

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL PLANE CRASH NEAR KEARNEY,
MISSOURI ON JULY 20, 2023

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Accident No.: CEN23FA314

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Interview of: ALLAN MARTENS, Frontline Manager
Kansas City Flight Standards District Office

Kansas City, Missouri

Wednesday,
September 20, 2023



APPEARANCES:

ANDREW FINNE, Investigator-in-Charge
National Transportation Safety Board

JOHN BRANNON, Investigator
National Transportation Safety Board

MATT SMITH, Representative
Federal Aviation Administration
Office of the Chief Counsel
(On behalf of Mr. Martens)

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I N T E R V I E W

MR. FINNE: All right. This is an NTSB interview with the FAA frontline, Mr. Allan Marteens [sic].

MR. MARTENS: Martens.

MR. FINNE: Did I pronounce that -- Martens? Okay. It's for accident CEN23FA214 in terms of a fatal accident of November-2-0-0-Romeo-Alpha in Missouri.

The purpose of this interview today is to ask frontline manager, Allan Martens, questions on issuing of special flight permits, the role of the inspector, and the role of the frontline. In terms of the NTSB interview, there's mandatory briefing (indiscernible). So, the purpose of the investigation is to increase safety, not to assign fault, blame, or liability. NTSB cannot offer any guarantee of confidentiality or immunity from legal or certificate actions. A transcript of the interview will go into the public docket.

The interviewee can have one representative, today, that is Mr. Matt Smith, of the interviewee's choice. The representative may be an attorney but is not required to be an attorney. The representative may not testify for the interviewee, and representative comments should be limited. Legal evidentiary objections are not grounds for NTSB to refrain from asking questions. You have Matt Smith as your one representative.

Matt, do you agree with everything on the mandatory briefing items?

1 MR. SMITH: I understand.

2 MR. FINNE: Okay. Mr. Martens?

3 MR. MARTENS: I totally understand, too.

4 MR. FINNE: Okay. Awesome. Well, thank you very much for
5 that.

6 INTERVIEW OF ALLAN MARTENS

7 BY MR. FINNE:

8 Q. All right. What is your name and position at the FAA?

9 A. My name is Allan Martens, and I'm the (indiscernible)
10 frontline manager at the Kansas City Flight Standards District
11 Office.

12 Q. How long have you held this position at the FAA?

13 A. 2008, I was selected for this position, so talking about
14 15 years.

15 Q. Okay. What was your background prior to become an FLM?

16 A. Prior to FLM in the FAA, I was an aviation safety inspector.
17 Avionics was my specialty.

18 Q. Okay. What is the role of a frontline manager in the
19 issuance of a special flight permit?

20 A. My role is to ensure assignment of those requests, and then
21 answer any questions and help any ASI with concerns they may have
22 with issuing that particular permit, and then follow up with a
23 documentation review after it's complete.

24 Q. Okay. In relation to the special flight permit request for
25 November-2-0-0-Romeo-Alpha, when did you first become aware of the

1 request?

2 A. I first became aware of this request when, during one of my
3 section meetings, Inspector Brown asked my group about if we need
4 to extend the time frame for a ferry permit. You know, what
5 documentation do we need? And so, then, I became aware that,
6 yeah, that was on November-200-Romeo-Alpha. But before that, no,
7 my role in this assignment is, they get the request, and I say
8 the, the ASI normally will get this request one way or the other,
9 through a phone call or email, and they self-assign. That's
10 according to our office policy. They self-assign that to
11 themselves; and then, they proceed to, you know, work the request.
12 And then, I normally will see the result of that during my review
13 of their SAS record. It's an activity record. Then, I review
14 that fairly quickly after that, too.

15 Q. Okay. So, if Inspector Williams hadn't brought up the
16 questions on extending the time limit on the request, your
17 awareness of it would just be limited to the completion of the
18 task and reviewing of the task?

