

NATIONAL TRANSPORTATION SAFETY BOARD

Office of Aviation Safety
Washington, D.C. 20594

May 13, 2022

**Attachment 2 - FAA Principal Operations Inspector
Interview Transcript**

OPERATIONAL FACTORS

CEN22FA096

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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FATAL BEECH B58, N585CK *

ACCIDENT NEAR DEFIANCE, *

Accident No.: CEN22FA096

MISSOURI ON JANUARY 8, 2022 *

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Interview of: ELIZABETH SWINGLE, Aviation Safety Inspector
Federal Aviation Administration

Columbus, Ohio

Monday,
February 28, 2022

APPEARANCES:

SHAWN ETCHER, Investigator
National Transportation Safety Board

MATTHEW SMITH, Attorney
Federal Aviation Administration

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I N T E R V I E W

MR. ETCHER: All right. Good afternoon. My name is Shawn Etcher. I'm an operational factors investigator with the NTSB. I'm investigating the event that occurred in Defiance, Missouri in January.

Today, I'm just going to be interviewing the FAA POI for the operator. And as part of that interview, we'd like to record and have this interview transcribed. The transcript itself will become part of the public docket when the case is open. The audio will not.

Is it okay if we have the recording recorded and transcribed?

MS. SWINGLE: Yes.

MR. ETCHER: All right. As part of the regulations, you are entitled to one representative of your choice if you wish to have one attend. Do you wish to have a representative attend with you?

MS. SWINGLE: I do. Matt Smith.

MR. ETCHER: Matt, would you be so kind?

MR. SMITH: Sure. Good morning. Matt Smith, the FAA's Office of the Chief Counsel.

MR. ETCHER: Thank you. So during the interview -- I just have a few rules I'd like to go over, if you will. During the interview, if you do not understand a question, just ask for clarification. Because I guarantee you, if you give me an answer I don't quite understand, I'm going to ask for clarification as

1 well.

2 If you need a break, need to confer with your counsel
3 there, that's fine too. Just say so. We can hit pause. I'll
4 leave the room -- whatever we need to do. We can accommodate
5 anything.

6 MS. SWINGLE: Okay.

7 MR. ETCHER: The one most important question -- if I ask
8 something that you don't know the answer to, I don't know works
9 just fine.

10 MS. SWINGLE: Okay.

11 MR. ETCHER: So we don't expect you to have an answer for
12 everything. If you do, great. But it's all right. Know you can
13 always say I don't know. Before we get started, do you have any
14 questions?

15 MS. SWINGLE: I don't.

16 MR. ETCHER: All right.

17 INTERVIEW OF ELIZABETH SWINGLE

18 BY MR. ETCHER:

19 Q. I always say I start with the hardest questions first, then
20 they get easier. So if you could start with by saying your full
21 name, and spell your last for us.

22 A. Okay. It's Elizabeth Anna (ph.) Swingle. Last name spelled
23 S-W-I-N-G-L-E.

24 Q. All right. And what is your job title?

25 A. It's aviation safety inspector.

1 Q. With the FAA?

2 A. The FAA, and also serve as a role of the principal operations
3 inspector for certificates as well.

4 Q. All right. So kind of tell me, what does an aviation safety
5 inspector and principal operations inspector -- what do those
6 titles -- what kind of role does that do? What are you required
7 to do?

8 A. General oversight for operators in our district that we're
9 assigned. And aviation -- general aviation oversight for various
10 functions. That's certification, investigations, surveillance,
11 aviation events. I mean, I can go to plenty of different areas.
12 So if there's anything else you'd like from me, I'll be happy to
13 expand on any of those. But it's pretty extensive.

14 Q. Okay. Well, we'll probably get into some of those areas here
15 shortly. How long have you been in that position as an ASI?

16 A. As an ASI, I've been in the position just over eight years.

17 Q. And as a POI?

18 A. Just over seven years.

19 Q. Okay. Do you have any certificates, type ratings?

20 A. I do.

21 Q. What are those?

22 A. I have an airline transport pilot certificate and type rating
23 of PIC in the citation 500 series aircraft.

24 Q. Okay.

25 A. And I also have a certified flight instructor certificate

1 with multi-engine, instrument, single-engine privileges.

2 Q. All right. Perfect. Can you kind of give us a cliff notes
3 version of your aviation career? I assume you didn't start at the
4 FAA?

5 A. I did not start at the FAA. And I started flying as Part 61.
6 And my experience is varied with several different instructors
7 through each of my ratings. And I had my first professional
8 position in aviation with Southeastern Ohio Air Service. It's a
9 Part 135 operator. And I was there for 12 years. And directly
10 from there to the FAA eight years ago.

11 Q. All right. Perfect. Let's kind of start getting into the
12 FAA leadership here, if you will -- kind of the structure that you
13 work under. Who's in your chain of command?

14 A. I report to my immediate supervisor, Aaron Virgin (ph.). And
15 then from him, it's Kevin Tyree (ph.), who's the office manager
16 for Columbus.

17 Q. All right. And I know you said you have a geographical area
18 that this office is responsible for?

19 A. Yes.

20 Q. Whatever fancy word you used. How big is that geographical
21 area? Are you talking the entire state of Ohio? Or are you
22 talking --

23 A. One-third, approximately, the state of Ohio.

24 Q. Okay.

25 A. About the central third, north to south oriented.

1 Q. So it goes all the way to the north and all the way to the
2 south?

3 A. Yes, diagonally. More oriented north and south, our
4 district -- several counties.

5 Q. All right. Perfect. Do you have an assistant?

6 A. No, I do not.

7 Q. How many certificates do you manage as a POI?

8 A. Currently, I manage three certificates.

9 Q. At the time of the accident, how many did you manage?

10 A. Three certificates.

11 Q. So managing three certificates -- is that a lot? Is that not
12 too bad? Help me understand, because I don't know how much work a
13 certificate would be.

