

CEN24LA144

AIR TRAFFIC CONTROL

Group Chairman's Factual Report - Attachment 1

Interview Transcripts

June 10, 2025

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

*

PEDESTRIANS STRUCK AS PIPER PA-28 *

DAKOTA MISSES LANDING AT THE *

Accident No.: CEN24LA144

DELAWARE COUNTY REGIONAL AIRPORT *

IN MUNCIE, INDIANA ON APRIL 1, 2024 *

*

* * * * *

Interview of: JOHN F. FERRATT, Air Traffic Manager
Muncie Federal Contract Tower

Muncie Federal Contract Tower
Muncie, Indiana

Tuesday,
April 9, 2024

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APPEARANCES:

CASEY OGDEN, Air Traffic Control Investigator
National Transportation Safety Board

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

ALLISON MATTIOLI, Air Safety Investigator
National Air Traffic Controllers Association

ANDREW LIESER, Subject Matter Expert
Federal Aviation Administration

AMY ST. PIERRE, Representative for Mr. Ferratt
Midwest ATC

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I N T E R V I E W

(12:23 p.m. EDT)

MR. OGDEN: Okay. The time is now 1223 Eastern Daylight Time.

Could you please state your name?

MR. FERRATT: John F. Ferratt, F-e-r-r-a-t-t.

MR. OGDEN: And could you spell your first name?

MR. FERRATT: J-o-h-n.

MR. OGDEN: Thank you.

MR. FERRATT: Middle initial is F for Frederick.

MR. OGDEN: Thank you. As part of the process, I'll be recording the interview, and I'll have a transcription made. The transcript will be part of the factual report. The audio will be not be part of the public docket. I'll send you a copy of the transcript for your review. It should be about a month before we have all that done. Any questions about the transcript process and how that works?

MR. FERRATT: Not from me.

MR. OGDEN: All right. My name is Casey Ogden. I'm an air traffic control investigator with the National Transportation Safety Board.

The NTSB is an independent federal agency charged by Congress with determining the probable cause of aviation accidents and incidents of a significant nature and promoting transportation safety.

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1 With me today, I have two other investigators from the NTSB.
2 They'll now introduce themselves starting with Brian.

3 MR. SOPER: Brian Soper, air traffic investigator.

4 MR. OGDEN: Thank you, Brian. Paul.

5 MR. SUFFERN: Paul Suffern, meteorologist.

6 MR. OGDEN: As then as part of our process, we invite parties
7 to participate in the investigation to provide us technical
8 expertise. With me today are the ATC group members who will now
9 introduce themselves starting with Allison.

10 MS. MATTIOLI: I'm Allison Mattioli, on behalf of NATCA.

11 MR. LIESER: Andrew Lieser, FAA subject matter expert.

12 MR. OGDEN: Thank you. The purpose of this investigation is
13 safety, to gather the facts, determine the probable cause and
14 prevent recurrence. Our role is not to assign fault, blame or
15 liability. This interview is part of the fact-finding phase of
16 this investigation.

17 As part of the regulations, you're welcome to have one
18 representative of your choice to attend. I see you have a
19 representative with you. Could you please state your name?

20 MS. ST. PIERRE: Amy St. Pierre, A-m-y, S-t-., P-i-e-r-r-e.

21 MR. OGDEN: Thank you very much. The reason for this
22 interview today is to discuss the accident that occurred on April
23 1st, 2024, regarding N8438B. We'll ask a variety of questions.
24 So if at any time you have any questions, please feel free to ask.
25 Please answer all questions to the best of your knowledge and

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1 recollection. If you do not know an answer, I don't know or I
2 don't recall, are perfectly acceptable answers. If you don't
3 understand a question, please ask to have it repeated or explained
4 further. We're more than happy to do that.

5 If at any time you want to take a break or you want to
6 consult with your representative, please let us know. We can
7 afford you time to do that.

8 MR. FERRATT: Thank you.

9 MR. OGDEN: Do you have any questions so far?

10 MR. FERRATT: No. Thank you.

11 MR. OGDEN: Okay. The way things will work today is I'll
12 start out asking questions, and we'll go around the room. Each
13 group member will have an opportunity to ask questions. You may
14 see some of us typing, writing notes, messing with a notepad.
15 These notes are to just help us jog our memory on things we may
16 want to ask you. These notes will be destroyed. This is the
17 basic structure of our interview. Do you have any questions about
18 the process?

19 MR. FERRATT: I do not.

20 INTERVIEW OF JOHN F. FERRATT

21 BY MR. OGDEN:

22 Q. All right. So did you have any military or pre-federal
23 contract tower ATC work or experience?

24 A. I started out in the United States Air Force from 1968
25 through 1972. I was with the Federal Aviation Administration from

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1 1974 until approximately 1990. I've been Midwest Air Traffic
2 Control Service from 2000, January of 2000, to present.

3 Q. Do you hold any collateral duties or have you been on any
4 recent details?

5 A. No.

6 Q. Okay. Can you briefly describe air traffic aviation
7 background? Give me the big overview? How did you get into it?
8 And how did you end up here?

9 A. I'll have to be brief, sir.

10 Q. Yeah.

11 A. I joined the Air Force in 1968. It was the Vietnam Era. I
12 chose to enlist to avoid being drafted into service. I wanted to
13 join the Air Force. The Air Force made me an air traffic
14 controller. When I got out, I had applied to the Federal Aviation
15 Administration and was hired at Indianapolis Center where I was a
16 controller until I transferred into the terminal option. I served
17 as a -- what we called a full performance level controller then.
18 I was an instructor at the academy for 4 years as a radar
19 instructor. I worked in the Great Lakes Region headquarters,
20 transferred -- I won't go into all the details. I was in
21 Washington headquarters for 5 years working as an investigator.
22 And I've been with Midwest at Muncie. I was hired in at Anderson
23 for 3 or 4 months. At the time, Midwest had Anderson as one of
24 their facilities. It no longer does. And I transferred here and
25 been here since May of 2000. I started out as a controller, and

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1 then when Ray Beam, our predecessor left, I became the manager.

2 Q. Approximately when was that?

3 A. I took over in December of '09, and I was actively officially
4 made the manager in January of 2010.

5 Q. Have you ever been fired, terminated, suspended or asked to
6 resign any ATC position?

7 A. Not yet.

8 Q. Okay. How would you describe your overall health? Poor,
9 fair, good, excellent?

10 A. I would say excellent.

11 Q. Okay. Do you hold any medical classification?

12 A. I do. It's a class 2 medical certificate.

13 Q. Okay. Any limitations?

14 A. Corrective lenses for near and distance vision.

15 Q. Were you wearing corrective lenses at the time of the event?

16 A. I had them with me. I was not wearing them. I was not
17 working a position.

18 Q. Okay. Taking any maintenance, prescription or non-
19 prescription medications?

20 A. I take a prescribed blood pressure medication, once a day.
21 However, that's been noted on my class 2 medical, and it's been
22 approved for a few years.

23 Q. Thank you. Okay. Was drug or alcohol screening performed
24 following this event?

25 A. It was not.

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1 Q. Okay. Any change in your health the last year, good, bad,
2 indifferent? We're talking major health changes. Had a stent put
3 in, anything like that?

4 A. No, no changes.

5 Q. Okay. Any changes in your personal life within the last
6 year? You adopted a kid, you did something major?

7 A. I wouldn't -- well my wife died in March of '23. We had only
8 been married 11 months. We knew each other for 13 years. It was
9 an unusual marriage because we chose to maintain our own homes.
10 We were close nevertheless, but she passed away St. Patrick's Day
11 of 2023. It was not a traumatic thing. For me, it was sad loss,
12 but that's the only -- I would say at a personal level, I'd have
13 to note that my wife passed away in March of 2023. And I was
14 living by myself at that time anyway as was she. We spent a lot
15 of time together.

16 Q. Sorry for your loss.

17 A. Thank you.

18 Q. Any changes in your financial situation in the last year?
19 File bankruptcy --

20 A. No.

21 Q. All right. Now, I'm going to go through the 72 hours prior.
22 The event took place on a Monday. We're going to go back to
23 Friday, and again, if you don't know, that's totally fine. We'll
24 try to fill in any blanks. So again this event happened on a
25 Monday. Was this normal shift for you?

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1 A. Yes.

2 Q. Okay. You weren't covering any leaves or sickouts at that
3 point?

4 A. No.

5 Q. Moving onto Sunday night, what time did you go to bed?

6 A. I don't remember.

7 Q. Did you recall if you felt well rested for this shift,
8 anything like that?

9 A. I felt well rested.

10 Q. Okay. Typically how many hours of sleep do you need to feel
11 well rested?

12 A. I'll answer that this way. I traditionally get somewhere
13 around 6 hours of sleep a night.

14 Q. Um-hum.

15 A. And, I wake up feeling rested and I don't have any problems
16 during the day. I don't fall asleep during the day.

17 Q. Understood.

18 A. I traditionally get up at 5 in the morning, whether I'm
19 working early morning shift or not. I'm an early morning riser.
20 I tend to go to bed 10-ish, maybe 11. That's about it. But I
21 feel well rested during the day.

22 Q. Understood. Okay. Could you tell me what shift you were
23 working that day, that Monday? I'm sorry. Sunday, if you were
24 working at all.

25 A. I believe it was a regular day off. My core hours are 9 to 5

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1 which would have been my Monday hours.

2 Q. Do you recall anything special about that Sunday, the day of
3 the event?

4 A. I don't recall anything about it. Sorry.

5 Q. Okay. I'm moving onto Saturday night.

6 A. Okay. That's fine.

7 Q. Saturday night, you think you went to bed at about the same
8 time?

9 A. I would think so. I don't know.

10 Q. Okay. We'll go with that. Anything notable on Saturday?
11 Did you work that day?

12 A. I honestly don't know.

13 Q. Okay. And then I'll just wrap up with Friday. Friday,
14 anything notable? Did you work that day?

15 A. What day would that be? What date? Do we know?

16 Q. I can tell you right now. Friday would have been the 29th.

17 A. March 29th.

18 Q. Yes.

19 A. Nothing significant comes to mind, and I apologize.

20 Q. No, that's okay.

21 A. My mind has been focused on all of this. So my past has sort
22 of disappeared.

23 Q. No problem at all. Just for the last wrap up on this, and
24 again if you don't recall, no problem whatsoever. Any major
25 interruption in your normal day-to-day life?

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1 A. No.

2 Q. Okay.

3 A. No interruptions.

4 Q. Awesome. All right. Do you know if an ATSAP report was
5 filed following this event?

6 A. Not from here.

7 Q. Okay. Have you been interviewed about this event before now?

8 A. No.

9 Q. Okay. Have you had an opportunity to review the replay? It
10 seems like you might have --

11 A. I've reviewed it.

12 Q. Okay. When would that have been?

13 A. I reviewed it the day of the event --

14 Q. Okay.

15 A. -- in preparation for the services rendered TELCON --

16 Q. I see.

17 A. -- which help at 3 p.m. that afternoon.

18 Q. Okay.

19 A. I couldn't tell you the exact time I briefly reviewed it.

20 Q. Understood. Was a relief briefing conducted when you took
21 the position?

22 A. I was never on position.

23 Q. Okay. On a scale of 1 to 5, with 5 being the heaviest, how
24 would you classify volume at the time of the event?

25 A. 1 or less than 1. It was minimal.

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1 Q. Okay. Is that volume normal for that time of day?

2 A. It was normal for the type of weather conditions that were
3 present.

4 Q. Understood. On a scale of 1 to 5, 5 being the most complex,
5 how would you classify the traffic complexity at the time of the
6 event?

7 A. Same, 1 or less.

8 Q. Understood. Is that complexity normal for the same time with
9 the weather conditions?

10 A. Weather related, yes.

11 Q. Understood. Were there any distractions occurring at or
12 leading up to the time of the event?

13 A. No.

14 Q. Okay. Do you recall weather conditions or current advisories
15 at or leading up to the time of the event?

16 A. We were in a (indiscernible). We were IMC. We were under
17 meteorological conditions. When I -- the ceiling was broken at
18 700. The visibility was fairly good below the (indiscernible),
19 below the ceiling. I believe it was 5. That's all I know. We
20 were IMC.

21 Q. Understood.

22 A. But it was not -- we weren't socked in in.

23 Q. Gotcha. Did you receive a pre-duty weather briefing that
24 day?

25 A. I did not.

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1 Q. Okay. Did you have a cell phone or a cellular personal
2 electronic device with you at the time of the event?

3 A. I did not.

4 Q. Okay. To the best of your ability, could you please step me
5 through a chronological history of the event as you remember it?
6 Just what you recall? It could be the weather, what the aircraft
7 was doing, the coordination you heard, anything like that.

8 A. The pilot checked on frequency. His initial call was outside
9 of the final approach fix which was HIXAG, h-i-x-a-g, I believe.
10 HIXAG is the final approach fix on the RNAV runway 1-4 approach.
11 RNAV GPS. Pilot checked in.

12 I was just observing. I was up there observing. I heard the
13 pilot check in. The controller asked him to verify he had the
14 ATIS which is his normal procedure, that particular controller.
15 He then asked him to report the final approach fix inbound.
16 Shortly thereafter, and in the same stream of that recording
17 actually, the pilot said, well, we're just outside. We're HIXAG
18 now. The controller told him to land.

19 At that time, the ceiling was again -- we were broken
20 changing, more overcast but still a low ceiling. I grabbed the
21 binoculars out of habit and the other controller, Willie Olds, had
22 binoculars. Just out of routine, we both were looking for the
23 aircraft. He had reported the final approach fix. We were
24 waiting for him to come out of the overcast and land. We did not
25 see him. The pilot then said, I need to make a 360. I just

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1 picked up the field. I remember Willie just said, roger,
2 acknowledging the transmission and immediately went the
3 coordination line which was exactly what I would have done.

4 And I -- this won't be verbatim. Indy, Muncie, go ahead, now
5 this pilot just picked me up, needs to make a 360. Willie
6 acknowledged to the controller that he knew he had another
7 airplane inbound behind him, wasn't sure what he wanted him to do.
8 The controller asked him, and this is -- you'll see it in your
9 conversation in the transcript that I wrote, the controller asked
10 him, does he want to come back to me or does he want to stay with
11 you, and I believe the controller did say he just wants to do a
12 quick 360 and come back to land. Fine, I'll take my King Air out.
13 Let me know when the guy lands please, which -- roger.

14 Again, we're both grabbing the binoculars. We're both
15 looking. Don't see him. Don't see him. Don't see him. We're
16 both concerned that it's taking him a long time to get back around
17 here. Then, things started picking up rather quickly. I can't
18 speak to the coordination other than what I've read. I don't have
19 firsthand knowledge of that other than having listened to the
20 coordination. At the time, I wasn't privy to the coordination.

21 I know the controller at Indy advised Willie that the radar
22 contact was lost about a mile west, and Willie told me that. And
23 said, hey. So he starts trying to call him. He made several
24 attempts to call the pilot. There was no response. About that
25 time, the airport director operating as maintenance mobile which

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1 is his routine in this, his call sign usually maintenance mobile,
2 called and said that he had heard Willie trying to call this guy.
3 He said that we've got a report that an airplane went down west of
4 the field near the Cardinal Greenway.

5 Now, the Cardinal Greenway, unbeknownst to you, I'll share
6 that with you, is a pedestrian/bicycle trail that runs from
7 Marion, Indiana to Richmond, Indiana, and it comes right through
8 the west side of our airport. Tim had indicated that there was a
9 report that that airplane had gone down in the vicinity of the
10 Cardinal Greenway.

11 I was ready to call 911 at that time because I heard that
12 transmission, and Willie says, well, we'll call 911. Tim said,
13 they've already been notified. That's how we know. That's how we
14 were notified.

15 And from that point on, things became very busy. There was
16 some coordination on the controller's point, and again I know this
17 from listening. The supervisor called and wanted some
18 information. Everybody's now kicking at the same start really
19 become a living action, you know, we're having to address this
20 now. And that's all I can recall because it was just a lot of
21 phone calls, a lot of answering calls and a lot of responding to
22 people that legitimately have a need to know.

23 My concern was has the emergency equipment been notified, and
24 we determined -- we could see them all going. So we knew that
25 everybody was en route. We didn't, we didn't make that call.

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1 Does that answer your question?

2 Q. Yeah, that's a great rundown of events. I have a few more
3 questions, and then I'll start to pass it around the room.

4 A. Okay.

5 Q. A common thing, maybe to talk about is expectations. Did the
6 local controller meet your expectations for this event?

7 A. I think he did, I think he did what needed to be done.

8 Q. Okay. Do you know if an ALNOT was issued for the accident?

9 A. It was not issued here.

10 Q. Okay.

11 A. We knew what aircraft it was. We knew that this was the
12 aircraft. We just did not issue the ALNOT.

13 Q. Understood. Do you know if Indy issued an ALNOT or not or
14 they just --

15 A. My understanding is that they did not, but I -- my
16 understanding is that from the services rendered telecon.

17 Q. Understood. And then talking about -- who was in the room
18 when this event was transpiring? Who was on position?

19 A. Willie Olds was the controller, and I was there just as -- I
20 tend to go up to the tower and just observe and visit and make
21 sure everything's good. I happened to be up there, and then this
22 unfolded. So I ended up staying up there.

23 Q. Was there a ground controller?

24 A. Michael Wood was the ground -- this was a Monday. It would
25 have been Michael's. Michael was the opening shift. When I came

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1 up, Michael was on ground. Hey, boss, since you're up here, do
2 you care if I run downstairs for a minute? I said, go ahead. And
3 there was no traffic to speak of. I said, yeah, go ahead. I
4 thought he was going down to the bathroom right below the cab. I
5 heard the kitchen door close, the door that we keep open. I heard
6 that close. So I knew he was probably going down to the terminal
7 building. Sometimes the guys come down to the terminal building
8 to use the bathroom down here. That's not unusual. So he did
9 come here to use the bathroom, and he later told me that's what he
10 did, came downstairs.

11 As things transpired, it was -- during that time was when the
12 pilot checked in and by the time Michael came up, we were pretty
13 well already into the thing, and you'll hear -- Michael's voice is
14 on all the ATISes. He's made Delta, Echo and Foxtrot. So he was
15 there. He came back up but, no, Willie was working both ground
16 and local at the time.

17 Q. Understood. Okay. That's all the questions I have for now.
18 I'm going to pass it over to Brian.

19 A. Okay.

20 MR. OGDEN: Brian.

21 MR. SOPER: I don't have anything right now.

22 MR. OGDEN: Allison.

23 BY MS. MATTIOLI:

24 Q. When you're upstairs and listening to the local controller,
25 is it mostly everybody -- is anybody issued a headset here or is

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1 it all on the handset out of the speaker so you can hear?

2 A. We use the speakers. We use the speakers so that we can
3 operate as a team. Everybody knows what's going on, and we can
4 help spot airplanes. We can help hear what's going on. It's a
5 small operation.

6 Q. Sure.

7 A. And we work better as a team. If we hear an airplane in
8 trouble or a guy has trouble finding us, whatever, then we all are
9 looking and supporting each other.

10 Q. Sure.

11 A. So, we operate out of the speakers.

12 Q. Okay.

13 A. We have hand mics that we use. We don't have -- we don't
14 talk through the handset. We have mics.

15 Q. And with everything being displayed in the speaker with the
16 pilot requesting to want to do a 360 to rejoin the final, is that
17 something that happens a lot here? Is that something that's like
18 abnormal in IFR conditions on the approach?

19 A. Everything's unique. There are no, there are no normal
20 things. The occurrence occurred. I can't say that that's
21 routine. I can't say that it's abnormal. It's just that what
22 happened that day.

23 Q. Cool. For your expectation, would you expect your local
24 controller if the aircraft couldn't pick up the field to issue a
25 missed approach instructions?

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1 A. No.

2 Q. What's your standard operating procedure for that, for missed
3 approach instructions?

4 A. If the pilot says I'm executing a missed approach or I need
5 to -- missed the approach, then we coordinate that with Indy,
6 here's -- I will tell you as a controller, and if I've got a
7 questionable landing capabilities, the pilot checks in, report the
8 final approach fix inbound, roger, we're open to a final approach
9 fix. Runway 1-4, clear to land. In the event you need to execute
10 a missed approach, fly runway heading may take 3,000. If he needs
11 to do that, I said, and then if I see him land, great. If he
12 says, I'm going around. Indy, Muncie I've got this guy on the
13 runway, heading 3, I'll do whatever you need with him. Let me
14 know. But I precautionarily issued that in the event he's going
15 to miss, and I would only do that in the event I felt there was a
16 possibility he would miss.

17 Q. Did that --

18 A. On this particular day, that was not -- we weren't concerned
19 about that, but the weather was not that significantly bad.

20 Q. Okay.

21 A. We were IMC but again, that's my technique. If I'm working
22 and I find that there's a possibility this airplane might miss, I
23 want to prepare for that, in the event he needs to execute a
24 missed approach, fly runway maintain 3. Runway heading to 3 at
25 Muncie should always be a clean area. Our procedures are to

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1 immediately coordinate that with an approach to see what we need
2 to do with him, but at least I got him going doing something. And
3 approach might well say, yeah, that's good for me. Put him on me.
4 Or hey, turn him right to this and turn him left and I've got time
5 to do that.

6 Q. But is --

7 A. Does that answer your question?

8 Q. Yeah. But in normal IMC conditions not being socked in, and
9 you're not expecting the go around, is it the standard practice
10 here to issue that or just runway 1-4, clear to land.

11 A. Clear to land.

12 Q. Okay. Let's see. Is that pilot based here?

13 A. He is not.

14 Q. He's not.

15 A. We know after the fact he was based in Bloomington, Indiana.

16 Q. Okay. That's all I've got for now.

17 A. Okay. Thank you.

18 Q. Thank you.

19 MR. OGDEN: Thank you, Allison. Paul.

20 MR. SUFFERN: Yeah.

21 BY MR. SUFFERN:

22 Q. Thanks again for your time, and we'll shift a little bit to
23 some weather questions.

24 A. Thank you, Paul.

25 Q. Yeah. So are you LAWRS certified?

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1 A. I am.

2 Q. Okay. And then as LAWRS certified there, what instruments or
3 information do you use to help you stay updated on the weather
4 information here at the tower and such?

5 A. I'm sorry I don't follow. I don't follow your question.

6 Q. Okay.

7 A. What instruments do I use?

8 Q. Yeah, as far as -- to stay updated on weather conditions here
9 at Muncie and at the airport there, what weather instrumentation
10 do you stay -- how do you stay current on?

11 A. I don't have an answer for that. I don't. We look out the
12 window and we observe what's going on.

13 Q. Okay.

14 A. I wouldn't use any instrumentation to speak of.

15 Q. Okay. I guess I'm phrasing it poorly. Is there -- obviously
16 you have ASOS there and you have other information. Do you use
17 any kind of other -- does this facility have any other screens,
18 you know, with like a situation display showing like weather radar
19 or weather satellite to help inform you of other, you know,
20 weather conditions that may approach the field or anything like
21 that?

22 A. We do not.

23 Q. Okay. As a LAWRS observer and LAWRS certified, can you walk
24 you through how you would update something on the ASOS, if you saw
25 the ASOS conditions were different what you were seeing?

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1 A. We can augment or amend various fields. One thing that
2 happens here, not often, but occasionally, a wind will be missing.
3 We've found out from the weather tech guys that that could be a
4 result of something on the antenna at the site that causes the
5 wind instrument not to function properly, maybe a bird, maybe
6 something's lit on it, and the wind goes missing. We will get an
7 aural alarm on that, a beep, beep, beep, beep, and we're looking
8 -- what? So we will augment. We will just amend that field, and
9 we know how to do that because we've done it. We do that, we make
10 amendments frequently. We have a guidebook right there. If we
11 need to know how to do something, there's a reference book right
12 there we can look to refresh our memory. But we would amend the
13 wind. We can amend weather conditions if we need to. We can
14 amend most of the fields except we don't mess with the altimeter.
15 We can amend visibility if we need to.

16 And here is an example of that, there are times in the
17 morning when we may open, the sky's blue -- well, if it's early
18 summer. The sky is blue. We can see much more than 10 miles, but
19 the ASOS is saying we're IMC with a low ceiling or less than a
20 mile visibility. You look out over the field. There's maybe a
21 fog bank or some sort of haze around the instrumentation in which
22 case we then go augment that situation because we're not IMC.
23 We're very much VMC. So we would augment that and supplement
24 that. Does that help? That's about it.

25 There has been times in the distant past where I have amended

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1 the visibility to be 3 miles. It was 2. something that made us
2 IMC. I was not the manager at the time. One of my colleagues was
3 working and I had a student pilot inbound that was in trouble, the
4 weather was closing in all around us. We could see the weather
5 closing in. We're still VMC except we're officially 2.5 miles.
6 My colleague was working and said, a pilot, a student pilot.
7 We're inbound to land, unable the class Delta IFR say your
8 intentions. We're not able to solicit special VFR. I suggested
9 that he amend the visibility to kick it up to 3 and get this
10 student on the ground because he can't go back to where he came
11 from. The weather's already closed in. If we don't get him down
12 soon, the weather's going to close in here. So change the
13 visibility, amend it to 3, get the aircraft on the ground because
14 the student's not picking up on you have a special request. Is
15 there anything -- you just want to land. Well, and forgive the
16 long windedness. We amended it to 3, the pilot landed, we put it
17 right back to where it was originally.

18 Q. Coming back to your wind example there, what do you use to
19 supplement? When the wind is missing and things like that, what
20 do --

21 A. We have wind indicators on the -- direct wind indicators on
22 the console that come directly. They're mechanical. I think I
23 showed those when we were up there. They come directly off the
24 top of the tower, and they're fairly accurate. We compare them
25 routinely. So we will use that as the wind. And more often than

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1 not, the weather corrects -- the ASOS corrects itself. The
2 problem goes away, and it will reset itself.

3 Q. Okay. And just one more, a thing about the wind there, and
4 in the SOP it -- that says that dial instrument is the actual wind
5 information. Is that what you expect controllers to provide to
6 pilots when asking for like a wind check, you know, as they're
7 coming down to provide that dial as opposed to the ASOS?

8 A. I do. I don't know what the other controllers do. I
9 routinely issue the wind along with landing clearance. It's just
10 what I do. And I use the wind off the console, the winds from the
11 top of the tower.

12 Q. And you said that you prefer that one because it seems to be
13 more accurate to you?

14 A. No, I just -- the wind is right there in front of me on the
15 console where I'm working. The ASOS is over here. I tend not to
16 want to wander around. I can read it from where I am but the wind
17 on the console is coming directly off the tower which is right
18 here by the runways.

19 Q. Okay. I think I have one more related to that. In the SOP,
20 it says when you're cutting the ATIS, to of course, have the METAR
21 in there, but then include pertinent remarks on the ATIS as well.
22 For you as ATM or when you're working, what is a pertinent remark
23 to put in the ATIS?

24 A. No examples are readily coming to mind. I know at times we
25 certainly would do that. Nothing's coming to mind at the moment.

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1 Q. That's all I've got for right now. Thank you.

2 A. Thank you.

3 MR. OGDEN: Thank you, Paul. Andrew.

4 BY MR. LIESER:

5 Q. So I reviewed some of the refresher information that was
6 provided, and I saw that your December refresher indicated that
7 there was an aircraft accident tabletop exercise. Can you walk me
8 through what the exercise was or how that was performed?

9 A. I can't walk you through what it was. I don't recall. We
10 have a scenario that we put out, aircraft type. It's a scenario
11 of an accident, and who do you notify, what steps were taken, and
12 they go through that, put times and what time were the calls made,
13 much the same as we would do on a notification sheet. I can --
14 it's -- I keep that log in a facility security plan as part of our
15 exercise. I can't -- I'm sorry I can't detail the description.

16 Q. That's okay.

17 A. We do that in December as a general rule.

18 Q. Yeah. Then that's how it was indicated here. I was just --
19 was curious if there was anything that you recall from that that
20 was --

21 A. I don't. I'm sorry.

22 Q. Okay. And are the controllers and your employees here
23 provided with a synopsis of that tabletop exercise, like a review
24 of the tabletop exercise? Are they required to review that
25 exercise?

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1 A. They do while in the process of taking it. It's in a, it's
2 in a, for lack of a better word, a binder or tabletop exercise, do
3 this --

4 Q. Okay.

5 A. -- before a certain date. Please initial here when
6 completed, let me know when you've completed this. They sign off
7 on it.

8 Q. Okay. I also saw in the refresher for December there was
9 some information about missed approaches. It looked to me like
10 the information that was provided kind of suggested that visual
11 approaches were something that was refreshed in December. Do you
12 guys -- do you ever supplement the information that goes into your
13 refresher with precision approach missed approaches? Is that
14 something that gets refreshed at the facility?

15 A. In a formal written --

16 Q. Yeah, as a refresher training for controllers to go through
17 just so they stay aware of procedures and --

18 A. We take our refresher training from the corporate office.
19 They put the refresher training on each month. We complete that
20 refresher training. That's not to say we don't have conversations
21 about various things throughout the day and throughout the month
22 and year. We've talked about precision approaches and the
23 precision obstacle free zones and all those things. Whether they
24 were part of an official refresher course, I'd have to go review.

25 Q. Okay.

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1 A. I don't know. But, yes, we do have conversations about it.
2 Whether it's a formal package, I can't say.

3 Q. I just saw that noted on the refresher. So I'm curious what
4 might be included or some the conversations that could come up
5 there. But what are your expectations for PIREP dissemination for
6 the workforce?