19 A. That is correct.

20 Q. Okay. Do you know in what manner this request was made to
21 Inspector Brown?

22 A. He received a phone call from, I believe it was the owner's
23 wife, Kathy Reed (ph.), and --

24 Q. Okay.

25 A. -- she was the one that made the request, or made the phone

1 call. Inspector Brown then worked with her through email and
2 through the AWC application, which is the certification tool. And
3 then, she worked with him on that.

4 Q. Okay. How do you expect your inspectors to complete the task
5 of issuing a special flight permit?

6 A. The expectation is to work with the requester, normally, the
7 owner of the aircraft; ask them to use the AWC tool, ask the
8 requester to use the AWC tool, and get whatever documentation is
9 necessary for them to know that, you know, the requester is
10 completing all the required inspection of the aircraft if needed,
11 and that's always needed at some point; ensure that the aircraft
12 is properly registered, and then ask questions if there is concern
13 about the registration of the aircraft So, just -- they need to
14 request enough documentation to be able to know that that aircraft
15 can be safely flown to the location that is part of the ferry
16 permit.

17 Q. Okay. As a frontline manager, what is your familiarity with
18 the AWC portal?

19 A. I'm very familiar with it. I don't use it like the ASIs, or
20 the inspectors, do. I'm fully familiar with the functionality of
21 it. I do know how to get reports back out of it as far as ferry
22 permit information and, say, if I want to know how many Inspector
23 Brown has issued, I can go to that application and find that
24 result if I want. So, I use it more for knowing that a particular
25 request has been assigned. I go in there. And if someone calls

1 me and says, you know, I want a ferry permit, and no one's got
2 back to me within a couple of days, I can go into that and find
3 out if it's been assigned, and then go to that inspector and say,
4 what's the progress on this? But other than that, it's basically
5 a tool that I use for reviewing completed work.

6 Q. Okay. Were you, as a frontline manager, ever given formal
7 training on how to use the (indiscernible) portal?

8 A. I attended a briefing, and there was a PowerPoint
9 presentation that was given to all the attendees by some of our
10 policy division people. And so, I was given that training, or
11 briefing, during that. There is also, if you log into AWC, there
12 is a resource in there. It's the complete user manual for AWC,
13 and it's 600 pages, but you can get as much training as you need
14 from that user manual.

15 Q. Okay. Are the inspectors in your office, and in relation,
16 Inspector Brown, were they given formal training on how to use
17 this portal?

18 A. Inspector Brown completed his office OJT training in Lincoln,
19 Nebraska. That's where he started his career with the FAA. And
20 he completed his OJT training around 2021, September of 2021, if I
21 remember correctly. And then, he also completed a course in the
22 FAA's training portal. We call it eLMS. But he completed a
23 course on there with a certification tool, and that, he completed
24 also probably in 2021, when he first started with the FAA.

25 Q. Okay. The OJT training that he received in the Lincoln FSDO

1 office, do you know, as the frontline in Kansas City, if that OJT
2 training was completed up to level three in the manager review?

3 A. Yes.

4 Q. Okay.

5 A. Yes, there's documentation.

6 Q. Okay. What guidance or orders outside of the AWC portal
7 should your inspectors be using to issue a special flight permit?

8 A. Special flight permits and the process of how to do it is
9 described in order 8130.2J.

10 Q. Okay.

11 A. Section 18.

12 Q. Section 18. Okay. While you were an inspector prior to you
13 becoming a frontline manager, did you ever issue special flight
14 permits?

15 A. I did not. My specialty was avionics, and I did not. We
16 have a policy here in the office that you're required to have an
17 airframe and powerplant license to be able to issue a special
18 flight permit. I hold an airframe license, but not the
19 powerplant, so it was just never something I was required to do
20 under my specialty, avionics and the lack of the powerplant. So,
21 the answer is no.

22 Q. Okay. That policy of holding your A and P certificate before
23 you can issue a special flight permit, is that a local Kansas City
24 FSDO requirement, or is that a national requirement for flight
25 standards?