14 A. It's a fair workload. But on top of that, I do general
15 aviation work as well for the office as part of my duties. So
16 that's about 50 percent of my time, and certificate management is
17 about the other 50 percent. So it's a full workload.

18 Q. Okay. So you say you do general aviation work as well. Do
19 you do check rides for pilot candidates? Do you do ramp checks?
20 Help me understand what you do with GA.

21 A. Yes, check rides. I do ramp checks, surveillance. I do
22 educational events. I do aviation events, surveillance, waiver
23 issuance, complaints, congested area plans, investigations,
24 hotlines. It varies, but several tasks, several different areas.

25 Whatever comes into the office, really, I'm just part of the

1 team that takes care of it.

2 Q. So you're not the only one that does GA also, then?

3 A. Correct.

4 Q. Okay. Because I was going to ask how many hours in a day do
5 you typically work. 30? No. All right. So it sounds like you
6 definitely have a decent workload.

7 A. Yes.

8 Q. Has it been more or less in the last year? Has it increased
9 at all, decreased, held steady?

10 A. Decreased slightly in the last 12 months.

11 Q. Okay. And what areas decreased? Your certificates?

12 Your --

13 A. Correct. Certificates have decreased as they have been
14 assigned to other inspectors, as they came up with their new
15 assignments with completing training.

16 Q. Okay. So I know you said the time of the accident, you had
17 three certificates you were in charge of managing.

18 A. Correct.

19 Q. But in the last 12 months, it sounds like you might've had
20 more than that.

21 A. Yes.

22 Q. Can you kind of give me an idea of how many certificates you
23 had over the past 12 months that you were in charge of managing?

24 A. Counting them is just going to be an approximate, but all of
25 the certificates outside of the NetJets certificate -- so I would

1 say that's perhaps 13 or 14. And then the general aviation work
2 in addition to that.

3 Q. Wow. And you had -- did you have 13 or 14 at one time, or
4 was it --

5 A. Yes.

6 Q. Wow. Because I don't understand all that's involved, and I'm
7 sure we'll get into it a little bit, but that sounds to me like a
8 lot of certificates. 13 or 14 -- I mean, is that a lot of
9 certificates to try and oversee and manage? Or was that something
10 that could be done without too much difficulty?

11 A. It was a full workload and it was difficult at times.

12 Q. Okay. We can go with that for now. So because you had 12 or
13 13 at one time, I'm going to assume that there was not enough
14 staff, or were there other reasons?

15 A. Correct. We didn't have additional resources in the office.

16 Q. So is staffing now starting to increase?

17 A. Yes.

18 Q. Please don't let me put words in your mouth. And I'm going
19 to assume staffing is better now than it was 12 months ago?

20 A. That's correct.

21 Q. Okay. Just wanted to make sure. I kind of understood how
22 everything is work in here.

23 When you manage your certificates and all the other duties
24 you do, it seems like it'd be hard to get it all done in 40 hours
25 a week. Maybe it isn't -- I don't know. Sometimes you guys do a

1 lot in a very small amount of time. But is that something you
2 could always get overtime for, comp time? Or were your
3 supervisors very restrictive? Nope, after 40 hours, you're done
4 for the week.

5 A. No, they're very open. They never denied any type of comp
6 time or overtime if I needed it.

7 Q. All right. That's good to hear. I would ask if you've done
8 any other jobs with the FAA, but it sounds like this is pretty
9 much been your full time -- and then some -- job.

10 Help me understand what your biggest challenge is internally
11 with the FAA. Do you have any challenges internally?

12 A. Internally, how?

13 Q. Does it feel like you're doing more paperwork than actual
14 oversight? Does it feel like you don't get the support you need
15 above? Kind of just help me understand if there are any
16 frustrations that you have to deal with -- challenges --
17 internally.

18 A. I don't think I have any challenges -- not that affect my
19 work.

20 Q. Okay. Perfect. So now we'll start getting into AirNet just
21 a little bit.

22 A. Okay.

23 Q. How long have you been responsible for their certificate?

24 A. August 2018 is when I was assigned.

25 Q. Okay. So almost four years.

1 A. Four years, yeah.

2 Q. All right. How did you get their certificate? Was it just,
3 here you go, Merry Christmas, type of thing? Or was it more of a,
4 you were trained to naturally succeed into that position?

5 A. I did have the training and qualifications, but another
6 inspector had vacated the position for another position in the
7 agency.

8 Q. Was that position vacant a while before you took it, or did
9 you take it when the other inspector vacated?

10 A. I took it immediately.

11 Q. Okay. So from the time you took the certificate until now,
12 have you seen any changes in AirNet, whether good or bad? Help me
13 understand what you've seen.

14 A. No significant changes. They had management personnel
15 changes, so Brandon Hildreth and Thomas Harmon are new to the
16 certificate since I have assumed oversight with the certificate.
17 But no operating changes -- nothing significant.

18 Q. Okay. How is your relationship with the director of ops and
19 the chief pilot?

20 A. Very good.

21 Q. Very good. How was it before them? I assume you had to deal
22 with the previous?

23 A. Yes. It was good, too.

24 Q. Okay. Has there been any pushback from them if you've made
25 any suggestions? Or have you had to make any suggestions? I

1 don't know.

2 A. No pushback. Just the normal conversation if they have a
3 question or we have a question. So no pushback.

4 Q. Okay. Great. How often do you interact with them?

5 A. At a minimum, about once a month I have at least some type of
6 interaction.

7 Q. Is that interaction in person, like at their facility? Is
8 that on the phone? Is that email?

9 A. No. That would be phone or email. In person, not as often.

10 Q. Okay. So I can't believe we actually have to ask this
11 anymore, but since COVID, has that decreased your interaction with
12 an operator? Has that made that more challenging to interact with
13 them?