7 A. Well, we expect to solicit PIREPs when we need to. I may
8 have mentioned to you while you were upstairs and I'll say it here
9 in this forum. We are currently having problems getting into the
10 AISR program because of a password glitch. What we have been
11 doing is handwriting the PIREPs on a sheet, transfer or passing,
12 then relaying them to flight data at Indy approach. And like
13 today, we were up there today, there's a number of PIREPs being
14 solicited early this morning and the crew that's on are doing
15 that, and they're relaying them and put a checkmark when they
16 relay them. And I've asked them to keep that sheet. We will
17 attach it to the operational log at the end of the day, and we'll
18 file it. After this process is complete, I'll tackle getting the
19 password thing corrected, and we'll address that issue at a more
20 appropriate time. In the meantime, I believe documenting the
21 PIREPs, relaying them through the flight data position either to
22 the approach or to the center flight data and approaches are
23 accomodating. We pass it to them. They need it as well. So they
24 just tell us their initials. I hope that answered that question.

25 Q. Yeah. No. It did. Thank you. So in the LOA, there's an

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1 expectation to relay changing weather conditions and to approach.
2 What types of -- what would be your expectation for the workforce
3 to provide that updated information for approach as it relates to
4 ceilings? Because it appears as though the ceiling was 1,000 feet
5 under previous to this broadcast and then down to I think it was
6 700.

7 A. Broken at 7.

8 Q. Yeah.

9 A. And I believe the 11 o'clock one was overcast at 4, 5.

10 Q. Yeah.

11 A. You asked me my expectations. I'll tell you my procedure.
12 If I'm advertising an I-L-S that's 3-2 approach or let's stick the
13 RNAV to 1-4. The RNAV GPS for 1-4. I'm obviously advertising
14 that approach because the ceiling is below a level a pilot could
15 pick us up visually. Even though we're VMC, I don't have a
16 ceiling where that pilot can reasonably get below the minimum
17 vectoring altitude and get in here and find us. So I'm
18 advertising that. I would probably not relay a change in that
19 ceiling until the next ATIS, although I would give it to the pilot
20 when he checked on. Whether since the ATIS ceiling visibility,
21 but as far as relaying it to approach, we do that through the ATIS
22 and if there's anything significant that causes us to change the
23 ATIS and make a new one, then we would give them that reason. But
24 if I'm sticking with the RNAV GPS to 1-4, it's already advertised,
25 that's what approach is going to use to vector, I would, I would

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1 give the pilot, as he checked in because he's going to have the
2 current ATIS but he may not know anything more significant, I will
3 then share, and my phraseology is usually, since the ATIS, the
4 altimeter is. Since the ATIS, the ceiling is this. I hope that
5 answers that question.

6 Q. Nope. It does. It does answer it exactly. And so I think I
7 also heard you say that your expectation would be -- that the
8 controllers would relay any ceilings or altimeter changes post-
9 ATIS to aircraft that would be relevant --

10 A. These controllers see me work frequently.

11 Q. Yeah.

12 A. And I know that serve as an example, a mentor to some of
13 them. I've heard them pick up on some of that. I don't -- my
14 expectations are for them to be professional and to keep the pilot
15 appraised of what's going on. How they do that, everybody does it
16 a little differently.

17 Q. Okay.

18 A. I hope that answers your question.

19 Q. No, you -- absolutely. Thank you very much. That's all the
20 questions I have for right now.

21 A. Okay.

22 MR. OGDEN: Thank you. Go ahead, Brian.

23 BY MR. SOPER:

24 Q. So back to the aircraft as he came in on the RNAV approach.
25 At the point that he reported the field onsite and said he needed

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1 to circle back or do a 360, what was he at that point? Was he a
2 missed approach? Was he -- what did you --

3 A. He was a pilot that, he was a pilot that indicated a need.
4 His need was to make a right -- not a right. He needed to make a
5 360 --

6 Q. Okay.

7 A. -- and come back. We relayed that request and approach gave
8 us approval. Let us know when he's down. That's about all I can
9 say about that because --

10 Q. Okay.

11 A. -- I -- he did not declare a missed approach.

12 Q. Okay.

13 A. We were not in a position to declare a missed approach for
14 him. So we were just accommodating his need to make a 360.

15 Q. Okay. Did -- so who owned him at that point? Who was
16 responsible for him once he -- once they said, yeah, go ahead.

17 A. He's IMC. We are IMC.

18 Q. Yeah.

19 A. And he's an IFR aircraft, and until he lands, he is IFR.

20 Q. Okay.

21 A. We coordinated directly with the IFR facility to say, hey, we
22 don't know what he wants to do but here's what he wants to do, and
23 I think the controller there properly said, does he want to come
24 back to me or does he want to say with you? He just wants to make
25 a 360 and come back and land. Okay. Well, then let us know when

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1 he's down.

2 Q. Okay.

3 A. Who was responsible for him then? The pilot's responsible
4 for his airplane, but he was IMC and he was IFR still and we were
5 trying to protect him from that.

6 Q. Okay. And as I -- if I recall correctly, just to make sure
7 I'm clear, you guys never had sight of the aircraft at any time
8 during his --

9 A. That's correct. We did not.

10 Q. Okay.

11 A. We were, we were looking for the approach into the runway
12 because that was our expectation to see him. When he said I need
13 to make a 360, I just picked up the field. We had no clue where
14 he was. We -- I guess we just thought that he was probably off
15 the approach end and was going to swing right back around and come
16 in. The fact that he saw the ground but we didn't see him didn't
17 concern me that much because even on a contact approach, the pilot
18 has ground contact without seeing the airport, and we simply don't
19 see him, and he's going to follow it around. Now, this was not a
20 contact approach, but I'm saying, it didn't concern me as the
21 manager and as I would say a seasoned controller. He said he had
22 ground contact. I just found -- I just sighted the field. I need
23 a 360. I don't see him, but that doesn't mean he doesn't see us
24 or doesn't see the ground. I hope that responded to you.

25 Q. Yeah, yeah, yeah. Okay. That's all I've got for right now.

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1 A. Okay.

2 MR. OGDEN: Thank you, Brian.

3 BY MR. OGDEN:

4 Q. I just have a couple of follow ups. During this event, was
5 there any suggestions made to the local controller on possible
6 controller action.

7 A. Possible controller action?

8 Q. Yeah, did you advise, hey, ask him this?

9 A. Oh, did I offer suggestions on how to do something? I did
10 not.

11 Q. Okay.

12 MR. OGDEN: All my other questions have been answered. I
13 have no other questions at this time. Allison, do you have any
14 questions?

15 BY MS. MATTIOLI:

16 Q. I do, that takes us kind of away from the accident that we're
17 talking about. I just want to talk about tower equipment.

18 A. Okay.

19 Q. If you guys were offered the opportunity to have a type of
20 radar display from Indy approach, do you think that would benefit
21 your facility?

22 A. Yes, it would benefit our facility if we could use it as a
23 visual aid to see how things were lining up.

24 Q. Sure. Because I think in the scenario --

25 A. I needed to guard that. I've been around a long time. My

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1 concern is that -- and I don't concern myself with my staff.
2 There are facilities that might use that as an opportunity to
3 vector or use it to separate, and I believe that's probably the
4 FAA's concern right now at approving some of these systems. I
5 believe that it would be invaluable to have a presentation of some
6 sort to allow us to see if the airplane's where he says he is.
7 All of us that have controlled airplanes know that student pilots
8 have a tendency to say I'm east because his compass says E, he's
9 flying east, but he's really west flying east. We don't have any
10 way of knowing that without a visual presentation of some sort.
11 So, yes, I think it would be helpful. I don't have the answers on
12 how to regulate that.

13 Q. Sure. I don't either. I just -- I like to bring it up
14 because I notice you don't have one, and I just -- I think they're
15 a great tool that everybody should be afforded to have, but I wish
16 I could.

17 A. I understand. Okay. We all do.

18 Q. Yeah.

19 MS. MATTIOLI: That's all I have for right now.

20 MR. OGDEN: Thank you, Allison. Paul.

21 BY MR. SUFFERN:

22 Q. Just a couple more weather ones. For you, since you've been
23 at Muncie for quite a while, what direction does the weather
24 usually come here?

25 A. The wind favors runway 2-1. We're primarily a southwesterly

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1 wind. So we find ourselves on 2-1 more often than not.

2 Q. It is more challenging when the weather comes from the north
3 or from --

4 A. No. The most challenging wind we have is 2-70 wind, due west
5 because it will cross every runway we have. And I will actually
6 tell the pilots that. I know that I have a good runway for you.
7 Here's the wind, runway 2-1's available. Runway 3-2, if I don't
8 have a bunch of traffic. That's the most challenging wind we have
9 is when it's out of the west because it will cross both of our
10 runways, but we're predominantly runway 2-1 if we're VFR. If
11 we're IFR, we would tend to use runway 3-2 as ILS because it's an
12 ILS system. We have high intensity runway lights, and we have
13 MALSRs on that runway. As long as the wind will accommodate that.
14 Does that help?

15 Q. That's wonderful, yeah. Since you take LAWRS observations
16 and things like that, at Muncie, have you ever been over tasked
17 working traffic and not been able to perform your LAWRS duties as
18 well?

19 A. No.

20 Q. Okay. I'm jumping around. I think I just have a couple of
21 more. The pilots on an IFR flight plan, do you assume that
22 they're comfortable flying in the clouds flying in IMC?

23 A. Do I assume that? I have no idea. If he's got an instrument
24 rating, I would -- I don't know. I don't know his comfort level.
25 If he's got an IFR ticket and he's on an IFR flight plan, he's

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1 probably going to be in clouds at some point. I'm not a pilot.

2 So.

3 Q. And my last and favorite one, if I put you in charge, which
4 are a little bit in charge but not completely in charge, but --

5 A. Local I am.

6 Q. -- the FAA. Midwest and everybody gave you, you know, a
7 billion dollars and you could have any weather tool to help you do
8 your job better, help, you know, the controllers here do their job
9 better, what weather tool would you want to have?

10 A. And this is a difficult question for me to answer. I've been
11 here for -- I'm in my 25th year here. I'm out of touch with
12 what's out there, and in the bigger facilities and in the bigger
13 world. It's not for lack of interest, it's just from lack of
14 exposure. So I would love to answer the question but I'm content
15 with the equipment we have. I think the large equipment is -- I'm
16 glad to have the ASOS. I think, I think we'd be worse off without
17 it. I'm glad to have the ASOS, but I can't answer your question
18 about the what if world, if I had a billion dollars to buy
19 something. I wish I could but I'm just out of touch with what's
20 out there. I hope that makes sense.

21 Q. Yeah.

22 A. It's not that I don't care. I've just been here.

23 Q. That's all I've got.

24 BY MR. OGDEN:

25 Q. Yeah, before we go to Andrew, just kind of beating on that

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1 weather drum and if we already covered this, I apologize. But,
2 remarks on an ATIS, is that standard that remarks would not be
3 included on an ATIS cut when a controller's doing that?

4 A. We should put remarks on if there are remarks that are
5 pertinent. An example would be thunderstorm activity. We add
6 remarks to that because the ASOS will not maybe put appropriate
7 remarks in there. So we -- and we should broadcast those on the
8 ATIS, thunderstorm overhead moving east, thunderstorm west moving
9 overhead. So, yes, to answer your question, remarks should be on
10 there if they're available.

11 Q. Understood.

12 A. We can add remarks in the case of thunderstorms. Does that
13 answer your question?

14 Q. Yes.

15 A. Okay. I thought it would.

16 BY MR. SUFFERN:

17 Q. And a follow up on that. Would you consider a ceiling
18 varying a pertinent remark to add to the ATIS? The ceiling has
19 varied.

20 A. If it's, if it's in the remarks or if there's a thing,
21 ceiling variable from, yes, we would put that in the remarks on
22 the ATIS.

23 Q. Thanks.

24 A. The same with visibility. Visibility variable, but that's a
25 rarity.

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1 Q. Understood.

2 MR. OGDEN: Andrew.

3 BY MR. LIESER:

4 Q. Just a couple other quick little ones. So the controllers
5 here, they maintain familiarity with the approaches. I'm assuming
6 that's in some form of refresher.

7 A. They do, and they're under the glass. I keep those current.
8 The current approach plates are under the glass so they can refer
9 to them. I have the missed approaches highlighted.

10 Q. And then the controller break schedule, it seems like
11 sometimes that CTs can be a little strapped with just staffing.
12 So what would be the typical routine for a controller for a break?

13 A. We don't take breaks.

14 Q. No breaks. Okay. So it's just a rotation from local --

15 A. Rotation from local to ground, ground to local.

16 Q. Okay.

17 A. If -- that's it.

18 Q. You answered my question. Thank you.

19 MR. OGDEN: Brian, any follow up?

20 MR. SOPER: Does anybody else have any, oh, by the ways? Is
21 there anything else other than me?

22 UNIDENTIFIED SPEAKER: I'm good.

23 MR. SOPER: You're good. Do you Casey?

24 MR. OGDEN: No, I'm good.

25 BY MR. SOPER:

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1 Q. So a question I like to ask in a wrap up essentially is, so
2 since the time of the event, hindsight being 20/20, that type of
3 thing, you're able to look back on the event from outside in and
4 see how things went, first of all, is there anything that you
5 identify with right off the bat that you would consider successes,
6 failures or areas that need improvement? Like right off the bat,
7 just from looking at the way things played out or do you think
8 this was one of those situations that, you know?

9 A. Brian, if you could -- if I may, and if you'll forgive me --

10 Q. Yeah.

11 A. I've been so focused on preparing for this meeting today and
12 for all the initial responses to the event. I truthfully haven't
13 had a chance to do much of a review.

14 Q. Not a problem.

15 A. I'm hopeful that once, for lack of a better word, that the
16 dust settles, I hate to use that phrase, but you understand.

17 Q. No, I do.

18 A. Once things settle down, then certainly we will have things
19 to say locally about how are we going to do this going forward?

20 Q. Okay.

21 A. And I'll certainly get with Amy and see if we need to change
22 anything and see -- we don't want to be in this boat again, even
23 if, even if we didn't anything wrong or even if we did everything,
24 what could we do differently? And, you know, forgive me. I
25 haven't had time to analyze it.

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1 Q. That's not a problem. That's not a problem. I totally
2 understand. So -- and that being said, understanding you haven't
3 had a chance to really sit and analyze this thing and how it all
4 played out, have you made any changes or put in place any
5 mitigations at this point already to just help mitigate anything
6 like this in the future? Have you just been kind of preparing and
7 holding until you can get through this?

8 A. We have not. I have instructed the controllers to coordinate
9 with Indianapolis approach on any issues involving IFR aircraft.

10 Q. Okay. Fair enough. That's all I have.

11 MR. SOPER: Casey.

12 MR. OGDEN: Okay. Any remarks from anybody?

13 (No response.)

14 MR. OGDEN: Okay. We will show the interview concluded at 13
15 -- correction, 1322 Eastern Daylight Time.

16 (Whereupon, 1:22 p.m. EDT, 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: PEDESTRIANS STRUCK AS PIPER PA-28
DAKOTA MISSES LANDING AT THE
DELAWARE COUNTY REGIONAL AIRPORT
IN MUNCIE, INDIANA ON APRIL 1, 2024
Interview of John F. Ferratt

ACCIDENT NO.: CEN24LA144

PLACE: Muncie, Indiana

DATE: April 9, 2024

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

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

PEDESTRIANS STRUCK AS PIPER PA-28 *

DAKOTA MISSES LANDING AT THE *

DELAWARE COUNTY REGIONAL AIRPORT *

IN MUNCIE, INDIANA ON APRIL 1, 2024 *

*

* * * * *

Interview of: MATTHEW GOODSPEED, Operations Supervisor
 Federal Aviation Administration

Microsoft Teams

Friday,
 April 19, 2024

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APPEARANCES:

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National Transportation Safety Board

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

ALLISON MATTIOLI, Air Safety Investigator
National Air Traffic Controllers Association

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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

(12:51 p.m. EDT)

MR. OGDEN: Okay. The time is now 1251 Eastern Daylight Time.

If you could, please state your name?

MR. GOODSPEED: Matthew Goodspeed.

MR. OGDEN: Could you spell that?

MR. GOODSPEED: M-a-t-t-h-e-w, last name, Goodspeed, G-o-o-d-s-p-e-e-d.

MR. OGDEN: Thank you. As part of the process, I'll be recording the interview, and then I'll have a transcription made. The transcript will become part of the factual report. The audio will be not be part of the public docket. I'll send you a copy for your review. It should be about a month before I can have that back to you. Any questions about that process?

MR. GOODSPEED: Negative.

MR. OGDEN: Okay. Good afternoon. My name is Casey Ogden. I'm an air traffic control investigator with the National Transportation Safety Board.

The NTSB is an independent federal agency charged by Congress with determining the probable cause of aviation accidents and incidents of a significant nature and promoting transportation safety.

With me today, I have two other investigators from the NTSB, lead air traffic investigator, Brian Soper. I also have Paul

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1 Suffern, senior NTSB meteorologist.

2 As part of our process, we invite parties to participate in
3 the investigation to provide us technical expertise. With me
4 today as part of the group, I have Andrew Lieser. He is a quality
5 control specialist, at the Chicago District. Additionally, I have
6 Allison Mattioli coming to us from NATCA ASI.

7 The purpose of this investigation is safety, to gather the
8 facts, determine the probable cause and prevent recurrence. Our
9 role is not to assign fault, blame or liability. This interview
10 is part of the fact-finding phase of the investigation.

11 As part of the regulation, you're welcome to have one
12 representative of your choice to attend. I see you have a
13 representative with you. Is the person sitting next to you, the
14 person you want to be your representative?

15 MR. GOODSPEED: Yes, Ben.

16 MR. OGDEN: Okay. Representative, can you please state your
17 name?

18 MR. WADE: Yes. Benjamin Wade, Office of the Chief Counsel,
19 FAA.

20 MR. OGDEN: Thank you. The reason for this interview today
21 is to discuss the accident that occurred on April 1st, 2024,
22 regarding N8438B. We'll be asking a variety of questions. So if
23 at any time you have any questions, please feel free to ask.
24 Please answer all questions to the best of your knowledge and
25 recollection. If you do not know an answer to a question, I don't

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1 know or I'm unsure, I don't recall, those are perfectly acceptable
2 answers. If you do not understand a question, ask to have it
3 repeated or explained.

4 If at any time you wish to take a break or you want to
5 consult with your representative, please let us know and we can
6 afford that. Do you have any questions so far?

7 MR. GOODSPEED: Negative.

8 MR. OGDEN: Okay. The way things will work today, I'll start
9 out asking questions. We'll go around and each group member will
10 have an opportunity to ask their own questions. You may see some
11 of us typing or heads down writing notes. These notes are just to
12 help jog our memory on things we may want to ask you, and these
13 notes will be destroyed. That is the basic structure of a NTSB
14 interview. Do you have any questions about any part of the
15 process?

16 MR. GOODSPEED: Negative.

17 INTERVIEW OF MATTHEW GOODSPEED

18 BY MR. OGDEN:

19 Q. All right. So what are you operating initials?

20 A. GG, golf, golf.

21 Q. And what is your age?

22 A. 37.

23 Q. Do you have any military or pre-FAA work experience?

24 A. I have 6 years military, 1 year DOD, and I've been with the
25 FAA since 2018.

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1 Q. Tell me about that military experience. Where were you at?

2 A. I spent 6 years, all 6 at Luke Air Force Base working fighter
3 jets in transition with the F35.

4 Q. Okay. Another Air Force guy. I like it. I like it. What
5 years were you in?

6 A. 2011 to 2017.

7 Q. We have complete overlapping service. I joined in 2011
8 myself. DOD time, was that at Luke as well?

9 A. No, my DOD time was at March Air Reserve Base out in the
10 California.

11 Q. Gotcha. Okay. All right. Do you hold any collateral duties
12 or have you been a part of any recent details?

13 A. Details, no. Collaborative duties, it would depend exactly
14 what you mean? Like work groups.

15 Q. Yeah, work groups, anything collateral that you've done.

16 A. Yeah, I was a member of the local safety council both with
17 NATCA and then when I became a supervisor. I'm part of our
18 airspace revamp program and now I'm the lead on the SID STARS
19 group and yeah, see what (indiscernible).

20 Q. All right. So this is kind of the 10,000 foot overview if
21 you will. How did you get started in air traffic? How did that
22 begin and how did you get where you are now?

23 A. Well, I was doing nothing with my life, working at Pizza Hut,
24 living in my mom's basement. Then I met this girl, and she
25 basically said if I wanted to be with her, I needed to do

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1 something with myself. So I decided to go to college. I went to
2 college for 2 years for computer science, kind of burned out, got
3 real salty, had a 4.0 GPA and there was a competition in the State
4 of Pennsylvania, it's called PACISE. It's a programming
5 competition where my team that I lead and placed second in the
6 state, both my freshman and senior year, which I wanted to
7 transfer to Carnegie Mellon. It would have been a state school,
8 to get a diploma. They didn't accept my transfer. So I got real
9 salty, sat in my dorm on my laptop and Googled highest paying jobs
10 that don't require a college degree. Air traffic was on there.

11 Q. I see. I see.

12 A. And I joined the Air Force, guaranteed air traffic and here I
13 am today.

14 Q. Thanks for the background. Have you ever been fired,
15 terminated, suspended or asked to resign any ATC position?

16 A. Negative.

17 Q. Okay. How would you describe your overall health? Poor,
18 fair, good or excellent?

19 A. Good.

20 Q. Do you hold a medical classification?

21 A. Yes.

22 Q. Okay. Do you require corrective lenses or contact lenses?

23 A. Yes.

24 Q. Okay. Were you wearing the contact lenses as that time of
25 the event?

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1 A. Yes.

2 Q. Okay. Do you take any medication, prescription or non-
3 prescription medications?

4 A. Negative.

5 Q. Okay. Was drug or alcohol screening performed following this
6 event?

7 A. Not on me.

8 Q. Okay. Any changes in your health the last year, you had a
9 stent put in, had a stroke, anything like that?

10 A. Negative.

11 Q. Any changes in your personal life, got married, divorced, had
12 a kid, adopted one, anything like that?

13 A. Negative.

14 Q. Any changes in your financial situation, win the lottery,
15 declared bankruptcy?

16 A. I got a huge raise when I became sup.

17 Q. Okay.

18 A. It'll be a year in 4 days.

19 Q. Okay. So 72 hour history. I'm not get to into it --

20 A. No problem.

21 Q. Okay.

22 A. This is not a normal office. I apologize for that.

23 Q. No, no problem at all. In the 72 hours leading up to the
24 event, any major obstructions in your day-to-day life? You got in
25 a car wreck, you got sick, a family member was ill that you're

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1 taking care of, anything major in the 72 hours leading up to the
2 day of the event?

3 A. Negative, standard ops.

4 Q. Okay. Did you file an ATSAP report following this event?

5 A. Negative.

6 Q. Okay. Have you been interviewed about this event before now?

7 A. Negative. I sat on the SRT but I think maybe they asked me
8 one question or maybe it was the SSR.

9 Q. Okay. Have you had an opportunity to review the replays of
10 the event?

11 A. During the SRT, everything was played.

12 Q. Okay.

13 A. I think that was Tuesday or Wednesday of last week.

14 Q. Okay. All right. Was a relief briefing conducted when you
15 took the position?

16 A. Yes.

17 Q. Okay. Was a checklist used and it was recorded?

18 A. I believe so, I don't 100 percent recall, but typically
19 that's normal (indiscernible).

20 Q. On a scale of 1 of 5, 5 being the heaviest, how would you
21 classify the traffic volume at the time of the event?

22 A. Probably a 3.

23 Q. Was that volume normal for that time?

24 A. I'd say the volume was. The complexity on a Monday morning
25 was probably, and just with the stuff that was going on, a little

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1 heavier than normal.

2 Q. Got it. All right. Well, that leads me into the next
3 question. On a scale of 1 to 5, 5 being the most complex, how
4 would you class the traffic complexity at that time?

5 A. A 3 or 4.

6 Q. Okay. Were there any distractions occurring at or leading up
7 to the time of the event?

8 A. Negative.

9 Q. Do you recall the weather conditions or current advisories at
10 or leading up to the time of the event?

11 A. I believe so.

12 Q. Can you explain any of that?

13 A. Sure. It was mixed VFR/IFR throughout the airspace causing a
14 lot of departure off satellite airports to depart IFR. Data was a
15 little busier especially the hour before the incident. I recall
16 that because I had worked it, trying to consolidated a break and I
17 remember Muncie calling with an ATIS change advising us I believe
18 their ceiling dropped to IFR maybe 700 feet, not 100 percent on
19 the altitude. It was a cloudy morning.

20 Q. Understood. And did you receive a pre-duty weather briefing?

21 A. Yes.

22 Q. Anything stand out?

23 A. Just good old Indiana weather. Nothing glaring. Nothing
24 that we don't normally do or handle.

25 Q. Did you have a cellular phone or cellular personal electronic

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1 device with you at the time of the event?

2 A. Negative.

3 Q. Had you requested relief or assistance at or leading up to
4 the time of the event?

5 A. After the event happened, I did. Prior to it, no.

6 Q. Okay. And then did you notify your supervisor about the
7 event?

8 A. I notified the supervisor in the tower requesting him to come
9 downstairs and help me, and I notified my ATM.

10 Q. Okay. And that was immediately following the event?

11 A. Correct.

12 Q. Okay. To the best of your ability, can you step me through a
13 chronological history of the event as you remember it? You can
14 start from whatever point you remember.

15 A. Sure. I'll just start, in the morning, I can't remember
16 exactly. I don't recall exactly what our staffing was but I
17 provided I believe an extra body upstairs. I don't remember -- I
18 don't recall 100 percent what the staffing was, but I had worked a
19 stint on arrival data to consolidate a break. This is maybe an
20 hour or so prior to the event, and it was busy. It was busy and I
21 remember that because when Tyler Hite came in, I immediately gave
22 it to him and made the general comment, oh, thank God you're here.
23 Just, you know, supervisors, if you guys are air traffic you
24 understand, get me off of here, you know. So because of that, I
25 was a little bit behind on rotations, who's going on the up list,

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1 et cetera, et cetera. Now once he got out there, traffic dying
2 down. I'm starting to take care of some of my administrative
3 stuff on the desk, and I was doing some PMAS stuff. I was on
4 leave or I had leave coming up in April which was last week, and I
5 believe you guys were trying to get ahold of me. So I was trying
6 to get a head start on performance discussions or at least the
7 documentation. So I was doing that behind the desk, reading
8 rotations, determining the up list throughout the day, the sup
9 prior, the evening didn't make the spreadsheet for the whole day
10 essentially. He just did it for the morning.

11 I didn't actively -- I didn't have my headset on my ear, but
12 I was right next to the operation listening and watching what's
13 going on. Like I said, standard ops, Muncie, I remember them
14 calling, making sure they're getting PIREPs. I think I pimped
15 them for that, making sure we got a PIREP. I guess the first
16 thing that I recall was Muncie coming over the line and saying
17 something along the lines of, hey, this guy's making a right 360.
18 So I can't remember if he said ground or the guy had the airport
19 in sight or he had ground contact. So immediately, you know, my
20 ears are perked because -- and I'm sure this is something you guys
21 will ask, later on the meeting, but as far as I'm aware, if he's
22 not going to make the approach, he should be going missed
23 approach. So why is he making a 360.

24 At this point I'm basically standing right behind the
25 controller, watching how things are going. He breaks this guy off

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1 the approach, loses radar contact. He's calling Muncie, telling
2 them about it. And then I'm not satisfied at that point with
3 whatever's going on. So I believe I called on either the recorded
4 phone line or a shout line, you know, like hey, what's going on?
5 And at that point he told me that he saw a white puff of smoke if
6 I recall correctly and watched him go into the trees. I can't
7 recall the order, but pulled up the checklist for emergency,
8 called the ROC, called my ATM. The ROC transferred me to JASON
9 and started filling out the packet.

10 Q. Understood. Thanks. Okay. I've just got a couple of
11 questions before I pass it off. Could you tell me about the input
12 you provided to the controller while this was happening?

13 A. I didn't provide a lot of input. I felt like the controller
14 was pretty on top of it. I think there was a little side talk or
15 what we had going on. We were just a little confused with the
16 360. You know, I did this in the Air Force as well and, you know,
17 we'd listen to people all day long, you know, their body language,
18 their annunciation and my immediate thought was the Muncie
19 controller came over the a line. He didn't sound quite normal to
20 me. So I kind of -- call it instinct or whatever you want to call
21 it, but I felt like immediately something was going on. It's not
22 normal. So he was basically doing everything he was -- there
23 wasn't a lot of communication between him and I. It was like,
24 hey, let's work as a team. I'm going to call him here. Don't
25 forget about your aircraft. Don't get narrow-sighted looking at

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1 this. Don't forget you have other plane in the sky type of deal.

2 Q. So you spoke a little bit about the missed approach there.

3 At any point did you feel that you should advise your controller
4 to maybe tell Muncie to put the aircraft on a missed approach or
5 did you understand the situation to be something different?

6 A. Of course, that went through my head but the way I understood
7 when Muncie came over the line at that time, was that he was
8 already in -- he was doing a 360. It wasn't a request. It
9 wasn't, hey -- you know, typically if something is weird -- if
10 Muncie or Columbus, our two tower airports will ask us, you know,
11 hey, what do you want this guy on or if we have a planned missed
12 approach and we need something different, we'll tell them
13 alternate missed approach instructions. So now at that point, I
14 believe -- I was under the impression that this guy was already
15 doing the 360, yeah. So, I kind of wanted to call him and be
16 like, hey, you know, what's going on, but also I didn't want to
17 argue with the guy if he's got some stuff going on, if he's got
18 weather, you know, I don't know the whole picture. Maybe the guy
19 declared with them. He was not telling us. So that was my
20 thought process.

21 Q. Awesome. Thank you, Matt.

22 MR. OGDEN: That's all the questions I have for now. I'm
23 going to pass it over to Brian.

24 MR. SOPER: Thanks, Casey.

25 BY MR. SOPER:

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1 Q. All right, Matt. So I actually just got one for right now.
2 It's actually one area. It might end up with more than one
3 question, but it's kind of just staying on that same line of
4 thought where we're at right there. I'm curious to understand.
5 So you're qualified on that position operationally, too, correct?
6 You work that same position you said, correct?

