

ANC24FA017

OPERATIONAL FACTORS

Attachment 2

FAA POI Interview Transcript

December 5, 2023

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL PIPER PA-18-150 NEAR

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ST. MARY'S ALASKA

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Accident No.: ANC23FA074

ON SEPTEMBER 11, 2023

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Interview of: ROBERT C. PECK, JR., Aviation Safety Inspector

Federal Aviation Administration

via Zoom videoconference

Thursday,
November 9, 2023

APPEARANCES:

SHAWN ETCHER, Operational Factors Investigation
National Transportation Safety Board

CONTESSA "STARR" BLUM, AS-30 Operational Factors
National Transportation Safety Board

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Federal Aviation Administration

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Federal Aviation Administration

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I N T E R V I E W

(11:07 a.m.)

Well, good morning. It is November 9th. It's about 11:07 in the morning Central Time.

My name is Shawn Etcher. I'm an operational factors investigator with the NTSB. My job with most investigations is I kind of look at everything forward of the cockpit door. I'll interact with the pilot and the pilot's history, their training, everything we can to get a better picture of what could have caused or what may have happened.

Thankfully, I don't have to be the smartest one here. I have a lot of great colleagues here to help as well because they'll probably ask better questions than I ever could think of. And so I'm going to have them introduce themselves to you so you know who they are and what their role is, and that also helps the recording so they can match voices with names.

So I will start with Starr.

MS. BLUM: Hi. I'm Starr Blum, and like Shawn, I'm an AS-30 operational factors with the NTSB.

MR. ETCHER: Thank you. Mr. Elliott.

MR. SIMPSON: My name's Elliott Simpson. I'm an aviation accident investigator with the Western Pacific Region. I'm the investigator-in-charge for this accident.

MR. ETCHER: And last but certainly not least is Mitch.

MR. MITCHELL: Hey, good morning, Mr. Peck. Mitch Mitchell

1 with the Office of Accident Investigation and Prevention, AVP-100,
2 here strictly for safety investigation purposes. In no way am I
3 associated with any enforcement action. Thank you.

4 MR. ETCHER: So those are the four of us that will be asking
5 you questions today. We're going to take turns. I'll start
6 asking a lot of questions, and then you'll get sick and tired of
7 looking at me. I trust you on that. And so I will pass it off to
8 my other colleagues one at a time. There are two rounds. There's
9 always somebody that will ask a really good question, but then
10 I'll have follow-up question or somebody might. The second round
11 though is always a lot quicker than the first. So don't think the
12 first round is just a precursor of how long this is going to be.
13 It's going to be a lot less.

14 But, as part of our process, we typically record and
15 transcribe these interviews. The recording itself will not be
16 part of the public docket, but the transcript will. Once we get
17 the transcript back from the transcriptionist, we do go through to
18 make sure acronyms are spelled correctly, names are spelled
19 correctly. We don't change any of your words. Just make sure
20 they're spelled correctly.

21 And so with that, you know, like I said, the transcript, the
22 transcript will become part of the public docket. Are you okay
23 with us recording and transcribing?

24 MR. PECK: Yes, sir.

25 MR. ETCHER: All righty. You are also entitled to one

1 representative of your choice. Is there anybody you would like to
2 be a representative with you today?

3 MR. PECK: Yes, Mr. Mark Tomicich.

4 MR. ETCHER: And, Mark, for the record, would you introduce
5 yourself?

6 MR. TOMICICH: Yes. Mark Tomicich, Office of Chief Counsel,
7 last name spelled T like tango, o-m-i-c-i-c-h.

8 MR. ETCHER: Thank you, Mark. And I see you also have
9 another one. She's here as a learning procedure, but just for the
10 record, we'll get her name on it. Ms. Katie (ph.), would you be
11 so kind.

12 MS. BANASZAK: Yes. Katie Banaszak, last name is B-a-n-a-s-
13 z-a-k.

14 MR. ETCHER: Thank you very much. And, Mr. Peck, just for
15 your reference, we understand Mark is your representative and
16 Katie is here learning, but if you need to confer with them, just
17 say so, and we will take a pause and let you confer as you need.

18 MR. PECK: All right. Thank you, sir. And just we'd like to
19 make sure we request to have an opportunity to review this
20 recording when you guys get it transcribed please.

21 MR. ETCHER: Absolutely. As soon as we get it transcribed.
22 Usually it's about 7 days. We get the transcript back, we correct
23 everything. Any misspells, we send it back for them to recertify
24 it, and then as soon as we get that recertified copy back, we will
25 send it through the channels to get to you. And if there's any

1 updates you need or corrections you feel needs to be made or
2 clarity, I ask that you just put it in an email, put it in a Word
3 document, whatever's easiest for you, and we'll just -- addenda,
4 you know, put that right on the end of that transcript so it's
5 there with it as well at all times.

6 All righty. A few rules I have. I hate rules, but we have
7 to have them I guess. During this interview, if I ask a question
8 and you don't understand it, it's okay. Ask for clarification.
9 Sometimes it sounds really good in my brain, but it's just not
10 connected to my mouth and doesn't come out the same way. So just
11 feel free. Ask for clarification. I assure you if you give an
12 answer that I don't understand, I'm going to ask for a little bit
13 more clarification. So, you know, it's a two way street here. I
14 always tell people it's not a checkride. You're here to educate
15 me, and that's what I really want, is just to learn and be
16 educated. So if you can help me with that, I'd appreciate it.

17 If you don't know an answer, I don't know works. Don't think
18 anything of it.

19 Most importantly, if you need a break, say so. We'll try and
20 check with you throughout the process, but if you do need a break,
21 just say so. We'll take a break, hit pause, and once we come
22 back, we're all back together, we'll continue, all righty?

23 MR. PECK: Yes, sir.

24 MR. ETCHER: So with that whole long list of stuff done, I
25 always start the interview with the toughest questions.

1 INTERVIEW OF ROBERT C. PECK, JR.

2 BY MR. ETCHER:

3 Q. So if you would be so kind, if you can state your full legal
4 name and spell your last.

5 A. My full legal name is Robert C. Peck, Jr. Poppa-Echo-Charlie
6 -Kilo is how you spell the last name.

7 Q. Perfect. And what is your job title?

8 A. I'm an aviation safety inspector.

9 Q. You're with the FAA, correct?

10 A. That's correct, with the FAA, aviation safety inspector.

11 Q. All right. Perfect. And, for my education, what is a FAA
12 aviation safety inspector? What's your whole -- what's your job
13 require of you?

14 A. There's not one word that really sums that up. We're here to
15 ensure safety in the NAS as much as we are assigned. In my case,
16 I'm a POI, principal operations inspector. And so I have several
17 certificate holders that I oversee.

18 Q. Okay. Perfect. And we'll get into that in just a little bit
19 if that's okay with you. In your role, do you have an airman's
20 certificate or anything like that?

21 A. Yes, sir. I am -- I have an ATP, multiengine. I've got
22 single engine privileges all the way up through sea (ph.) and I
23 also have my UAS for the drone certification.

24 Q. Okay. And I always say these are the toughest questions. So
25 this is probably the toughest question. Ballpark, about how many

1 flight hours do you have?

2 A. Probably 15,000 ballpark.

3 Q. Okay. All righty. That's a lot of hours. So could you kind
4 of give us a nice CliffsNotes version, if you will, of your
5 aviation history, your career to get you that many hours? Just
6 kind of walk us through it a little bit so we kind of get a better
7 feeling of your past and your history.

8 A. Sure. I started with the Air Force back in 1995. Originally
9 I was actually a navigator and eventually transitioned to a pilot
10 position with the Air Force. And flew mainly C-130s. Retired
11 from the Air Force in 2014, and worked for a smaller 135 entity
12 here in Alaska, Alaska Air Transit, where I flew PC-12s and
13 Caravan, Cessna 208s. And then about just last -- just a month --
14 I guess right at almost a month less than 2 years here, I've been
15 with the FAA, a year and 11 months.

16 Q. Well, congratulations on your upcoming anniversary then. So
17 very nice.

18 A. Thanks.

19 Q. All right. So I told you those are all the tough questions.
20 Now, they get easier. Can you kind of describe to me, as best you
21 can, kind of your chain of command there in Anchorage? Who do you
22 report to? Do you report to anybody? Things like that.

23 A. Yes. My front line manager is Ryan Brinkman. The assistant
24 office manager above him is Marcus Roulet and then the office
25 manager is Scott Norman.

1 Q. Perfect. Now, I know you said a little bit ago you have some
2 135 certificates you oversee. About how many certificates do you
3 oversee?

4 A. I don't have an exact number. I haven't counted them. I
5 would take a stab that it's 40 to 45.

6 Q. Part 1 --

7 A. Yeah, that's probably -- that is a combination of 135, some
8 Part 141 schools and some 91 operators.

9 Q. Okay. Now, forgive me. To me that seems like a lot. Maybe
10 it's not, I don't know. But kind of walk me through, in your
11 opinion even, is that a manageable number? Is it too many, not
12 enough?

13 A. It is a manageable number. It does keep you busy to say the
14 least. There's no shortage of work to be done, and a lot of that
15 happens in waves it seems like, but it can be managed, yes.

16 Q. Okay. Now, I know Alaska is a rather large state. I assume
17 you don't cover all of Alaska or do you cover all of Alaska with
18 your certificates? Are they all over the place or are they really
19 close the Anchorage then?

20 A. The majority of mine are in the Anchorage area. I do have a
21 couple that are a little further away. I have one that's out in
22 Bethel. This particular, Neitz Aviation, was out in Holy Cross.
23 So they do, but the Anchorage FSDO is a part of Alaska. We don't
24 cover the whole thing to kind of answer that question, you know.
25 So there's the Anchorage FSDO. There's a Fairbanks FSDO and a

1 Juneau FSDO.

2 Q. Okay. And so you mentioned Neitz. So just for the record,
3 are you a POI for Neitz Aviation?

4 A. Yes, sir.

5 Q. Okay. How long have you been a POI for them? Ballpark. You
6 don't have to give me an exact date if you don't recall.

7 A. That's a really good question. I picked up -- so, the honest
8 answer is I don't exactly know. I picked up a group of operators
9 about a year ago, and then I picked up a bigger -- some more,
10 added to that, in about February of this last year. So I don't
11 remember exactly when Neitz came into that.

12 Q. Okay. Now, you said Neitz is outside of Anchorage. It's in
13 Holy Cross. So it's, I'll say, a little ways away from Anchorage.
14 Is that a good assessment? It's not really close to Anchorage.

15 A. That's good.

16 Q. Okay. Are you able to get out there and provide them
17 oversight, visit their property, anything like that or is it just
18 too impossible?

19 A. It's not too impossible. It is -- it does present problems
20 obviously. And, in a lot of situations and this one is a good
21 example, that they can bring their records and all their stuff
22 with them when we do a checkride and we can do our surveillance
23 here in the Anchorage area.

24 Q. Okay. So you bring up a checkride. For the record, did you
25 conduct a checkride with the accident pilots that you can recall?

1 A. Yes, sir. I conducted two checkrides with him, one in the
2 Cessna 206 and then one in the Super Cub, the PA-18.

3 Q. Okay. So, kind of help me be that proverbial, if you will,
4 fly on your shoulder, kind of walk me through what it's like to do
5 a checkride on -- I assume it's a 135 checkride or is it just --
6 kind of help me understand that whole process so I kind of
7 understand what you're doing on a checkride if you will?

