

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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BERING AIR ACCIDENT NEAR SOLOMON,
ALASKA ON AUGUST 3, 2017

* Accident No.: ANC17LA040

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Interview of: THOMAS JOHNSON
Bering Air POI

Via Telephone

Thursday,
February 22, 2018

APPEARANCES:

MICHAEL HODGES, Investigator in Charge
National Transportation Safety Board

BENJAMIN ALLEN, Assistant General Counsel
National Transportation Safety Board

ERIC WEST, Air Safety Investigator
Federal Aviation Administration

MARK TOMICICH, Senior Attorney
Federal Aviation Administration
(On behalf of Mr. Johnson)

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I N T E R V I E W

(10:00 a.m.)

MR. HODGES: Okay. We are recording at this point.

We are conducting the ANC17LA040 Bering Air FAA Principal Operations Inspector interview telephonically.

Today is Thursday, February 22, 2018, and the time is 10:00 Alaska Standard Time. I'm Mike Hodges with the NTSB, the investigator in charge. I also have on the phone Ben Allen, NTSB general counsel.

Ben, do you have any objections to recording this interview?

MR. ALLEN: No, I do not. Thank you.

MR. HODGES: Mark Tomicich, FAA general counsel. Mark, do you have any objections to recording this interview?

MR. TOMICICH: I will reserve my objections and comments pending the witness answer.

MR. HODGES: Okay. Eric West, FAA AVP-100. Eric, do you have any objections to recording this interview? Eric, are you on the line?

MR. WEST: I'm sorry. No.

MR. HODGES: Okay. Thank you.

And then Tom Johnson, Polaris CMO, do you have any objections to recording this interview?

MR. JOHNSON: No.

MR. HODGES: Okay. And then today we're interviewing Tom Johnson. He is the Bering Air POI.

INTERVIEW OF THOMAS JOHNSON

BY MR. HODGES:

Q. Tom, when were you hired by the FAA?

A. It was September of 2013.

Q. '13. Okay. And then can you describe your aviation background prior to coming to work for the FAA?

A. I flew for several airlines. I flew for Air Wisconsin in 2008 to 2010. I flew for them a couple years. Moved to Alaska and was a flight instructor before I was able to get on with Everts, and I was a flight engineer for them for a winter. And then the job before the FAA was I was flying medevac, so flying for LifeMed.

Q. Okay.

A. So I flew King Airs and Learjets for them.

Q. Okay, cool. Cool. And then what certificates and ratings do you have?

A. I have ATP and -- and that's for multi, and then commercial single, commercial single land, and then commercial single sea. And then a CFI.

Q. Okay. And then, just roughly, how much flight time total do you have?

A. About 2600 hours.

Q. Okay, cool. And then are you a licensed helicopter pilot?

A. No.

Q. No. Okay. And then with your duties as a POI, how many

1 certificates are you responsible for?

2 A. Just Bering Air.

3 Q. Just Bering Air?

4 A. Yeah.

5 Q. Okay. And then since you've worked for the FAA, is just
6 having one certificate, is that like the norm for you or have you
7 had more than that in the past?

8 A. Before when I was in the FSDO, I had 33 certificates.

9 Q. Thirty-three certificates at the time. Okay.

10 A. But now in the CMO, I just have the one.

11 Q. Just the one in the CMO. Okay. And then when you were
12 working in the FSDO with the 33 certificates, did you feel you had
13 adequate time to manage 33 certificates?

14 A. No.

15 Q. No. Okay. And then how long have you been a POI for Bering
16 Air for?

17 A. It's been a little over 2 years.

18 Q. Two years. Okay. And then do you have any other
19 responsibilities that -- or duties that you perform outside of
20 just doing certificate management?

21 A. Nope.

22 Q. Just that?

23 A. Just certificate management.

24 Q. Okay.

25 A. Yeah.

1 Q. And I think, like we talked before, the Bering Air
2 certificate is held at the Polaris CMO in Anchorage?

3 A. Correct, yeah.

4 Q. Okay. And then just so I understand correctly, how many
5 inspectors make up the Certificate Management Team at Bering Air
6 and what are their roles or specialties?

