3 contact the dispatchers, which is what I understood you
4 to do.

5 MR. BENSON: That is correct.

6 MR. REMINES: But, were there any, what did
7 you have in possession that told you what you had in
8 your train and how to respond?

9 MR. BENSON: We have a, I have a nine plan,
10 which is a total profile of what my train is.

11 MR. REMINES: Okay.

12 MR. BENSON: What my train contains. It has
13 emergency response paperwork. It has compress labels.

14 Immediately after the knowledge that we had in
15 anhydrous, present in the air, we took the actions to
16 save our lives, our crew. We got to a point where we
17 were figured that we were safe. We grabbed our
18 paperwork, our entire paperwork and detrained, and
19 immediately started giving the information to the
20 officer that was, that came along, on evacuation that
21 we have in anhydrous in the air, that is leaking. And
22 at that point that point that is where our supervisor
23 picked us up and we got all the necessary material and
24 information to the command center.

1 MR. REMINES: Okay.

2 (Off the record.)

3 MR. REMINES: All right, I would like to ask,
4 at what point did you surrender your documents in your
5 possession and to whom?

6 MR. BENSON: I still today have all of my
7 paperwork that I received when I departed Portal.

8 MR. REMINES: Okay.

9 MR. BENSON: My engineer gave his paperwork to
10 the command center and we did share, I had my paperwork
11 in the command center. We opened it up, we gave them
12 all of the hazardous materials that we had and where
13 their placement. They, at that time, took my
14 engineer's paperwork and they did not seem to need
15 mine, and I needed just for record, so that we have
16 paperwork and not schooled all over, that we had
17 paperwork for it and I do retain all of the papers that
18 I left with.

19 MR. REMINES: Did they ever express any
20 dissatisfaction with your interface with their
21 emergency response?

22 MR. BENSON: No, they did not.

23 MR. REMINES: Okay. How long have you been a
24 conductor? And how long have you been employed by the

1 railroad? And when were you promoted?

2 MR. BENSON: Five and a half years as a
3 conductor with CP Rail.

4 MR. REMINES: What is your age?

5 MR. BENSON: Forty two.

6 MR. REMINES: When were you last examined and
7 trained on the operating rules?

8 MR. BENSON: I believe a year and a half,
9 2000, the year of 2000.

10 MR. REMINES: Okay. You were hospitalized,
11 could you tell us the extent of your injuries and your
12 present condition and what the doctor's prognosis is?

13 MR. BENSON: I inhaled an amount of an
14 anhydrous that caused me to be short of breath. I was
15 very irritated. I had a burning sensation in my chest
16 and throat and nose. I did an awful lot of coughing.
17 When I was at the emergency room, they examined me and
18 put me on oxygen right away. Gave me some, a breath
19 deal that gives you medicine into your lungs. And it
20 is like a nebulizer. At that point they seen that my
21 eyes were in bad shape and my lips were burning,
22 sensitive. They at that point, they took my blood
23 pressure and my blood pressure was abnormally high.
24 And they decided that I needed to be admitted into the

1 hospital.

2 MR. REMINES: You were released when?

3 MR. BENSON: The afternoon of the 19th,
4 approximately 1300 hours.

5 MR. REMINES: The reason I ask that question,
6 our, we have a group called "Survival Factors" and what
7 they are going to analyze is what happened to you at
8 the site. And that is part of their job and they asked
9 me to ask you a few questions. And one of the questions
10 I asked, there is no wrong answer, but, did, was there
11 things that happened at the scene that you would have
12 done differently had you had time to think about it
13 today and where there shortcomings in the procedures
14 that you would like to see improved or anything that
15 you would like to see improved that could have been
16 done better?

17 MR. BENSON: I wouldn't have done anything
18 different.

19 MR. REMINES: Okay. Your decision to
20 separate the locomotive, was that basically your
21 decision or was it a joint decision between you and the
22 engineer or was it just, on your training?