8 A. Sure. So this certificate is a single pilot certificate. So
9 there's only one pilot. Mr. Werba, who is the owner of the entity
10 and certificate, requested to have Gene Peltola put onto that
11 certificate as the pilot this year. I don't exactly remember when
12 all that happened, the actual request, but I would guess probably
13 in July the actual request came into us. I knew prior to that via
14 a conversation that that was his plan, and -- actually, let me go
15 back. What was the -- can you repeat the question --

16 Q. Sure. No problem.

17 A. -- so I can answer it?

18 Q. I'm hoping you can kind of walk me through, me being that fly
19 on your shoulder. I like being a fly on shoulders if you know,
20 but kind of help me be that fly on your shoulder. Walk me through
21 what a checkride is, that whole process. And you started
22 perfectly, started back in July. So you're giving me that whole
23 process through, and I appreciate that.

24 A. Yeah. So in this case, in August, Mr. Peltola got ahold of
25 me to try to schedule a checkride, and we had a conversation about

1 the requirements of that checkride. We also talked about the
2 records that he would have to have with him. He at that point
3 asked a question about compatibility with what they call fowler
4 flaps which are an airframe's flap, a new flap that's out, in the
5 wing that was on the Super Cub that's on that certificate. I
6 forget the tail number exactly. But, and I was like, well, I'm
7 not that expert. That will take a maintenance. And so what --
8 that question went to the maintenance inspector on the
9 certificate. They went through several weeks of trying to figure
10 this all out and working through all of that. I don't know all
11 the details of that, but I do know it kind of delayed the
12 checkride because originally it was supposed to be middle-ish of
13 October, or I'm sorry, of August.

14 Then, around -- well, towards the end of August, with
15 conversations with my maintenance counterpart on the certificate
16 and Mr. Peltola, we decided that or we were all comfortable that
17 the airplane was -- both airplanes, I guess to go back, and I
18 don't exactly remember but in the August timeframe, Mr. Werba
19 there, the owner, had asked to actually add a 206 to the
20 certificate. And, that went through conformity and it obviously
21 -- they both actually went right through annual right prior to
22 these checkrides, and that happened down here at Birchwood.

23 So we got through that whole process including, you know, the
24 conformity which is a maintenance function in general, although we
25 have a little bit of that. And then after that, the airplanes

1 finally are through maintenance and the questions that had been
2 asked and at the end of August there, Mr. Peltola and I got
3 together and come up with a date of the 31st to do checkrides.
4 And I expressed to him at that -- well, even before that, that
5 because he was new on the certificate, a new pilot on the
6 certificate, and that it was a newer airplane to that certificate,
7 that we would do two checkrides. By regulation, I'm only required
8 to do one, a single engine 135 checkride, but I thought it was
9 probably prudent because you have a tailwheel type aircraft and a
10 tricycle type aircraft to do both. And, so that's -- and he
11 agreed, that that was a fair way to do that, and so that's how we
12 proceeded. And I had also discussed that with Mr. Werba also, and
13 he was in full agreement, didn't have any qualms with that.

14 So, on the 31st of August, we met down here at Birchwood
15 Airport. We're actually in the pilot shack. I don't know if you
16 guys are familiar with that, but it's a little briefing room that
17 people can get out of the elements if you will and kind of a
18 public. It's not public, but it's open to the public. And, so we
19 sat down and we went through -- I have a whole plan of action that
20 I went through which is -- so, I guess a little step back.

21 For a VFR single pilot type checkride here, I'm required to
22 give a 135.293(a) and 293(b) which the (a) is the oral portion of
23 that. The (b) is the actual flight portion of that, and then also
24 a 135.299 which is a line check. All right. So that was the
25 plan.

1 We -- I don't remember. It was in the morning, but I don't
2 remember exactly what the time was, but we met. And, Mr. Peltola
3 had all the records there for the aircraft, and he also had
4 records for the certificate, like flight and duty records and
5 those types of things. So we went -- we spent quite a bit of time
6 actually going through those, hazmat, hazmat training, made sure
7 he had all that.

8 So I have a whole plan of action. I believe I forwarded that
9 to you guys early on in this investigation. Do you guys have
10 that?

11 Q. Um-hum. We do.

12 A. So, essentially I go down through that. The first part of
13 that is making sure that the person is the person that they -- he
14 or she say she is, that they are qualified to do what we're about
15 to do, in this case the 293(a) and (b) and the 299 checkride.
16 And, I also do a lot of evaluation of the entity of itself. Are
17 they compliant with the regulations, with, you know, flight and
18 duty? Are they compliant with regulations with hazmat? All those
19 types of things. So there's a whole list that I go through to
20 make sure that we're eligible to take the checkride. Part of that
21 is looking at the aircraft logbooks, all three, the aircraft and
22 the prop and the engine. And I'm not 100 percent on this, but I'm
23 pretty sure that the only thing that we looked at initially was
24 the 206 logbooks, okay, because that was the plan, to do the 206
25 checkride first and then move onto the Cub.

1 The 31st of August was actually a fairly windy day, and we
2 even weren't positive we were going to be able to pull off the
3 checkride, the flying portion of the checkride. But, the forecast
4 was for it to get better.

5 So we went ahead and we did all of that and eventually went
6 into the actual oral portion of that. Again, I have a plan of
7 action that, you know, I basically just follow. And I asked
8 different questions based on that, and from that, you'll ask a
9 question, and the certificate holder here, the pilot in this case,
10 would -- he'd give you an answer and sometimes, you know, you go
11 down where they went, right, and start asking further questions
12 because I just kind of open up, whoa, okay, let's talk about this.
13 And that's kind of how I conduct my checkrides or the oral portion
14 of that.

15 And then once we get towards the end of that, we actually go
16 into aircraft specifics questions where we start talking about
17 motors and systems and props and those types of things, and it's
18 there that I start asking questions from both the 206 in this case
19 and on the PA-18. So, I'll go -- for instance, I'll say something
20 like, you know, what's the motor on the Cessna 206? How many
21 horsepower is it? Those type of things. What kind of prop? And
22 then I'll just turn it right back over, okay. Let's talk about
23 the Cub. What kind of motor does it have? So that's kind of how
24 that plays out if you will.

25 And, then without going back and looking at my plan of

1 action, I mean I can go back and look at it, and I'm fairly
2 confident that I followed it pretty much step-by-step even though
3 there will be some tangents that you go off depending on answers
4 that they give, but you come back to it. Part of that is, you
5 know, doing weight and balance, and in the weight and balance
6 conversation, it's not just take off. It's takeoff. It's
7 landing. It's what's happening en route. And, you know, as far
8 as fuel burn. Where's your CG shifting during that time?

9 And, then once we have got to the end of that, I have to make
10 a determination. Is this a pass essentially? In other words, is
11 he competent or is he not? And, as far as the 293(b) -- or
12 293(a), excuse me, and then we will go out and do the flight
13 portion of it if that is successful. So a competency check.

14 And, you know, there's guidance again and you follow guidance
15 on what you have to do there also. And I mean I believe you guys
16 have the checkride forms. I believe I -- I know I provided them
17 to Mitch early on in the investigation. And, the -- so on the
18 31st, we went out and did a checkride in the 206, a proficiency
19 check. And there was -- I mean I remember parts of that.
20 Obviously there was nothing though that this gentleman didn't meet
21 the ACS standard with on that day. And it was, it was windy
22 conditions. So he did a really good job. I was very impressed
23 and he's, you know, he's like a 6,000 plus hour pilot, flying
24 little airplanes all over Alaska also. So -- and that showed, you
25 know.

1 So, we were able to complete the 206 checkride on the 31st,
2 and then when we got done with that, it was fairly late in the
3 evening at that point in time, and it was -- we both agreed it was
4 too windy to do fly the Cub. And so we pushed until the next day,
5 which was the 1st of September, and we met in the morning.

6 At that point is when I went through the records on the Super
7 Cub because he didn't, he didn't have them in the room with us on
8 the 31st, but on the 1st, he had all the records and we went
9 through the prop, the engine, the airframe, and they all -- again,
10 like I said, they had just come out of annual just down the road
11 at the Old Shop I think is what it's called.

12 I had him do weight and balance again that day even though we
13 had talked about it the day before. All his weights and balances,
14 if I remember correctly, were done on -- well, I'm pretty sure
15 they were all done on his phone, on an app, right, is how he was
16 doing that weight and balance. And I -- it's interesting, because
17 afterwards, somebody asked me if I had done a weight and balance
18 with him. I said, oh, yeah. And I still remember, you know, I
19 kind of make it a mental note that the airplane was a little over
20 1200 pounds empty because I have a Super Cub myself, and I'm like,
21 oh, that's interesting. Just kind of a mental note, just nothing,
22 you know. Anyway, I know we went through that whole process even
23 on the day of the checkride.

24 And, the -- we went out to the aircraft that day after a pre-
25 brief of what we were going to do again, and I remember looking

1 in, and I'm like, um, you don't have a stick for the back of the
2 airplane which we have to have dual controls to actually do a
3 proficiency type check. And, he's like, oh. I said, well, the
4 good news is, I got one. It'll take me about 15 minutes to go get
5 it. So I went and got mine, and came back and we went and did the
6 checkride in the Super Cub.

7 I did not do on that one a 299 portion because I had done
8 that with the 206 the day prior. It's not required. I was
9 wanting to make sure he was competent and proficient in the
10 operation of the Super Cub, not necessarily could he fly from
11 point A to point B. That wasn't, you know, my interest
12 necessarily. I knew he could do that. He had already proven that
13 the day prior. So they're not -- there's nothing significantly
14 different between one day -- or in a Super Cub and the 206, you
15 know. It's virtually the same type of operation, but different
16 checklist that he has to use, but he has to use the checklist for
17 even the proficiency section of the 293. So we did that.

18 And again, he was a master of the aircraft as far as my
19 experience with him. It was, it was still a fairly windy day that
20 day, and that's obviously a change especially in a high lift type
21 airplane like Super Cub, but he did fine. I had no -- at the end
22 of that, I had not questions he knew how to fly an airplane, you
23 know, either one of those airplanes.

24 Q. Okay. Perfect. I appreciate the detail that you gave. It
25 really helped me feel like I was right there with you. I just

1 have -- if we could, we'll go back a little ways. I just have
2 some little follow-up questions, just little curiosities in my
3 brain. You said you also had a Cub, right?

4 A. Yes, sir.

5 Q. Do you know about how many hours you have in a Cub?

6 A. It's approaching 2500.

7 Q. So it's not something new to you then. You've flown it quite
8 a bit.

9 A. Yes, sir.

10 Q. All right. Perfect. I appreciate that. So we'll go back to
11 August if you will, you know, when he reached out to you so you
12 could get a checkride ready and all that. Typically for you or
13 your office or anything, how long in advance do you need to
14 schedule a checkride? I mean if I picked up the phone and called
15 you today, could give me a checkride tomorrow or you need several
16 weeks? Kind of help me understand what a normal timeframe would
17 be.

18 A. Well, I don't know if they're going to have the runway
19 cleared tomorrow.

20 Q. And I won't be there tomorrow. It's too cold up there.
21 We'll pretend like it's back in August.

22 A. The honest answer is it depends. Okay. There is no one
23 answer that fits all for that question. It depends on how many
24 other people might have scheduled checkrides or not. August is
25 not, in my work program that I have, is not crazy busy as far as

1 giving checkrides. So it was, you know, not difficult, just a
2 couple days --

3 Q. Okay.

4 A. -- in general. Now, if you were asking me in May, it might
5 be a week or 2 because I give quite a few more checkrides right in
6 that time period. What happens up here is people who get
7 operating in that May, June timeframe for the whole summer, fall
8 type deal, but different certificates.