7 A. There's three. There's me, the POI; and then there's the
8 PMI, and he's in Fairbanks; and then there's the PAI, he's in
9 Anchorage. It's just us three on the team.

10 Q. Okay.

11 A. And so the PAI, obviously he deals with the avionics stuff.
12 The PMI deals with all the maintenance aspects. And then me as
13 the POI, I deal with all the operational, pilot type stuff.

14 Q. Now who is the PMI that you work with?

15 A. PMI is Eric Jones.

16 Q. Jones. Okay. And who is the PAI?

17 A. The PAI is Denis Schweighart.

18 Q. Okay. And then from your duties as a POI have you ever
19 noticed any issues with Bering Air from an operational aspect?

20 A. They pretty much have their stuff together. They -- you
21 know, they've been doing this for a long time, since I think 1978.
22 So yeah, there's not too many problems with them. They kind of
23 are a little rough around the edges but they still cooperate with
24 us whenever we deal with them.

25 Q. Okay. That's kind of leading to my next question, is how

1 would you describe the relationship between the FAA and Bering
2 Air?

3 A. I'd say it's pretty good. Like I said, a couple of the
4 management guys are a little rough around the edges, but -- and,
5 you know, there's constant flux of people, you know, in the FAA so
6 they're constantly getting different Certificate Management Teams.
7 But once you get to know them after a little bit, then they work
8 well with us.

9 Q. Okay. And have you had any prior issues at all with the
10 management team at Bering Air, such as the director of operations,
11 chief pilot, any of those folks at all?

12 A. What do you mean issues?

13 Q. Have you had any issues with, you know, working with them or
14 interacting with them with cooperation and helping out? Have you
15 had any things of that in the past?

16 A. Not really.

17 Q. No?

18 A. No. No, they're usually pretty good working with us.

19 Q. Okay. And then have you had any interactions with the
20 accident pilot, Bill Brockhaus?

21 A. No.

22 Q. No. Okay. And how would you describe the organizational
23 safety culture at Bering Air from your perspective as a POI?

24 A. They have a pretty good safety culture. There's always room
25 for improvement. They've been talking to us lately about getting

1 an SMS going, a voluntary SMS, since they don't have to have one
2 for a 135, and -- I'd say it's pretty good. They do a -- they do
3 some things that are above and beyond what's required by the
4 minimums for the rules, and I think they do that because they like
5 to have a good safety culture. So --

6 Q. Okay.

7 A. Yeah.

8 Q. Can you kind of give me an overview of Bering Air's
9 operations? I know they've got a large fleet of, you know,
10 airplanes and helicopters. I know that they do a variety of
11 missions. Can you just give me just a rough overview of what they
12 do and kind of where they're located at, too?

13 A. Okay. So they're in Nome and Kotzebue, and they're commuter.
14 They've got roughly 27 or so aircraft, anywhere from a, you know,
15 Beech 1900 all the way down to a Navajo and Caravans. They've got
16 the helicopters, of course. And, you know, they're probably the
17 number one or two commuter up there in that area along with
18 Hageland.

19 Q. Okay. And then what kind of helicopters does Bering Air
20 operate?

21 A. So they have the R44s. They have the MD 500s, and those are
22 on the 133. And then they've got one Huey, and they mostly do 91
23 with that, because obviously it's restricted so they can't do any
24 135 stuff with it.

25 Q. Okay. How many R44s do they have?

1 A. Two.

2 Q. Two?

3 A. Right.

4 Q. And then how many MDs?

5 A. Three.

6 Q. Three?

7 A. Yeah.

8 Q. And just the one --

9 A. And just the one Huey.

10 Q. Huey. Okay.

11 A. Um-hum.

12 Q. And then what type of overwater operations does Bering Air
13 conduct with their helicopters?

14 A. I don't think they do any, because, you know, most of their
15 stuff is just short trips, and so that -- I don't think they do
16 any over water. Yeah.