14 A. It has.

15 Q. How so?

16 A. We were limited on travel and visitation with operators for
17 various reasons. Our own restrictions with the FAA being able to
18 be outside of a telework environment as well as operators -- some
19 of them had some restrictions in place, but they never said no.
20 If we needed to visit someone, we could still do that.

21 Q. Okay. So just so I can kind of bracket it in my brain, the
22 last 12 months -- let's just say in 2021, how often did you make
23 visits to your operators that you had?

24 A. The three operators that I had?

25 Q. Sure, we'll talk about the current three that you have.

1 A. I would say at least once a quarter.

2 Q. And you'd visit each of their facilities?

3 A. Yes. Correct.

4 Q. And when you had 12 or 13 -- that just seems like such a big
5 number. Sorry. I'm still trying to wrap my head around that.

6 When you had 12 or 13, were you able to still meet once a
7 quarter?

8 A. Yes. I made it a point to at least be once a quarter with
9 each of the operators, at minimum.

10 Q. Okay. All right. Do they come to your office here to meet
11 with you at all? The AirNet folks?

12 A. Not often. It would be rare if they needed to.

13 Q. Okay. If they needed to change a policy or procedure in one
14 of their manuals, do they have to send that through to you to get
15 approval? Or does it vary what they have to send? Help me
16 understand if they had to make a change.

17 A. Okay. It depends on what change they're requesting to what
18 manual. So I work with two other principals, and if it's my
19 specialty for operations, then the change goes through me and
20 exclusively myself. If it involves the other two principals, then
21 it's a shared -- usually I'm the point of contact, though.

22 Q. Okay. And by the other two principals, are you talking like
23 a maintenance inspector?

24 A. Correct. Maintenance and avionics.

25 Q. And so there's three of you then, right? I assume there's

1 not two of one and two of another, or something?

2 A. Correct. Three.

3 Q. So there's three of you. Do you -- are you three physically
4 in the same office?

5 A. Yes.

6 Q. How often do you three meet? You know, that was a really bad
7 question. Let me clarify that. How often do you three get
8 together and talk about AirNet, for instance? Or do you guys have
9 regular scheduled meetings to deal with AirNet?

10 A. We don't have regular scheduled meetings. We haven't had a
11 need for regularly scheduled meetings. And we usually just get
12 together whenever the event -- something, a request, or anything
13 else that we need to work on together. So it's not really a
14 timed, planned event unless we have planned surveillance together.

15 Q. Okay. Do you guys usually go do surveillance together, or do
16 you just go there --

17 A. We did before COVID.

18 Q. Okay. And since COVID, I guess, you guys have to go
19 separately?

20 A. Each inspector is allowed to have their own comfort zone, and
21 some choose to travel with others, and some don't.

22 Q. All right. It seems weird we have to ask weird questions on
23 COVID, but it's the new thing, I guess. That helps. Do you
24 give AirNet -- we'll just talk -- we won't talk about your other
25 certificates, just AirNet. Do you do any of their check rides or

1 type rides, or anything like that? I realize the Baron doesn't
2 have a type rating, but the Lear would. And so, do you kind of
3 interact with their training at all? Do you do check rides or
4 type rides?

5 A. I do check rides in the capacity of recurrent. Check rides
6 for route checks, or if it's in the Baron and they need me to do
7 an actual equipment competency check, then I am available to do
8 that.

9 I am not personally typed in the Lear, so it is limited to
10 route checks only. And then I do observations of their checks in
11 the aircraft.

12 Q. So I looked at some of their aircraft, and it didn't seem
13 like there was that many seats in the Baron. It seemed like it
14 was pretty open in the back for cargo. Where would you normally
15 sit?

16 A. They have a Baron designated for having a seat installed, and
17 that is for an observer.

18 Q. Okay. So they do have an uncomfortable jump seat for you to
19 sit on, basically?

20 A. Correct.

21 Q. Okay. Do you have to provide any -- is it every two-year
22 check for the -- I assume they have check airmen in the Baron and
23 the Lear.

24 A. Yes.

25 Q. Do you have to provide recurrent checks for them?

1 A. Yes, every 24 months.

2 Q. Every 24 months. Do you remember the last time you had to do
3 one of those checks for them?

4 A. About 12 months ago. I believe it was in the Baron, around
5 the same time I did one in the Lear -- I think is how it worked.
6 I would have to look.

7 Q. Okay. So you don't give -- you can't give type rides in the
8 Lear, but you can give recurrent checks to the check airmen in the
9 Lear?

10 A. Correct.

11 Q. Okay. So please educate me here, how does not being typed in
12 the Lear and trained in the Lear -- does that give you any
13 challenges in giving checks in the Lear?

14 A. No. The checks that I observe are -- it doesn't require that
15 same specific knowledge because they're not initial checks that I
16 observe. They're recurrent. And per our guidance in the 8900.1,
17 I'm qualified to do those.

18 Q. Okay. Is that where you get most of your guidance from, the
19 8900.1 -- did I get that right?

20 A. 8900.1, and a good bit of it. Yes.

21 Q. Okay. Is there other places you get the guidance on what you
22 need to do for an operator?

23 A. Advisor circulars, 14 C.F.R., any policy notices, information
24 for operators -- anything that comes out for FAA, we use.

25 Q. Okay. I know you said since you've been on AirNet

1 certificate that they've had a management change. They got the
2 director of ops and the chief pilot, I guess?

3 A. Yes. Correct.

4 Q. Did you have to approve those?

5 A. I did.

6 Q. So walk me through that process. How would you go about
7 approving, if they wanted me -- which would be bad on their part,
8 but if they wanted me to be the director of ops. How would you go
9 about that process?

10 A. There are certain specific steps in the 8900.1 that we
11 follow, and that also will direct you to 14 C.F.R. for the
12 qualifications for either of those positions.