9 Q. Now, do you do checkrides just for your certificate holders
10 or do you do checkrides for others as well?

11 A. The answer is we can do checkrides for others, and I have.
12 It just -- there's lot of I guess variables for lack of a better
13 term there but, for instance, if you have -- if you're the POI and
14 you are not tailwheel certified in the flight program with FAA,
15 then you can't give a tailwheel checkride. So if you're that POI,
16 you would have to reach out to somebody that is, okay. So
17 sometimes that happens. But, it's not, you know, I'm not doing 15
18 a month or anything like that, you know. One a month maybe or
19 something like that. I didn't do any in -- for anybody else in
20 October for instance. So it just -- there's no one great answer
21 but, yes, we do them once in a while for other folks, other POIs.

22 Q. Okay. Perfect. Let's kind of go into the checkride itself,
23 if you will. We'll start with the oral portion, the 293(a), and I
24 just want to make sure I heard correctly because I'm afraid I
25 might have had a break in my connection there for a moment. But

1 you said you did the oral in both the 206 and the Cub kind of at
2 the same time?

3 A. Yep.

4 Q. Okay. So in general terms, how was the pilot's knowledge of
5 both aircraft?

6 A. The knowledge of the aircraft was excellent. No questions
7 there that he knew the airplanes, the systems in the airplanes,
8 how to, you know, characteristics of them. If I had to say that
9 he had a weakness, it was 135 regulations of any, but he met the
10 standard, right. And I chalk that up to this is his first really
11 135 experience as far as I'm aware of. He had a lot of
12 governmental type of experience, wasn't really falling under the
13 135 rules. So there were a few things there that, you know,
14 obviously just because it's new.

15 Q. Okay. And since you opened the door, just so I can
16 understand, can you give me kind of a -- if you can remember, a
17 broad example of what his weakness in the 135 was?

18 A. Honestly I don't. I don't remember. I made that mental
19 note, and that's not, that's not uncommon. If you get a guy
20 that's new to 135, that's where they're going to be their weakest
21 most of the time, not always, but most of the time.

22 Q. And that's sums it up perfect as well. I just wasn't -- I
23 just want to make sure that it wasn't something that really stuck
24 out at you like, you know --

25 A. No.

1 Q. -- like he can't even spell 135 or something.

2 A. No, no, no.

3 Q. I just wanted to make sure.

4 A. Absolutely not. He had spent a lot of time studying but, you
5 know, the regulations are confusing and --

6 Q. Amen. No.

7 A. -- so.

8 Q. All right. Perfect. You also stated that when you're doing
9 these checkrides you want to make sure that the operator itself is
10 also in compliance with regulations and everything. Were they?
11 I'll ask it bluntly?

12 A. I would correct that in that it's not part of the checkride.
13 It's pre-checkride.

14 Q. Okay.

15 A. Okay. The checkride really hasn't started at that point,
16 okay. So just for the record but, yes, I do look at prior to
17 actually starting the actual checkride those types of things.
18 This operator, the single part operator, had been operating for a
19 few years, right. They had not operated like last year for
20 instance. And so when you're looking at an entity like that,
21 there's not a lot of flight duty. I mean nobody had flown on this
22 certificate for the last, I don't know how long quite honestly. A
23 significant amount of time. And so there's not like, yeah, you're
24 going to have a flight and duty record. They have one, but it's
25 blank, you know. They haven't done any 135 operations. So the

1 answer to your question, yes, they met the regulations at that
2 time, but what are you looking at, too, right, if they aren't
3 operating. I mean you're looking to make sure that they have the
4 required documents but there's not going to be any data in them if
5 you will.

6 Q. Okay. And that helps. I appreciate that. And, you know, I
7 probably misspoke. It was probably you did say pre-checkride. I
8 remember that now, but my brain cut off the pre part. So thank
9 you for correcting me. During the oral, you -- they did a weight
10 and balance. Is that correct?

11 A. Yes.

12 Q. Did the pilot do it? Is that a weight and balance of you and
13 them going out to fly in that aircraft or do you give them a
14 scenario based weight and balance like, hey, you're flying this
15 airplane to here, and you're going to pick up this or that? How
16 do you do the weight and balance?

17 A. That's a great question. I will tell you first that I don't,
18 you know, recall exactly what I did on this -- in this situation.
19 As a norm, in the actual 293(a) portion, I will give them a
20 scenario that generally will include my weight and his weight, and
21 I'll say, all right. Well, now you have 100 pounds of bags behind
22 me, you know, that I brought, okay. And we're flying for
23 whatever. Let's say it's 2 hours, you know. Can you give me a
24 weight and balance for takeoff and for landing and what do you,
25 you know, generally what I'll follow up with is what are you

1 expecting with the CG as we fly from point A to point B? And then
2 we will do -- right as we're getting ready to stop to the
3 airplane, I'll actually have him do a weight and balance for where
4 we're at, you know, based on the fuel in the airplane, for me, for
5 him, as far as weights are going, and then he might, you know, if
6 I have a little bag or he has some stuff in the back of the
7 airplane, whatever.

8 Q. Okay. All right. And since we're on weight and balance for
9 the moment, this operator, do they have I'll call it an external
10 weight and balance where they can fly stuff off the side of the
11 airplane or external loads or -- because I understand they had
12 some antlers mounted on their wing struts. So I'm just kind of
13 understanding how that works up there. I'm hoping you can answer,
14 help me understand that better.

15 A. To my knowledge, there's no external load 135 load permit
16 that that certificate holder had. You quickly get into a
17 maintenance function. Those external load permits are issued on
18 the maintenance side of the house. So I would be amiss to try to
19 tell you that process exactly. I mean in general, I know they
20 would come to us as a CMT, certificate management team, and ask us
21 for that and generally the maintenance folks would help them get
22 through that process. And, then there's some rules and
23 regulations that go along with that. The biggest one is you can't
24 have passengers, you know, if you have an external load. But to
25 answer your question, the certificate holder did not have an

1 external load permit.

2 Q. Okay. All right. Perfect. So we'll go back to the oral
3 here for just a little bit if you will. You said he, and please,
4 don't ever let me put words in your mouth, but I took it in my
5 head that you said he did the oral just fine. He knew his
6 airplane, both the 206 and the Cub, quite well. And there was
7 nothing to make you have to -- I don't know what the right terms
8 is, give a pass on anything or, you know, everything was done to
9 your satisfaction at all times?

10 A. Well, yes, not just mine, but -- yeah. The standard's the
11 standard, right. And so, yeah. No, he met the standard without a
12 doubt.

13 Q. All righty. So then the oral is passed, and forgive me. I
14 think you said it was a windy day that day?

15 A. It was a windy day.

16 Q. Okay. Do you recall if it was a crosswind, a headwind, tail
17 wind, or just all over the place or just don't recall? And, it's
18 okay if you don't.

19 A. Well, the answer is wait 5 seconds because it was going to
20 change.

21 Q. Oh, so the weather up in Anchorage is just like it is down
22 here then. It changes quickly.

23 A. It was -- yeah. We had a crosswind and, you know, headwind,
24 on both days in the flying portion of that. It was less on the
25 1st of September than it was on the 31st. The 206 is a lot more

1 -- has a bigger ability to handle wind than a Cub does.

2 Q. All right. And just for the record, the 31st being the 31st
3 of August, correct?

4 A. August, correct.

5 Q. I just didn't want to have that question later when I'm
6 reading through this, and wait, what 31st? All righty. So the
7 206 checkride, you guys did everything. You decided it's good to
8 fly, and you departed. On that checkride, do you just stay in the
9 pattern and do touch and go? Did you fly from point A to point B
10 and land or divert? Kind of help me understand what you had him
11 do.

12 A. Again, for me to say now what, 2 1/2 months, 3 months,
13 whatever it is here later, exactly, I can't sit here and tell you
14 that. I do remember, and it's on the checkride form that we went
15 to -- in the 206, we went and did the VOR to Big Lake because
16 there is an emergency thing, if the aircraft and the pilot are
17 equipped to do an inadvertent weather scenario. And so we did
18 that at Big Lake in the 206. And, after that portion of that, so
19 we went from Birchwood out to -- actually as I'm thinking about
20 it, we went from Birchwood. We went west of Big Lake and did our
21 air work, all of the air work which would have been stalls and
22 unusual attitudes and steep turns without referencing, but in
23 general, that's, you know. Again, I have a plan of action to make
24 sure that I do all of those required maneuvers. And then we came
25 in and we did the Big Lake VOR as a -- under a scenario in which

1 he had went inadvertent IMC. And then we went to Goose Bay
2 Airport which is across the inlet if you will from Birchwood, and
3 that is where we did the majority of our -- well, not -- well, all
4 of the landings other than the first takeoff and final landing
5 which were at Birchwood.

6 Q. Okay. Perfect. And I know he passed that, right, the 299
7 checkride or whatever. He passed the line check.

8 A. Well, so that was a -- yes. So that would have been a 293(a)
9 and (b) as well as combining the 299. And in this case, we went
10 to three different places or two different places. Went Birchwood
11 to Big Lake and then we also went to Goose Bay.

12 Q. Perfect. Then you paused for the day because the weather,
13 winds, whatever, late in the date, whatever the reasoning. And
14 then the next day did the Cub. Is that correct?

15 A. That's correct.

16 Q. And you said the winds were less. So that's always good in a
17 Cub, right?

18 A. Yes.

19 Q. Walk me through that. When you guys took off, did you just
20 stay in the pattern, do the typical three bounces or did you go
21 out and do more air work? Did you go -- kind of help me
22 understand what you did there.

23 A. Sure. So, we went through -- well, we took off from
24 Birchwood. We went north to Birchwood over there, and we did all
25 the air work again in the Cub. So we did all the stalls, all the

1 power on and power off stall. We did unusual attitudes. We did
2 emergency types, you know, simulated emergency and then engine
3 failure type thing, where are you going to land. And I do that on
4 every proficiency checkride. I do one where, okay, you've lost
5 your motor and it's not going to restart, no matter what you do,
6 you know. The scenario is that you don't have any oil or whatever
7 it is, and that motor's not starting again. And you are not
8 making a runway. There's none here. So where are you going to
9 go, try to choose that best place, you know. Now, we don't
10 obviously do that. We only take it down to about 500 feet at the
11 very lowest. A lot of times it's terminated but the big part of
12 that is to make sure that they're going through all those
13 emergency action items that they need to do based on the POH for
14 that aircraft, right, to try to get that motor restarted. At the
15 end of that, they're not going to get it restarted, but that's
16 what we're wanting to see. And then they're going to have to go,
17 okay. Well, then I'm going to land right here, you know. So I
18 have them make those kind of decisions.

19 So we do that out in the -- generally it's someplace where
20 we're doing the air work in that scenarios as well as some other
21 types of emergencies or simulated emergencies, whether that be,
22 you know, whatever the day. Sometimes it's what's going on with
23 the airplane, but try to make them relevant to different things,
24 whether it's what's going, you know, let's say it's a propeller, a
25 constant speed propeller type aircraft. And, you know, you lose

1 your governor. You know, those type of scenarios, you know. So,
2 anyway, go through different things, maybe bad spark plugs, maybe
3 you have one mag that's bad or, you know, that's failing, you
4 know, just different things like that and just see how they deal
5 with those, see if they'll pull out the checklist, the POH and go
6 through it and see if there's anything else they do after they do
7 their initial stuff.