7 A. I'm qualified everywhere here at Indy.

8 Q. That's what I thought. So you, so you worked that position.
9 You worked the traffic there. You know what's going on. You
10 understand Muncie's operation. Understanding that hindsight is
11 always 20/20, it's different when we're sitting here outside the
12 operation talking about something and looking back on it, but do
13 you feel that you would do something differently? And this isn't,
14 you know, hit your controller or anything like that. This is just
15 to understand what your thought process was at the time. If you
16 were working that position, you had cleared the pilot on the RNAV
17 approach into that airfield. They were IFR. They call back up
18 and say, hey, this guy wants to do a 360. What do you feel like
19 -- how would you probably handle that, understanding this is all
20 just hindsight, you know, trying to understand where you're coming
21 from?

22 A. Like you said hindsight. I don't know that I -- it was
23 really given an option to do anything differently. I'm being
24 honest because like I said when he came over the line, it wasn't
25 -- it didn't feel he was asking permission. It felt like, hey,

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1 this is what's happening. Maybe we could have asked more
2 questions, but again we had -- that's tough.

3 Q. You don't have to elaborate further than that. I get where
4 you're going with that. So I understand and I appreciate you
5 responding to that. And then second to that, I just want to
6 understand how is your relationship with Muncie in general? Like
7 just your interaction back and forth with them? Has it been good?
8 Do they do odd things? Or, was this kind of an anomaly? You
9 don't really know what was going on there? I mean like what's the
10 general interaction you have with them?

11 MR. WADE: I just want to clarify. Is that with the facility
12 or just Matt's --

13 BY MR. SOPER:

14 Q. I'm sorry. I apologize. So I'm talking about your general
15 control interaction when you're working in the control environment
16 with air traffic at Muncie.

17 A. I think it's fine. We don't have issues with Muncie Tower or
18 vice versa. I mean -- and that was just completely nonstandard
19 like I had said earlier. That was not a normal exchange between
20 two people on the line. That was not -- in my 13 years, I've
21 never -- he's on an instrument approach. I've never, never once
22 seen or even heard somebody doing a 360.

23 Q. Okay. That's exactly what I -- that's all I have for right
24 now. So I'm going to go ahead and pass it back to Casey.

25 MR. OGDEN: Thank you, Brian. Paul.

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1 MR. SUFFERN: Thanks, Casey.

2 BY MR. SUFFERN:

3 Q. Thanks, Matt, for chatting with us on a Friday afternoon. I
4 appreciate that. I'm going to have a couple of weather related
5 questions and things like that. Just kind of from your sup
6 position there, (indiscernible) air traffic controllers and
7 working traffic to be eased into perform their duties there?

8 A. You were kind of broken. Can you repeat that?

9 Q. Yeah. Sorry. I was just asking what resources do you expect
10 controllers to be using while they're working traffic?

11 A. I still can't understand him. It says his bandwidth is low.

12 MR. SOPER: Matt, I think that -- hey, Paul, try turning off
13 your video, but what he's asking if I'm not mistaken here is what
14 weather type of resources do you have available in the control
15 room there that you would expect your controllers to be able to
16 use or reach out to, to prepare themselves or understand what the
17 weather picture is at the time.

18 MR. GOODSPEED: Yeah, absolutely. I feel like we have a lot
19 of resources. First thing, the weather brief that they get prior,
20 you know, when they're signing in in the sign in room. That gives
21 them a snapshot of what to expect throughout the day. And when
22 they come in, there's multiple monitors throughout the TRACON that
23 has the weather pulled up. I'm terrible with acronyms. So I
24 won't try to name those but we have, you know, there's -- and then
25 I am also a resource you could say, you know. I'm also getting --

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1 I believe I get two or three emails a day on top of -- I think
2 center does one recording in the morning which is typically the
3 weather brief that the controllers are watching through CEDAR, and
4 then I'm getting multiple emails throughout the day, maybe one at
5 noon and one later, which is something but, you know, like I would
6 say I'm a resource as well. While things are changing, I'm
7 communicating that up to the controllers especially with the
8 winds. With our runways here and not having 14-32 at the closure,
9 it's important to keep an eye on that when the winds are shifting
10 especially with weather coming in. We try to stay on top of that.

11 BY MR. SUFFERN:

12 Q. Thanks, Matt. That's good. I apologize. Hopefully my
13 internet improves there, but that's helpful information. What
14 access do the controllers have as far as rapidly changing weather
15 conditions and maybe a METAR is changing more than once an hour?
16 What would you expect controllers to use to stay updated on that
17 weather info?

18 A. Any time that's changed, it's populated. So if the tower's
19 changing, they're sending out the new ATIS. They have the IDS
20 right above them that shows the latest METAR including the special
21 observations. You know, even if they're too absorbed into their
22 scope, when the tower changes the ATIS they're also changing on
23 STARs, it's changing on the STARs scope in front of them. Also
24 any time an ATIS changes, the person working data shouts out the
25 new ATIS code.

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1 Q. Okay. And so specifically for one of your satellite airports
2 there, where maybe they cut the ATIS once an hour or things like
3 that, but if the weather conditions are changing in between that
4 timeframe, how would you expect controllers to stay up dated then
5 or for satellite airports there?

6 A. For the most part they just ask the pilot if they have the
7 weather, if they weather there. There are a lot of times that if
8 the weather's not working, and if not, we can always pull out a
9 weather request from the FIDO. I wouldn't say that it's 100
10 percent standard, but a lot of times if the weather's not
11 accommodating a pilot or if we know the weather's better somewhere
12 else, we can pull out and make a weather request and let them
13 know.

14 Q. Okay. So you're able to weather request for your satellite
15 airports --

16 A. Absolutely.

17 Q. -- if needed?

18 A. Yes.

19 Q. Okay. Do you have any, not Muncie in particular, but maybe
20 it is Muncie, but other airports there, do you have any airports
21 in your airspace where the METAR information, the weather
22 information there is inconsistent or you have known weather issues
23 -- weather equipment issues? I apologize.

24 A. I believe the AWOS has been called out. I wouldn't say
25 consistently, but there's a couple satellite airports that too

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1 often probably I believe the AWOS is called out. I don't recall
2 us ever having IFR weather during those times though.

3 Q. By called out, what do you, what do you mean by that term?

4 A. It being NOTAMed out essentially.

5 Q. Okay. Okay. And do you recall which airports in your
6 airspace that's typically for?

7 A. It's random. I'd say a lot of times it's like Indianapolis
8 Regional or Indianapolis Green Wood. It'll just tell us that the
9 AWOS is out, and if that's the case, we'll just give them the
10 weather from somewhere else or give them our (indiscernible)
11 weather.

12 Q. Okay. In general for the airspace that you're working there,
13 where does the weather generally come from? Which direction?

14 A. Which direction?

15 Q. Yeah. Does the weather --

16 A. From the west.

17 Q. Okay. Yeah. Just from your experience. That's all. All
18 right. One more set of questions here related to PIREPs and how
19 you handle them down there at the TRACON there. Could you tell me
20 the process for getting a PIREP and sending it out there for you?

21 A. Sure. Our basic requirement is one an hour. I believe
22 that's for the entire facility, both up and down though we
23 typically at a bare minimum, get one per facility. So one in the
24 tower and one in the TRACON. And then, you know, it just depends
25 if we're getting more. On a lot of factors, if it's something

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1 different. If we're getting the same report over and over, we're
2 not going to put multiple PIREPs in the same hour. I feel like
3 that's redundant. I don't personally I guess you could say
4 enforce or request that they do that unless there's, you know, one
5 PIREP is ceilings, and then they're given an ice report, of
6 course, put the ice report in. We get a turbulence, okay, put the
7 turbulence in. So. But more often than not, it's just ceilings.
8 We're probably just getting one or two an hour.

9 Q. Okay. So you get that PIREP, and then how -- what is the
10 process from when I guess a controller gets it and then it's
11 handed to you as a sup or how does that work? Does it go to
12 flight data or --

13 A. So typically when I will -- I'll announce, hey, can we get a
14 PIREP? We're due for one this hour. I'm listening. I tell them
15 -- we have PIREP sheets but, you know, typically when I'm on the
16 desk, they don't need to write it down. I'm listening to it.
17 Some are writing it down for the data controller that they hand it
18 to or I'm putting it in myself to the AISR.

19 Q. Okay. And do you usually have like a timeframe? Do either
20 you hear or someone hands you the PIREP sheet, hey, I got this
21 one? Is there a timeframe you try to get it AISR'ed by?

22 A. Well, we just -- we also -- the data person puts it in the
23 IDS so every position has access to the most recent NOTAM. So if
24 departure's got the most recent NOTAM and you're working, you
25 know, the feeder final and they're, hey, what's the trending

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1 weather like, like you asked earlier with, you know, resources for
2 weather, they can pull up and see all our recent history on the
3 PIREPs. I don't know if that answers your question. Sorry.

4 Q. Yeah. Maybe I'll restate that. So do you get one, you're
5 handed one like do you have a timeframe of, hey, sup, I've got a
6 PIREP sheet (indiscernible) you try to get it in AISR in like 5
7 minutes, you know, or like 10 minutes or I'm getting busy and this
8 one doesn't get in for 30 minutes? Like do you have a --

9 A. No, we --

10 Q. -- timeframe from when you hear it to --

11 A. It should be put in right away. There's not a delay.

12 Q. Okay. Thank you, Matt.

13 MR. SUFFERN: Casey, that's all I have right now.

14 MR. OGDEN: Thank you, Paul. I'm going to pass it over to
15 Andrew now.

16 MR. LIESER: Thank you, Casey.

17 BY MR. LIESER:

18 Q. Hi, Matt. So I have a question if you know or have a rough
19 estimate, how large geographically like east to west is the
20 airspace in the TRACON like size-wise? Do you know how many miles
21 that covers?

22 A. I don't recall an exact number, close to between 60 and 70
23 miles.

24 Q. Okay. And so your understanding of the one per hour PIREP
25 requirement would be that the TRACON gets one and that the tower

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1 gets a PIREP at least once hourly when conditions warrant?

2 A. If you're asking what my understanding of the minimum
3 requirement, it would be that the facility IND as a whole, because
4 this has been talked about between controllers, there's one per
5 IND. However, our requirement here basically kind of under the
6 table because I don't believe our SOP specifies it is you should
7 be getting them in the tower and you should be getting them from
8 the TRACON.

9 Q. Okay. So, kind of on that note, if weather conditions or
10 visibility or ceilings are poor on one side of the airspace but
11 they're not on the other, do you -- it would not be your
12 expectation that to ascertain the PIREP conditions for the area in
13 which the weather conditions warranted solicitation? It would be
14 acceptable regardless of where that PIREP was received to have met
15 that requirement.

16 A. I'm not 100 percent sure if I understand your question. If
17 there's weather in half of our airspace, they should be getting a
18 PIREP from that half of the airspace, and I wouldn't say that we
19 put a PIREP for the half that's, you know, crystal clear. But,
20 you know, where there's weather, we should be getting PIREP.

21 Q. Okay. And then staying on the PIREPs, prior to the accident
22 at Muncie, there was a departing aircraft out of Muncie. I think
23 it was within about 15 minutes prior to the arrival time for 38B.
24 Would it be your expectation that either Indianapolis or Muncie
25 get a bases report from that PIREP based upon the changing

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1 conditions at Muncie as far as ceilings going from VFR to IFR?

2 A. I'd say no, that wasn't my expectation, but I believe they
3 called and told us that their most recent ATIS was 700 feet. I
4 guess right or wrong, I didn't feel the need to increase the
5 workload of the controller to get a PIREP when we just got an ATIS
6 update from that airport from the controller that's at that
7 airport I guess we could say.

8 Q. I appreciate your answers. Thank you very much. That's all
9 I have for right now. I'm going to give it back to Casey.

10 MR. OGDEN: Thank you, Andrew. I'm going to hand it over to
11 Allison.

12 BY MS. MATTIOLI:

13 Q. Hi, Matt. Thanks again for taking the time to meet with us.
14 I wanted to talk about just your role in general as a supervisor
15 there at Indy. So I know every day is completely different, but
16 what would you say your -- when you're there for a night or a day
17 shift, whichever you want to pick, how much direct oversight do
18 you think you give in an 8 hour shift that you have?

19 A. Probably about 7 hours and 45 minutes. I'm very -- I came
20 over to the supervisor side because I enjoy the operation. I'd be
21 the first one to tell I don't enjoy any of the administrative
22 stuff. If I could just be in the operation, be part of that,
23 every single day, that'd be my dream job. So, I'm sure that if
24 you guys have access to pull whatever information you need, and
25 I'm sure that the data will show that I'm in the operation and

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1 provide oversight all of the time.

2 Q. That's great. How many employees do you have?

3 A. That's a good question. So we've got -- so we have a
4 supervisor that's out on PTO. So I half of his -- I don't know
5 the exact number, but I think I have 10 or 11 right now because I
6 have half of his.

7 Q. Okay. So my notes fell on the floor. When you do provide
8 direct oversight, what is your -- are you listening to the busiest
9 position, whether it's upstairs or downstairs? What's your call
10 on that, trying to listen to everybody? What do you do?

11 A. So it kind of depends, you know, part of my job is
12 understanding, you know, strengths and weaknesses of each
13 individual controller. There are times that I feel like it's more
14 beneficial not to have a headset and solely focused on one
15 position when I can kind of listen to everything as a whole, for
16 instance, that morning. There are times where if I have a weaker
17 controller working a position, and I know that, hey, I need to pay
18 more attention, it's just -- there's a lot of variables. But I'm
19 typically actively involved coordinating, helping with strips,
20 helping data, you know, I'm always involved in the operation
21 (indiscernible) in 5 days. I've been in this position for a year,
22 and that's why I wanted to be supervisor.

23 Q. Great. And I can't remember if this was question was asked.
24 If it was, I do apologize. When the event was over, and you had
25 time to -- the SRT, I'm sorry, the SSR took place, was there a

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1 PROC issued to your controller or to the controller that was
2 involved by you?

3 A. Negative. If I was to give one, it would be a positive one.

4 Q. That's all I have for now. I'm going to pass it back to
5 Casey, and then I appreciate your time.

6 A. Thanks.

7 MR. OGDEN: Awesome. Thank you, Allison.

8 BY MR. OGDEN:

9 Q. Yeah, just a quick follow up on the PROC. You said it would
10 be a positive one. Can you tell me what you would highlight in
11 that?

12 A. Sure. I think he did a great job keeping his cool throughout
13 the whole thing. I remember the Muncie controller coming over and
14 kind of being unprofessional on the line. He was not. I actively
15 talked to -- he's one of mine by the way. He's -- I don't know if
16 you guys have that data or not, but he was one of mine, and it
17 took him a very long time compared to others to supervise or to
18 certify. He got here a few months after them, but he's improved
19 significantly over the last year or so. I'm pretty harpy on
20 phraseology and PIREPs believe it or not, and other things. I
21 have a lot of sidebar conversations with everybody. I have a very
22 good relationships with all of them, and I feel like they're doing
23 a good job. Of course, you know, there's always something that we
24 all could have done better. I'm sure all his phraseology wasn't
25 perfect and I don't believe he told that the second aircraft that

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1 was in trail, that he was vectoring him across final, et cetera,
2 et cetera, but overall I felt like he did a great job, and I'm
3 glad that he was the controller that was working it.

4 Q. Awesome. Thank you for the insight.

5 MR. OGDEN: I have no other follow-up questions at this time.
6 I'm going to pass it over to Brian.

7 MR. SOPER: I do not have any right now either. So I
8 appreciate that, Casey.

9 MR. OGDEN: Okay. Moving along, Paul.

10 BY MR. SUFFERN:

11 Q. All right. I've got a couple and hopefully my internet does
12 okay. So as sup there, do you have access to any weather radar
13 information while you're on shift if weather's changing and such?

14 A. I have access to everything. I mean I have the internet at
15 my fingertips. So I can pull up that. We have equipment. We
16 have the ITWS. We have the TAF forecast. We have -- I can call
17 our weather people that are in the facility I believe 24/7 which I
18 do call sometimes when the winds are shifting and the TAF doesn't
19 show that they should be shifting in that direction. So, yes.

20 Q. Okay. And along with the information that you mentioned, do
21 you ever call up or request or get weather satellite information?

22 A. From the satellite airports? Negative.

23 Q. No, not -- satellite weather as in clouds and things like
24 that, looking at them from space.

25 A. Not that I recall.

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1 Q. Okay. Just a couple more. If a pilot's on a IFR flight
2 plan, do you assume they're comfortable flying in the clouds or
3 flying in IMC?

4 A. I assume that they're capable of flying IFR through clouds.
5 I mean it's, you know, it's variable. It could be bumpy in the
6 clouds. There could be ice in the clouds. I don't assume
7 anything. We accommodate whatever a pilot needs. It's kind of I
8 guess the expectation would be if the pilot doesn't like where
9 they're at, that they'll communicate that.

10 Q. Okay. Reading through the SOP, it mentioned things like
11 pertinent remarks in a METAR. What does a pertinent remark in a
12 METAR mean to you?

13 A. Pertinent remarks in METAR. I'm not even sure I know where
14 that's -- I'm not even sure in the SOP where it says that. But to
15 me, pertinent would be anything that affects the flight, the
16 potential flight, flight path, of the aircraft.

17 Q. Okay. And the last question's always my favorite one. If I
18 put you in charge of the whole facility and you also won the
19 lottery, but were feeling very generous and decided to give some
20 of that to your fellow controllers, and you had to buy a weather
21 tool, so there's weather equipment, a tool, something like that,
22 that could help you do your job better, what would that be?

23 A. That's a tough one, because I feel like, you know, between
24 PIREPs and the equipment that we have, for the most part I'm
25 satisfied with it. I guess if there was a way that the pilots

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1 could input PIREP and it automatically, you know, would come to
2 us, I don't know. I think that's possible, but I guess in the
3 dream world, the pilots could just input it where they're at, like
4 they communicate with the ADSB and stuff, you know, instead the
5 radio congestion and everything else, back and forth constantly
6 between us. It's workload for them. It's workload on the
7 controllers. It's workload on data putting it in or the
8 supervisor putting it in. And then, I don't know how the center
9 does it. I know you guys, it might have been -- maybe it was
10 Casey, I can't remember but, you know, then they're pulling it
11 from the AISR, where if there's one system that the pilots could
12 input it and have instantaneous access to whatever.

13 Q. Okay. Thanks, Matt. That's all the questions I've got. I
14 appreciate your time.

15 A. Thanks.

16 MR. OGDEN: All right. Thank you, Paul. I'm going to pass
17 it over to Andrew.

18 BY MR. LIESER:

19 Q. Well, the good news is, I don't think you need a million
20 dollars to get your request. I know that there's some
21 functionality with CPDLC, if you're familiar with controller pilot
22 data link communications that I know that the team is working on
23 that has looked into some ability to provide that type of
24 information. So, I thought that I would share that with you since
25 I knew that. I don't know if that's something that will come

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1 fruition, but it's just something I've heard.

2 Regarding ALNOT procedures, do you believe an ALNOT should
3 have been issued for this aircraft?

4 A. Negative.

5 Q. And can you explain why you believe an ALNOT was not
6 necessary?

7 A. Sure. So the thought had gone across my head, especially
8 when radar contact was lost. However, when I called over to
9 Muncie and the Muncie controller told me he saw a puff of smoke
10 and basically saw him -- I can't remember his exact verbiage, saw
11 him going into the tree line, right or wrong in my head, that was,
12 you know, that was the plane had crashed. It shouldn't have been
13 a VFR plane there. They were IFR. If there was anybody else in
14 the pattern, surely the Muncie controller would have known. So
15 that's the only aircraft that it could have been.

16 Q. Okay. So -- okay. I understand. Moving back to the
17 procedure of the execution of the 360 degree turn, do you feel
18 that your LOA or SOP adequately explains missed approached
19 procedures?

20 A. I can't recall what it says about missed approached
21 procedures.

22 Q. Okay. So would it be fair to say in that situation the
23 expectation was that Muncie was passing information to you about a
24 360 or making a request? Do you which way you felt about that?

25 A. 100 percent I recall that. My expectation, the controller's

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1 expectation should be that that guy was doing a missed approach
2 which I can't remember exactly what it is, but it's straight out I
3 believe toward one of the fixes or a right turn. They're
4 basically all the same in our airspace. Either they go straight
5 or they make a right turn and go right back to the -- like the
6 initial approach fix which you climb to 2900 feet. That was the
7 expectation. When he called over the line, it did not sound like
8 he was requesting. It sounded like he was saying, hey, this guy
9 is already. This guy is turning. So whether it -- like I had
10 said earlier, in my head was he in distress or was there something
11 else going on?

12 Q. Okay. Were you part of the SSR, when the SSR was completed?

13 A. I was interviewed for the SSR.

14 Q. Okay. Did you participate in the SSR?

15 A. I'm not sure what that means.

16 Q. When the event was reviewed in totality through the SSR,
17 usually it's sometimes it's local safety counsel, sometimes it's
18 quality --

19 A. Let me clarify because I'm getting -- I believe the acronym
20 is -- which I'm not good with that. So the SSR is the local team
21 that -- the system services review. I was interviewed for maybe
22 like 3 minutes. I did not -- I was not a participant in it other
23 than being interviewed and being asked a few questions.

24 Q. Okay. That -- I understand. SSR and SRT get confused
25 sometimes and the ones on the telecon, you're on with a bunch of

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1 people you probably never met and never will, and the other inside
2 here at the facility. So, yeah. That's all I have. I don't have
3 any further questions. Thank you for your answers.

4 MR. OGDEN: Thank you, Andrew. Passing over to Allison.

5 BY MS. MATTIOLI:

6 Q. I just have one, and it was back to when you talked about
7 working data, feast or famine is kind of how data rolls in the
8 TRACON environment. How often do you say in your 8 hour shift
9 that you're covering the data role?

10 A. It depends what day of the week it is. It depends how many
11 people call in sick. A lot of controllers are on 6 day work
12 weeks. There's -- the way that staffing is right now, when we
13 take one or two sick hits, there's nobody to call in for that
14 overtime shift. So it's either there on 15 minute breaks or, you
15 know, I work data to consolidate to help and get it on their way.
16 Of course, that's done during, you know, low periods in traffic.
17 I'm not working that during peak traffic, et cetera. So I can't
18 really give you a timeframe. There's a lot of variables. There's
19 data. I'm sure that they could pull for you or you guys could
20 pull. A fair amount that I'm working data, it just depends on the
21 day. I'm the lowest seniority. So I'm working Friday night,
22 Saturday, Sunday typically the slower days of the week.

23 Q. That was the last question I had. Thank you.

24 MR. OGDEN: Okay. Last round. Brian, anything?

25 MR. SOPER: No, I have no questions. Thank you.

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1 MR. OGDEN: Thank you, Brian. All right. Does anyone have
2 any follow-up questions starting with Paul?

3 MR. SUFFERN: No.

4 MR. OGDEN: Andrew?

5 MR. LIESER: No.

6 MR. OGDEN: And, Allison?

7 MS. MATTIOLI: No.

8 BY MR. OGDEN:

9 Q. Okay. Last question. Anything you thought we would ask that
10 we didn't?

11 A. Are you asking me if you forgot to ask something?

12 Q. Sure, sure. However you want to take it.

13 A. No, no, I think you asked for the most part what I had
14 anticipated.

15 Q. All right. Well, again we thank you for your time, Matt. I
16 know this is a big interruption to your day. So we do appreciate
17 it. This input is pivotal to the report. So thank you again.

18 MR. OGDEN: I will show the interview concluded at 1340
19 Eastern Daylight Time.

20 (Whereupon, 1:40 p.m. EDT, the interview was concluded.)
21
22
23
24
25

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: PEDESTRIANS STRUCK AS PIPER PA-28
DAKOTA MISSES LANDING AT THE
DELAWARE COUNTY REGIONAL AIRPORT
IN MUNCIE, INDIANA ON APRIL 1, 2024
Interview of Matthew Goodspeed

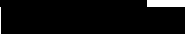
ACCIDENT NO.: CEN24LA144

PLACE: Microsoft Teams

DATE: April 19, 2024

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

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

PEDESTRIANS STRUCK AS PIPER PA-28 *

DAKOTA MISSES LANDING AT THE *

DELAWARE COUNTY REGIONAL AIRPORT *

IN MUNCIE, INDIANA ON APRIL 1, 2024 *

*

* * * * *

Interview of: RANDY HILLENBURG, Training Administrator
Federal Aviation Administration

Indianapolis Air Traffic
Control Tower
Indianapolis, Indiana

Wednesday,
April 10, 2024

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APPEARANCES:

CASEY OGDEN, Air Traffic Control Investigator
National Transportation Safety Board

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

ALLISON MATTIOLI, Air Safety Investigator
National Air Traffic Controllers Association

ANDREW LIESER, Subject Matter Expert
Federal Aviation Administration

ANDREW ROUGH
Representative for Mr. Hillenburg

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I N D E X

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I N T E R V I E W

(1:18 p.m. EDT)

MR. OGDEN: Okay. The time is now 1318 Eastern Daylight Time.

Could you please state your name?

MR. HILLENBURG: Randy J. Hillenburg.

MR. OGDEN: Could you spell your name?

MR. HILLENBURG: R-a-n-d-y, H-i-l-l-e-n-b-u-r-g.

MR. OGDEN: Thank you. As part of the process, I'll be recording the interview, and I'll have a transcription made. The transcript will become part of the factual report. The audio will be not be part of the public docket. Any questions about that?

MR. HILLENBURG: No, sir.

MR. OGDEN: Okay. Well, good afternoon. My name is Casey Ogden. I'm an air traffic control investigator with the National Transportation Safety Board.

The NTSB is an independent federal agency charged by Congress with determining the probable cause of aviation accidents and incidents of a significant nature and promoting transportation safety.

With me today, I have two other investigators from the NTSB that will now introduce themselves starting with Brian.

MR. SOPER: Brian Soper, air traffic investigator, NTSB.

MR. OGDEN: Thank you, Brian. Paul.

MR. SUFFERN: Paul Suffern, meteorologist with the NTSB.

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1 MR. OGDEN: Thanks. As part of our process, we invite
2 parties to participate in the investigation to provide us
3 technical expertise. With me today are the ATC group. I'll start
4 with Allison.

5 MS. MATTIOLI: Allison Mattioli. I'm here on behalf of
6 NATCA.

7 MR. OGDEN: Thank you, Allison. Andrew.

8 MR. LIESER: Andrew Lieser, FAA subject matter expert at the
9 request of the NTSB.

10 MR. OGDEN: Thank you, Andrew. The purpose of this
11 investigation is safety, to gather facts, determine the probable
12 cause and prevent recurrence. Our role is not to assign fault,
13 blame or liability. The interview is part of the fact-finding
14 phase of this investigation.

15 As part of the regulations, you're welcome to have one
16 representative of your choice to attend. I see you have a
17 representative with you. Is the person sitting next to you, the
18 person you want to have be your representative?

19 MR. HILLENBURG: Yes.

20 MR. OGDEN: Could you please state your name?

21 MR. WADE: Benjamin Wade, Office of the Chief Counsel, FAA.

22 MR. OGDEN: Thank you. Could you spell that?

23 MR. WADE: B-e-n-j-a-m-i-n, W-a-d-e.

24 MR. OGDEN: Thank you. The reason for this interview today
25 is to discuss the accident that occurred on April 1st, 2024,

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1 regarding N8438B. We'll ask a variety of questions. So if at any
2 time you have any questions, please feel free to ask. Please
3 answer all questions to the best of your knowledge and
4 recollection. If you don't know an answer to a question, I don't
5 know, I don't recall, are perfectly acceptable answers. If you
6 don't understand a question, ask to have it repeated, rephrased,
7 restated. Whatever you need, we can accommodate that.

8 If at any time you wish to take a break or you want to
9 consult with your representative, please inform us. We can take
10 that time. I'll pause the recording. You can step out and have
11 that time to consult. Any questions so far?

12 MR. HILLENBURG: No, sir.

13 MR. OGDEN: Okay. The way things will work today is I'll
14 start out asking some questions. We'll go around the room. Each
15 group member will have an opportunity to ask their questions. You
16 may see some of writing notes, typing. Just rest assured, you
17 have our full attention. These are to jog our memory, maybe
18 formulate questions. These notes will be destroyed. That is the
19 basic structure of our interview. Any questions before we get
20 more into the process?

21 MR. HILLENBURG: No, I'm ready.

22 INTERVIEW OF RANDY HILLENBURG

23 BY MR. OGDEN:

24 Q. Okay. All right. So, do you work in the operation here?

25 A. I'm a district entity. I'm a district support manager for

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1 training. I am assigned to Indy tower also.

2 Q. Okay.

3 A. I'm also like I said, a part of the district.

4 Q. Understood. What is your age?

5 A. I am 61.

6 Q. Okay. Do you use operating initials?

7 A. HR.

8 Q. Okay. Do you have any military or pre-FAA ATC work
9 experience?

10 A. Yes, I was Air Force for 5 1/2 years.

11 Q. Very nice. After your Air Force time, where did you go?

12 A. Here.

13 Q. Okay. And what year did you get here?

14 A. '88.

15 Q. Okay. That's to today. Do you hold any collateral duties or
16 have you been on any recent details?

17 A. I was on a national work group for a call for training last
18 year but that's it for that.

19 Q. Okay. The why view. Could you describe briefly your air
20 traffic control/aviation background for us?

21 A. I have a master's degree from Emory Riddle in aeronautical
22 science, and I have a bachelor's from Emory Riddle. I served 5
23 1/2 years in the Air Force, put in for Eglin, and then from there
24 I went to the 5th Mob at Robins and I was deployed to Cairo, Egypt
25 for Bright Star in 1987. I got out and went into the Air Guard at

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1 Terra Haute, been in the FAA since June of 1988. I started at
2 Indy Tower and went to Muncie Tower for 2 years and from Muncie
3 Tower I went to Fort Wayne for 2 years, and then I came back here.
4 I was a controller until roughly around 1998, and I became a
5 support specialist here. And then I became a supervisor for
6 approximately 10 years. I was the acting air traffic manager at
7 Youngstown, Ohio for 6 months. Came back and was a district
8 support manager to for 3 months, and then I went back again as a
9 supervisor here at Indianapolis and then I went to Dayton, Ohio,
10 as an air traffic manager for 6 years, and then I came here in
11 2020 as the district support manager for training.

