



NATIONAL TRANSPORTATION SAFETY BOARD

Office of Aviation Safety
Washington, D.C. 20594

April 9, 2019

Attachment 2 – FAA Interviews

OPERATIONAL FACTORS/HUMAN PERFORMANCE

ANC18FA053

This attachment contains the following transcripts of interviews with FAA personnel:

- Jonathan Percy Principal Operations Inspector with oversight of Taquan Air
- Brian Frederick Former Principal Operations Inspector with oversight of Taquan Air
- Lana Boler Principal Maintenance Inspector with oversight of Taquan Air
- Richard Peabody Front Line Manager, Juneau Flight Standards District Office
- Joseph Pocher Office Manager, Juneau Flight Standards District Office
- Hugh Youngers Principal Operations Inspector with oversight of Grant Aviation

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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HYDABURG, ALASKA DE HAVILLAND DHC3T *

OTTER COLLISION WITH TERRAIN

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* Accident No.: ANC18FA053

JULY 10, 2018

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Interview of: JONATHAN PERCY

Principal Operations Inspector

Wednesday,
October 31, 2018

APPEARANCES:

SHAUN WILLIAMS, Operations Group Chairman
National Transportation Safety Board

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

BRICE BANNING, Investigator in Charge
National Transportation Safety Board

BRAD SIPPERLEY
Federal Aviation Administration

MATTHEW SMITH, Esq.
Office of Chief Counsel, FAA
(On behalf of Mr. Percy)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Jonathan Percy:		
By Mr. Williams		6
By Dr. Silva		14
By Mr. Banning		19
By Mr. Sipperley		20
By Mr. Williams		24
By Dr. Silva		26
By Mr. Sipperley		34
By Mr. Williams		35

I N T E R V I E W

(10:32 a.m.)

MR. WILLIAMS: On the record at 10:32.

Jon, my name is Shaun Williams, the operations group chairman investigating the facts and circumstances around the Taquan accident from the summer. So we just want to talk to you today to kind of get your perspective, see what you can help us out with here.

There are a few people on the phone. So, I'll let everyone kind of introduce themselves here. I'll start with Brice.

MR. BANNING: Brice Banning, NTSB.

MR. WILLIAMS: Sathya?

DR. SILVA: Hi, I'm Sathya Silva. I'm human performance with the NTSB.

MR. WILLIAMS: And Brad?

MR. SIPPERLEY: Yeah, it's Brad Sipperley with the FAA here in Fairbanks.

MR. SMITH: And I'm Matt Smith with FAA Legal.

MR. WILLIAMS: So today we will be using a tape recorder to record the interviews, which will then be sent off for transcription. The transcript, not the audio recording, will be made a part of the public docket when the accident is released.

MR. PERCY: Okay.

MR. WILLIAMS: The purpose that we're talking to you, like I said, is safety, to determine the probable cause and try and

1 prevent it from happening. You know the information, you can kind
2 of help fill in the gaps a little bit.

3 Each of the group members will have a chance to ask
4 questions. We'll go one at a time and usually about two rounds,
5 then we should be done.

6 Please answer all questions to the best of your recollection.
7 If you don't understand something just ask to have it repeated.
8 At the same time, if you realize you misspoke or want to change an
9 answer, please do so. We want the most accurate record as
10 possible. The same token, since we are using the recorder, please
11 verbalize your answers instead of the nodding and -- you'll catch
12 us doing it several times.

13 MR. PERCY: Okay.

14 MR. WILLIAMS: So you're entitled to have on representative
15 of your choosing. Is there someone you'd like to have?

16 MR. PERCY: I would like Matt -- last name is Rigby?

17 MR. SMITH: Smith.

18 MR. PERCY: Smith. Sorry. Get the two mixed up. Matt
19 Smith, the FAA attorney.

20 MR. WILLIAMS: So, Matt, you may direct Jon not to answer a
21 question or request a short break to confer with him; however, you
22 may not answer any questions for him.

23 MR. SMITH: Okay. Thank you.

24 MR. WILLIAMS: Are there any questions?

25 MR. PERCY: No.

1 MR. WILLIAMS: Okay.

2 INTERVIEW OF JON PERCY

3 BY MR. WILLIAMS:

4 Q. So, for the record, can you please state your name and title?

5 A. Jonathan Percy, principal operations inspector for the Juneau
6 FSDO.

7 Q. Okay. So, Jon, can you kind of give us a background, kind of
8 a general overview of your background and aviation experience, how
9 you got where you are?

10 A. Background was a flight instructor, first lessons in
11 Anchorage back in the '90s, an instructor in Anchorage. Then went
12 to flying with Wings Airways and Wings of Alaska locally here, and
13 then the FAA.

14 Q. So when were you hired with the FAA?

15 A. 2007.

16 Q. And when did you become a POI?

17 A. Probably in 2008, mid-2008, guessing.

18 Q. When did you become POI for Taquan?

19 A. I was a POI for them I think back in 2008 or 2009 very
20 briefly, but I can't -- I couldn't remember the exact dates, and
21 that wasn't for very long. And in this time, I believe it was
22 somewhere near the end of March or the very beginning of April.
23 It was soon after Brian Frederick had left the agency.

24 Q. Was that an official assignment?

25 A. It was listed in my SAS. I didn't get an assignment letter

1 but I was told that I had Taquan and I knew that I had Taquan.

2 Q. Okay. So at the time how many inspectors made up the CMT?

3 A. Three.

4 Q. Just three. How many other certificates were you responsible
5 for?

6 A. I couldn't tell you off-hand, probably in the forties.

7 Q. Okay. And you're no longer the POI for Taquan, correct?

8 A. No. And that was always meant to be just an interim
9 assignment, I believe.

10 Q. So, if you can think back, on average, do you remember about
11 how much of your time you were able to dedicate to Taquan? How
12 involved did you get in that short time?

13 A. Initially I had three check airman observations in April.
14 And after that -- it was at the same time, and that would be it
15 probably. And then being it's the early part of the season, we
16 have -- everybody's getting ready and I'm just doing check rides
17 basically for everyone and making sure everyone is set up for the
18 beginning of the season. And I also was about to go noncurrent
19 June 1st, so I'm trying to get everybody done by June 1st as far
20 as the check rides go. But I was there for -- and observed three
21 different check airman in March -- or April. Sorry.

22 Q. When you observed the check airman rides and go down there
23 for that, can you kind of tell me how do you prepare for that?

24 A. Well, they send me the -- a list, a letter of request if it's
25 a new check airman, and I'll review that their training is

1 complete and that the rest of the packet is complete, and then we
2 set up a time. And if it's somebody that's already one they had
3 seen, they just set up a time. I go down. I bring down my plan
4 of action, which I put together from the guidance and the
5 regulation, and then just make sure they're going to cover all the
6 items on the -- on that plan of action on the required list, and
7 that's pretty much it.

8 Q. Do you go back through their training program prior to --

9 A. Well, all the training programs, and as far -- I don't know
10 of anyone that goes above and beyond what's needed out of guidance
11 and the regulation. So, if you're looking at somebody for the
12 first time, I mean, you would know their training program, and
13 this one it's single engine VFR, sea, day only. They're all
14 pretty standard. So I probably did not look at their training
15 program before I went, knowing what is necessary for the ride. My
16 list is single engine sea ride, VFR.

17 Q. You mentioned you have your plan of action you take down
18 there. So when you're doing these rides, are you observing the
19 check airman giving a check ride to someone else?

20 A. Correct. And these specific ones for Taquan, that is
21 correct. So they also have a plan of action.

22 Q. Do they have to have that plan of action with them?

23 A. Yeah.

24 Q. If you showed up and the check airman said he doesn't use a
25 plan of action --

1 A. Then I would either reschedule or he would be disqualified.

2 Q. So Taquan is not necessarily a small operation; they have
3 quite a few operations during the day or events. What type of
4 oversight activities are expected during the course of a year from
5 a POI?

6 A. We would be observing training, which some of that can be
7 through -- can be done through the check airman observations. We
8 would look at their overall functions. We'd go through ramp
9 inspections. We'd do en routes. We're looking at just basic
10 compliance with regulation. So a lot of the air tour stuff we
11 have recommendations from you, so we hope to get on several air
12 tour observations as well. And that's what our focus would be in
13 the summer.

14 Q. To the best of your recollection, do you remember doing
15 anything other than the check airman observations with Taquan?

16 A. From that period from -- that I was assigned to them this
17 year?

18 Q. Correct.

19 A. No.

20 Q. How would you describe the relationship between the FAA and
21 Taquan when you were --

22 A. I think it was a positive relationship. I felt like they
23 were always working toward compliance. But that's in the brief
24 period that I have, but I haven't heard anything negative in the
25 office but I didn't have -- you know, the 3-month period where I

1 was also assigned to 40 other operators, I didn't have a lot of
2 exposure with Taquan to give you more than just I haven't heard
3 anything negative.

4 Q. And just to recap. So you came on the certificate probably
5 in April; is that what you said?

6 A. Uh-huh.

7 Q. End of March, April or was it --

8 A. Well, I was gone until April. So if I was assigned to them
9 at the end of March, I wasn't in town.

10 Q. Okay. But you were assigned as the POI at the time of the
11 accident or had you already been moved?

12 A. I was. No, I was. It was -- but they were already -- at
13 that time they had been talking, I think, transferring to South
14 Carolina sometime in early June possibly. So maybe there's
15 thoughts that, all right, well, I can focus on a lot of other
16 operators. I've got -- you know, there's no shortage of work.
17 There's a team coming on to handle these guys; they're going to
18 get some coverage here pretty soon. I think that's part of the
19 reason for not spending more time at Taquan.

20 Q. Did you ever communicate with the folks out of South
21 Carolina?

22 A. I only had a very brief communication with them on the phone
23 when they introduced themselves, but I had no communication with
24 them about day-to-day operations.

25 Q. Do you know if that was before or after the accident?

1 A. What, that --

2 Q. The phone call with them.

3 A. Before it was -- I don't know.

4 Q. Okay. As -- or while conducting the check airman
5 observations, one of the things that they accomplish is their CFIT
6 escape or CFIT training.

7 A. Uh-huh.

8 Q. Do you recall anything about that?

9 A. Something that everybody does and that we always watch, or at
10 least everybody that I've observed, is 180-degree weather turn.
11 That's usually the most obvious one to use.

12 Also, if they have situational awareness like they do on
13 CFIT, a lot of it is, all right, you've done 180-degree turn; now
14 what are you going to do? They can't do -- no one is certified
15 IFR. They are not, and their equipment's not certified IFR. So
16 we don't do an approach, and in a lot of situations it's not
17 really applicable. But it's to stay over water and away from
18 terrain using your situational awareness.

19 And Capstone is fairly good, but even then it's -- I've
20 noticed that it's off a little bit, but it's better than nothing
21 if the 180-degree doesn't work. But usually it starts off with
22 the progression, it's getting worse, what are you going to do?
23 Turn toward shore or away from shore? Hopefully the answer is
24 turning toward shore so we keep visual side of a reference. If
25 you've gotten squeezed too close into the mountains, you've

1 obviously pushed it too far. And then, if you've flown IMC, turn
2 out over the water and make sure that they're doing a level turn
3 back to the reciprocal heading. And that would be a pass.

4 Q. What about altitude changes? Do you remember anything about
5 climbs or descents following the 180-degree turn?

6 A. No. Usually I'll test it to -- because you're already
7 assuming that you're down at your minimums. So you're going to
8 just do a level 180-degree turn.

9 Q. So in your time as POI do you recall how they performed
10 operational control, how they maintained operational control?

11 A. I would -- I don't know the specifics other than what
12 everybody -- what is required out of operational control. But
13 initiating, terminating, and you've got, you know, the main
14 management in there, but --

15 Q. So who has the responsibility for the operational control?

16 A. In the company? It's going to be the director of operations.

17 Q. I'm going to skip around here just a little bit since --
18 let's talk about that just for a couple of minutes here. The
19 director of operations, what was your interaction with him while
20 you were --

21 A. The only interaction I had that I can recall with the
22 director of operations was communication with him before the
23 accident about a candidate they had to replace him, John -- I
24 think his name's John Dorward, the current one.

25 Q. Were you aware that the director of operations was also the

1 DO for another large 135?

2 A. And I don't think I knew that before the accident but was
3 made aware, definitely made aware after the accident.

4 Q. What about his contract sim instructor job with Alaska Air,
5 did you know anything about that?

6 A. I do not. I still don't, except for right now.

7 Q. Did you have any conversations with the POI for Grant
8 Aviation concerning the DO?

9 A. No.

10 Q. To your knowledge was he in Ketchikan? Was he physically in
11 Ketchikan?

12 A. The --

13 Q. The DO?

14 A. I'm not sure. I don't know if he lives there permanently or
15 if he commutes. I have no idea.

16 Q. I guess what I'm kind of getting at is, during day-to-day
17 operations during the summer and things like that, if he was
18 physically based there or if he was being a DO from elsewhere, if
19 you knew anything about that?

20 A. I thought he lived there but I could be wrong.

21 Q. When you were conducting the check airman rides, do you
22 recall seeing him there?

23 A. No.

24 Q. Did you ever observe any of the flight coordinators doing
25 their job while you were there for the check airman?

1 A. No.

2 MR. WILLIAMS: Sathya, do you have questions? I'm going to
3 pass it off to you.

4 DR. SILVA: Okay. Sounds good.

5 BY DR. SILVA:

6 Q. Going back to CFIT training, you described different aspects
7 of it. In your opinion do you feel like that's adequate?

8 A. Yeah. I don't -- I still to this day don't understand why
9 people are still flying into mountains, and I'm sure you're just
10 as perplexed. But to turn away when the weather is bad, that's
11 the initial part. Like if weather is getting bad, you turn
12 around. You can always land. All those options are out there.
13 There are really not a whole lot of other options and, gosh, if
14 you guys come up with anything as a result of all the CFITs we're
15 having, we would be more than happy to adopt them. But I don't
16 know what else to do besides a 180 degrees and then get on the
17 instruments and hopefully stay over water without getting into
18 that situation in the first place.

19 Q. Okay.

20 A. I mean, everything can be improved.

21 Q. When -- and I might have missed this in your description of
22 the CFIT training, but was there any -- is there any requirement
23 to change your speed or --

24 A. Any requirement to what now?

25 Q. To change your airspeed?

1 A. To change your airspeed? You're always -- if you're doing a
2 turn and you're -- especially if you're IMC, we always -- I mean,
3 you want to do it slow and you want to do it with minimal bank
4 because anything else is going to, you know, obviously chew up
5 space and make you disoriented. So --

6 Q. Okay.

7 A. I mean, not to the point that --

8 Q. As far as you know, do they -- does Taquan train that?

9 A. I don't know if they train that. It's that -- I observed
10 checking on a satisfactory check ride performance of a CFIT
11 maneuver.

12 Q. Okay. And you did observe training?

13 A. I did not observe training. I observed checking.

14 Q. Oh, you did not. Okay. Got it. So in your opinion or
15 actually in your experience have you ever had an operator or a
16 director of operations that hold two 119 positions --

17 A. Yes.

18 Q. -- for different companies? Okay. What was the nature of
19 those positions and what's your opinion on that?

20 A. So holding, you talking about holding two -- maybe like not
21 working for different companies, but someone's the chief pilot for
22 one and then like a director of operations for another? I'm
23 trying to think if --

24 Q. Right. Exactly.

25 A. -- that if I can think of one that we have. And I know that

1 -- I'm sure they've been out there. We've often permitted people
2 to hold two positions in the same company. But right now I can't
3 -- I can't think offhand of a company that has had -- who has
4 served two management positions for two different companies.

5 Q. Okay. Well, you mentioned that you approved one person to
6 hold two positions. What are the circumstances for that kind of
7 decision?

8 A. Size and scope of the operation. It had a deviation to hold
9 like a chief pilot and a director of operations.

10 Q. Okay. And are those for smaller operations?

11 A. Yes.

12 Q. Okay. So if you did have someone who was director of
13 operations for two large 135 operations would you have concerns
14 about that or would that be normal practice?

15 A. I guess it would depend if they're -- what type of operations
16 they were doing, how complex. There's a lot of different aspects
17 to think about on whether or not I'd be concerned or not. If it
18 was something that I was really concerned about, then I wouldn't
19 approve it.

20 Q. What goes into that decision making? Can you give me some
21 examples of what might be cause for concern in the size and scope
22 of the operations?

23 A. Just how much time they would be able to allocate to each
24 company and how effective they are at actually fulfilling the
25 responsibilities of their job at both places. So obviously I

1 don't think it would be ideal in any situation to have him hold
2 two positions. But then a lot of times, I guess if there's an
3 interim where they're already leaving or if they have other plans,
4 it's better to have an experienced person in the spot than no one
5 in the spot, or somebody who they just pulled off the line because
6 he meets the requirements. So those would go into it. But it
7 would definitely be something that long term we would be looking
8 for a solution to rather than to continue in that situation. If
9 that answers your question.

10 Q. Do -- sorry. Continue.

11 A. No. I just wasn't sure if I had answered the question the
12 way you had asked it.

13 Q. Uh-huh. Yes. What was I going to say? One second.

14 Do you feel like it's possible to do the DO position for an
15 operation like Taquan remotely in order be effective at that job?

16 A. You mean entirely remotely, to never be on site or to be
17 there part-time?

18 Q. Or rarely be on site. Let's say once a month or so.

19 A. Like how long would he be there a month? Again, if he was
20 there for a day, probably not. If he was there for 2 weeks, he
21 might have enough insight on it, and hopefully he's being made
22 aware of day-to-day operations while he is in his other position.

23 Q. Okay. So I think Shaun asked you this already, but did you
24 have any conversation with the DO regarding him -- you said
25 vacating the position, but he didn't say anything about --

1 actually can you kind of relay what your conversation was with the
2 DO? That would be a better question.

3 A. He had just -- you know, and that -- he might have mentioned
4 that he had worked for somebody else in July. I think it was
5 early July when he first started talking to me about finding a
6 replacement. But it was just he's got a candidate or a nominee
7 that he was wanting to see if he was qualified, and that was
8 basically the extent of the conversation. And I think I -- asking
9 me if I would interview him and he wanted to make sure that he
10 would meet the qualifications before he quit his job in Thailand,
11 I think, because it was a big move for him. But that was pretty
12 much the extent of the conversation.

13 Q. Okay. Got it. And the last thing I have written right now
14 is regarding operational control. You mentioned the DO for Taquan
15 would have operational control. Would he be able to delegate that
16 to anyone?

17 A. Yes.

18 Q. Okay. What would that look like?

19 A. Anybody that -- they should be listed by name and it would be
20 any of -- could be -- the chief pilot also shares that. It could
21 be another person trained and listed in the manual. The flight
22 followers are usually also someone they can delegate it to as
23 well.

24 Q. Okay. Do the flight followers also need to be listed by
25 name?

1 A. You know there -- it says everybody should be listed by name
2 in the guidance, and whether they keep the list in the manual or a
3 current list in the office is -- I'm not sure how they do it at
4 Taquan.

5 Q. Okay. I understand.

6 DR. SILVA: All right. I will pause for now. Thank you.

7 MR. WILLIAMS: Brice?

8 MR. BANNING: Just a couple questions. I'm sorry if I'm
9 repeating here.

10 MR. PERCY: Oh, no worries.

11 BY MR. BANNING:

12 Q. You stated, I think -- make sure I got this correct, that you
13 became the POI for Taquan the end of March or the first of April;
14 is that right?

15 A. Yes.

16 Q. And to when? Do you remember when?

17 A. To very shortly after the accident.

18 Q. Okay. And that's when it was transferred to South Carolina?

19 A. South Carolina, right. And they had spoken about
20 transferring this for a couple of -- probably at least a month
21 prior.

22 Q. Okay. And do you know -- and so you took the Taquan
23 certificate over from Brian Frederick; is that correct?

24 A. Correct.

25 Q. When that transition happened did you and Brian have a

1 conversation? Can you explain to me what that transition looked
2 like at all?

3 A. There was very little conversation. I took everything that
4 Brian had when Brian left, so -- and I think at that point he's
5 trying to just -- we're just trying to get stuff done. It's
6 beginning -- we're probably at a terrible time for Brian to leave,
7 you know, but you can't blame him. But there's a lot of stuff
8 that has to happen in the spring and we're just getting day-to-day
9 stuff done and putting out the fires as usual, and he left.

10 Brian is a very responsible POI and he tried to, you know,
11 tie up all the loose ends before he left. But we didn't have much
12 of a discussion except there might be -- you know, I think he
13 mentioned Misty's adding an airplane. Scott Air is adding an
14 airplane, and these are all the tasks that I'm going to now be
15 doing. So -- but it wasn't much -- it wasn't -- very little
16 discussion about Taquan.

17 Q. Do you recall when Brian left?

18 A. At the end of March. I can't give you a date.

19 MR. BANNING: Okay. I think that's all I had. Thank you.

20 MR. PERCY: Sure.

21 MR. WILLIAMS: Brad?

22 MR. SIPPERLEY: Yeah.

23 BY MR. SIPPERLEY:

24 Q. Hey, hi, Jon. How you doing?

25 A. Hi, Brad.

1 Q. Hey, so my follow-up questions here. So you said you were
2 assigned in SAS the end of April or March or beginning of April.

3 A. Uh-huh.

4 Q. Did you complete or start any DCTs?

5 A. I did not.

6 Q. Okay. You said the assignment ended 4 months later?

7 A. Yeah, or 3, right -- April, May, June and then July. So it's
8 about 3½ maybe.

9 Q. About 3 -- okay, 3 or 4 months. You said you picked up all
10 of Brian's assignments. How many more -- how many other operators
11 of Brian's did you pick up?

12 A. I'm not sure. And it was, and it might -- some of those
13 might have gone to -- there was so much juggling with
14 certificates, but I remember picking up most of Brian's bigger
15 ones. But I don't know -- I couldn't tell you how they were
16 assigned at the time because there was -- our assignments were
17 changing rapidly. And I think that's part of the reasons why we
18 didn't get a letter, because they'd issue a letter, a new letter
19 every week, because they were constantly trying to juggle our
20 workload around and the complexity around. So it was tough to
21 know who you were keeping from week to week in that period.

22 Q. Okay. So prior to picking up Taquan, you said you had 40
23 other operators?

24 A. It was close. I think the only -- we had three inspectors --
25 Alyssa, Brian and myself -- and we shared all the complexity for

1 the Juneau, and I think there's somewhere around 8,000 points or
2 something like that. So it was a lot. I couldn't give you the
3 exact number between the 135s, 133s and the 137s out there. But
4 it was always right around 40 for a long time.

5 Q. Okay. I think Brice asked this question, but there really
6 wasn't any handoff of duties from -- anything official between
7 Brian and you regarding any of these operators other than just,
8 okay, here they are in SAS?

9 A. Yeah, nothing official. He would tell me what projects he
10 had going on right now. But even then it wasn't -- you know, it
11 was here's where they're at and, you know, the operator will be
12 able to pick up where he left off. It's not too hard to pick up
13 where someone left. The operator is usually a pretty good line of
14 events going on and doors to go through. But it wasn't --
15 definitely nothing formal.

16 Q. Okay. Do you know if only the ops side was sent to the South
17 Carolina office or was the whole certificate?

18 A. Just the ops positions.

19 Q. Okay.

20 A. The certificates are still held in Juneau that are being
21 managed by ops inspectors in South Carolina.

22 Q. Okay. And how many ops inspectors are there now in Juneau?

23 A. Well, there's me, and then Matt Dahl is in the Kenai
24 Peninsula, and he recently became a POI. He was a geographic.
25 And Bill Miller is in Fairbanks and he's working the other ones.

1 And he's assigned to the Fairbanks' office but also just holding
2 the POI positions for the operators on the Kenai Peninsula and
3 Kodiak.

4 Q. Okay. So you're the only physical -- the only person
5 physically in Juneau --

6 A. Correct.

7 Q. -- POI, the other guys are spread out. Okay.

8 Let's see. Switching subjects here. So the airspace down
9 there, that's all Class G; is it not?

10 A. Well, and E.

11 Q. For the most part, I mean, around -- for the route of the
12 accident flight, was that --

13 A. Well, I guess depending -- you know, obviously at impact it's
14 going to be G because we're within, you know, 1200 feet of the
15 surface. But the -- everything, yeah, 1200 feet to the surface,
16 and above that Class E.

17 Q. Okay. So the weather minimums then for that area, of course,
18 for Class G airspace, can you describe what those are?

19 A. Be 500 and 2.

20 Q. 500 and 2. Okay. Just as a matter of opinion, do you think
21 500 and 2 is -- you know, over the water that seems to be adequate
22 because you really don't have any terrain to worry about over the
23 water, but how about in the mountainous terrain?

24 A. In my personal flying opinion, I probably would be
25 uncomfortable flying in mountainous terrain at minimums.

1 Q. Okay.

2 A. But I'm not -- I don't do it for a living and these guys
3 might be more comfortable. But we discourage it, I'm sure.

4 Q. Okay. Were you aware of the chief pilot picking up any of
5 the daily duties of the DO during your time?

6 A. No.

7 MR. SIPPERLEY: Okay. I don't have any other questions at
8 this time.

9 MR. WILLIAMS: Okay. Thanks, Brad.

10 BY MR. WILLIAMS:

11 Q. So I just have a few follow-ups here. So I'll start kind of
12 towards the end and go back. You mentioned 500 and 2; what is
13 that? What does that mean?

14 A. That's 500 feet above the surface and 2 miles of visibility.

15 Q. Okay. So when you became a POI, I know it's been a while,
16 but what kind of training did you have? Was there anything
17 specific in Oklahoma City? Kind of describe the training that you
18 had to be a POI.

19 A. Well, there's the whole string class which was 9 weeks. At
20 the time I just did a straight 9 weeks, is the way they were doing
21 it in Oklahoma City. And then you have on-the-job training here.

22 Q. Were there any specific classes on being a POI as far as
23 operational control, designating 119 officials --

24 A. Um-hum. There are.

25 Q. There are. Okay. So if someone applies to be a 119 official

1 to hold a position, you get that application or nomination --

2 A. Um-hum.

3 Q. -- for the person. Do you compare that? Do you check any of
4 the FAA databases to see if they're on any other certificate or is
5 it up to that person to make it known that they are holding
6 multiple positions?

7 A. Well, they'll put out a resume. You would hope that the
8 resume is going to list all their positions. So on that, you
9 know, the onus is on them to give a truthful document. You
10 compare that, I guess, just to make sure they have the minimums to
11 make the position.

12 But to answer your question, I don't -- I don't think I've
13 checked a database to see if they've held or if they are in the
14 ops specs for another position. And I don't believe that anybody
15 has lied to me about that. But I feel like the resumes I get are
16 accurate and they're accurately showing the positions that they're
17 in. But usually it's somebody that's working exclusively at the
18 company, so it's pretty easy. Or Dorward, I don't know if Dorward
19 -- he just gave his resume and he came here, so -- but I didn't
20 approve him.

21 Q. We've talked a little bit about when you took over from
22 Brian, you took Taquan over from Brian, just there was a whole lot
23 going on and just trying to put out the fires. What typically do
24 you look at when you're -- you're taking over a certificate, say,
25 Brian is handing it off to you, if it's not necessarily the super

1 busy season --

2 A. Um-hum.

3 Q. -- what are you looking at? Are you reviewing the GOMs? Are
4 you reviewing the training programs? How does that transition
5 take place?

6 A. If you have more time you can look through them -- once a GOM
7 is accepted and approved, you know, you can't go back and you're
8 not going to look through every manual that's been accepted and
9 approved. Usually you'll go back if there's a GOM request or a
10 training program revision either requested by them or mandated by
11 the agency, then we'll go back and review it. We will go through
12 an audit in the office and go through manuals and training
13 programs and make sure that everything is up to date. But, you
14 know, once somebody is approved and another inspector's approved a
15 manual, unless there's another reason to go in there and look at
16 it, there's not a whole lot of reason to go start to finish
17 through a manual once you've received it.

18 Q. And my last one. Were you aware that they were operating
19 under an initial approval for their training program?

20 A. No.

21 MR. WILLIAMS: Okay. Sathya?

22 DR. SILVA: Yes.

23 BY DR. SILVA:

24 Q. Okay. So you mentioned that you didn't do the approval for
25 the DO in this case, but given that there were transitions made

1 with the DO applying for getting and that other job, are you
2 expecting that they would disclose that to you?

3 A. No, I'm not understanding. I'm sorry. Who are we talking
4 about and -- if you'd clarify?

5 Q. Sorry. So we're talking about the DO -- sorry. We're
6 talking about the 119 position.

7 A. Um-hum.

8 Q. And in the case that a current 119 official gets another 119
9 position, are you expecting them to disclose that to you or is
10 there any requirement that they disclose that to you?

11 A. You know, I don't believe if there was -- they were already
12 the DO for our company. I think it would be more important for
13 them to disclose that to the new company. But if they were
14 looking for another -- to take on another job at another one, I
15 would hope that he would tell me, but I can't think of a
16 requirement that says he needs to.

17 Q. Okay. Is there a requirement anywhere for the two POIs to
18 talk at all?

19 A. If -- you wouldn't even --

20 Q. How would you find out about that?

21 A. I guess you wouldn't know if he didn't disclose it. But if
22 they -- yeah, I mean it would be -- I can't think of a requirement
23 where it says we need to discuss it with each other.

24 Q. Okay. Would you expect that, though?

25 A. If they knew that he was a DO for another company, he was

1 going to be there, I might expect to call to ask what his opinion
2 was on the person and whether, you know, if maybe that -- maybe,
3 depending on the situation.

4 Q. Okay. During the approval process?

5 A. Um-hum.

6 Q. Let's say another scenario here. Let's say you found out
7 after approval that someone that you had just approved was also on
8 a 119 certificate somewhere else, would you contact the other POI
9 in this case, even though the approval is already given, with that
10 information?

11 A. I think it would be more important to discuss it with the
12 operator that he -- that we just found out about. So if he's
13 working for here and we found out about, it would be -- my
14 responsibilities would lie with this certificate that I was
15 assigned to and the certificate that he's the DO for. So my
16 initial would be to discuss it with the company. And then I'd
17 certainly be questioning why he didn't feel like he needed to tell
18 me. And if it was a problem, we'd go through the amendment
19 process of ops specs if it wasn't going to work out.