8 So, and then -- so in the Cub we did that, all just to the
9 north of Birchwood. And on that one, I gave him a very quick -- I
10 guess I can't say I did, but I'm fairly confident that I gave him
11 a scenario where we were inadvertent smoke, and how would you get
12 out of that in a scenario that wasn't at Birchwood area, right.
13 It was -- because the first one we did was in the Anchorage area,
14 all kind of facilities including Anchorage approach and everything
15 to help, when you go inadvertent IMC like that. This -- the next
16 one, I'm pretty sure, was, you know, one of the you're out north
17 of Holy Cross about 100 miles or whatever, you know. Now, you've
18 got inadvertent and, you know, IMC. Well, how are you going to
19 fix this problem in the Cub, which then it turns into like a
20 partial panel type descent back down into VMC. That's the, you
21 know, try to take them down that -- the safest avenue if they get
22 themselves there, whatever that might be. And then we came back
23 to Birchwood and did our landings at Birchwood.

24 MR. TOMICICH: And, Shawn, when it's convenient, could we
25 take a 5 or 10 minute break?

1 MR. ETCHER: Sure. How about -- I just have a few more
2 questions, but we'll wait. Let's take a break.

3 MR. TOMICICH: Well, if you want to wait until you're
4 finished and break at a convenient point, that's fine.

5 MR. ETCHER: Okay. I'll finish up here in just a few minutes
6 and then we can take a break. I've only got like 300 more
7 questions to ask. No, I'm just kidding. I told you it's not a
8 checkride, but it sure feels like, doesn't it? No, I've just got
9 a few questions and then we can definitely take a break.

10 MR. TOMICICH: Thank you.

11 BY MR. ETCHER:

12 Q. So, you're out doing the air work. How was his handling of
13 the airplanes with stalls, steep turns? Was he, you know, the
14 Chuck Yeager of the Cub or was he, you know, it was fine. It was
15 acceptable but, you know, experience will help.

16 A. Yeah. No, I -- I mean my impression of Gene in both aircraft
17 was he knew how to fly the airplanes. There was no questions. He
18 knew how to fly the airplanes. And I mean that's commensurate,
19 you know, a 6,000 hour pilot in those kind of airplanes. That
20 was, yeah. No.

21 Q. Okay. Now, you said you did all these -- the simulated
22 emergencies, VFR and the IMC, different scenarios. Did you -- and
23 please correct me if I'm wrong, but I believe the Cub had tundra
24 tires because I'm guessing in Alaska not everywhere you all land
25 is nice and paved.

1 A. Right.

2 Q. Did you ever do any off pavement surface landings at all with
3 him?

4 A. We did not do any off airport landings. We did use the
5 gravel runway at Birchwood.

6 Q. Okay. And his controllability on that was good, and I know
7 it's been 2 months ago, from what you call recall?

8 A. From what I can recall, I mean I had no qualms with how he
9 could fly the airplane, land the aircraft, take the aircraft off,
10 none at all.

11 Q. And then you came back to the airport. You did your three
12 touch and goes. Is that right? Did I -- and please don't let me
13 put words in your mouth.

14 A. No. So normally we will do a soft field, and again normally.
15 I can't -- I don't remember exactly what we did, but a soft -- I
16 normally have them do a soft field, a short field and a normal and
17 in that, there will also be an emergency engine out type of
18 scenario, right. Most of those I actually end up in a go around,
19 very low to the ground to exercise that part of it also. So.

20 Q. Okay. So, I know my short field landing abilities were I'll
21 say sometimes challenging, but when you do a short field landing,
22 do you give them a spot to put it on? Say I want it on the
23 numbers or whatever. And, you know, I know my ability. Sometimes
24 I'd hit that number but we all would feel it. How was his ability
25 to control the airplane in a short field area?

1 A. So, we used Birchwood's gravel like I stated before, and we
2 were landing to the south. So we are 2-0 left which is the gravel
3 runway, and that runway -- I actually remember this portion of it,
4 but like I told you before, it was a fairly windy day even on the
5 1st. But that runway has got, I don't know exactly how much, but
6 I'm going to say 1,000 feet as a guess, of asphalt, and it turns
7 to gravel when you're coming landing to the south, okay. And so I
8 gave him the -- his touchdown point was going to be that asphalt-
9 gravel transition, very discernible point, and that's typical if
10 I'm at Birchwood. That's what I'll do for -- especially if we're
11 landing on gravel with big wheels which is generally where you'll
12 go with big wheels because every landing you make on the asphalt
13 with big wheels is about \$10 just in rubber. So, not that you
14 don't want them to do that, but -- and we did do one, the full
15 stop was to the asphalt because I wanted to see that he could do
16 that, but I didn't -- we didn't do all of them. Most of them were
17 to the gravel. Anyway, the -- he -- I mean he nailed that. I
18 betcha he wasn't -- he was within 10 feet of hitting that
19 transition. So.

20 Q. Okay. And I mean was he -- from what you can recall, on
21 approach, was he in nice control of the airplane? I mean it's got
22 windy conditions, short field landing technique and all that. Was
23 he in good control of it? Did the bottom fall out on it? Like it
24 always -- that's what -- that was my excuse every time. The
25 bottom just fell out but, you know, just kind of -- from what you

1 can recall, did it all seem to be in total control?

2 A. Yeah. Yeah, I didn't have -- I don't remember anything.

3 Yeah, I can't recall anything that was other than that, yeah.

4 Q. Okay. My last question, and then we can take a break. All
5 the stuff you go through, the stalls, the steep turns, the
6 simulations, the takeoffs and landings, about how long are normal
7 checkrides, the flight portions for you? Like in the Cub, I mean
8 it seems like that could take a while, but maybe it's just my
9 perception. Kind of ballpark.

10 A. If, you know, if I'm doing a 293, 299 type checkride, they
11 take a little longer than if you're just really doing a 293 type
12 checkride because you definitely have to go to some other location
13 if you will at that point. So, I would say that a normal 293, 299
14 is probably in an hour and a half timeframe for me. And if you're
15 just doing 293, it's in that hour-ish type timeframe.

16 Q. Okay. Perfect. Well, I told you that was my last question.
17 So we can definitely take a break, and we'll go off the record
18 here at 12:07, and we'll start back up when everybody comes on.
19 Appreciate it.

20 A. Thank you.

21 (Off the record at 12:07 p.m. CT.)

22 (On the record at 12:14 p.m. CT.)

23 MR. ETCHER: All righty. We're back on the record at 12:14
24 Central Time. And, Inspector, as I told you, you answered a lot
25 of my questions so far. I may have some in the second round, but

1 I appreciate everything you've given me so far. My brain's still
2 trying to absorb it all in. So I appreciate that. But, I'm going
3 to give my other colleagues a chance, because they usually have
4 the really good questions that really clear everything up. So,
5 I'll let them have a chance to ask. And we will start with
6 Ms. Starr.

7 BY MS. BLUM:

8 Q. Hi, Inspector. Thanks again for being here with us today and
9 helping us understand. Like you, I'm not quite at my 2 year mark
10 at the NTSB. So the 135 stuff isn't my background. So my
11 questions mostly focus around that. As a POI in 135, other than
12 the -- bringing on a new airplane or a new pilot I think in the
13 annual inspections that you have with them, what are some of your
14 other duties during that year with your certificate holder?

15 A. Well, we try to give as much I guess surveillance, for lack
16 of better terms, to all of our entities, to check on them and just
17 see how they're doing. In a situation like this one in
18 particular, there's not a lot to do because they are -- they
19 operate the month. That's their profiles. They operate the month
20 of September, right. So it's not like I could go out and watch
21 operations happening in November or even June because they're not
22 operating. But, you know, a certificate holder it is, and you'll
23 go out and spend time with them. Sometimes you'll just walk in
24 the door and see how things are going, right, and watch how
25 they're running operations at that time.

1 But then we have our planned surveillance that happens, and
2 that's -- that can be adjusted by us as far as how the frequency
3 is based on the certificate holder and the perceived risk I guess.
4 But, that is, you know -- and then there's a -- I mean I got an
5 email right here about updating, you know, not necessarily in a
6 single pop for a different one here that, you know, is talking
7 about switching some of their 119 personnel or something along
8 those lines. So you're looking at trying to make sure that
9 whoever they're trying to switch to is qualified to do that. And
10 then you have, you know, depending on the scenario, you might have
11 to go out and actually interview them for like the chief pilot or
12 give them a checkride in an airplane.

13 So to answer that question, it's just -- there's many
14 different facets to it, and at the end of the day, you do the best
15 that we can with the time we have available.

16 Q. So like the 121 world, you guys can just drop in and do a
17 line check or like a spot inspection?

18 A. Yeah, absolutely. Absolutely we could. Now, that being
19 said, it's probably pretty difficult to drop in on a Super Cub and
20 do a line check, right. That's probably not going to happen.
21 Now, I could check to see how they're loading the airplane, you
22 know, that type of thing but, you know, most of the time they're
23 not flying out empty or coming back empty. And there's only two
24 seats.

25 Q. Right, right, and depending on where they're landing.

1 A. Right.

2 Q. So if there's problem or let's say a pilot's terminated, are
3 you alerted to that?

4 A. If they're terminated?

5 Q. Um-hum. If they let them go.

6 MR. ETCHER: Starr, just for clarification, are you talking
7 specifically Part 135 full or like here it's obviously one pilot
8 operation versus 121? Can you maybe clarify that a little bit
9 more?

10 MS. BLUM: Sure.

11 BY MS. BLUM:

12 Q. Like if he had several pilots on this 135 certificate, and
13 they decided to let one go, would the FAA POI be notified?

14 A. The honest answer is I don't know.

15 Q. Okay.

16 A. I haven't come across such a scenario. Not that I'm aware
17 of, but I honestly don't know.

18 Q. Okay. So if there was problems, would you be notified with
19 the pilot?

20 A. Possibly, you know. I think that it would really depend on
21 the scenario that was happening, you know, what were the problems.
22 But, yeah.

23 Q. Okay.

24 A. I've never been in that situation where that's happened. So
25 the honest answer is I'm not quite positive how that works.

1 Q. And again, I'm, you know, learning a lot about 135. So I'm
2 just asking because I don't know either. So, was Gene -- was he
3 the only pilot on this certificate?

4 A. Correct.

5 Q. Okay. And as far as the amount of checkrides that you do for
6 135 operators, there's also DPEs that can do them. Like is there
7 -- would you say that DPEs do more than the FAA? Do they share
8 the load? How does that work up in Alaska usually?

9 A. DPEs do not do 135 checkrides. They do Part 61 type
10 checkrides. So they will do a private pilot. They will do a
11 commercial pilot or the instrument pilots, those types of things,
12 right. They can give ATPs, type ratings, those types of things.
13 To the best of my knowledge anyway, there's no avenue for a DPE to
14 give a 135 checkride. What we do have in the 135 world is the
15 ability to give an entity, a certificate holder, we can give them
16 company instructor privileges, and we can also give them company
17 check airman privileges. And so you could have a company check
18 airman that was giving the checkrides to a certificate, for a
19 certificate and that happens fairly often, but it doesn't happen
20 on single pilot.

21 Q. Okay.

22 A. There's only one, right. So when you start moving up into
23 basic or full up 135 type certificates, you obviously can get more
24 and more people involved, right, and more airplanes and so on and
25 so forth. And that's where you will see -- well, when they add a

1 basic certificate, so a 135 basic, they have to have manuals.
2 They have to have a training manual. They have to have a ops
3 manual. They all have to have hazmat manuals, even the single
4 pilot guys, but -- so they'll have a hazmat manual. And they also
5 have to have 119 personnel at that basic level in the 135, but the
6 single pilot they don't. 119 management is like your chief pilot
7 and your DO and your DOM, director of maintenance.