13 Q. All right. So there's nothing special you have to do because
14 they're a cargo operator, or they fly Barons, or anything?
15 There's nothing special for you to have to go through that
16 process? It's all laid out pretty well?

17 A. No. It's laid out. And if there are any unique
18 requirements, then the 8900 would pull that out separately.

19 Q. All right. When you go do an on-site every -- your once a
20 quarter on-site visit -- what do you do when you go there? Do you
21 just -- I mean, do you look around at stuff? Do you check
22 records? Kind of help me understand what the purpose of that on-
23 site visit would be.

24 A. That varies. We have assigned tasks, and we track those
25 through our safety assurance system, SAS. And whichever ones are

1 due for the operators -- and those are based on risk; those are
2 prepopulated. And we can add. We have the ability to add, as an
3 inspector, any additional tasks we feel are necessary -- and
4 whichever ones are assigned for each quarter.

5 And we have the ability to change which ones are the
6 priority of those tasks in SAS, as well, for our surveillance.
7 Depending on our last surveillance, or perhaps a management
8 change, I could move a task sooner if I needed to observe specific
9 operator policies or procedures sooner than later, because they're
10 going to be requesting a change of management personnel.

11 So it's very fluid and it depends, each quarter, on which
12 tasks that I would accomplish.

13 Q. Okay. When you make a change to a task, do you have to get
14 approval here, or do you have the authority to make that change
15 and just do it?

16 A. It's a two-step process. I have the authority to make that
17 change, and it is the -- your immediate supervisor, frontline
18 manager, that actually resources that back to the principal
19 inspector.

20 Q. Okay. That helps me kind of -- it always confuses me, so I'm
21 glad you made it in a way that I could understand. So thank you.

22 Do you ever sit through AirNet's ground school? Have you
23 ever sat through their -- maybe I should ask it that way.

24 A. I have not had the opportunity, yet.

25 Q. Okay. Have they offered you that opportunity, or just not

1 made --

2 A. Yes.

3 Q. Okay. What kind of keeps you from being able to do that
4 besides COVID?

5 A. Workload and resource availability.

6 Q. How long are their typical ground schools, do you know?

7 A. I'm not sure how long they typically are. They have an
8 approved curriculum in their training program, and those do have
9 set hours.

10 Q. Okay. Did you approve that training curriculum?

11 A. I've approved revisions to it, yes.

12 Q. Give me an idea of some of the revisions they would do.

13 A. If they would update a training facility and choose to use a
14 different training device. So they would revise and say, hey, we
15 would like to include this specific training aid for our crew, or
16 an SOP, standard operating procedure, if they find a better way to
17 do something. Or if a notice has come out from the FAA that
18 something suggested, they would revise that. And all of those
19 types of things are in the training program, so each of those
20 would take approval.

21 Q. Okay. So just to help me understand kind of a timeframe of
22 how long that process is -- if they send you something today, in
23 their training program, how long would it take you, by the time
24 you look at it and do all you have to do to it to either approve
25 and send it back and say -- can you send it back and say no, you

1 need to adjust it more? Well, first of all, how long would it
2 take to kind of approve a change they want?

3 A. It would depend on my workload at the time, but I would say
4 an average of one to two weeks.

5 Q. Okay. And have you ever been sent something and had to send
6 it back and say, no, I can't approve that, and provide a reason?

7 A. Yes.

8 Q. How often does that happen that you have to send it back to
9 be -- I don't want to say redone because that just sounds
10 wrong -- modified?

11 A. Not often.

12 Q. All right. Give me an example of something that you have
13 sent or that would cause you to send it back?

14 A. Trivial things -- could be page numbering and dates. And a
15 larger thing could be not putting the correct verbiage for current
16 policy. And it would need revisited (ph.), and that could be for
17 any reason. Perhaps they missed it or misunderstood it -- one way
18 or the other.

19 Q. Okay. Are you talking FAA policy, AirNet policy? What kind
20 of policy?

21 A. It would be FAA-driven policy, and that would be if a
22 revision came out perhaps, they weren't aware of. Or perhaps
23 something along the lines of a typo -- even as simple as a
24 typo -- and put incorrect regulation references, or quoted an
25 incorrect regulation. But again, nothing major. It's just a

1 normal revision process.

2 Q. All right. So you've never sent back for modification
3 something that is a huge change that they wanted to make that
4 you're like, no, you can't do that?

5 A. No.

6 Q. Okay. It just kind of helps me understand how the flow is.
7 When you do send something back, how receptive are they? I know
8 it's probably been done mostly by email, I would assume. You
9 can't ever read tone into an email, but do they make those changes
10 quickly? Do they sit on them for a while? Kind of help me
11 understand how that flow goes.

12 A. They're very responsive. If I send it back, I usually have a
13 correction or modification -- even without question if it's
14 something simple -- within a few days.

15 And if it's something they have a question, they'll just
16 ask the question within -- still a few days. And then within a
17 couple more days, they'll have it revised and sent back.

18 Q. Okay. I know every inspector always has their different
19 concepts on their certificates. Some of them provide them with
20 their cellphone -- say, you call me any time. Others are like,
21 no, here's my office number; you call me only during office hours.
22 I get both reasons.

23 So how was your relationship with AirNet? Do you expect
24 them to call you after hours if they have a question or something
25 comes up important?

1 A. If it's an emergency, they do have my after-hours contact
2 information. And in the event of an incident or something
3 significant, they would do that, but it's not often.

4 Q. Okay. So for the event flight, how did you find out about
5 it?

6 A. They called me.

7 Q. Okay. When did they --

8 A. They notified me. It was --

9 Q. How soon after -- I know it's always -- I always hate to say
10 chaotic after it, but I understand there's a timeframe.