20 Q. Okay.

21 A. And then, yeah, I'm sure I would talk to the other POI once I
22 found out who it was, and let him know.

23 Q. Okay. In your opinion, do you think that it's possible for
24 someone, again, with an operation like Taquan, would it be
25 possible for one person to do the job of both chief pilot and

1 director of operations?

2 A. We wouldn't allow it in Taquan's situation because they're a
3 commuter and it's explicitly not allowed.

4 Q. Sorry. Can you clarify why it's not allowed?

5 A. Because they're a commuter, and in commuter, the way our
6 guidance is written that you can't have dual positions. You can't
7 do the positions of two people within the company as a commuter.
8 You won't get that deviation.

9 Q. Okay. And how long is it appropriate for one of the
10 positions to go unfilled?

11 A. I think you can give them 30 days' notice and then maybe an
12 additional 30 days' notice after that, but the sooner the better.
13 But you have to give them due process to find another person, but
14 it can take -- I think the initial time frame is about 30 days.

15 Q. Um-hum. Okay. What's your general impression of Taquan?

16 A. I'm sorry? I couldn't hear you.

17 Q. What is your general impression of Taquan?

18 A. I wouldn't have expected them to have the CFIT that they did.
19 I feel like they're -- they try to operate in compliance. I
20 haven't heard -- like I said, I don't -- I had enough on my plate,
21 to monitor other certificates that I'm not assigned to. There's
22 just not enough time to even adequately monitor all the ones that
23 I'm assigned to, in my opinion. But I haven't heard anything --
24 hadn't heard anything negative about them prior. I know their air
25 tour, they've set themselves higher minimums. But this wasn't an

1 air tour so that didn't apply, and you'd expect they would apply
2 the same level of safety, but I -- that's all I can say is I
3 haven't heard anything negative.

4 Q. Okay. So along those lines, how would you characterize your
5 workload?

6 A. Now or then?

7 Q. Let's say at the time of the accident.

8 A. Heavy.

9 Q. Did you have the time that you needed to complete your tasks?

10 A. No.

11 Q. How would you prioritize?

12 A. We all have to do everything by our perceived risk.

13 Q. Okay. And where did Taquan fall in that realm --

14 A. I didn't view Taquan as a -- I mean, it wasn't -- I guess I
15 wasn't communicated to me that they were high risk. Like I hadn't
16 -- you know, you might take some time to -- as you've been
17 assigned to a company, I don't know if you would know where they
18 are within a first couple of months. It takes some time to -- you
19 know, communication and observations to determine where they would
20 fall risk-wise. But Brian hadn't communicated anything to me that
21 would indicate that they were a high risk operator.

22 Q. Okay. What would quantify a high risk operator?

23 A. One that had previous EIRs, enforcement activity, recent
24 accidents, high turnover. There's quite a few different things
25 that we would use.

1 Q. Okay. And is that defined somewhere?

2 A. Yeah, I believe in guidance, or we have the priority index
3 that also is a way to quantify how somebody gets -- has an
4 increased risk and expected surveillance. There's a few different
5 areas, I believe.

6 Q. Okay. And then back to the approval process for 119s. When
7 you make these decisions for 119 officials is there any guidance
8 that you use to approve or disapprove?

9 A. The FARs and the 8900.

10 Q. Do any of those specify anything regarding holding multiple
11 positions?

12 A. Yes. Now you're talking about multiple positions within the
13 company or multiple positions within two different companies?

14 Q. Multiple positions -- multiple part 119 positions with two
15 different companies.

16 A. Yes.

17 Q. Do you recall what that guidance is?

18 A. Well, it says that part-time can be approved depending on the
19 discretion of the POI, I believe. I couldn't recite it to you
20 perfectly but they do address part-time 119.

21 Q. Okay. So is that a question that you ask during the
22 interviews in terms of holding multiple positions?

23 A. If they are going to have --

24 Q. How do you find out?

25 A. -- to work at two different places? I think initially I

1 would discourage it and I wouldn't want it and we'd be looking for
2 another option. And I believe that was the situation with Taquan
3 too, where he was holding it while they were trying to find a
4 better candidate, and it was better to have an experienced person
5 in their position than to have an inexperienced or no one at all.

6 But that I think Brian would probably be able to expound on a
7 little better. But that would be the same philosophy I would hold
8 too, that I would rather have somebody who knew what they were
9 doing in that position rather than having it vacant.

10 Q. Okay. Okay. And -- okay, let me see. I think you said
11 during -- that you would base your -- that knowledge on what
12 positions they held based on their resume. Do you have -- do you
13 ask them a specific question regarding other positions, another
14 119?

15 A. If they are currently holding another position? I don't
16 believe that I've asked them that before.

17 Q. Okay. Is that something that you infer through the resume?

18 A. That would be something I would infer through the resume.

19 Q. Okay. Again, you touched on this with Shaun, but can you
20 explain the transition of the -- your experience with the
21 transition of the certificate over to the South Carolina office?

22 A. I'm not sure what you're asking.

23 Q. So what was that transition like? Did you just kind of pass
24 over the files? Other events that you have --

25 MR. SMITH: I just want to clarify. The certificate was not

1 transferred to South Carolina, correct?

2 DR. SILVA: Oh, sorry.

3 MR. PERCY: That is correct.

4 DR. SILVA: Yes.

5 MR. SMITH: Okay. Would you just clarify the process you're
6 asking about? I assume you mean the operations portion of the
7 responsibilities?

8 DR. SILVA: Yes. Exactly. That's correct.

9 MR. SMITH: Thanks.

10 MR. PERCY: There wasn't -- as far as I know, there really
11 wasn't much of a process other than assigning the POI positions.
12 There were four people in South Carolina to take over I think all
13 of Ketchikan except for Misty Fjords and Scott Air. And how they
14 determined who would get what was not part of my decision-making
15 process and I don't -- didn't have -- Todd didn't reach out to me
16 very much to ask about anybody, or anybody in South Carolina
17 hasn't reached out. But we, I mean, if we had concerns with the
18 company we would -- we'd definitely be communicating those with
19 the new POIs, but there's nothing extraordinary right now to
20 communicate aside from the Taquan.

21 BY DR. SILVA:

22 Q. Okay. So you'd expect a new POI to reach out to you?

23 A. If he had questions, I would.

24 Q. Okay. So is there any type of handoff or conversation or
25 anything that you have when transferring the operation?

1 A. Not -- I did not have one.

2 DR. SILVA: Okay. All right. I think that's it for my
3 questions. Thank you.

4 MR. WILLIAMS: Brice?

5 MR. BANNING: I don't have any more questions. Thank you.

6 MR. PERCY: Okay.

7 MR. WILLIAMS: Brad?

8 MR. SIPPERLEY: Yeah, I just have a couple, Jon.

9 BY MR. SIPPERLEY:

10 Q. In the beginning they were talking about Brian leaving, you
11 said that you can't blame him. Could you expand on that?

12 A. Oh, I meant he was -- he got an opportunity to be the -- you
13 know, go back and have almost the same pay, I think, and being a
14 PIC again. And he's young and, you know, I think he still enjoys
15 flying. And he was often concerned about the workload here, and
16 I'm sure he'll explain that to you as well.

17 Q. Okay. So you think part of it was the workload?

18 A. I would be guessing what Brian is feeling. I think it would
19 be better to ask Brian.

20 Q. Okay. I understand. The only other question I have is, are
21 you aware of any changes Taquan has done since the accident to
22 match their air tour operations procedures to the rest of their
23 operation, for example, the weather minimums?

24 A. I do not. Or I am not.

25 Q. Okay.

1 MR. SIPPERLEY: I don't have any other questions.

2 MR. WILLIAMS: Just one, Jon, and I think we will wrap up.

3 BY MR. WILLIAMS:

4 Q. So the transition was already taking place for POI position
5 from here and South Carolina at the time of the event?

6 A. Uh-huh.

7 Q. Was the new POI down there, was he kind of taking over
8 anything prior to the accident or was it still you were the POI
9 until the official switch happened following the accident?

10 A. I was the POI until they were reassigned. I'm not exactly
11 sure if that's what you're asking, but there -- you know, I guess
12 the way it works is I'm the POI for this company until I'm not,
13 and then they're the POI. And there was nothing other -- in
14 between that, I guess.

15 Q. Okay. I didn't know if they had come up prior to --

16 A. No, they didn't. I don't know when -- I think the first time
17 they came was in September, but I could be wrong about that.

18 MR. WILLIAMS: Okay. All right. I think that's it. Does
19 anybody else have any questions?

20 MR. SIPPERLEY: None for me. Brad.

21 MR. WILLIAMS: Okay. Is there anything we're missing?
22 Anything you can help add?

23 MR. PERCY: I don't think so. But I'm always available if
24 you have further questions.

25 MR. WILLIAMS: All right. Well, we appreciate it and thank

1 you very much for taking the time to talk to us.

2 We are off the record at 11:23.

3 (Whereupon, at 11:23 a.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

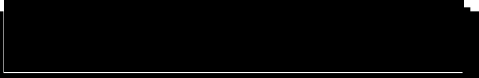
IN THE MATTER OF: HYDABURG, ALASKA DE HAVILLAND DHC3T
 OTTER COLLISION WITH TERRAIN
 JULY 10, 2018
 Interview of Jonathan Percy

ACCIDENT NO.: ANC18FA053

PLACE: Juneau Flight Standards District Office
 Conference Room

DATE: October 31, 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.



Letha J. Wheeler
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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HYDABURG, ALASKA DE HAVILLAND DHC3T *

OTTER COLLISION WITH TERRAIN * Accident No.: ANC18FA053

JULY 10, 2018 *

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Interview of: BRIAN FREDERICK

Former Principal Operations Inspector

Wednesday,
October 31, 2018

APPEARANCES:

SHAUN WILLIAMS, Operations Group Chairman
National Transportation Safety Board

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

BRICE BANNING, Investigator in Charge
National Transportation Safety Board

BRAD SIPPERLEY
Federal Aviation Administration

PAT HEMPEN, Accident Investigator
Federal Aviation Administration

MATTHEW SMITH, Esq.
Office of Chief Counsel, FAA
(On behalf of Mr. Frederick)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Brian Frederick:		
By Mr. Williams		6
By Dr. Silva		17
By Mr. Banning		28
By Mr. Hempen		30
By Mr. Williams		33
By Dr. Silva		34

I N T E R V I E W

(2:02 p.m.)

MR. WILLIAMS: We are on the record 1402.

So, Brian, again thanks for meeting with us. Shaun Williams, I'm the operations group chairman with the NTSB. We'll get to the facts and circumstances around the Taquan accident from the summer.

NTSB is an independent agency charged with determining probable cause of the accident, promoting safety through that mission. We are not a part of the DOT or FAA, and have no regulatory or enforcement powers.

I'm going to let everybody go around the room and just kind of introduce themselves so you know who all is here with us today.

Okay. Brice?

MR. BANNING: Brice Banning, NTSB.

MR. WILLIAMS: On the phone?

DR. SILVA: Sathya Silva. I am human performance with the NTSB.

MR. WILLIAMS: And Pat?

MR. HEMPEN: Pat Hempen, the AVP-100, basically the accident investigation arm of the FAA. And we're -- you know, our main goal is to continual operational safety issues. So, thank you.

MR. SMITH: Matt Smith, legal, FAA.

MR. WILLIAMS: So you're okay talking with all of us here today?

1 MR. FREDERICK: Um-hum.

2 MR. WILLIAMS: Okay. Perfect. We'll be using the tape
3 recorder to record the interviews, which will then be placed in
4 the public docket, the transcript, not the audio recording.

5 MR. FREDERICK: Okay.

6 MR. WILLIAMS: So, like I said, the purpose of the
7 investigation is safety, to determine probable cause to prevent
8 reoccurrence of the accident. It's not to assign fault, blame or
9 liability. However, at the same time, we can't -- cannot offer
10 any guarantee of confidentiality or immunity. So, like I said,
11 this will be part of the docket when the accident is released.

12 MR. FREDERICK: Okay.

13 MR. WILLIAMS: Each of the group members will have a chance
14 to ask questions. We'll ask them one at a time, and we'll go
15 around the room and on the phone usually about two rounds.

16 MR. FREDERICK: Okay.

17 MR. WILLIAMS: Please answer all questions to the best of
18 your recollection. If you don't understand a question, ask to
19 have it repeated. At the same time, if you misspoke or want to
20 change an answer, please do so. We want the most accurate record
21 as possible.

22 MR. FREDERICK: Okay.

23 MR. WILLIAMS: With that said, we are using a tape recorder
24 so try to avoid nodding and shrugging and --

25 MR. FREDERICK: Yeah.

1 MR. WILLIAMS: -- other gestures. Just be verbal about it
2 please. We'll all catch each other as we go along, believe me.

3 You're entitled to have one representative of your choosing.
4 Is there someone you would like to have as your representative?

5 MR. FREDERICK: Yeah, Matt Smith.

6 MR. WILLIAMS: Okay. Matt, as always, you may direct Brian
7 not to answer a question or request a short break; however, you
8 can't answer any questions for him.

9 MR. SMITH: Understood.

10 MR. WILLIAMS: Do you have any questions?

11 MR. FREDERICK: Nope.

12 MR. WILLIAMS: Okay. So I'll begin the interview.

13 INTERVIEW OF BRIAN FREDERICK

14 BY MR. WILLIAMS:

15 Q. So can you just state your name and job title please?

16 A. Yeah. My name is Brian Frederick. Currently I'm a captain
17 on a Learjet with Aero Air, flies for Airlift Northwest.

18 Q. And what was your position with the FAA before you left?

19 A. I was an aviation safety inspector and a principal operations
20 inspector.

21 Q. Okay. You were assigned to the Taquan certificate?

22 A. Correct.

23 Q. Okay. So kind of give me just an overview of your background
24 and --

25 A. Aviation-wise?

1 Q. Yes, please.

2 A. I graduated high school in 2000, which is when I started
3 flying. I accumulated my CFI, double I, MEI within a couple
4 years. Started flying corporate out of Las Vegas flying a King
5 Air 350. Then I went to Horizon Air and Skywest Airlines for a
6 few years. And then moved back home, flying for Airlift
7 Northwest, the same job I'm at now. And had a kid, so I decided I
8 needed to be home a little more. So this opportunity at the FAA
9 came up, so I did that for the last 5½ years. And, yeah, last
10 spring I got a call from my old chief pilot asking if I would be
11 interested in coming back and decided to go back.

12 Q. Okay. When were you hired with the FAA; do you remember?

13 A. Yeah. It was August -- it was the middle of August in 2012.

14 Q. And then when did you leave?

15 A. May -- or, I'm sorry, March of 2018.

16 Q. Do you remember if it was the beginning or end of March?

17 A. I think it was the middle, 20th-ish, somewhere in there.

18 Q. How long had you been the POI for Taquan?

19 A. I don't know exactly. Around 2 years. It had been a couple
20 years that I had been there; 2, maybe 3 years.

21 Q. Okay. Do you remember when you were the POI for Taquan about
22 how many certificates you had, you were responsible for?

23 A. It varied so much within that 2 years. We would go anywhere
24 from 20 to over 30, at times, roughly. I mean, and sometimes I
25 didn't know the -- all the operators I had, it was changing so

1 rapidly.

2 Q. So can you kind of elaborate on that for me just a little
3 bit? So you didn't know the operators. Was it -- were you
4 getting work assignment letters or did you even know you had been
5 assigned new operators? How --

6 A. Yeah, there were times we were, times we weren't. There was
7 just a lot of shuffling of operators with the workload the office
8 had.

9 Q. Okay. On average, about how much of your time were you able
10 to dedicate to Taquan?

11 A. I really don't know percentage-wise. I would hesitate to
12 guess.

13 Q. Was it more than some of your other operators? Was it kind
14 of even across?

15 A. I mean, I would say it was more than most of the operators.
16 I had a lot of small single pilot operators that, you know, just
17 operated in the summer. I would see them once or twice a year,
18 and I would see Taquan a lot more than that. But I don't -- yeah,
19 I would say it was in the higher end of the operators I had.

20 Q. Okay. About how often would you see Taquan?

21 A. I would say once or twice a quarter I'd get down there.

22 Q. So winter and summer about the same?

23 A. Yeah. And I would say that's average. I'd probably see them
24 -- go down there for them six to eight times a year. You know, it
25 might be a little bit more in the summer. I might not go January

1 through March, but would go more in the summer and fall or
2 something. It would be a little mixed though.

3 Q. Okay. How would you describe the relationship between the
4 FAA and Taquan?

5 A. It was good. I had -- I felt like I had a good, open working
6 relationship with the 119 personnel there. We had good lines of
7 communication. I'd get -- I felt informed about what they were
8 doing and what their thoughts were. So over all, it was a good
9 relationship.

10 Q. So let's talk about the 119 officials a little bit. The
11 director of operation, Mr. George Curtis.

12 A. Um-hum.

13 Q. Did you -- did he apply for that position when you were POI?

14 A. He did.

15 Q. He did. Okay. At that time did you -- do you recall
16 conducting an interview with him or how he got approved for that
17 position?

18 A. Yeah, I conducted an interview.

19 Q. Okay. When you would approve someone for a 119 position,
20 would you -- how would you do that? How would you evaluate
21 whether or not they were good for that position, I guess,
22 qualified?

23 A. You know, the first thing I would look at is the regulation
24 in 119 to see if they were qualified. You review their resume to
25 make sure that they met that. And then -- I forget the exact

1 questions I would ask them, but, you know, you'd look at the
2 duties and responsibility of a director of operations and their
3 GOM, which is accepted by us. And I would just make sure they had
4 a clear understanding throughout all the questioning that they
5 knew what they were getting into and knew what their role was
6 going to be as the director of operations.

7 Q. Would you ever check to see if they were on another ops spec
8 for a different operator?

9 A. I mean, I looked -- no. I would look at their resume, and it
10 should be on the resume if they're involved with another company.
11 But I don't recall specifically looking for that.

12 Q. Do you remember, were you aware that Mr. Curtis was -- he had
13 a contract sim instructor job?

14 A. Yeah.

15 Q. At any point when you were the POI were you aware that he had
16 applied or was holding a 119 position with another 135 operator?

17 A. Yeah. He told me before he accepted the position with the
18 operator up north that he was looking at doing that.

19 Q. When you found out about that did you make any contact with
20 that POI?

21 A. I don't recall.

22 Q. Was there any understanding as far as how long he would
23 remain at Taquan? Was it going to be a permanent thing where he
24 was DO of two companies?

25 A. Was he DO for the other company?

1 Q. Yes.

2 A. He wasn't the chief pilot?

3 Q. He started off as the chief pilot, then he also took over the
4 DO role.

5 A. Okay. It was my understanding he was the chief pilot when he
6 initially took the job. So yeah, we did talk about it. He wasn't
7 sure about -- yeah, we just talked about it, how I felt -- how we
8 felt about him holding the position. He told me he was going to
9 be moving on -- up north and actually moving up there, and he said
10 they are actively interviewing people and trying to get a director
11 of operations for Taquan. He talked about finding somebody who
12 was qualified within Taquan to take the position or him remaining
13 as the director of operations. I felt he was a very effective
14 director of operations and felt I was fine with him remaining the
15 director of operations until they found the right fit for the
16 company.

17 Q. Were there any expectations as far as how much time would be
18 spent in Ketchikan?

19 A. No. Actually, I must say I don't remember that. I don't
20 recall if we had a conversation about how much time he was going
21 to be spending in Ketchikan versus there. It seems like something
22 we would have talked about, but I can't recall specifically having
23 that conversation or not.

24 Q. Did you notice any changes at Taquan after he accepted the
25 position and moved up north?

1 A. No.

2 Q. You were the POI there during the acquisition of the Promech
3 assets?

4 A. Right.

5 Q. Any changes to the operation? Did you see any flags go up,
6 everything run just as smooth as before?

7 A. I don't really recall any specific red flags other than just
8 the general growth and adding turbine Otters to the certificate.
9 But nothing specifically other than just the broad brush of there
10 being more aircraft, more pilots.

11 Q. How would you describe their training program, Taquan's pilot
12 training program?

13 A. Anything specific how I would describe it?

14 Q. Was it detailed enough? Was it, you know, one of the better
15 ones you had seen? Was it lacking? I mean, met the regulations
16 like minimally. Can you kind of tell me your overall impression
17 of their training program?

18 A. Yeah. I mean, it met the regulatory requirement certainly,
19 and it seemed to be effective. Everything I observed, it seemed
20 to be an effective training program.

21 Q. Do you recall sitting through ground school?

22 A. I wouldn't have sat through a whole ground school. But to
23 answer your question, I don't recall a specific time sitting
24 through ground school.

25 Q. Okay. So the training program was given an initial approval

1 in February of 2016 with an expiration of February of 2018. Do
2 you recall going in and providing final approval for that training
3 program?

4 A. No, I don't.

5 Q. When was the last time before you left the FAA that you had
6 visited Taquan; do you recall?

7 A. I don't.

8 Q. Do you know if it was at all in 2018? Did you get up there
9 during the spring?

10 A. I would hesitate to guess. I don't know. It was kind of a
11 blur early this time of year -- or earlier.

12 Q. So how often would you try to observe training?

13 A. At least once a year.

14 Q. That normally done in the spring, during the summer?

15 A. Usually in the spring.

16 Q. Do you recall the CFIT training that Taquan did?

17 A. Not specifically.

18 Q. Do you recall observing their CFIT training?

19 A. I don't recall.

20 Q. Did you ever look at their sim that's across the street
21 there? The cue-based stuff, did you ever take a look at that?

22 A. I don't recall. I did observe their CFIT training in that
23 every check ride and every check airman observation, that was part
24 of it, was CFIT awareness, avoidance.

25 Q. Do you remember what their escape maneuver was?

1 A. Yeah. It's pretty much like everybody else's. I believe it
2 was a 180-degree turn out of the weather.

3 Q. Okay. Do you recall any climbs, descents, anything like
4 that, level?

5 A. I don't.

6 Q. Okay. What about the use of TAWS? Do you recall how they
7 would teach that or if there was a company policy on the TAWS
8 system?

9 A. I don't recall.

10 Q. Do you remember doing any operational control inspections?

11 A. I'm sure I did. I don't recall. I can't picture doing them,
12 but that was part of what we did.

13 Q. Would there have been a record if you did?

14 A. There should have been.

15 Q. Okay. That would have been SAS or PTRS?

16 A. Probably both. I had them when it was PTRS and SAS.

17 Q. Can you describe the role of the Medallion Foundation with
18 Taquan operations? Was there any particular aspects that were
19 helpful? Did you see -- was it contributing to safety?

20 A. I didn't have a whole lot to do with the Medallion
21 Foundation. I know that George was a big part of it as far as
22 their implementation of their SMS, CFIT avoidance. But the
23 Medallion Foundation was a separate entity from the FAA, and if
24 they have any findings or any issues it wasn't really appropriate
25 for them to bring the FAA into the loop. It was a separate

1 entity. So I'm glad they were a part of it. It seemed to be a
2 good organization for safety. But my specific involvement in it
3 was pretty minimal.

4 Q. So you mentioned SMS. Did Taquan have an SMS?

5 A. He was working on it. Yeah.

6 Q. Do you know if they had succeeded on any levels with the FAA
7 recognition of it?

8 A. I don't know.

9 Q. Tell me about your training to be a POI. Was there specific
10 -- a specific course at Oklahoma City for being a POI? Was it all
11 OJT? Tell me about how you got trained to do that position.

12 A. I know we took a lot of classes in Oklahoma. But, yeah, so a
13 lot of it was on-the-job training, OJT, as you mentioned. There's
14 three levels of OJT. You read about it, a subject in the 8900.
15 Take a ramp inspection, for example, you read about it in the
16 8900. That's level 1. Then you go observe another inspector do
17 it; that would be considered Level 2. And then Level 3 is where
18 you actually successfully go out and complete the task under the
19 supervision of a trainer. So there was OJT, and Oklahoma City
20 courses. There's a book for training.

21 Q. Do you recall if there were any courses specifically
22 addressing the approval of 119 applicants or operational control?

23 A. Specifically addressing those? Not that I -- I'm sure we
24 talked about them in Oklahoma. I don't know the title of the
25 course.

1 Q. Okay. Do you know how often Mr. Curtis made visits back to
2 Ketchikan?

3 A. I don't.

4 Q. Do you know about how often he was in contact with the
5 company while he was a DO?

6 A. I wouldn't know exactly.

7 Q. So is part of being the POI also knowing whether or not the
8 folks in the 119 positions are effective?

9 A. Through our observations, I would say so.

10 Q. Okay. So without knowing how often he was there or any idea
11 as far as how often he would contact or speak with the company,
12 how can you definitively say whether or not he was effective as a
13 119?

14 A. Well, I don't know exactly how often he was there, how often
15 he did. But through my observations, he was frequently in contact
16 with them. But to give you an exact number or percentage of his
17 time, I would hesitate to do. I know any time I called and had
18 any questions about Taquan, if he didn't answer immediately he was
19 in contact with me later that day and was able to provide accurate
20 information for any question or concern I had.

21 Q. Did anyone -- are you aware of anyone voicing their concerns
22 about him not being around, or --

23 A. No.

24 Q. What about any other FAA inspectors mentioning it, that he's
25 not there, he's kind of out of touch?

1 A. Um-hum.

2 Q. Okay.

3 A. And again, I don't feel like he was in Anchorage the whole
4 time. Like I said, I don't know exactly how often he was in
5 Ketchikan, but any time I needed to meet with him, talk to him, he
6 was available.

7 MR. WILLIAMS: Okay. All right. I'm going to stop there.
8 I'm going to let Sathya ask some.

9 BY DR. SILVA:

10 Q. Okay. Do you recall when you talked to Curtis about him
11 getting his position at Grant?

12 A. I don't recall exactly. I'm not exactly sure. I can give
13 you best estimate if you'd like.

14 Q. Best estimate is good.

15 A. I would say the summer to late summer of 2017.

16 Q. And was that for the chief pilot position or the DO?

17 A. Chief pilot. I recall it being the chief pilot position.

18 Q. Okay. And did you talk to him on the phone? Was that
19 through an email?

20 A. No. That was through a face-to-face meeting in Ketchikan
21 sitting in his office.

22 Q. All right. When you discussed being on -- taking that
23 position, what were your expectations of how he would continue the
24 do his job at Taquan?

25 A. My expectation was he would continue to do his job with

1 Taquan as he had been doing it. The -- I knew he was going to be
2 out of town a bit more. We were still in close contact. And the
3 biggest expectation is that they were actively looking for another
4 director of operations. And George was letting me know when they
5 found people, when they were interviewing people, how the people
6 went. It wasn't as though he told me, yeah, we're looking for
7 somebody and let lay idle. I was getting informed frequently as
8 to the progress of their getting a new director of operations.

9 Q. How often would those conversations happen?

10 A. You know, throughout the time I would guess maybe two, maybe
11 three times that he called me to talk about a prospective
12 candidate for the position.

13 Q. Okay. Is that over like, what, 9 months or so?

14 A. Yeah, it would have been from when he told me that summer
15 until I left. So yeah, probably 9 months.

16 Q. Okay. So did you have a time frame expectation for when they
17 would replace him?

18 A. Not one we had verbalized. The one thing I was concerned
19 about was them finding somebody who just met the letter of the FAR
20 and putting them in that position. Taquan was a big enough
21 company I wanted there to be somebody like George who was really a
22 professional director of operations. He's not a guy that was
23 flying the line. He was somebody that was actually running the
24 company. And so I was supporting them taking their time to find
25 that person and not just finding somebody who, you know, had 3

1 years of PIC time within the last 6 years and was willing to take
2 the job along with flying the line. So I think loosely the goal
3 was by this summer having somebody in place just when things
4 ramped up.

5 Q. Uh-huh.

6 A. But I don't think that happened till later.

7 Q. Okay. So when -- let me see here. Do you feel like a
8 director of operations for a company like that needs to be on site
9 to do an effective job or do you think it can be handled remotely
10 effectively?

11 A. Do you mean permanently off site or --

12 Q. Yes. Let's go with permanently off site.

13 A. Permanently off site, I think would be difficult for someone
14 to do.

15 Q. Why is that?

16 A. I mean, I just think you're -- I think a director of
17 operations would need to be hands-on at some point. You know,
18 you're not going to be there every day, but at the same time, to
19 see how the operation is doing, there is some time you need to
20 spend at the operation.

21 Q. How often would you say that a DO needs to be present in
22 order to get a good picture?

23 MR. SMITH: Sathya, this is Matt. I'm just going to
24 interrupt for a second. It's a pretty vague question that you're
25 asking. I think there's probably a lot of factors that go into

1 that. If you would narrow it down a bit more, he probably could
2 give you an answer.

3 BY DR. SILVA:

4 Q. Okay. So in this case, you've got Taquan operations, which
5 is -- we're looking at how many? Like between 50 and 100
6 operations a day? Would you, in terms of having a good idea of
7 what is happening in the company in order to fulfill the role and
8 the responsibilities of director of operations, what aspects of
9 that job can be done remotely and what aspects need to be
10 conducted on site?

11 MR. SMITH: And I'm not going to instruct you not to answer,
12 but if you can answer you can.

13 MR. FREDERICK: I don't know.

14 BY DR. SILVA:

15 Q. In your expectation, let's say, if you give a scenario here
16 that the DO said, okay, I'm going to be on site once a month,
17 would that have been acceptable in --

18 A. You mean 1 day a month?

19 Q. -- from your perspective, 1 day a month, yeah?

20 MR. SMITH: Again, if you have an opinion that you want to
21 share, you can. If you don't have an answer, you don't have to
22 give an answer.

23 MR. FREDERICK: I don't have an answer.

24 BY DR. SILVA:

25 Q. Would you have any concerns about somebody, a DO interacting

1 with the company in person once a month? Would there be any
2 concerns with that?

3 A. There may be concerns.

4 Q. Can you elaborate on what you would consider?

5 MR. SMITH: Again, you know, if you don't know, you don't
6 know. If you have an opinion, you can share an opinion. If
7 there's other factors that would have to be considered --

8 MR. FREDERICK: Yeah, I don't have an opinion and I don't
9 know.

10 BY DR. SILVA:

11 Q. Okay. In your experience with the CFIT training, did you
12 find it to be adequate?

13 A. Yes.

14 Q. And did you -- sorry if I missed this, but did you say you
15 had observed CFIT training at Taquan?

16 A. Yes. I had.

17 Q. And was that in the simulator?

18 A. That would have been on the aircraft. I don't recall doing
19 it in the simulator. I may have, but what I recall is doing it in
20 the aircraft.