8 Q. Okay.

9 A. So, in those types of entities, those bigger type of
10 entities, then, you know, it depends how established they are and
11 quite honestly their record and their -- yeah, basically their
12 perform in the past, right, and observations that we've had with
13 them and our surveillance to see where they're at in that safety
14 scale, right. If there's someone you're worried about, you might
15 not give them check airman authorization. We're going to do those
16 ourselves. But, you know, so a lot of the bigger, if you will,
17 those basics in rule 135s do have check airman, and they're the
18 ones that would do it, not a DPE.

19 Q. Okay. Thank you.

20 MS. BLUM: Shawn, that's all the I have this round. Thank
21 you. Thanks, Mr. Peck.

22 MR. ETCHER: All right. Perfect, Starr.

23 Elliott, do you have any questions, sir?

24 MR. SIMPSON: I do, yeah. I'll get straight to it.

25 BY MR. SIMPSON:

1 Q. So you mentioned that before you flew there was -- it was
2 inspected like a conformity check I think was the term you used,
3 and a maintenance inspector did that conformity check. Who was
4 that and when did they do it?

5 A. Okay. So, there was a conformity check on the 206 because
6 that was a new aircraft to the certificate. And, Inspector Greg
7 Varner, who is the maintenance POI was the one that led that
8 conformity piece. So again, you're outside of my expertise in
9 some ways here, right, because you're asking more of a maintenance
10 type of question, but in general, the certificate holder will tell
11 us they want to bring on a new aircraft. Our maintenance folks,
12 the maintenance POIs will send them a checklist, conformity
13 checklist, and then there will be a maintenance facility, and that
14 again we kind of get back into kind of the discussion I was just
15 having with Starr here, as a single pilot, they don't have a
16 director of maintenance, right, single pilot certificate.

17 And so they will just take that to a, you know, and I don't
18 -- quite honestly, I don't even know 100 percent the requirement,
19 but definitely somebody that has an IA, and maybe they have to
20 have a 145. I don't know the answer to that. I'd have to refer
21 to my maintenance folks, but they take it to a maintenance entity
22 to do those inspections, 100 hours and the annual inspections that
23 are required, and they will do conformity inspection in addition to
24 that. At the end of that, what happens is our inspector or
25 maintenance inspector, in this case, Greg, went out and checked

1 that conformity checklist with the aircraft.

2 Q. Okay. So -- but as far as you know, that wasn't done with a
3 PA -- with the Cub, because that had already been completed
4 sometime.

5 A. That had already been on the certificate previous. So the
6 conformity had been previously done before I was --

7 Q. Okay.

8 A. -- involved as a POI, correct.

9 Q. Okay. Thank you. And then I'm guessing you probably would
10 have reviewed the logbooks prior to the flight I would imagine?

11 A. I reviewed the logbooks for both aircraft, the 206 and the
12 Super Cub, and again, really what I'm looking for there is, is
13 this aircraft airworthy for us to go do this checkride or this
14 proficiency check. So again going into the maintenance -- or the
15 airframe, the engine and the propeller logbooks and making sure
16 that they were signed off with either 100 hour or annual. In this
17 case, it was an annual for both of these aircraft.

18 Q. Anything jump to your attention during that review?

19 A. No. I mean other than it had just been done, but --

20 Q. Yeah.

21 A. -- but actually we talked about that prior and, you know,
22 prior that there was some delays in actually doing the checkride
23 because of all that but, yeah.

24 Q. So that kind of leads me to the question then. You said
25 delays in doing the checkride because of that. What do you mean

1 specifically about the delays during the checkride? What do you
2 mean?

3 A. As I had kind of -- not kind of -- I had mentioned earlier,
4 was that the original plan was do it early in October. When I say
5 do it, do the check, okay, earlier in August, but that is when the
6 question arose about the PSTOL (ph.) flaps in the Dakota wings and
7 compatibility and that's where it went off to the maintenance
8 folks, and they started, again out of my wheelhouse, right. But
9 they went through that whole piece looking at that as it was going
10 -- that was while it was in annual, when these questions were
11 being asked.

12 Q. Would Greg be the best person to talk to?

13 A. Yeah.

14 Q. Okay.

15 A. Yeah. I do know that they went -- Greg was very involved in
16 that process, and there were some questions about -- again, you're
17 out of wheelhouse, but questions about -- Greg and I did -- we
18 were talking about this because we knew that eventually there was
19 going to be checkride, and we both were talking with each other to
20 make sure that we were in agreement that the aircraft and a place
21 we could do that, right.

22 So, there was, you know, questions with the STC I believe,
23 again don't quote me on this, but the STC that was used originally
24 on the wings in the square wing tips, because it had Dakota ribs
25 as I understand it as well as a square wing tip, that's Dakota.

1 And that -- there was some STC type things that were worked
2 through on the maintenance side to make that all correct, which
3 all started with the question of could you add the PSTOL flaps.
4 And I know Greg is the one, he's the expert that you would really
5 want to talk to on that.

6 Q. Okay. Thank you. So what kind of Cub do you own? The Super
7 Cub.

8 A. I do. I have a PA-18-150, but it's got the 160 horse on it
9 and a lot of ways similar to the one he has, very similar.

10 Q. So you know -- you said that you noted the empty weight was a
11 little over 1200 pounds. Why did you note that?

12 A. Because we're all weight snobs once you're flying a Super
13 Cub. How much does your weight? How much does yours weigh? You
14 know, that type of thing. And, at the end of the day, the lighter
15 the aircraft, the better they perform.

16 Q. What specifically -- what brought his weight to your
17 attention? Was it heavier than what you would expect?

18 A. Yeah, mine's a little lighter than his.

19 Q. Oh, I see. Okay.

20 A. Yeah.

21 Q. But nothing --

22 A. No, mine's, you know, mine was -- mine's 1187 and his was 12
23 or 1200, 12 something, right, you know. So I was like, oh, that's
24 interesting. I just made that mental note. It was a very nice
25 Cub, beautiful Cub, you guys know that. I mean it probably wasn't

1 that way when you saw it, but I mean you can.

2 Q. So I don't know if you're aware, we still haven't been able
3 to track down the maintenance logbooks or the weight and balance.
4 I have -- we have one from I think 16018. Do you recall, and if
5 you don't, that's fine. Do you recall exactly what the empty
6 weight was or --

7 A. I don't recall exactly.

8 Q. But it was more than yours which is what 11 --

9 A. Yeah, it was over 1200, not significantly but --

10 Q. Okay.

11 A. -- maybe -- yeah. I would be completely guessing. I know it
12 was over 1200. I made that made that mental note to myself.

13 Q. And you got to see the actual document I assume?

14 A. Correct.

15 Q. Okay.

16 A. That is absolutely. We had them on the table there at that
17 Birchwood pilot check, briefing check, for both airplanes. Now, I
18 will tell you that if I had to guess, there probably in the back
19 of his car. That's where I would guess the logbooks are. I don't
20 know how you'd get them but --

21 Q. Yeah, they weren't in the usual spots that we have. That's
22 one of the things we're going to look at.

23 A. I'm surprised you don't have them.

24 Q. Yeah, yeah.

25 A. That's unfortunate. I can tell you this for a fact, and that

1 is that when we got done with the logbooks, he put them into the
2 back of his Volvo before we went and flew. I do know that. But
3 where they went after that, I have no idea.

4 Q. Okay. That's helpful. Okay. As part of a checkride, did
5 you do any ops related -- anything related high gross weight ops?
6 Any discussion on that?

7 A. No. We did talk about, when we were talking about
8 performance, and I shouldn't say we did, I would almost always and
9 so I think it's a pretty good likelihood, we talked about it. I
10 don't recall 100 percent here, but we almost always talk about
11 differences that you're going to have with a heavy airplane and a
12 light airplane, right. And, you know, those kind of
13 considerations when we're talking performance.

14 Q. Okay. And I notice on the 293 Form, bottom right, the PA-18
15 difference check. What is that? It's in the remarks section.
16 Sorry.

17 A. Yeah, that's just the differences between the -- what I was
18 trying to indicate there was the differences between the 206 and
19 the Super Cub.

20 Q. Okay. All right.

21 A. I do know that that date on that checkride shows 31 August
22 which is incorrect, and I've changed that.

23 Q. Yeah, I saw that. Yeah.

24 A. Yes. It -- I put it actually in the remarks section that it
25 was -- the oral was done on 31st. The checkride was the 1st, and

1 then I didn't change the date at the top. That's my bad. But it
2 was done on the 1st.

3 Q. I see. And then the final question, I just want to go back
4 and clarify. So, you basically gave him a competency check -- a
5 proficiency check. What you're saying is as a 135 operator, the
6 DPE cannot give a 135 proficiency check, absolutely cannot do
7 that?

8 A. I didn't -- no, to the best of my knowledge, they cannot do
9 it. I'm not positive. I do not know of them doing them up here
10 but to the best of my knowledge, they don't. But I'm not, I'm not
11 100 percent positive.

12 Q. Okay. I think that's it for me. I might have questions on
13 the second round of questions, but I think I'm good. Thank you.

14 MR. ETCHER: Thanks, Elliott. Mitch, do you have any
15 questions, sir?

16 MR. MITCHELL: Thanks, Shawn.

17 BY MR. MITCHELL:

18 Q. Thank you, Mr. Peck, for all your help. Just a couple of
19 questions. The Super Cub that you have, does it also have the
20 belly pod on it?

21 A. It does.

22 Q. It does.

23 A. Well, let me rephrase.

24 Q. Sure.

25 A. My Super Cub does when it is in a wheel or ski configuration.

1 In a float configuration, it does not.

2 Q. Okay. Fair enough. So you've flown the aircraft with and
3 without the pod on it.

4 A. Correct.

5 Q. Is there a big performance difference with that pod added on
6 there? Do you feel it? Does it yaw more, less? I mean --

7 A. That's a valid question. In performancewise, believe it or
8 not, you actually -- every time I've ever put one on an airplane
9 and flown it, it's been an enhancement to performance. And I
10 don't know exactly why. They will generally get better -- a
11 better speed out of them, and my theory, and that's all it is, is
12 a theory, is that it helps reduce a lot of the parasitic drag that
13 happens around the gear legs that go down through there because
14 it's right behind it. That is my theory, but I do know you will
15 actually go faster in every airplane that I've -- every Super Cub
16 that I've put a belly pod in and flown, with and without, which
17 has been two or three.

18 Q. Fascinating. Huh. Do you know, is it a common practice when
19 load is put in the belly pod to restrain it at all or does it just
20 sit in there free?

21 A. It's difficult at best, if not almost impossible to restrain
22 it other than to fill it up.

23 Q. Okay.

24 A. Okay. I would, I would also, in my experience, because of
25 where that belly pod sits, I -- a load shift or anything along

1 those lines would be pretty much an uneventful event. It would
2 have to be -- you'd be way, way over what the belly pod is
3 authorized to haul, even become -- even a consideration really.
4 It's just --

5 Q. Do you remember off the top of your head what that belly pod
6 is authorized for as weight?

7 A. I don't.

8 Q. Okay.

9 A. It says it I believe right on it.

10 Q. Yeah, it probably does.

11 A. I don't remember. It's not all that much, yeah, but I don't
12 remember exactly.

13 Q. Okay. So I understand that you've been the POI for Neitz
14 Aviation for maybe a year.

15 A. Yeah.

16 Q. Somewhere in there. Have you ever done any other checkouts
17 with Neitz Aviation pilots prior to Mr. Peltola?

18 A. No. And as I had kind of mentioned earlier, that it hadn't
19 even been operated, the certificate --

20 Q. Okay.

21 A. -- up until this. So, for at least -- well, I'd have -- I'd
22 be guessing but, you know, I think it's in the neighborhood of a
23 couple years it hasn't been operated.