11 A. Yes.

12 Q. But are you talking like, they notified you that day?

13 A. Within an hour.

14 Q. That's pretty quick. Okay.

15 A. Yes.

16 Q. When you got that notification -- this is just such a
17 terrible question to ask, but I always have to ask it -- was it a
18 shock? Or were you kind of like, kind of -- I don't want to say I
19 was expecting it, but it's not a shock.

20 A. It was a shock.

21 Q. Okay. Why was it a shock? Just help me understand --

22 A. Unexpected with what I know of their operations.

23 Q. All right. Did you know either of the two pilots that were
24 involved?

25 A. I knew them as crew members -- that they were employed with

1 AirNet.

2 Q. Okay. You never oversaw one of their check rides or --

3 A. No, I did not.

4 Q. All right. How often do you interact with crew members? I
5 know when you guys go on site, you probably go on site during the
6 day time, would be my guess.

7 And since I found out they actually do at least 50 percent
8 of their flying at night -- maybe more -- how often do you
9 interact with pilots there, since it seems like most of them would
10 be flying outside of normal business hours?

11 A. Not often with crew members, unless they're at the facility
12 on site. Our interactions are really limited to the Part 119
13 personnel for our responsibilities.

14 And the crew, though, do have all of us -- all of our FAA
15 contact information. And I have been contacted by crew if they
16 have questions.

17 MR. ETCHER: Have you ever been contacted by any employees
18 of AirNet for -- I hate -- I don't want to say whistleblower
19 because there's a whole process for that, but of concerns they had
20 with anything going on there?

21 And if you need me to hit pause, I'll be happy to do so.

22 (Off the record.)

23 (On the record at 12:29 p.m.)

24 MR. ETCHER: Let me clarify my question to you.

25 BY MR. ETCHER:

1 Q. Does AirNet have any safety programs in place such as FOQA,
2 ASAP, anything like that?

3 A. Yes, they have ASAP in place.

4 Q. Okay. Outside of ASAP, have you ever had crew members reach
5 out to you with any concerns?

6 A. No.

7 Q. Okay. Since we're speaking of ASAP, do they have a FOQA at
8 all?

9 A. No.

10 Q. Okay. They just have ASAP?

11 A. Correct.

12 Q. All right. So speaking of ASAP, do you have any interaction
13 with ASAP?

14 A. Not currently.

15 Q. Are you any part of their event review committee?

16 A. No.

17 Q. Okay. Is there anybody in the FAA office that is assigned to
18 that --

19 A. Yes.

20 Q. Okay. Do you interact with that person?

21 A. No.

22 Q. Okay. Great. From your viewpoint -- and I know you don't
23 interact with the ERC, so that's great, but from your viewpoint,
24 does it appear to be a program that's working well at AirNet?

25 A. Yes.

1 Q. Do you have any ideas -- just ballpark numbers -- how many
2 reports they get in a month, in a week, in a year? Any period of
3 time.

4 A. Currently, no, because I don't serve on the ASAP.

5 Q. Have you ever served on their ASAP?

6 A. Yes.

7 Q. Why do you not serve on it now?

8 A. We have additional resources in the office.

9 Q. Okay. When you served on it, did it make you -- was there
10 any conflict or concern on your part for serving on it?

11 A. No.

12 Q. Okay. Great. Do you know how often they meet for ASAP?

13 A. Not currently.

14 Q. That's all right. I don't know works just fine. Always
15 remember that. So let's get back a little bit to the accident
16 flight. You said it was a bit of a shock to you.

17 A. Yes.

18 Q. And I just want to make sure I -- you did not know either of
19 the pilots, correct?

20 A. I did not know them. I knew their names.

21 Q. Okay. How did you know their names? Was it some paperwork
22 that came through?

23 A. I had requested a training schedule for planning surveillance
24 with training for the crew members.

25 Q. Okay. And was there a reason you couldn't surveil them? Or

1 was it other crew members that you also --

2 A. They were on the schedule to be surveilled.

3 Q. Before the accident or after the accident?

4 A. After the accident.

5 Q. Okay. Do you do en route inspections on AirNet, any of their
6 flights?

7 A. No.

8 Q. Is there a reason why? Just kind of help me understand --

9 A. It's difficult --

10 Q. You don't just do that just for grins and giggles. Help me
11 understand the rationale of why you don't.

12 A. It's difficult in general to do an en route inspection with a
13 Part 135 on-demand operator because their schedules are constantly
14 changing. And with an all-cargo-type operation, there usually is
15 not a place for an observer unless they used a specific aircraft.

16 Q. That makes total sense. I just wanted to make sure I
17 understood the reasoning behind it.

18 Now I know when I was talking with them yesterday, they have
19 what sounds like some fairly consistent service, routes,
20 flights -- whatever -- from here to Spirit of St. Louis, and then
21 the Spirit of St. Louis to Centennial. That seems to be kind of a
22 pretty consistent route.

23 Would that make it any easier to surveil them? Or is it
24 just still logistically too challenging?

25 A. It would make it simpler, but we haven't had the ability to

1 travel these last two years.

2 Q. Okay. So ever since COVID you guys can't travel?

3 A. We didn't have as much flexibility for travel.

4 Q. Okay. Flexibility would be a dollars and cents, or
5 flexibility by policies and --

6 A. National policy.

7 Q. Is that changing? Is that almost still the same?

8 A. It fluctuates.

9 Q. That's about as politically correct answer as you can get, so
10 I appreciate that. All right.

11 Are you hoping to be able to get out and travel a little
12 bit more -- en route them? Or is just doing en routes on cargo
13 just that challenging?

