

To: Mr. Victor Lopez, Inspector, FAA

From: Harold David Lynch

Subject: Forced Landing on Takeoff 9/10/18, required response.

Date: 9/12/18

The following is my account of a forced landing that took place at the Temple Municipal Airport on 9/10/18 at approximately 8:45 am. Pilot in Command, Harold David Lynch. I have attempted to be as correct in my statements as possible.

As it is relevant to my case I am beginning the report starting on 9/7/18.

I taxied my plane to the ramp and requested fuel. I asked that my tanks be "topped off." and received 13 gallons of 100 LL from the Temple FBO. I will be attaching my receipt for the fuel as my bonafides for the purchase. After my refueling I called Temple traffic stating my intentions to do a fast taxi on runway 15. The purpose of the taxi was to checkout my airspeed indicator. I took the active and added partial power getting the plane to about V1. The airspeed indicator was working properly. I decreased power and reported to traffic I was exiting the active on Delta. I then taxied back to the hanger and did not fly the plane until the day of the forced landing, 9/10/18. I am also submitting a log book entry made on the 7th recording my fast taxi test. Please note no other log entries were made until the day of flight. Both tanks were full, 12 gallons each wing for a total of 24 gallons. The problems with the airplane were not the result of fuel starvation. My habit of topping off before every first flight of the day were expressed to the inspector.

On 9/10/18 I made the decision to fly the plane. My intent was in keeping with phase 1 recommendations. I did not file a flight plan as my intentions were to remain in the pattern for an hour of flight and pattern work including touch and go maneuvers. As this is a new airplane I completed the preflight with diligence. Oil was checked and noted as on the full mark. I began prestart procedures by bring the master switch online and waited for my instruments to come up. I selected the engine monitor page on my primary flight instrument. The engine started without hesitation and idled at 900 rpms. Oil pressure was in the green and registered 42 lbs. Oil temp was less than 100 degrees at start. CHT were beginning to register on the number 1 and 2 cylinders as they are often the hottest. As I begin taxi I tuned to the Temple AWOS for current conditions. The ceiling was about 3000, good visibility. I set my altimeter to the current pressure. The flight was in VFR conditions. I then announced my intentions to Temple traffic on 123.00 that I would taxi to the active runway in use which was runway 33 although the wind sock was indicating a right cross wind of about six knots. Another airplane was in the pattern at the time executing touch and go maneuvers. Once on the apron and prior to my taxi to 33 I conducted the first of two engine run ups. The engine appeared to run smoothly and both ignition coils were working properly. Flight controls were checked and were free and clear. Flaps were not used as I was not going to complete any flight maneuvers requiring flaps for this flight. Trim was set at neutral. When I arrived at runway 33 I completed another engine run up at 1800 rpms to ensure all parameters were in the green. Oil pressure remained at or above 40 pounds, oil temp was 187 degrees and CHT for both cylinders was about 250 degrees. At that time the airplane in the pattern reported he was downwind for runway 33 and was going to execute another touch and go. I made the decision to take the active and depart. I contacted Temple radio and reported my intentions. On the center line I applied full power and pulled