24 Q. Okay.

25 A. And, yeah. So no, there was no other checkrides.

1 Q. So the accident aircraft, N109T, it's obviously been around
2 for a while. Have you ever flown that airplane yourself before
3 ever?

4 A. No. Only with -- when I was in the back seat with
5 Mr. Peltola.

6 Q. Okay. Did you notice anything when you were conducting the
7 checkride regarding the aircraft that stood out, you know, it was
8 a little hard to start or backfired, you know? Anything out of
9 the ordinary? Anything noticed that wasn't working?

10 A. No, it was a very -- yeah, I mean it was a nice Cub.

11 Q. Okay.

12 A. And no anomalies at all that I noticed.

13 Q. Okay. I know you had said that he had conducted the weight
14 and balance on what you believed was his phone. Do you happen to
15 know what application? If it was Foreflight, Garmin Pilot.

16 A. I would be completely guessing. I really would but --

17 Q. Okay.

18 A. -- I think you're right. On, you know, it was Foreflight or
19 Garmin, one of the two, but I don't remember.

20 Q. Okay. As far as when you were getting -- doing the
21 checkride, I mean you're familiar I guess with Neitz Aviation for
22 as much time as you've had with them. Were you aware of the role
23 that that aircraft was going to be playing, what they were
24 planning to do with it as far as carrying hunters in and carrying,
25 you know, meat and animal stuff out? I don't know what you want

1 to call it.

2 A. In general, I did know Mr. Werba had told me that he was a
3 guide, and that, you know, that moose hunting was his deal. So I
4 kind of had an idea of that, yes.

5 Q. Oh, okay. And this is for my education. Is there anything
6 special like when you're doing a checkride for that, that, hey, if
7 you're going to be carrying this kind of stuff, things to think
8 about? Is there any discussion like that that occurs during the
9 checkride?

10 A. I did not to my recollection anyway. I did not cover
11 anything about like external loads or anything like that with this
12 gentleman. I -- my practice has been that if they have an
13 external load permit, then I got into those kind of conversations
14 with them.

15 Q. Sure.

16 A. But in this case, they didn't.

17 Q. Okay. And I think you said they did not have an external
18 load certificate.

19 A. No.

20 Q. What's the word I'm looking for, external load permit.

21 A. Not to the best of my knowledge.

22 Q. Okay.

23 A. I will tell you this, that I do have myself an external load
24 permit as a Part, you know, 91 type guy, right.

25 Q. Yeah.

1 A. And you are what I tell folks, is you are a test pilot every
2 time you go do that.

3 Q. Have you yourself ever put moose antlers external to the
4 aircraft, tied onto the wing strut?

5 A. I have.

6 Q. Does it change the flight characteristics of the aircraft?

7 A. There is no absolute to that question unfortunately. You are
8 getting into a very -- a question that it depends, okay. And when
9 I say that, you can only strap a set of horns onto a strut there
10 by the jury strut, a couple different ways. The biggest concern
11 is making sure that they're tight, that they're not going to move
12 themselves, right, because that could be bad quickly. And so when
13 you are trying to position horns onto a strut like that, they
14 only, because of the shape of them, they only go a certain way.
15 And so sometimes that allows the horns themselves to not be much
16 of a barn door out there, for lack of better terms, right. You
17 know, they kind of align with the wind and that.

18 Q. Sure.

19 A. But there's other times that that's not the case. So every
20 time, again, it's a different deal, and you've got to look at it
21 really hard.

22 Q. Sure. If you encounter a crosswind with antlers attached on
23 an external strut like that, is that effect felt more?

24 A. Again, it's really depends on -- I have flown with horns that
25 I didn't know where out there, literally could not even tell they

1 were there. And then there were other ones that my leg was tired
2 by the time we got there with the rudder, okay. So, it -- there
3 is no absolute.

4 Q. Okay. Yeah, I was just, like I said for my education, thank
5 you.

6 MR. MITCHELL: I don't have any further questions, Shawn.
7 Thanks.

8 MR. ETCHER: Thanks, Mitch. Round 2 is usually a whole lot
9 quicker, but does anybody need a break before we delve in?

10 (No response.)

11 MR. ETCHER: Hearing nobody, I'll say no then. Great.

12 BY MR. ETCHER:

13 Q. Now, I can tell you how many pages of questions I have. No,
14 I'm kidding. I don't have that many. You've really helped me a
15 lot. I have just a few follow ups on some of the questions and
16 answers you gave just filling those holes in my brain. So I
17 appreciate that. And since you were just talking about external
18 loads with Mitch, I know you said you have an external load
19 permit, correct?

20 A. Right.

21 Q. Is there -- just for the record, is there a prohibition to
22 putting anything externally on the aircraft without an external
23 load permit?

24 A. I would have to refer back to my maintenance folks because
25 you're going to get into maintenance regulations very quickly.

1 Q. Okay. And that's fine. I didn't know. I was just more
2 curious, trying to figure some things out in my head. So I
3 appreciate it. Because you said you had one. So I figured, oh,
4 maybe you kind of have to have one. So I do appreciate that.
5 Now, I know you said when you're on an external load, you're a
6 test pilot because you just never know. When you've had an
7 external load on yours, did you have the pod underneath at the
8 same time? Do you recall?

9 A. Yes, actually.

10 Q. Okay. Were you -- this feels like I'm asking you a shotgun
11 of questions here, but were you close to max weight carrying a lot
12 of stuff with that or you just had an external pod just to make it
13 easier for packing stuff?

14 A. So I guess there's a couple questions there really. The
15 first one is that as a generalism, when we put on a belly pod,
16 it's probably not coming off, okay. So, for instance, my airplane
17 is not outside right now, but generally it is outside the window
18 here. Once I put it on the wheels, the belly pod goes on and it
19 won't come off until I take it and put it on float, okay. So the
20 belly pod is -- that's me. It doesn't mean that there's other
21 people that don't change that, but as I kind of indicated before,
22 my experience has been it only helps. It's an 18 pound object,
23 but that's the hurt is that you've lost 18 pounds of useful load
24 usually. Okay. That's the drawback to it. Everything else has
25 been -- there's not any other negatives that I've found.

1 Now, have I operated -- I think your follow-on question, and
2 correct me if I'm wrong, was have I operated close to max weight
3 with horns, and the answer is yes. My particular Cub does not
4 have the 2,000 gross weight increase, okay. So, it's not apples
5 and apples, I can tell you that. But I've known and talked to
6 lots of people that have, and I don't think there's a lot of
7 difference from what I understand, but again, I'm not that expert.
8 And, again, it's kind of like it goes back to where we started
9 this conversation in that it really depends on how those horns
10 line up with your relative wind essentially once you start moving.
11 And the biggest consideration with external loads is something I
12 do talk about with folks is -- or one of the biggest
13 considerations is how it might affect air or the slipstream over
14 your tail section, horizontal and vertical, because that's what
15 generally if you, if you take off and you're like, oh, this ain't
16 good and you just land. You're like -- generally that's what the
17 scenario you want to be in. You're like -- you start accelerating
18 and you're like, oh, no, no, we ain't doing this. Stop. Let's go
19 back and readdress and figure out something different.

20 And, you know, you -- even like, for instance, the beaver,
21 for instance, you know, they, I believe -- again, I believe that
22 it's right in the type certificate of that aircraft, they can put
23 a canoe on it externally. And -- but if you ever talk to folks
24 that do a lot of external load type stuff, where they haul boats
25 or things like that, most of the time it's being done on floats,

1 not on wheels. But, it kind of goes against what most of us would
2 initially just go, oh, an external load, I have a boat that, you
3 know, a normal boat that's pointed at the front and flat at the
4 back, right. Well, I'll put the front end, the pointy end going
5 forward because it'll make the least amount of wind resistance,
6 right. Well, that's the wrong answer. You absolutely do not want
7 to do that because what happens is that flat portion that's back
8 there kind of by your tail now has all that disturbed air coming
9 off of it, and that's getting into your pull horizontal and
10 vertical. So you actually want to turn and have the flat end in
11 front. So there's some things that are, you know, you've got to
12 learn doing an external load, but a lot of that all comes back to
13 what effect that might have going across your horizontal and
14 vertical. I don't know if that helps you guys a lot but.

15 Q. It helps me. It helps me understand. So I appreciate that.
16 I can't answer for everybody else, but that helped me a little
17 bit, but it gave me one other question then. And I know your
18 airplane's not apples and apples with this one, and I get that.
19 But when you had an external load, the antlers, and you departed,
20 how was the controllability of the airplane? I mean could you do
21 nice normal roll, you know, roll the wings to turn? Was it heavy
22 on one side more than the other? Just from your experience. I
23 know you didn't do it in the accident airplane, but just from your
24 experience.

25 A. And again, I kind of go back to where we started this. It

1 really depends on they get mounted. You can have it where you
2 don't know they're there. There's nothing. And then you can have
3 it like, whew, I don't like that at all.

4 Q. Have you had it both ways then?

5 A. I've had it -- I've never -- I don't -- well, I don't recall
6 having this scenario where I was on wheels with horns strapped to
7 the strut because I done a lot less of that than I have on floats.
8 I've done more external load type operations on floats than I have
9 on wheels. And so I don't recall of a scenario where I actually
10 aborted, you know, a takeoff on wheels or even turned around and
11 said, no, I'm going to land. I've talked to a few people that
12 have over the years because that's a great way to learn lessons is
13 by talking from other people's mistakes, things they've learned.
14 And especially when they're doing external load type operations,
15 right. But -- so I've never had a scenario that it was super
16 uncomfortable after I was airborne. I was always able to, you
17 know, fly the airplane just fine.

18 Now again, your left leg might be if you have it on right
19 wing, or your right leg might be tired if you had it on your left
20 wing because you'll have some adverse yaw potentially, right, but
21 -- and there's no trim.

22 Q. Okay. No, that helps. I appreciate that. And you said
23 that, you know, you like to learn from others. You talk to
24 others. I know in aviation there's a lot of people that fly and
25 in Alaska, I'm sure there are, too, but it's still a pretty small

1 community, aviation people, you know. Everybody knows -- I don't
2 want to say everybody knows everybody but you're not too far away
3 from pretty much knowing most of the people. And pilots along
4 with a lot of people have no problem saying what they think. Have
5 you ever heard anybody complaining about Neitz or about the
6 accident aircraft or anything like that? Have you ever -- has
7 that ever arisen to your ears?

8 A. Never.

9 Q. Okay. All righty. When you were doing the flight checkride
10 portion in the Cub, did you have any opportunity to fly it
11 yourself?

12 A. I did not.

13 Q. Like put him in an unusual attitude or anything?

14 A. No, I did not. I actually don't even take controls for the
15 unusual attitude. I have them close their eyes, and I tell them
16 what to do and let them fly themselves in it. To me it's a more
17 realistic scenario because if they get themselves in an unusual
18 attitude, they will have their hands on the controls when it
19 happens.