14 A. It's not that challenging, and that is my plan. And I still
15 have it planned.

16 Q. So let's go pre-COVID, back to those early years. Were you
17 able to get out and do cargo en routes then?

18 A. No.

19 Q. No. Okay. Was that a policy here? Was it just again,
20 logistics? Just kind of help me understand.

21 A. Workload and resources.

22 Q. Okay. That's when you had quite a few certificates, right?

23 A. Correct.

24 Q. Okay. That makes sense. Thank you for that reminder.

25 So getting back into training just a little bit -- I know

1 you haven't sat through any of their ground schools. Have you
2 done any of their -- I found out they have a Frasca Sim. Have you
3 done any of that?

4 A. No.

5 Q. Okay. Do you know what's taught in ground school? Do you
6 approve that curriculum at all, to know what their teaching?

7 A. I do approve the curriculum and I have availability to see
8 what is taught through their -- we have copies of their manuals.

9 Q. Okay. Do they tell you every time they have a class
10 starting?

11 A. No. I have the ability to request, and on occasion I do.

12 Q. Okay. Would you rather them tell you every time, or would
13 that just -- if all your operators kept telling you, that'd be
14 just more email to deal with?

15 A. I know they would tell me if I needed it, so I have no need
16 for them to let me know.

17 Q. All right. I know the accident flight was a Part 91
18 repositioning flight. Do you look at that at all -- of their Part
19 91 operations -- as part of their certificate management? Or do
20 you only look at their 135 operations?

21 A. If it's part of the same flight, then we do look at that
22 part, too. It's part of an accepted program in their general
23 operations manual for Part 91.

24 Q. So what do you mean, if it's part of the same flight? The
25 flight -- take, for instance, the accident flight took off. It

1 was a Part 91 flight. It's not going to change to a 135 en route.

2 A. It's part of the same trip.

3 Q. Okay. So you -- the accident flight, because they were 91
4 out, and were going to be a 135 flight back, you would have -- I
5 don't want to say, look at it. You would have oversight of that
6 91 part? Is that what I'm understanding?

7 A. Yes. It would be a complete trip, but the details on that
8 would be specific for each trip if it were actually dispatched as
9 part of the complete 135 trip.

10 Q. Okay. That helps me understand a little bit. Do you know,
11 do they have a risk assessment matrix they look at on their 135 or
12 Part 91 legs, flights, trips -- whatever you want to call them?

13 A. I don't know.

14 Q. Okay. Would you expect them to have any kind of a risk
15 assessment matrix for that?

16 A. It wouldn't be an expectation for policy or processes. But
17 it's expected as a general process anyone completes with checking
18 NOTAMs and weather and fitness for flight. But as far as formal
19 versus informal, I would have no expectations.

20 Q. Okay. Let's kind of talk a little bit, if you will, about
21 their pilots, the hiring of their pilots. It kind of seems like a
22 lot of their pilots don't have a lot of flight time. Some people
23 may say it's a stepping stone or a flight time builder -- whatever
24 you want to call it.

25 Is there any concern to you on the experience level of

1 pilots as you -- I know you've done some of their oversight. You
2 did some checks with them. Has there been any concerns that
3 you've noticed on the experience level of their pilots?

4 A. No.

5 Q. How about the fact that the Baron is a throw over yoke -- it
6 only has one yoke? Does that give you any concerns?

7 A. No.

8 Q. Okay. I realize the Baron is only a single pilot required
9 airplane. But that's when they had two. They fly out -- one
10 flies out, one flies back, is how I'm understanding it. One's a
11 91 person, one's a 135, based on number of hours and all that.

12 Does that seem to work well? In your opinion -- as you
13 oversee their operation? Does that seem to work okay -- work well
14 to have two pilots like that? Or has there been any concerns or
15 challenges that you've seen?

16 A. I've not seen any concerns or challenges with that process.

17 Q. Okay. Now I know -- it appears that neither one of the two
18 accident pilots had a lot of time in the Baron -- probably under
19 100 hours total is kind of what it's coming up to. Does that give
20 any concerns, of having two -- inexperience is such a wrong word
21 -- but low-time pilots in the Baron flying together?

22 A. Not a concern, but I don't know -- as not being familiar with
23 all of their combined experience or other experience. It's not an
24 outright concern for me, no.

25 Q. Okay. Since they do a lot of -- I shouldn't say lot. Some

1 of their flying is at night, some is during the day. Do you hope
2 they hire more pilots with more night experience, or does that
3 even matter in your mind?

4 Just kind of help me understand. I know you're not part
5 of their hiring process, but you're looking at them as an overall
6 certificate, and their safety. Just kind of get an idea of, is
7 there any of that concern for you?

8 A. It's not a concern.

9 Q. Okay. That's easy enough to answer, then. Thank you.

10 Do you ever monitor their pass or -- I hate the word,
11 fail -- unsat rate of check rides, line checks -- whatever? Do
12 you ever monitor theirs?

13 A. I do. I request an annual report from them.

14 Q. Okay. How many unsatisfactory checks do they have in a given
15 year -- in the last 12 months?

16 A. I would say none.

17 Q. All right. Does that give you any -- raise any eyebrows?

18 A. No.

19 Q. All right. I know they're not a huge operator so there's not
20 a ton. But I just wasn't sure if not seeing any is any concern
21 versus seeing a whole bunch. It's just trying to make sure I
22 understood your viewpoint. It kind of helps me understand their
23 concept there.

24 Do you know if they have -- I think some like to call it
25 the open-door policy there for pilots? Does it seem like the

1 management have a good relationship with pilots? Or do you ever
2 see any of that?

3 A. I don't see that interaction.

4 Q. Do they ever tell you when they have to let a pilot go for
5 any reason?

6 A. No.

7 Q. I assume if it was a 119, they would have to. But they don't
8 probably let their chief pilot go too often.

9 A. I've not been notified of any that have been let go.

10 Q. Okay. Perfect. Since you oversee or review their training,
11 do they teach CRM?

12 A. It is part of their curriculum.

13 Q. Okay. How does that CRM -- is it in-house developed? Is it
14 something they've bought a program?

15 A. They have an individual -- it's an AirNet-approved training
16 program. I don't know where they get their additional resources
17 when they developed the program, but it is an approved program for
18 AirNet, specifically.