1 A. That's our office policy.

2 Q. Okay. Are you aware of what the national requirement is or
3 if there is any?

4 A. In the order, in the 8130.2J order, it is not specified in
5 there.

6 Q. Okay.

7 A. We also have a 8900.1 order that we do most of our work with.
8 It does not even describe special flight permit issuance. So, we
9 have to rely on 8130.2J for that.

10 Q. Okay. Okay. So, when, yeah, so, when I was reviewing the
11 8900.1 in DRS, I came across that, as well. So, when you look at
12 it, there is a guidance called -- let's see. Let me get back to
13 my notes. There's a volume four, chapter 13, section one; and
14 then, there's volume eight, chapter five, section one. One refers
15 to issuing of an air worthiness certificate as the blanket, and
16 the other one talks about ferry permit, but it looks like it's
17 continuing authorization. So, when would you -- would you ever
18 use those guidance for part 91, or are they like very specific?

19 A. Yeah. The reference you made for continuing authorization
20 for it, that is for a certificate holder, like a 135 --

21 Q. Okay.

22 A. -- certificate holder or a 121 certificate holder. They're
23 the only ones that that particular guidance refers to, not to a
24 part 91 applicant. And, you know, the other guidance, too, is so
25 general in nature that we don't really find that to be useful like

1 we do 8130.2J.

2 Q. Okay. All right. As a frontline manager, how much do you
3 expect your inspect to rely on the information provided by the
4 applicant?

5 A. We expect him to rely on it almost 100 percent, unless we
6 become aware of some unique situation on that particular aircraft
7 that is not given to us by the owner, which is rare, but we fully
8 expect to rely on that 100 percent.

9 Q. Okay. As an example, under what circumstances would you
10 expect your inspectors to reach out and do additional information-
11 gathering and stuff?

12 A. If, during the documentation phase of issuing a ferry permit,
13 if they have questions, for instance, like on airworthiness
14 directive, that may be something we would want to inquire more
15 information about, and we might even go to a maintenance provider
16 that maybe is involved with that particular AD or has issued -- we
17 might go and get more information, request more information, like
18 for AD, because that sometimes is the case. If we become aware of
19 an accident or incident and damage to an aircraft through maybe an
20 investigation that we conducted, and then there is a request to
21 ferry that airplane, that damaged airplane, to another location,
22 if the requester did not become -- was not forthcoming with that,
23 we will then do further investigative work, and possibly, then, we
24 would also go out and look at the aircraft ourselves, and that is
25 something we've done before, too. But almost every time there is

1 damage to an aircraft of some sort, if we can't get the
2 information from photos, we will do an on-site inspection of the
3 aircraft.

4 Q. Okay. So, when should your inspectors in the Kansas City
5 FSDO be physically reviewing the aircraft records and inspections
6 and inspecting the aircraft themselves?

7 A. It is required if the aircraft has damage, a significant --

8 Q. Okay.

9 A. -- amount of damage on it, that we're aware of, and we would
10 probably first see that -- if we don't know it ourselves through
11 our own investigation, we would require photos from the requester.
12 And, you know, we'll rely on some photos, but most of the time,
13 we'll look at the aircraft ourselves and physically review the
14 records at that time.

15 Q. Okay.

16 A. And we would want to know what the damage was and how it was
17 repaired. And we would request those records first from the
18 applicant, but if that wasn't sufficient, then we would do an in-
19 person review. We would request those logbooks so we could review
20 it in depth. So, it depends. It is expected that the ASI, you
21 know, conduct that investigation as much as possible to be able to
22 ensure that aircraft will be able to meet, you know, the intent of
23 the ferry flight.