20 Q. Okay.

21 A. You know, because they're going to be the ones flying, or
22 they won't be in an unusual attitude. So I let them do that. I
23 have them close their eyes and I tell them turn left, turn right,
24 pull up, pull down, whatever, that type of thing.

25 Q. All right. Perfect. Let's kind of go back now to when you

1 took over the certificate, and I know it could have been a year
2 ago, February of this year, not sure, and that's okay. But when
3 you took over Neitz's certificate, did you get a -- I'll call it a
4 passdown for lack of a better phrase from the previous POI? Like,
5 hey, here's this certificate. I've had them so long. Here's some
6 areas we've looked at, whatever, just to let you know about that
7 operator. Did that happen?

8 A. I don't recall having a scenario like that in this
9 circumstance. Again, there was, there was very little that
10 probably could have been passed down because they weren't
11 operating, okay. And, we have -- I mean as a generalism, we have
12 a very good ability or have the capability to go back in and look
13 at that history, right, through our what we call SAS. So we can
14 go back in and look all the records and things that folks have put
15 in, and so we can go back and look at all that kind of stuff.
16 And, in a situation like this, where they're not operating, you
17 know, what are you going to say? Well, they're not operating.
18 You know, the risk to the NAS is zero when they're not operating.

19 Q. Perfect. So, it's probably because I don't completely
20 understand. So that's why I'm having you educate me, but why
21 would an operator, and maybe this is in your opinion, but why
22 would an operator have a 135 certificate if they're not operating?
23 Is there any indication to you why they retained it?

24 A. I wish I could answer that question. I will -- the only
25 thing I can do is speculate, okay, completely. So, from

1 conversations with Mr. Werba, my understanding was that COVID was
2 a big part of that, but I am speculating.

3 Q. COVID seems to be a big problem with a lot of things. So,
4 and I appreciate you saying it's speculation. So I won't chisel
5 it in stone. How's that? All righty. How often do you
6 communicate with the rest of your CMT about Neitz or maybe any of
7 your other 40 some odd certificates?

8 A. There isn't one answer to that. There is not -- I do not
9 have -- well, how do I phrase this? There is not the same CMT for
10 every operator, right. So, for example, I might have certificate
11 holder X, and I have myself, B and C, are the other two inspectors
12 on the certificate holder, okay. And when we go to G down here,
13 certificate G, it might be inspector A -- inspector B, but the
14 avionics guys might be Inspector Foxtrot, you know. So they're
15 not necessarily the same. It's not like you send out one email to
16 the same people every day, okay. They change based on the
17 certificate. Now, not all of them are different. I have, you
18 know, a fair number that have A, B and C and I have a fair number
19 that have, you know, A, B and G or whatever, you know, type of
20 deal.

21 So what has been the general practice is that when we have
22 correspondence, we try to include the whole CMT so we all have
23 kind of visibility of what's going on. So even if the maintenance
24 guys are contacting a certificate holder saying, hey, we need to
25 come out and do some inspection of this, I'll be included on that

1 or the answer that might come back or maybe it's a, you know,
2 they're wanting to get a ferry permit with the maintenance guys,
3 and I'll be part of that conversation via email. But, it's not
4 that there is -- we touch base, you know, once a week on ever --
5 no, it's more of a, you know, this person got ahold of me. They
6 would like to do this or they'd like to do that or we have to --
7 we get ahold of them and need to do some sort of surveillance or
8 something like that. So that's kind of how it works. So there is
9 no one answer fits all. It depends.

10 Q. Okay. All right. So, let's zero in just a little bit then
11 on the Neitz certificate itself, how often do you communicate with
12 the CMT? Ballpark, you know, you don't have to have the exact
13 date, just ballparking it.

14 A. You know, you can take the months up to, you know, like June
15 or something and, you know, I reached out and I probably talked to
16 him two times in that timeframe, let's say between November and
17 June or three times maybe. It's a guess. One just trying to
18 introduce myself and let him know who I am, and that I'm his new
19 POI and so on and so forth, right. And then reaching out to them
20 and trying to figure out where they were at operating-wise,
21 checkride requirements that might be coming up, those types of
22 things so that I can try to make my newly assigned work program
23 work for me over the year, kind of make all those pieces work.

24 As we got closer to needing, you know, checkrides with Gene,
25 I talked with him fairly often, you know. I don't know, at least

1 twice a month, maybe three or four times a month, you know, in
2 that time period. And then with Gene, when he contacted me there
3 in August at some point, I mean -- I got emails that we did for 2
4 or 3 days in a row, and then maybe it's 4 or 5 days, and we
5 waiting for the maintenance stuff and we talked again. So, you
6 know, there's kind of different parts to that Neitz process. You
7 have the owner as well as you have the pilot now, the newly
8 assigned pilot. So that. It just changes based on what's going
9 on, like there's no necessarily canned answer. I'm going to call
10 him once a month or once every 2 days or anything like that.

11 Q. So for my simple brain, is it fair to say or accurate to say,
12 you don't have scheduled meetings with the rest of the team?

13 A. I would say that's accurate. We don't have scheduled.

14 Q. Okay. All right. Perfect. I have just a few more
15 questions, and then I'll pass it off to my colleagues to see if
16 they have any. Let's go back into the checkride phase if you
17 will. As an inspector, you know, I'm sure it's great to be able
18 to give somebody a new certificate or say congratulations, that
19 was a great ride. But how many times have you not had that
20 ability to be able to do so, that you said, you know, I'm sorry.
21 You're just not where you need to be. I'm going to have to fail
22 you. How many checkrides have you had to fail? And you can even
23 break it down to the last 6 months, last year, whatever
24 timeframe's easiest.

25 A. I honestly don't know. It's not been a lot. Generally we're

1 talking professional pilots that, you know, have been doing this.
2 So I honest don't know that number.

3 Q. Okay.

4 A. Probably in the neighborhood of two but I'm guessing. I'm
5 completely guessing in the last 6 months or so.

6 Q. Okay. All right. Perfect, and that's okay. I understand
7 it's just a guess, but I just was trying to get it in my brain, if
8 you're like, oh, yeah, I failed one out of every two that come to
9 me, then it kind of tells me one thing different. So.

10 A. I mean it is very seldom, right, that we are taking a -- the
11 majority of my certificates that I have, they've been operated for
12 years, same airplane, right. And there's, I don't know, a quarter
13 of them that are ATP rated, right, need to be commercially rated.
14 That's all they need to do this, and it's not a, you know, a crazy
15 difficult checkride, the 135 checkride. You know, there's a
16 standard, and we hold them to that standard. If they meet that
17 standard, they made it. If they don't, then it's the commercial
18 ACS that you hold them to.

19 Q. All righty. Now, my last little batch of questions, and then
20 you'll be done with me, I'm still trying to piece it in my brain,
21 the landings. Because I know -- I assume in Alaska, like we
22 talked about, it's not all improved strips. It's not all paved.
23 Some of them are probably challenging. They really have to be
24 accurate, and I know short field landings are always fun, but
25 sometimes like I've said, I've had them coming in, it looks good

1 and then the bottom drops out and bang I hit, or I land short or I
2 land long from the point given. At what point would that be an
3 unsatisfactory short field landing in your book? If you were
4 giving me a checkride and you said put it there right between the
5 -- I think you said the gravel and the asphalt, put it right there
6 on the line, and I landed hard or I landed long or short, at what
7 point would you say, ee, yeah, no. That doesn't quite make what I
8 need.

9 A. So the ACS standard is 0 short and 100 feet long.

10 Q. Okay. So again I'm just trying to understand it in my brain.
11 If I'm flying and you're giving me a checkride, and we're coming
12 in, and I'm like, ooh, it, man, I might land long, oh, no. And I
13 just kind of push the nose down and plunk it right on the line,
14 jut so I don't land long, but I hit really, really hard, there's
15 no criteria to say, well, you hit the line but you still fail.

16 A. You're getting into, you know, some really, really hard.
17 What's really, really hard? That's a very subjective type
18 question. I don't know that there's -- you know, at the -- you
19 have to make a determination. Is this safe or is it not? And
20 hopefully if he's trying to let it drop out, I'm doing something
21 make sure it doesn't happen, that we're going to hurt the
22 airplane, so now we don't even land, right. Yeah. That would be,
23 you know, I guess there's no -- he's got to be within the 100 feet
24 for sure, right. What I would hope is that a guy would go around
25 if that's the scenario they're in. And, you know, if that's what

1 they do and they do that once, I'm okay with that. Come back and
2 now you get -- you put me down in that 0 to 100, then we're good.
3 That's good airmanship at that point. If it's a really hard
4 landing, no. I'm sorry. Go ahead, sir.

5 MR. TOMICICH: I was just going to say for a moment of
6 levity, I think Part 830 is the answer or at least part of the
7 answer. Forgive me for interrupting.

8 MR. PECK: And I missed that Mark. Say that again. Sorry.

9 MR. TOMICICH: Part 830, reporting an accident is part of the
10 answer.

11 MR. PECK: Oh, yeah. Okay.

12 MR. TOMICICH: It's a moment of levity. I'm sorry.

13 MR. PECK: Yeah. Obviously if they hurt the aircraft and
14 it's a bad, bad deal but.

15 BY MR. ETCHER:

16 Q. No, and I'm just trying to understand because, you know,
17 nerves on checkrides and I know professional pilots, but even
18 professional pilots have I'll call them off days.

19 A. Sure, everybody does.

20 Q. Absolutely. We're human, right. Have you ever had that
21 happen on a checkride where somebody lands it really hard, pretty
22 hard that, gee, people might think that was a hard landing? That
23 might have been an accident almost, not that it was, but almost.
24 Have you ever had this?

25 A. Yeah, I've had, I've had guys in Cubs go around, you know,

1 after they bounce is what they do. It's not that it's hurting the
2 airplane, but they bounce, right, which can lead to a pretty bad
3 scenario. And again, good airmanship, go around and do it again.
4 Okay. And if they do the second one, and they're still within it,
5 they meet the standard, then I'm good with that, right, because
6 that's an airmanship type. I need to see a go around anyway.

7 Q. Okay. No. Perfect. And my last question then for the
8 accident pilot's checkride, did he have a landing where, he had to
9 go around because he bounced hard or anything like that, that you
10 can recall?

11 A. I don't remember. I don't recall.

12 Q. Okay. No problem. I told you that was my last one. I'll
13 try and hold my truth this time.

14 A. Okay.

15 MR. ETCHER: But I'll ask Starr if she has any, but I
16 appreciate it. Starr.

17 MS. BLUM: Yeah, just a couple.

18 BY MS. BLUM:

19 Q. I realize that they didn't have the external load permit, but
20 I'm curious, I'm not sure why the antlers were on the outside and
21 not on the inside for this flight, but with a single engine
22 smaller airplane that's hunting, is that something that would be
23 on your radar to ask them about in your opinion?

24 A. So, the first part of that question is why are they on the
25 outside? And the answer to that is because they won't fit on the

1 inside.

2 Q. Okay.

3 A. And especially if they're not cut in half, okay. That's why
4 they won't, they won't -- you can hardly get them into the 185 or
5 206 at times, but most of the time, you can't, you know, with an
6 airplane like that.

7 So now, do I have -- I think your follow-on question, do I
8 ask questions about that type of stuff then? Is that --

9 Q. Yeah. I mean since you knew that it was going to be, you
10 know, used -- the business was going to be hauling hunters, is
11 that something like the FAA should think about incorporating with
12 regards to having an external load permit?