21 Q. And going back to the initial approval of the training
22 program, do you recall observing training when you gave that
23 initial approval?

24 A. When did you say it was approved? Was it February of 2016?

25 MR. WILLIAMS: February of 2016.

1 MR. FREDERICK: Yeah. I don't recall it specifically. I
2 can't picture it in my head as I'm sitting here talking to you,
3 but every spring I observed training. So I would have observed
4 training that spring after I initially approved it.

5 BY DR. SILVA:

6 Q. Okay. And what is your strategy for giving initial approval
7 versus final approval? How do you handle that?

8 A. Well, the way we are instructed to handle it is, any time
9 there's a major change with the training program, we put them in
10 an initial approval, which says right in the letter we want to be
11 notified before they do any training so we can observe the
12 training to assure that the training is effective. And after that
13 we -- they apply for final approval, and if we determine their
14 training has been effective throughout the year -- it's really up
15 to 2 years -- we would issue final approval.

16 Q. What's your general impression of Taquan?

17 A. What do you mean by general? Can you be more specific?

18 Q. I mean, really overall, is this -- in terms of in your
19 experience, is this an operator that is -- do you have issues
20 with? Are there things that come up that they excel on? How do
21 they fit within your experience?

22 A. No, overall, I thought they were a fine operator to work
23 with. I had great lines of communication with the 119 personnel.
24 When I would show up on the dock to do ramp inspections or en
25 route inspections, I never had any issues. They were

1 considered -- I considered them a low risk operator.

2 Q. Did they report any safety issues at all to you?

3 A. Just broadly calling me and saying we have a safety issue?
4 Can you be a little more specific?

5 Q. Anything that they may have identified, they may have been
6 working on through their safety reporting system? Did you have
7 conversations about that kind of stuff?

8 A. Yeah. We had conversations that they had an internal safety
9 reporting system that I was aware of. And I forget the exact
10 process, but George walked me through the process of employees
11 doing safety reports and how they were reviewed and changes that
12 were implemented.

13 Q. Did you get any feedback or input of common trends or
14 anything like that?

15 A. No. They didn't want to give me all their safety reports.
16 It was an internal safety reporting system, so when they had -- it
17 was a way for them to handle their issues internally.

18 Q. Okay.

19 A. It was like a -- similar to an ASAP program internally.

20 Q. Um-hum. How -- so when -- between July and the time you
21 left, how often did you talk to Curtis, would you say?

22 A. July and the time I left? I don't recall.

23 Q. Okay. Can the give me a ballpark? Is it something that
24 normally happened -- I guess even before -- comparing before he
25 took the position at Grant, after -- do you normally talk to DOs

1 weekly, monthly? What's the norm on that?

2 A. I would say, yeah, the norm would be at least monthly. And
3 if I didn't call them, they would usually call me and we would
4 just touch base and see if they needed anything administratively.
5 They would see if I had any inspections planned, any plans to come
6 to see them, anything that they needed to plan. But we would talk
7 at least monthly.

8 Q. Okay. And from that you -- do you know whether your
9 conversations with Curtis dropped off or did they remain in your
10 normal frequency after he took the other position?

11 A. If anything, they picked up a little bit because he was
12 calling me about -- you know, the couple times about the
13 prospective new director of operations. So, if anything, they
14 increased.

15 Q. Um-hum. Okay. Okay, and then when he notified you -- and I
16 think maybe Shaun asked this already, so I apologize if he did.
17 But after Curtis disclosed that he was taking this other position,
18 did you talk at all to the POI at Grant?

19 A. I did not.

20 Q. Okay.

21 A. Or I don't recall talking to them.

22 Q. Is that out of the ordinary? Like is that not something that
23 would normally happen in a case like this?

24 A. Is it -- say that again.

25 Q. So is there any reason that you would want to talk to the POI

1 at Grant?

2 MR. SMITH: Do you understand what she's asking?

3 MR. FREDERICK: Why I would want to talk to them --

4 MR. SMITH: Sathya, this is Matt. I'm not following the
5 question very well and I think Brian might not be either. Could
6 you maybe either back up a little bit and give us a little more
7 context as to what you're referencing and why he would want to
8 speak with the POI for Grant?

9 BY DR. SILVA:

10 Q. Right. And that's the question. Given the information that
11 you knew about him staying on board at Taquan until they found a
12 replacement and being DO plus chief pilot at Grant, would there be
13 any reason to reach out to the other POI on Grant, Grant's POI?

14 A. Not specifically unless there was an issue with George, which
15 there wasn't.

16 Q. Okay. Okay. Let's see. For an operation like Taquan, do
17 you feel like it's possible to do both the chief pilot job and the
18 DO job effectively for one person?

19 MR. SMITH: Sathya, this is Matt again.

20 MR. FREDERICK: For Taquan?

21 MR. SMITH: You're asking him to speculate a little bit here.
22 So I'm only going to instruct you to answer if you feel like you
23 can give a solid, with a good basis response to the question.

24 MR. FREDERICK: Okay. So the question is, could they be the
25 DO and chief pilot for Taquan?

1 BY DR. SILVA:

2 Q. Not officially. But I'm asking specifically given the duties
3 of each of those positions, would it be possible or -- yeah, would
4 it be possible for one person to be able to do that effectively?

5 A. Again, they're not a basic, so it's illegal for him to.

6 MR. SMITH: Well, no, I --

7 MR. FREDERICK: Is that what she's --

8 DR. SILVA: Right.

9 MR. SMITH: Yeah, I think she's asking you -- and, again, I
10 don't want to speak for you, Sathya, so I'll just say that my
11 concern with the question is it sounds that you're asking him to
12 speculate on whether or not someone can effectively do both jobs.
13 And if that's what you're asking, then I'll leave it to Brian to
14 answer if he thinks he can.

15 MR. FREDERICK: I can't answer it.

16 DR. SILVA: Right.

17 BY DR. SILVA:

18 Q. I'm asking your opinion on, given what you know about
19 Taquan's operations and the role of and responsibilities for both
20 of those positions, again, whether it's possible to handle both of
21 those things effectively and, if not, what concerns would you have
22 if a single person was actually handling the day-to-day for both
23 jobs?

24 A. Sathya, I really don't have an opinion one way or the other
25 about it.

1 Q. Okay.

2 A. I mean, you can't do it. So that would be my opinion. I
3 haven't given it much thought.

4 Q. Are there cases where it may not be Taquan but other
5 operators where you can have both one person be both chief pilot
6 and DO?

7 A. Yes.

8 Q. Okay. And what cases would that be?

9 A. If they're a basic operator, they have ops specs that they
10 use --

11 Q. What is basic, first of all?

12 A. All right. It's OpSpec A038. That's if they have less than
13 five aircraft, three different types, and less than five pilots
14 and they're not a commuter. The DO -- it's up to the office
15 manager, the certificate holding office, to allow the DO and the
16 chief pilot to hold the same position.

17 Q. Okay. And how would you characterize your workload during
18 those last couple of months you were in the position?

19 A. It was the same as it was the last couple of years. It was
20 heavy.

21 Q. Did you feel like you were able to get everything you needed
22 to done or did you have to prioritize?

23 A. No, I had to definitely prioritize.

24 Q. Okay. What was your strategy for prioritizing?

25 A. Usually it was the operators that were determined to be

1 higher risk.

2 Q. And you said that Taquan would not have fallen in that
3 category?

4 A. No.

5 DR. SILVA: Okay. I'll pause for now. Thank you.

6 MR. SMITH: We've been going a solid 45 minutes. Do you mind
7 if we take just a 3 or 4 minute break?

8 MR. WILLIAMS: By all means. Let's do it. Yeah, that sounds
9 great. We'll --

10 UNIDENTIFIED SPEAKER: And we have water, too.

11 MR. WILLIAMS: Off the record at 2:45.

12 (Off the record at 2:45 p.m.)

13 (On the record at 2:48 p.m.)

14 MR. WILLIAMS: Okay. So we are back on the record at 2:48.

15 So Sathya just wrapped up.

16 Brice, do you have any questions?

17 MR. BANNING: Yeah, I just have a question or two.

18 BY MR. BANNING:

19 Q. And I know -- if I'm repeating what's already been asked,
20 then I apologize. But just to provide a little clarity for me, it
21 sounded like that George made you aware that he was accepting a
22 chief pilot position at Grant; is that correct?

23 A. Yeah. I remember it being a chief pilot.

24 Q. Okay.

25 A. It could have been a DO. I don't want to totally go on the

1 record going I'm a hundred percent sure it was a chief pilot. It
2 could have been a DO. My -- yeah, go ahead.

3 Q. Okay. And that was roughly in the summer, late summer of
4 2017, when he told you about that position?

5 A. I believe so, yeah.

6 Q. And then did he tell you about another position, any other
7 position than that first -- did he only tell you about one
8 position with Grant?

9 A. That I recall, yeah.

10 Q. Okay.

11 A. I know he was doing stuff with Alaska Airlines still. That
12 was -- he was very upfront about that from the day one taking
13 Taquan, taking the DO position with Taquan.

14 Q. Okay.

15 A. So I was aware of that and -- yeah.

16 Q. And that was contract sim work, is that --

17 A. Yeah.

18 Q. Okay. Okay. All right. I think that's all the questions I
19 had. Oh, I did have one more question. I'm sorry.

20 You talked about an internal safety program that they had at
21 Taquan.

22 A. Um-hum.

23 Q. Did Taquan also have any ASAP program through like Medallion
24 or something that you're aware of?

25 A. You know, I think they got one later on. They didn't

1 initially, and I know George was working on one and I think they
2 ended up -- I know one of the operators I was assigned to got one.
3 And I remember being kind of surprised because the process doesn't
4 include the POI, which is fine; it's their process. But I
5 remember going, oh -- I had no idea they had an ASAP. So I'm not
6 sure. I think it was Taquan but I'm not sure.

7 Q. Yeah. No problem.

8 MR. BANNING: Okay. That's all I had. Thank you.

9 MR. FREDERICK: Yeah.

10 MR. WILLIAMS: Pat, do you have anything?

11 MR. HEMPEN: Just real quick. And thanks, Brian. I
12 appreciate what you're doing (indiscernible) where you're at. So
13 thank you.

14 MR. FREDERICK: Um-hum.

15 BY MR. HEMPEN:

16 Q. In listening to all your POI duties, you talked about it
17 briefly, but -- so you had other duties; is that not correct?
18 Like you had to do check rides, you had to do 4040 flying, travel.
19 Did you have to fly on any of that?

20 A. Yeah. I think last time I looked at my travel I had flown --
21 I had traveled over 20 times within the previous 12 months. The
22 4040 flying included a month a year out of our time. And check
23 rides was just an enormous part of it. That's what we did in the
24 spring, for check rides. And in fact when I was leaving that was
25 the biggest thing I was trying to get done in March, was as many

1 check rides as I could just to help out the POIs that I was
2 leaving, that were only going to be able to do so many check
3 rides. So there was all that on top of pilot deviations, any
4 violations we had to write, and all the other stuff that's
5 included in an ASI job.

6 Q. In the time like we're asking, there wasn't much relief, I
7 guess. You were always very busy; is that correct?

8 A. Yeah. And often was providing relief for other offices. I
9 ended up going to Hawaii for a check ride, which I can't complain
10 too much about, but -- Montana. I did a lot of help -- I forget
11 what year it was, with Anchorage doing DPE observations and check
12 rides. I did a check ride out of Palmer. So yeah, on top of not
13 having relief, a lot of times I was the relief.

14 Q. In your spare time, if you could paint the hangar, we would
15 appreciate that.

16 A. Yeah, you bet.

17 Q. So after the accident did Taquan make changes? Was there
18 some after-action changes that you know of to their operation?

19 A. You're asking me? I mean, I say that because I have no idea.
20 I was -- I had been gone 3 months after the accident happened. So
21 I certainly wasn't privy to any of that.

22 Q. The, you know, the things we talk about all the time with
23 Medallion and the cue-based training, what have you -- here's
24 another opinion. Do you think that cue-based training or sims
25 that Medallion has, is that effective? Is that helpful or is

1 there a better way to do business, do you think?

2 A. There's probably always a better way, but I think it's
3 certainly better than what things have been in the past, which is
4 nothing, you know. I think it certainly has some benefit. Could
5 it be better? Possibly.

6 Q. I mean, can you think of ways it could be better? Like if
7 you were King, you know, how we can improve it, and you have the
8 magic wand?

9 A. I have the magic wand. The weather will always be 10 and
10 clear and calm.

11 Q. Right.

12 A. And there'll be two pilots and two turbine engines on
13 everything. No. I'm really not sure.

14 Q. Okay. That's fine.

15 A. Other than upping weather minimums.

16 Q. And -- okay. So again, can you think of anything that would
17 make it safer if you had been in a position where you could have
18 put in place any tool that we haven't thought of or thought to
19 have?

20 A. No. I will say, when the -- when they got those Otters on
21 their certificate, I wrote an email to the acting supervisor here,
22 the acting manager, Ricky Suzy, I believe it was, and requested
23 unannounced en routes on Taquan that summer. I believe I asked
24 for 10. And that was out of an NTSB recommendation from the
25 accidents that took place I believe it was '07 and '08, somewhere

1 in that neighborhood.

2 Q. Um-hum.

3 A. So I did request those unannounced en routes on Taquan.

4 Q. Okay. And were you successful in that request and was
5 that -- that was done?

6 A. I don't know. I know of one that took place in September,
7 and that was the only one I was given any information about.

8 MR. HEMPEN: I see. Okay. That's it. And thanks, Brian,
9 appreciate it.

10 MR. FREDERICK: You bet.

11 BY MR. WILLIAMS:

12 Q. So to follow up with that, you were made aware of one of
13 those unannounced en routes in September. What aspects were you
14 made aware? Just that it took place? Did they tell you kind of
15 the results, were there problems found?

16 A. Minor. I don't remember -- I remember hearing about it, but
17 they were very, very minor. You guys would be able to find them
18 in PTRS records or whatever. But it was nothing --

19 Q. That was the only one you know of that took place?

20 A. That's the only one I know of that took place, yeah.

21 Q. Okay. If that one took place in September, do you remember
22 about when you wrote that email?

23 A. Wrote the email requesting it?

24 Q. Yeah.

25 A. It would have been in the spring.

1 Q. It would have been in the spring. Okay. That would have
2 been 2016?

3 A. I don't recall; '16 or '17.

4 Q. It was after the acquisition though?

5 A. Correct.

6 Q. Okay. I think that was '17. But we'll -- when you left, who
7 took over the POI duties for Taquan?

8 A. I don't know.

9 Q. Did you go over anything with the certificate with any other
10 POIs as far as here we are, here's what's been done, here's what's
11 missing?

12 A. Uh-uh.

13 Q. Nothing like that?

14 A. Not that I recall.

15 MR. WILLIAMS: Okay. All right. I think that's what I need.

16 So Sathya, do you have anything else?

17 DR. SILVA: Yeah, just one.

18 BY DR. SILVA:

19 Q. Brian, do you have any time in the Beaver or Otter?

20 A. I've got a little time in the Beaver.

21 Q. Okay.

22 A. Flight time, I assume, as pilot in command, not riding in it?
23 Is that right?

24 Q. Sorry. Say that again?

25 A. Yeah. You mean time flying it?

1 Q. Yeah.

2 A. Yeah.

3 Q. Do you have an estimate of how much time you have?

4 A. Maybe 50 hours.

5 Q. Okay. And what's your total time?

6 A. 6,000.

7 Q. Do you know how much of that was in Alaska, approximately?

8 A. A couple thousand.

9 DR. SILVA: Okay. Thank you, that's all I have.

10 MR. WILLIAMS: Okay. Brice?

11 MR. BANNING: I don't have any more questions. Thanks,
12 Brain.

13 MR. WILLIAMS: Pat, anything -- any final questions?

14 MR. HEMPEN: No. I'm good. Thank you very much.

15 MR. WILLIAMS: Brian, thanks for taking the time to talk with
16 us.

17 MR. FREDERICK: Yeah, you bet.

18 MR. WILLIAMS: Like I said at the beginning, we're just
19 trying to figure out -- put the pieces together and figure out how
20 we got to us having to sit here and meet about this.

21 MR. FREDERICK: Sure.

22 MR. WILLIAMS: So if there's anything we're missing, anything
23 else you can think of, by all means please help us out. I'll give
24 you my card here in a second. If you think of anything else or --

25 MR. FREDERICK: Okay.

1 MR. WILLIAMS: -- anything that comes to mind, please don't
2 hesitate to reach out.

3 MR. FREDERICK: Yeah, will do.

4 MR. WILLIAMS: Okay. I'm going to stop the recording at
5 2:58.

6 (Whereupon, at 2:58 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: HYDABURG, ALASKA DE HAVILLAND DHC3T
 OTTER COLLISION WITH TERRAIN
 JULY 10, 2018
 Interview of Brian Frederick

ACCIDENT NO.: ANC18FA053

PLACE: Juneau Flight Standards District Office
 Conference Room

DATE: October 31, 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.



Letha J. Wheeler
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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HYDABURG, ALASKA DE HAVILLAND DHC3T

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OTTER COLLISION WITH TERRAIN

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Accident No.: ANC18FA053

JULY 10, 2018

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Interview of: LANA BOLER

Aviation Safety Inspector/

Principal Maintenance Inspector

Thursday,

November 1, 2018

APPEARANCES:

SHAUN WILLIAMS, Operations Group Chairman
National Transportation Safety Board

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

BRICE BANNING, Investigator in Charge
National Transportation Safety Board

BRAD SIPPERLEY
Federal Aviation Administration

MATTHEW SMITH, Esq.
Office of Chief Counsel, FAA
(On behalf of Ms. Boler)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Lana Boler:		
By Mr. Williams		5
By Dr. Silva		15
By Mr. Banning		25
By Mr. Sipperley		29
By Mr. Williams		34
By Mr. Banning		37

I N T E R V I E W

(11:01 a.m.)

MR. WILLIAMS: On the record at 11:01.

So Lana, thanks for taking the time to talk with us today.
Really appreciate it.

I'm Shaun Williams the operations group chairman with the
NTSB investigating the accident, the Taquan accident from the
summer.

MS. BOLER: Okay.

MR. WILLIAMS: So we got a couple of people on the phone and
in the room here. I'll just let everyone kind of introduce
themselves.

MR. BANNING: Brice Banning, NTSB.

MR. WILLIAMS: Sathya?

DR. SILVA: Hi, I'm Sathya Silva, human performance
investigator, NTSB.

MR. SIPPERLEY: Hi Lana. This is Brad. You know me, FAA --

MS. BOLER: Hi, Brad.

MR. SMITH: And Matt Smith, FAA legal.

MR. WILLIAMS: So today we are going to be utilizing the tape
recorder, record the interview. The transcript, not the audio
recording, will become part of the public docket when the accident
is released.

MS. BOLER: Okay.

MR. WILLIAMS: So you have the right to representation, have

1 somebody here with you. Who would you choose to represent you?

2 MS. BOLER: That would be Mr. Smith.

3 MR. WILLIAMS: Okay. Matt, as always, you may direct Lana
4 not to answer a question or request a short recess or a break, but
5 please don't answer any questions for her.

6 MR. SMITH: Okay. Thanks.

7 MR. WILLIAMS: With it being recorded, Lana, just try to
8 verbalize the answers instead of nods and shaking your head or any
9 other gestures. We'll all get caught doing it, I'm sure.

10 MS. BOLER: Yeah. I understand.

11 MR. WILLIAMS: Okay. So do you have any questions before we
12 get going?

13 MS. BOLER: No, I don't think so.

14 MR. WILLIAMS: Okay.

15 INTERVIEW OF LANA BOLER

16 BY MR. WILLIAMS:

17 Q. So if you could, just state your name and title for me
18 please?

19 A. Okay. So my name is Lana Boler and my title is aviation
20 safety inspector, principal maintenance inspector.

21 Q. Okay. And give us a little bit of your background, how you
22 got here.

23 A. So just FAA background or overall general?

24 Q. Just overall general aviation background and how you ended up
25 at the FAA.

1 A. Okay. I have been a certificated aircraft mechanic for, oh,
2 gosh, coming up on 25 years. I'm from Ketchikan. So this is
3 where my career started in aviation maintenance, and all in
4 general aviation for the most part.

5 I joined the FAA in 2007 in Oklahoma City FSDO and spent 3½
6 years there as an avionics inspector. So I'm dual qualified, both
7 maintenance and avionics. I spent -- after that, I spent 3 years
8 at the regional office in Southwest Region down in Ft. Worth,
9 which is where I switched specialties to maintenance. And then
10 from there I went to the Seattle FSDO for 3½ years as the
11 assistant manager of the FSDO. And came back here April of 2017
12 to step back to be a -- I started here as a geographic inspector.
13 And in January of this year, they switched my position description
14 to principal maintenance inspector. I think that's pretty much
15 everything.

16 Q. So about how many certificates are you responsible for?

17 A. Roughly 12 to 15. and that's a guess.

18 Q. Is Taquan one of those?

19 A. Yes, it is.

20 Q. How long have you been assigned at the Taquan?

21 A. Since January of this year.

22 Q. Okay. How would you describe your duties and
23 responsibilities as a PMI?

24 A. Essentially I'm assigned to oversee the certificates that I'm
25 assigned, the 12 to 15, and all of them are air carrier or air

1 operator certificates with regard to their maintenance, whether
2 they perform the maintenance, maintenance that they get performed
3 -- or they have done by contractors, and then how the company
4 exercises their procedures regarding maintenance,
5 scheduled/unscheduled, in its entirety.

6 Q. So of those 12 to 15 certificates how many are here in
7 Ketchikan?

8 A. All of them.

9 Q. All of them. How would you describe that workload?

10 A. It's very busy during the summer seasons -- summer season I
11 should say, and which starts -- for the maintenance inspector it
12 starts about March because that's when they start looking to add
13 aircraft to their certificate to prepare for the summer flying
14 season. So the summer is extremely busy.

15 After the flying season, which usually ends about the end of
16 September, the workload changes into more concentrated oversight
17 in the maintenance facilities here in town. So the scope is
18 always maintenance, but in the summer season it's more along the
19 procedures and the winter season it's more of the heavy
20 maintenance and the repairs and alterations going on.

21 Q. Okay. So you've been a PMI or a PAI outside of Alaska --

22 A. Correct.

23 Q. -- inside a FSDO?

24 A. Yes.

25 Q. And now you're here kind of on your own in Ketchikan. How

1 does that compare?

2 A. The dynamics of working with the certificate management team
3 being the other principals is different because you're not
4 normally physically together either in an office -- usually in an
5 office. So corresponding becomes on the phone, on the internet,
6 Skype, or that type of a -- you know, FaceTime type of thing. I
7 guess that would be the difference. I think there's not as much
8 correspondence if you're not all together versus if you are
9 together in the office.

10 Q. Okay. So how much correspondence or involvement did you have
11 with the CMT with Taquan?

12 A. Do you want it separated by each team member or generally?

13 Q. Just generally. And it doesn't have to be exact, you know,
14 from 10:15 to 12:15, I talked to this person.

15 A. Okay.

16 Q. But are you talking with the other members of the CMT on a
17 weekly basis, on a monthly basis? How would you generalize that?

18 A. When I became a principal, we started -- and generally. I'm
19 not exactly positive of the timeline. But we started having unit
20 meetings once a week. Most of the time all the principals were
21 there. So that would be -- for me, that's on the phone with the
22 office and everybody who's in the office, except for the manager.
23 He doesn't attend. The POI is probably the one CMT member I did
24 not have consistent communication with.

25 Q. Is that the previous -- well, now there's been about three

1 different POIs. So earlier in the year last year -- or this year
2 it was assigned to Brian Frederick, then it switched over to Jon
3 Percy, and now it's being held down in South Carolina. Is that
4 pretty consistent that it's been the POI all along that you
5 haven't had as much contact with?

6 A. Yes.

7 Q. Was there a change?

8 A. No.

9 Q. Okay. How often would you talk with the POI?

10 A. Maybe once a month, guess. That's a guesstimate.

11 Q. So your involvement at Taquan when you would -- how often
12 would you make it over there?

13 A. During like generally or during the flying season or --
14 because it -- are you talking -- okay, so let me. Yeah, time of
15 year versus Taquan in general or -- because they have different
16 facilities, right?

17 Q. Right.

18 A. So I guess I need a little more --

19 Q. What about the main ops facility over there?

20 A. Okay.

21 Q. Kind of early spring, summer, just -- you can break it out.
22 Are you over there weekly?

23 A. Weekly.

24 Q. Okay. Do you tend to spend more time over at the maintenance
25 facility as opposed to --

1 A. Well, they do have a maintenance facility there at the main
2 operations facility. Okay. So, and that is where the director of
3 maintenance's office is, is right there also. So I tend to be
4 there a lot, yes.

5 Q. Okay. When you were over there did you ever have any
6 interactions with the director of ops?

7 A. Yes. And I should probably ask, thinking about it, are you
8 referring -- which director of ops are you referring to, because I
9 know they switch. So I'm just trying to get a general --

10 Q. The previous, George Curtis.

11 A. Okay. Yes.

12 Q. How often would you see him?

13 A. Not very often.

14 Q. Does this raise any concerns?

15 A. It did not until I knew he had moved out of town and then I
16 had concerns.

17 Q. When was that; do you remember?

18 A. Let me think. I don't remember the exact month. My
19 recollection is it was sometime between December of -- so last
20 December and maybe February, sometime in that time frame is when
21 the director of maintenance told me.

22 Q. So him moving caused a little bit of concern. Can you kind
23 of walk me through that, talk to me about that a little bit?

24 A. So I recall the director of maintenance -- I was trying to
25 set an appointment to introduce a young person to the director of

1 operations. The young person wanted -- had aspirations to be a
2 pilot. So didn't really want to talk to the director of
3 maintenance, so I was trying to set an appointment with the
4 director of operations, George, to talk with her, and I was having
5 a difficult time. That was back in December.

6 And during regular surveillance with the director of
7 maintenance I inquired as to why I was having such difficulty,
8 thinking he was still here. And that was when I was informed that
9 he was -- he had moved back to Anchorage. And they gave me a
10 little bit of an explanation, not much, I mean, really -- so at
11 that time, knowing the size of their operation, yeah, I was
12 concerned even though it was winter.

13 Q. Okay. What kind of concerns did that --

14 A. He -- the previous summer, he was pretty integral in their
15 operations. So while I was a GEO inspector I would get
16 assignments from GEO to go and do surveillance at Taquan, and
17 inevitably I would end up talking to him at one point or another,
18 whether it was touching base before I go do ramp inspections. So
19 there was a lot of interaction the previous summer.

20 Questions -- I think they had a question last, not this
21 summer but the summer before about how they could accommodate a
22 disabled person and what that looked like from an ops. So he was
23 talking to me about that with the director of maintenance because
24 it was kind of combined, all of the departments together, how that
25 might work. And then it was just -- so I saw he was integral in

1 the company at that time. And then when they told me he had left,
2 moved back to Anchorage, that absence of not being an integral
3 part of operation in the company was my concern.

4 Q. Did you know what he was doing back in Anchorage?

5 A. The only thing I was told was that he -- I'm trying to
6 remember the conversation. His family wanted to be back in
7 Anchorage and that -- I think they told me he had also taken a
8 position, a different position in Anchorage, but that was all they
9 told me.

10 Q. They didn't tell you as far as what type of company he was
11 working for --

12 A. No.

13 Q. -- or the size or anything like that of it?

14 A. Nope.

15 Q. When you had these concerns and you found out he was gone,
16 did you raise them with anybody?

17 A. Yeah. So the following week -- you know, we have our office
18 meetings every Monday, every Monday morning. And what I recall is
19 letting them -- at the meeting on the phone, telling them that
20 what I had learned, which was I understand the director of
21 operations had moved out to Anchorage and that he was supposedly
22 working for another company, although he was still the director of
23 operations for Taquan as well. And they -- I remember being asked
24 do you know who he's working for? And I said I do not; they did
25 not share that information. And I remember the manager commenting

1 that he would contact the Anchorage FSDO to see if they knew
2 because they hold all the certificates up there as far as
3 overseeing -- and I remember discussing my concern, which kind of
4 led off the conversation. So I'm concerned because the director
5 of operations is now not here; he's in Anchorage supposedly
6 working for another company, don't know which one. I recall the
7 conversation being like that.

8 Let me see. Timing wise, the concern was they were in the
9 process and had already told us, from what I remember, they were
10 bringing on an additional two aircraft, two Otters, so we were
11 looking at the size of the fleet growing as well. That's another
12 20 people being moved each round, so -- round of flights. So
13 that's increased risk, increased operation, increased number of
14 people. I think that was part of the conversation, if I remember
15 right.

16 Q. Was there any follow-up from the office manager at that point
17 to you that he contacted Anchorage? Do you remember any
18 conversations like that?

19 A. I do not recall any follow-up.

20 MR. SMITH: Can you clarify? Follow-up with you or follow-up
21 with --

22 MS. BOLER: Follow-up with me. And I wasn't part of any
23 conversations with Anchorage, so I can't tell you that.

24 BY MR. WILLIAMS:

25 Q. Okay. And that's what I was getting at, with you, not

1 necessarily what he did on his own contacting Anchorage. I just
2 didn't know if you had gotten any feedback from him?

3 A. No. I don't know when -- so as a part of the follow-up at
4 some point in time, and it must have been after January because I
5 remember I was a principal at that time, I was told the other
6 company was Grant Aviation. I don't remember now who told me, if
7 it was my frontline manager. Somebody in the office told me. It
8 wasn't the POI. It was one of the managers. And, yeah, but I
9 don't remember the exact when that occurred after the initial
10 conversation with management.