23 MR. BENSON: I guess it wasn't part of any
24 training. I guess it was the situation that we were

1 in. I didn't want to subject ourselves to try and run
2 out of the situation because of the conditions, the
3 snow, the train. I realized that we weren't going to
4 get out of it unless we took the power and left the
5 scene. I guess it was my decision to go back and cut
6 the power off. At that point I told my engineer to
7 take them ahead and get us out of there.

8 MR. REMINES: Okay. Do I understand that you,
9 had occasion to look over at the train behind you as
10 you are passing, could you, do you remember when the
11 last time you looked over the train from your position,
12 behind you and what had been visible because of the
13 snow? I guess that is a bad question. What I am
14 trying to say is when is the last occasion you had to
15 look over your train behind you?

16 MR. BENSON: My train, when I bring my train
17 across from Portal, when we deliver our train, I have a
18 train list in front of me, of my train. And I have
19 that in my possession. I watch the train go by. I
20 look for any defects.

21 MR. REMINES: Okay.

22 MR. BENSON: Dragging equipment, placement of
23 cars, and at that point when I got the rear end of the
24 train, at the depot, I had confirmed that all of my

1 hazardous material were in the place that they belonged
2 and my train is complete. And I did not find any
3 defects in my train when it, when I rolled it by at
4 Portal.

5 MR. REMINES: Is there anything else you would
6 like to relate to me from your personal experience
7 here?

8 MR. BENSON: Not really.

9 MR. REMINES: Anything you may knowledge of?

10 All right, I am going to open it up, pass it
11 around the room and if you have follow-up questions and
12 we will work from there.

13 UNIDENTIFIED SPEAKER: Can we take a break?

14 MR. REMINES: Sure.

15 (Off the record.)

16 MR. REMINES: Now, we are opening it up for
17 follow-up questions. And we will start from the other
18 side. And name yourself and your --

19 UNIDENTIFIED SPEAKER: No questions.

20 MR. REMINES: Okay.

21 MR. DITZEL: BLE, no questions.

22 MR. SALADIM: J. Saladim, CP Rail.

23 Craig, the previous question you were asked
24 about your hazardous material training. In that answer

1 you, or in that question you were asked if you had any
2 training and your answer was no. What I would like to
3 ask you is have you been given any instructions in
4 regards to the requirements of the documents you must
5 carry with you and the train list, the type of train
6 list you must have, and so forth?

7 MR. BENSON: I have had training. I guess I
8 misinterpreted the question. I, I do have training in
9 the response and my responsibilities of, of handling
10 paperwork, knowing what I have in my train and how to
11 deliver the information of the hazardous material to
12 emergency personnel if needed.

13 MR. SALADIM: All right, and then my
14 understanding from the questions and the answers, that
15 the answers to the questions presented to you that you
16 had collected and kept your train list and so forth,
17 and you took them with you.

18 MR. BENSON: That is correct.

19 MR. SALADIM: And, and delivered them to the
20 local emergency responders --

21 MR. BENSON: That is correct.

22 MR. SALADIM: All right. And was that action
23 based on your previous training?

24 MR. BENSON: That is correct.

1 MR. SALADIM: Okay. I have got a question, I
2 would like you to back me up, I was, I missed this
3 question or this, you were going, you are doing a very
4 detailed job on explaining what had happened out there.
5 You made mention about coming, looking for the distant
6 signal at 470.5, is that correct?

7 MR. BENSON: That is correct.

8 MR. SALADIM: Okay. And, all right, and then,
9 then the rough spot, do you recall about where that
10 was?

11 MR. BENSON: Yes, I do.

12 MR. SALADIM: Okay.

13 MR. BENSON: I believe the rough spot that we
14 went over was at Milepost 471.5 or 6, in that general
15 area.

16 MR. SALADIM: Okay. Now, Craig, is that just
17 before the curve?

18 MR. BENSON: Yes, it was, I believe, it was
19 before the curve.

20 MR. SALADIM: All right. And how would you
21 describe that rough spot, given your experiences of
22 riding, you know, various parts of the railway, main
23 line and otherwise. I had heard that it was described
24 like going over a log, misaligned log or something like

1 that. That is an example. If you could --

2 MR. BENSON: That was my, that was my
3 impression or explanation. My full explanation of what
4 I feel, it felt like you were going over a diamond.