12 Q. Thank you. Okay. Have you ever been fired, terminated,
13 suspended or asked to resign any ATC position?

14 A. No.

15 Q. Okay. How would you describe your overall health? Poor,
16 fair, good, excellent.

17 A. Fair. I have breathing problems.

18 Q. Understood. And do you hold a medical classification?

19 A. No, sir.

20 Q. Any changes in your health the last year? Good, bad,
21 indifferent, anything major?

22 A. My lung capacity is gotten less. I just found that out with
23 a test this past week. So.

24 Q. Understood. Sorry to hear that.

25 A. Thanks.

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1 Q. Any major changes in your personal life in the last year?

2 A. No, sir.

3 Q. And any major changes in your finance situation? Win the
4 lottery --

5 A. No, sir.

6 Q. Okay.

7 A. I lost. As you can see, I've got a son at Cornell.

8 Q. It would be nice, wouldn't it. Okay. Did you have an
9 opportunity to review or replay this event?

10 A. Yes, sir.

11 Q. And when was that?

12 A. The day it happened and then two other times since.

13 Q. Okay. And that was audio?

14 A. Yeah, Falcon.

15 Q. Okay. All right. I'll skip the 72 hour history then. I
16 don't feel that's very relevant. That's all the questions I'm
17 going to ask for now. I'm going to pass it to Brian.

18 BY MR. SOPER:

19 Q. So I just have a couple quick question. So most of our
20 questions for you are obviously just, you know, your experience
21 here and stuff and what you see day-to-day. But, since you have
22 watched the replay, just out of curiosity -- well, first of all,
23 can you tell me what -- as the training manager for here, what is
24 most of your work taken up by doing? Are you actually assisting
25 with the simulator folks and programs? Are you ensuring that

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1 they're getting the appropriate refresher, recurrent, whatever and
2 that's getting documented? What is your -- what's taking up most
3 -- I guess what capacity of your job takes up the most time here?
4 What's your biggest --

5 A. I'm the training administrator for the facility.

6 Q. Okay.

7 A. I oversee all the developmental trainees that are currently,
8 you know, going through radar, tower, simulation, all that. I
9 don't take part in running any of the scenarios and all that, but
10 I also do the same thing for the entire district, all terminal
11 facilities. I get into team and look over people's performance
12 assessments, their monthly training team meetings. I just
13 finished a training review board at Indy Center yesterday.

14 Q. Okay.

15 A. I do a little bit of everything here. I oversee the
16 refresher training, the recurrent, you know, both TSS, AT Coach.
17 We do the stand up for safety briefings monthly and discussions, I
18 set up the CISP and work with the corrective actions plan and then
19 the management corrective action plan and then the air traffic
20 publications, it's also a part of what I do.

21 Q. Okay. So you still keep your thumb on the pulse of
22 operations so to speak?

23 A. Yes. I also do (indiscernible).

24 Q. Okay. Great. So are you ever involved in the processes of
25 like SSRs or CERs?

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1 A. Yes. Yes, I was in this SSR.

2 Q. Awesome. Okay. So can you -- and I know we have I think the
3 results of the SSR already, probably the written report, but could
4 you tell me a little bit, maybe share with us observations you had
5 as you reviewed this event taking place in the SSR from having
6 this -- you have a lot of experience here. So you know the area.
7 You know the stuff. You know what's going on here. What were
8 your observations? Did anything stand out to you as concerning or
9 odd or things that you would have expected maybe to see
10 differently or you would have like to have seen happen
11 differently? And has anything caused you to say, hum, I'm going
12 to do something different here with training to help, you know,
13 the facility or help somebody, you know, bring something to the
14 attention? Like this is a good topic to touch up. Is there
15 anything like that?

16 A. The main thing that stood out to me was the Cherokee was on
17 an IFR RNAV 1-4 approach, and he was never issued a proceed VFR or
18 anything of that nature. He should have executed the missed
19 approach. However, he didn't and that's what we would have
20 expected him to do. When Muncie Tower called us to tell us that
21 he was -- he saw the field and he was making a right 360 and all
22 that, you could tell he was already in the turn at that point.
23 I've never seen a pilot do that before. I mean it almost looked
24 like he was attempting to do an overhead like an Air Force --

25 Q. Yeah.

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1 A. -- come back to the field type thing. I watched him
2 porpoise. He went up to 1700, went back down to 1500, went back
3 up to 16 and the 17. Went from 60 knots to 20 knots. At that
4 point, which tells me he probably stalled the aircraft. He
5 probably got back into IMC conditions after he turned to try to
6 swing out and he tried to correct and go up and he couldn't go up
7 because he didn't have the airspeed to go up is what it appeared
8 to be, but having worked at Muncie, I would have never expected
9 somebody to have done that.

10 Q. Yeah.

11 A. And when the Muncie controller called us, they told us he was
12 doing it, and you could see on the scope he was doing it. So at
13 that point, and you just -- you would think that the pilot had
14 good VMC at that point. We didn't know prior to that that they
15 had dropped to a 500 foot ceiling. We thought it was a 700 foot
16 ceiling. And when he called back and said he couldn't see them is
17 when he told us that they had the 500 foot ceiling.

18 Q. Okay. That's very helpful. I'm going to pass it along, but
19 I might have a couple questions after this. That was the main
20 thing I wanted to ask for right now, but I'll go ahead and pass it
21 along.

22 BY MS. MATTIOLI:

23 Q. I just want to talk about training in general.

24 A. Sure.

25 Q. How many people do you have in training here at the moment?

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1 A. We have 10 and 3 of them are all out in Oklahoma City for TSU
2 and RTF. They're getting ready to come back. We just had two
3 others go through. We have a very successful program here.

4 Q. I was going to say, what is the success rate here?

5 A. Since I've been back, we've only had two individuals that
6 we've washed out and we've put probably 20 some through the
7 program.

8 Q. Nice.

9 A. It is a very complex airspace especially with the lift flight
10 academy and then all the heavies for FedEx.

11 Q. Sure. As in the scenarios that you run, how often are they
12 updated, actually current to the operation that happens here at
13 Indy? Like I know, over time, I mean they kind of --

14 A. We just recently done a major update, you know, with the last
15 point 4 change and we had to increase, you know, because we went
16 to an ATC 9. So we increased the complexity and the number of
17 aircraft that were in that just like a year ago or so. Since
18 then, we have a training committee here that we meet monthly and
19 we look over all the trainees, Dash 25s, the performance
20 assessments, their training meetings, and we try to see what we
21 can do to help, you know, their supervisor and their training team
22 if they need skill development training or skill improvement
23 training or something of that nature. It's very involved,
24 everybody is. We just recently had a work group look at the tower
25 simulator and up the numbers in it and tried to make it more

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1 realistic with the Lift Academy aircraft.

2 Q. And you may have said it, and I missed it. However do you
3 guys meet?

4 A. Monthly.

5 Q. Monthly. How many people are on your training committee?

6 A. Four.

7 Q. And that includes who? Yourself and who else?

8 A. A supervisor that is off on PPL. Another one has replaced
9 him. Myself, Conan Wayne (ph.) who is a support specialist, and
10 then Ryan Elmore (ph.) and myself.

11 Q. And is Ryan representing the NATCA portion of it?

12 A. Yes.

13 Q. Okay. Good. That's all I have for the moment.

14 MR. SOPER: Real quick. Do you keep minutes from those when
15 you guys hold those meetings? Do you have minutes?

16 MR. HILLENBURG: Yes.

17 MR. SOPER: How long do you keep those for probably roughly?

18 MR. HILLENBURG: I could probably pull you from last 2 years
19 because I've got them on my computer.

20 MR. SOPER: Okay. Very nice. Thank you.

21 BY MR. LIESER:

22 Q. When it comes to refresher training, I assume for the
23 facility, since you're the training support manager, correct?

24 A. Correct.

25 Q. That you have input or at least know what goes into the

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1 refresher training from a facility standpoint. Have you guys done
2 any refresher training that reviewed missed approach procedures,
3 approach types, those different types of things recently?

4 A. On 12/4/23, we started a briefing where we talked about
5 significant events, unusual situations, emergency, accidents,
6 incidents, overdue aircraft, ALNOTs. We just discussed PIREPs
7 just a short time ago. We've got all the ATPs that we've gone
8 over. A big one with us has been operational oversight and when
9 you see something, you act. You don't just sit back and watch it.
10 Make sure everybody knows. We just had the eclipse that last few
11 days, and it was about as bad as the Super Bowl.

12 Q. Yeah.

13 A. It was very challenging. I've got all of the reports here
14 showing what we've done. We just briefed NOTAMs and airport
15 conditions last month. Positive control is currently going on
16 which fall under that. Then back in August of 2023, we did the
17 occurrence reporting, significant events, unusual situations,
18 emergencies, accidents, overdue aircraft, and then we did a
19 condensed version of it because it was so large that, you know,
20 people probably didn't get everything. So we went back then in
21 December and cut it down and we try to do the micro learning
22 scenarios, whenever we can, which is only like 10 slides and
23 people generally can comprehend that and, you know, put in their
24 long-term memory and be able to use it later on. Let's see. I
25 have another one here I wanted to show you.

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1 MR. SOPER: Do you mind sharing those with me as you talk?

2 MR. HILLENBURG: Yeah. Go ahead.

3 MR. SOPER: I'd just like to kind of look at them. I'm still
4 listening though.

5 MR. HILLENBURG: What was the rest of your question?

6 BY MR. LIESER:

7 Q. Just if you guys had done any recent refresher on missed
8 approaches or approach types, circle lands, RNAV, ILSes, just for
9 refresher training?

10 A. We just did one because we're going to have a displaced
11 threshold out there. They're shortening the runway for
12 construction and all that, and we just did another one for all the
13 supervisors where it was on-the-spot corrections, where we had
14 them in a situation and you see how they react and take control of
15 the situation rather than we proactive rather than reactive. Let
16 see. What else have we done with it? We had PIREPs in that one.
17 During the initial training, we do a satellite and departure, you
18 know, separate, and then together and we do all the missed
19 approaches and all the things like that.

20 Q. Okay. So it's contained in initial training but --

21 A. And we do refresher on it also.

22 Q. Okay. Very good. Do you include in any of the refreshers
23 scenarios or training or guidance or PowerPoints like -- the best
24 way to say this -- limitations of airspace, like what the
25 expectation would be in an approach control versus a class D or B

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1 or C, like --

2 A. Oh, yeah.

3 Q. -- requirements? Okay.

4 A. That is all on the initial training and stuff because we have
5 -- Terra Haute has a TRSA, which is bizarre and, you know, they
6 have Class Delta.

7 Q. (Indiscernible).

8 A. Yeah, and we go all that with everybody to make sure they
9 understand we're a Class Charlie, Cincinnati is a Class Bravo.

10 Q. Okay. And what type of services are provided in those
11 different airspaces?

12 A. Yes, we do go over all that with them.

13 Q. Is that just initial training or is that also something that
14 gets caught back up in refresher?

15 A. It has been recurrent and refresher. We've had different --
16 I'm trying to think. It's been a couple of years for recurrent
17 but it was one, and then the missed approach was one here recently
18 in one of the bulletins that we went over, you know, what you
19 would expect the aircraft to do and, you know, take action and
20 don't do anything when they're in terrain avoidance and all of
21 that. And then, you know, like -- one of the things that I
22 thought about with the gentleman trying to land in Muncie was he
23 was in the critical phase of flight whenever he was doing his arc
24 and he circled back to us and all that. Had the Muncie controller
25 told him, you know, to climb and maintain 3,000, da, da, da, da,

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1 it could have endangered him more. It just depends because if he
2 still had ground contact at that point and saw, you know, he could
3 have been on contact approach basically and all that but it ended
4 up we found that neither one was the case and it sounds like he
5 lost visual or something and then, you know, had an accident.

6 Q. For now, that's all I have. Thank you.

7 MR. OGDEN: Thank you, Andrew. Paul.

8 BY MR. SUFFERN:

9 Q. Turning a little bit towards weather things and such, so --
10 yeah. What kind of weather training do folks get here when
11 they're onboarding with Indy Tower and TRACON?

12 A. Basically we have weather service people in the building.
13 They actually have an office right next to mine. And basically
14 all they do here in the tower is we call the tower visibility.
15 Everything else is done, the ASOS and all that. However, at
16 Muncie we took the weather reports and, you know, and here's the
17 ceilometer. I don't know if they still do that and all that up
18 there, and we actually had to pass the weather test and it was one
19 of the harder ones I've taken in the agency. Hats off to you in
20 your job. It's complicated.

21 Q. Okay. And so when folks are onboard here at the Indy Tower
22 and TRACON, the weather they get is -- is there any discussion on
23 like -- I saw you have some like situation display screens that
24 have like --

25 A. Oh, yeah, we talk about precip levels and wind shear and we

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1 go over all that in the checklist and stuff with them.

2 Q. Okay. So that's covered here, not just in -- I don't know
3 what Oak City does.

4 A. Yeah.

5 Q. But that's covered here as well.

6 A. Yeah, we go back over all that with them.

7 Q. Okay. Do they have like -- as you're going through the
8 training, is it -- does it give scenarios of Indianapolis? It's
9 not just like -- I know I've seen some of the ITWS training and
10 wind sheer training and it's like just big -- like New York or
11 like --

12 A. We actually do it in the simulator.

13 Q. Okay.

14 A. And all that, so it would be us, like you have a wind shift
15 and you have to change runways and things like that. Or, we built
16 precip in there which it takes off. It's kind of hard to do to
17 build the problems where it goes through and it shows the
18 different levels and they have to vector around it and avoid it
19 and --

20 Q. Okay.

21 A. -- yes.

22 Q. And what kind of -- I'm going to mess up the terminology, but
23 like recurrent or refresher weather training is like? Is there
24 one weather recurrent/refresher done a year? Is it usually like a
25 CVI or piece of paper or is it in person? How --

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1 A. It's been quite a few things over the last year. It's been,
2 you know, stand up briefings where our crews meet and discuss, you
3 know, things coming up. Like we get into PIREP conditions or we
4 get into thunderstorms will be coming up here shortly or winter
5 ops. We have a huge winter ops briefing we go through. So you
6 understand how the different weather types affect what you need to
7 do. You're going to need to turn them on farther out, you know.
8 You have to, you know, follow the .65 and comply with the
9 requirements of how far you need to be outside the gate, that type
10 of thing.

11 Q. So for the recurrent or refresher weather training, is it
12 mainly air traffic, talking to other air traffic, as far as
13 scenarios or do you ever include either the weather observers here
14 or the National Weather Service office in Indianapolis, have them
15 come in and say, hey, this -- what you all is doing is important
16 because we use this information to do this, that or the other
17 thing, like an in person?

18 A. We do weather briefing every day. The people who are
19 operational when they get here. That's the first thing they do.
20 They check the team and they also do the weather briefing, and
21 then they come and they sign off that they have completed that.
22 So they have a good idea what's going to expect to come through
23 the area during their watch. And then any changes that come up
24 after that, you know, the shift would know. And then we have all
25 the monitors and there you can see what levels coming towards you

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1 and then the STARS are excellent at being able to pick precip
2 levels and that type of thing. And then, you know, you ask the
3 pilots what they see and what they hear, you know, and all this.

4 This facility, we have made PIREPs a focal, and it's been in
5 our management action plan for the last 2 1/2 years. And we do a
6 pretty good job of it. They had two at that point, and one of
7 them was from the pilot that had the accident, but we had three
8 like the hour before that. So they don't do just the bare
9 minimum, one an hour. Everybody takes that serious and passes it
10 on.

11 Q. I lost my train of thought on some things there, but going
12 down to the PIREP realm and things like that, you know, as trainer
13 and things that you do with your job, what would be your
14 expectation for either, you know, air traffic request a PIREP from
15 a pilot or the pilot says one on frequency, they write it down.
16 What would be your expectation for that being sent out by flight
17 data or the --

18 A. We put it in the AISR.

19 Q. Yeah, how long timeframe would you expect that usually to
20 take?

21 A. As soon as possible.

22 Q. Okay.

23 A. It happens quickly. I think the supervisor entered that one
24 that the guy did or data will enter it. Then, you know, we pass
25 it on to the other pilots, you know, around them that can be

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1 affected by the conditions.

2 Q. But there's no like timeframe, you know, that you're usually
3 looking for? Like, hey, we try to get it in within 5 minutes.

4 A. Oh, yes, that would be, you know, within 5 minutes. Because
5 you've got to have it to where it's effective, and it wouldn't be
6 if you waited longer than that, and we also put it in the IDS
7 where then everybody sees it and it flashes, you know, that we are
8 going into the red. We have current PIREPs or we don't. So.

9 Q. Okay. For rapidly changing weather conditions that may at a
10 satellite airport or things like that, how would you train or
11 expect air traffic to stay updated on, you know, maybe the METARs
12 or things like that at the --

13 A. Well, Muncie calls us when their weather changes and all, but
14 they were VFR and they went to a 700 foot ceiling, and we didn't
15 know about the 500 foot one until he was explaining that he didn't
16 see the guy. And that's when we recognized that because --

17 Q. Okay. So in places that have, like Muncie and places that
18 have LAWRS --

19 A. Yep.

20 Q. -- weather observers and things like that, with air traffic,
21 you would expect them to call you --

22 A. Yes.

23 Q. -- for like a weather change or something?

24 A. Yes.

25 Q. Okay.

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1 A. I believe that's in our LOA. I haven't looked at it in a
2 year or so. I know they just made some modifications, but I
3 believe that was ODO. So.

4 Q. Are there any, that you know of, since you've been here for a
5 while, are there any weather equipment problems that you see
6 within your airspace, either METARs or, you know, the wind sheer
7 triggers too much or something like that as far as that or --

8 A. It used to when it would start getting bad, the ITWS would go
9 out but that doesn't happen any more really. So, no, I have no
10 complaints.

11 Q. That is all I've got for right now. Thank you, Randy.

12 A. You're welcome.

13 MR. OGDEN: Thank you, Paul.

14 BY MR. OGDEN:

15 Q. So talking about simulators and scenario development, does
16 the control staff not on that committee, do they have an avenue to
17 express concerns? Maybe a scenario development like, hey, we're
18 seeing a lot of RNAV approaches or a lot of ILS approaches. Can
19 we build more sims like that?

20 A. We actually pull data and find out, you know, and try to
21 remake actual scenarios that people experience from line traffic
22 and all that. And then, you know, the controller, we have a local
23 safety council and they provide input, too, like when RIF started
24 powering up. We know we had to do something to help train people
25 on how to work smalls and heavies in very condensed airspace and

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1 that type of thing, but now we have ways that they can put
2 suggestions in. A lot of times they go directly to the NATCA guy,
3 Brian, that's on there and he will come and tell us that, you
4 know, they think that this one scenario needs to be like an OJTI
5 is in there watching a developmental. And they don't think that
6 the scenario was realistic or whatever.

7 We probably have the best SAIC team here in the entire
8 central service area. Everybody is here because they love this
9 facility. Mark Cripnim was our ops manager for years, supervisor
10 here for years. Susan Yeager was a supervisor here. James Cerber
11 was a supervisor here. Kevin Brown went to Indy Center and then
12 came back and, you know, to work here after that in service, and
13 Jeff Wanders been to Atlanta, Cincinnati, Indy Center and here,
14 and Mike Hite has been here for 20 some years. So everybody
15 really knows the facility. They were all certified here, and they
16 actually develop the most realistic problems I've seen, and
17 they've done the same with our TSS, our tower simulator.

18 Whereas, we bring people on, Terra Haute. We're currently
19 rebuilding the database for Lafayette Tower, and they're not even
20 part of our district but we are helping them to get training and
21 stuff because they can't go all the way to Chicago which you
22 probably know that. So -- but we have very active support here
23 and, you know, I know a lot of facilities aren't seeing right now.
24 They can't get contractors and they don't have enough, let alone
25 somebody who is like subject matter experts which I mean that is

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1 kind of amazing that we have that here.

2 MS. MATTIOLI: Can I piggyback off of that quickly?

3 MR. OGDEN: Go ahead.

4 BY MS. MATTIOLI:

5 Q. Your contractors, do you require them to monitor the
6 operation so many hours a month, so many hours a quarter?

7 A. No. That is a good idea though.

8 Q. It just keeps them current --

9 A. Um-hum.

10 Q. -- you know, because we have the same thing at Charlotte and,
11 you know, this is what we used to do. This is what we're doing.
12 So it's just -- it's nice to bring them up and they can see and
13 pass along that information to real time people that are in
14 training.

15 A. I will say, Susan Yeager was in the TRACON the other day, and
16 she was actually going back over everything and was watching
17 because she's redoing our stage training for the national change
18 that came out, and she was trying to see what had changed since,
19 you know, she was supervisor here and stuff. So they do come in
20 there, you know, and watch and all that. So -- but not -- there's
21 no time limits or anything like that.

22 Q. Okay. And I wanted to go back to when you said, which is
23 wonderful, that your workforce is confident and comfortable to
24 come to you, whether it's NATCA or whoever. When you do have your
25 people in training and they're doing their percentage scenarios as

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1 they're getting closer to hitting the floor, do you have their
2 assigned team to come in or assigned supervisor to come in, watch,
3 assess, kind of see where we're at, give tips and, you know? If
4 you do, are they through that whole entire process in the back or
5 they not seeing them at all until, hey, here's our first training
6 team meaning meet your people?

7 A. It has gone both ways.

8 Q. Okay.

9 A. You know, a lot of times when we have so many trainees we
10 were trying to figure out where you could place them on the
11 schedule where they wouldn't overlap each other --

12 Q. Sure.

13 A. -- and get the best traffic scenarios for everyone. Usually
14 they know a few weeks out where they're going to go and all that
15 and the sups, we've made operational oversight such a priority
16 here that it's hard for them to get out of the operation because
17 we are one of the few facilities that they're actually doing 30,
18 40 percent in the tower, you know, where it's not as doing the
19 TRACON and all that. And we only have six sups. So.

20 Q. Do you how know many you're allotted?

21 A. Seven.

22 Q. Okay.

23 A. And an OM.

24 Q. And an OM because you're a 9, correct?

25 A. Yeah. Our OM is in a detail and the permanent OM is out of

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1 headquarters right now. So she was a supervisor. We are getting
2 ready to pick up another supervisor shortly. I think they're
3 trying to get the waiver through and all that. So.

4 Q. Good. That's it.

5 MR. OGDEN: Thank you, Allison.

6 BY MR. OGDEN:

7 Q. Going back a little bit, talking about scenario development,
8 is any training or scenario being developed as a result of this
9 occurrence?

10 A. We've talked about it but it's more of an unusual situation
11 because it's not what you expect the pilot to do, you know, and
12 the FARs and stuff, he basically conducted a VFR maneuver in IFR
13 conditions. So.

14 Q. That you know of, is there any training being developed or
15 provided to understand services that can or cannot be done in a
16 Class Delta airspace from the radar perspective?

17 A. What do you mean by that?

18 Q. Like given calling the tower, asking a question, is this
19 aircraft on a missed approach? No, he's requesting XYZ. Okay.
20 Put him on missed approach, put him back to me. Any training like
21 that that would cover it?

22 A. It's just been initial originally but we will develop
23 something out of this because we did the SSR the other day, and
24 the event didn't go down like any of us expected it to have. So,
25 yeah, that would be something that we need to do, but we ask if

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1 you wanted -- if he was coming back to us, and they said, no, you
2 know, and I was told that Muncie just acknowledged with a roger.
3 They never gave him approval to make the right 360 or any of that
4 because he's told he was doing it, and they said, roger, and then
5 called us to tell us that because they were concerned about the
6 aircraft that was in trail which we ended up breaking him off and
7 climbing him to 4,000, and then we found out that the gentleman
8 was in the Green Way. So.

9 Q. Understood. Last question I have on the scenario
10 development. Is there anything with non-standard requests from
11 pilots that's been developed?

12 A. Yeah. We've had that in like our recovery scenarios and
13 stuff like something happens and you've got to basically, you
14 know, recover after it, like lost separation or something of that
15 nature, but nothing that you could pinpoint to like this because
16 we've never seen it. You know, I've been doing this for 36 years
17 now, and I've never seen a pilot do what that gentleman did
18 before, and I would have expected him, like I said, to have done
19 the missed approach which would have been straight out, climbing
20 to 3 to CITUK, C-I-T-U-K, is what I would have expected him to
21 have done there, but that is not what he did.

22 Q. Understood. Kind of going a little deeper on that, non-
23 standard request. In any of these scenarios that you know to your
24 knowledge, is there any request that would break a rule, for
25 example, like I want to descend below the MVA. I want to, I want

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1 a clearance to the final approach fix outside of the 30 degree
2 intercept rule, anything like that?

3 A. We work emergencies in our refresher scenarios and also
4 during the certification scenarios, and anything can happen in
5 that. And we have pilot in distress. We have VFR in IFR
6 conditions. It's kind of what I equate this to but it's
7 backwards, you know. IFR in VFR conditions. So, yeah. But, no,
8 we do like the scenarios, you know, unusual situations with lost
9 aircraft or, you know, they can't hold altitude or, you know,
10 icing and that type of thing. A lot of it lately has been with
11 just VFR traffic and IFR because that's been one of the top five
12 in the nation and, you know, you can't seem to get around, you
13 know, we're getting TCAS or conflict alert and we're not reacting
14 quick enough. We're taking proactive turns which you saw hegol
15 traffic on the one aircraft, you know.

16 Q. That's all the questions I have for now.

17 MR. OGDEN: I'm going to pass it off to Brian.

18 BY MR. SOPER:

19 Q. I'm enjoying this interview by the way. I just want to let
20 you know that I'm impressed with your awareness of everything and
21 your engagement in your work, your engagement at the facility, and
22 training and everything else. So I feel like you aren't just
23 doing it. You kind of own it. So I can appreciate that. But, it
24 also makes me want to ask some deeper questions now --

25 A. Sure.

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1 Q. -- because I feel like I'm really going to be able to get
2 some qualify answers. So I do want to preface it thought, that I
3 want there to be a complete and clear understanding on the
4 recording that you are not an active controller now and you were
5 not part of this operation and you were not in the operation when
6 it occurred, but I do want to ask you some questions about just
7 your observations and expectations of what you would think and how
8 you're going to, you know, how you might go about interpreting
9 those for the purpose of developing maybe training or lessons
10 learned and things, but I just want to be clear, to understand,
11 you have no zero involvement with the event and we're not asking
12 you to speak to that.

13 So that said, in this situation, as you were part of the SSR
14 and you've had an opportunity to review and you bring up some
15 really good points about, you know, something you've never seen a
16 pilot do this.

17 A. Yeah.

18 Q. This is actually kind of surprising.

19 A. Yeah.

20 Q. We can dissect this almost as far as you want to go, and
21 actually I hope that we do because we're trying to find, is there
22 something in here that we can do to keep this from happening to
23 controllers in the future and an operator. So, when you look at
24 this event, just based on what you're able to see through replays
25 and understand by looking at it, not being in the operation at the

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1 time, would it surprise you -- you have some experience at Muncie,
2 too. So would it surprise you to learn that Muncie feels that
3 they got approval for this operation from you?

4 A. And that's probably because --

5 Q. Or from this facility not from you.

6 A. -- the class Delta belongs to the IFR facility when you go
7 IFR. However, you know, that's the delegated airspace.

8 Q. Yeah.

9 A. And we at no point gave them approval to do any of that, and
10 I don't think that their controller did either. I think the pilot
11 just took the initiative and he -- is what appeared to me anyway.
12 I wouldn't have expected somebody to have done that, no.

13 Q. Yeah. So, looking at this now from the standpoint of, all
14 right, what can we do for some training? What can we provide?
15 We've got all these unusual situations we do training on. I was
16 looking at your training, and I appreciate that, too, because
17 there's good training in there, in that stack of papers that I
18 just looked at. And --

19 A. We're using the one nationwide now.

20 Q. Yeah, see there you go. And that's proof as to why it's
21 valuable, right.

22 A. Yeah.

23 Q. So it's -- when we look at this event, have you already, even
24 just in the very early phases of trying to, you know, think about
25 it, is there something we can develop that will help give training

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1 and prepare controllers for this type of situation? Have you
2 already identified any particular items that you would like to get
3 incorporated into training so there might be some clearance of any
4 confusion or taking away any abstract? Is there anything that
5 you've already thought of just that you're thinking about?

6 A. Yeah, there's a lot of time between when Muncie told us that,
7 you know, that he was circling back, and then he didn't and our
8 controller then reached out to them and he goes, he's not reported
9 on final. Well, when you have that much time and you think the
10 guy's doing a 360, he should have been there a little sooner.

11 Q. Yeah.

12 A. And then supposedly they saw a puff of smoke is what they
13 said, you know, and -- over in the tree line and all that.

14 Q. Yeah. Okay.

15 A. That, and then the fact that if we would have seen them doing
16 that, you know, you hit the line and ask Muncie if they, you know,
17 if everything's okay but, you know, the radar it shows him. You
18 know, he's on the approach.