24 Q. Okay. So, in relation to November-2-0-0-Romeo-Alpha, the
25 request that was made was for a one-time flight due to the annual

1 inspection being expired, and the mechanic requested that an
2 inspection by a certificated aviation mechanic and logbook
3 (indiscernible) testing to the aircraft being safe for the special
4 flight requested. When one of your inspectors get this
5 application just for A, it's just out of annual, is the
6 expectation that they go physically look at the records and
7 physically inspect the aircraft; or, if the owner has provided a
8 mechanic sign-off, if that's allowable?

9 A. It is allowable. It is a requirement.

10 Q. Okay.

11 A. When we issue a special flight permit, there's a set of
12 limitations and conditions that are attached to that, and one of
13 those items is that a mechanic will inspect that aircraft to
14 ensure that it's safe for the intended flight; and then, we
15 require a copy of that record before issuing that special flight
16 permit.

17 Q. Okay. Is it the expectation of your inspectors at the
18 Kansas City FSDO, when they get a maintenance record for a
19 one-time flight for a special ferry permit, they're reviewing the
20 maintenance records, and the maintenance records in this case
21 says, checked ADs, is there an expectation that they get the AD
22 listing, or a listing of the ADs, or is checked ADs acceptable?

23 A. Most of the time, checked ADs is permissible.

24 Q. Okay.

25 A. I'm going to say it's kind of up to the individual inspector

1 whether or not he wants a copy of that, but generally, that
2 statement is sufficient for us.

3 Q. Okay. So, when this task was completed by Inspector Brown,
4 how do you review the completed AL task and activity report before
5 closing it out in SAS?

6 A. So, that particular activity record is on my IWP, which is my
7 individual work plan. So, when an inspector finishes the work,
8 that particular record will identify that, yes, there's a code for
9 special flight permit issuance. So, you know, I see that. I
10 obviously see who is involved, which inspector's involved. The
11 aircraft is identified. And then, there is a comment section in
12 that particular record that gives me, you know, enough detail
13 about, okay, the aircraft requester wanted to fly the aircraft
14 from GPH to, say, Wichita, Kansas. I see that information. I
15 also see, normally, the reason. They identify the reason for the
16 request, be it out of annual or something like that. So, I do see
17 that information. And then, I usually see -- they usually make a
18 statement about the date the ferry permit was issued and the
19 expiration date. So, those are the items that I normally look
20 for.

21 Q. Okay. In terms of this activity report in SAS, so it would
22 be activity ID CE05202301491, is there a requirement to use a
23 certain activity code that's in relation, or is it just kind of up
24 to the inspector?

25 A. To clarify your question with --

1 Q. So, okay --

2 (Crosstalk)

3 Q. Yeah, no worries. So, the activity code selected in this one
4 was a 5404 aircraft admin --

5 A. Oh, okay.

6 Q. -- ferry permit. Is that driven by the order, local office
7 policy, or is it just up to the inspector's discretion?

8 A. No, that activity code is a national policy.

9 Q. Okay.

10 A. So, those particular codes are required to be used. If you
11 look at any of our guidance (indiscernible) particular activity,
12 it identifies the code that will be used for an activity record,
13 and that --

14 Q. Okay.

15 A. -- code that you mentioned is used for a ferry permit. We
16 have others --

17 Q. Okay.

18 A. -- but that's absolutely one of them.

19 Q. Right. Is Inspector Brown air worthiness specialty or
20 avionics specialty?

21 A. He is currently serving our office as an avionics inspector.

22 Q. Okay.

23 A. And at that this, that is temporary, until we fill the
24 avionics position.

25 Q. Okay. All right. So, in relation to

1 November-2-0-0-Romeo-Alpha, the activity report, was everything
2 satisfactory for you to be able to close that out and do your
3 quality control?

4 A. Yes.

5 Q. As a frontline manager in the Kansas City FSDO, do you see
6 your inspectors completing this task differently depending on
7 which inspector is issuing a special flight permit?