11 Q. And when was that initial conversation with management? Do
12 you remember about what month it was?

13 A. I just remember it sometime between December and like
14 January, February.

15 Q. Okay.

16 A. I don't recall a specific month.

17 Q. So it was towards the beginning of when you found out that it
18 was all happening?

19 A. Uh-huh.

20 Q. Okay. What about any further discussions with the POI? Did
21 you guys discuss it separately from that group? Do you remember
22 notifying them a little bit more or --

23 A. I do not remember specifically talking to Brian Frederick
24 necessarily. I remember a conversation that we had about an item
25 of discovery during surveillance that I also involved him on. It

1 was about the same time. And part of that conversation about the
2 finding during the surveillance was the director of operations
3 trying to coordinate with him being -- trying to get him to call
4 back. And that's when Brian told me he was actually leaving, I
5 think -- if I'm remembering the timeline roughly correctly, was
6 that he was leaving the office, which was a surprise.

7 Q. Okay. So you were here prior to the -- or were you here
8 prior to the acquisition of the Promech assets?

9 A. No.

10 Q. No. Okay.

11 MR. WILLIAMS: Okay, I'm going to stop. I'm going to let
12 Sathya.

13 BY DR. SILVA:

14 Q. Okay. Let's see. I think I'll ask you a similar question on
15 the conversation that you had with the FSDO regarding this. So do
16 you recall if Taquan's POI was on that call? Was there any
17 conversation with him?

18 A. Honestly I don't recall.

19 Q. Okay. Did -- and this was a phone call, correct?

20 A. Correct.

21 Q. I understand. Okay. So when it comes to something like this
22 that the DO isn't on premises, has a different job, are those
23 conversations something that you would expect to have with the
24 POI? Would you expect notification that the POI had information
25 on that given, one, your position as PMI, but also given that you

1 are the one seeing their daily operation?

2 MR. SMITH: Did you catch all of that? Multiple compound
3 questions, if you want to take them one at a time?

4 MS. BOLER: Yeah, probably if you could separate that out a
5 little bit, I could probably give you better answers.

6 BY DR. SILVA:

7 Q. Sure. So what would you expect -- I guess before I go on to
8 the details actually. You mentioned that you only talked with POI
9 infrequently, about once a month. What's the nature of those
10 conversations? What do you normally talk about?

11 A. For me it's normally any kind of surveillance findings
12 usually on the maintenance side, sometimes not. Or at the time,
13 of course, like I stated earlier, they were looking to add two
14 aircraft and that was part of the conversation, I'm sure, as well,
15 we were discussing that.

16 Q. Okay. Does the POI ever pass any information to you
17 regarding operations?

18 A. Only in response to -- so which POI? Let me ask you which
19 POI are you talking about?

20 Q. Oh, we can -- let's start with Frederick.

21 A. No. Only in response to if I give him information, then he'd
22 respond.

23 Q. Okay. And then what about Percy?

24 A. No.

25 Q. He would not give you any operations information; is that

1 what I'm hearing?

2 A. No.

3 Q. Okay. And is that consistent with the other positions that
4 you have been in as PMI, that you don't normally hear from the POI
5 on operations stuff? Is that normal?

6 A. No. That is not normal.

7 Q. Do you have an idea as to why in this case that the
8 conversation between you and operations is so infrequent?

9 A. I'm sorry? I didn't catch all that. Can you repeat that?

10 Q. Do you have an idea of why in this case that your
11 conversations were so infrequent?

12 MR. SMITH: I think you need to answer only from your end.

13 MS. BOLER: From my perspective, I was given the impression
14 they were out of the office a lot.

15 BY DR. SILVA:

16 Q. Okay. Can you expand on -- you mentioned that the previous
17 summer when you had been at Taquan and seen Curtis in action, can
18 you give us some examples of what led you to the impression that
19 Curtis was integral in their daily operations?

20 A. Well, the example I gave was a pretty good example of him
21 being integral. So he reached out to me to talk about a
22 particular passenger who had contacted him and was coming to town.
23 And the passenger was pretty significantly disabled from what they
24 described. And they were trying to figure out how they could
25 accommodate the person on a flight in one of their aircraft. So

1 it involved -- it could have involved reconfiguration of the
2 aircraft. We talked about whether or not you could secure a
3 wheelchair, which is what the passenger was going to be in, or
4 whether they would -- it would be easier to secure him in the
5 stretcher, which they do have authorization to use.

6 So in reconfiguration, that drew in the director of
7 maintenance, as far as so you're -- so I was talking with both
8 maintenance and operations about how to work through the request.
9 And we had several email exchanges about questions, you know, from
10 both the director of maintenance and the director of operations,
11 and I thought that was pretty typical of his involvement in just
12 lots of things.

13 Q. And I think I just missed something when you were discussing
14 what you needed from Curtis that he wasn't responsive to. Can you
15 go over that again?

16 A. As far as trying to --

17 Q. What led you to talk to the director of maintenance about
18 Curtis not being responsive?

19 A. Right. I was trying to make an appointment with Mr. Curtis
20 to come and talk with him and introduce him to a young student,
21 high school student, and was having difficulty in making an
22 appointment here in Ketchikan to talk to, physically talk with
23 him. And in regular course of conversation with the director of
24 maintenance, it came up as to why it was so difficult because
25 normally he was readily available, quite honestly, up until that

1 point. That's when I was told he had moved back to Anchorage or
2 to Anchorage.

3 Q. Okay. So was the situation that you couldn't schedule an
4 appointment or was Curtis not responsive to messages or emails? I
5 think I misunderstood that.

6 A. I think the -- if I recall, the responses were a bit delayed.
7 It could have been because of the holiday season. We were talking
8 about December. I don't recall it being that -- I don't recall
9 that particular part of it being concerning, as was the fact that
10 he wasn't readily here. We must -- I had several dates. I recall
11 several dates trying to work with him to be present here to talk
12 to the student, and it was very challenging to find one because he
13 wasn't here but, from what I recall, one weekend a month.

14 Q. Okay.

15 A. Or a couple days a month.

16 Q. So when you first did feel that concern, was the concern
17 primarily with him being not physically located in Ketchikan or
18 was it related to the other job he had? What was your initial
19 concern specifically?

20 A. Well, with my concern is Taquan. So he wasn't present at
21 Taquan and that was my initial concern. Not knowing, because I
22 wasn't told what else he was doing, I didn't have any reason at
23 that point to make that a main concern. Honestly, Taquan was my
24 focus.

25 Q. Well, I think just to clarify a few questions that Shaun

1 already talked to. How often were you at Taquan's headquarters?
2 And split that between summer and winter, because you were
3 speaking about how different those two times are.

4 A. Sure. In the summer, it's weekly at one of their facilities,
5 normally at the main base, waterfront. Occasionally it will be
6 out at their maintenance facility at Peninsula Point because they
7 do Otter maintenance specifically there.

8 Q. Okay.

9 A. In the wintertime it's, I would say generally speaking --
10 well, and not being a principal until January, that makes it a bit
11 difficult for me to kind of quantify that.

12 Q. Uh-huh.

13 A. I would say the previous winter before I was a principal I
14 was getting assignments -- I would probably be there once or twice
15 every 2 weeks, sometimes twice in 1 week and then not the next
16 week.

17 Q. Okay. And you did say that you had interactions with Curtis.
18 Can you give me kind of how often that happened? Like was there a
19 previous summer compared to this previous season?

20 A. Sure. So the previous summer -- not this summer, but the
21 summer before --

22 Q. Um-hum.

23 A. -- inevitably I would see him I would say -- even if it was
24 just in passing, right, I wouldn't necessarily have a lengthy
25 conversation with him, but even in passing I would see him more

1 often than not when I was there.

2 Q. Okay.

3 A. So if I was there once a week for the month, I'd probably see
4 him three out of the four times.

5 Q. Okay.

6 A. This summer -- I'm trying to remember if I saw him.

7 Q. Okay. And this would be before, let's say June or July?

8 Let's say before July?

9 A. Before this July?

10 Q. Yeah. Like the first half of this season.

11 A. Maybe once or twice between January and July of this year
12 roughly.

13 Q. Okay. Do you have any flight experience?

14 A. Only as a student pilot.

15 Q. And when you did go on site, and really over the last couple
16 of years that you've been in Ketchikan, have you ever observed any
17 kind of operational issues during your surveillance?

18 A. Yes.

19 Q. Okay. Can you describe the nature of these?

20 A. One time I was observing them loading passengers to go on
21 flightseeing tours and observed passengers boarding the aircraft
22 with what appeared to be large, larger backpacks. I did not see
23 the pilot take the backpacks and secure them in the cargo areas.
24 So I contacted the director of operations, who was George at the
25 time, and -- via phone, just so that's clear. I contacted, I

1 called him on the phone, told him what I was observing, and he
2 corrected it through their dispatch office at that time. It
3 wasn't delayed. It was at that time. Let me see what else. I
4 know there was something else.

5 Q. Are there any other instances you can think of?

6 A. Yeah, there is one other one that comes to mind. A
7 photograph of a passenger holding the control yoke of an aircraft
8 showed up on the internet and --

9 Q. Okay.

10 A. -- to me it appeared to be a Taquan airplane, based on how
11 they're configured. You could obviously tell the aircraft was in
12 flight because you could see past the person out the window and
13 the trees were really small. So I contacted the director of
14 operations and I forwarded him -- I contacted the director of
15 operations and the chief pilot, I think both, and I forwarded them
16 the photograph and asked them to explain the photograph.

17 Q. Uh-huh.

18 A. I also contacted the POI as well. They -- the director of
19 operations, George, responded via email about the photograph after
20 I guess talking with the company, the chief pilot. I think they
21 coordinated together to determine -- confirm it was their
22 airplane, and they actually contacted I think the person who was
23 in the picture and talked to them about -- anyway, I got a
24 response.

25 Q. Okay. What was the -- was it an appropriate response?

1 MR. SMITH: I think that you should answer that from a PMI
2 perspective if you know the appropriate answer, if not --

3 MS. BOLER: Right. Basically they told me they had addressed
4 it. The POI, since he was involved in the conversation as well,
5 kind of had other conversations. I don't know what they were,
6 only that he told me that he had talked with them. So they just
7 told me -- they responded to me that they had -- basically a short
8 version, they had talked to the person and they had addressed it.

9 BY DR. SILVA:

10 Q. Okay.

11 A. I don't know any of the details.

12 Q. Was this the time where you were PMI or was this when you
13 were a field investigator?

14 A. I want to say it was after I became the PMI.

15 Q. Okay. And you mentioned earlier that your tasks kind of
16 change between summer and winter. Can you go over that again?

17 A. Can you repeat that? I'm sorry.

18 Q. You mentioned earlier that your tasks, the job that you
19 perform kind of changes roles and responsibilities -- or really
20 your tasks within those roles and responsibilities change between
21 the summer months and the winter months. Can you go over what
22 that change looks like again?

23 A. Sure. In the summer months there are more opportunities to
24 monitor for in-flight mechanical problems that involve more of the
25 operational type issues where the plane might be away from base.

1 Q. Um-hum.

2 A. In the summer they don't do -- very rarely do any major
3 alterations or repairs. So it's more of the 100-hour inspection,
4 surveillance, and then the operations maintenance tie-in
5 surveillance.

6 In the wintertime, because they don't fly near as much but
7 they do more major alterations and repairs during their annual
8 inspections, that's where the shift changes of surveillance. They
9 occasionally do have flights, don't get me wrong, there are just
10 not as many. So while I will do some observations, the
11 opportunities are less, so -- but there's more opportunities for
12 surveillance in the hangar.

13 Q. Okay. Have you done any ride-alongs with them?

14 A. No.

15 Q. Okay. What's your overall impression of Taquan in your
16 experience you have with the FAA overall?

17 A. Impression of -- I guess I'm not understanding.

18 Q. Of the operation.

19 A. With regard to?

20 Q. One, overall, but you -- specifically with your experience on
21 the maintenance side, are you seeing specific problems? Is it
22 something that they're proactive? Those are the kinds of things
23 I'm looking for.

24 A. In my experience working with Taquan since I have been here
25 in Ketchikan, they have had with me -- and I'm only speaking from

1 my perspective, a very compliant attitude. They have worked with
2 me any time I'm there. And that is through -- working with me
3 through just improvements and with corrections, as well as
4 investigations. So the scope has -- while the scope of why I was
5 there may have changed, their attitude did not with me.

6 Q. Uh-huh.

7 A. Does that answer your question?

8 Q. Yes, it does. Wonderful. Thank you.

9 DR. SILVA: That's all I have. So I'll pass it back.

10 MR. WILLIAMS: Thanks, Sathya.

11 Brice?

12 MR. BANNING: I just have a few questions.

13 BY MR. BANNING:

14 Q. And just -- I'm sorry if they're repeating, but to provide a
15 little clarity, it sounded -- for me, it sounded like you became
16 the POI for Taquan in January of 2018; is that correct?

17 A. The PMI.

18 Q. PMI, I'm sorry, PMI.

19 A. Uh-huh.

20 Q. And when did you move back the Ketchikan? Was there a time
21 that you were not assigned Taquan that you were in Ketchikan?

22 A. Yes. I moved to Ketchikan in April of '17. So as a
23 geographic inspector.

24 Q. Okay.

25 A. Yeah.

1 Q. Thank you.

2 A. Uh-huh.

3 Q. And you mentioned that when you were trying to schedule a
4 meeting with a student and George, Taquan's DO, you were informed
5 that George was no longer living in Ketchikan.

6 A. Correct.

7 Q. Did you have any other discussions with Taquan's management
8 about George's departure from Ketchikan?

9 A. The only person I discussed -- are you talking at any time or
10 just when I found out about it?

11 Q. After the time that you had found out about that he had left,
12 were there any other discussions with company management about him
13 not being in Ketchikan or about DO responsibilities?

14 A. Yes, I did. I did have at least one other discussion. Yeah.
15 I recall one at least.

16 Q. And can you share with us who it was with?

17 A. With the chief pilot, Mike O'Connor.

18 Q. Mike O'Connor?

19 A. Yeah.

20 Q. And can you share with us what was discussed?

21 A. Let's see. Mike came to me with questions on working through
22 -- he was -- he had been assigned -- he told me he had been
23 assigned to develop the corrective action for a voluntary self-
24 disclosure they had made. And he had some questions on what that
25 looked like based on the submission they had done. I had not

1 talked to him up to that point. So we had quite a lengthy
2 discussion about how that process works, and then I asked him why
3 he had been assigned to work the corrective action because my
4 knowledge in the chief pilot is pilot training, pilot records,
5 pilot stuff. This was an operational issue which fell, in my
6 opinion, to more of the director -- it was a combination director
7 of maintenance, director of operations situation.

8 And he informed me that he had been tasked because he was
9 there and George was not, to pick up this corrective action
10 response to us and develop it and submit it. And that's what I
11 recall of the conversation about that.

12 Q. Did he express any other concerns to you with regard to his
13 workload with George being gone?

14 A. Yes. Talking about -- that's what it was. At about the same
15 time the company had sold or was in the process, almost done with
16 selling their Caravan. So that generated a change in operation
17 specifications. And I asked him about signing for the company to,
18 you know, for the removal of that aircraft. And I want to say
19 they already had a copy of the new ones, and so he -- so a week or
20 two prior he had gotten copies to sign. So when I was there
21 asking him -- we were talking about the corrective action plan, I
22 asked him do you have the OpSpecs. And he said, no, I haven't
23 signed them yet. This came, and we got to talking about
24 everything, you know, as far as he was shuffling things,
25 reprioritizing based on this new latest assignment. He said he

1 would get to the OpSpecs.

2 So that was -- that's what I recall of the conversation as
3 far as what would typically be under his purview and then
4 additional stuff he had because George was gone.

5 Q. Okay. And when you found out that George had left in
6 December of '17 through the first part of '18, somewhere in there,
7 do you know about how many days George spent back in Ketchikan
8 following his departure working for Taquan?

9 A. What I was told by the director of maintenance, and I believe
10 George at some point in our email conversations also kind of
11 confirmed, that he would come back a weekend a month roughly.

12 Q. Okay.

13 A. Which in hindsight probably was the reason I didn't see him
14 much. I don't normally work weekends. So I was there and he
15 wasn't and vice versa, now that I think about it. But that's what
16 I recall being told.

17 Q. Okay. And then I wanted to ask you briefly. You mentioned
18 unit meetings that you -- are unit meetings made up -- the
19 individuals participating in those unit meetings, is that only CMT
20 members for particular certificates?

21 A. No. I think our admin staff attend. It's the frontlines --
22 the two frontline managers, all the inspectors who are there in
23 the office or call in. So the GEO inspectors who are in Kenai and
24 (indiscernible), they call in, and then we have a few admin staff
25 that will sit in.

1 Q. Okay. So do you -- did you have CMT-only meetings for
2 Taquan?

3 A. No.

4 Q. Okay. In other positions -- I'm sorry. Let me rephrase
5 that. In other FSDOs that you worked either as a PAI or a PMI,
6 did you ever have CMT meetings for other certificates you held
7 outside of Alaska?

8 A. Yes.

9 Q. Okay.

10 A. Yes. Uh-huh.

11 MR. BANNING: I think that's all the questions I had. Thank
12 you.

13 MS. BOLER: Uh-huh.

14 MR. WILLIAMS: Okay. Thanks, Brice.

15 You doing okay?

16 MS. BOLER: Uh-huh. I am, thank you.

17 MR. WILLIAMS: Water, break, anything? You good?

18 MS. BOLER: I'm good.

19 MR. WILLIAMS: Okay.

20 Brad, do you have any questions?

21 MR. SIPPERLEY: I do. And I will -- most of them are just
22 follow-up questions, of course.

23 BY MR. SIPPERLEY:

24 Q. I'm going to kind of work backwards here. With respect to
25 the manipulation of the controls possibly, are you aware of any

1 follow-up action that may have been taken in the form of
2 enforcement or a compliance action by the FSDO on that?

3 A. I wasn't involved in any, so I'm not aware of what -- I just
4 know I wasn't involved in anything.

5 Q. Okay. So you're just not aware if there was any follow-up
6 action taken at all or what the findings were?

7 A. By anybody else, no. I know I didn't. I passed it on to
8 somebody who knows more about the rules of regarding that.

9 Q. Okay. Other than the chief pilot, at any time would you have
10 observed what you considered DO duties being done by other
11 employees of Taquan?

12 A. No. I really didn't have a lot of interaction with anybody
13 else other than the director of maintenance and the chief pilot, I
14 mean, as far as --

15 Q. Okay. You said you had pretty much infrequent conversations
16 with the POI. Were there any concerns that you ever raised to
17 POIs or to management that you never heard back on and you can
18 recall?

19 A. Well, not hearing back on, at least for a while, on the
20 initial concern about what certificate, what other certificate
21 Mr. Curtis was on. I mean, that was a -- I didn't hear back on
22 that for a while and that was a bit frustrating honestly, but --

23 Q. Okay. Because you are physically in Ketchikan are you ever
24 asked, or have you ever been asked by POIs to take a look at
25 certain things or to maybe do a DCT form, data collection tool,

1 since you're actually there and you're able to surveil it a little
2 easier?

3 A. I have never been asked to do a DCT for a POI. I have never
4 been asked to do any type of surveillance for a POI, with the
5 exception of one time when I, after I arrived -- not this year,
6 but in 2017, I was asked if I would be willing to go on what they
7 call a ghost flight, which is where they have an inspector buy a
8 ticket as a passenger and they go on flightseeing tours as a
9 passenger and observe without the full-on credentials. So they
10 don't -- I mean, they have credentials but they don't make them
11 aware that they are actually doing official observations, them
12 being the operator.

13 Q. Did you go on the ghost flight?

14 A. I did not because and my explanation to the POI was they know
15 who I am. They recognize me. And that was -- I mean, I used to
16 work for the owner of Taquan so he knows me personally. A long
17 time ago. So for me to be incognito and really observe how they
18 truly execute their operations wouldn't have worked.

19 Q. Yeah, that makes sense.

20 A. Yeah.

21 Q. With respect to the data collection tools, I know that some
22 of our disciplines, some of those data collection tools there's
23 some overlapping questions that are similar. Have you ever had
24 any -- done any surveillance on your side that blended concerns
25 that you shared with the ops side that you needed to share with

1 them? For example, you found an issue in one of your DCTs that
2 bled over into something operations-wise. Did you ever -- have
3 you ever had that experience and had to share that with POI?

4 A. Conducting the ramp -- or I guess you would call it ramp
5 surveillance when I observed, in my opinion anyway, them allowing
6 people to keep their hand-carry baggage. That was one that bled
7 over into operations that I relayed. But I'm trying to think.

8 Q. Okay. Well, that's -- I know that I end up having
9 discussions with my PMI, and vice-a-versa sometimes, when we find
10 things when we're doing surveillance. So that's what I was
11 asking.

12 A. Yeah. No, there was -- one other time was when they
13 accidentally fueled a Beaver with the wrong fuel. That bled over
14 into operations as well. So there was a couple of times, but
15 sometimes there wasn't any findings that -- you know, so I didn't
16 have any need to let the POI know of any issues.

17 Q. Okay. And my last question is. Going from a GEO inspector,
18 which I hate to admit I'm not really familiar with what those
19 duties are, a GEO inspector to a PMI, how does that -- did your
20 surveillance assignment change going from a GEO inspector to a
21 PMI?

22 A. So as a GEO inspector you do not have control of DCTs as far
23 as if you want to generate extra ones, if you want generate a
24 custom one to focus on an area for more surveillance, that's
25 strictly up to a principal inspector. So as a GEO inspector, I

1 would only do surveillance when I was assigned a DCT to do or an
2 item to do depending on the -- as a principal, I have full control
3 of where I -- how I do my risk management.

4 Now, that being said, as a GEO inspector you pass on your
5 findings to the principal so they have the -- you know, it's not
6 like a big secret, so they have the opportunity to look at the
7 findings and manipulate resources accordingly to focus on any
8 findings they may have. But it's still left up to them to do it.
9 So as a principal, I get full control over how I execute my risk
10 management and where I focus at any given time my resources, to if
11 I think any area needs to be -- needs further surveillance based
12 on factors that I see.

13 Q. When you were working as a GEO inspector were all the DCTs or
14 the things you were asked to surveil, were they all maintenance
15 related or were you ever asked to do any operations surveillance
16 during that time?

17 A. The only operations -- and I wouldn't -- it was an
18 investigation. It wasn't really a DCT surveillance. That was the
19 only operations related -- I guess you could still -- it was an
20 investigation that I did as a GEO inspector. I was never asked to
21 do an operations DCT or even an operations question off of a DCT.

22 Q. So during your time April '17 up to becoming a PMI, you
23 really didn't do any -- being the person being there in Ketchikan,
24 you really weren't focused on any operations stuff for the most
25 part?

1 A. Correct. It was whatever they assigned me and I don't recall
2 ever getting any operations-based surveillance. Like I said, just
3 one investigation and that was it.

4 MR. SIPPERLEY: Okay. That's all I have for now. Thank
5 you.

6 MR. WILLIAMS: Thanks, Brad.

7 BY MR. WILLIAMS:

8 Q. So I just have one follow-up, and going back to the picture
9 and the concern about that. When you brought that concern up and
10 it got passed off to the POI, did you personally do a PTRS or SAS
11 or anything to document that?

12 A. To document the conversation with the PMI?

13 Q. Or there was a concern that you had found this picture and
14 now it's being sent off to the company to figure out. Was there
15 any -- essentially was there a paper trail on it?

16 A. I'm not sure. Normally you would change the -- I might get
17 this terminology wrong -- the risk factors for the operator in
18 SAS. So if you lose people, they have an accident, if you have
19 surveillance findings, you update the assessment of the operator
20 if you're a principal. What I can't remember is where it fell --
21 whether I was a principal or not.

22 Q. Okay.

23 A. If I wasn't, I wouldn't be able to make that change.

24 Q. I didn't know -- when I was with the FAA, it was still PTRS
25 or just transitioned over to SAS. So if something like that came

1 in, it would be not necessarily a complaint but just like a PTRS
2 record.

3 A. Right. In SAS you record it as a risk factor.

4 Q. Okay.

5 A. That's how -- for me, that's how I would record it. If it
6 was on the -- say, the director of maintenance was in the -- would
7 have been in the same situation as the DO; he was gone most of the
8 time, for me that's a risk factor. So I would basically -- like
9 in the system you identify the factor as causing you to think
10 there is increased risk, and like I said, there's a whole list.
11 And you can have stuff that's not on the list and still have to
12 identify it. And then it drives you to what are you going to do
13 with that risk, risk management, as far as do you have to do
14 something. You don't have to do something necessarily.

15 So, but on the maintenance side, that's what I would do for a
16 director of maintenance in the same situation.

17 Q. Well, I'm not thinking about the DO concern and the DOM. So
18 this picture showed up on the internet, appeared somebody flying.
19 So when you forwarded it along, that's what I was trying to get
20 at. So that would change their -- they would go in and do risk on
21 that or would there be like a PTRS entry that there's an
22 investigation or --

23 A. I don't know what they would -- I don't know what the
24 operations would do, would generate with regard to that.

25 Q. Okay.

1 A. I would assume it would be some sort of a custom DCT.

2 Q. Okay.

3 A. I don't know though.

4 Q. But you personally didn't change anything; do anything that

5 you can recall?

6 A. With regard to the DO leaving or with regard to the picture?

7 Q. The picture. Just like if I was to go back and try to find

8 the record to get the time frame. That's what I was just kind of

9 wondering, would I look in like SAS for DCTs or would I look in

10 PTRS?

11 A. You would not look in PTRS.

12 Q. Okay.

13 A. Because they are 135, it would be in SAS. And I would expect

14 -- I mean, I would expect a DCT on the ops side. That's all I can

15 tell you.

16 Q. Okay.

17 A. I know I didn't do anything.

18 Q. No, that's just what I was looking for. Nothing --

19 A. But there was correspondence, definitely that.

20 Q. Perfect. Thank you.

21 MR. WILLIAMS: That's all I have.

22 Sathya?

23 DR. SILVA: Nope, I'm all set. Thank you so much, Lana.

24 MS. BOLER: Uh-huh.

25 MR. WILLIAMS: Brice?

1 MR. BANNING: Yeah, just a couple more questions.

2 BY MR. BANNING:

3 Q. The POI currently is in South Carolina; is that correct?

4 A. Yes.

5 Q. The certificate is still held in the Juneau office; is that
6 correct?

7 A. Yes.

8 Q. Have you had any communications with the new POI in South
9 Carolina since he took over the duties of POI?

10 A. Yes.

11 Q. And can you share that with us?

12 A. Recently we instituted a policy on -- well, just speaking on
13 Taquan anyway. It's probably overall. For Taquan discussions,
14 anything, doesn't matter if it's strictly maintenance or -- the
15 whole CMT gets copied on that correspondence. Occasionally the
16 POI will, would send -- has sent an email about -- like he had a
17 new application for a new chief pilot or something operations
18 related, he will copy us in on it. Full-on conversations, not so
19 much.

20 Q. Do you have -- since the POI duties have been in South
21 Carolina, do you have regular CMT meetings with the CMT for
22 Taquan?

23 A. No.

24 Q. Okay. Are -- is the POI in South Carolina, does he call in
25 to your unit meetings or your Monday morning management meetings

1 with the Juneau FSDO?

2 A. He did last week.

3 Q. Is that the first one that he called in on?

4 A. That I recall.

5 Q. Okay.

6 A. Yes.

7 Q. My understanding is that he did come to Ketchikan recently?

8 A. Yes.

9 Q. Did you meet with him when he was here?

10 A. Define meet.

11 Q. Did you guys have any discussion together when he was here
12 about the CMT or about Taquan, any of your concerns, anything that
13 was certificate related?

14 A. No.

15 Q. Okay. So maybe you had an introduction where you shook hands
16 and said hello?

17 A. Correct. I gave him a ride to the G-car, which was about 5
18 minutes.

19 MR. BANNING: Okay. All right. And I think that's all I
20 have. I sure appreciate your sitting with us.

21 MS. BOLER: Sure.

22 MR. WILLIAMS: Thanks, Brice.

23 Brad, do you have anything else?

24 MR. BANNING: No, I have no more questions. Thank you, Lana.

25 MS. BOLER: Sure.

1 MR. WILLIAMS: Well, I thank you for taking your time to talk
2 with us. If there's anything else you can add or anything else
3 you have, please help us out. We're just trying to figure out
4 what's going on or what went on and how we can prevent the same
5 from happening again.

6 MS. BOLER: I understand. Absolutely.

7 MR. WILLIAMS: So we are off the record at 11:06 [sic].

8 (Whereupon, at 12:14 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: HYDABURG, ALASKA DE HAVILLAND DHC3T
 OTTER COLLISION WITH TERRAIN
 JULY 10, 2018
 Interview of Lana Boler

ACCIDENT NO.: ANC18FA053

PLACE: U.S. Customs and Border Protection
 Conference Room

DATE: November 1, 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.



Letha J. Wheeler
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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HYDABURG, ALASKA DE HAVILLAND DHC3T *

OTTER COLLISION WITH TERRAIN

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Accident No.: ANC18FA053

JULY 10, 2018

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Interview of: RICH PEABODY, Front Line Manager
 Juneau FSDO

Flight Standards District Office
 Juneau, Alaska

Thursday,
 October 11, 2018

APPEARANCES:

SHAUN WILLIAMS, Operations Group Chairman
National Transportation Safety Board

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

BRICE BANNING, Investigator in Charge
National Transportation Safety Board

MATT RIGSBY, Air Safety Investigator
Federal Aviation Administration (FAA)

MIKE O'CONNOR, Chief Pilot
Taquan Air

MATTHEW SMITH, Esq.
Office of Chief Counsel, FAA
(On behalf of Mr. Peabody)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Rich Peabody:		
By Mr. Williams		5
By Dr. Silva		21
By Mr. Banning		31
By Mr. Rigsby		32
By Mr. O'Connor		38
By Mr. Williams		39
By Dr. Silva		43
By Mr. Banning		45
By Mr. Rigsby		46
By Mr. O'Connor		47
By Mr. Williams		48
By Mr. Rigsby		49

I N T E R V I E W

(9:12 a.m.)

MR. WILLIAMS: So Rich, again, my name is Shaun Williams, the Operations Group Chairman with NTSB investigating the facts and circumstances around the accident involving Taquan from this summer.

There are several of us here. We'll kind of go around the room, let everyone introduce themselves and tell you their affiliation.

MR. RIGSBY: I'm Matt Rigsby out of the FAA's Office of Accident Investigation. I'm not the IIC on this accident but I'm assisting Brad Sipperley, who is.