13 A. I think that depends. We -- first of all, we can't be
14 responsible for every scenario that might be out there, right.
15 It's just -- you could do that and you could spend the next 365
16 days with a guy, you know, type of deal. So, is that realistic?
17 No. On the same token, in this instance, they have a 206 which
18 could get the moose antlers in and you have a Cub. So, could I
19 have talked about it? Possibly. Do I think it really is
20 necessarily especially in this situation where they have two
21 different airplanes, one that could and one that, you know, and
22 they don't have an external load permit? I think that's -- I
23 didn't feel that it made the list of things to talk about because
24 that's kind of where I went with that, and they didn't have an
25 external load permit. You know, I definitely have those

1 conversations if I have a 135 operator with an external load
2 permit, but --

3 Q. Is there training for that? Is there training for how to tie
4 the antlers on or a flight test? I'm just curious, but for my
5 curiosity.

6 A. So, again the reality of that is that's issued on the
7 maintenance side in general, right. The -- what is it? So you're
8 going to make me guess here, and I'm telling you, I am guessing
9 right off the top, all right. There is a restricted -- I have to
10 look at guidance. But I believe there's a restricted aircraft
11 registration or airworthiness certificate that's issued. And,
12 then it is -- I would have to look up in guidance. I know under
13 the one that I have, I have to put external or I have to put
14 external load in the window of the aircraft, can't have any
15 passengers with me, those types of things, and it's pretty similar
16 on the 135. I'd have to look at it again and refresh my memory.
17 It's been a few months since I've done that, but.

18 To answer your question about training, there's really not a
19 training program for any single pilot operator. There is no --
20 there's no training manual, okay. They self-train themselves to
21 the ACS standard at which point they go do a checkride with us.
22 Okay. And so there is not a -- I would say there's not like a
23 training manual. Now, if you get to somebody that's like a basic
24 135, they -- yes, that's now part of their training manual, right.
25 You make them train to that, right. And, they also have to record

1 each one of them. There's a piece of paper where you're supposed
2 to record what you did on this date, you know, and then kind of
3 what the results were, you know. So basically the pilot has --
4 can go back and go, oh, yeah, that was 5 years ago. What was the
5 results of that? Oh, yeah. That was a bad deal. Don't do that
6 again or whatever, right. But, you know, from a training
7 perspective, not that I'm aware of. I mean there's definitely
8 information that comes along with that external load permit. I
9 can't -- I don't remember exactly everything that's in it, but
10 there is no training program of any sort for a single pilot.

11 Q. Yeah, I mean other than tying on the moose antlers and seeing
12 how it applies and seeing how the lateral stability, I don't know
13 how you teach someone how to tie antlers on.

14 A. That is a very good question there, and I, you know, a big
15 part of the reason they make sure that there's no passengers.

16 Q. Well, thank you, Mr. Peck. That's all of my questions.
17 Thank you.

18 MR. ETCHER: Thanks, Starr. Elliott, do you have any
19 questions, sir?

20 MR. SIMPSON: Yeah, one really quick one.

21 BY MR. SIMPSON:

22 Q. So, how long does it take -- so if I wanted to request a 135
23 checkride, how long would it take from me requesting of the FSDO
24 to me getting it typically?

25 A. And that question was basically asked previous. And, there

1 is no one answer that fits all. It really depends on the time of
2 year.

3 Q. Okay.

4 A. Yeah. So I mean if you ask me to do a checkride next week,
5 we could do that, okay, because that's where my schedule's at.
6 Had that -- had you asked me on the 1st of June, it might have a
7 week out or 2 weeks out.

8 Q. Okay. But not months basically?

9 A. No, no, no. No. I absolutely try not to do that. I try to
10 make them in a timely manner happen, right.

11 Q. Okay. All right. That's that. Sorry I missed that earlier.
12 So.

13 A. Yeah.

14 Q. That's it for my questions. Thank you. Appreciate it.

15 MR. ETCHER: Thanks, Elliott. Mr. Mitch, sir.

16 BY MR. MITCHELL:

17 Q. Just a couple for you, Mr. Peck. Thank you again. Just out
18 of curiosity, how did you learn the proper way to tie an external
19 load to your Super Cub?

20 A. Asked a lot of questions.

21 Q. Okay.

22 A. That's the honest truth. And, how do you learn to ski fly?
23 Ask a lot of questions.

24 Q. Yeah. Is there a preferred material cord, rope, I don't know
25 what you'd want to call it, to use to secure the antlers to the

1 strut?

2 A. I am not aware of one if there is.

3 Q. Okay.

4 A. My personal experience is you want something that won't
5 stretch specifically if it gets wet. You do not want that because
6 that will loosen up the horns in flight potentially. And if they
7 start vibrating, bad things can happen. So you're going to want
8 something that doesn't do that and is strong enough obviously to.

9 Q. Okay. So if you're attaching a set of antlers to a strut, is
10 there a preferred direction, like cupped side in or cupped side
11 out?

12 A. That's another -- like I was mentioning earlier, every set of
13 horns is just shaped so differently that the way I like to look at
14 is where -- how can I position these and secure them and have the
15 least amount of -- when I'm looking at it, the least amount of
16 drag, right.

17 Q. Okay.

18 A. Disturbance to the wind. So, a lot of times, you're just out
19 there taking these horns and awkward as they are, moving them
20 around. I don't like that. Let's look at this. And I might be
21 able to, I don't know, you know. Yeah. So I don't know if that
22 helps but it's theory.

23 Q. Do you happen to know if Mr. Peltola had ever done any
24 external loading like this before?

25 A. You know, the answer is I do not know that as a 100 percent.

1 I would make an assumption, and it's completely all it is, is an
2 assumption that when he was working with DOI in the government,
3 that it probably happened fairly often. But I'm assuming things.
4 I don't know that to be a fact.

5 Q. Did you know Mr. Peltola before he reached out to you for the
6 checkride?

7 A. I did not.

8 Q. Okay. When you did the checkride, do you happen to remember,
9 was he wearing a shoulder harness or just a lap belt?

10 A. Hum. I don't recall for sure, although -- I don't recall for
11 sure. I would be surprised if he didn't have both the harness and
12 the belt. But, I don't recall.

13 Q. Okay.

14 A. I do know I looked -- I inspected the seatbelts because I
15 always do as part of my pre-flight inspection before I get on, and
16 I didn't note -- I didn't make a note of any, you know, parts that
17 were wrong with the seatbelts at the times, in other words, frayed
18 or cut or anything like that that weren't airworthy in my opinion.
19 But, I don't, I don't recall. I would speculate that he probably
20 had harnesses, and if he did, he used them, and I did the same in
21 the back. But, not all Cubs do have them.

22 Q. Okay. When loading the aircraft with, you know, cargo, moose
23 meat, what have you, is it a normal practice to use just the
24 seatbelts or is it a combination of seatbelt and rope or
25 something? What's a good way of securing that to keep it from

1 moving around within the cabin so to speak?

2 A. You're talking inside of the aircraft?

3 Q. Yes, sir.

4 A. Well, under 135, you know, they have to secure their load.
5 So, that leaves some subjectiveness to that. I would make, you
6 know, if I were talking with somebody about that particular event,
7 I would highly suggest that they use more than just the seatbelt.

8 Q. Okay.

9 A. As in some sort of tie downs.

10 Q. All right. Yeah, I don't have any other questions. Thank
11 you so much, sir.

12 MR. MITCHELL: Back to you, Shawn.

13 MR. ETCHER: Thanks, Mitch.

14 BY MR. ETCHER:

15 Q. Inspector, I know we've asked you what feels like a thousand
16 checkride questions, but I do appreciate the education you've
17 given me. My biggest concern is I could ask a thousand questions,
18 but it's that one I didn't ask that probably would have opened the
19 floodgates for us of knowledge. Is there any questions that you
20 can think of that, man, I can't believe you didn't ask about this
21 that might point us in a direction to figure out how we can
22 prevent this from happening again or at least understand better
23 how it happened?

24 A. You know, I have. I mean I think it's human nature, right,
25 that we -- when something like this happens, you just reflect on

1 yourself. You're like, could I have done anything different? And
2 sad as it is, I really don't know of anything. I -- it's
3 terrible. He was a great guy, but I've really, I've sat down and,
4 you know, quarterbacked this thing myself and at the end of the
5 day, I'm like, I don't know what I really could have done
6 differently because I went above and beyond with doing two
7 checkrides with him over the requirements to make sure he was
8 proficient in both of them and competent. And, he was, no doubt,
9 like I stated before. So, you know, unfortunately there's -- we
10 all know there's a string of things that end up turning into an
11 accident and if you can break anything during that string, lots of
12 times you can prevent it. And I don't know, you know, what that
13 is exactly in this scenario. I don't, you know, I haven't figured
14 out exactly what happened 100 percent. You guys probably have
15 more details than I do. So, obviously you're able to come to
16 better conclusions than I am at this point. But -- so to answer
17 your question, no, I really don't. I wish I did.

18 Q. Okay. And don't think we'll come to better conclusions. The
19 only way we'll come to better conclusions is with your help
20 educating us. So you've helped fill in some blanks in my brain,
21 and that's part of it. We take all the pieces we can and start
22 putting the puzzle together.

23 So thank you for your help today educating us. I know it's
24 never fun talking to us, and you asked pretty much anybody we've
25 talked to. They don't ever want to talk to us. Nobody does. I

1 should take offense, but I'm so used to it now. Not even Mark
2 wants to talk to me. Just kidding.

3 A. I'll tell you, Shawn, I don't have that attitude. I don't
4 mind talking to you guys. I really don't. And I think that we
5 need to be a team obviously, and I have nothing to hide, you know.
6 So.

7 Q. And I agree completely. I'm glad you have that mindset, too,
8 because that's what makes these so we can hopefully prevent them
9 from happening in the future.

10 A. Yeah.

11 Q. But, you know, I know we've kept your for almost 2 1/2 hours,
12 and it's got to feel like a long checkride to you, but I do
13 appreciate your time.

14 MR. ETCHER: And with that, let's call this recording
15 concluded at 1328 Central time.

16 (Whereupon, at 1:29 p.m. Central Time, the interview was
17 concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL PIPER PA-18-150 CRASH
 NEAR ST. MARY'S, ALASKA
 ON SEPTEMBER 11, 2023
 Interview of Robert C. Peck, Jr.

ACCIDENT NO.: ANC23FA074

PLACE: via Zoom videoconference

DATE: November 9, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been
transcribed to the best of my skill and ability.



Kathryn A. Mirfin
Transcriber

Inspector Peck's Addendum to the Transcript

The following was provided via email dated December 20, 2023 from Inspector Peck clarifying errors within the transcript:

Page 18 line 20 "that this gentleman **did that** didn't meet the..."

Page 19 line 11 "at **The** Old Shop... (name is The Old Shop and should be capatalized)

Page 19 line 12 "I had him do **a** weight and balance...."

Page 20 line 7 "I did not do, on that one, a .299 portion...." (Needs commas and a . in front of the 299.)

Page 20 line 22 "I had **no** questions, he knew...."

Page 26 line 2 "...getting ready to **step** to the"

Page 34 line 2 "So we are **on 20 L**, which is the gravel...."

Page 36 Line 19 "**operate the month of September.**"

Page 37 Line 6 "...single **pilot**, for...."

Page 40 line 17 "...those basics **under 135 rules**, do...."

Page 41 line 23 "...inspection **an** addition...."

Page 44 line 23 "**...#1200, 12?? (something)**, right,..."

Page 48 line 7 "In **performance wise**..."

Page 56 line 9 "....into your **full** horizonal"

Please remove all of the "**you knows**" through out this document....Laughing out load!