17 Q. Okay.

18 (Sound.)

19 MR. HODGES: I'm sorry. What was that?

20 MR. WEST: I'm sorry. That was just my computer talking.

21 MR. HODGES: Okay, no worries. No worries.

22 BY MR. HODGES:

23 Q. Does Bering Air have any information in their general
24 operations manual and/or training manual about overwater
25 helicopter operations?

1 A. I think they do. We'd have to take a look at it, though.

2 Q. Okay.

3 A. They've -- you know, they've changed operations and their GOM
4 has changed over the past few months. We just did a major rewrite
5 on it.

6 Q. Okay.

7 A. And so, in between the time of the accident and now, there's
8 been a major rewrite on the GOM. So --

9 Q. Okay. The following questions are in reference to some
10 documents I sent out before to the group. I don't know if you got
11 them on email or not?

12 A. Yeah, I got them.

13 Q. Okay. Here's a hard copy so you can look at them.

14 Bering Air submitted a Letter of Deviation Authority request
15 for the requirement under 135.160 regarding having a radar
16 altimeter installed on board the accident helicopter, a Robinson
17 R44, November-4138-Mike. Bering Air's reasons in the letter was
18 that the helicopter would be operated under day VFR conditions
19 only; the helicopter is under 2,950 pounds maximum gross weight;
20 and there is insufficient panel space for the radar altimeter
21 equipment. The FAA granted Bering Air a letter of deviation and
22 the helicopter was then operated without a radar altimeter.

23 Can you explain the process for granting the letter of
24 deviation for not requiring a radar altimeter on board and what
25 research was performed?

1 A. So at the time -- it's different than it is now, but at the
2 time we used the notice because there hadn't actually been
3 guidance drafted for how to deal with the rule. So with the
4 notice -- I think we sent you a copy of that notice, but in there
5 there's guidance on how to do it.

6 So basically we get a request from them and then we make sure
7 that the request is -- has sufficient reasons for them to not have
8 the radio altimeter, and then we're supposed to verify that there
9 is not panel space. And so my PMI went out to Nome and actually
10 looked at the aircraft, took pictures, and made sure that there
11 wasn't panel space. And then we put those in the file.

12 And then the guidance also has the POI coordinate with the
13 PAI to make sure that there's not enough panel space, so we did
14 that. And then we have to make sure that there's training in
15 their manual to deal with flat light -- I think it's flat light,
16 whiteout and brownout are what's supposed to be in there. And
17 they've had that stuff in their manual for a long time. They
18 train that really well.

19 So after all that's done, then we issue them the ops spec.

20 Q. Okay. And then you mentioned before, at the time, prior to
21 the accident, you said you guys just used the notice that was
22 issued out --

23 A. Right.

24 Q. -- but that there was no official guidance published; is that
25 correct, for you guys?

1 A. Not yet, right.

2 Q. At the time?

3 A. Yeah. So the way that it works usually is before they
4 generate the guidance, because it takes a long time, then in the
5 meantime they generate a notice and that has all the guidance that
6 we need to do any kind of a task.

7 Q. Did you receive any additional guidance outside the notice
8 from the management team about how to give the radar altimeter
9 exemption? Did you receive any feedback or any additional things?

10 A. Well, I actually went to the helicopter inspectors in the
11 FSDO because obviously, you know, those guys are the experts. And
12 so we coordinated on how to basically treat the notice, you know,
13 to make sure that we're all, you know, addressing it the same way,
14 we're not treating one operator unfairly than another one.

15 Q. Yeah.

16 A. And so we're all on the same page with that.

17 Q. Okay.

18 MR. TOMICICH: Hey, Mike?

19 MR. HODGES: Yes?

20 MR. TOMICICH: Mike, I'm sorry to interrupt. It sounds like
21 we're using the word guidance in a couple of different contexts.
22 You know, it sounds like in one context it's FAA order. In
23 another context it is, perhaps, informal discussions or some other
24 written documentation. And I don't know how you want to address
25 it. I don't know if you can clarify or maybe Tom can clarify when

1 we talk guidance what are we talking about? FAA orders or are we
2 talking about some other document?