MR. BANNING: Brice Banning, NTSB.

DR. SILVA: Sathya Silva. I'm human performance at the NTSB.

MR. O'CONNOR: Mike O'Connor, chief pilot, Taquan Air, here as the party rep.

MR. PEABODY: I'm Rich Peabody, FLM Juneau FSDO.

MR. SMITH: I'm Matt Smith, from the Office of the Chief Counsel for the FAA.

MR. WILLIAMS: So like I said before we really got started, we are using a tape recorder to record the interviews. The transcript from that recording will be a part of the public docket, the audio recording will not.

MR. PEABODY: Okay.

MR. WILLIAMS: And that will be released when the factual

1 report comes out.

2 So the purpose, you know, we're talking to you today for
3 safety, trying to figure out what happened and getting the
4 background, getting the FAA's perspective. And how the management
5 of the certificate stuff worked is an integral part in figuring
6 all of this out.

7 Please answer all questions to the best of your recollection.
8 If you don't understand something, ask to have it repeated. If
9 you misspoke or want to change an answer, please do so. We want
10 the most accurate information.

11 MR. PEABODY: Okay.

12 MR. WILLIAMS: You are entitled to have one representative of
13 your choosing. Is there someone you would like to have?

14 MR. PEABODY: Um-hum.

15 MR. WILLIAMS: Can you please state his name?

16 MR. PEABODY: Well, Matt here is --

17 MR. WILLIAMS: Okay. So Matt, as always, you can direct Rich
18 not to answer a question but please don't answer it for him. You
19 can also ask for a brief recess or, you know, go talk to him or
20 anything like that.

21 MR. SMITH: Understood. Thanks.

22 MR. WILLIAMS: Yep. Do you have any questions before we move
23 on? Okay.

24 INTERVIEW OF RICH PEABODY

25 BY MR. WILLIAMS:

1 Q. So if you could for the record, please state your name and
2 title.

3 A. So Rich Peabody, front line manager, Juneau FSDO.

4 Q. And Rich, give me just kind of an over -- general overview of
5 your background and how you got where you are.

6 A. So my background is 135 helicopter flying in southeast
7 Alaska, here in Juneau. Did some time in Anchorage for 4 years,
8 and then got hired in the Portland FSDO in 2009 and moved here in
9 2013.

10 Q. So when were you hired -- you said 2009 with the FAA?

11 A. 2009, yeah.

12 Q. Okay. So kind of tell me about the experience, how you got
13 from being hired in '09 to being a front line manager.

14 A. Well, I got hired. I was a POI in Portland after my first
15 year. I did that for up until a year and a half ago. So I've
16 been a principal for 7 years or so. And then I'm really new at
17 being a front line. I've just been a year and a half in this
18 position. So a lot of learning and made some mistakes, I'm sure,
19 but it's been a good process so far, so -- I was glad to get out
20 of flying is kind of why I took this job.

21 Q. Were you flying tours or just --

22 A. No, no, mostly -- more for the FAA, just doing check rides
23 and that kind of stuff, so --

24 Q. So when you became an FLM a year and a half ago, was there
25 any specific training that you had to go through?

1 A. Yes.

2 Q. Can you talk about that?

3 A. Yeah. Yeah, there is -- they've got a division at the FAA
4 called FLLI, it's flight standards leadership -- I can't remember
5 what the acronym stands for but it's actually pretty good. They
6 take you through leadership training, give you all the HR
7 background that you kind of need, and they do a really good job of
8 it, I think, in preparing you. So I think I went to four courses
9 in my first year and a half. Two were in D.C. and two were in
10 Tampa, and really good training.

11 Q. Okay. So is there ongoing training?

12 A. Yes. I have a mentor right now. It's a senior manager that
13 I meet with once a month and spend an hour with, and we go over
14 different topics and talk about problems of the day. And I also
15 have coaching available, which I've been using and that's been
16 really good, so -- I would say the FAA definitely has supported
17 management in what they need to do their job.

18 Q. That's good. So what's some of the training -- you mentioned
19 FLLI and getting the HR perspective and that sort of stuff. Is
20 there anything like task specific as far as now, you know, you're
21 switching from being a POI to overseeing POIs. Is there anything
22 about going back and do you spot check, like, work? Is there --
23 was there any training on the actual job function?

24 A. Yeah. Yes, I believe they did cover that. I mean, it's
25 really hard to be a principal and being -- running your own

1 program to then overseeing people and letting them do their jobs.
2 And that's the hardest thing, I think, for me as a front line is
3 letting people do their jobs and empowering them. You tend to
4 want to get in there and fix their problems for them or whatever.
5 But that's probably the biggest lesson I've learned in my first
6 year and a half is to support, empower, and give the people the
7 tools they need to do their jobs and not try to fix their problems
8 for them, if you will.

9 Q. So what would you say your duties and responsibilities --
10 what is a typical day in the life of Rich, the FLM?

11 A. Well, it's just pretty much supporting the employees. I
12 mean, whatever they need, approving leave, travel. Another big
13 component is, you know, checking quality of work and so, you know,
14 accident investigations will come through. We have reports just
15 like you guys do, and we're trying to make sure all the
16 information is accurate. And then, of course, surveillance is the
17 biggest part of our job; just ensuring that the surveillance is
18 covered, if possible, and that the quality of that documentation
19 is as best as possible.

20 The human factors part, you know, we're human so it's like
21 80 percent of the time there's going to be success but 20 percent
22 of the time there's not. And trying to capture that 20 percent
23 and clean it as best as possible. I personally think we should
24 just say we're going to have 20 percent failure, you know, when it
25 comes to data quality or whatever, but that's just my opinion.

1 Q. So you mentioned checking quality of work and with looking
2 over accident reports like the -23 form, I think you were
3 referencing, it's pretty straightforward as far as data blocks and
4 stuff are filled in. But with surveillance, how do you oversee
5 that quality? How do you do a quality control on surveillance?

6 A. Well, we have a new surveillance system, which is called
7 SASS. And we have, you know, data collection tools that are
8 created by people way above my pay grade, and they give us our
9 marching orders, if you will.

10 And then we basically -- the inspectors will go out and ask
11 the questions that are on the data collection tool and verify that
12 everything that they need to see is there, and then document if
13 they don't find something. And, you know, we have a compliance
14 philosophy movement right now where if we find problems we
15 document it, and we correct it on the spot.

16 So we're definitely capturing the information, but we're
17 using a different system which is new to us. So it's -- we used
18 to have our PTRS system, which was pretty user-friendly. This new
19 one is just a little different animal, and we're trying to figure
20 it out. But it's not for lack of trying. I mean, everyone in
21 this office is genuinely trying to use the system. But we were
22 the last office to get rolled into it and after (indiscernible) --

23 Q. The last one in Alaska or just the last one in general?

24 A. I think we're the second to the last in the whole U.S.

25 Q. Wow.

1 A. So we're a little bit behind the power curve, but we're
2 trying.

3 Q. How many inspectors do you use?

4 A. I am supervising nine inspectors right now, I believe.

5 Q. Are they all ops or what's the breakdown?

6 A. No. It's a mixed unit. So I've got two ops and -- or
7 actually one op and seven maintenance, and one ASA. So yeah,
8 however, that breaks down is -- I'd have to -- I can get accurate
9 numbers for you but that's kind of the ballpark.

10 Q. So prior to the POI duties transferring from Juneau -- and
11 I'm talking regarding the Taquan certificate, transferring to
12 Juneau to South Carolina, how long had you been the FLM holding
13 that Taquan certificate, do you know?

14 A. I don't, but if I were to guess it would be 6 months, maybe.
15 I did a 6-month detail as a front line and then I went back to
16 being a principal for 6 months, and then I got hired into the
17 full-time spot. So we were moving a lot of stuff in the past 2
18 years. So I'd have to check. But with that being said, being the
19 front line over Taquan is not accurate in the sense that I was the
20 front line manager of the principal ops inspector, but the
21 principal maintenance inspector and avionics were under a
22 different front line. So we kind of had a mixed -- it was really
23 unclear.

24 And I technically -- the way we've divided this office, I
25 manage the inspectors that have everything north of Juneau and

1 David Heydt has everything that is south of Juneau. So we kind of
2 broke it down geographically, and since we've assumed all these
3 certificates, it's been really a difficult animal to kind of
4 manage on how we do it. We've got now mixed units, so it's kind
5 of unclear. But I personally did not have a lot of interaction or
6 oversight with Taquan in itself as in the certificate. Although,
7 Brian Frederick was the POI and he was under my -- at the time,
8 before I (indiscernible), so --

9 Q. So Brian was under you?

10 A. Yes.

11 Q. Okay. When did you do your 6-month detail; do you remember?

12 A. I can get that for you, but it was 2 years ago.

13 Q. Okay.

14 A. And it was for -- I think I started in July and went through
15 December or something like that.

16 Q. Okay. So how many other certificates are under your --
17 managed by your inspectors?

18 A. Well, our office, I'd have to guess but it's around
19 80 certificates or so that we manage in this office.

20 Q. The office. And then so about how many do you --

21 A. Well, like I said, it's mixed.

22 Q. Mixed.

23 A. That's the weirdest part. It's like I've got some inspectors
24 that manage northerly certificates, others that manage southerly
25 certificates. This whole mixed unit thing has been an interesting

1 dynamic, and it's I think successful but it's complicated.

2 Q. Okay. So looking at Taquan, what specific oversight
3 activities or what would you expect from a POI to perform or
4 ensure perform during the course of a year on them?

5 A. Well, basically, like I said, we've got a generated work
6 program and they should be going out and performing all those data
7 collection tools. And they span the whole gamut of everything
8 from flight checks to base inspections to interfacing with
9 management, records inspections, all of that. Yeah, I mean, I
10 could get you the actual DCTs but we try to cover everything.

11 Q. Now can those DCTs, can they all be performed in one, like
12 one hit? So they'd come in in January and knock everything out
13 and then they're gone for the rest of the year --

14 A. No.

15 Q. -- or how is that spread out?

16 A. No. It's spread out -- and I'm not sure where Taquan is
17 scoped, but the national program scopes the complexity of each
18 operator and then that determines how often that you're going to
19 do surveillance. So a high risk operator, which doesn't mean
20 risky but, you know, there's enough complications to the
21 certificate that they require more surveillance, will probably get
22 four DCTs a year, so one a quarter.

23 Q. Okay.

24 A. A single pilot operator may get one a year. So they've tried
25 to scope it to where we're putting our resources where it's most

1 effective.

2 Q. How has the oversight changed maybe with the span that you've
3 been there and with SASS? How has the oversight kind of changed
4 since SASS has come in? Like has it increased for Taquan? Can
5 you compare?

6 A. Well, it's my opinion, but I believe that the surveillance
7 hasn't really changed much. It's how we document it that's really
8 changed. And again my opinion, the time that it takes to
9 interface with this new oversight system is much more time-
10 consuming than the old one.

11 Q. What's --

12 A. So I think they knew that when they went into it, but it's
13 just getting to know it, so --

14 Q. New programs usually take a little bit.

15 A. Yes.

16 Q. There's always --

17 A. Exactly.

18 Q. -- tough times. So what -- how would you describe the
19 relationship between the FAA and Taquan?

20 A. I, like I said, don't have a lot of direct interface with
21 them in the past. But my personal opinion is that it's a good
22 relationship and that I don't think that we've had any huge issues
23 with surveillance that we've been doing or had any big red flags
24 or -- and I believe there's an open dialogue that's -- you know,
25 we definitely have operators that are, you know, not user

1 friendly. I don't believe Taquan is that way at all, so --

2 Q. Okay

3 MR. SMITH: Shaun, can I interject just --

4 MR. WILLIAMS: Yes.

5 MR. SMITH: Would clarify for me, you asked what the
6 relationship with the FAA and Taquan is. Were you asking how his
7 -- the FSDO and how his operations as a manager, those
8 relationships, are with Taquan?

9 MR. WILLIAMS: Yes. Or basically if the POI or the former
10 POI was coming in constantly --

11 MR. PEABODY: Yeah, no.

12 MR. WILLIAMS: -- hey, you know, I'm really -- we're bumping
13 heads and that sort of thing. That's kind of what I was --

14 MR. SMITH: Thanks for clarifying for me.

15 MR. WILLIAMS: -- trying to clarify.

16 MR. SMITH: Thank you.

17 MR. WILLIAMS: Yeah.

18 BY MR. WILLIAMS:

19 Q. So any -- have you personally visited Taquan?

20 A. No.

21 Q. Do FLMS typically have any interaction or contact with
22 operators?

23 A. Yes.

24 Q. Can you kind of describe that, when you would or --

25 A. Through different management there's been different

1 approaches, but basically traditionally we try to get out once a
2 year to each area with the principals and meet operators and --
3 it's actually a great benefit for the FLMs to, you know, because
4 the principals are where the rubber meets the road. They're the
5 ones doing the actual work and we get little bits of, you know,
6 upward feedback but -- so it's good, and we do. Yeah, we try to.

7 Q. Have you gotten down to Ketchikan?

8 A. I have. Not as a front line, but I did have some experience
9 around the helicopter site. I was a helicopter principal, so --
10 they have some pretty big helicopter operators down there.

11 Q. Are you aware, was there any -- did the surveillance plan or
12 anything change with Taquan following the acquisition of the
13 Promech assets, when they started bringing on Otters and --

14 A. I don't know that.

15 Q. Okay. Were you -- I think that changed in 2017. So were you
16 front line at that point, do you know?

17 A. I don't believe I was.

18 Q. Okay.

19 A. And if I was, I didn't have any interface with that.

20 Q. So are you familiar with the pilot training program at
21 Taquan?

22 A. I am not.

23 Q. So regarding training programs in general, I understand that
24 the CMT, the POIs, are the ones that are, like you said, the
25 rubber meets the road. They're the ones that are out there

1 improving programs and that sort of thing.

2 Do you ever go back and audit any of the approved programs or
3 anything and just kind of take a look and see, or do you leave
4 that up to the inspectors and that's just oversight?

5 A. That's completely up to the inspectors.

6 Q. Okay. Do you know if Taquan is Medallion?

7 A. I do not know that if they are or not.

8 Q. Are you -- I want to talk a little bit about operational
9 control without going into the weeds as far as Taquan specific,
10 number of people and that sort of thing, because, like we've
11 established, that's a POI thing. Are you aware of any approval
12 process for operational control delegates by the FAA?

13 A. Well, we do have a very defined process in how we delegate
14 operational control to a certificate. I mean, if they're a basic
15 or better, they have to have a chief pilot, DO, instructor of
16 maintenance. And those individuals will be interviewed by the
17 FSDO before them being named and issued into op specs. And they
18 will also -- well, that's about it. I mean, but we -- I mean,
19 there is a very formal process for how we designate 119
20 management.

21 Q. So you mentioned an interview. Is that a required thing?

22 A. It's not a requirement but it's very common. If we -- say,
23 for example, I know the chief pilot, I've known him for 20 years
24 and he's the perfect candidate, I don't need to interview him.
25 But it's an unknown person, we will definitely bring him in. And

1 the whole idea behind interviewing is for them to understand their
2 job functions and what they're -- what we expect of them.

3 Q. So you mentioned "we will bring them in." Is that the POI?
4 Do you have any involvement with approval of 119s?

5 A. No.

6 Q. None. Okay.

7 A. You know what, I'd like to reclarify that, because when an
8 inspector sends out formal correspondence naming an individual
9 like that, I will be on the grid and I will sign off that
10 document. So I don't view it as I do, but I do, I guess. So I do
11 only for that. I just -- but I default to the principals to make
12 that call unless I get pulled in and there's some weird thing.
13 But, yes, I do approve that process.

14 Q. Do you recall ever hearing any concerns voiced about like the
15 director of operations being present or being spread thin across
16 several operators?

17 A. I have heard of that.

18 Q. Can you elaborate on that a little bit?

19 A. Again, I didn't have direct oversight, but I did hear that we
20 had a director of ops that may have been serving on multiple
21 certificates.

22 Q. Was that before the accident or after?

23 A. I would have to get back to you on that one, but -- I'm not
24 sure.

25 Q. Since the accident, are you aware of any FAA-requested

1 changes to operational procedures for Taquan?

2 A. I'm not aware of any.

3 Q. Have they submitted any sort of risk mitigation plan or
4 anything that you're aware of?

5 A. Not that I'm aware of.

6 Q. So being a former POI and now an FLM, can you kind of
7 describe the training provided to inspectors to be a POI?

8 A. Well, we have our STRINGS course in Oklahoma City, which is 6
9 weeks long and very -- it definitely covers all of the big points.
10 And then we have a very robust OJT program in place where the
11 inspectors will go with other inspectors and learn how to perform
12 certain job tasks and it's all documented. So theoretically,
13 before an inspector does any sort of task like a check ride, they
14 have been formally vetted and checked. So I believe we have a
15 qualified course.

16 Q. So is there anything specific that you can think of? So you
17 come online, you complete STRINGS, you're going through your OJT,
18 and normally that's going to take at least a year before you get
19 bumped up to being a POI. So you're going from being an ASI,
20 okay, now you're going to manage or oversee these certificates on
21 your own. Do you know is there a specific training course that,
22 okay, before you can do that we have to send you back to Oklahoma
23 City, or is it kind of a smooth transition over?

24 A. I am not aware of a formal training that prepares for that.

25 Q. Okay. You mentioned, you know, hearing -- whether it was

1 before or after the accident, hearing about like the DO being
2 stretched across multiple certificates. I guess I'm trying to
3 figure out is if you think an acceptable level of operational
4 control can be maintained by someone being stretched thin. And
5 like I said, we don't know when this came about or anything, but
6 just as a former POI, if you knew that a DO was stretched across a
7 couple larger 135 certificates, would that cause any alarm or --

8 A. My personal opinion is that that's extremely suboptimal and I
9 would be very concerned with it. I don't know that we could stop
10 it, but I would definitely exercise as much control as I could to
11 stop that if I could.

12 Q. Okay. So we talked a little bit about the certificate
13 changing, the POI now being down in South Carolina. When a
14 certificate is transferred from one POI to another, is there
15 any -- can you talk to me about that change of the guards, if you
16 will, how does that transition take place?

17 A. Well, optimally, you know, there's a handoff between the
18 leaving inspector and the receiving inspector, and kind of -- I
19 mean, I've seen it done everything from, you know, full-blown
20 paper identifying areas that they need to be concerned about or
21 look at or whatever, all the way to an inspector being -- putting
22 in his resignation papers and the next POI gets the certificate
23 and has no idea what they're in for, you know. So there's a whole
24 rainbow of how that can happen. But ultimately, we would like to
25 completely do a briefing, a good handoff between the two

1 inspectors.

2 Q. So were you the front line when Brian Frederick left --

3 A. Yes.

4 Q. -- and Jon Percy took over?

5 A. Yes.

6 Q. How did that transition work?

7 A. That one actually, I'm sure there was a lot of communication.
8 Those two were very close and had cubes right next to each other
9 and talked all the time. So I'm sure that Percy knew -- and I
10 think Jon had oversight over Taquan at some point in the past, so
11 I think there was a good transition for that.

12 Q. Were you involved with any of those conversations at all?

13 A. Not really.

14 Q. Is there any guidance out there on what needs to be reviewed
15 when transferring certificates?

16 A. I do not know that.

17 Q. So regarding the training program at Taquan, we know that the
18 initial approval had expired about 6 months prior to the accident.
19 Are there any safeguards in place that may have failed, like in
20 this instance, to prevent a training program from expiring? Such
21 as is there an office database or is there something out there
22 that could help prevent this?

23 A. Yes. There is now. At the time there was, we just weren't
24 utilizing it. But in our new oversight system there is a process
25 to where when you receive a training manual and put it into

1 initial approval, it's put into our -- it's called the AITT and
2 its tracking tool, and will give us alerts when the manual is
3 coming up for being needed to either be final approved, or the
4 other option is for withdrawing approval.

5 Q. So was that program available earlier this year and --

6 A. It wasn't --

7 Q. -- just wasn't utilized or --

8 A. Yes. It was available and we were not utilizing it properly.

9 Q. Okay.

10 A. But big lesson learned. So we are now.

11 MR. WILLIAMS: Okay. I think I'm going to stop there.

12 Sathya?

13 BY DR. SILVA:

14 Q. Actually, along those lines -- now I forgot the question.

15 Before you were using the tool, how did inspectors kind of
16 track the manual revision in the approval process?

17 A. That was an individual process, so everyone did it
18 differently and it was definitely not good.

19 Q. Did you have any strategies when you were a POI?

20 A. Yes.

21 Q. What were those?

22 A. Never put anything in initial approval.

23 Q. Okay.

24 A. Just to clarify, initial approval is a tool that we have to
25 maintain control over a joint program -- once we approve it

1 finally, we can still withdraw whenever we want, but it gives us
2 the leverage to ensure that they notify us with any joint
3 (indiscernible). And that's the benefit of initial approval, is
4 so that we can kind of hold the operator back a little bit and say
5 we want to be more involved in this.

6 And a lot of times inspectors will do that and then regret
7 that they had done that, and have witnessed the training and
8 everything and just -- so that was my strategy was just to engage
9 with the training program at all times, but I tend to -- unless it
10 was an extreme example, I never put anything in initial approval.

11 Q. And I'm still a little fuzzy on your timeline for FLM and
12 POI.

13 A. Um-hum, me too. I can definitely get the dates for you.

14 Q. Okay. Well, do you have an idea the last -- so your
15 permanent position now, do you have an idea when you started that?

16 A. Yeah. That was July of the previous year. So I've been in
17 for a year and a half, pretty much.

18 Q. Okay. So July 2017?

19 A. Yes.

20 Q. And then you said 6 months, about 6 months from July?

21 A. Yeah. So I did -- so 6 months previous to that I was back in
22 the POI position, but then I did a 6-month detail in 2016, I
23 guess.

24 Q. Okay, got it. Who was in this position before you?

25 A. So prior to myself, we've had quite a few different people in

1 the position. But Brad Sapp, who is a front line, and Charles
2 Wisner, and Joe Pocher came after them, and then David Heydt and
3 myself have been the most current in position.

4 Q. Okay. So when you were back in your 6 months of POI, who was
5 the FLM at that time?

6 A. David Heydt.

7 Q. And Shaun touched on this a little bit, but the bigger
8 picture, what has been your interaction with the Taquan operation,
9 whether it's 119 officials or --

10 A. I've had very little, if none. I just, I -- like I said, I
11 pretty much am in charge of the northerly certificates, so I do
12 have interaction with them ,but with Taquan I just haven't.

13 Q. So you haven't gone out --

14 A. No.

15 Q. -- like what you were mentioning before. Okay. Okay, so you
16 mentioned that you had heard about an individual holding multiple
17 DO positions.

18 A. Um-hum.

19 Q. Can you talk about how you found out about that and any
20 actions that were taken as far as you know?

21 A. Yes. So I would say that my learning of this was very
22 informal. It was through probably a water cooler conversation
23 with a couple of inspectors. And I think it was asked, if you
24 look in the guidance to see if that's something that we can do or
25 is there a regulation that says we can't. And I was involved with

1 that conversation, and actually, myself, thought about it for a
2 while and was trying remember back in my industry days if that was
3 something that had happened. And, but after that I wouldn't say I
4 had much more conversations or didn't know that much more about
5 it. Like again, I didn't have direct oversight over Taquan, so --

6 Q. Had you ever heard of this before, one person holding
7 multiple 119 positions?

8 A. I have in industry but not since I've been at the FAA. The
9 question has never come up since I've been here, other than this
10 time.

11 Q. When you say when you were in industry, what does that look
12 like?

13 A. Smaller companies will have, you know, maybe a chief pilot
14 that oversees two certificates. Again, from the FAA's
15 perspective, my opinion, it's not a good thing, but I don't
16 believe we have a regulation that prohibits it.

17 Q. When you said it's not a good thing, what are your concerns?

18 A. Well, from a safety perspective, I'm all about having
19 119 people be committed 100 percent to what they're -- you know, I
20 guess I'm just being greedy on the safety aspect. I just want
21 them to have 100 percent concern over what they're -- one
22 certificate. And although they may be able to have oversight over
23 multiples, I just think it's suboptimal.

24 Q. Would that be grounds to disapprove somebody if you were
25 aware of that during the approval process?

1 A. Yes.

2 Q. Would you expect disclosure if an individual did -- either
3 came in with another 119 position or whether they got approved in
4 another --

5 A. I would expect it, but it wouldn't surprise me if it wasn't
6 given.

7 Q. Why is that?

8 A. My opinion, we're the bad guys, right. We're the ones that
9 are trying to enforce all this stuff, and sometimes things aren't
10 shared with us that we would want to be, you know. I always joke
11 that when I was in industry as a pilot, I knew about 90 percent
12 about what was going on with the rest of the world. As soon as I
13 took this job, I know 10 percent because just like -- people don't
14 share, so --

15 Q. Have you had any contact with -- actually did I go through
16 this. I don't know if we said it flat out. So, we were
17 discussing the DO at Taquan, correct?

18 A. Um-hum.

19 Q. Have you had any contact with the FLM or the POI at his other
20 company that he was an official for?

21 A. Not that I recall.

22 Q. Now you mentioned that holding multiple certificates is a
23 concern. Is there anything in the guidance or anything in the
24 process, whether it's formal or informal, to actually look into
25 that when you have someone apply or submit a 119?

1 A. Not that I'm aware of. But there may be, I just don't know.

2 Q. And have you been aware of anything outside of this holding
3 multiple positions when it comes to approving 119s for Taquan?
4 Have you been involved with those at all?

5 A. Can you ask that one more time?

6 Q. So have you been involved with approving 119 officials for
7 Taquan in your position?

8 A. No.

9 Q. Okay. So you haven't had anyone come in at the time that --

10 A. Uh-uh.

11 Q. Now you mentioned that you would try and address the concern
12 if someone did have multiple certificates. How would you go about
13 doing that?

14 A. Well, in my opinion, what I would do is just have the
15 conversation with them and say, is this something that's feasible?
16 Is this something that you can manage? And there may be a case
17 where it is appropriate, I don't know. Like I said, I have not
18 had that much exposure to it. It's not something I'm really fond
19 of, but there may be a situation that it's appropriate.

20 Q. Let's say it was not appropriate when you did all that
21 research. Do you have an idea of how you would handle that?

22 A. Um-hum. I mean, we'd correspond formally with the official
23 and let them know that we're considering removing them from that
24 position. We have that authority to do that, so --

25 Q. Would any part of that process involve talking to the POI of

1 the other certificate that they're on?

2 A. I don't know.

3 Q. Do you have an idea of how often both Brian and Jon made it
4 out to Taquan to observe the operation?

5 A. Again, my opinion -- I'd have to go look at the actual DCTs,
6 but I believe that there was adequate oversight and I believe they
7 both had been, or at least -- I'd have to speculate on that, but
8 my impression is that they had been down there and interfaced with
9 Taquan.

10 Q. Is that -- just so I have an idea of what appropriate
11 oversight is, is that once a month; is that a few times a
12 season --

13 A. Yeah. Probably quarterly.

14 Q. Can you give me kind of like --

15 MR. SMITH: Are you asking what his opinion is --

16 DR. SILVA: Yes.

17 MR. SMITH: -- of appropriate -- okay.

18 DR. SILVA: Yes.

19 MR. PEABODY: Yes. My opinion would be, it would be once a
20 quarter most likely.

21 BY DR. SILVA:

22 Q. A quarter, okay. So once every 3 months or so?

23 A. Um-hum.

24 Q. You mentioned that you have about 80 certificates in the
25 office. Do you have an idea of how many of those are operations

1 from your POI compared to the avionics or maintenance?

2 A. Yes. So I think we have probably -- and again this is me
3 guessing, but I would say five to eight maintenance-only
4 certificates that are repair stations. And then the rest are all
5 air operators that have a full complement of inspectors.

6 Q. So operations, your POIs is looking at about over --

7 A. Seventy-five, yeah.

8 Q. Seventy-five, okay.

9 There are a few things you mentioned in terms of overseeing
10 your POIs. Can you describe really from a basic perspective how
11 you interface with your POIs and oversee the work that they're
12 doing?

13 A. Yes. So basically they develop a plan that's, like I said,
14 generated from the national level. They decide who's going to
15 resource it. So they have control over saying, hey, Brice, I want
16 you to go look at this certificate next month; can you do that?
17 Yeah. Okay. Then they -- so they have full control over who's
18 going to do the inspections. Most of the time, it's themselves.
19 They'll put themselves in there.

20 And then once the work is performed, they come back and
21 document it in the data collection tool. And then, of course, the
22 front line verifies the information is all in there and we'll
23 approve the data collection tool for -- and then it just is
24 documented at that point.

25 So in regards from a front line perspective, we support

1 inspectors with ensuring that they can do the travel they need to
2 if needed. So does that answer your question?

3 Q. Um-hum. And you also mentioned that you check the quality of
4 work. How do you do that specifically and what is it that you're
5 looking for?

6 A. As a front line, I am -- look at two things. I am looking
7 that the data collection tool is completed, that they didn't miss
8 filling out information. We've got a lot other tools, you know,
9 we can -- not available, not observable, but I just need to ensure
10 that the tool has been documented correctly. And then if there's
11 any negative findings, ensuring that they're following up with the
12 right corrective action.

13 Q. And you also mentioned that you're -- this kind of goes into
14 this last question, about the quality of documentation.

15 A. Um-hum.

16 Q. What specifically are you looking at there when it comes to
17 quality?

18 A. Again, I'm new to this system so I'm still learning a lot,
19 but basically my role as a front line is to ensure that data
20 collection tools have been completed, you know, 100 percent
21 accurately, and then addressing negative findings. And then
22 lastly, if we don't have inspectors available to perform certain
23 work functions, we have the ability to close the DCTs out without
24 the work being performed.

25 Q. Is there any ability for you as an FLM to oversee the actual

1 work that's done? Let's say that the documentation that you get
2 is perfect, you know, perfect surveillance, they did a great job.
3 Is there any way for you to evaluate the quality of that
4 surveillance? Let's say if there was, you know, something the
5 operator was doing that wasn't kosher.