back on the yoke to raise the nose wheel. The airplane seemed to respond with full power at that moment and was off the runway in a sustained climb of about 55 mph indicated. No indications of power problems occurred until I reached an altitude of about 400 feet agl. I looked down and noticed I was at the far end of the runway as I saw the runway 15 marking. The engine began a vibration and significant power was lost at that moment, approximately a minute or less into the climb. I nosed the airplane over and made the immediate decision to return for a landing on 33. I immediately considered the possibility of carb icing and pulled carb heat to full on. After a few seconds I could see no change in engine power and was quickly losing altitude. I recognized I had no chance of a go around and instantly decided not to attempt a 180 turn. I looked to my right and identified my landing option, an open field directly north and adjacent to the airport. I began my glide to the landing point. In my estimate the plane stalled about 10 feet above the ground before landing. As expected for this aircraft the stall was straight ahead and no wing drop occurred. I touched down in a nose low attitude along with both mains. The ground was soft from a recent rain and the nose quickly dug in and collapsed allowing the plane to skid on its nose for about 20 yards before coming to a stop. When I realized I was on the ground and stopped I put all electrical circuits in the off position. I looked at the starboard wing and saw no fuel leaks. Reports from airport personnel later indicted no fuel loss at the landing site. I am not sure which event came next my turning the radio on to let Temple know I had made a forced landing or the call I received from the people monitoring ELT transmissions. The person identified herself and I confirmed I was ok. This worked well! Temple airport was given my location as best as I could describe it. I am told a spotter plane was sent to find me. Approximately 15 minutes later (I think) they arrived. During the time that I was at the landing site I was interviewed by Texas DPS, Bell County Sheriffs Department and Temple Texas Police as the landing occurred within the city limits. A game warden was also on scene for help. During this time, I received a call from FAA. I am unaware who made the call to inform them of the forced landing. I assumed it was reported by the airport. I am told that I told the person I was planning on leaving the plane where it was. This may be true but, in my defense, I had not had any time to consider or evaluate options for protecting the plane and later decided to move it to my hanger as I was very concerned about vandalism. The lady from FAA stated an investigator would not be available for two days. This information directly impacted my decision to move the aircraft. The investigation did in fact occur two days later September 12th, 2018. Additional factors affecting my decision was that the plane's location was less than 100 yards off a main road and in a rural like setting in easy sight from the road. My thoughts were for the preservation of my airplane after the landing. When exiting the airplane for the first time I recognized my left knee was hurting and I worried about a possible dislocation or sprain. Pain was minimal, and I made the decision to decline any medical care on site, Subsequently I was transported to my car and drove myself home. After speaking to my wife, we decided to have my knee looked at. I was seen at the Scott & White ER. They determined I had a tibia plateau fracture. My knee was immobilized, and I was sent home with instructions to report back in two weeks. I was given pain medication for the injury. Once home I received a call from the FAA inspector assigned to my case. When asked about the location of the plane I told him I had had it moved to my hanger at which time the inspector told me I was out of bounds (my words) and could not legally move the airplane as it was now the property of NTSB and they were the only ones who could allow me to move the plane. I provided my justification and reasoning for the move of the aircraft to a secure location, but my reasoning was summarily rejected by the investigator. I immediately made two phone calls. The first to AOPA for assistance and then to NTSB. AOPA provided me with segments of the Federal Regulations pertaining to Preservation of Aircraft Wreckage, mail, cargo and records, Subpart C 830.10. I contacted

NTSB at 10 am on September 11th and was put in contact with Mr. Arnold Scott. I summarized my account of the incident and my rationale for moving the airplane. He stated I was correct to protect the plane from vandalism. When I spoke to the inspector today 9/12/18 and stated what I had been told however he continued to insist I had made an egregious decision and did not have the right to make that choice. I acknowledge that he decision to move the airplane was clearly made prior to my getting permission, never the less, the decision to move the airplane seemed to be an appropriate and logical decision in my opinion and in my state of mind after the landing.

I have reviewed the Electronic Code of Federal Regulations current as of 9/11/18. The specific section reviewed was Subpart C Preservation of Aircraft Wreckage, Mail, Cargo and Records, 830.10. I do not presume to be an expert in these matters and provide the following exert simply to clarify what I read. I hoped I would never be in this situation but as I read the regulation it states;

- A) The operator of an aircraft involved in an accident or incident for which notification must be given *is responsible for preserving to the extent possible any aircraft wreckage, cargo and mail aboard the aircraft and all records including all recording mediums of flight, maintenance and voice recorders pertaining to the operation and maintenance of the aircraft and to the airmen until the Board takes custody thereof or a release is granted pursuant to 831.12 of this chapter. The regulations follow to say that prior to the time the Board or its authorized representative takes custody of the aircraft wreckage, mail and cargo may not be disturbed or moved except to the extent necessary: The regulation states under B, to protect the wreckage from further damage.* (Italics added for clarity and emphasis.)

Without knowing the regulation, I made the decision to move the airplane to protect the wreckage from further damage, specifically the probability of vandalism of the instrument panel.

I recognize this has made the investigation much harder and for that I am truly sorry. I support FAAs mandate to investigate accidents with the goal of providing a safer fleet, however my instinct was to protect my airplane from another potential tragedy.

In closing I found the FAA representative in charge to be very professional, on time, goal directed, informative and clear. I appreciated his efforts to find the cause of the accident.

After much discussion with fellow pilots who know the engine configuration I was using and the symptoms of the power loss I reported, I personally conclude the loss of power may have been due to carb icing. I was on the ground an extended period before takeoff and conditions were good for potential carb icing. I just didn't have the altitude, airspeed and time to allow the carb to clear when carb heat was applied. I believe I reacted in the best way possible for the given situation and would not chance my decision making if again faced with the same senerio. Thank you for your time.

Respectfully submitted by

Harold David Lynch