5 MR. SALADIM: All right. And what type of
6 action did you notice on the locomotive, for example,
7 did you notice a lateral move or was it a drop?

8 MR. BENSON: We, when our lead wheels hit that
9 spot, it felt like we were, my description is like
10 washboard. We, we maybe gave a little jiggling,
11 sideways on the engine. There wasn't much but we, the
12 feeling that we got we knew that we were in trouble.
13 With not much knowledge of ever derailing before, I
14 have never derailed before. We knew that we had a bad
15 situation.

16 MR. SALADIM: Okay. Then after you had went
17 over that spot, you had said that within a short period
18 of time that you told the engineer that he had better
19 stop the train and then you saw the engineer was
20 starting to take action with the train air brake. How
21 long, the question is how long after you touched the
22 rough spot, did you notice that the train, you either
23 saw the train was going into emergency, I think you saw
24 that first, is that what you said? You saw something

1 first.

2 MR. BENSON: My way of what happened was we
3 hit the rough spot, I immediately said we need to stop
4 the train. I turned and looked out the back, I opened
5 up my window and was out the window, I seen sparks and
6 I know that my engineer had taken action on the
7 automatic because I seen his hand for it. When I turned
8 and looked out the window I seen sparks and at that
9 point I noticed, I knew that we had a, our train had
10 dumped it there.

11 MR. SALADIM: So, would you be able to
12 describe in a matter of seconds how long that was?

13 MR. BENSON: Seconds, three seconds.

14 MR. SALADIM: Okay. Three seconds. All right.

15 Now, while you were making the trip from, along the
16 route, from Portal to the point of derailment, did you
17 notice any unusual slack action from where you were
18 sitting in the train?

19 MR. BENSON: No, I did not.

20 MR. SALADIM: Any unusual conditions in the
21 turns of train braking, in other words, where you are
22 slowing down for a slow order or you were stopping for
23 a particular location and did the engineer comment that
24 it was not, it wasn't responding correctly or, or

1 anything out of the ordinary?

2 MR. BENSON: No, nothing at all. We had a
3 real nice train ride.

4 MR. SALADIM: Okay. All right. Typically
5 when you are coming into, up to Milepost 470.5, you
6 have already talked to the Fort Worth and Fort Worth
7 has got you all set to go. You have got a 30 MPH slow
8 order up there around 470.1, I believe it is,
9 whereabouts would the engineer typically be start
10 taking the train in braking action in there, from your
11 experience?

12 MR. BENSON: From my experience, or
13 recollection of the movement of our train, he already
14 was into dynamics, I believe.

15 MR. SALADIM: Okay.

16 MR. BENSON: Prepared for, per signal
17 indication and for the slow order, you know, our speed
18 that we were required to go by.

19 MR. SALADIM: Okay. Another question
20 regarding your trip up to Portal. You are up town and
21 you left Minot, did you notice anything unusual in the
22 area of the derailment?

23 MR. BENSON: No, I did not.

24 MR. SALADIM: Any point going north, going

1 west, the previous day?

2 MR. BENSON: No, I did not.

3 MR. SALADIM: Nothing unusual there. All
4 right. I would like to back you up all the way, if I
5 may, to the day you got on the train. When you got on
6 train 292.15, at Portal, where did you take charge of
7 the train exactly, exactly where did you take charge of
8 it?

9 MR. BENSON: Well --

10 MR. SALADIM: Was it right after depot on --

11 MR. BENSON: Right at the depot of --

12 MR. SALADIM: Did the Canadian crew have --
13 Help me a little bit, I am not sure of the usual -- but
14 do the Canadian crew normally bring the train over to
15 the depot or do they leave on the other side?