19 Q. Yeah.

20 A. And by the way, I don't think he could have vectored unless
21 he could have the map up and all that because --

22 Q. Yeah, it looks -- yeah.

23 A. So.

24 Q. Yeah.

25 A. And, you know, the final approach fix and initial approach

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1 fix and all that's depicted on that. So. I don't know why it
2 showed up in the radar replay or that radio -- yeah, the radar --

3 Q. Yeah.

4 A. -- thing like it did but --

5 Q. It sounds like that have an explanation for us. It sounds
6 like they figured it out.

7 A. Yeah, they did.

8 Q. So that's part good. So they're going to explain that to us.
9 Okay. So coming back to the training thing, because this is your
10 forte. So as part of the SSR, not being familiar with -- I didn't
11 read what your final findings were in that SSR, did you -- was
12 there a finding that you will develop some sort of training or
13 anything? Was there some recommendation to develop training or
14 like --

15 A. Briefings.

16 Q. Briefings.

17 A. Yeah. We want to brief everybody on what happened and all
18 that.

19 Q. Okay.

20 A. I don't know if they put that in the actual write up.

21 Q. Okay.

22 A. But it was discussed.

23 Q. So you haven't conducted any briefings yet.

24 A. No.

25 Q. Okay.

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1 A. No, we wanted to wait and find out what happens with all
2 this.

3 Q. I understand.

4 A. We'll probably develop some material for everybody to learn
5 from this standpoint.

6 Q. Okay. Why do you do this job?

7 A. Why what?

8 Q. Why do you do this job?

9 A. Why do I do it?

10 Q. Yeah.

11 A. I could have retired 6 years ago, but then my kid gets in an
12 Ivy and Ivy's don't give sports or academic scholarships. So he
13 got recruited for football. We got all excited thinking all
14 right, you know, and then they tell us, we don't give you anything
15 for this. So.

16 Q. Cornell's not that pricy.

17 A. Yeah. His apartment alone for next fall is 1700 a month and
18 he shares it with another person, and they pay 1700 a month.

19 Q. Woo, yeah.

20 A. There's no housing out there.

21 Q. Yeah. Yikes. So what other jobs do you have? All right.

22 Well, hey. That's outstanding. And the reason I just want to
23 just let you know, I'm requesting the minutes from your previous
24 training meetings --

25 A. Sure.

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1 Q. -- not because I'm really concerned about what you're doing
2 but because you're the first facility that I've had doing that,
3 right, in a long time, and I think it's a good practice. And I'm,
4 at least from the surface, I haven't dug into your program, but it
5 appears very -- it has depth, and it has meaning. So I'm kind
6 of --

7 A. Sure.

8 Q. -- very interested to understand more about how you guys are
9 doing business here because right now I'm feeling good about some
10 things and I might just want to be able to document that better I
11 guess. So, I can appreciate that. I don't really have any other
12 questions pertaining here other than do you know anything about
13 this -- this is kind of going side track now. The new simulator
14 program or simulator you guys are getting in at some point here,
15 you're in the process. Do you --

16 A. The tower sim?

17 Q. Yeah. What do you know about that?

18 A. It's going to be a major upgrade with software and
19 everything. It'll be able to handle -- like Stanford just has one
20 of the -- I believe ours is the small, and they have the one below
21 that.

22 Q. Yeah.

23 A. And if they run more than a 30 minute scenario, it crashes --

24 Q. Yeah.

25 A. -- and they can't keep up with it and stuff. And then, you

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1 know, with all the UPS and everything.

2 Q. Yeah.

3 A. And simCAS ones, don't really work.

4 Q. Right.

5 A. I mean we had the one below ours here, and then we traded it
6 to Baton Rouge and they gave us this one which we got lucky on
7 that. We have a really good sim, and we also have our TFDM hooked
8 up to it.

9 Q. Yeah.

10 A. And all that now.

11 Q. Yeah, I know. I seen that. Yeah, it's pretty awesome
12 really. I mean there's some other facilities out there that are
13 probably wondering how you guys manage to stand all this, you
14 know.

15 A. We don't have ASDEX and that's what we really need.

16 Q. Well, I agree with you. I agree with you on that. Trust me.
17 The NTSB is full fledged behind you on that, but I just -- yeah,
18 you guys have good support management staff. You have nice
19 equipment or what appears to be nice equipment, well maintained
20 equipment. You've got good training resources. You've got great
21 office space.

22 A. We have a good manager.

23 Q. Yeah. Clearly, things are good. So all right. Well, very
24 well. I don't actually have anything more right now.

25 MR. SOPER: So, Casey.

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1 MR. OGDEN: Does anyone have any follow ups? Paul.

2 BY MR. SUFFERN:

3 Q. The weather person, I've got a couple more. Just some quick
4 ones here. From your perspective, what are the most challenging
5 weather conditions that you see here for air traffic?

6 A. Thunderstorms.

7 Q. Thunderstorms.

8 A. As they roll right through here and the winds pick up and
9 change a lot of times and -- yeah, we didn't have much snow and
10 all that. The icing was not bad this past year but, you know, in
11 the old days, it was really bad. But, yeah, mainly thunderstorms.

12 Q. If a pilot's on an IFR flight plan, do you assume they're
13 comfortable flying in the clouds?

14 A. Yes, I do. And did you notice, this gentleman requested to
15 climb out of 5,000 to 7,000 to go such a short trip. That
16 surprised me.

17 Q. And then last but not least, my favorite question. If I put in
18 you in charge and you did win that lottery but you decided to give
19 all that money to the FAA so you could improve the weather tools
20 here at Indy, what kind of weather tools do you think you guys
21 would like?

22 A. I'd buy an ASDEX first or something like that because we need
23 the ground base radar with the --

24 Q. We have enough money for both. Is there any other weather
25 stuff you'd like, that the controllers have asked for or anything

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1 like that?

2 A. No, I don't think so. We've been very fortunate with
3 equipment we have here and stuff. I wish the simulation had an
4 easier way of building in precip and all that because it takes a
5 while for them to be able to make it where it goes through and all
6 of that stuff, and we've had a couple people that have had
7 difficulty with that. And so we've had to build scenarios just
8 specifically for them to work through it and that type of thing.
9 So, yeah. I can't think of anything. What else is out there?

10 Q. There's always something. Thanks, Randy.

11 A. You're welcome.

12 MR. OGDEN: Thank you, Paul. Andrew.

13 MR. LIESER: Yeah.

14 BY MR. LIESER:

15 Q. So I want to echo Mr. Soper's comments about the training.
16 As a qualify control manager, it's -- a key part of qualify
17 control is good training and meaningful training. So I'm glad to
18 see you have a lot of stuff developed. I had one question when we
19 were going around, and I'm not sure when it was mentioned that I
20 hadn't asked, and that was it was stated a couple of times that
21 the aircraft was at 700 foot and we didn't know, you know, the
22 ceiling was 500 foot until they called back.

23 A. Um-hum.

24 Q. What would the training -- what training would you develop to
25 -- what is the difference between 700 foot and 500 foot in that

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1 situation that would create a difference? If you're going to
2 train somebody on how to deal with this situation in the future,
3 what does the 200 foot of difference mean?

4 A. Field elevation is 937.

5 Q. Right.

6 A. So it would have given them a better opportunity to have
7 broke out and been able to proceed VFR than the 500 foot. And
8 also Muncie Tower could have probably seen them which they said
9 they didn't. So -- but they did see the puff of smoke though. So
10 evidently they could see some, you know, but it was limited.

11 Q. Okay. That's the last question I had.

12 MR. OGDEN: Allison, anything?

13 MS. MATTIOLI: No, sir.

14 MR. OGDEN: Brian?

15 MR. SOPER: No.

16 BY MR. OGDEN:

17 Q. Okay. Last question. Anything you thought we'd ask that we
18 didn't?

19 A. Who owns a Class Delta?

20 Q. Okay. We'll ask that next time. I'll mark that down.

21 MR. OGDEN: Okay. Nothing else from anybody?

22 (No response.)

23 MR. OGDEN: Okay. Well, thank you very much for your time.
24 I'm going to stop the record. The time now is 1407 Eastern
25 Daylight Time.

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1 (Whereupon, 2:07 p.m. EDT, 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: PEDESTRIANS STRUCK AS PIPER PA-28
DAKOTA MISSES LANDING AT THE
DELAWARE COUNTY REGIONAL AIRPORT
IN MUNCIE, INDIANA ON APRIL 1, 2024
Interview of Randy Hillenburg

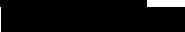
ACCIDENT NO.: CEN24LA144

PLACE: Indianapolis, Indiana

DATE: April 10, 2024

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

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

PEDESTRIANS STRUCK AS PIPER PA-28 *

DAKOTA MISSES LANDING AT THE *

DELAWARE COUNTY REGIONAL AIRPORT *

IN MUNCIE, INDIANA ON APRIL 1, 2024 *

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Interview of: ANTHONY MARCHESE, Air Traffic Manager
Federal Aviation Administration

Indianapolis Air Traffic
Control Tower
Indianapolis, Indiana

Thursday,
April 11, 2024

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D.C. Area [REDACTED]
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APPEARANCES:

CASEY OGDEN, Air Traffic Control Investigator
National Transportation Safety Board

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

ALLISON MATTIOLI, Air Safety Investigator
National Air Traffic Controllers Association

ANDREW LIESER, Subject Matter Expert
Federal Aviation Administration

BENJAMIN WADE, ESQ., Office of the General Counsel
Federal Aviation Administration
Representative for Mr. Marchese

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I N T E R V I E W

(11:18 a.m. EDT)

MR. OGDEN: Okay. The time is now 1118 Eastern Daylight Time.

Could you please state your name?

MR. MARCHESE: Anthony Marchese.

MR. OGDEN: Could you spell that for us?

MR. MARCHESE: M-a-r-c-h-e-s-e.

MR. OGDEN: Thank you. As part of the process, I'll be recording the interview. I'll have a transcription made. The transcript will become part of the factual report. The audio will be not be part of the public docket. As I stated before, I'll send you a copy for your review. It should be about a month before I can have it back. Any questions about that process?

MR. MARCHESE: No.

MR. OGDEN: Okay. Thank you. Well, good morning, almost afternoon. My name is Casey Ogden. I'm an air traffic control investigator with the National Transportation Safety Board.

The NTSB is an independent federal agency charged by Congress with determining probable cause of aviation accidents and incidents of a significant nature and promoting transportation safety.

With me today, I have two other investigators from the NTSB, Brian Soper, lead air traffic investigator, Paul Suffern, senior meteorologist from the NTSB.

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1 As part of our process, we invite parties to participate in
2 the investigation to provide us technical expertise. With me
3 today on the ATC group, I have Allison Mattioli from NATCA ASI
4 from North Carolina, and then I have Andrew Lieser coming to us
5 from Chicago, Illinois, representing QC and our subject matter
6 expert.

7 The purpose of this investigation is safety, to gather the
8 facts, determine the probable cause and prevent recurrence. Our
9 role is not to assign fault, blame or liability, anything like
10 that. This interview is part of the fact-finding phase of the
11 investigation.

12 As part of the regulation, you're welcome to have one
13 representative of your choice to attend. I see you have a
14 representative with you. Is the person sitting next to you, the
15 person you want to have be your representative?

16 MR. MARCHESE: It is.

17 MR. OGDEN: Okay. Could you please state your name?

18 MR. WADE: Benjamin Wade, Office of the Chief Counsel, FAA.

19 MR. OGDEN: Thank you. The reason for this interview today
20 is to discuss the accident that occurred on April 1st, 2024,
21 regarding N8438B. We'll be asking a variety of questions. So if
22 at any time you have any questions, please feel free to ask.
23 Please answer all questions to the best of your knowledge. I
24 don't know, I don't recall, those are perfectly acceptable
25 answers. If you need anything clarified or restated, rephrased

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1 entirely, we can do that. Just identify it for us.

2 If at any time you want to take a break, let us know. We can
3 step out, you can step out, and if you'd like to talk to your
4 representative, you can take that time. None of that is an issue.
5 We can slow this down as much as you would like. We just can't
6 speed it up.

7 Any questions about anything?

8 MR. MARCHESE: No. Thank you.

9 MR. OGDEN: Okay. The way things will work, I'll start out
10 asking some questions. We'll go around the group. Each group
11 member will have an opportunity to ask their questions. You may
12 see us typing, writing notes, jotting things down. That's just to
13 jog our memory, formulate questions, things like that. These
14 notes will be destroyed. And that is the basic structure of a
15 NTSB interview. Any questions on any of that?

16 MR. MARCHESE: No.

17 INTERVIEW OF ANTHONY MARCHESE

18 BY MR. OGDEN:

19 Q. All right. So we'll move onto the background. What is your
20 age?

21 A. 50.

22 Q. Okay. And your operating initials?

23 A. AR.

24 Q. Okay. Do you have any military or pre-FAA ATC work
25 experience?

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1 A. No, military but, yes, CTI program, got a CTO at Beaver Falls
2 Airport and also contract for Robinson Van Buren at Niagara Falls
3 Airport.

4 Q. Okay. After you left Robinson at Niagara Falls Airport,
5 where did you go off to?

6 A. That's when I was hired by the FAA and sent me out to
7 Carlsbad, California.

8 Q. Gotcha. And then from California, where did you go?

9 A. So just from that facility or do you mean from -- so
10 Carlsbad. I went to the Grand Canyon for two summer details and
11 got a CTO from the Grand Canyon Tower. After that, I went over
12 the SoCal TRACON, spent 14 years of my career there, but did have
13 some different options. I was a STMC and ops supervisor there.
14 And from there, is when I came out to Indianapolis and that was
15 approximately 8 years ago to Indianapolis Center as an ops
16 supervisor at the center. STMC there to ops manager at
17 Indianapolis Tower, back to Indy Center as an ops operational
18 manager and back here as the ATM about a year and a half ago.

19 Q. Are you headed back to the center any time soon?

20 A. I'm not sure. I'm not sure. I used to think I had a path,
21 right.

22 Q. Walking back and forth there, that was pretty good. Do you
23 hold any collateral duties or been a part of any recent details?

24 A. I've been involved in multiple investigations, been involved
25 in multiple key sight programs. So really just things coming to

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1 Indy, no like external details or --

2 Q. Understood. So this is the big overview. How did you get
3 into air traffic control? How are you a air traffic manager now?
4 And how did all this start? Walk me through that a little bit.

5 A. Sure. I like to hear myself talk. So do you guys have time?
6 So I'm from Buffalo, New York. My father owned a butcher shop in
7 Buffalo, New York, along with some of his brother-in-laws. And
8 they had a neighbor who was a pilot, told them they should all
9 take the FAA exam. They all did. My father was the only one that
10 scored high enough to get a call back. They wanted to send him
11 out to Minnesota. He said, no, I'm in Buffalo, New York, big
12 family, got my own business. I'm fine just here. And then
13 something happened with President Reagan and they called back and
14 said, where would you like to go? And he said Buffalo, New York.
15 So he became a controller there. And that's how I got introduced
16 to it. So legacy controller. He's been Rochester, Syracuse, for
17 the FAA. He's been QTP. He spent most of the last years of his
18 career at headquarters doing some different things, still
19 contracting for the FAA.

20 But, yeah, after high school, I was going to be an engineer
21 but thought I'd try this air traffic control school that -- for a
22 back up and that was in '93, and haven't looked back.

23 Q. Thanks. That was pretty detailed. That's good. That's
24 great. Have you ever been fired, terminated, suspended or asked
25 to resign any ATC position?

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1 A. No.

2 Q. Okay. How would you describe your overall health? Good,
3 fair, poor, excellent?

4 A. Good, could be better.

5 Q. Do you hold a medical classification?

6 A. I do not.

7 Q. Okay. Any changes in your health in the last year, have a
8 stent put in, had a stroke, anything major?

9 A. No.

10 Q. Any changes in your personal life, divorce, marriage, adopt a
11 kid, anything?

12 A. No.

13 Q. Okay. Any major changes in the financial situation,
14 bankruptcy, lottery, windfall of money?

15 A. Wouldn't that be nice.

16 Q. Not yet, huh?

17 A. Right. Only a dream.

18 Q. All right. Let's see. Have you been interviewed about this
19 event before now?

20 A. No.

21 Q. And I know we watched the replay when we got here, but have
22 you had an opportunity to review the replay since then?

23 A. I have.

24 Q. Okay. And what was the avenue of that replay? Audio,
25 visual, Falcon replay.

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1 A. Falcon replay.

2 Q. Okay. And when did you review that?

3 A. This morning.

4 Q. Okay.

5 A. I also had a chance to review some of the radar replay
6 without the voice also since we've did the initial.

7 Q. Understood.

8 MR. OGDEN: Okay. All right. That's all we'll go for the
9 background information. I think I've talked enough for now. I
10 will pass it over to Brian Soper.

11 BY MR. SOPER:

12 Q. Okay. Thanks for letting us in your facility and being
13 accommodating. Everybody's been really great here. You have an
14 awesome facility by the way from all outward appearance at least.
15 You're either hiding it really well or obviously you have a great
16 facility. So it's pretty impressive. I would actually love to
17 work here. So that said, as we were talking to you, we're trying
18 to get our head around this. I know -- I want to preface for the
19 sake of the record and everything there, that we understand that
20 you're the air traffic manager, not active controller right now.
21 You were not in the operation on the day of the event. You did
22 not witness what the controllers did. You do not directly
23 supervise them from the standpoint of controlling. You have
24 supervisors that do that, and -- but, I'm going to ask you
25 questions that might relate to the event just about your

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1 expectations of your facility and your workforce in reacting and
2 responding to this.

3 So based on that, so you have had an opportunity to review
4 the replays you mentioned earlier, probably on more than one
5 occasion by this point. If you could just kind of, for our sake,
6 step us through what you -- as you watched the replay, just from
7 that outsider and all your years of experience and what you know
8 about it here because you have extensive experience with here,
9 what things stood out to you, if anything, as concerning, odd,
10 like there's a missing link there, anything like that, just if you
11 could step me through that.

12 A. I wish I had an answer for you.

13 Q. Okay.

14 A. And I don't because I've heard people from the team, that I
15 don't know that I would have done anything differently from this
16 operation standpoint. As per the notes yesterday, you know, the
17 find is noncompliant with the fact that it should have terminated
18 in either a go around or a contact approach or a cancellation of
19 IFR. I could see that that event was noncompliant in that, right,
20 and I wanted to get back to that and try to find recommendations
21 from this team and that team upstairs is what we can teach our
22 controllers so that an event like this doesn't happen again.

23 Q. Yeah.

24 A. I mean it's been a week, and I still don't know how -- move
25 forward, I can't look at that operation and say, well, here's

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1 clearly what we did that we should have done differently. So I'm
2 still looking for that.

3 Q. Okay. That's fair enough. And I mean, you know, I think
4 that it's important to probably, as you guys are looking at that,
5 to try to consider it from the standpoint of not necessarily, you
6 know, what did we do wrong and how do we fix that, but more along
7 the lines of something went wrong, and how can we mitigate that
8 from happening to us again, right. Like, so was it -- it's one of
9 those things if you start pinpointing fault and things or, you
10 know, like then everybody has a real negative connotation to that,
11 right. And it's hard to move forward from that, like --

12 A. Agreed.

13 Q. You know, you don't have to. So -- but I think that there's
14 probably room for some kind of improvement to be made here that
15 might not even be at the level of the facility. Maybe it's a 71-
16 10 level. Maybe it is something that we need to better phrase so
17 that it's more clear. Maybe it's a LOA change that needs to
18 clearly define something, and then you can teach to both sides,

19 And say, okay, so that we're clear on what the 71-10 means
20 when this is said and how we're going to handle that situation to
21 be in compliance, this is how we shall do that. Sometimes that's
22 the fix, right. But then even the paper doesn't fix it. You've
23 got to train it. you've got to make sure the culture, that is the
24 people understand it, and then it gets practiced, right. So
25 you've got a great simulator program it appears. So it's

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1 something that can be tossed in there maybe and things like that,
2 but -- all right.

3 So that being said, so it sounds like you guys have already
4 had discussion on it with regard to the finite, you know, the
5 factual procedural piece of, you know, missed approached
6 terminates in this or this. It didn't happen here. So therefore
7 something went wrong, you know, right.

8 How do you -- do you at your level, have you -- do you have
9 any feel for the relationship between you and MIE as a facility?
10 Do you have much interaction with that ATM as you're at completely
11 different levels of the business, right, kind of, but you do
12 operate together here? Do you have any type of meetings with
13 them? Do you guys have regular discussions or are there things
14 like that?

15 A. We don't. So, as the ops manager, outreach was a pretty big
16 part that I tried to grasp onto and I never got past the FBOs here
17 or the, you know, fire department here, you know, in the
18 international, the flight school, but the contract towers were
19 always on the list. And we meet with them when we have big
20 events. Like we did have discussions about the eclipse and
21 numbers and things like that. So there were phone calls, emails,
22 district -- or not district, but basically Indianapolis Airport
23 Authority meetings. Whenever there's big events, we kind of get
24 together and have some discussion.

25 Last month I made it a point to say I am going to visit every

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1 contract tower that we have, and I have not done that. It's been
2 on my list like I said for 4 years since I was the OM. Has it
3 happened? It has not. You know, we have -- we go out there to
4 the certify, CTO, when they get a new controller.

5 Q. Yeah.

6 A. We have supervisors that are trained and do that which that
7 process has changed quite a bit. So, I've heard things about the
8 towers and what -- and I want to go out there just to see how, you
9 know, like you said, this is a beautiful facility and I hear
10 things about those facilities that I would just like to see and
11 have those relationships but I do not currently have that.

12 Q. Okay. Cool. And, would you be surprised to learn that in
13 this event, based on what you've been able to hear and observe in
14 the replays and talking to your staff, that MIE feels like they
15 got approval to conduct this from Indy. Would that be surprising
16 to you?

17 A. It is very surprising to me, yes.

18 Q. Okay. It's surprising to me, too. But there's nothing there
19 that indicated an approval to me really, but -- okay. I just -- I
20 hope that you -- so I understand your schedule is, you know,
21 likely not blank, okay. So I get that, and it's hard to find time
22 and probably in the stacking and the pecking order of things,
23 visiting a federal contract tower within your, you know, chunk of
24 stuff doesn't -- does not end up falling very high on the priority
25 list.

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1 However, in the case we have here now, I hope this will add
2 some gravity to maybe -- maybe it's not you even. Maybe it's just
3 like, hey, OM, I need you to really engage on this with me, you
4 know, for me or for our facility here and maybe reach out to them
5 or maybe it's a sup is an appropriate place, I don't know. Maybe
6 you would know better than me who would be the appropriate entity,
7 but maybe in this case sooner than later because maybe we need to
8 go over our LOA together, understand it, make them part of the
9 solution, you know, because that's always good. And hopefully
10 this will rise it in the level a little bit.

11 MR. SOPER: I don't have any other questions at the moment.
12 I might have a couple more just shifting away from the incident.
13 So I'm going to go ahead and pass it along.

14 BY MS. MATTIOLI:

15 Q. I'll move away from the incident at hand, but how's your
16 relationship with the Fac Rep here? And he honest, please.

17 A. Yeah, no. So Tyler and I would say have a unique
18 relationship. I think we work very well together. I think we
19 both want this facility to improve. I think we both want it to
20 move forward. Tyler's confided in me most recently. I think he
21 considers me a friend. You'd have to ask him but I try to keep
22 our relationship pretty professional.

23 And like I said, I don't mind working with him. We certainly
24 have some personal conflicts on the way we work, and it's I would
25 say opposite of what you would really expect from sometimes my

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1 labor-management relationship. He is very black and white. I see
2 a lot of things in air traffic as gray, and just trying to do
3 what's best for the controller sitting at the scope. He sometimes
4 would rather see things black and white than benefit the person
5 sitting at the scope, and I think he probably would agree to that.

6 So, it has it's difficulties but like I said, we meet several
7 times a week. I just kind of know currently he has stepped down
8 for, I don't know if you do know that or not. He has stepped down
9 for the month to kind of work on some personal stuff, and take a
10 step back. So I'm working with Andrew. I know Andrew almost as
11 well as I know most of my other controllers. I know that he and
12 Molly actually have a good working relationship as obviously he
13 was the VP. So, they work very well together. So I'm
14 transitioning that, trying to figure that out, trying to be
15 sensitive to the fact that Tyler does anticipate coming back at
16 the end of the month and we've got a lot of things coming. So
17 we're going to keep moving forward.

18 Q. Cool. Are there any other like extra duties you hold here or
19 assign people to? How do you feel the local safety council is
20 here at Indy?

21 A. I think they're very active, and I've been part of the local
22 safety councils at ZID (ph.), SoCal. I think they're very
23 involved, very active, but I don't think that they have
24 necessarily all the training and guidance they need. So I try to
25 give that when I can but I also try to take a step back as they're

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1 a, you know, work group that has to do things on their own, and I
2 don't want to be an influence on that, but I do try to influence
3 their training a little bit. As a matter of fact, our two union
4 people that are on the local safety council, they've only joined
5 in the last month and a half or 2 months. So they are currently
6 at local safety council training today and yesterday.

7 Q. Do you have people from your management on there as well?

8 A. Yeah, yeah. A longtime supervisor has been on it, and he is
9 operationally one of the best sups I've ever worked with
10 administratively which he struggles, and I know that. And so
11 that's the part of the local safety council that may struggle for
12 us as a facility because he does lead it. He's a good leader but
13 he is definitely operational orientated and things like that. So
14 we just did put another supervisor on it who I hope will help with
15 those things that he's lacking.

16 Q. And as for your supervisors, I know you have I think when we
17 talk to Molly, you have 6, slated for 7.

18 A. Yes.

19 Q. And just one OM in the building.

20 A. Yes.

21 Q. How often do you guys meet?

22 A. Molly and I daily. She comes in my office everyday somewhere
23 between 7 and 9 and we meet anywhere from 5 minutes to an hour.
24 She generally is here the same time that I am. We have so many
25 things going on, I need her administratively, but when she's not

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1 -- obviously we don't meet when she's come in on the mid or on the
2 weekend or something like that. My expectation of her is to kind
3 of touch every shift a month, and she's able to do that and work
4 that schedule. So -- and then the supervisors, we meet monthly
5 for at least 3 or 4 -- probably about 2 to 3, 2 to 4 hours, but I
6 would say that I see each supervisor roughly an hour a week. I'd
7 like that to be more. It used to be more as the OM but not as
8 much as the ATM but, yeah, just to go over things and see how
9 things are going.

10 Q. Good. That's all I have for now.

11 A. All right. Thank you.

12 MR. OGDEN: Thanks, Allison. Andrew.

13 BY MR. LIESER:

14 Q. I want talk just a little bit about the local safety council
15 as well. Do you know if the local safety council here provides
16 recommendations for refresher training?

17 A. Yes.

18 Q. They do?

19 A. Yes.

20 Q. Okay. Do you have an opportunity to look that as the air
21 traffic manager or is that typically run through the support
22 manager?

23 A. Both. I meet with the support staff. So -- and you guys met
24 most of them. You met Colin (ph.) and Clay and Mark Whitmyer
25 (ph.) who said he was sad he couldn't be here this week, but he is

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1 also one of those resources that I couldn't do without. But then
2 also Randy and Molly. So the five of us, six of us meet weekly,
3 and those are -- some of the things we go through and Clay is more
4 of the training. So he does refresher and current. And he says,
5 hey, I've talked a little to the local safety counsel. This is
6 what they've recommended. What do you think? And we've also
7 recommended things from unfortunately SSRs and things like that,
8 like hey, this put this in the corrective action plan. So we
9 discuss those things on a continuous basis really.

10 Q. Okay. And the most recent SSR that was completed for this
11 event, were you part of the SSR?

12 A. I was. So I was on leave, but I dialed in remotely and had a
13 little input, yeah.

14 Q. Okay. Do you feel that the SSR in a thorough manner?

15 A. Yes.

16 Q. PIREPs are obviously a big thing. As a quality control
17 person, I see a lot of -- it's a focus in the FAA. There's a lot
18 of guidance that gets put out and requirements, and it's something
19 that's paid attention to. As the air traffic manager here at
20 Indianapolis, how do you feel your facility's performance is in
21 disseminating and soliciting PIREPs in general?

22 A. Compliant. I would say that we get everything that's
23 recommended of us or that's -- I'm sorry, expected of us. And I
24 would say that we go a little bit above and beyond that. It's
25 always a challenge to get that to a point where we're doing it

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1 because it's the best thing for the aviation community as opposed
2 to I'm doing what I'm supposed to do but I would say that we
3 complete that.

4 Q. Okay. That's all I have for right now.

5 MR. LIESER: I'll pass it back to Casey.

6 MR. OGDEN: Yeah, thanks, Andrew. Paul.

7 MR. SUFFERN: Yeah

8 BY MR. SUFFERN:

9 Q. So kind of along with the PIREP and shift to a little bit of
10 overdrive. I have a couple of weather here. As ATM, what
11 resources do you expect your air traffic controllers to use while
12 they're on duty?

13 A. So, I would say that they get most of their weather from the
14 weather briefing in the mornings which we get from the center,
15 National Weather Service which does a great job putting that
16 together. So the controllers all get that for the day which I
17 think was a great move because again not getting the hourly, which
18 is kind of a projection expectation for the day. So they have
19 that, and I think continuously it's part of their position relief
20 briefings, so that each controller is aware like, hey, what's
21 going on in your sector with the weather. But then the rest of it
22 is automated. I mean it's all the IDS(ph.) as far as current
23 conditions here, other airports, that kind of thing. But, we do
24 have weather in the building. I don't think we use them to the
25 fullest extent that we probably could. They kind of augment but

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1 the National Weather Service at the center, again they make
2 themselves very much available to us to do briefings and stuff
3 like that. We haven't taken full advantage of that yet but it's
4 something we're working on.