3 MR. JOHNSON: Yeah, as far as that's concerned, we didn't
4 have much guidance to go off of besides the notice, and so all the
5 rest of it was just coordination either through meetings or emails
6 basically, just talking back and forth.

7 BY MR. HODGES:

8 Q. And when you mention -- that was just within the CMO then,
9 correct, that that was all --

10 A. Well, no, I was -- so the CMO's kind of in the same building
11 but split out a separate office from the FSDO. So Bering Air's
12 the only one that has helicopters in the CMO, and so I was talking
13 to the FSDO, which has all the rest of the helicopters in the
14 state.

15 Q. Okay. Okay. Outside of talking with the helicopter
16 inspectors at the FSDO, did you guys receive any communication at
17 all from the Rotorcraft Directorate or FAA headquarters on this
18 task?

19 A. We did via briefings, and it was -- they did them through the
20 air carrier telecons is basically how they did those.

21 Q. Did you feel those briefings were adequate to describe the
22 task and the process and how it worked?

23 A. Yes.

24 Q. They were? Okay.

25 A. Um-hum.

1 Q. And you mentioned before during this whole process of
2 granting a letter of deviation, you said you consulted with the
3 PMI Eric Jones and then the PAI -- was it Eric Schweighart?

4 A. Denis.

5 Q. Denis Schweighart. Excuse me. Okay.

6 And you said Eric Jones was the one that actually, he
7 traveled to Nome and he took photos of the interior of the
8 helicopter and looked at all the spaces and reported back to you
9 saying, hey, we don't have enough room in this make and model for
10 a radar altimeter installation?

11 A. It was actually not just make and model. It was by aircraft.

12 Q. By aircraft.

13 A. Um-hum.

14 Q. Okay, each aircraft they have.

15 A. Yeah, we checked it, yeah.

16 Q. Okay.

17 A. But yes, you're correct.

18 Q. Okay. Okay. And then during this process when you were
19 working with Denis and Eric, did you or anybody else in the office
20 consult with the manufacturer, Robinson, regarding the feasibility
21 of installing a radar altimeter on November-4138-Mike?

22 A. No. It wasn't --

23 Q. No.

24 A. -- required by the notice.

25 Q. Okay. Okay. So there was no -- nothing in the notice about

1 consulting with the manufacturer about feasibility of
2 installations?

3 A. No.

4 MR. HODGES: Okay. Okay. This concludes my questions. I'll
5 go around the table now. Ben Allen, do you have any additional
6 questions? Ben, are you there? Ben Allen? We may have lost Ben
7 there.

8 I'll go next to Mark Tomicich. Mark, do you have any
9 additional questions?

10 MR. TOMICICH: No, I'm good, thanks.

11 MR. HODGES: Okay. We'll go to Eric West next. Eric, do you
12 have any additional questions?

13 MR. WEST: I do not. No.

14 MR. HODGES: Okay. And --

15 MR. ALLEN: I'm sorry. You asked me. I was -- somebody was
16 talking in my ear and I do not have any additional questions.
17 Sorry about that.

18 MR. HODGES: Oh, no worries. Thank you, Ben.

19 MR. ALLEN: This is Ben.

20 MR. HODGES: And then Tom, do you have any additional
21 questions for me or anybody else?

22 MR. JOHNSON: Nope.

23 MR. HODGES: Okay.

24 MR. JOHNSON: No questions.

25 MR. HODGES: All right. That's all I had and I appreciate

1 everybody's time. Thank you for your help today, and we'll stop
2 recording at this point.

3 (Whereupon, 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:

Interview of Tom Johnson

ACCIDENT NUMBER: ANC17LA040

PLACE: Telephonic interview

DATE: February 22, 2018

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.



Teresa Holevas
Transcriber