16 MR. BENSON: What, what went on in that
17 situation was the normal procedure, the engineer will
18 go over and do his, what his requirements are of moving
19 the train. I already have my paperwork. I don't
20 deliver a train until I have my paperwork so I know
21 what I have got when I am delivering it. Our normal
22 procedure is stopping the engine at the door of the
23 depot so we can load our grips. We both put our grips
24 on the train. I put, I took my up and ensured that I

1 had a crew to crew at that point, which is a list of
2 all the people that have had charge of the train. And
3 it shows if there has been any defects or cars cut out
4 or anything. At that point I seen the crew to crew. I
5 knew that I had 112 cars in my train. And the last
6 conductor that had the train reported that all cars
7 were okay.

8 MR. SALADIM: All right. You got the crew to
9 crew report from the impound crew and it did not show
10 any problems or defects of the train.

11 Was the train, did the Canadian crew, were
12 they still on duty when the engineer took charge of
13 that train?

14 MR. BENSON: I don't know.

15 MR. SALADIM: Okay. All right. And then, of
16 course, again, this is to summarize, you did do a roll
17 by there and didn't notice any hand brakes -- applied
18 or anything like that.

19 MR. BENSON: That is correct.

20 MR. SALADIM: Okay. All hand brakes were
21 released?

22 MR. BENSON: I had a free flowing train when I
23 delivered it to the --

24 MR. SALADIM: Okay. I have no other question.

1 MR. MERKLE: No questions from the FRA.

2 MR. REMINES: -- got my curiosity here, and
3 one of them is, you said that you felt the lead trucks
4 go over the rough spot, is that your description of it?

5 MR. BENSON: That is correct.

6 MR. REMINES: Okay. And would you say that
7 rough spot existed before the train got to it or do you
8 think it happened while the train was over it?

9 MR. BENSON: I am not an expert in that field,
10 but, I know that when my lead wheels hit that
11 particular spot, that there was a problem spot when our
12 lead wheels hit it.

13 MR. REMINES: Okay. Did you see anything from
14 the locomotive cab in the area of the rough spot before
15 you were --

16 MR. BENSON: I, I did not see anything wrong
17 with any track that I would have noticed.

18 MR. REMINES: Okay.

19 MR. BENSON: Anything unusual.

20 MR. REMINES: Great. When did you go off
21 duty the day of the accident?

22 MR. BENSON: I didn't.

23 MR. REMINES: You were staying at the
24 hospital. I mean, were you released, I know at some

1 point you are going to be shown as off duty from the
2 Railroad perspective. I know you were admitted to the
3 hospital, so that technically is when you went off
4 duty, I guess. You were, you had your drug and alcohol
5 test around 5:00 a.m. that morning. Were you
6 hospitalized how soon after that?

7 MR. BENSON: Right at the point of --

8 MR. REMINES: Okay.

9 MR. BENSON: During the drug test, they
10 checked me over and immediately admitted me to the
11 hospital.

12 MR. REMINES: You had done a good job going
13 around making sure everything was okay before you went
14 to the hospital. I heard you.

15 Anymore follow up questions?

16 UNIDENTIFIED SPEAKER: You said that when your
17 lead tracks hit the spot, you instantly knew that there
18 was a problem. Could you determine if it was the left
19 or right wheel or were you able to make that
20 determination?

21 MR. BENSON: I wasn't able to determine that.
22 I felt it on my side. As far as the engineer, I
23 didn't discuss, we both felt it. I don't know if it
24 was left or right.

1 UNIDENTIFIED SPEAKER: But, there was anything
2 there to tip you off to --

3 MR. BENSON: No.

4 UNIDENTIFIED SPEAKER: -- your conductor.

5 MR. BENSON: No.

6 UNIDENTIFIED SPEAKER: Craig, if I remember
7 your remarks, you were proceeding trying to search for
8 the distance signal -- is that not the case?

9 MR. BENSON: That is correct.

10 UNIDENTIFIED SPEAKER: So, when you were
11 coming through that area, catching green would have
12 been focused to the forward part of the train. You
13 were looking down the track, trying to sight the
14 distance signals, so, under that circumstance, there is
15 really no question about where you were looking and if
16 something would have been wrong, you would have at
17 least if humanly possible to see, you would have seen
18 it because you were, your attention was focused in that
19 direction, is that not the case?