6 MR. SMITH: Do you understand that question?

7 MR. PEABODY: I don't.

8 MR. SMITH: That was a little bit complex.

9 BY DR. SILVA:

10 Q. Okay. So let's give -- I'll give you an example. You
11 have -- the descriptions that you've mentioned in the previous
12 answers are regarding the DCTs and documentation. What I'm
13 wondering is do you have the ability, outside of the
14 documentation, to actually evaluate what was done at the
15 surveillance?

16 A. I would say I do have that ability.

17 Q. Okay. How do you do that?

18 A. Well, it would be in the form of going with inspectors to
19 operators when they doing surveillance, and we, as an office, have
20 done that in the past.

21 Q. How many times have you gone out?

22 A. I have not.

23 Q. Okay. In the last, you said, 2 years?

24 A. Yes.

25 Q. Is there a reason for that?

1 A. In my opinion, it is that I have just -- I'm new and I'm
2 still trying to get everything figured out. And in regards to
3 time well spent, due to the fact that I do have a lot of previous
4 experience with most of the operators around here, it just hasn't
5 come up.

6 Q. Do you have any resource constraints when it comes to doing
7 that role?

8 A. For me?

9 Q. Yes, for you.

10 A. No.

11 Q. How would you characterize your workload in your position
12 now?

13 A. I would characterize it as full.

14 DR. SILVA: Okay. I'll stop for now.

15 MR. PEABODY: Okay.

16 MR. WILLIAMS: Brice?

17 BY MR. BANNING:

18 Q. I just have a couple of questions, Rich. What guidance is
19 available to a POI when he is approving 119 personnel?

20 A. Well, our 8900.1 guidance is very detailed, for the most
21 part, so there is guidance for principals to go and -- and we
22 reach out -- I mean, there's been a big movement in the FAA to, if
23 you are looking at guidance that's unclear, I mean we have clear
24 directives to reach out to the national level and get the
25 clarification if you need it. So I would say our guidance and our

1 documentation is good.

2 Q. And is there any specific -- you talked about -- we talked
3 briefly about POI training.

4 A. Um-hum.

5 Q. Is there any specific training during STRINGS training or
6 recurrent training for a POI that specifically address 119
7 personnel?

8 A. I don't know that.

9 Q. And the same question but with regards to operational
10 control. Do you know if there's specific training during STRINGS
11 or recurrent that talks about operational control?

12 A. Yes.

13 Q. Okay.

14 A. That I am very confident we cover in training. It's a big
15 deal for us and everybody -- it's the number one thing we look at.

16 Q. Great.

17 A. Yeah.

18 MR. BANNING: Okay. I think that's all I had. Thank you.

19 MR. WILLIAMS: Thanks, Brice.

20 Matt?

21 MR. RIGSBY: Okay. I apologize if some of these are
22 repeated, but I've tried to catch everybody's questions that I
23 wrote down, but --

24 BY MR. RIGSBY:

25 Q. You said you have one ops inspector, seven maintenance

1 inspectors, and two -- and one ASA.

2 A. Um-hum.

3 Q. About how many certificates do those individuals cover?

4 A. Just a rough guess, 40.

5 Q. Do you know how many total certificates the Juneau office
6 covers?

7 A. Again, I'd have to look at the exact numbers but it's in the
8 80-ish ballpark.

9 Q. How many FLMS does the Juneau office have?

10 A. We currently, until next week, have two.

11 Q. Two, okay. What about your staffing as far as for the entire
12 office? Are you all --

13 A. I would say -- and this is again my opinion, but we have
14 allocations for eight ops inspectors and we currently have two.
15 In regards to maintenance and avionics we are flush. We have
16 enough -- we have all of our positions filled.

17 Q. Okay.

18 A. We, I think, are looking to fill maybe possibly one more
19 administrative-type position, but we still don't have that.

20 Q. Okay.

21 A. And we do have one AST, safety technician, that helps with a
22 lot of the administrative paperwork.

23 Q. Okay. Does the new POI for Taquan, does he report to you?

24 A. No.

25 Q. Who does he report to?

1 A. His front line in South Carolina.

2 Q. Where is the Taquan certificate, overall certificate held?

3 A. It is held in the Juneau FSDO.

4 Q. Has it always been held in Juneau?

5 A. As far as my knowledge, yes.

6 Q. Okay. So two POIs but you have eight slots?

7 A. Um-hum.

8 Q. So are POIs ever in the office?

9 A. No.

10 Q. Okay.

11 A. Yeah. One of our POIs is remotely sited in Kenai and the
12 other one is here in Juneau but just had a baby. So that's why
13 he's not going to be available. They still don't have a name for
14 him yet.

15 Q. Okay. Do you know why you're short POIs?

16 A. We've just been unable to hire. We've really actively been
17 trying to recruit and get people through the national hiring
18 program, and we haven't had much success.

19 And industry is flush right now. I mean, half the people
20 I've interfaced with and asked about coming to work for them, as
21 soon as I told them the pay grade, it just (indiscernible)
22 laughter; you know, it's just like, that's not going to happen.
23 And Juneau has traditionally always been a very hard place to get
24 people interested in coming.

25 Q. What grade level does a POI come in at?

1 A. A POI is a pay grade 13.

2 Q. Pay grade 13, okay.

3 A. But we've had to promote one of our POIs to a 14, Inspector
4 Percy, just because it's impossible to keep the complexity
5 managed.

6 Q. I was a little confused. When you talked about signing off
7 on the 119 approvals, can you kind of just go over that, how
8 that's done again, just to clarify it for me?

9 A. Well, again this is kind of from my perspective being a
10 principal. But an operator will float a candidate, and the
11 inspectors, the CMT will, as a group, look at that individual.
12 Usually, he will provide a resume. There are requirements in the
13 regulations for minimum experience levels for that person. And
14 once those hurdles have been met and understood, then the
15 principals will generally ask to interview the person and, again,
16 cover roles and responsibilities and expectations. And if that
17 interview goes well, then they will approve that person and they
18 will be listed in their op specs for the certificate.

19 Q. Okay. As you are aware, Taquan just got a new DO. How long
20 did that process take once they submitted him to the certificate
21 office to get him on that?

22 A. I don't know.

23 Q. Don't know, okay. Did -- were you the one that signed off on
24 that, the grid, I think you said?

25 A. I could get that information for you. I don't recall but

1 it's possible.

2 Q. Okay. Is there a checklist that POIs use or any principal
3 from when they're handing off a certificate? Is there a checklist
4 that you're aware of that they use or does the office have a
5 checklist?

6 A. Yes. There is a formalized -- oh, I take that back. I'm
7 thinking of something else. I was thinking of actually
8 certificates transferring between offices.

9 Q. Okay, yeah.

10 A. So that's a little different animal, so I apologize. I
11 misspoke there, but -- there may be.

12 Q. Just when it's a principal change.

13 A. Yes.

14 Q. Just purely --

15 A. Not that I'm aware of.

16 Q. Okay. Is there a regulatory requirement that prevents a
17 company from having -- or a DO from managing multiple
18 certificates?

19 A. Not that I'm aware of.

20 Q. Are you aware of why Taquan had the initial approval letter
21 for training, their training program?

22 A. I do not know that.

23 Q. Did Brian and Jon ever go to Taquan together during this
24 transition process?

25 A. I don't know that either.

1 Q. Okay. Is there anything in the guidance or regulatory-wise
2 that during the surveillance process says how many times an
3 inspector has to visit an operator?

4 A. Yes. That's generated through the national work program.

5 Q. That's the complexity issue?

6 A. No. That's the DCTs that are generated for us to go out and
7 data collect.

8 Q. Do you recall where Taquan falls within the complexity
9 diagram or --

10 A. I don't recall. I can definitely get you that information,
11 you know, but off the top of my head I don't exactly know.

12 Q. Have you ever had any contact with Taquan management?

13 A. No.

14 Q. Okay.

15 A. Well, I take that back. Twenty-five years ago I met Brien
16 Salazar, but --

17 Q. Okay. But as an FLM?

18 A. No, not as an FLM.

19 Q. Okay. Do you approve inspector training if they come to you
20 and say, hey, I want training?

21 A. Yes.

22 Q. Does Jon, as the singular POI, does he still have to meet his
23 requirement for flight time and --

24 A. Yes.

25 Q. -- go to transition -- okay. About how much time does that

1 take out of his annual schedule?

2 A. My guess would be, just guestimation on my part would be
3 15 percent to 25 percent of his time. Probably closer to 15.

4 MR. RIGSBY: Okay. Okay, that's -- I'm done.

5 MR. WILLIAMS: Thanks, Matt.

6 Mike?

7 BY MR. O'CONNOR:

8 Q. I have some questions in general about the Part 119
9 positions, and I appreciate your comments on the difficulties with
10 staffing. When a POI is interviewing a Part 119 manager, you say
11 he goes over his roles, responsibilities, and limitations. Is
12 there a guidance specifically for those points?

13 A. I don't know, but I -- my opinion, if I were to hazard a
14 guess, would be yes. I mean, the guidance -- I could turn to it
15 and look at it, but I'm sure there probably is.

16 Q. If a Part 119 manager resigns from a carrier, may that
17 position be vacant while the carrier is looking for a replacement?

18 A. Yes.

19 Q. Is there a guidance for that?

20 A. I believe so.

21 Q. Is that on a case-by-case basis or is there a set time frame?

22 A. I would like to speculate here, because I'd have to actually
23 look in the guidance, but it's in my opinion that if a 119
24 official vacates a position, there is an official correspondence
25 that goes back and forth between the FAA and that certificate.

1 You know, timelines of maybe 30 days to get someone to replace
2 that person. We obviously realize we can't shut a carrier down if
3 the DO has a heart attack or something, you know. But again -- I
4 probably shouldn't speculate that much on it. But I believe there
5 is a process for how 119 positions are vacated and refilled.

6 Q. Can a Part 119 manager be a part-time employee for the
7 carrier?

8 A. I don't know.

9 Q. We talked a little bit about Part 119 managers holding other
10 positions. Can a Part 119 manager -- or do you see this in
11 operations, when the Part 119 manager is not located at the
12 primary base; is this common?

13 A. I don't know.

14 Q. Remote operations?

15 A. Again, my opinion, but I would suspect it's not common, no.

16 MR. O'CONNOR: That's all I have.

17 BY MR. WILLIAMS:

18 Q. So a few follow-ups here for you, Rich. So forgive me if I
19 bounce all over the place here. I'm just trying to fill things in
20 from everybody else.

21 We were discussing the POIs and I think it was Matt here that
22 asked about how many you have currently and the slots that are
23 there. You mentioned until next week you have two. What happens
24 next week?

25 A. Dave Heydt is transferring to Orlando, Florida. He's a front

1 line.

2 Q. So then you'll be the only front line in the office?

3 A. We have plans to backfill as quickly as possible.

4 Q. Okay. Has that already been posted or -- that position?

5 A. No.

6 Q. Okay. So at that point would it be your responsibility then
7 to be essentially the front line over everybody in the office?

8 A. Yes.

9 Q. Have you had any interactions with the front line down in
10 South Carolina?

11 A. Yes.

12 Q. Have you guys talked about the transition? Like I said, I
13 think you're kind of aware of how things --

14 A. Yes.

15 Q. -- operate up here. Okay.

16 A. So my opinion is that we're in uncharted territory here.
17 This is something that I've never seen done before and it's
18 been -- transition, it's like anything, it's got problems. But we
19 have been communicating trying to work through them.

20 Q. So is this the only certificate here that's being held
21 outside of Alaska? Or not certificate, sorry, the certificate is
22 held in Juneau. The POI being outside of the -- no longer a
23 region, but outside of Alaska.

24 A. Right.

25 Q. Is this the only one out of here that you are aware of or are

1 there others that have been --

2 A. No. We also have a principal ops inspector that's attached
3 to the Fairbanks FSDO that has oversight over some of our
4 certificates.

5 Q. Okay.

6 A. But Taquan is the only one outside of the state of Alaska?

7 Q. Yes.

8 Q. So if one POI being remotely sited in Kenai and Jon Percy
9 being the only one here, does that cause issues as far as being
10 short in this part of the state? How does -- how do resources,
11 how do you have adequate resources?

12 A. Well, this is my opinion, but I believe we do not have
13 adequate resources, and I don't know the reason for that. But
14 again, having a POI on the Kenai peninsula is good. We have a lot
15 of certificates in that area, so he has direct access to them.
16 And then having Jon here covering most of the southeast is, from a
17 geographic perspective, good. But we are, like I said, two ops
18 inspectors out of eight right now. And the work program didn't
19 change, I mean, it's still the same.

20 Q. About how many certificates do you guys hold for Kenai?

21 A. Again, I'd have to guess, but probably a third of our
22 certificates are in Kenai and Kodiak.

23 Q. Is there a way Matt can work and get that number for us?

24 A. Yeah, please.

25 Q. Okay.

1 A. Specifically at Kenai?

2 Q. How many are held -- yeah, Kenai and Kodiak as well, please.

3 So you mentioned, like for Jon, you thought with flying and
4 staying current and that sort of thing, about 15 percent of his
5 time there. He's the only POI down here in southeast and there's
6 only two in the office total. So is there still an opportunity,
7 does he still get like continuing education? Like does he still
8 go back to Oklahoma City?

9 A. Yes.

10 Q. About how often does he do that?

11 A. My guess would be twice a year, maybe.

12 Q. Okay. So the office is approved for eight POIs. You said
13 everything else besides the POIs is pretty stocked -- flush, I
14 think is how you put it. What about front line managers? How
15 many --

16 A. We're authorized for two.

17 Q. You're authorized for two?

18 A. Yes.

19 Q. Okay.

20 A. But I'd like to clarify. The authorized term is more me
21 going off of our org chart, so -- I don't know that it's
22 authorized but that's what our org chart says.

23 Q. Okay. Don't know the actual FTE position, like total?

24 A. Right. As far as the HR perspective, I don't know that. But
25 that's what our org chart says. It would be nice if we had

1 everybody in the same (indiscernible).

2 MR. WILLIAMS: That's all I have. Sathya?

3 BY DR. SILVA:

4 Q. I've just got a few. Again, with the numbers game, how many
5 certificates would you estimate that Percy has compared to your
6 other POI?

7 A. I would have to guess, but -- so again, you know, we do have
8 certificates being managed outside of our office, and then inside
9 of our office we've got Matt Dahl and Jon Percy. And Percy,
10 because he's been promoted to a 14, can hold more than the
11 traditional complexity cap. And I believe he's holding around,
12 not that this means anything to you, but 3300 complexity points,
13 as where Matt Dahl is holding 2,000. So he's probably got a third
14 more, if not a little bit more, than the other principal.

15 Q. Have you had any conversations with Jon or Brian regarding
16 any concerns they may have had about Taquan?

17 A. Yes. But not Taquan specifically.

18 Q. What was the nature of the --

19 A. Well, as you know, CFIT is an animal that we've been trying
20 to crack (indiscernible) for years. And we've tried everything
21 else, as well as the operators, and they're vested in fixing this
22 as much as we are. So specifically in regards to Taquan, we've
23 had formal correspondences that have gone out addressing CFIT and
24 that concern is talked about all the time. I wouldn't say it's
25 specifically targeting Taquan.

1 Q. What kind of correspondence was this?

2 A. Well, a couple years ago our division manager sent out a
3 letter asking operators to revisit the past 20 years of things
4 that we've done as an agency to prevent CFIT and learn from best
5 practices. And, you know, take a look at what works, what
6 doesn't, you know, double-down on the stuff that does, table the
7 rest that doesn't. Actually at the time I thought it was kind of
8 a CYA type of document, but the more I looked at it the more I
9 thought, this is brilliant. I mean, this is really trying to
10 interface with all of the operators. I mean, CFIT is going to be
11 reduced at some point, somehow.

12 And then following that, I mean, we've -- Alaska, in general
13 has always been trying to tackle this. We've had Qbase training,
14 we've had tons of different programs that we've installed, and all
15 with benefit, I believe; some more than others. I kind of got off
16 track. Sorry.

17 Q. Um-hum. That's okay.

18 MR. SMITH: Yes, you did.

19 MR. PEABODY: Sorry. I'm very passionate about that because
20 it's something that I think the FAA, we're regulators, and the
21 operators are trying not to bend metal and we all have the same,
22 you know, outcome that we're --

23 BY DR. SILVA:

24 Q. In your opinion, do you think that Part 119 officials for an
25 operator need to be on premises of the operation to do an

1 effective -- to effectively complete their roles and
2 responsibilities?

3 A. In my opinion, with technology, I can't really answer that.
4 I think there may be times that it's appropriate that they could
5 do that. I mean, it's about crew pairing and making sure you have
6 a qualified aircraft and qualified pilot, the mission is
7 appropriate. But to be on site to ensure that, I'm not sure.

8 Q. Is that information that you gather regarding a 119 official
9 in the approval process?

10 A. I don't know that.

11 DR. SILVA: All Right. That's all I have. Thank you.

12 MR. WILLIAMS: Brice?

13 BY MR. BANNING:

14 Q. Just I think maybe one or two questions. We talked about the
15 POI being in the Carolinas now.

16 A. Um-hum.

17 Q. Is there a procedure in place for the CMT -- and correct me
18 if I'm wrong, the PAI and the PMI are in Juneau; is that correct?

19 A. That's correct.

20 Q. Okay. Is there a procedure in place for that CMT to
21 communicate?

22 A. Again speculation on my part, there's not a formal process,
23 but we've been trying to improve upon that but it's, again,
24 suboptimal.

25 Q. And how are you dealing with that issue, if you will? What

1 is the CMT doing to -- or do you know?

2 A. Right now what we're doing is every Monday morning meeting
3 that we have, we stress CMT communication. It's an area that's
4 always been hard for the people to communicate, but that's what
5 we're doing right now.

6 MR. BANNING: Okay. I think that's all I had. Thank you.

7 MR. WILLIAMS: Matt?

8 BY MR. RIGSBY:

9 Q. Yeah, just a couple. Were you aware of what other company
10 Mr. Curtis was a DO for while he was DO at Taquan?

11 A. No.

12 Q. Do you know if Jon was?

13 A. Speculation, yes, most likely.

14 Q. Are you aware of any communication between --

15 A. No.

16 Q. Okay. What region is Juneau part of? I mean, your reporting
17 structure within the FAA, does Juneau office go directly to D.C.?

18 A. Well, we're under AFG-300, so --

19 Q. What is -- explain that.

20 A. That's the division that we're under right now.

21 Q. Which division is that?

22 A. It's General Aviation Safety Assurance.

23 Q. Okay.

24 A. And again, it's -- AFG-300 is the division. Our manager is
25 Dale Ogden, and that's who we directly report to.

1 Q. Where's Dale?

2 A. Dale, I believe, is in the Denver office. I'm not sure if

3 it's FSDO or what.

4 Q. And then Dale would report to D.C. or headquarters?

5 A. That's above my pay grade.

6 Q. Okay, okay.

7 A. But, and Dale also is in a detail right now, so he's --

8 Q. Okay. You did mention the Monday morning meeting.

9 A. Yes.

10 Q. Who participates in that?

11 A. Everybody.

12 Q. Including the inspector in South Carolina?

13 A. No.

14 Q. I'm sorry?

15 A. No.

16 Q. Is that something he should be doing?

17 A. Speculation, but yes.

18 Q. Okay.

19 A. I think it would be a benefit.

20 Q. But you are not his front line manager?

21 A. No.

22 MR. RIGSBY: Okay. I'm done.

23 MR. WILLIAMS: Mike?

24 BY MR. O'CONNOR:

25 Q. Are you aware of a Part 119 applicant ever being denied

1 approval?

2 A. Yes.

3 Q. Can you elaborate on that?

4 A. Well, it has happened in the past where 119 officials have
5 been proposed and they're either not qualified or have been
6 determined that they're not capable of doing the position, and we
7 will not issue the ops spec with their name on it.

8 Q. When you say not capable, in what regards?

9 A. Mostly regarding the ability to maintain operational control
10 of the certificate.

11 Q. And how would that be determined?

12 A. I want to answer your question, but I would have to say I
13 don't know because I can't formulate exactly a situation where I
14 can think of where that has happened. But we maintain that
15 authority as the FAA.

16 MR. O'CONNOR: Thank you.

17 BY MR. WILLIAMS:

18 Q. So I just have two quick ones here. Dale Ogden, does he also
19 have responsibility over the FSDO where the South Carolina
20 inspector is a part of?

21 A. I don't know. I can find out, but I don't believe so.

22 Q. I'm just trying to see how high up the division goes between
23 here and there.

24 A. There's two safety assurance for GA columns. And again this
25 me just -- I don't know this 100 percent, but my opinion. And I

1 believe that we're in one of those columns and South Carolina
2 might be in another one.

3 Q. And then you mentioned a letter, a CFIT letter.

4 A. Yes.

5 Q. Does this -- is this that CFIT letter that's dated
6 May 11, 2016, from Clint Wease, the division manager --

7 A. Yes, that's the one.

8 MR. WILLIAMS: Okay. All right, that's all I have.
9 Sathya?

10 DR. SILVA: No, I'm all set.

11 MR. WILLIAMS: Brice?

12 MR. BANNING: No. Thank you.

13 MR. WILLIAMS: Anybody else?

14 BY MR. RIGSBY:

15 Q. The safety assurance for GA, is that relatively new for the
16 FAA?

17 A. Yes, very new.

18 Q. Okay.

19 A. And it's still shifting. There's a lot of realignment.

20 Q. When did the FAA go to this reorganization; are you aware?

21 A. I would again -- can't give you an exact time, but it seemed
22 like it was about a year ago.

23 Q. In the last year, okay.

24 A. Maybe a year and a half.

25 MR. RIGSBY: I'm done.

1 MR. WILLIAMS: Mike, do you have anything else?

2 MR. O'CONNOR: No.

3 MR. WILLIAMS: Rich, again, thank you very much for coming in
4 and talking with us. And I've turned off the recording, so we're
5 going off the record at 10:27 a.m.

6 (Whereupon, at 10:27 a.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

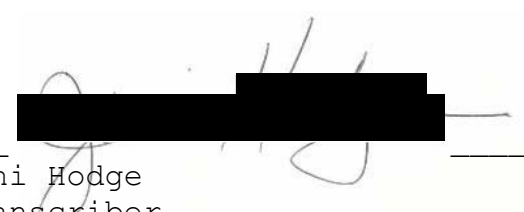
IN THE MATTER OF: HYDABURG, ALASKA DE HAVILLAND DHC3T
 OTTER COLLISION WITH TERRAIN
 JULY 10, 2018
 Interview of Rich Peabody

ACCIDENT NO.: ANC18FA053

PLACE: Juneau, Alaska

DATE: October 11, 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.



Joni Hodge
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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HYDABURG, ALASKA DE HAVILLAND DHC3T

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OTTER COLLISION WITH TERRAIN

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Accident No.: ANC18FA053

JULY 10, 2018

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Interview of: JOSEPH POCHER, Office Manager
 Juneau FSDO

Flight Standards District Office
 Juneau, Alaska

Thursday,
 October 11, 2018

APPEARANCES:

SHAUN WILLIAMS, Operations Group Chairman
National Transportation Safety Board

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

BRICE BANNING, Investigator in Charge
National Transportation Safety Board

MATT RIGSBY, Air Safety Investigator
Federal Aviation Administration (FAA)

MIKE O'CONNOR, Chief Pilot
Taquan Air

MATTHEW SMITH, Esq.
Office of Chief Counsel, FAA
(On behalf of Mr. Pocher)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Joseph Pocher:		
By Mr. Williams		6
By Dr. Silva		15
By Mr. Banning		18
By Mr. Rigsby		19
By Mr. O'Connor		23
By Mr. Williams		25
By Dr. Silva		26
By Mr. Rigsby		28
By Mr. O'Connor		29
By Mr. Banning		30

I N T E R V I E W

(10:53 a.m.)

MR. WILLIAMS: We are on the record at 10:53 a.m.

So Joe, again, thanks. My name is Shaun Williams. I'm the Operations Group Chairman, investigating the facts and circumstances regarding the Taquan accident that occurred over the summer near Ketchikan.

We've got a few people here with us today. I'll let everyone kind of go around and introduce themselves.

MR. RIGSBY: Matt Rigsby with FAA, Office of Accident Investigation, AVP-100.

MR. BANNING: Brice Banning, NTSB. Thank you.

DR. SILVA: Sathya Silva, Human Performance with the NTSB.

MR. O'CONNOR: And Mike O'Connor, Chief Pilot at Taquan Air.

MR. WILLIAMS: Okay.

MR. SMITH: And I'm Matt Smith with the Office of Chief Counsel for the FAA.

MR. WILLIAMS: Okay. Are you okay talking with all of us here today?

MR. POCHER: Yes.

MR. WILLIAMS: Okay. Perfect. So like I stated before, using a tape recorder for the interviews. The transcript, not the audio recording, will be made part of the public docket when we release the accident.

The way we kind of run it, everybody will have a chance to

1 ask questions. We'll ask them one at a time, and then we'll pass
2 off to the next person. Usually it's about two rounds, just quick
3 follow-ups and that sort of thing, then we'll -- we should be
4 done.

5 You are -- excuse me. It is being recorded, so please
6 verbalize your answers.

7 MR. POCHER: Yes.

8 MR. WILLIAMS: Instead of head nods and -- which I'll
9 probably get caught doing a couple of times, so --

10 You are entitled to have one representative of your choosing
11 here with you. Who would you like to have?

12 MR. SMITH: Am I chopped liver?

13 MR. POCHER: Oh no. I thought you were -- you already said
14 he was part of this, when it went around.

15 MR. WILLIAMS: Well, he's -- can be your representative, if
16 that's who you --

17 MR. POCHER: Yes.

18 MR. WILLIAMS: Okay.

19 MR. SMITH: Thanks.

20 MR. WILLIAMS: Can you just state his name for the record,
21 please?

22 MR. POCHER: Matt Smith.

23 MR. WILLIAMS: Okay. So, Matt, you can direct Joe here not
24 to answer a question or request a short break to confer with him.
25 You may not answer any questions for him.

1 MR. SMITH: Okay. Thank you. Understood.

2 MR. WILLIAMS: Joe, do you have any questions before we get
3 going here?

4 MR. POCHER: Not at this time.

5 MR. WILLIAMS: Okay.

6 INTERVIEW OF JOESEPH POCHER

7 BY MR. WILLIAMS:

8 Q. So to begin, could you please state your name and title for
9 the record?

10 A. Joseph Pocher. I'm the manager of the Juneau FSDO.

11 Q. Okay. How long have you been the FSDO manager here?

12 A. Fourteen months.

13 Q. Okay. And what were you doing before that?

14 A. I was the assistant manager of the Juneau -- I mean the
15 Fairbanks and the Anchorage FSDOs.

16 Q. So can you kind of give us a little bit of a background, or
17 an overview of your background in aviation, how you got to where
18 you are?

19 A. Well, after high school I joined the Army. I was doing
20 avionics for 21½ years. Got out of the Army, and went to a repair
21 station in Florida where I started off as an installer and ended
22 up as the general manager for 5 years. Then I went over to Iraq
23 as a contractor doing security work, then joined the FAA. Been
24 with the FAA 11 years.

25 Q. Eleven years. Okay. What's your experience kind of rising

1 up through the ranks here at the FAA? Been here 11 years, how did
2 you get to --

3 A. Started off as a avionics inspector in Baton Rouge; there for
4 2 years. Went to Columbia, South Carolina for 3 years as an
5 avionics inspector. Went back to Baton Rouge for 2 more years as
6 an avionics inspector. Moved to Fairbanks for about 18 months as
7 a FLM. Then down to Anchorage to be the assistant manager of the
8 two offices for about 10 months, then became the manager here
9 about 14 months ago.

10 Q. Okay. Seems like you've kind of been all over.

11 A. I can't hold a job.

12 (Laughter.)

13 BY MR. WILLIAMS:

14 Q. So when you became the office manager here, was there any
15 specific training?

16 A. There is a lot of training from FLII classes. It starts as
17 soon as you move into the management field of FLM, and it
18 continues on.

19 Q. So what kind of training was that?

20 A. There's a whole catalog of classes. There's training on
21 management. I have a mentor list that I had to go through.
22 Management -- no, on labor relations, how to communicate -- most
23 of the classes deal with how to communicate better, and how to do
24 stuff like that.

25 Q. Okay. So what are your duties and responsibilities as an

1 office manager?

2 A. That's hard to define. I oversee the entire office. I am
3 overall responsible for everything that happens within the office.
4 On a day-to-day basis, I rate the duties of the AO, the two FLMS,
5 the two FAASTeam members. And then I handle problems that come
6 up.

7 Q. Okay. So how many inspectors do you, are you over?

8 A. Today? I'm having trouble counting them. I'm missing
9 somebody. The numbers don't look right. Twelve.

10 Q. And how would you characterize your workload?

11 A. I have a regular workload.

12 Q. Say again?

13 A. I have a really good workload.

14 Q. Are you stretched thin? Are you --

15 A. In some specialties, yes. Not in others.

16 Q. Okay. Can you elaborate?

17 A. I have enough avionics and maintenance personnel. I am very
18 short on ops.

19 Q. What do you think is the -- what do you see as being the
20 largest obstacle for getting more operations inspectors?

21 A. Nobody's bid on my slots.

22 Q. So how would you characterize the workload of the POIs that
23 you do have here?

24 A. It is hard.

25 Q. They -- are they stretched too thin? Are they -- is it

1 adequate for what they have? Do you really need the additional
2 slots?

3 A. I have outside resources that we're using to supplement my
4 inspectors. So I have two ops inspectors that belong to me. I
5 have one that I'm using from Fairbanks for -- from South Carolina.
6 And between all those, the workload is fully covered.

7 Q. So the folks that are down in South Carolina, do they report
8 to you or do they have their own chain of command down there?

9 A. They have their own chain of command down there.

10 Q. Okay. So do you -- are you in communication with their
11 supervisors at all?

12 A. I communicate with the officer manager. My FLMS communicate
13 with their FLMS and with them.

14 Q. So about how many certificates does the Juneau FSDO have
15 responsibility for?

16 A. I don't know off the top of my head. About -- I'd have to
17 look it up.

18 Q. Okay. Is it 25 to 50? Is it 80 to 100?

19 A. I think it's someplace around 160, but I'd have to look to be
20 sure.

21 Q. Okay. I want to discuss a little bit with Taquan. That's
22 what we're ultimately here for today.

23 A. Yes.

24 Q. What's been your involvement or interactions with Taquan?

25 A. Twice a year we have air tour meetings. We have a pre-season

1 air tour meeting and a post-season air tour meeting. And whenever
2 I go down to the air tour meetings, I go down a day early so I can
3 go around and see the different operators. So I've met with
4 Taquan last September, and then again a couple of weeks ago. I
5 didn't get them for the pre-season this year. And I've talked to
6 them, you know, basically as I'm the office manager, do you have
7 any problems, stuff like that. This time we talked a little bit
8 about the accident also.