19 Q. Okay. When you do their line checks and things like that,
20 how does the interaction between the pilots look? Does it look
21 like they actually have good CRM skills? Or is it more
22 single-pilot resources?

23 A. Excellent.

24 Q. Excellent. Okay. Great. How often are you notified of any
25 potential pilot violations at AirNet?

1 A. How do you mean?

2 Q. Let me -- that was really a terrible question on my part. My
3 apologies. Are there means for you to be notified of any of your
4 operators if there's like a pilot deviation, such as altitude
5 bust?

6 A. Yes.

7 Q. How are you notified of that?

8 A. It's through the Air Traffic Service and it's through a cedar
9 (ph.) report.

10 Q. Okay. How often do you see any of those potential pilot
11 deviations for any of your operators? Or specifically, AirNet, if
12 you can pull that up? Do you see them very often?

13 A. Not for AirNet.

14 Q. Can you remember any of the last ones you have seen? Is
15 it -- I mean, I assume that you have had stuff.

16 A. For AirNet?

17 Q. Yeah.

18 A. I don't recall, but a good estimate would be probably no more
19 than two per year.

20 Q. Okay. Perfect. In their training curriculum, do they talk
21 about any illusions, such as night illusions, spatial
22 disorientation -- anything like that -- as part of their training
23 program?

24 A. I would have to check that.

25 Q. All right. How many check airmen do they currently have at

1 AirNet?

2 A. Company check airmen, or contract check airmen?

3 Q. Do they have both?

4 A. They do.

5 Q. Okay. Let's start with company.

6 A. Company -- they have -- I believe, three.

7 Q. Is that three total, three in the Baron, three in the Lear?

8 A. Total.

9 Q. Okay. So I assume some are in the Lear, some are in the

10 Baron?

11 A. Yes.

12 Q. Or are they dual-rolled?

13 A. I don't remember without looking that one up.

14 Q. Okay. How about contract?

15 A. They have several that are contract, and I can look up that

16 number.

17 Q. Do you know, was that the contract in the Baron? Or is that

18 just the contract in the Lear?

19 A. In the Lear.

20 Q. Okay. So they don't have any contract check airmen --

21 A. Not that I've approved.

22 Q. Okay. And you would be the one that would approve one?

23 A. Correct.

24 Q. How's that process? What kind of process do you go through

25 to approve a check airman at any of your operators, whether it's

1 AirNet or anybody? I assume it's going to be kind of a similar
2 process?

3 A. It is. And I use the 8900.1. It has specific job aids and
4 steps that you follow for that, and also goes in line with 14
5 C.F.R. for the qualifications for the check pilots.

6 Q. Have you ever not approved a check airman at any of your
7 operators?

8 A. Yes.

9 Q. Has any of it been AirNet that you've not approved?

10 A. I don't remember.

11 Q. Okay. But you have -- I assume it's probably not something
12 you do often, to not approve somebody.

13 A. It's not often.

14 Q. Okay. Typically, what would cause you not to? What caused
15 you not to approve one? Was it their abilities? Was it
16 something --

17 A. Qualifications.

18 Q. Okay. And broad term, how satisfied are you with the
19 management there at AirNet in how they run their operation?

20 A. I'm satisfied.

21 Q. Is there room for improvement anywhere that you see?

22 A. Nothing obvious.

23 Q. Okay. Have you ever had any whistleblower complaints on
24 AirNet?

25 A. No.

- 1 Q. Does AirNet utilize an electronic flight bag?
- 2 A. I would have to check.
- 3 Q. Okay. Would that be something you would have to approve?
- 4 A. Yes.
- 5 Q. Okay. And if it was approved, where -- would that be in
- 6 their ops specs?
- 7 A. Correct.
- 8 Q. Okay. Now, I know you said you did not know either of the
- 9 pilots. You just knew just their names. But how many pilots do
- 10 they have -- do you know?
- 11 A. I don't know that number.
- 12 Q. Okay. You don't have a list of their pilots or anything like
- 13 that?
- 14 A. No.
- 15 Q. Okay. Do you interact with any of their dispatchers or --
- 16 sorry, I think they might be called flight followers under 135.
- 17 My apologies.
- 18 A. No. That's not a normal interaction that I would have. I
- 19 wouldn't have a need.
- 20 Q. They wouldn't fall under your oversight?
- 21 A. Only if they're approved in operation specifications.
- 22 Q. And that would be as a licensed dispatcher, or as a flight
- 23 follower?
- 24 A. Yes.
- 25 Q. What would have to be approved?

1 A. If they used them as a licensed dispatcher.

2 Q. Okay. But they do not, correct, that you know of?

3 A. I have not approved any, so that's correct.

4 Q. Okay. Do you know if -- who gets the weather -- is that
5 something that's put on the pilot, do you know, there? Or is it
6 the flight follower dispatch person? Do they --

7 A. That procedure is in their GOM, and I'm not sure without
8 checking that in the GOM.

9 Q. Okay. Going through my list here. I just have a few last
10 questions. You're probably thinking, woohoo, he's almost done.

11 I don't like to have -- I don't like having people compare
12 one operator to another; it always seems bad. But have you had
13 challenging operators to have to deal with under you, that you've
14 had certificate oversight of?

15 A. How do you mean challenging?

16 Q. Always pushing back -- any suggestions you make. Or not
17 being receptive, responsive, to queries.

18 A. Yes.

19 Q. How did you deal with that?

20 A. With policy. If they challenged something and it's outside
21 of policy, then policy takes precedence. If it's not
22 policy-driven, then it's something that we have a discussion over.

23 Q. Okay. Has -- I know personality conflicts can play in -- it
24 happens. Have you ever had any personal conflicts or personality
25 conflicts with any of the upper management at AirNet, such as the

1 director of ops or the chief pilot -- whether the current or the
2 former?