8 A. The only thing I see different between inspectors is the
9 comment section. Some --

10 Q. Okay.

11 A. -- get quite wordy. Others just state the facts that I need.

12 Q. Right.

13 A. So, it depends. And if there's, you know, a particular
14 detail that -- I can also see that in AWC, by the way, but if
15 there's a particular detail about, say, damage to an aircraft, I
16 expect that description to be sufficient to become a record that I
17 can review and understand, and somebody else, too, in the FAA.

18 Q. Okay. Should your inspectors in the Kansas City FSDO be
19 referencing the job task analysis sheets for issuing a special
20 flight permit?

21 A. No, not necessarily, no.

22 Q. Okay. Are you aware of any so-called JTA sheets being
23 associated with issuing or completing this specific task?

24 A. During an OJT, (indiscernible), there can be a JTA for that
25 particular one. Now, on an OJT program, the issuance of a special

1 flight permit versus a continuing authorization --

2 Q. Okay.

3 A. -- the issuance of a 91 special flight permit is not a listed
4 item --

5 Q. Okay.

6 A. -- on our OJT program. We do that locally in our office so
7 an inspector can complete that work. We expect level three on a
8 local line item.

9 Q. Okay. Are you aware, as a frontline manager, of any national
10 policy within OJT national program of training issuing part 91
11 special flight permits?

12 A. No, no, not in the OJT system. We all know --

13 Q. Okay.

14 A. -- what guidance we need to use, and that's the only thing
15 that's used.

16 Q. And the only guidance that you can use for just doing a part
17 91 noncertificated special flight permit is order 8130.2J?

18 A. That's correct.

19 Q. Okay.

20 A. The tool -- the answer to your question is, yes. We have the
21 tool which is relatively new to all of us.

22 Q. Okay.

23 A. You know, now, it's been four or five years. But that tool
24 is also something we train on.

25 Q. Okay. Are you aware yourself of the AWC guidance and policy

1 being incorporated into the 2J, or has the 2J not been updated
2 yet?

3 A. It's not been updated.

4 Q. Okay. Do you feel, as a frontline manager, that your office
5 has the resources and manpower to complete this work with all the
6 other requirements and tasks that is expected of a FSDO?

7 A. Yes, for the most part. We can always use more resources in
8 our offices, but generally, yes, we can manage the numbers of
9 ferry permit requests that we have. Right now, I currently have
10 four inspectors that issue those ferry permits, and I would like
11 to get that number up to about six. That's my goal and then, I
12 know I always have enough to manage that on-demand work, because
13 that is not part of our normal, daily work as we do.

14 Q. Okay. Does Inspector Brown, outside of his on-demand work,
15 is he on any certificate management teams?

16 A. Yes.

17 Q. Okay. So, and that's the bulk of his work?

18 A. That's the bulk of his work.

19 Q. Okay. In your opinion, would additional guidance or training
20 be provided to yourself as a frontline manager or to your
21 inspector that could better facilitate or help you in completing
22 this task?

23 A. No. I would have to answer, no. Would I like to see a
24 specific section in 8900 on this? Yes, I would.

25 Q. Okay. In terms of that specific section, 8900, in your

1 opinion and your opinion only, would it be useful to have a
2 national OJT policy on training at part 91 noncert special flight
3 permit issuance?

4 A. Yes.

5 Q. Okay. All right. Is there anything I haven't asked you that
6 you feel is important in relation to this specific accident or
7 special flight permits in general?

8 A. No.

9 MR. FINNE: Okay. Okay. No worries. John, do you have
10 anything?

11 MR. BRANNON: I don't have anything additional, no.

12 MR. FINNE: Okay. All right. Well, thank you very much for
13 taking your time and answering these questions, and I will end the
14 recording now.

15 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL PLANE CRASH NEAR
KEARNEY, MISSOURI ON
JULY 20, 2023
Interview of Allan Martens

ACCIDENT NO.: CEN23FA314

PLACE: Kansas City, Missouri

DATE: September 20, 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.


Lisa D. Sevarino
Transcriber