9 Q. Can you kind of characterize that interaction? Is it
10 confrontational? Is it very cordial? How does that -- how has it
11 been?

12 A. From my point of view, it's always been cordial.

13 Q. Have you heard otherwise from your inspectors?

14 A. About my interaction with the --

15 Q. Not with your interaction but just the FAA interaction with
16 Taquan.

17 A. I have heard that there was some conflict about this accident
18 investigation. Other than that, there's issues but they --
19 everybody seems to be handling them cordially.

20 Q. So one thing I want to -- let's talk a little bit about
21 operational control. I know you're kind of the higher level
22 oversight or view of it in general down there. When there's an
23 operational control delegate, so a 119 official, how do they
24 become a 119 official?

25 A. The company recommends them. The office does interviews with

1 them, makes sure they meet all the qualifications, and then
2 approves them.

3 Q. So is the interview, is that a regulatory or 8900
4 requirement? Or is that an office policy?

5 A. I know it's 8900. I'm not sure about regulatory. I was not
6 ops.

7 Q. Okay. When those officials are being approved, do you as the
8 office manager have any interaction or any involvement in that
9 process?

10 A. Typically, no.

11 Q. Okay. Typically no, but have you in the past, as an
12 office -- as the officer manager, I think you said, for 14 months,
13 have you been involved with any of the 119?

14 A. Not for Taquan.

15 Q. In this case, it's come out that the director of operations
16 at Taquan is also the director of operations at another 135. Were
17 you aware of that?

18 A. I thought he was chief pilot. But I did know that he was a
19 119 person with another operator.

20 Q. Does that cause any concern, when you have a 119 official
21 that's also a 119 on another certificate? Is there any special
22 process or any special vetting that has to go -- that person has
23 to go through?

24 A. 8900 has some guidance on that. I don't know it off the top
25 of my head, though.

1 Q. Okay. So were you aware that there was some -- there was an
2 issue that came up with the training program, with the expiration
3 date on the training program?

4 A. Yes, I was.

5 Q. So that program was to expire in February of 2018. In March,
6 a letter was sent from the FSDO to Taquan, stating the periodic
7 review -- so a random selection of training manuals had been
8 reviewed, and there were some items that needed correction. That
9 letter was signed by you.

10 So did you actually -- did you personally do the reviews? Or
11 how did that letter -- or how did that selection go from here's
12 the problems with it to your signature on the letter?

13 A. This review was based off of an audit that had been conducted
14 in the office by AFS-40. And they found certain discrepancies in
15 the sampling. And so as part of the corrective action, we sent
16 out a letter to all the operators stating -- the letter was about
17 the emergency procedures program. And so we sent out a letter to
18 all the operators talking about the requirement is you have to
19 have emergency procedures training done every 12 months. And some
20 people would say, we're doing it annually, but the requirement is
21 specifically 12 months. So we were telling them they had to
22 correct the verbiage in their manuals.

23 Q. So was this, these corrections -- because in this case there
24 were three of them, and one of them was flight control -- the term
25 flight control used instead of operational control; credit for

1 prior checking and training; and then the emergency training that
2 you spoke about. Was this actually individualized for each
3 operator, we looked and this is what we found and here's your
4 letter? Or is this a general letter that's the same one?

5 A. General letter. General letter to all the operators.

6 Q. So all of them got the same letter?

7 A. Yes.

8 Q. So do you know -- if it was a random sampling, do you know,
9 or is there a way to know, which manuals were looked at by AFS-40?

10 A. I don't know which ones off the top of my head, but yes,
11 there is a way to find it out. It's in the CAR.

12 Q. Okay. So then did they, did AFS-40 kind of provide you with
13 the results, or someone in your office?

14 A. Correct.

15 Q. The letter was drafted and then --

16 A. Sent out.

17 Q. -- signed by the office manager? Okay.

18 A. Yes.

19 Q. So when was that audit actually? Do you know when that audit
20 actually took place? Not the exact date.

21 A. April of '16, I think.

22 Q. April '16?

23 A. Yes.

24 Q. So then it would have taken 2 years to put the letter
25 together?

1 A. There were a lot of issues that happened before I showed up.

2 Q. Okay.

3 A. We were -- there were some CARs, they were bouncing back and
4 forth, some that were submitted for approval that were closed, but
5 then AFS-40 wanted more information, so they were reopened.

6 Q. So is there a way -- is there a process or anything in place
7 to prevent an expiration of a manual, or an approval like this,
8 like an initial approval? Is there a way to track that, or is
9 there --

10 A. There is now. Yes.

11 Q. There is now? Was there not before the accident?

12 A. Before the accident there was a way, but not back when the
13 initial approval was given. We're now using SASS automation
14 tools. And there's a way to put it into SASS to pop up so no
15 matter who the POI is, it'll pop up on their radar in time to be
16 reviewed appropriately before it expires. In the past, there
17 wasn't really a mechanism to do that.

18 Q. When did the FSDO switch over to SASS?

19 A. Say again?

20 Q. When did the FSDO switch over to SASS?

21 A. I don't know if -- I was not here when it switched over.

22 Q. Okay. So it was prior to 14 months ago when you got down
23 here?

24 A. Correct.

25 Q. Okay. When SASS was implemented, and this isn't necessarily

1 a Juneau-FSDO-specific thing, but when SASS was implemented, did
2 the CMTs have to go in and -- were they supposed to go in and
3 input all this information in there right at the beginning for the
4 transfer from PTRS over to SASS?

5 A. I'll tell you the truth. I went from an office that was
6 doing PTRS to an office that already had SASS.

7 Q. Okay.

8 A. So I never was there when they transitioned. But the way I
9 understand it was, the information was imported into SASS. And
10 then they had to go in there and fix any glitches from the import.

11 Q. Okay. And that would -- I guess if you weren't here, I was
12 trying to figure out if that would be the POI that would do that
13 or the CMT or --

14 A. The CMT would work on it.

15 Q. Okay.

16 A. They each have their own specialties and work on different
17 parts of it.

18 MR. WILLIAMS: Okay. Sathya?

19 BY DR. SILVA:

20 Q. You mentioned that you were aware that the DO at Taquan was
21 the chief pilot of another operator.

22 A. Correct.

23 Q. When did you learn about that?

24 A. I'm not positive. It was one of my meetings down in
25 Ketchikan. I think it was the pre-season for this year, which

1 would have been around March.

2 Q. Okay. Okay, so that was March 2018?

3 A. Yes.

4 Q. Where did -- how did you get that information?

5 A. The PMI talked to me about it.

6 Q. Okay. So the PMI was aware?

7 A. Right.

8 Q. The PMI on the certificate?

9 A. Correct.

10 Q. Were there any concerns from your end about that, the DO
11 holding another Part 119 position?

12 A. Yes.

13 Q. Can you elaborate on what those were?

14 A. My concerns were making sure there were enough people who had
15 operational control, that operational control could be exercised.
16 The DO's not the only person with operational control. So my
17 concern was making sure there was somebody there who could
18 exercise that control.

19 Q. Did you take any actions regarding this information?

20 A. I told the FLMS to look into it, and they did.

21 Q. Okay. Do you have an idea of what that timeline was? Did
22 you talk to them right after the meeting?

23 A. Yes.

24 Q. Did you get any feedback on what was said, or what the
25 results were?

1 A. The 8900 says that they can have it like that, and that they
2 wanted to keep monitoring to see if it became an issue.

3 Q. Okay. You mentioned that there are cases where you would get
4 involved with a 119 approval.

5 A. Yes.

6 Q. Can you describe a situation or a type of situation where
7 that would be the case?

8 A. If the CMT was having any problem with a 119 person, such as
9 if they recommended a DOM who was not qualified, and they were
10 telling the operator they're not qualified and the operator was
11 saying no, that's the person that we're going to use, then I might
12 step in then.

13 Q. What do you normally discuss in the pre- and post-season
14 meetings with the air tour operators?

15 A. There's a different series of things they discuss. One of
16 the things we typically discuss is CFIT, because that's very
17 important down here. But we also talk about navigational stuff.
18 We talk about weather cams. There's a variety of topics that's
19 discussed. And it changes between each of the meetings.

20 Q. And is this with all air tour operators in a specific region?

21 A. We do two of these meetings. We do one down in Ketchikan for
22 the people down south, then we do one here in Juneau. And that's
23 for our FSD0. Because I was talking to Brice earlier; Anchorage
24 does one also.

25 Q. Okay. Specifically for --

1 A. Yeah.

2 Q. -- the FSD0? Got it.

3 You mentioned in this most recent meeting that you talked
4 about the accident. What kind of -- what did that conversation
5 look like?

6 A. There was a new DO involved, so we were discussing, you know,
7 different things that we were concerned about, such as CFIT, the
8 training program because the training program already had been
9 found -- and stuff, and we talked about how we were -- we had
10 extended it, and the training program and how we were going to be
11 monitoring stuff.

12 Q. And that was -- was that specifically with Taquan?

13 A. Yes.

14 DR. SILVA: Okay. Yeah. I think that's all I had.

15 MR. WILLIAMS: Brice?

16 MR. BANNING: Just a couple of questions.

17 BY MR. BANNING:

18 Q. Who -- you mentioned AS-40 [sic] did the review or audit.

19 A. Yes.

20 Q. Who is AS-40?

21 A. AFS-40 is a part of our, I'd say, Standards Branch.

22 Q. Okay.

23 A. They go out and, every 3 years, they do audits at the
24 different offices. And 3 years ago, they -- well 2½ years ago
25 they did our offices. They're coming again next year, for us.

1 Q. So not inspectors from your office?

2 A. No. They're external.

3 Q. Okay. Okay, and then a follow-up question to the 119
4 officials. You mentioned that the PMI of Taquan indicated to you
5 that the DO at Taquan at that time was holding another position as
6 a chief pilot.

7 A. Yes.

8 Q. Did the PMI voice any concerns to you about that, at that
9 time?

10 A. Yes.

11 Q. And can you share what those concerns were?

12 MR. SMITH: You could -- if you remember, you can tell him
13 what the conversation was about.

14 Obviously, if you want specifics, you may want to reach out
15 the PMI.

16 But from your perspective, you can tell him what you recall
17 from the conversation.

18 MR. POCHER: Sure. Worried about the fact that he was
19 physically located outside of Ketchikan and that there might be
20 problems reaching him for operational control issues when the
21 other people were not available.

22 MR. BANNING: Okay. Thank you. That's all I had. Thank
23 you.

24 MR. RIGSBY: Just a couple, Joe.

25 BY MR. RIGSBY:

1 Q. How many principal operations inspectors is the office -- and
2 I don't if the word allocated, or --

3 A. We should have five.

4 Q. You should have five? Okay. And you have -- I mean, that
5 work directly for you?

6 A. I have one POI today. I have one person who is what we used
7 to call a GO inspector, that -- on detail as a POI.

8 Q. Okay. The other inspector that is Taquan's inspector is
9 assigned to --

10 A. Columbia, South -- well, it was Columbia.

11 Q. Was Columbia. Okay. Do you or your front lines have any,
12 say, authority over him, or can you give him direction --

13 A. No. I have --

14 Q. -- and say I want you to do this?

15 A. We have to go through his chain for that.

16 Q. Okay. Are you aware, do those inspectors in South Carolina,
17 do they have other certificates to manage as well?

18 A. Yes, they do.

19 Q. Okay. With the POI, you basically have one POI here in
20 Juneau. Does he have other duties as well?

21 A. Other certificates? He's got lots.

22 Q. Okay. Does he do -- is he on accident call?

23 A. Yes.

24 Q. Does he have to work the front desk, if somebody comes in
25 for --

1 A. Not anymore.

2 Q. Not anymore. Okay. So you are able to manage his workload
3 as necessary for some stuff like that?

4 A. We try as hard as we can, yes.

5 Q. You also mentioned you had -- I believe it was two FAASTeam
6 reps?

7 A. Yes.

8 Q. Do they work for you?

9 A. Yes.

10 Q. Can you give them direction? If you want to do a seminar on
11 CFIT --

12 A. Yes.

13 Q. -- can you -- okay. Do they have to go through anybody else
14 to do that, or can they work independently under your direction?

15 A. They work independently, but they have been coordinating with
16 our AG -- no, correction -- ACO. ACO developed a DVD about CFIT
17 that we showed all the operators last year. And so they have a
18 lot of information, so they primarily get together with them on
19 it.

20 Q. Okay. I guess, explain a little more what the FAASTeam
21 representatives do here in Juneau, as far as how -- I mean, what's
22 their primary focus?

23 A. The FAA Safety Team is supposed to educate the public and
24 stuff. They also work with, like if there was an accident and
25 there is -- I think the term is remedial training, some kind of

1 training that they do. The FAAS team will oversee it and make sure
2 they do the online courses and stuff, and they'll also help with
3 counseling.

4 Q. Okay.

5 A. They do our outreach. They have briefings they give. They
6 go to the RSAT meetings. They organize the pre- and post-season
7 air tour meetings. They've also organized our UAS outreach
8 program. That's all I remember off the top of my head.

9 Q. Have they gone to Ketchikan?

10 A. Yes. Every meeting, they go.

11 Q. On the SASS training, or on the SASS, have you yourself or
12 the other inspectors gone through a training program for SASS?

13 A. Yes.

14 Q. Who do you report to?

15 A. Today, his name's Dale Ogden.

16 Q. Okay. How long has that been in place?

17 A. About 2 months now.

18 Q. Two months. Okay. Is that due to the Flight Standards
19 reorg?

20 A. No. Our division manager was Clint Wease, and he retired.
21 So Dale is the acting division -- technically I'm the acting
22 division manager today. Dale's on leave. But Dale's the acting
23 division manager till January.

24 Q. Is he located here?

25 A. No. He's in Denver.

1 Q. Denver, okay. Where was Clint located at?

2 A. Fairbanks.

3 Q. This post-season meeting you mentioned, was the new POI from
4 South Carolina, was he in that meeting with you?

5 A. No, he was not.

6 Q. Have you had any direct interaction with him?

7 A. Yes.

8 Q. What was the general nature of that conversation?

9 A. He was talking to us when he was coordinating to come up,
10 because he came up the -- I think the week or week and a half
11 before the post-season. So he was coordinating with us about
12 coming up. I happen to know the man, so we had some personal
13 conversation type of stuff. And since then he's had some
14 conversation with me about the reports we have to do on Taquan.

15 Q. Do you know, did he go to Taquan's facility by himself? Did
16 the PMI go with him?

17 A. I think Billy Marlowe, another inspector from South Carolina,
18 went with him.

19 Q. Do you know, did he contact Mr. Percy, as far as you're
20 aware, the former POI, temporary POI?

21 A. I do know that Jon and Todd had been talking.

22 MR. RIGSBY: Okay.

23 MR. WILLIAMS: Scott -- Mike?

24 BY MR. O'CONNOR:

25 Q. You mentioned in March the PMI advised you that the DO was

1 holding multiple Part 119 positions, and you directed the front
2 line manager to look into this by monitoring operational control.
3 How was that to be accomplished?

4 A. They were checking with the principals to make sure there
5 were no issues.

6 Q. No issues. And were there?

7 A. Not that I know of.

8 Q. If a Part 119 manager were to resign from an air carrier, is
9 there a provision in place to allow that position to be vacant?

10 A. Temporarily, yes.

11 Q. How? So temporarily, like --

12 A. I don't know. I'd have to go look at the guidance to get the
13 exact length of time.

14 Q. Is it possible for a Part 119 manager to work part-time for
15 an air carrier?

16 A. I don't understand the question.

17 Q. Part-time meaning the Part 119 manager has a full-time
18 position with a different company, and Part 119 work is done for
19 the carrier on the side.

20 A. Yes. You're saying, can he hold two Part 119 positions?

21 Q. Can he hold --

22 A. Yes.

23 Q. Can he hold two 119 positions?

24 A. Yes.

25 Q. Can he hold a full-time, say, a line pilot position and a

1 Part 119 position?

2 A. (No audible response.)

3 Q. Can a Part 119 manager effectively do his duties remotely?

4 MR. SMITH: Mike, that's kind of a speculative question here.

5 MR. O'CONNOR: Okay.

6 BY MR. O'CONNOR:

7 Q. Okay. Are you aware of a Part 119 applicant ever being
8 denied approval?

9 A. Yes.

10 Q. Can you elaborate on that?

11 A. They didn't meet the qualifications.

12 Q. Qualifications. The basic qualifications that are outlined
13 in the regulation?

14 A. Yes.

15 Q. Why would they be recommended for a Part 119 position if they
16 didn't meet the qualifications?

17 A. Because the company recommended them.

18 MR. O'CONNOR: That's all I have.

19 BY MR. WILLIAMS:

20 Q. So I have just a couple of follow-ups here, Joe. Back to
21 what he was saying, Mike was saying, because it's kind of fresh
22 here, as far as doing a 119 position remotely --

23 A. Right.

24 Q. Are you aware of any operations around here where the 119
25 official is located somewhere else?

1 A. Not locally.

2 Q. Okay. So the AFS-40 audit, was it random? Was it as a
3 result -- like a directed audit as a result of something?

4 MR. SMITH: Please only answer that if you know why the audit
5 was conducted.

6 And I only ask that because I'm not sure if you're asking
7 what AFS-40 or 140's -- the reason for it.

8 MR. WILLIAMS: Well, what I'm getting at is, do you know if
9 it was a directed -- does Joe know if it was a directed audit
10 that, hey, we want training programs to be looked at in Juneau, or
11 hey, we're going to go out this year, we're telling all the FSDOs
12 we're going to come look at training programs?

13 MR. POCHER: For that, AFS-40 audits are standardized
14 throughout the year, so every office they go to gets the same
15 audits.

16 MR. WILLIAMS: Okay.

17 MR. POCHER: And like I said, it's on a 3-year cycle.

18 MR. WILLIAMS: And that's just kind of what I was getting at
19 there.

20 I think that's all I have.

21 Sathya?

22 BY DR. SILVA:

23 Q. Yes. Again, following up on one of Mike's questions, is how
24 often are applicants for Part 119 officials denied?

25 A. I'm not able to answer that question.

1 Q. Okay.

2 MR. SMITH: I just want to clarify if you meant in Juneau,
3 in --

4 DR. SILVA: Yes.

5 MR. SMITH: -- with his office?

6 BY DR. SILVA:

7 Q. In your experience here.

8 A. In Juneau? Only one.

9 Q. Okay. In the last --

10 A. Fourteen months.

11 Q. Fourteen months. Okay. Are you aware, in your previous
12 experience that -- of any 119 officials who have met
13 qualifications and are denied for another reason?

14 A. No.

15 Q. Going back to that pre-season meeting, is it normal to have
16 the POI in that meeting?

17 A. No.

18 Q. So it wasn't necessarily expected?

19 A. No. The meeting is for the operators.

20 Q. Okay. And then, just to clarify, you said that you were
21 involved with the meeting a few weeks ago, and then the previous
22 September; is that correct?

23 A. Yes.

24 Q. Were you involved with the pre-season meeting this year?

25 A. Yes.

1 Q. Okay. The pre-season meeting also?

2 A. I was post-season last year, pre- and post-season this year.

3 Q. Okay. So there have been three, total?

4 A. Right, that I've been involved with.

5 DR. SILVA: Okay. All right. That's all I have.

6 MR. WILLIAMS: Brice?

7 MR. BANNING: I don't have any more questions. Thank you.

8 MR. WILLIAMS: Matt?

9 MR. RIGSBY: Just two.

10 BY MR. RIGSBY:

11 Q. Joe, is there a regulatory requirement that prevents a DO
12 from holding -- being the DO for two separate companies, or 119
13 person?

14 A. No.

15 Q. Okay. In that -- in those pre-season meetings where the POI
16 is not there, is that purposeful, to not have a POI there, to
17 maybe -- like if you can ask an operator, do you have a problem
18 with your POI?

19 A. No.

20 Q. That's not the purpose? Okay.

21 A. The meeting starts off with, there's an hour that's operators
22 only, where the FAA's not in the room so they can harp out issues.
23 Then we have an agenda that we go through, and we talk about
24 issues that either they've raised -- have made to the agenda, or
25 that we want on the agenda.

1 Q. Okay.

2 A. But it's more of a meeting for us to put out information to
3 the operators and for them to have a chance to talk with the
4 management people.

5 Q. Okay. Do you give the management people at that -- whatever
6 operator you go to, do you give them your phone number or email?

7 A. Yes, I give them my card.

8 MR. RIGSBY: Okay. I'm done.

9 MR. WILLIAMS: Okay. Mike?

10 MR. O'CONNOR: One I forgot.

11 BY MR. O'CONNOR:

12 Q. When the POI interviews the 119 applicant, I understand that
13 part of that interview process is to go over the responsibilities
14 and expectations of that position. Is there guidance on this, for
15 the POI or for the applicant?

16 A. I'm not sure I understand what you're getting at.

17 Q. When the POI interviews the 119 applicant --

18 A. Right.

19 Q. -- part of that process is to lay out the expectations --

20 A. Right.

21 Q. -- what his job entails. Where can they go to reference
22 that?

23 A. I've never been a POI, so I've not done it, but I do know
24 that there's regulatory requirements for the 119 positions.
25 There's also guidance in our 8900 which explains a little bit on

1 some of the questions we need to ask, such as do you have more
2 than one, and how do you want to juggle the two 119 positions.

3 Q. That's in the 8900?

4 A. 8900.1.

5 Q. Right.

6 MR. O'CONNOR: Okay. Yeah, thank you.

7 MR. BANNING: May I have one more?

8 BY MR. BANNING:

9 Q. Sorry, Joe. You say -- is -- are you aware of a checklist,
10 either in the office or in the FAA, that guides a POI, like a
11 transfer checklist, when one POI takes over?

12 A. No.

13 MR. BANNING: Okay. That's it.

14 MR. WILLIAMS: You sure?

15 (Laughter.)

16 MR. WILLIAMS: All right. Well, Joe, thank you for taking
17 the time and speaking with us today. I really do appreciate it.
18 You know, it will help us get -- help us try to get to the cause
19 of it. So thank you, and we'll go off the record at 11:35.

20 (Whereupon, at 11:35 a.m., the interview was concluded.)

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: HYDABURG, ALASKA DE HAVILLAND DHC3T
 OTTER COLLISION WITH TERRAIN
 JULY 10, 2018
 Interview of Joseph Pocher

ACCIDENT NO.: ANC18FA053

PLACE: Juneau, Alaska

DATE: October 11, 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.



Pamela Jacobson
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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HYDABURG, ALASKA DE HAVILLAND DHC3T

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OTTER COLLISION WITH TERRAIN

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Accident No.: ANC18FA053

JULY 10, 2018

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Interview of: HUGH YOUNGERS, POI
Grant Aviation

National Transportation Safety Board
Offices
Anchorage, Alaska

Wednesday,
October 10, 2018

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

BRICE BANNING, Investigator in Charge
National Transportation Safety Board

MATT RIGSBY, Air Safety Investigator
Federal Aviation Administration (FAA)

MIKE O'CONNOR, Chief Pilot
Taquan Air

MATTHEW SMITH, Esq.
Office of Chief Counsel, FAA
(On behalf of Mr. Youngers)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Hugh Youngers:		
By Dr. Silva		6
By Mr. Banning		18
By Mr. Rigsby		20
By Mr. O'Connor		26
By Dr. Silva		27
By Mr. Rigsby		33
By Dr. Silva		34
By Mr. Rigsby		35
By Dr. Silva		36

I N T E R V I E W

(9:03 a.m.)

DR. SILVA: Okay. On the record at 9:03. Okay.

Any questions before we start? Because I'm going to go through --

MR. YOUNGERS: No. I mean --

DR. SILVA: Okay. I'll run through our basic spiel, and then if you have any questions after that, we can go through that before we get into the interview.

MR. YOUNGERS: Sure.

DR. SILVA: But welcome. Thank you for agreeing to talk to us.

MR. YOUNGERS: Sure.

DR. SILVA: I'm Sathya Silva. I am the human performance investigator on the Taquan Air accident.

MR. YOUNGERS: Okay.

DR. SILVA: Well, let's go around the room for introductions, and then I'll give you a background of our whole party process and what we're going to do today.

MR. YOUNGERS: Okay.

DR. SILVA: All right. Brice.

MR. BANNING: I'm Brice Banning, NTSB. Thank you for coming.

MR. YOUNGERS: Yeah, sure.

DR. SILVA: I know you know everyone else, but for the record --

1 MR. YOUNGERS: Yeah.

2 MR. RIGSBY: Matt Rigsby, with the FAA's Office of Accident
3 Investigation.

4 MR. SMITH: And I'm Matt Smith with the Office of Chief
5 Counsel of the FAA. And I just want to clarify for the record, it
6 is being recorded, correctly -- correct?

7 DR. SILVA: Yes.

8 MR. SMITH: And will we have an opportunity to review any
9 transcript that is transcribed?

10 DR. SILVA: Yes.

11 MR. SMITH: Okay, great. Thanks.

12 DR. SILVA: And Mike.

13 MR. O'CONNOR: Mike O'Connor, chief pilot, Taquan Air, here
14 as the party rep.

15 DR. SILVA: So we've got NTSB and we've got Taquan, and the
16 FAA. This, as a whole, is part of our party system. So we are
17 the experts in investigating, but we have so much more expertise
18 that we want to be -- have access to. So that's where the party
19 system originates.

20 The purpose of this investigation is 100 percent safety.
21 We're not here to assign blame, liability, fault. Hopefully you
22 know that already.

23 MR. YOUNGERS: Yes.

24 DR. SILVA: That said, we can't offer any kind of
25 confidentiality or immunity. We're a public organization. Along

1 with that, we are recording this. The transcript that comes from
2 this recording will be part of the public docket once this -- once
3 the docket opens. It's usually 6 months to a year from now. But
4 the recording itself will not be available. It's only the
5 transcript.

6 You are entitled to have a representative here with you.
7 Would you like a representative?

8 MR. YOUNGERS: Well, I have Matt here with me, so --

9 DR. SILVA: Okay. Perfect. Okay. Great. Any questions
10 before we start?

11 MR. YOUNGERS: No.

12 DR. SILVA: Wonderful.

13 INTERVIEW OF HUGH YOUNGERS

14 BY DR. SILVA:

15 Q. Easy question first. Can you state your full name?

16 A. Sure. Hugh Thomas Youngers.

17 Q. And can you spell your last name?

18 A. Y-O-U-N-G-E-R-S.

19 Q. And can you run through a brief history of your background, a
20 brief summary of your background?

21 A. Sure. With the FAA or --

22 Q. Overall. Just kind of --

23 A. Overall?

24 Q. -- aviation, how you got here.

25 A. Yeah. I got here flight instructing, and then I flew Part

1 135 in Alaska for several years. Then I got into 119 management,
2 was director of operations for 7 years. Following that, I was
3 over at UAA running the flight program for 4 years, and then I
4 started with the FAA. This is my seventh year, so I've been with
5 them 6 years. And I've been a POI for 5 of those years, and I'm
6 now the POI for Grant Aviation and Ryan Air.

7 Q. And you said UAA, who is that?

8 A. University of Alaska in Anchorage.

9 Q. Okay. Perfect. And when you got hired on with the FAA, what
10 was that position for?

11 A. Aviation safety inspector.

12 Q. Okay.

13 A. And then when you get through all your training, you're
14 eligible to upgrade to a principle operations inspector.

15 Q. Can you describe that training that you had to go through to
16 become a POI?

17 A. Sure. We attend the academy in Oklahoma, and we take several
18 classes. I could not list all of them for you. But it's about --
19 it was off and on for about 4 to 5 months of training there. And
20 then we go to Dallas to do our flight training. And we stay
21 current in flying through our EBC program down in Dallas. And we
22 go down there once a quarter.

23 Q. What aircraft are you rated in?

24 A. Single-engine land and multi-engine land, and we fly the 172,
25 the Seminole and the King Air.

1 Q. So do you have type ratings --

2 A. No.

3 Q. -- for any of them? Okay. What's your total time?

4 A. Probably now around 6,000 hours.

5 Q. And do you have experience in the Beavers as well?

6 A. No.

7 Q. When you are training to become a POI, do you have any

8 specific training in operational control specifically?

9 A. It's discussed in -- so we have a legal course we take, and
10 it's discussed in there.

11 Q. Okay. What does that entail?

12 A. That's basically learning how to write enforcement cases and
13 learning legal parameters of operational control, things of that
14 nature.

15 Q. Well, can you describe a little bit more what those
16 parameters would be for operational control?

17 A. You know, I really -- I don't, honestly don't remember. It
18 was such a long time ago.

19 Q. Okay. How -- what role does operational control kind of play
20 in your everyday job? What are you looking for in terms of --

21 A. Well, it's really more for the operators than it is for us.
22 It's -- operational control is basically the initiating,
23 conducting and terminating of a flight. So we have surveillance
24 that we do. And every day, it's not really based just on
25 operational control. Our surveillance is a wide scope of things,

1 looking at all aspects of a company.

2 Q. How long have you been POI of Grant?

3 A. One year.

4 Q. When did you start that role?

5 A. October of last year.

6 Q. Okay. Do you know who preceded you in that role?

7 A. Steve Stewart.

8 Q. Can you describe Grant's operation?

9 A. Sure. It's a large 135 commuter. They have probably 30
10 airplanes, scheduled service, in Anchorage up to Bethel and areas
11 around there.

12 Q. Do you have any -- is there anyone else from the FAA who is
13 also on that certificate?

14 A. Yes.

15 Q. Okay. Who else?

16 A. We have a certificate management team. Ryan Brinkman's the
17 principal maintenance inspector. And Bob Beck is the principal
18 avionics inspector.