3 A. No.

4 Q. Okay. Great. Do you ever go audit any of their simulator
5 training? I understand they do the Lear jet training out in New
6 Mexico. Do you have to go audit that as part of your duties?

7 A. That's part of my surveillance, and that is what was planned.

8 Q. Okay. How often do you -- I know COVID always adds all this
9 new chaos. But in theory, how often should you go audit their
10 simulator program?

11 A. We --

12 MR. SMITH: I'm sorry. Could I just interrupt for a second?

13 MR. ETCHER: Please.

14 MR. SMITH: Was that a question in her opinion or per
15 guidance?

16 MR. ETCHER: Per guidance. I'm sorry.

17 MR. SMITH: Okay. I'm sorry to interrupt. I just wanted
18 to (indiscernible).

19 MR. ETCHER: No. Thank you for that clarification.

20 BY MR. ETCHER:

21 Q. Per guidance.

22 A. That's all right. I was going to say, the SAS program that
23 we use -- Safety Assurance System -- it is risk-based. And it
24 depends on the operator and their complexity, and any previous
25 surveillance that has been completed already. And that is what

1 drives how often we do the audits.

2 Q. Okay. So to me, any operator would have its own unique
3 complexities. How do you factor in complexities? Because
4 everybody's flying is a little different.

5 A. It's automated.

6 Q. Okay. So you don't even -- it's not really your feeling,
7 your opinion, your suggestion?

8 A. Correct.

9 Q. It's -- the computer does it?

10 A. It's automated based on the operator type and what they
11 operate.

12 Q. Okay. Great. that helps. And thank you for the
13 clarification, Matt. That was a great clarification.

14 Just trying to look through my list here real quick just to
15 make sure, because you've actually answered pretty much all of
16 them.

17 One I did forget to ask -- when you go do en routes or you
18 go do a line check observation because you have to -- whatever --
19 recertify the line check airman every two years -- is that called
20 recertification?

21 A. It is just an observation every 24 months for the check
22 pilots. But the line checks, the route checks -- those are every
23 12 months by regulation.

24 Q. Okay. So when you have to go do those -- either one -- do
25 you have to get supervisory approval here to go do them? Is there

1 a risk assessment you guys have to do before you go fly it?

2 Help me kind of understand your process to get out there
3 to do that.

4 A. If it's local, we don't need authorization for travel to do
5 it. If it's not local, then we go through the normal travel
6 process for authorizations.

7 And for the risk assessments -- that's driven by the type
8 of task that we're doing. And the 8900.1 has a specific risk
9 matrix that we, as inspectors, are required to follow depending on
10 the actual check we're giving. And each one is different.

11 Q. Okay. Do you ever have to sit in on any of the oral check
12 rides?

13 A. I have sat in on those.

14 Q. Maybe I should ask it a little different. Do you ever have
15 to give oral check rides to any of the pilots, to anything? Or
16 are you just basically there to observe their training folks do it
17 correctly?

18 A. My primary duty is observing their personnel.

19 Q. Okay. Have you ever had a time when, during your
20 observation, the check airman wasn't doing as thorough of a job,
21 maybe, or as good of a job as you would like? Have you ever had
22 that at AirNet?

23 A. No.

24 Q. Okay. Since this operator appears to -- at least, the
25 accident flight seems to be -- that route is a more medical

1 equipment -- it's a medical type transport that they do. They
2 pick up a lot of radioactive stuff. Is there an assessment into
3 what you would look at with what cargo they haul?

4 A. No. They have an approved hazmat carry program.

5 Q. Okay. Did you have to approve that, or was that approved
6 at --

7 A. That's approved at a different division with the FAA. And
8 then it's an acceptance (ph.) at my level as the POI.

9 Q. Okay. Great. I feel like I've asked you a lot of questions.
10 But I always know I miss questions that are, like, I wish he would
11 ask this, it would help.

12 Is there anything you can think of that we haven't really
13 asked that maybe would help us understand how this could've
14 happened -- this event?

15 A. No.

16 Q. Okay. Since the event, has your surveillance on AirNet went
17 up? Or a discussion with them gone up since the event?

18 A. No.

19 Q. Okay. Have they come to you with any changes that they're
20 wanting to enact since the event?

21 A. Normal changes.

22 Q. Like what?

23 A. Operation specification revisions.

24 Q. Okay. Have they come to you with any changes on maybe
25 getting rid of the single yoke and making it a dual yoke?

1 A. No.

2 Q. They have not. Would you expect them to?

3 A. No.

4 Q. Okay. Who would they have to go through for that? Would
5 that be the PMI?

6 A. It depends on specifically what the request is. And it could
7 involve three of us or just one of us as the principals.

8 Q. Okay. You're always the king for the day because you're FAA,
9 right. But if you could make a change that you've seen -- whether
10 dealing with AirNet or any of your operators -- what kind of
11 things would you like to see potentially -- that you can see as,
12 man, if they could change this, it would help? Or if they
13 installed this, it would help? Or if this airspace was a little
14 different, it might help them? Kind of help me understand.

15 A. I really don't have any. I mean, all of us probably want
16 something more. But I don't have any changes that would ever be
17 driven by concern.

18 MR. ETCHER: Okay. All right. I guess with that, we can
19 call the interview concluded at 12:56, Eastern Time.

20 (Whereupon, at 12:56 p.m. Eastern, the interview was
21 concluded.)

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL BEECH B58, N585CK ACCIDENT
NEAR DEFIANCE, MISSOURI
ON JANUARY 8, 2022
Interview of Elizabeth Swingle

ACCIDENT NO.: CEN22FA096

PLACE: Columbus, Ohio

DATE: February 28th, 2022

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.



Tahura Turabi
Transcriber