5 Q. Okay. And then just in rapidly changing weather conditions,
6 and I'll qualify that by, you know, maybe the weather at a
7 particular airport changing two to three times in an hour,
8 something like that. How do you expect your air traffic
9 controllers to stay up on information like that at a particular
10 airport?

11 A. So any like changing actual like ATIS codes or something like
12 that, they're identified in the IDS. They have to actually
13 acknowledge that it's been changed. They can see that it's been
14 changed IFR to VFR, but the automation of a weather request for an
15 airport, that function's used quite a bit when somebody's going to
16 an airport that maybe, you know, under an (indiscernible) but, you
17 know, 20 miles away because the weather obviously, Indianapolis
18 International could be completely different at Muncie, Indiana.
19 So they use that WR request.

20 Q. Okay. And then to your knowledge as ATM, are there any -- is
21 there any weather equipment or any known weather issues with, you
22 know, not just Indianapolis but any of your outlying satellite
23 airports that -- to your knowledge, is there any?

24 A. Not that I'm aware.

25 Q. That's all the questions I've got for right now. Thanks.

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1 MR. OGDEN: Thank you, Paul.

2 BY MR. OGDEN:

3 Q. Okay. I'm going to beat the PIREP drum just a little more.
4 In the replay, we seen a departure 15 minutes before the accident
5 time. Muncie had called -- had went IFR and this was the first
6 aircraft going in or out of the airport since going to the IMC
7 conditions. In those parameters, would it be your expectation
8 that a PIREP would be gotten from that airport?

9 A. Would I have liked to have seen it? Yes. Is it my
10 expectation? No, for a working position.

11 Q. Understood.

12 A. I'm not going to beat on the PIREP drum.

13 Q. Yeah, I'm done. I can't speak for everybody else. How much
14 time do you spend in the operation if you're able to?

15 A. A few hours a week. I do have some requirements myself on
16 the different corrective action plans that we have, but I have to
17 do OSAs and things like that. So at a minimum about 3 hours a
18 week. I try to get in there every morning. I come in somewhere
19 between 6 and 7 and try to spend at least a half hour to an hour
20 in the operation before I start my day. So I try to spend an hour
21 every day, but then, you know, I will woefully say 7 o'clock in
22 the morning isn't the best snapshot of what happens at my
23 facility. So throughout the rest of the week I try to go in at
24 different times and see the operation.

25 Q. Understood. That's impressive. Next question. Do you feel

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1 you have a good understanding of the issues and problems that the
2 control staffing encountered in the operation here?

3 A. I do.

4 Q. Okay. How do you, how do you evaluate that?

5 A. With the team around me. You know, I answer that because of
6 that team around me. I've never worked the traffic at
7 Indianapolis. Of all the facilities I've been in, I've never been
8 in a up/down level 9. But I've worked parallel runways. I've
9 worked a busy TRACON. I've worked a center. So I feel like I
10 have an overall knowledge but when it comes to Indianapolis
11 things, sometimes I'm at a loss. So I have an amazing support
12 staff. I work with SEIC which, you know, they've all been here.
13 They all have passion for this facility. The controllers, you
14 know, I talk with them on a daily basis. So, you know, what's
15 this look like? What change, you know, my supervisors. Three of
16 them have been here long term, were controllers here. So I rely
17 on them a lot. So it's the team around me that gets me to where I
18 think this facility needs to be, and then my general knowledge of
19 how to get there.

20 Q. Has any input been provided to your OM or even the
21 operational supervisors on expectations regarding this event post?

22 A. We've had discussions about that. I still don't know where
23 this particular event, the best thing is to come out for it. I
24 mean, you know, as I mentioned before, we've already and I've
25 collaboratively talked to Andrew and Tyler and my OM about, okay,

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1 we need to relook at the LOA. We need to do some kind of
2 briefing, right, at a bare minimum. You know, we need to do more
3 outreach, and I do have a supervisor that kind of does outreach
4 for me. Those things, we've already been discussing but as far as
5 a briefing item out or anything like that, I just don't want to
6 put out information that I'm not concrete on, and I haven't gotten
7 there yet. That's why like I said, you know, you said nobody
8 looks forward to you guys being here, but I look forward because
9 I, you know, 30 years, multiple facilities, I'm a little bit at a
10 loss as to what this looks like to teach my controllers sitting at
11 the scope what was the right -- what could he have done.

12 Q. Understood. Moving gears a little bit, can you speak to the
13 training program here? Do you feel it effectively prepares
14 controllers for what they're going to encounter in the operation?

15 A. I do.

16 Q. Can you speak to that just a little?

17 A. I can. Again, like I said, the SEIC team that I have and ops
18 manager, two supervisors, two controllers that have been here and
19 other facilities, they do an amazing job. I mean what other level
20 9 has six people working SEIC that have had people there. So I
21 would put them up over against anybody's. Randy, you know,
22 training administrative for the district is in my building. So
23 he's constantly helping me with those things and, you know, he's
24 seen a lot, been a manager, been rated here, you know, and then on
25 top of that, like I said, Colin's becoming my support specialist,

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1 and he's been here, been at the center. So the labs alone, I
2 mean, you know, the TSS that I have, the lab I have, I think our
3 training program -- as a matter of fact, we have a tower
4 controller coming who has never had tower school and we are going
5 to teach it here. We're able to get that, you know, and I think
6 we're going to do a better job than Oklahoma, hopefully.

7 Q. Not that that's saying much but -- well, that's all the
8 questions I have for now.

9 MR. OGDEN: Brian.

10 MR. SOPER: Yeah.

11 BY MR. SOPER:

12 Q. So, just big picture as the -- how long you been the ATM now?

13 A. Year and a half.

14 Q. Year and a half. So you've been here for a minute. You've
15 had a chance to get settled into the seat so to speak. And what
16 were you before that?

17 A. So -- and I will say I was the acting ATM for 6 months when I
18 was here as the OM. So I was here as the OM for 2 years, and I
19 was the acting ATM for 6 months. During the time, they didn't
20 backfill the OM because it was only supposed to be 2 months. You
21 know how that goes.

22 Q. Oh, so you're ATM/OM.

23 A. So ATM/OM for 6 months, I told myself I would never be in an
24 ATM job, and a year later, after being back at the center.

25 Q. Yeah.

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1 A. So right previously here, I was the OM at the center. And
2 going back to shift work and a big facility like that where it was
3 hard to make an impact, I was glad to come back here.

4 Q. Okay. So, that's good. You can definitely answer this
5 question then or you should be able to get your head around this
6 one. So in this facility here, what is your -- what do you think,
7 if you could pick one thing that's just lacking that you wish you
8 could have to, you know, finish off the piece of the puzzle here,
9 so one that stands out to you like, yes, this we could really use,
10 whether it's equipment, whether it's staffing, whether it's
11 procedures, whether it's support, whatever that is to you, what do
12 you identify with either through consult with your management team
13 and your workforce or just what you know of, or a combination
14 thereof, what is that?

15 A. How much time we got? No, I'm just kidding.

16 Q. As much time as you've got.

17 A. Because, you know, when you first ask that question, my
18 immediate thought is this to me is a great facility. We don't
19 need anything. But that's not true, right. I mean to make the
20 facility better, we constantly want to improve things. One of the
21 biggest things will be this surveillance that's coming in the next
22 2 months. That's going to be huge.

23 Q. Surface surveillance.

24 A. Surface surveillance, right. So ground radar would be
25 better. Something that has some kind of safety logic --

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1 Q. Yep.

2 A. -- would be absolutely huge for us but this is the next best
3 thing, and the thing that the FAA is offering, so we'll take it.
4 But they've been asking for that for 17 years, and when I got
5 here, as an OM, that was something that, you know, what? Before I
6 retire, I'm going to get something in the system. I feel that
7 about the fact that that's coming next month. So I think that was
8 huge. I think one of the biggest other things with this facility
9 is they do not have any kind of radar associate handoff or D
10 sides, right. A big TRACON like this --

11 Q. You don't have them established or they don't get filled
12 because of staffing?

13 A. They do not -- they're not even established.

14 Q. Okay.

15 A. They've never had them here.

16 Q. All right. Gotcha.

17 A. The people that have been here long term don't even
18 understand the concept and which has been a struggle for me
19 because that was something, like 4 years ago it was like, oh, we
20 need this, right. And one of the biggest challenges of that is
21 they -- their councils are built like safety -- like sector
22 suites. So they have this wall. So even if I got them a D side
23 sitting next to them, you can't see the scope. There's no place
24 for a keyboard. There's no -- and the people that, you know, air
25 traffic, you know, they know exactly what I'm talking about,

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1 right --

2 Q. Yep, yep.

3 A. -- anywhere that has these positions. I think that would be
4 huge for this facility. If we run coordinators, but I don't even
5 necessarily like the way that's -- the position equipment -- the
6 position responsibility is written. They're coordinator for
7 everybody. So if we have six radar scopes open and you're the
8 radar coordinator, you're coordinating for six people. So we've
9 worked on kind of -- maybe we need six radar coordinators and --
10 but, you know, that will develop into D sides once we can get, you
11 know, the mechanics of the position built out. So I think that's
12 my biggest ask for the radar room would be that, you know, with
13 the 804. I've already put that hopefully in motion that we need
14 consoles so that we can have this kind of accessibility, but I
15 know that comes with staffing studies and things like that. So
16 that's the radar room.

17 Upstairs, I would like also associate positions. Right now
18 what I've been doing for the last 4 years is I get a special event
19 ground assist that I'm allowed to open certain times of the year,
20 and I keep asking to extend that because to actually make a
21 position, the FAA is a lot harder than I could have ever imagined,
22 right. I have a need for it. I want it. Well, you have to do a
23 staff study and you have to do this and you have to fill out --
24 it's quite extensive. So that's another thing that we've been
25 working on is getting that open full time, because it is something

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1 that we use for every event. We had it open for the eclipse. We
2 have it open ever race day, but it times out. So assist
3 downstairs, upstairs.

4 But one of the bigger challenges also is the line of sight
5 from the tower which I kind of based on when I gave you guys a
6 tour, that there's nowhere in that tower that you can see the
7 entire airport environment. So, we had -- through one of these
8 other processes, a SSR and, you know, scanning, and I think that
9 this facility has met that and exceeds that now at this point but
10 the challenge with the controller sitting there with the
11 binoculars and the moving. We're doing that. The challenges lie
12 in the way the tower was built and the, you know, raising the
13 floor, moving countertops.

14 Q. Yeah.

15 A. Those kind of things.

16 Q. Yeah.

17 A. So those are things I'd like to start before I move on.

18 Q. Good. Talk about staffing just for a second. Everybody in
19 the FAA has a staffing problem, right.

20 A. Sure.

21 Q. But where do you guys sit right now, and I think we've
22 probably got your staffing numbers or we're getting them but just
23 from you. Where are you guys sitting? What you're authorized
24 versus what you have on board? Let's start with CPCs in
25 particular.

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1 A. Right. So these numbers will be --

2 Q. Yeah, rough.

3 A. -- to the best of my knowledge. I think we have 36 CPCs and
4 7 people in training.

5 Q. Okay. And how is it in relation to your allotment, you know,
6 what you're authorized based on your staffing?

7 A. So as you know, and I'm going to mess up the acronym. We
8 just had the C --

9 MS. MATTIOLI: CRWG.

10 MR. MARCHESE: -- CRWG, right.

11 MR. SOPER: Oh, yeah.

12 MR. MARCHESE: So those new numbers came out. Thank you.

13 MR. SOPER: Yeah, yeah, yeah.

14 MR. MARCHESE: We only went from I think it was from 42 to 45
15 which was quite surprising from us considering we went from 8 to a
16 9 in the last 3, 4 years, you know, the flight school, the
17 complexity that things have changed, you know.

18 BY MR. SOPER:

19 Q. And that's an authorization of CPCs to include developmentals
20 or CPCITs, right? Like when they do the numbers, they consider
21 that. I know that's a horrible consideration.

22 A. Right, and I'm going to say it depends who you ask.

23 Q. Yeah.

24 A. Right. Some people's, you know, you're supposed to have 45
25 CPCs. It's like, well, how many are you going to give me to meet

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1 that 45.

2 Q. Right.

3 A. It's that new math.

4 Q. Yeah. Well, I know and I understand what you're saying
5 because we do the same thing, you know. Like fully staffed, okay,
6 you gave me the people but I have to train seven of those now
7 which means that those seven aren't useful to me in the schedule
8 yet, and I have seven other people that now have to concentrate on
9 training, right. I get that, right. You actually --

10 A. Yeah.

11 Q. -- increase my workload. So are you giving me -- are you
12 saying that that's my appropriate staffing to accommodate training
13 and everything or are you saying that's the staffing it takes to
14 operate this facility --

15 A. Right.

16 Q. -- because those are two different things. So I get that.

17 A. Yeah.

18 Q. So what's your -- so you're sitting there somewhere in the
19 36, 35, 36 probably with on board. And how many developmentals
20 did you say?

21 A. Seven.

22 Q. Seven, seven developmentals. Are they true developmentals or
23 are they CPCITs or you've got a mix?

24 A. They're a mix.

25 Q. Okay. And, is it worse -- is it lopsided? Do you -- are

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1 they all tower or are they all radar in this case or is that also
2 mixed?

3 A. Right. Yeah, a mix. Right now, we -- we generally start in
4 the tower. We've tried a couple people when we started in the
5 radar room, and that got caught up in COVID which -- so it's hard
6 for us to say if that worked well or not, but we've done that with
7 people who have just had TRACON on time or things like that, but
8 for the most part, it started up in the tower. It takes anywhere
9 from 3 months to a year to get certified there, and then we move
10 downstairs. And so right now, we're kind of in a transition. We
11 got the seven pretty tight together. So they're kind of moving
12 together unfortunately. So we got a lot of tower people. We've
13 got three people right now in Oklahoma doing radar class. So
14 they'll all come back and start in radar.

15 Q. Are you struggling in one area more than the other like to be
16 able to staff appropriately through the shifts, whether it's tower
17 or radar? Or, is that also just --

18 A. No, because I mean -- and that's a daily decision, right,
19 because everybody's certified up and down. So -- and certainly I
20 would say we have more flexibility in the tower because those
21 seven CPCs or seven developmentals, most of them are certified in
22 the tower. So we do have a little bit of wiggle room, you know,
23 if we do take a couple of sick hits and we can't get anybody in,
24 then it turns into a pro day. So it's easier to staff the tower
25 right now because we have seven extra bodies that we don't

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1 generally count, but they're there. They're available.

2 Q. Okay. All right. And, how much -- do you know even roughly
3 what your overtime hours are right now? Are you in mandatory
4 sixes? Are you working a lot of non-vol overtime, you know, like
5 people that are on the no list having to work because you just
6 have to do it?

7 A. No, we're in a pretty good spot --

8 Q. Okay.

9 A. -- and we built a schedule for this year that pretty much
10 allows us to have the numbers -- the guideline numbers that we
11 want, and also have like one person off, but during prime time
12 when we have three people off, that's when we have overtime which
13 is -- and we have enough people on the yes list that almost --
14 very few people on the no list work overtime. People on the yes
15 list, I would say there's a few, like maybe 4 or 5, that are
16 consistently 6 day work weeks. So the overtime is there, but it's
17 not to the point where people on the no list are coming in.

18 Q. Okay. Let's see. It seems like I had something else
19 specific I was thinking of, but I can't think of it right off bat.
20 So I'm going to go ahead and pass it along for now and if I think
21 of it, I'll do it, and if I don't, it wasn't that important.

22 A. Very good.

23 BY MS. MATTIOLI:

24 Q. I heard you talking about the 8-0-4 you're absorbing. Is it
25 Terra Haute approach?

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1 A. Terra Haute, yes.

2 Q. When's that happening?

3 A. That's a good question.

4 Q. Okay.

5 A. So it's all been signed, funded. We are on the list, and I
6 know I'm not going to get -- but something's going on in
7 Philadelphia and New York and we're after them. And we hear,
8 well, if that gets turned off, you guys could be tomorrow, but
9 right now it's not turned off but it could take 2 years. And so
10 you guys are next. So we're -- our timeline was based on them,
11 and they can't -- yeah, like I said. It goes from never mind,
12 we're not going to do it. So you're up tomorrow to this is going
13 to take 2 years to do and you guys are next.

14 Q. Now, have they given you kind of an idea of how many people
15 you could expect to come here or you're just absorbing their
16 approach control and no one comes here?

17 A. So that is a discussion that we've had, and it depends on the
18 day that you ask. We -- like I said, we were surprised that we
19 went from only 42 to 45 because that was part of our
20 justifications. Like, hey, we're going to need 10 more
21 controllers because one of the biggest things is we do combine up
22 in the tower on our non-FedEx mids. So we do TRACAB 2 days a
23 week, and so we drop down to 2 controllers during those times.
24 With the onslaught of Terra Haute, we'll never be able to close
25 the TRACON because it's just too much airspace. So we'll need to

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1 run a full mid where we have that open all the time. So that's
2 one of the biggest impacts and obviously, possibly two more scopes
3 running, we'll need to absorb that. So we were kind of expecting
4 our number to go up by 10, and it only went up by 3. So -- but it
5 was kind of explained, well, when 8-0-4 happens, that's when
6 you'll get these extra anywhere from 5 to 10, right, and so
7 there's -- we haven't done that negotiation and say, hey, you're
8 going to get 7 bodies from here. But their number went up and
9 they're number went up by 7, and they're a level 5 tower. So I
10 don't know if that was where that came in. I don't know.

11 Q. Because we requested 10, and they took ours down.

12 A. Oh, yours actually went down.

13 Q. Down.

14 A. Okay.

15 Q. We went down by four people.

16 A. Oh, wow.

17 Q. So we're like -- we were at 94. They took it to 90. And
18 we're doing a fourth parallel which will need an extra local, and
19 it was a no. That's it.

20 A. Okay. Right. It's that new math.

21 Q. Yeah, I get it. That's all I had. I was just kind of -- I
22 was just inquiring.

23 A. Yeah. No. I wish I had a solid answer for you but --

24 Q. No. But it's just Terra Haute coming here?

25 A. Yeah. It was interesting when Terra Haute, and truthfully I

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1 can't remember what team was in here, but she was part of the 804
2 but not here for 804, and she asked why we don't have Evansville.
3 I said, well, we'll take them.

4 Q. Yeah.

5 A. So but that was just a question.

6 Q. Sure.

7 A. It was nothing.

8 Q. Thank you.

9 A. But it's amazing how those questions turn into reality.

10 Q. For sure.

11 MR. OGDEN: Thank you, Allison. Andrew.

12 BY MR. LIESER:

13 Q. Let's see. Do you feel the control workforce here has a --
14 let me back up. Would it surprise you to know that the letter of
15 agreement between you -- your facility here and Muncie doesn't
16 actually reference missed approach procedures?

17 A. I will say prior to this event, I was pretty unaware of what
18 that LOA said, right. Since then, I've learned a lot more about
19 it. It surprises me from an aspect when I was at SoCal TRACON, I
20 was very involved in writing LOAs, and that seemed to be a pretty
21 standard thing. From my exposure from the center and here, it's
22 not as standard in these LOAs as I would expect. We worked on
23 training some other formats, more focused on handouts and
24 altitudes and, you know, they should be in a table and shared back
25 and forth so that it's standardized, but there's the way we do

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1 frequencies or the way we do some missed approach stuff, it's been
2 a lot of, well, it's in the 7110.65 so we don't like to include it
3 in the LOAs because we don't want to over --

4 Q. Understood.

5 A. Right. So it was a surprise for me. Like I said, you know,
6 we've been focused on the Stanford and Cincinnati LOAs recently.
7 So I could probably name specifically some paragraphs but the
8 Muncie one, I don't know that in the last year and half I've, you
9 know.

10 Q. Sure. It sounds like you have a much larger operation, and I
11 understand where Muncie might not show up on the radar.

12 A. Right.

13 Q. Were you aware that in the Muncie SOPs there are actual
14 operating procedures prescribed coordination with you for missed
15 approach procedures?

16 A. I did not know that.

17 Q. Okay. That's all I have.

18 MR. OGDEN: Thank you. Paul.

19 BY MR. SUFFERN:

20 Q. Just two more weather questions. I appreciate your time. If
21 a pilot's on an IFR flight plan, do you assume that they're
22 comfortable flying in the clouds flying an IMC?

23 A. Yes.

24 Q. And then similar to what Brian asked earlier, but in this one
25 I let you win the lottery. So it's always better, and you won the

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1 1 billion. So you decided to give at least half of that air
2 traffic, you know, because you're a nice guy. Are there any
3 weather tools that you wished you had here at Indy or in the
4 outlying places that would help you operate better?

5 A. Not that I'm aware of. I'm not as familiar with all the
6 weather equipment that's available and things that -- and even the
7 things that we have here. We have some things here that I had
8 never seen before I got here. So, I would assume that those are
9 good things because anything extra is good, but I'm unaware of
10 what tools are available for weather.

11 Q. That's all the questions I have but I do want to also say
12 that I was very happy to see in the TRACON when we took the tour
13 the ITWS, the wind shear at every position --

14 A. That's one of those that I don't know -- I didn't know what
15 that equipment was but the controllers love it. So I love it. I
16 wouldn't know how to read it. I wouldn't know how to use it, but
17 we have it, and the controllers love it. So I love it.

18 Q. I've seen it in many places but it's just at the sup desk.

19 A. Right.

20 Q. But it was great to see that available on every position in
21 the TRACON. I was very pleased to see that.

22 A. So I would say that system unfortunately is down more than a
23 lot of other systems. I do get that report that, hey, that's
24 down. I know our tech, they do a great job getting it back up
25 when it goes out but I do hear that that -- ITWS is down again

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1 today, like it was yesterday or something like that. So I'd want
2 to know if there'd be a fix for that. That would be helpful.

3 MR. SUFFERN: That's it.

4 MR. OGDEN: Thanks, Paul. Anyone have any other follow up?

5 MR. SOPER: I do.

6 BY MR. SOPER:

7 Q. So the wrap up for this for me because we have you as the ATM
8 here is I think that this is just an offering and suggestion, you
9 know, just like, you know, an observation here.

10 A. Please.

11 Q. I think that engaging your LSC, management staff, OM, your OM
12 seems very engaged by the way. Very impressive. Don't lose her.

13 A. No.

14 Q. Keep making her happy.

15 A. Yes.

16 Q. If she's happy, you'll be happy. No, but hit the LOAs right
17 away because I think it's the quickest way for you guys to get to
18 a point to help mitigate and just keep -- because I also think
19 your controller that was involved is a good controller. He, you
20 know, when you listen to and watch his operation, I mean his setup
21 was good. His phraseology was tight. He knew what he was doing.
22 He was engaged in the operation. There's this little area there
23 where there's some grayness and it's not that he failed. It's
24 he's a product of his environment. He's doing what he was taught
25 and how it's been brought to him. I think that by clarifying

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1 clearly between the facilities and then ensuring you're both on
2 the same page and train that, you'll -- that would be your
3 quickest way to resolution from that reoccurring, right.

4 And maybe you look at the other things, but that's something
5 that you guys have total control over. It's a very, you know,
6 you're not talking about a money thing. You don't need a piece of
7 equipment to make that happen. You need a little bit of effort.
8 It sounds like you have an engaged LSC which is great because they
9 can do that work. This is stuff they can produce for you and
10 bring you and say, this is what we think it should look like and
11 then you guys can tweak and improve and approve based on that.

12 But, I think that -- I hope that you will take that and make
13 that a priority because I think it's something you can do with the
14 least amount of bureaucracy and produce a result, right, that you
15 have total control over.

16 A. Yeah.

17 Q. And I'd like to circle back with you, or Casey probably will
18 in this case, circle back with you maybe in a few months and just
19 see where you're at with things, after you have a chance to digest
20 everything and actually get through some stuff here, and engage
21 some people and let them do some work because you've got a couple
22 of other things going on around here. So, you know, but -- and
23 then just kind of see where you're at and stuff. But I think that
24 that's just an outside observation and I think that MIE could
25 really use that and I don't know what other facilities you have in

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1 your purview, but maybe it's worthwhile taking a quick review of
2 all -- any LOAs that you have existing with outlying facilities to
3 make sure that your standard across those and that they're
4 consistent and they're aligned, so that your controllers have a
5 good expectation and they don't end up put in a bind that, you
6 know.

7 A. I very much appreciate that. Like I said, that is one thing
8 that I have noticed is that I don't feel like all of our LOAs -- I
9 mean we're surrounded by six TRACONS, two centers, three, you
10 know, federal contract towers, you know, and we have LOAs with all
11 of them. And, there's things that -- one of the biggest things
12 now is our frequencies aren't even standard, right?

13 Q. Yeah.

14 A. So we have frequencies lined up with geographic and sometimes
15 in some LOAs we have the frequencies lined up with the position.
16 And I'm like how it just like we'll that's the way it's always
17 been done, and that's what, you know.

18 Q. Yeah.

19 A. Yeah. A standard but the LOAs reference this event and the
20 things that we've put in this, definitely something we're going to
21 do.

22 Q. Yeah, I mean because you can kind of then based on the
23 procedure and regulations that are in place, you can set the
24 expectation about what you are going to have there, you know what
25 I'm saying. So those other facilities because places like MIE,

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1 you know, you want them -- you want to have an expectation of what
2 they're going to do, and you want to give them the -- this is
3 exactly what you need to do. So here's the LOA. This is what we
4 all agree on. Now, put that in your SOP and make sure your SOP
5 and your LOA are aligned where they are not right now actually.
6 So that would be super helpful. I think. I think. I mean that's
7 just -- and you might find a better way. In the process of
8 looking into this, you may go, I found a better way that what fat
9 guy was talking about, you know, that's just -- so do that, you
10 know, but that's the area I think a focus could be right away and
11 produce quick results, low politics.

12 A. And as a group, you know, recommendations is something --
13 there's no doubt that we're going to be looking at the LOA, right.
14 It is something we'll be doing, but the things that I've -- and
15 like I said, we're already collaboratively working on. I've
16 talked to Andrew and Tyler already about the things that we'd like
17 to see in there and how that would change now. The things that we
18 have up on their PIREP, how is that handled, right. If your
19 AISR's down, if your, you know, you can call the center, you know,
20 but like I said, I don't know that Indy TRACON should be involved
21 in that process but they need to know what their process is or
22 not. Missed approach stuff and then also my understanding is we
23 used to have what they call down time and they don't necessary do
24 that anymore. So that's something else that we're looking at in
25 the LOA. Is there any other things in the LOA that you guys have

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1 thought -- again, I know you guys, you know, don't know the
2 procedures at Indy --

3 Q. No, but right up that, PIREP that we mentioned was the most
4 glaring thing. Like I routinely, you know, just my experience and
5 like type facilities or even what I was doing there, I would
6 expect missed approach procedures is one of those things I kind of
7 expect to be in there, right, you know what I'm saying. Because I
8 want to be able to have a clear expectation of what's going to
9 happen, no gray area, like in that respect, you know, because I
10 need them to know that in the event this guy does not make the
11 approach, here's the deal.

12 A. Right, right.

13 Q. They're going to come back to me on this heading or the
14 published, whatever it is here, and I'm going to have that
15 expectation every time, you know, and everything else is
16 coordinated like normal.

17 A. Right.

18 Q. But it was notable, I'm like, wow, they don't even cover that
19 in there. Now, their SOP did kind of a little bit but it was odd
20 to me that the LOA didn't align with that same thing because I
21 would expect that. But outside of that, I don't know. We'll
22 probably take a closer look, you know, as we go back. We always
23 go back and we look at more stuff and we, you know, do a little
24 more math and things like that and go, oh, you know what? Here's
25 another area, and if we run across something like that that we

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1 think is there, we'll run that out to you, you know, just kind of
2 bother you, like hey, we just noticed this, too, as we dug a
3 little deeper. This is something you might also want to take a
4 look at, you know. But all of our stuff is very just suggestive
5 in nature.

6 A. Okay.

7 Q. Observation --

8 A. Right.

9 Q. -- outside in. It's your operation. You know it better than
10 anybody. So. That's it.

11 BY MR. OGDEN:

12 Q. All right. Last question. Anything you thought we'd ask
13 that we didn't?

14 A. Well, I appreciate that the team came in realizing that I
15 haven't talked to airplanes in a while, but I did think I'd get
16 more questions on the actual -- like the actual what happened, and
17 I'm glad you didn't because I don't know like I said, and I
18 reiterate, I don't know what I would have done completely
19 differently if I was told, hey, this guy is doing this, and I even
20 -- I feel like Shawn did -- beyond asking, is he coming back to
21 me? To me, that was, is he making a missed approach? Is he, you
22 know, (indiscernible), you know, he asked that question which I
23 thought was great. Like, is he coming back to me? Right. Now, I
24 can say he made an assumption that the guy was circling or that he
25 was in contact -- I don't want to Monday morning but --

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1 Q. Yeah.

2 A. -- like I said, I just don't know how to brief my controller,
3 if I've trained my controllers on this is what you should have
4 done, but I still don't know what that is.

5 Q. Understood.

6 MR. OGDEN: Anything else from anybody?

7 (No response.)

8 MR. OGDEN: Okay. We'll show the interview concluded at 1216
9 Eastern Daylight Time.

10 (Whereupon, 12:16 p.m. EDT, 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: PEDESTRIANS STRUCK AS PIPER PA-28
DAKOTA MISSES LANDING AT THE
DELAWARE COUNTY REGIONAL AIRPORT
IN MUNCIE, INDIANA ON APRIL 1, 2024
Interview of Anthony Marchese

ACCIDENT NO.: CEN24LA144

PLACE: Indianapolis, Indiana

DATE: April 11, 2024

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

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

*

PEDESTRIANS STRUCK AS PIPER PA-28 *

DAKOTA MISSES LANDING AT THE *

DELAWARE COUNTY REGIONAL AIRPORT *

IN MUNCIE, INDIANA ON APRIL 1, 2024 *

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Interview of: MOLLY MURGATROYD, Operations Manager
Federal Aviation Administration

Indianapolis Air Traffic
Control Tower
Indianapolis, Indiana

Thursday,
April 11, 2024

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APPEARANCES:

CASEY OGDEN, Air Traffic Control Investigator
National Transportation Safety Board

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

ALLISON MATTIOLI, Air Safety Investigator
National Air Traffic Controllers Association

ANDREW LIESER, Subject Matter Expert
Federal Aviation Administration

BENJAMIN WADE, ESQ., Office of the General Counsel
Federal Aviation Administration
Representative for Mr. Murgatroyd

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I N T E R V I E W

(8:21 a.m. EDT)

MR. OGDEN: Okay. The time is now 0821 Eastern Daylight Time.