20 MR. BENSON: That is correct. We were always
21 focused forward, looking, you know, for any trouble or
22 situation that we need to take control of our train or
23 any obstruction on the track. My recollection is that
24 we had the okay for the diamond, we were coming around

1 the curve and that was where my attention was focused,
2 was for the distant signal, what we had for governing,
3 governing movement.

4 UNIDENTIFIED SPEAKER: Craig, between the
5 general area of the accident and the distant signal is
6 that all tangent or straight track?

7 MR. BENSON: No, it isn't. My recollection of
8 the incident was we had not seen the distant signal
9 yet. We were, we were seconds away from seeing it. My
10 recollection, when I felt that spot, we hadn't seen the
11 distant signal yet, but we were seconds away from
12 coming into the signal. Because when that happened we,
13 we took action to stop our train. We were going to
14 stop before crossing the distant signal, but, coming
15 into that, we felt that, we immediately took action and
16 I did look up later, because I did see a clear
17 indication and I knew that we had the okay on the, we
18 had a clear signal indication. That is why later on
19 when we got down to the Arrowhead crossing, when we got
20 all of our appropriate emergency people responded and
21 everybody notified I did contact the BMF dispatcher in
22 Fort Worth and told him that our identifying, CP 9106
23 east, we will not be crossing your diamond. I notified
24 him that we have a major train derailment,

1 approximately two miles west of their diamond. And
2 that we will not be crossing their diamond. I didn't
3 want to have any conflict of them trying to contact us
4 because we were going, we were going to be our channel
5 for emergency and they needed to know what, why we
6 weren't responding or crossing their diamond.

7 UNIDENTIFIED SPEAKER: Okay. Thank you, Craig.

8 MR. REMINES: One more follow-up, Craig. On
9 the locomotive and I have not been on it yet. Your
10 position that is seated on the locomotive facing
11 forward would have been what side of the locomotive?

12 MR. BENSON: On the left side facing out the
13 windows.

14 MR. REMINES: Did the locomotive rock at all,
15 I mean, was there any motion, side motion from the
16 locomotive as you went through that area, that rough
17 spot?

18 MR. BENSON: On the lead locomotive, I didn't
19 feel any noticeable rocking. It was just a real rough
20 spot, just like you were running over a washboard or I
21 mean, it was something that I had never ever felt
22 before on, on mainline track without any switches, or
23 frogs or diamonds. It was just a rough movement.

24 MR. REMINES: As far as, I mean, the

1 roughness, could you feel it and could you, I am just
2 going to ask you to venture a guess, what side
3 locomotive was, seemed to be in the rough spot or was
4 the whole locomotive sensation, just a total sensation?

5 MR. BENSON: The whole locomotive had a
6 bouncing sensation going over it.

7 MR. REMINES: Okay. And you said when you
8 looked back immediately you could see sparks coming
9 from the wheels.

10 MR. BENSON: From the wheels, behind the
11 train.

12 MR. REMINES: Okay. I have no further
13 questions. Now, I am going to open it up one more
14 time. Any more follow-up?

15 MR. SALADIM: One more follow up, Jerry
16 SALADIM, CP Rails.

17 Craig, in regards to that rough spot, you
18 felt it right away, I mean, you felt it when you went
19 over it and you said it was rough like going over a
20 washboard.

21 MR. BENSON: Well --

22 MR. SALADIM: Or rough. My question is simply
23 this, was there also, did you notice somewhere a
24 respond in the rear trucks when the locomotive went

1 over that spot?

2 MR. BENSON: Yes, I did.

3 MR. SALADIM: Okay. Thank you.

4 MR. REMINES: This concludes our interview.

5 Do you have anything else to add, Craig, that we may
6 not have asked or covered, or you would like to get on
7 the record?

8 MR. BENSON: Not at this point.

9 MR. REMINES: Are we welcome to call you at
10 some other point if I have further questions?

11 MR. BENSON: You are more than welcome.

12 MR. REMINES: I want to thank you for
13 cooperating with us. We will now bring the interview
14 to a close. And it is approximately 11:45 a.m.

15 Thanks a lot.

16 (Whereupon, at 11:45 a.m., the interview was
17 concluded.)