19 Q. Were you involved with the approval of George Curtis into the
20 DO role at Grant?

21 A. Yes.

22 Q. Can you describe that process, how you approve a Part 119
23 official?

24 A. Sure. They submit a letter requesting a person to be
25 selected as DO. And they submit the qualifications of the person,

1 resume, training records, things of that nature, and we evaluate
2 it as a CMT. If we accept it, then we forward it up to our
3 frontline manager, who then will give the final approval.

4 Q. What are you looking for when you're looking to accept?

5 A. Well, there's regulations that state what the qualifications
6 need to be. And we just -- we look at their background as a
7 whole, and we also check, you know, their history, if there's been
8 accidents or anything in their past. George was highly qualified.

9 Q. Are there any restrictions for DOs in terms of operating --
10 holding that position in multiple operations?

11 A. I'm not aware of that.

12 Q. Is that something that you would consider when you're giving
13 approval?

14 A. I've never approved a DO to hold more than one position, with
15 my operation. So I approved him as Grant DO.

16 Q. Right. Were you aware that he was also DO at Taquan?

17 A. Not at the time.

18 Q. Okay. When did you become aware of that?

19 A. April of 2018.

20 Q. How did you become aware of that?

21 A. Another inspector, Kyle Wansa (ph.) -- I don't know how to
22 spell his last name -- he came in and said, asked me if I was
23 aware of it. And I said I was not.

24 Q. Okay. Would that have factored into your decision for
25 approving him as Grant's DO?

1 A. We would have talked about it, and we did. We talked about
2 it after I found out. And he told me that he was in the process
3 of being replaced as the DO, and would be removed from the op
4 specs by May of 2018.

5 Q. Okay. When did -- do you remember when he -- when you
6 approved him for, as DO for Grant?

7 A. I don't remember the date, but it was somewhere close to the
8 same time that I found out he was -- it was probably like a month
9 later, so maybe in March.

10 Q. Okay.

11 A. I'd have to go look at the letter.

12 Q. What were your concerns when you did find out that he was
13 also DO at Taquan?

14 A. I didn't have a lot of concerns for Grant because he's here
15 every day, you know, working at Grant. So -- but we just had a
16 discussion about it, and he -- before we could really even get
17 into anything he said he was going to be removed. So it was kind
18 of a moot point.

19 Q. How did that discussion go? What -- did you have to confront
20 him about it --

21 A. Oh, I just --

22 Q. -- directly, or --

23 A. Well, I just said, hey, I found out some information, and I
24 asked if we could come over and sit down. And me and Dan Kinesek
25 and George sat down, and I asked him about that, you know, that

1 you were listed as the DO for Taquan. And he explained that yeah,
2 that was -- it was being resolved and he was going to be removed.
3 So it was a pretty short conversation.

4 Q. And who is Dan?

5 A. Dan Kinesek? He was a previous DO. Now he's the vice
6 president of operations.

7 Q. Okay. Got it. During your approval process, would you
8 expect that information to be disclosed to you?

9 A. I would appreciate it.

10 (Laughter.)

11 BY DR. SILVA:

12 Q. Okay. Is there any kind of guidance in terms of what they do
13 disclose to you?

14 A. No. I mean, they have to disclose enough to be qualified for
15 the position. So --

16 Q. Is there any requirement to disclose aspects that may be
17 conflicts of interest or conflicting workload, things like that,
18 for the position?

19 A. There's no regulatory requirement to do that.

20 Q. Is that part of your process in terms of approval? Do you
21 look at a conflicting workload and ability to --

22 A. We would.

23 Q. Okay.

24 A. Yeah.

25 Q. How do you assess that?

1 A. It would be different for every scenario. It'd be hard to,
2 you know, describe. I mean, so in my time with the FAA I've only
3 approved 119 management for my operation. They haven't been for
4 multiple companies or anything like that, so --

5 Q. So specifically in this case for Curtis, what would you have
6 looked for?

7 A. Like if he disclosed that he was the DO for another company?
8 Or --

9 Q. Yeah, yeah. So let's say that did come into play.

10 A. I don't really want to speculate on that. I mean, it would
11 be based on a variety of things, so it's hard to put that into
12 perspective if you don't have all the information to make a
13 decision. So it's really just speculation.

14 Q. Well, what kinds of things then would you consider, the
15 variety of things that you would -- that would factor into the
16 decision?

17 A. Well, his ability to perform as a director for the company
18 that I'm overseeing, that he's available and there to make
19 decisions, and involved in what's -- the aspects of the company.
20 So if he's going to be a DO for some operation in California and
21 he's flying down there, you know what I'm saying, splitting up all
22 his time, it would be hard to maintain the position.

23 Q. Okay. Were you aware of any other commitments that he had
24 when he applied?

25 A. Yes.

1 Q. Okay. What were those, do you recall?

2 A. He used to fly for Alaska Airlines, and he's in the training
3 department. So once a month, for 2 days, he goes down on the
4 weekends normally and works in the sim down in Seattle.

5 Q. Was that the only one that you're aware of?

6 A. That was the only one I was aware of, yeah.

7 Q. How did you feel that would have affected his workload here?

8 A. Not at all.

9 Q. Okay.

10 A. I mean, most people take 2 days off a week, so he doesn't
11 take that many.

12 Q. Fair.

13 A. So if he goes down and does that, I mean, it's not going to
14 be an issue.

15 Q. Did you speak with the Taquan POI at all?

16 A. No.

17 Q. Is there any kind of process or guidance for, in the case
18 that you have people with multiple 119 positions, to talk to their
19 other --

20 A. I don't have any of those. I'm not aware of any.

21 Q. When you had the conversation about Curtis leaving Taquan,
22 did you have a time frame in mind that you were expecting that to
23 happen?

24 A. Yeah. He said by the end of May he was going to be removed
25 from the op specs. They were in the process of interviewing

1 potential candidates.

2 Q. Did you receive any update at the end of May as to whether
3 they had?

4 A. No.

5 Q. Did you inquire about it?

6 A. I did, in July.

7 Q. Was that after the accident, or --

8 A. Two days before.

9 Q. What was their response?

10 A. He said that they were still trying to, you know, find a
11 candidate, I guess. It hadn't -- some of the other candidates
12 didn't work out, and so it was like still in the process, so maybe
13 a few more weeks.

14 Q. Was that acceptable for you?

15 A. Well, he was here working at Grant every day. So, I mean,
16 he's overseeing the operation that I oversee, so it wasn't an
17 issue for me.

18 Q. What prompted you to reach out and check in on that? Was
19 there anything in particular?

20 A. No, no. I was just curious if the op specs had been changed.

21 Q. When you do evaluate potential 119 officials, is any part of
22 that -- does any part of that include an interview?

23 A. Yes.

24 Q. Okay. What does the interview entail? Can you describe what
25 a normal one would look like?

1 A. You just ask questions about their background, and what
2 they've done in their past, and kind of like, you know, what you
3 guys are asking me. Tell me about your background, how much
4 flight time do you have.

5 We have a lot of that on the resume, but we, you know, make
6 sure they also understand the operation. So we might ask them
7 questions, you know, from their GOM or their training or op specs,
8 things of that nature, to know that they have a well understanding
9 of what the operation does and how things are managed.

10 Q. Okay. Is there anything else you're looking for during the
11 interview, aside from knowing the operation and meeting the
12 requirements?

13 A. I mean, there's a variety of things. We have -- it's
14 basically a board, because the CMT does it, so it's a team thing.
15 So people ask different questions that they might have concerns
16 with, but mostly looking at their character, their background, if
17 they've had management experience in the past.

18 Q. Okay. Do you have an idea of how common it is for people to
19 hold multiple DO positions?

20 A. It's -- I don't think it's common. I haven't seen it.

21 Q. So when you did find out that he had his role at Taquan in
22 April, what was your expectation in terms of his division of
23 attention between the two operators?

24 A. Yeah, that was a concern. I wanted to find out, you know,
25 what he was doing. That's why I went over to meet with him face

1 to face. And before we could really get into a conversation, he
2 was basically saying, you know, that he's being removed from the
3 op specs and it's pretty much a moot point. So there wasn't much
4 discussion.

5 Q. Okay. Was -- so what was your expectation, I guess, in terms
6 of how much time he was going to spend with Grant versus Taquan at
7 that point?

8 A. Yeah. That was a concern, but, you know, he wasn't -- so he
9 was being removed from the op specs and going to be working at
10 Grant full time, and so it wasn't an issue for me. And he has
11 been, ever since he's been there. He's been there -- we interact
12 frequently.

13 Q. How often do you interact?

14 A. Probably three or four times a week -- emails, phone calls.
15 Text messages.

16 Q. A third form.

17 A. There's too many ways to interact now.

18 Q. Okay. How do you feel like he's doing with the job at Grant?

19 A. I think he's doing very well.

20 Q. Had there ever been any concerns about his performance or --

21 A. None.

22 Q. -- or ability? Okay.

23 A. No.

24 Q. What does -- actually, no, I think I already asked that one.

25 DR. SILVA: So I'll go around the room here, see if anyone

1 else has questions for you. We usually do this about twice. And
2 then I'll -- you'll be off the hook.

3 MR. YOUNGERS: Okay.

4 DR. SILVA: All right. Brice?

5 MR. BANNING: Just a few questions here.

6 BY MR. BANNING:

7 Q. And I apologize if I'm restating questions.

8 A. Sure.

9 Q. But when you approved George as the DO for Grant, that was in
10 March, you think, of --

11 A. Yeah. Somewhere in there.

12 Q. About March of '18?

13 A. Yeah.

14 Q. Okay.

15 A. I mean, I could look it up and get back to you on the --

16 Q. No. It's all right. No. But yeah, but -- and then you
17 were, you became aware that he was the DO for Taquan about roughly
18 a month later; is that correct?

19 A. I think so. Yeah, I think it was about a month.

20 Q. Okay.

21 A. It was pretty close together.

22 Q. Sure. And he was spending -- it sounded like he was
23 spending -- you were not aware of him spending time in Ketchikan?

24 A. No.

25 Q. Is that correct?

1 A. Correct.

2 Q. And what guidance is available for a POI when he goes to
3 approve a 119 official?

4 A. There's guidance in the 8900.

5 Q. Okay.

6 A. There's a whole, you know, chapter there, that you can go
7 through, and there's job aids of questions you can ask, things of
8 that nature.

9 Q. And you did -- during the approval process for George, you
10 did conduct an interview; is that correct? The CMT.

11 A. No. The CMT didn't conduct it together.

12 Q. Okay. But you did conduct an --

13 A. Yes.

14 Q. Okay.

15 A. Yeah.

16 Q. All right.

17 A. I had -- we had already gotten to know George because he was
18 holding the chief pilot position before he became the director of
19 operations. So we were pretty familiar with him and his
20 background and --

21 Q. So he was a chief pilot at Grant?

22 A. At Grant.

23 Q. Prior to --

24 A. Prior to becoming the director of operations.

25 Q. Okay. Was he the chief pilot of Grant when you took over

1 that certificate?

2 A. I think he came on about the same time. It was pretty close.

3 Q. So were you part of the approval process for him to move into
4 the chief pilot position at Grant?

5 A. Yes.

6 Q. Okay. All right. And did you conduct an interview at that
7 time for the chief pilot position?

8 A. Yes.

9 Q. Okay.

10 MR. BANNING: I think that's all the questions I have for
11 right now.

12 DR. SILVA: Okay. Matt.

13 MR. RIGSBY: Thank you.

14 BY MR. RIGSBY:

15 Q. Okay. Do you -- has all your flying been in Alaska?

16 A. Yes. Commercially, yes.

17 Q. Commercial? Okay.

18 A. Yeah.

19 Q. Is it -- did you fly in the Lower 48 before that?

20 A. I went to school in the Lower 48 and got my ratings in the
21 Lower 48.

22 Q. Okay. Is flying in Alaska different than flying south?

23 A. Very much.

24 Q. Okay. On risk-based decision making, is it -- would you
25 classify it potentially higher risk, flying in Alaska versus --

1 A. Yes.

2 Q. Okay. As a POI, going back to your POI days, compared to
3 today, what are some of the differences in your duties as -- say
4 if you were a POI for a smaller 135 operator versus how you are --

5 A. Right.

6 Q. And I know this is a --

7 A. Sure.

8 Q. -- compound question, but --

9 A. No. I understand.

10 Q. Okay.

11 A. Yeah.

12 Q. Just, can you --

13 A. Well, when I was in the Anchorage FSDO, I had a variety of
14 operations, and I had about 46 to 50 operators in there, so it was
15 quite a few. And so surveillance, there was a lot of surveillance
16 to be done. But they were small -- a lot of them were single-
17 pilot operations, and they were basic 135 operations. So when I
18 moved over into the Polaris CMO, I just have two operators. Even
19 though they're large 135 commuter, but I can focus a lot of
20 attention on both of those versus having a large number of
21 operations that are spread out.

22 Q. Do you have other duties with working with the two operators
23 versus that you may not have had with, or that you may not have
24 had with the -- as a regular POI, when you had a different set of
25 duties?

1 A. Sure. When I was with the Anchorage FSDO, I did accident
2 investigation.

3 Q. Okay.

4 A. I was on the Go Team, basically. So I did a lot of that. I
5 actually enjoyed it. And also did a lot of pilot deviations and
6 general things that would come into the office, general questions
7 from the public, or conducting a check ride for certification for
8 a private or commercial or instrument. Also had oversight of 142
9 schools in town. So it's a lot. It's a lot of work.

10 Q. Compared to the Polaris COO --

11 A. CMO.

12 Q. -- CMO, do you have those same responsibilities or are you --

13 A. No.

14 Q. Okay.

15 A. And this was created to address the large 135 commuters that
16 were considered a higher risk in Alaska --

17 Q. Sure.

18 A. -- so that people could focus more on a particular operation.

19 Q. Okay. When you were a DO of a company outside the FAA, how
20 large of an operator was it?

21 A. Oh, it was Hageland Aviation. It was large.

22 Q. Okay. Were you on site as the DO for that company?

23 A. Uh-huh.

24 Q. Okay. It consumed -- a large operator consumes --

25 A. A lot.

1 Q. -- 60-plus hour weeks?

2 A. Yes.

3 Q. When you came over from the FSDO to the Polaris CMO, is there
4 any transfer checklist or anything like -- you effectively became
5 the POI for Grant.

6 A. Right.

7 Q. The former POI, is there a checklist that you use that he
8 gave you and kind of goes through and says, okay, this is the
9 company, this is the chief pilot, you know, kind of got a step-
10 through process so you become aware of whatever?

11 A. We did. Yeah. Deke Abbott was actually the manager of
12 Polaris at the time. And me and Steve went through quite a bunch
13 of information.

14 Q. Okay. Is it in a formal checklist, or is it more of an
15 individual thing?

16 A. It's individual.

17 Q. Okay. Were you ever able, were you ever -- did you ever
18 attempt to get ahold of George, or Mr. Curtis for some -- for a
19 Grant issue, and he wasn't available to talk --

20 A. No.

21 Q. -- or whatnot? Okay. I think you answered this, but is
22 there any regulatory requirement that prevents him from being the
23 DO for two positions --

24 A. No.

25 Q. -- that you're aware of? Okay. Let's see. When you

1 inquired 2 days before the accident with George on the -- just to
2 check his status as the DO, did you do that by phone, in writing?

3 A. Email.

4 Q. Email. Okay. And you got a response back in email or phone
5 call?

6 A. Uh-huh.

7 Q. And Grant, you're 3 to 4 days -- times a week you're at
8 Grant, you said? How often are you at Grant visiting him?

9 A. Oh, visiting? It's, you know, maybe -- it really depends on
10 what's going on. We have monthly meetings with them. And then we
11 go over to do surveillance, but that's the management office. Our
12 surveillance is more out in the field. So mostly we're talking on
13 the phone or texting or something, but not really going over to
14 their office.

15 Q. Okay. I don't know, do they fly to, say, the Fairbanks area?

16 A. No.

17 Q. They don't? Okay.

18 A. No. Out of Anchorage, they fly to the Kenai.

19 Q. Are you allowed to call like a geographic FSDO, and say, hey,
20 can you go do a ramp check on this aircraft or something like
21 that? Is that in your ability to do?

22 A. It is.

23 Q. Have you done that with Grant?

24 A. No, because I'm the closest.

25 Q. Okay. Are you --

1 A. Now, we use other inspectors in the Anchorage office, you
2 know, that may not be in Polaris. We do have people -- you know,
3 if people are going, you know, to King Salmon or something, I
4 might ask them to do some surveillance for me there.

5 Q. Okay. And how is that documented?

6 A. In SASS.

7 Q. In SASS. Okay. SASS is the --

8 A. Safety Assurance System.

9 Q. Okay.

10 A. And we use DCTs. We get those assigned, and those are
11 data -- it's a data collection tool.

12 Q. Okay. Is that similar to the former PT -- the --

13 A. The write-ins in PTRS?

14 Q. Yeah.

15 A. Sort of.

16 Q. Sort of?

17 A. Yeah. It's much more in-depth. SASS is.

18 Q. No concern -- were there any concerns with George's
19 performance as a DO?

20 A. No. No.

21 MR. RIGSBY: That's all I have.

22 DR. SILVA: Mike, on the phone.

23 MR. O'CONNOR: Sorry. I had to take it off mute.

24 DR. SILVA: Yeah. Any questions?

25 MR. O'CONNOR: Okay. Yes, I do have a few questions.

1 BY MR. O'CONNOR:

2 Q. You'd mentioned that Mr. Curtis became DO at Grant in April
3 of 2018. And prior to that -- I'm sorry, March of 2018. Prior to
4 that, he was the chief pilot?

5 A. Yes.

6 Q. When was the chief -- when was he approved as chief pilot?

7 A. I believe it was about the same time that I started there in
8 October. I mean, I can get all these dates if we need to, and
9 provide it to everybody later if, I mean --

10 DR. SILVA: Yeah. We'll request those.

11 MR. YOUNGERS: Okay. It's -- yeah.

12 BY MR. O'CONNOR:

13 Q. And then you became aware that George, or that Mr. Curtis was
14 DO at Taquan in April. Was there any discussion about how he
15 divided his duties, his Part 119 duties between the two carriers
16 during that time?

17 A. No. It was a very short discussion, as I said earlier,
18 because George -- you know, when I asked the question, he
19 basically told me that he was being removed as the DO for Taquan
20 and the op specs would be changed by the end of May. So I didn't
21 have any concerns, because he wasn't going to be the DO.

22 MR. O'CONNOR: Okay. That's all I have.

23 DR. SILVA: Thanks, Mike.

24 MR. O'CONNOR: Thank you.

25 DR. SILVA: All right. I have a few more.

1 BY DR. SILVA:

2 Q. Regarding operational control, what does that mean to you?

3 A. Well, I mentioned earlier, it's the initiating, conducting
4 and terminating of a flight.

5 Q. Okay. How -- what's your expectation for those who have
6 operational control in a company? What's your expectation of
7 where they are, how they perform their duties, things like that?

8 A. That's a broad question.

9 Q. Okay.

10 A. So there's a lot that goes into that because -- so they have
11 a commercial operation where they have to have, you know, make
12 sure the pilots are trained and qualified. In Alaska, for 135, we
13 don't have certified dispatchers, but we have flight coordinators
14 that basically are dispatching flights, and all this is monitored
15 by the 119 management.

16 Q. Right.

17 A. So they got to make sure people are trained and qualified,
18 and, you know, they're looking at -- and, I mean, this is just a
19 very short, you know, narrow description of this. But they're
20 also looking at, you know, airplane maintenance and when
21 maintenance things are due, and they have to stay on top of all
22 this to make sure that everything is, you know, satisfactory for
23 the operation.

24 Q. Do you feel like those who have operational control need to
25 be on premises at the operation in order to do an effective job?

1 A. With today's technology, you can do a lot, you know, with
2 computers and phones. It depends on the company and how they're
3 set up. So the company management's in Anchorage and they have an
4 operation that goes almost statewide, and so they can't be at
5 every hub. So they have to rely on hiring managers, and having --
6 you know, to have oversight in different ways.

7 Q. And you mentioned kind of physical location when you
8 discussed Curtis's commitment with Alaska. Is it Alaska? In
9 Seattle?

10 A. Oh, Alaska Airlines?

11 Q. Right.

12 A. Yes.

13 Q. When you're assessing workload or ability to conduct the job,
14 are you also including physical location into that equation? Do
15 you --

16 A. Yes.

17 Q. Okay. So when you found out that he was also DO at Taquan,
18 was physical location a concern for you in terms of whether he was
19 traveling, or back and forth between Ketchikan and Anchorage?

20 A. My concern was his availability. Where was he focusing his
21 time? What was he going to be doing? And was he going to
22 Ketchikan? I didn't know.

23 Q. Okay.

24 A. But none of those questions were asked because he said he was
25 going to be removed, so --

1 Q. Okay. I'm going to jump around a little bit. My notes are
2 not very organized. Did you give -- get any specific training on
3 approving Part 119 officials?

4 A. Yes. And I -- you know, it's all in -- it's in all the
5 courses, so I can't tell you specifically what it was, or what the
6 course was, but --

7 Q. Okay.

8 A. We have 135 courses that we take down at the academy. And,
9 of course, we have the 8900 guidance that we always go to, you
10 know, when we do something like that, to refresh our memories and
11 go through a job aid and specific steps, and things of that
12 nature. So we're not just relying on the course we took then. We
13 have tools to work with each day that we can go back and look at.

14 Q. Okay. At the point that Curtis was approved for the DO
15 position, how many approvals had you gone through?

16 A. Probably 10 to 15.

17 Q. And you mentioned that the previous POI, the transition
18 between you and the previous POI kind of happened at the same time
19 that Curtis was being approved for chief pilot at Grant; is that
20 correct?

21 A. Well, it was shortly after.

22 Q. Okay.

23 A. Yeah.

24 Q. So did the previous POI have any part in that decision --

25 A. No.

1 Q. -- for chief pilot or DO --

2 A. No.

3 Q. -- for Curtis? Okay. How would you describe your workload
4 in your position?

5 A. It's -- right now, it's very manageable. I'm overseeing two
6 operations, so I can focus a lot of my time, you know, with Grant
7 and Ryan Air. I used to get about 45 DCTs a quarter, and now I
8 have like 3. So I can do a much more in-depth surveillance and
9 spend more time knowing the operation and the people there.

10 Q. How much flight time would you say you have flying in Alaska,
11 estimated?

12 A. Well, I have about 6,000 total, so probably about 5,000 of
13 that's in Alaska.

14 Q. So when operators are assigned to either a FSDO or a CMO, do
15 you know what characteristics would put them in either category?
16 Do you know how big an operation has to be in a -- with a CMO
17 versus a FSDO?

18 A. Yeah. It's only large 135 commuter.

19 Q. So what does large entail? What does that mean?

20 A. So based --

21 MR. SMITH: Hold on. Are you asking him what -- how he --

22 DR. SILVA: Yes.

23 BY DR. SILVA:

24 Q. From your perspective, your understanding of this. We have
25 the actual things.

1 A. Oh. Well, so the largest 135 operations were all put into
2 the Polaris CMO. So Hageland, Grant, Ryan, and Bering Air.

3 Q. Okay, so --

4 A. And one other one in Fairbanks, I believe. Is Warbelow still
5 up and running? I think Warbelows is in that operation too. It's
6 just the largest ones in the state. The other ones are just basic
7 operations.

8 Q. So it's not based on an X number of operations per day, or an
9 X number of aircraft, pilots or anything like that?

10 A. It's all a -- it all factors in.

11 Q. Okay.

12 A. Yeah.

13 Q. And you said you started at the CMO about a year ago; is that
14 correct? Okay.

15 A. Last October.

16 Q. And you were with the FSDO for the past 6, 7 years?

17 A. This is -- I'm starting my seventh year, so I was in the FSDO
18 for 5 years.

19 Q. And when were you at Hageland?

20 A. In the -- let's see. So it was the end of -- so in the
21 1990s, so probably '96 to 2003.

22 Q. And where are you based currently?

23 A. In Anchorage.

24 Q. Anchorage. Okay. When Curtis was approved as chief pilot
25 for Grant, were you aware of any Taquan commitments at that time?

1 A. No.

2 Q. Was that something that he had on his resume, necessarily?
3 Do you recall?

4 A. It might have been on there, that he had worked there.

5 Q. Okay.

6 A. I'm pretty sure. It probably was. I'd have to go look.

7 Q. But as far as you knew, there was no ongoing --

8 A. Right.

9 Q. Okay. Okay. This is the big one I probably should have
10 asked first, but big picture, can you describe your roles and
11 responsibilities as POI?

12 A. Okay. So I'm a principal operations inspector. I work on
13 the operational side, not the maintenance or avionics, but the
14 operational side. So I oversee -- I have surveillance with 119
15 management, obviously, and with the training of the pilots. So I
16 do sit in on ground schools. I do check rides for pilots. I do
17 check airman observations. I travel out to their different
18 facilities and do facilities inspections, as well as, you know,
19 observe the pilots' duties and what they're doing every day.

20 And I do ramp inspections, make sure that the airplanes, the
21 pilots, particularly, have all the tools they need in the
22 airplanes, like charts and checklists and their GOM, and that it's
23 current, and things of that nature. I oversee the op specs that
24 the company holds, and make sure they're in compliance with that,
25 the GOM, which is general operations manual. If they make changes

1 to that or the training manual, it usually comes to me for
2 approval, and also with the MEL for the airplanes.

3 So it's a wide variety of things. If there's any incidents,
4 pilot deviations with ATC, occurrences, anything that might happen
5 in the operation, I'm involved with it.

6 DR. SILVA: Okay. I think that's all I have, but let's go
7 around the room one more time.

8 Brice?

9 MR. BANNING: I don't have any more questions. Thank you.

10 MR. YOUNGERS: Yeah.

11 MR. RIGSBY: I have just a couple.

12 BY MR. RIGSBY:

13 Q. And under -- back to your POI responsibilities. Do flight
14 followers fall under the POI? Is the -- I know they're not
15 certificated --

16 A. Right.

17 Q. -- but some of their duties, responsibility, training, is
18 that something that falls under a POI?

19 A. We do surveillance to make sure that they're following their
20 company protocol for flight following. I don't necessarily
21 observe their training, but I can. You know, I can, I can observe
22 any company training. If I wanted to observe forklift training, I
23 could.

24 Q. Right.

25 A. You know.

1 Q. Okay. Have you ever exercised operational control as a DO?

2 A. Oh, yeah.

3 Q. Okay. If you were -- going back to those days, if you
4 weren't there as the DO, who would you expect those 119
5 responsibilities to fall onto?

6 A. It usually falls to the chief pilot.

7 Q. Is that a lot of work for the chief pilot?

8 A. It would be.

9 Q. Okay.

10 A. That's why you don't get much vacation. And cell phones were
11 a horrible thing to invent.

12 Q. And I think you mentioned it, but did the Taquan POI ever
13 contact you?

14 A. No.

15 MR. RIGSBY: Okay. That's it.

16 DR. SILVA: Mike.

17 MR. O'CONNOR: I have no further questions. Thanks.

18 DR. SILVA: Okay. Let's wrap up here.

19 BY DR. SILVA:

20 Q. One thing I wanted to ask, to follow up with Matt's previous
21 question was, from your perspective as a POI, what's your
22 expectation of the DO's responsibility at a 135 like Grant?

23 A. He needs to be able to perform, you know, as a manager, and
24 make decisions for the company that do affect possible safety
25 aspects and operational control, and needs to have -- to be very

1 familiar with the company, as far as what is happening in the
2 daily operations. Lots of pilots, lots of airplanes, lots of
3 things happening.

4 Q. Anything we didn't ask you, that you think we should have?

5 A. I can't think of anything. You asked more than I thought you
6 would, so -- okay.

7 MR. RIGSBY: Can I do one follow-up?

8 DR. SILVA: Oh yes, of course.

9 MR. RIGSBY: Sorry.

10 BY MR. RIGSBY:

11 Q. If today, if Grant has an accident, who would you expect to
12 be the first contact? Who would call you first? Who would you
13 expect?

14 A. George.

15 Q. Would that be the same -- as a POI for another company, back
16 when you were -- your POI days, if they had an accident, your
17 first contact would have been from the DO?

18 A. Yeah.

19 Q. Okay.

20 A. I talk with all the DOs and chief pilots when I become the
21 POI. And they actually -- I give them my personal cell phone
22 number, because I want to know what happens --

23 Q. Sure.

24 A. -- you know, right away. Whatever happens, if you have an
25 incident somewhere -- I got a text message from George at 9

1 o'clock last night.

2 Q. Okay.

3 A. So -- telling me something that was going on in the company.

4 So I want to be notified quickly. Obviously they got to notify
5 the NTSB first, but --

6 Q. Sure.

7 A. -- I should be the second phone call.

8 Q. And so would you describe your job as 24/7 availability?

9 A. Sure.

10 Q. Okay.

11 A. Yeah. I kind of got used to that when I was a DO. So it
12 doesn't bother me if people call me on the weekends, or --

13 Q. Sure.

14 A. -- you know, after hours. If something's going on, I want to
15 be aware.

16 MR. RIGSBY: Okay.

17 BY DR. SILVA:

18 Q. How did you find out about Taquan's accident?

19 A. It was just being discussed in the office.

20 Q. Did you talk to Curtis about it at all, afterwards?

21 A. I did.

22 Q. What was the nature of that conversation?

23 A. I was just curious what he knew about the accident.

24 Q. Okay.

25 A. I've done accident investigation, so I'm always kind of

1 curious about accidents, in general, that happen. And so, like
2 anyone, anybody would be interested to know what happened.

3 DR. SILVA: Okay. Great.

4 Well, if you think of anything, you know how to reach us.

5 MR. YOUNGERS: Yeah, certainly. Yeah.

6 DR. SILVA: We really appreciate the time.

7 MR. YOUNGERS: Yeah.

8 DR. SILVA: You've been very helpful.

9 MR. YOUNGERS: Sure thing.

10 DR. SILVA: Great. All right. We're off the record at 9:54.

11 (Whereupon, at 9:54 a.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: HYDABURG, ALASKA DE HAVILLAND DHC3T
 OTTER COLLISION WITH TERRAIN
 JULY 10, 2018
 Interview of Hugh Youngers

ACCIDENT NO.: ANC18FA053

PLACE: Anchorage, Alaska

DATE: October 10, 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.



Pamela Jacobson
Transcriber