Could you please state your name?

MS. MURGATROYD: Molly Murgatroyd.

MR. OGDEN: Okay. Could you spell that for me?

MS. MURGATROYD: M-o-l-l-y, M-u-r-g-a-t-r-o-y-d.

MR. OGDEN: Awesome. As part of the process, I'll be recording the interview. I'll have a transcription made. The transcription will become part of the factual report. The audio is not part of the public docket. I'll send you a copy for your review if you'd like at the end of this, again an option. It should be about a month before I can have it back if you do want to have it. Any questions about that?

MS. MURGATROYD: No.

MR. OGDEN: Okay. I'm Casey Ogden. I'm an air traffic control investigator with the National Transportation Safety Board.

The NTSB is an independent federal agency charged by Congress with determining probable cause of aviation accidents and incidents of a significant nature and promoting transportation safety.

With me today, I have two other investigators from the NTSB, Brian Soper, lead air traffic investigator, Paul Suffern, a

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1 meteorologist from the NTSB. We have Allison Mattioli. She is a
2 NATCA ASI, and then we have Andrew Lieser coming to us from?

3 MR. LIESER: The Chicago District, Chicago Center.

4 MR. OGDEN: Thank you. And as part of our process, we invite
5 parties to participate in the investigation to provide us
6 expertise, that is our ASI and our air traffic SME.

7 The purpose of this investigation is safety, to gather the
8 facts, determine the probable cause and prevent recurrence. Our
9 role is not to assign fault, blame or liability. This interview
10 is part of the fact-finding phase of the investigation.

11 As part of the regulation, you're welcome to have one
12 representative of your choice to attend. I see you have a
13 representative with you today. Is the person you would like to
14 have?

15 MS. MURGATROYD: Yes.

16 MR. OGDEN: Okay. Could you please state your name?

17 MR. WADE: Benjamin Wade, Office of the Chief Counsel, FAA.

18 MR. OGDEN: Thank you. The reason for this interview today
19 is to discuss the accident that occurred on April 1st, 2024,
20 regarding N8438B. We'll be asking a variety of questions. So if
21 at any time you feel you have a question, just let us know.
22 Please answer all questions to the best of your knowledge. I
23 don't know, I don't recall, those are perfectly acceptable
24 answers. And if we ask a question, and it's confusing in any way,
25 we can restate, rephrase it, change it, whatever you just so you

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1 understand it best.

2 And if at any time you'd like to consult with your
3 representative, just let us know. We can pause the recording and
4 step out, ask questions, do whatever you need to do. Any
5 questions so far?

6 MS. MURGATROYD: No.

7 MR. OGDEN: Okay. The way things will work today, I'll start
8 out asking some questions. We'll go around the room and each
9 group member will have an opportunity to ask their own questions.
10 You may see us typing, writing notes, jotting things down. That's
11 just to jog our memory, formulate questions, take notes of things,
12 but those notes will be destroyed. And that is the basic
13 structure of a NTSB interview. Any questions?

14 MS. MURGATROYD: No.

15 INTERVIEW OF MOLLY MURGATROYD

16 BY MR. OGDEN:

17 Q. Okay. Let's go through some background information. All
18 right. What is your age?

19 A. 38.

20 Q. Okay. And your operating initials?

21 A. Lima Tango.

22 Q. Okay. All right. So we spoke about it before, but for the
23 record, do you have any military or pre-FAA ATC work experience?

24 A. Military and contract.

25 Q. Could you go into that experience a little bit?

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1 A. Military, 2004 to 2008, radar terminal background. I did two
2 deployments to Iraq during that time, both radar terminal and en
3 route in both of those experiences. After my four years in the
4 Air Force, I worked about a year contract for Midwest Air Traffic
5 in Afghanistan in Kandahar again doing radar controlling. I then
6 was hired by the FAA in 2010.

7 Q. And where did they put you in 2010?

8 A. Charleston Air Force Base.

9 Q. Okay. And then from Charleston, where did you head out to?

10 A. Indianapolis.

11 Q. Okay. Been here ever since?

12 A. Yes.

13 Q. Gotcha. Do you hold any collateral duties or been a part of
14 any recent details?

15 A. On top of my like role as operations manager?

16 Q. Yes.

17 A. I don't know what I would consider extra --

18 Q. Okay.

19 A. -- to my duties but I am a part of a lot of work groups.
20 I've taken on a lot of additional duties in that role as the
21 operations manager.

22 Q. Understood. So the 10,000 foot view. How did you get into
23 air traffic? How did you get here? What does all that look like?

24 A. I took the ASVAB. I studied for scored as well, went and saw
25 a recruiter and he told me I could do pretty much whatever I

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1 wanted to do. I decided I wanted to be a meteorologist. Not a
2 high enough score to do that. So they suggested air traffic to
3 me. And that's what I ended up doing. My dad was a high school
4 counselor and told me that was a great job, I'd be, you know, not
5 wise to pass over it. So I ended up signing for the Air Force
6 with a guaranteed job in air traffic, got the basic training, got
7 to tech school in 2004, and they started going over basis 101 of
8 air traffic and I'm like, that's what this is? But it's been
9 great. It's been good.

10 Q. Awesome. Thanks for the background. Air Force was a great
11 decision.

12 A. Yeah.

13 Q. I don't think there was a better branch you could have
14 picked. Have you ever been fired, terminated, suspended or asked
15 to resign any ATC position?

16 A. No.

17 Q. Okay. How would you describe your overall health? Poor,
18 fair, good or excellent.

19 A. Excellent.

20 Q. Excellent. Do you hold a medical classification?

21 A. No.

22 Q. Okay. All right. Any changes in your health in the last
23 year, had a stent put in, had a stroke, anything windfall or
24 major?

25 A. No.

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1 Q. Okay. Any major changes in your personal life, got married,
2 had a divorce, had a kid?

3 A. No.

4 Q. Okay. Any major changes in your financial situation? Win
5 the lottery, declared bankruptcy.

6 A. No.

7 Q. Okay. Good. Well, win the lottery thing, we can hope.
8 Okay. Do you know if an ATSAP report was filed regarding this
9 event?

10 A. To my knowledge, yes.

11 Q. Okay. And you did not file that ATSAP report?

12 A. No.

13 Q. Okay. Have you been interviewed about this event before now?

14 A. No.

15 Q. Okay. Did you have an opportunity to review the replay of
16 the event?

17 A. Yes.

18 Q. Okay. I think I was there for that. Was that the most
19 recent time you reviewed it upon our arrival?

20 A. Yes.

21 Q. Okay. That's all we're going to go through on the
22 background. You weren't involved. You weren't there. This is
23 just more for background and perspective. With that, I think I've
24 talked plenty so far. I'm going to pass it over to Brian if he's
25 ready for that.

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1 MR. SOPER: Yeah.

2 BY MR. SOPER:

3 Q. So thanks for coming in with us today. I know it's a drag.
4 It looks like you're dodging some weather out there though. So
5 that's not bad. Are you the only OM here?

6 A. I am.

7 Q. Okay. Good. And how long have you been the OM here?

8 A. In November of 2022 is when I started. So a little over a
9 year.

10 Q. Okay. So perspective of this situation. So again, I want to
11 preface and I know we've said this again, but I want to repeat it
12 for the record just because lawyers get nervous.

13 MR. WADE: I appreciate it.

14 MR. SOPER: So I just want to make sure you were not present.
15 You had nothing to do with the operation. You are not an active
16 air traffic controller right now. You're an operations manager,
17 and the viewpoints we're asking of you are just your expectations
18 as a supervisor in the room.

19 A. Okay.

20 Q. So we know not to critique the people that were working or
21 anything else. Just an understanding of the operation that's
22 involved. So I do have questions that are related to the event.
23 You have had an opportunity to watch a replay of this event at
24 some point, correct?

25 A. Yes.

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1 Q. Okay. When was the last time you did that?

2 A. Yesterday morning.

3 Q. Oh, when you were with us at the in brief.

4 A. Yes.

5 Q. So, yeah. You got to see it. So as I ask questions, please
6 feel free to say I just -- I have no, you know, input on that or
7 whatever because I wasn't present or I don't know. So just from
8 an expectation though as an OM, looking at this event, what is
9 your -- I want to think of the best way to word this so he doesn't
10 jump on me.

11 MR. WADE: This is great, love this.

12 MR. SOPER: I really want to be careful about it because I
13 really just want understand your perspective so that the
14 instrument approach -- you have -- that the outlying field IFR,
15 right. You've got that contract tower that's -- it's IFR over
16 there. You have an instrument approach going in there. What's
17 your expectation of approach with regard to what occurred in this
18 case? Just outside view, not the person that was working, not all
19 that, just the case of if a contract tower calls up and says, hey,
20 this guy that was on the RNAV, he sees -- he has the field in
21 sight now, and he just wants to do a 360 real quick and come back
22 around. What's your expectation that you would expect in a
23 situation like to occur from the approach control standpoint?

24 A. I would expect the controller to follow the .65 and the LOA
25 and I would expect the controller, Muncie Tower, to follow .65 and

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1 the LOA. That is my expectation.

2 Q. Do you -- are you familiar with the LOA between the two here
3 right now?

4 A. I am.

5 Q. Can you kind of tell me what's relatable in there with regard
6 to this operation? Like what does the LOA say?

7 A. The LOA outlines what Muncie Tower is allowed to do. It
8 outlines whether the conditions are VFR, IFR or they are going to
9 conduct special VFR.

10 Q. Okay. All right. Very good. And so in this case, just
11 looking at it from the standpoint of procedural, did --
12 procedurally did this operation, was it correct?

13 A. No. Per the .65, I would say no.

14 Q. Okay. Which in your interpretation is what?

15 A. An aircraft on an instrument approach, the way an instrument
16 approach can terminate, those did not follow the .65 given in that
17 Muncie was IFR.

18 Q. Perfect. Okay. That's actually all I have right now. I'm
19 going to go ahead and pass it on. I might have a couple more
20 questions, but that was the initial one on my mind. So.

21 BY MS. MATTIOLI:

22 Q. I just want to talk about what you do here. How many
23 supervisors do you oversee?

24 A. I have six.

25 Q. Are you slated six or you slated for more?

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1 A. We're slated seven.

2 Q. Okay.

3 A. I have another one that will be joining our team in
4 September.

5 Q. Okay. And Indy being a 9, you're only slated one OM. Is
6 that correct?

7 A. That's correct.

8 Q. Okay. And I know you said you do a lot of other work group
9 duties, but your main besides operations manager at Indy, what
10 other work groups are you on? Are you involved in training? Are
11 you involved in, you know, airport construction? Is there
12 anything that you're in charge of that you collaborate with NATCA
13 or just the operation itself?

14 A. A lot. I do a lot. So I do have a supervisor that I have
15 appointed to work with training but I still oversee kind of what
16 they do. I'm involved with the operations when it comes to our
17 tech ops. So I'm the one that does -- interviews all of our ORM
18 view plans. So any maintenance, anything that they do around the
19 building that will have an impact on air traffic, I'm the one that
20 will sign off on it. I oversee all of our training when it comes
21 to making sure that our BSE is for any of the things through AOV
22 are done and are certified. So I'm a designated examiner and
23 person of point of contact on that. I manage my group of
24 supervisors. I make sure that they are giving direction I guess
25 is a big thing for work groups. We had the TFDM system come in.

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1 So again appointing someone to be the lead on that, so giving them
2 the oversight for the project. I work closely with FedEx. I work
3 closely with the airport authority and all of our stakeholders
4 that we have in the area. So that's a big part, but I do manage
5 my time and keep track of how much time I'm getting in the
6 operation because again that is the biggest part of what it is
7 that I'm providing as operations manager. So everything that I do
8 is very thoughtful in how I'm spending my time.

9 Q. That's good. Well, I don't want to put you on the spot with
10 like how much time like to the minute that you spend in the
11 operation but is most of your time done in the TRACON? In the
12 operation.

13 A. In between the tower and TRACON?

14 Q. Yeah, how much time do you think you spend in the operation?

15 A. I couldn't give you --

16 Q. I know it just kind of depends on the day.

17 A. But it is more in the TRACON than I am in the tower, but
18 daily I will be in both operations --

19 Q. Good.

20 A. -- every day.

21 Q. That's good. That's good to hear. That's all I've got for
22 now.

23 A. Okay.

24 MR. OGDEN: Thank you, Allison. Andrew.

25 BY MR. LIESER:

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1 Q. So I have the SSR that was completed, and I just want to
2 know, were you in the SSR?

3 A. I was not on that SSR.

4 Q. Okay.

5 A. I -- typically I will be in SSRs. That one I was not. I was
6 on the one the following day.

7 Q. Okay. Thank you. And then PIREP procedures here at the
8 facility. What's your understanding of the PIREP procedures as
9 they apply here?

10 A. Kind of as they --

11 Q. In the approach environment I guess.

12 A. Again, that's spelled out in the .65 when we're required to
13 do an hourly PIREP, when the conditions are, you know, when we are
14 required to get them. The expectation is that we follow the
15 procedures and get them hourly if there are different conditions
16 that we're running into, whether it be icing and turbulence or
17 precipitation or anything like that. We have a pretty good
18 culture around here to where people will not only get one PIREP an
19 hour, but will get multiple to kind of help encompass our entire
20 airspace.

21 Q. Okay. And has there been any refresher training on PIREP
22 solicitation and conditions?

23 A. Yes.

24 Q. Okay. In that refresher training, do you recall if specific
25 airport field conditions (indiscernible) like ceiling, bases

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1 reports and soliciting bases reports when conditions are required
2 for the .65? Does the controller workforce, receive refresher
3 training on that particular operation?

4 A. Can you clarify?

5 Q. So, one PIREP per hour. If -- I'm trying to say this -- if
6 you receive a PIREP at 10,000 feet of turbulence, does it meet the
7 one PIREP per hour requirement if you also have field visibility
8 or ceilings throughout your airspace in different parts of your
9 airspace that would also require solicitation or dissemination?

10 A. I think the culture here kind of like what I was saying in my
11 answer before is very good about ensuring that we are getting a
12 PIREP for multiple conditions.

13 Q. Okay. That's all I have for right now.

14 MR. OGDEN: Thank you, Andrew. Paul.

15 BY MR. SUFFERN:

16 Q. I'll tag along with Andrew a little bit of weather things
17 here and just your overall view as OM. What weather resources do
18 you expect air traffic here to use to perform their work, air
19 traffic duties, what weather tools?

20 A. Well, every day they have severe pre-duty weather briefing.
21 That's a requirement that they sign off that we are actually very
22 compliant in doing. Past that, every time that they take
23 position, when they take position, they are supposed to be
24 reviewing. Weather is one of those things that they review when
25 they take position, and then as far as resources of what we have,

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1 we always have on IDS page the current weather conditions at
2 Indianapolis and then anyone who's working a satellite airport or
3 a control tower airport will have that information on there that
4 is visible at a quick look of what the weather conditions are for
5 that. Specifically we don't have the METAR for Muncie on our IDS
6 page, but it's something we put a weather request in if we need
7 it.

8 Q. And during rapidly changing weather conditions, maybe where
9 an ATIS could be inconsistent if it's only cut once an hour, what
10 do you expect air traffic either approach or departure like that,
11 what would be your expectation about them provide updated weather
12 information that's maybe not -- the ATIS was cut at 55 past and
13 now it's 30 minutes past that.

14 A. So, this only pertains to Indianapolis Airport, but per our
15 SOP, they should be updating the IDS page and cutting a new ATIS
16 any time that they get new weather to come out. From what I've
17 seen in this culture, that happens. I've not had any report or
18 anything that make me think that that is not being completed.

19 Q. Okay. So for Indy SOP, what about outlying field or anything
20 like that as far as weather updates?

21 A. So we don't get weather information for our satellites that
22 don't have towers. If we do have a tower like Muncie or Anderson,
23 we rely on the controllers there to update the weather as it
24 changes.

25 Q. Okay. So it would be your expectation that if the weather is

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1 changing rapidly at Muncie, for example, for them to call you and
2 let you know that, hey, something's changed with the weather and
3 then so you can relay that to other folks?

4 A. That would be the expectation. I don't recall if it's in our
5 SOP with them that they are required to do that. I believe the
6 requirement is that they update us hourly.

7 Q. Is it your overall view working as OM, you know, for going on
8 a year and a half or so, do you know of any airport, whether it's
9 Indy or any of the satellite airports, where the ASOS or weather
10 equipment has particular issues or anything like that to your
11 knowledge?

12 A. I don't recall any time that Indy where the ASOS was not
13 available. It may not be on our IDS page but we do have a weather
14 office here that is able to pull that information for us if we
15 ever run into any issues. So I've not been aware of any of that.
16 As far as any of the other towers in our airspace, I am unfamiliar
17 with their operation and what type of equipment or any issues that
18 they have with them.

19 Q. Okay. That's all I've got for right now. Thank you.

20 MR. OGDEN: Awesome. Thank you, Paul.

21 BY MR. OGDEN:

22 Q. Earlier we were talking a little bit about expectations and
23 it sounds like you have six supervisors that you manage.

24 A. Um-hum.

25 Q. Was any briefing given to your supervisors following this

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1 event on your expectations on what took place?

2 MR. WADE: Clarifying the day or I guess following, just at
3 any point in time.

4 MR. OGDEN: Any point in time.

5 MR. WADE: Okay.

6 MS. MURGATROYD: So prior.

7 MR. WADE: No, following the event.

8 MS. MURGATROYD: Any following.

9 MR. OGDEN: Correct.

10 MS. MURGATROYD: No.

11 BY MR. OGDEN:

12 Q. Okay.

13 A. Not to my knowledge from me to my team.

14 Q. Right.

15 A. No. As far as the ATM if he had anything that went out,
16 that's not from me.

17 Q. Okay. Understood. How would you describe the working
18 relationship between Indy and MIE?

19 A. Typical.

20 Q. Can you speak to the training program here? Do you feel it's
21 effective? Does it adequately prepare the control staff for what
22 they're going to see in the operation?

23 A. I feel like our training here is adequate. I feel like it
24 not only is adequate but it's almost holistic to where we do put
25 time and effort with our local safety counsel in trying to

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1 identify any areas that we could improve, anything that we would
2 like to see additional training. I think that's a normal part of
3 any facility is understanding that there's always room for
4 improvement. You're always going to find something that you could
5 do better or could train a little bit better. We've even gotten
6 feedback that some things that we've trained maybe should have
7 been done in person and not, you know, computer. So we've
8 changed. So we really have tried to hear that feedback and make
9 some changes to it. So I think we have a very hands on approach
10 when it comes to training.

11 Q. Awesome. Awesome. That's great to hear. On that feedback,
12 that kind of leads me into my next question actually. Following
13 the event, was any feedback or suggestions made to the training
14 staff to maybe build a scenario that would encompass this
15 situation?

16 A. Not to my knowledge, and again I was not on the SSR for this
17 particular event which is where I think in conjunction with our
18 local safety counsel team, that those type of suggestions would
19 come out.

20 Q. Understood. Just in your opinion, do you feel something
21 needs to be establish if it hasn't been?

22 A. I do not feel at this moment is the right time for me to
23 respond to that. I think I need to see what the local safety
24 council found, and see their suggestions for this, and then work
25 with my district as well with QA/QC and just kind of have a little

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1 bit longer conversation about if there's anything that we need to
2 learn or address from this situation.

3 Q. Awesome. Totally understand. That's all the questions I
4 have for now.

5 MR. OGDEN: Brian, do you have any follow up?

6 BY MR. SOPER:

7 Q. So how often do you meet with supervisors? Do you have any
8 regular type of meeting that you conduct with them or how does
9 that go? What is the periodicity or --

10 A. So I have a monthly meeting with my team where we all meet
11 together. I have one next Monday.

12 Q. Cool.

13 A. We sit down as a group. I also have a scheduled check-in
14 meeting with individual sups on my team. And I provide weekly
15 emails to my team that kind of encompasses everything that's going
16 on, everything that we have upcoming, things for this week. So
17 this week's recap is going to involve the eclipse, you know, just
18 anything, any information sharing that we have. So my
19 communication with every member is I would say pretty high.

20 Q. Excellent. You mentioned -- well, actually before I pass off
21 from that, those meetings, those regularly scheduled meetings, the
22 ones that are monthly --

23 A. Um-hum.

24 Q. -- not the ad hoc portions but the monthly meetings, do you
25 keep minutes from those?

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1 A. I do.

2 Q. Excellent. Would you be willing to share like the last
3 couple of those with us just so we can see what you guys do here?

4 A. I can, yes.

5 Q. Okay. All right. We'll make the request through the EIM.

6 A. Okay.

7 Q. They'll do it officially. I just wanted to make sure. And
8 just so you're aware, the reason I want to see them, you're one of
9 the most -- as a matter of fact in 13 years of doing this job,
10 you're the most engaged OM I've ever interviewed. So --

11 A. I appreciate that.

12 Q. -- you have very complete answers, very concise answers which
13 leads me to believe what I've seen in the rest of the facility to
14 be true which is a very engaged facility and a cohesive facility
15 and one that actually does collaborate and doesn't just throw the
16 term around as a word. So that being said, we see a lot of
17 facilities and we often like to -- the FAA doesn't always do a
18 great job of communicating good things or bad things, right, at
19 facilities. That a facility that is doing well with something and
20 facilities who are doing poor. So other facilities don't get the
21 benefit of that. We have the great advantage of being able to
22 share that stuff on our own. So when we are in a facility that
23 has a struggling point, maybe with OM or area or supervisory area,
24 when we have facility that has some good practices going on that
25 we feel like would be really beneficial, we like to try to share

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1 that and say, hey, maybe you should reach out to the OM at the IND
2 Because they have a really going operation. They might have some
3 tips for you, that type of thing, right. So that said, that's why
4 I'm not asking. Not because I'm like I don't believe her. I want
5 to see what she's doing at these meetings. That's not the purpose
6 of that.

7 A. I will share -- I can share my handwritten notes if you'd
8 like. Some of it is notes for myself, but I do --

9 Q. I just want to get -- I just want to understand a better feel
10 of, you know, how those go --

11 A. Yeah.

12 Q. -- and what you discuss in there. It seems to me that
13 there's a -- just from outward appearance that there's a really
14 good communication between the appropriate parts of staff, you
15 know, between the OM and the supervisors and, you know, conveying
16 expectations and feedback so that there's a closed loop there.
17 Sometimes we go into a facility and OM's like, well, we try to
18 meet once a month but it usually doesn't get done or the sups are
19 like, well, I think this guy's my OM but he's been on detail. So
20 I don't really know. So those kind of things, you kind of see
21 where the communication breaks, and I don't feel like that that's
22 the case here. So I'd just like to see how you guys work. So.
23 Yeah, that would be perfect.

24 So moving along to the local safety council piece, how -- so
25 I was really glad to hear you said about that by the way. So I am

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1 gathering that you do have an active local safety council here
2 that is engaged.

3 A. Yes. Oh, yes.

4 Q. And they're able to meet. They're able to get -- so the
5 facility is allowing them time to --

6 A. We have scheduled regular meetings with our local safety
7 council. It's a standing time every month, when we have things
8 like this happen or if we need a SSR or any of that that we deem
9 reviewable, we will make additional time for our team to meet.

10 Q. Do you know who the two leads are for that?

11 A. I do.

12 Q. On the NATCA side and on the management side.

13 A. I do. So we are actually changing it. I'm waiting my
14 district to give me a feedback right now. I work with the NATCA
15 VP on writing a new scoping document for our local safety council.
16 So that is -- because the team has changed a little bit and we're
17 trying to really encompass what it is that we expect to come out
18 of this team. And educating this team on this is what your
19 requirement is, this is why we put this team together, and
20 educating my counterpart on NATCA, that this isn't, you know, an
21 Article 114 group. This is a group that we are required to have
22 it separate, especially because we need them to do XYZ, and then
23 the additional things like doing SSRs is not necessary something
24 that your local safety council team has to do, but we've written
25 it into our local scoping document that that is what we expect

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1 this team to do because we need them to meet and look at the
2 safety of the building and then come up with suggestions of what
3 can we do, whether it's training, whether it's, you know,
4 splitting more positions, whether we need new equipment, whatever
5 it is that we feel like we need to increase the safety in the
6 facility is what we expect to happen out of this group.

7 With that being said, there has been a transition change in
8 the local safety council group. The two members who are joining
9 new from NATCA are actually out at training yesterday and today.

10 Q. Okay.

11 A. So they are receiving their training that we have on -- I'm
12 sorry, that NATCA has for them. My supervisor that I have is the
13 lead on the local safety council, has been there for a while and I
14 have a new supervisor that I've just added to the team. So
15 essentially two leads, one from management, one from NATCA, and
16 then two additional.

17 Q. That was my next question. Is if there's more people than
18 the one representative from each --

19 A. Yes.

20 Q. -- which is very good. That's awesome to hear. Is your
21 normal counterpart for the bargaining unit the fac rep. Is that
22 who you would normally communicate with in things when you're
23 communicating back and forth or does it vary based on what you're
24 trying to collaborate.

25 A. In what instance?

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1 Q. With regard to any of this stuff. Like, for instance, you
2 said you're going through kind of -- I don't want to -- revamping
3 or --

4 A. Yes.

5 Q. -- reorganizing the way, you know, the LSC works. So is your
6 communication mostly with the fac rep on that or it with the lead
7 from the local safety council or is it just with your counterparts
8 or your supervisors to ensure that --

9 A. Yes.

10 Q. -- from the side, this part?

11 A. Yes, everyone. I talk to everyone. I don't --

12 Q. Great.

13 A. I usually talk with the NATCA president. That relationship
14 is usually through the ATM.

15 Q. Sure.

16 A. But I work very closely with the NATCA VP.

17 Q. Okay.

18 A. So he and I have a very good working relationship.

19 Q. Awesome. And so that -- I guess that kind of answers my next
20 question but I'll go ahead and ask it. The overall health of the
21 relationship between the bargaining unit and management here is --
22 how would you classify that?

23 A. Complicated.

24 Q. All right. That's fair. But communication is occurring?

25 A. Yes.

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1 Q. Okay.

2 A. Yes.

3 Q. All right. Good. Well, it sounds like you guys are making
4 efforts to improve in an area that's applicable there with regard
5 to the local safety council and doing some things. So, all right.
6 If you -- looking at the -- from the control room standpoint, from
7 you back into the operation, if you could point to one area that
8 you feel is the biggest challenge that you guys are encountering
9 here, whether it's an equipment issue, whether it's a training
10 issue, whether it's a staffing issue. What do you perceive, if
11 anything right now, as the biggest challenge you have in front of
12 you to be able to accomplish what you need to do there?

13 A. I feel that I'm going to say the same thing that a lot of the
14 facilities are going to say, staffing.

15 Q. Okay.

16 A. Staffing is not an issue to where I feel like we are
17 degrading our service or safety.

18 Q. Right.

19 A. But it's something that if I could wish what I want to
20 wish --

21 Q. Yeah.

22 A. -- I would wish more employees that we can have a handoff
23 position at all of our sectors. We don't have that.

24 Q. Okay.

25 A. We need a staff study, you know. We are aware of all the

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1 things that we would need to do when you look at other level 9s
2 up/down facilities and the staffing allocation that they have
3 compared to us in Indianapolis, we are very low as a 24 hour
4 facility operation. We manage. We use overtime. We are very
5 conscious of how much overtime we put on our employees. Fatigue
6 is something that we are aware of, that we are working with NATCA
7 and management to use trainees to help offset a little bit of
8 overtime so that people are not getting fatigued. There are
9 different things that we've used to be creative in that sense but
10 I guess that would be my answer is staffing.

11 Q. Good.

12 A. And I don't want to give the impression that it is a
13 hinderance or that we are not safely meeting our mission.

14 Q. No, I understand. That's exactly what I was asking. And so
15 with that being said, you're mostly talking about the actual
16 workforce controller staffing, right. Supervisory staffing seems
17 like it's right there or do you feel like you, even though you're
18 one away from what's currently allotted, do you feel like to
19 really run this operation the best it should be run, we should
20 really be at 9 or, you know, what is your feel on that?

21 A. Supervisors in my opinion are easier to put at expectations
22 on and have them followed especially when it comes to oversight
23 and on-the-spot corrections and time on position. You can get
24 more work out of a position like that usually. So it would be
25 beneficial to have more but again I feel what we have we're

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1 adequately providing a safe operation with oversight.

2 Q. Cool. And, similar to the earlier question I asked you, you
3 mentioned that you do have regular meetings with your supervisors
4 that are under your purview. Does the ATM a periodicity, regular
5 meeting with you?

6 A. Yes. We meet daily.

7 Q. Daily.

8 A. Daily.

9 Q. Awesome. That's great. Do you -- does -- do you ever have a
10 supervisory meeting that includes like you and all the supervisors
11 and the ATM or the support managers and the management staff? Is
12 there some sort of regular meeting that occurs like that?

13 A. So the ATM is a part of the supervisor meeting that we have
14 monthly.

15 Q. Terrific.

16 A. They are there. We try to give the sups 1 hour without
17 myself or the ATM in --

18 Q. Good.

19 A. -- so that they can have time to, 1, catch up and, 2, talk
20 about any issues or concerns that they have as a group so that
21 they are then able to bring it to the meeting and discuss it
22 during that time.

23 Q. Excellent. Is one OM adequate for this operation in your
24 experience?

25 A. In my -- so I have taken time to shadow OM's at the center and

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1 I have a monthly meeting with the other terminal OMs in my
2 district. There are three other terminal OMs in my district are
3 the sole OM at their facility.

4 Q. Okay.

5 A. And we have tried to learn and differentiate our operation
6 and what we do and provide compared to a larger facility that has
7 multiple OMs and possibly an XO. It's different. The feeling
8 that I have here at Indy and I'm not able to speak for my other
9 terminal OM counterparts, I feel one OM is adequate, but if I'm
10 ever getting the message that I'm not meeting expectations or that
11 I'm not providing enough, I would think that would be a
12 circumstance you would say you need more.

13 Q. Okay. Last question for me. In your own words, if somebody
14 were to ask you what is your, what is your job, what is your
15 primary duty there, what do you do, like what is it, how would you
16 explain it to them in a very brief, you know, concise kind of
17 10,000 foot level this is what I'm responsible for, this is what I
18 do?

19 A. So as a terminal OM, I've actually tried take time to
20 understand that. I feel like my first concern is the operation
21 and safety of the running of this facility. My next concern is
22 managing my supervisors. When it comes to managing them, it is
23 how their manage their employees from the top down. So making
24 sure that that is learning well, a part making sure that this
25 operation is learning well is that we have a healthy local safety

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1 council, that we have a healthy training program, that we have
2 good communications from top down, that I feel like if I
3 communicate something to my sups, my expectation of mine is that I
4 could go and ask a controller, hey, how do I feel about PIREPs?
5 The controller should know what it is that we're feeling because
6 everything is communicated to them. The sups have a monthly
7 meeting with their team to where they sit with their team. We try
8 to really allocate that time for them. So again, it is providing
9 the oversight for the operation in an up/down facility, it is
10 making sure that the relationships are good, that we are doing our
11 performance management and, you know, creating an environment for
12 the sups to learn and grow and develop, that they are creating an
13 environment for their employees to learn and grow and develop.

14 Q. You brought up something there that, I'm sorry, you gave me
15 another question. Not really a question but I was actually glad
16 to hear it, but I want to get a little bit of expounding on that.
17 You mentioned that you have an expectation that, you know, you
18 communicate things to your supervisors and you have an expectation
19 that they will in turn communicate that to the workforce.

20 A. Yes.

21 Q. And if you were to ask later, you would expect to hear
22 information that was aligned with what you put out to your
23 supervisors, right?

24 A. Yes.

25 Q. Do you find your -- do you do that? Do you kind of audit

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1 that just as a check and balance occasionally to see if your
2 supervisors are communicating that?

3 A. I do.

4 Q. Excellent. Gosh, man.

5 A. It's not always there.

6 Q. I want to come and work for you.

7 A. It's not always there. It's not 100 percent but a part of
8 what I do in my monthly meetings with the sups is professional
9 development, and that's just something that's important to me, and
10 it's then trial and error. I have had a lot of hard lessons in
11 this job so far and I'm just trying to learn from each thing.

12 Q. Good. That's outstanding.

13 MR. SOPER: All right. That's all I have, Casey.

14 MR. OGDEN: Awesome. Thanks, Brian. Allison.

15 MS. MATTIOLI: Well, you hijacked everything I had.

16 MR. SOPER: I love talking to people that have great answers.

17 MS. MATTIOLI: Yes. I mean I was wanting to ask about the
18 local safety counsel, your relationship with NATCA. I have
19 nothing else, but you sound like a breath of fresh air.

20 MR. OGDEN: Awesome. Thank you, Allison. Andrew, any follow
21 up.

22 BY MR. LIESER:

23 Q. Yeah, I have a couple but I will kind of piggyback on all
24 that. I'm really glad to hear you talk about the local safety
25 council and their role and importance and not only collaboration

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1 and communication but just facility safety and health. As the
2 management lead for our local safety council, it's very nice to
3 hear that another facility utilizes that as a means to work
4 through some of these things as they come up. So I applaud that.

5 Did anybody in the facility -- actually, let me just -- have
6 you -- did you get an opportunity to see the certified replay of
7 the event or have you just seen the Falcon?

8 A. Are you talking about STARS replay?

9 Q. Yeah.

10 A. I have not reviewed that, no, when they had it up.

11 Q. Okay.

12 A. I missed that.

13 Q. Is it -- would you say normal procedure here to use the
14 Falcon replay to review the event or when you have an event like
15 this come up? I don't know if you guys have had many like this in
16 the past but to look on the certified replay, just being that
17 there can be some differences in either weather display. The
18 weather on the Falcon is not certified to a level that can be used
19 that way. So I'm just kind of curious how this facility
20 approaches that.

21 A. I would say it depends on the situation. But, typically
22 Falcon is what we would use.

23 Q. Okay. It's usually faster, but it's been kind of annoying
24 lately.

25 A. Yes.

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1 Q. Just to go back through some of the PIREP stuff again, if
2 there was a -- well, in this instance, there was an aircraft that
3 departed about 15 minutes prior to that arrival. They departed
4 Muncie. I believe they were going to Appleton and took off from
5 the north runway there. Prior to that departure, Muncie had
6 called back to state that the field was IFR which it was
7 previously VFR. Would it be your expectation given that
8 information, those parameters that the controller would have or
9 the supervisor would have ensured that a PIREP was received from
10 that aircraft for the reasons it went to IFR?

11 A. That's a difficult question.

12 Q. I know. Sorry.

13 A. Again, I'm just -- I hate to give you this answer. My
14 expectation that we follow the .65.

15 Q. Okay.

16 A. That is my sole expectations that we follow the .65.

17 Q. Fair enough. Do you -- does the -- I'll start with you. Do
18 you have a good understanding of what Muncie Tower would be
19 allowed to do in an IMC environment?

20 A. I feel like I have an understanding of our LOA.

21 Q. Okay.

22 A. As far as how a VFR tower operates, no. I've never worked at
23 a VFR only tower. So that --

24 Q. Do you think it would be good training or good information to
25 pass along to your supervisors or the workforce being that they

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1 engage with VFR towers here at least a couple of them I think
2 underneath on the approach?

3 A. I think it's definitely something that everyone needs a
4 little more education on.

5 Q. Okay. That's all I have. Thank you for your answer.

6 MR. OGDEN: Thank you very much, Andrew. Paul.

7 MR. SUFFERN: Yeah.

8 BY MR. SUFFERN:

9 Q. Just two more weather related questions. Again, thanks again
10 for your time. Putting on the air traffic hat there and things
11 and go back to your time as more on the scope. The pilots on an
12 IFR flight plan, do you assume that they're comfortable flying in
13 the clouds?

14 A. That's an odd question I think. Aircraft from my
15 understanding are required to do a weather briefing essentially
16 themselves. No pilot, I don't believe would be flying if they
17 didn't know what the conditions were where they were departing and
18 what the conditions are where they are trying to land and also
19 potentially having backups if they cannot land where they are
20 anticipating to land. So from that small understanding of what I
21 have of what a pilot is required to do, I'm not a pilot, I don't
22 have a pilot's license, my understanding, if you are IFR qualified
23 and capable, and if you are filing an IFR flight plan to fly to an
24 airport, that may have a forecast of being IFR, that they would be
25 comfortable in that situation. And I do know also that aircraft

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1 are supposed to speak up when they're in distress. That would be
2 an expectation for a pilot to say, I'm not comfortable, I don't,
3 you know, my equipment's not working or I'm in over my head. VFR
4 aircraft and weather difficulty is something we train for, not IFR
5 aircraft in weather difficulty. If that's a fair answer.

6 Q. That's fantastic.

7 A. Okay.

8 Q. And then my last and favorite question, if you went out and
9 won the lottery but you gave all the money to the FAA because
10 you're a (indiscernible) and there was weather equipment that you
11 could use here at Indy Tower and TRACON, is there any weather
12 equipment that you feel like could help you all at Indy, you know,
13 help the operation, anything like that?

14 A. I am not well enough educated in weather equipment to have a
15 wish list unfortunately.

16 MS. MATTIOLI: What about a piece of equipment in general?
17 If you got the magic wand, what would you bring here?

18 MS. MURGATROYD: The tower or the TRACON.

19 MS. MATTIOLI: It doesn't matter.

20 MR. OGDEN: I wouldn't say piece of equipment. I'd probably
21 say technology. Is there any technology out there that you've
22 seen, experienced, discussed with others that you feel would be
23 highly beneficial in your operation here?

24 MS. MURGATROYD: I love what they have at the center. The
25 center has some pretty cool stuff, if we could that terminally,

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1 the AC flight plans, you know, those changes. I'm not sure what
2 you guys have at Charlotte, but --

3 MS. MATTIOLI: We're getting TFDM. We're getting that next
4 month. We have an electronic flight strips right now.

5 MS. MURGATROYD: Yeah. That's new to us. We've only had
6 TFDM for about 9 months now. But, the information that the center
7 has at their fingertips, our IDS page is outdated, and I feel like
8 most of the FAA is, but what they can interface, what they can add
9 on that, is a dream. I think that every facility would like to
10 have that information at their fingertips. And then the fingertip
11 -- what the information that they can pull up on their radar
12 displays is much more than what we can on STARS but working in
13 Iraq, working in Afghanistan, I worked on the worst of the worst.
14 So I feel like complaining about STARS is --

15 MR. SOPER: Yeah.

16 MR. SUFFERN: That's all of my questions. Thanks.

17 MR. OGDEN: Thanks, Paul. Does anyone else have any follow-
18 up questions?

19 (No response.)

20 BY MR. OGDEN:

21 Q. Okay. Last question, and then we'll let you out of here.
22 Any questions you thought I would ask that I didn't? Covered it
23 all?

24 A. I did not really have too much of an expectation of where
25 this would go. So, no.

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1 MR. OGDEN: Okay. Well, we'll show the interview concluding
2 at 0909 Eastern Daylight Time.

3 (Whereupon, 9:09 a.m. EDT, 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: PEDESTRIANS STRUCK AS PIPER PA-28
DAKOTA MISSES LANDING AT THE
DELAWARE COUNTY REGIONAL AIRPORT
IN MUNCIE, INDIANA ON APRIL 1, 2024
Interview of Molly Murgatroyd

ACCIDENT NO.: CEN24LA144

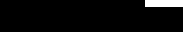
PLACE: Indianapolis, Indiana

DATE: April 11, 2024

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

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

PEDESTRIANS STRUCK AS PIPER PA-28 *

DAKOTA MISSES LANDING AT THE *

DELAWARE COUNTY REGIONAL AIRPORT *

IN MUNCIE, INDIANA ON APRIL 1, 2024 *

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* * * * *

Interview of: WILLIE R. OLDS, Local Controller
Muncie Federal Contract Tower

Muncie Federal Contract Tower
Muncie, Indiana

Tuesday,
April 9, 2024

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APPEARANCES:

CASEY OGDEN, Air Traffic Control Investigator
National Transportation Safety Board

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

ALLISON MATTIOLI, Air Safety Investigator
National Air Traffic Controllers Association

ANDREW LIESER, Subject Matter Expert
Federal Aviation Administration

AMY ST. PIERRE, Representative for Mr. Olds
Midwest ATC

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I N T E R V I E W

(9:33 a.m. EDT)

MR. OGDEN: Okay. The time is now 0933 Eastern Daylight Time.

Would you please state your name?

MR. OLDS: My name is Willie Roy Olds.

MR. OGDEN: Could you spell that please?

MR. OLDS: W-i-l-l-i-e, R-o-y, middle name, Olds, last name, O-l-d-s.

MR. OGDEN: Thank you. As part of the process, I'll be recording the interview, and then I'll have a transcription made. The transcription will be part of the factual report. The audio will be not be part of the public docket. I'll send you a copy of the transcript for your review. It should be about a month before I can have it back to you. Do you have any questions about the transcript process?

MR. OLDS: No, sir.

MR. OGDEN: Okay. Well, good morning. My name is Casey Ogden. I'm an air traffic control investigator with the National Transportation Safety Board.

The NTSB is an independent federal agency charged by Congress with determining the probable cause of aviation accidents and incidents of a significant nature and promoting transportation safety.

With me today, I have two other investigators from the NTSB.

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1 They'll now introduce themselves.

2 MR. SOPER: Brian Soper, air traffic investigator.

3 MR. SUFFERN: Paul Suffern, meteorologist.

4 MR. OGDEN: As part of our process, we invite parties to
5 participate in the investigation to provide technical expertise.
6 With me today are the ATC group members who will now introduce
7 themselves starting with Allison.

8 MS. MATTIOLI: Allison Mattioli, and I'm on behalf of NATCA.

9 MR. OGDEN: Thank you, Allison.

10 MR. LIESER: Andrew Lieser, FAA subject matter expert.

11 MR. OGDEN: Thank you. The purpose of this investigation is
12 safety, to gather the facts, determine the probable cause and
13 prevent recurrence. Our role is not to assign fault, blame or
14 liability. This interview is part of the fact-finding phase of
15 this investigation.

16 As part of the regulations, you're welcome to have one
17 representative of your choice to attend. I see you have a
18 representative with you. Is the person sitting next to you who
19 you choose to be your representative?

20 MR. OLDS: Yes.

21 MR. OGDEN: Okay. Could you please state your name?

22 MS. ST. PIERRE: Amy St. Pierre, Midwest ATC.

23 MR. OGDEN: Thank you, Amy. Could you spell that please?

24 MS. ST. PIERRE: A-m-y, S-t-., P-i-e-r-r-e.

25 MR. OGDEN: Thank you. Okay. The reason for this interview

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1 today is to discuss the accident that occurred on April 1st, 2024,
2 regarding N8438B. We'll ask a variety of questions. So if at any
3 time you have any questions, please feel free to ask. Please
4 answer all questions to the best of your knowledge and
5 recollection. If you do not know an answer, I don't know or I
6 don't recall, are perfectly acceptable answers. You don't have to
7 fill in blanks. There's no gotcha or mystery questions. If you
8 don't understand a question, ask to have it repeated or explained.

9 If at any time you want to take a break or you want to
10 consult with your representative, let us know. We'll step out of
11 the room so you guys can have that moment.

12 Do you have any questions so far?

13 MR. OLDS: No.

14 MR. OGDEN: Okay. The way things will work today is I'll
15 start out asking questions, and we'll go around the room. Each
16 group member will have an opportunity to ask questions. You may
17 see some of us typing, writing notes, jotting down in a notebook.
18 These are to help us jog our memory of things we may want to ask
19 you. These notes will be destroyed. This is the basic structure
20 of our interview. Do you have any questions about the process?

21 MR. OLDS: No, sir.

22 INTERVIEW OF WILLIE R. OLDS

23 BY MR. OGDEN:

24 Q. Okay. We're going to get started with your background.

25 Okay. So, do you have any military or pre-contract tower

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1 experience?

2 A. I was in the Navy from 1995 to -- September of '95, until May
3 of 2007, an air traffic controller, worked shore duty facility
4 where I was what they call a facility watch supervisor, and when I
5 was on two carriers, I was a CCA, C-C-A sup, CCA control
6 supervisor. Then once I got out of the Navy, hired in with RVA
7 for about a month, didn't particularly care for the situation that
8 was going on. So I resigned. And then maybe 8 months later or
9 so, hired in with Midwest and that was 16 years ago. So that was
10 in '08, March 5th of '08 I believe, and been here ever since.

11 Q. Thank you. Do you hold any collateral duties, or have you
12 been on any recent details in federal contract towers that's not
13 the norm?

14 A. That's not the norm, no.

15 Q. Okay. Briefly describe your ATC aviation background. How
16 did you get started? How did you pick air traffic? What -- how
17 did all this begin?

18 A. I needed six credits to get my bachelor's degree a million
19 years ago, joined the Navy because they were offering college,
20 took the ASVAB. My recruiter offered me a couple of different
21 positions. Air traffic control sounded like something I'd be
22 interested in. Went to A school and haven't looked back since.

23 MR. SOPER: Did you finish your degree?

24 MR. OLDS: Yes.

25 MR. SOPER: Okay.

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1 MR. OLDS: And continued on.

2 BY MR. ODGEN:

3 Q. Awesome. Have you ever been fired, terminated, suspended or
4 asked to resign any ATC position?

5 A. No, sir.

6 Q. Okay. How would you describe your overall health? Good,
7 well, indifferent, excellent.

8 A. Better than good, but not excellent.

9 Q. Okay. Do you hold a medical classification?

10 A. Yes, sir.

11 Q. Okay. Class 2, limitations, no limitations.

12 A. There's vision, my distance which needs to be corrected with
13 lenses, and I have those. And I'm a Type II diabetic. So I'm on
14 a waiver for that. I'm not on any insulins or anything. So.

15 Q. Okay. Corrective lenses. Were you wearing your corrective
16 lenses at the time of the event?

17 A. Yes, sir.

18 Q. Okay. And are you taking any maintenance prescription or
19 non-prescription medication?

20 A. For the diabetes I take [REDACTED] which is a [REDACTED]
21 [REDACTED].

22 Q. Okay.

23 A. And I take what's called [REDACTED] and
24 that is [REDACTED].

25 Q. Thank you. Was drug or alcohol screening performed on this

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1 day? And then Brian will have a follow up.

2 A. No, sir.

3 Q. Okay.

4 MR. SOPER: Just so you're aware, we will redact those
5 medications from the transcript that goes into the public docket.

6 MR. OLDS: Okay.

7 MR. SOPER: Okay.

8 BY MR. OGDEN:

9 Q. Any changes in your health over the last year, something
10 major?

11 A. No. No, sir.

12 Q. Okay. Any changes in your personal life? Did you declare
13 bankruptcy? Did you lose a house, anything like that?

14 A. No, sir.

15 Q. Okay. I guess that leads directly into the financial
16 situation. Any major change in the last year, again bankruptcy,
17 substantive loss in the stock market, anything like that?

18 A. No, sir.

19 Q. Okay. All right. ATSAP report. Was an ATSAP report filed
20 following this event?

21 A. That, not by me.

22 Q. Okay.

23 A. I'm not sure what John would have -- I don't know. Not by
24 me, no.

25 Q. Okay. Have you been interviewed about this event before now?

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1 A. No, sir.

2 Q. Okay. Have you had an opportunity to review the replay of
3 the event?

4 A. Yes, sir.

5 Q. Okay. Is that audio, video only? And when was that?

6 A. It was audio only.

7 Q. Okay.

8 A. And I guess it happened on the 8th. So the next day we
9 listened to some stuff, some tapes, as he was compiling the stuff
10 and then again yesterday.

11 Q. Okay. Was a relief briefing conducted when you took the
12 position?

13 A. Yes.

14 Q. Okay. On a scale of 1 to 5, 5 being the heaviest, would you
15 -- how would you classify that traffic volume at the time of the
16 event?

17 A. A 1. That's the lightest, correct?

18 Q. Yes, 1 is the lightest. What was the volume -- was the
19 volume normal for the time of day?

20 A. Yes.

21 Q. On a scale of 1 to 5, 5 being the most complex, how would you
22 classify the traffic complexity at the time of the event?

23 A. 1.

24 Q. Was the complexity normal for that time of day?

25 A. Yes.

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1 Q. Okay. Were there any distractions occurring at or leading up
2 to the time of the event?

3 A. No.

4 Q. Do you recall the weather conditions or current advisories at
5 or leading up to the time of the event?

6 A. We were IFR. I believe we had a 5 or 600 foot ceiling, and I
7 think we had 7 miles, 6 or 7 miles visibility and the winds were
8 light. I think they were less than 10 knots.

9 Q. Okay. Did you receive a pre-duty weather briefing?

10 A. Yes, sir.

11 Q. Okay. Anything that stood out?

12 A. No.

13 Q. Did you have a cellular phone or cellular personal electronic
14 device with you at the time of the event?

15 A. No.

16 Q. Okay. Had you requested a relief or assistance at or leading
17 up to the time of the event?

18 A. No.

19 Q. Okay. Did you notify your supervisor of the event?

20 A. Yes.

21 Q. Okay. And when did you notify him?

22 A. He was in the tower. So immediately. He -- we found out at
23 the same time.

24 Q. Okay. All right. To the best of your ability, can you
25 please step me through a chronological history of the event as you

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1 recall it?

2 A. I've been on position for maybe 30 minutes or so. We had no
3 traffic, and the Indianapolis approach called over with an IFR
4 handoff, gave me the guy, said he was doing an RNAV to 1-4. A few
5 minutes later, the aircraft checked in. My standard phraseology
6 is to report from approach fix inbound, do you have the current
7 ATIS code, whatever it is? He said he did, and a few minutes
8 later reported final approach fix. At that point, my standard
9 phraseology is you're clear to land runway 1-4.

10 At some point, and I never saw the aircraft anywhere, but at
11 some point, he said I need to do a 360, I just picked up the
12 field. I don't have -- when we're IFR like that, I don't have the
13 authority to approve anything. So I just said, roger. I called
14 Indy approach and I said, hey, this guy wants to do a 360 and come
15 back and land. I knew I had another aircraft inbound behind him.
16 So I kind of reminded Indy, hey, referenced the second guy, and
17 can I do the 360? What do you want me to do? And Indy said
18 something to the effect of does he want to come back to me? And I
19 said he just wants to do a 360 and land. He said he's got the
20 field in sight. So they said, okay, that's fine. Let me know
21 when he's on deck.

22 So I go back to the pilot, I tell him, make a right 360 and
23 report established back on final, and he says, roger. And that
24 was it. That was the last transmission that he made to me or I
25 made to him. And then a few minutes later, Indy called and asked

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1 if he was on deck. And I told him we're still looking for him.
2 We couldn't see him because we were IFR. And he -- in the
3 approach said, we lost radar about a mile west of you. So I said,
4 well, he was doing a right 360 off of 1-4. So that kind of puts
5 him in that area. And so I immediately reached out a couple times
6 to see if I can get a comms check or something with this guy to
7 see if he was responding. We got nothing.

8 Then, Tim Beatty, the airport manager, called me up and said
9 that there was a 911 call for an aircraft that had crashed over in
10 the field. So, at that point, you know, we told -- I told, John,
11 I said, hey, that guy's apparently down, 911's been called. And
12 then from there we just kind of went onto the coordination of
13 sending people where they wanted to go.

14 And then we still had a job to do. I still had another
15 aircraft that needed to get in here. So I called Indy and said,
16 hey, if you want to bring the second guy, the incident wasn't on
17 the airport, no property's damaged, you can bring him. They
18 brought him. Same thing. Report final approach fix, you're clear
19 to land. The guy landed. And then from there, it was just kind
20 of all the back and forth with the CFR1 and the Muncie Police
21 Department and fire department and those guys trying to ask
22 questions and get information and stuff.

23 Q. Understood. Thanks for the rundown.

24 MR. OGDEN: That's all the questions I have for now. I'm
25 going to pass it over to Brian.

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1 BY MR. SOPER:

2 Q. I'm going to go backwards just a little bit here and kind of
3 run through the 72 history. What I mean by that is the 72 hours
4 leading up to the time of the event for you personally. So this
5 is going to be kind of -- a little bit of time has passed since
6 the incident obviously, so it might be hard to recall, but I'd
7 just like you to do the very best of your ability to think back.
8 So if there's something you just don't remember, it's okay to say
9 you don't remember. If you don't recall, it's okay to say you
10 don't recall. But if you could try your very best to recall to
11 the very best of your ability.

12 So in the 72 hours leading up to -- so this event happened on
13 -- what day of the week was that? Do you recall?

14 A. Monday.

15 Q. So it was a Monday. So taking you back 72 hours from there.
16 So this happened about midmorning, 10 something in the morning,
17 right. So take me back to 10 something in the morning on Friday.
18 So working from where we're at, at the time of the event, you were
19 working and what was your normal shift that day on Monday?

20 A. 9 to 5.

21 Q. 9 to 5. So you were in on your normal work shift?

22 A. Yes, sir.

23 Q. All right. And what time did you get up that morning? Do
24 you remember?

25 A. 7:30-ish.

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1 Q. Okay. Is that pretty normal for you --

2 A. Um-hum.

3 Q. -- on day watch like that? So, what time do you feel like
4 you went to bed the night before?

5 A. It was 10, 11-ish.

6 Q. Also pretty normal for you.

7 A. Yes, sir.

8 Q. And did you get good rest that night? Was it a restful
9 sleep? As far as with you, sir.

10 A. Um-hum.

11 Q. So prior to going to sleep, what did you do on Sunday? Was
12 that a workday for you?

13 A. No, it's kind of a relaxation family day type thing.

14 Q. Cool.

15 A. And so we just kind of hung out at the house and played a
16 couple games.

17 Q. Okay. And do you recall on that day what time you might have
18 woke up in the morning?

19 A. 7:30.

20 Q. Okay.

21 A. I'm generally 7:30 every morning --

22 Q. Okay.

23 A. -- regardless.

24 Q. And going to bed on Saturday?

25 A. 10, 11.

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1 Q. Was that a workday for you on Saturday?

2 A. Yes.

3 Q. And what shift did you work?

4 A. That was 2 to 10.

5 Q. And did you work any overtime that day?

6 A. No.

7 Q. Okay. So 2 to 10. What time did you come into work that day
8 probably?

9 A. I usually get here about 1:45.

10 Q. Okay. And --

11 A. I'm sorry. I said 2 to 10. It's actually 2:15 to 10:15.

12 Q. Okay.

13 A. But I usually get here about 30 minutes prior.

14 Q. Okay. And that's your Navy background in you.

15 A. Um-hum.

16 Q. All right. So in that morning, do you remember what time you
17 would have woke up that morning on Saturday?

18 A. I'm going to go with 7:30-ish.

19 Q. Okay. And again, going into that last day out there, Friday
20 night, what time would you have went to bed probably?

21 A. 10, 11. I'm fairly standard.

22 Q. Okay. And do you remember, did you work on Friday? Was that
23 a workday for you?

24 A. No, Friday was an off day.

25 Q. Friday was an off day.

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1 A. No. Let me think back.

2 Q. Sure.

3 A. Because our schedule changed that weekend. So, no, Friday
4 would have been -- oh, my gosh. I don't even know.

5 Q. That's okay. We can figure that out.

6 A. It was a workday because the schedule changed on Sunday. So
7 I would have worked --

8 MS. ST. PIERRE: It rotated.

9 MR. OLDS: Yeah.

10 MS. ST. PIERRE: It's a normal rotation.

11 BY MR. SOPER:

12 Q. Okay. And on -- again that morning, probably woke up about
13 the same time, about 7:30-ish?

14 A. Um-hum.

15 Q. Okay. As far as anything during that whole summary of those
16 3 days, those 72 hours, was there anything that you recall as
17 being a wrench in the spokes of life so to speak? Did anything
18 occur that caused you to not get the normal sleep you would get
19 or, you know, did you have a family member had a car accident and
20 you were up, were you having to deal with somebody that was sick,
21 were you sick, any of those kind of things that would have impeded
22 on your normal daily routine any other given weekend?

23 A. No, sir.

24 Q. Okay. And for you personally, how many hours of sleep do you
25 need to feel rested?

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1 A. Around 5 or 6.

2 Q. Five or six. Okay. All right. That's all I've got on the
3 72 hours. So that's all I'm going to ask for right now. I just
4 wanted to capture that.

5 MR. SOPER: And, Casey, back to you.

6 MR. OGDEN: Okay. Yeah.

7 BY MR. OGDEN:

8 Q. So that's primarily all the background stuff. Getting into
9 the event, do you know if an ALNOT was issued for the accident
10 aircraft?

11 A. No.

12 Q. Okay. What was your --

13 A. When I say no, I mean, no, I don't know. I did not issue
14 one.

15 Q. Okay. All right. At the time of approving the turn, it
16 sounds like there was a little bit of back and forth with
17 Indianapolis, that the aircraft wanted to turn, and they said just
18 call when he's on the deck. And you said you approved the turn,
19 report back established on the RNAV approach. Did you ever ask
20 the aircraft why they wanted to do the turn, why they had broken
21 off that approach?

22 A. No.

23 Q. What was your understanding at the time when he was doing the
24 360, what the aircraft needed?

25 A. It's hard to really answer that. I'm not a pilot. So I

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1 don't know what he needed. He requested something, and I felt
2 like under the circumstances with the field in sight, I could
3 approve that request. I mean I'm not -- I don't approve anything.
4 I have to get permission from Indy, but I'm the one who's saying
5 it to him, and I didn't feel that there was -- like he requested
6 it and I gave it to him because I felt like that's what he needed
7 or wanted. He's the pilot. He knows what he wants. I mean you
8 wouldn't ask for something crazy if you can't do it.

9 Q. I see. Did you believe the aircraft was in distress at all,
10 maybe an emergency situation that required that turn or it was
11 just the aircraft requested it. I'm just going to observe.

12 A. Yeah, his voice was fine. The whole way down, he never
13 sounded like nervous or under stress or anything like that. So
14 that never entered my mind.

15 Q. I see. When the procedure was taking place, did you
16 understand that to be a VFR or IFR procedure because it sounds
17 like the turn to reestablish on final, what was your
18 interpretation of that?

19 A. My interpretation was he had the field in sight, and he was
20 -- he was an IFR operation regardless of, you know, what was going
21 on. And so I had to get permission from Indianapolis to do
22 anything other than land.

23 Q. Understood. Okay.

24 MR. OGDEN: That's all the questions I have for now. I'm
25 going to pass it over to Brian.

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1 MR. SOPER: I actually don't have anything for the moment.
2 So I'm going to go ahead and pass it along.

3 MR. OGDEN: Allison.

4 BY MS. MATTIOLI:

5 Q. When the aircraft asked to do a 360 and the turn was made and
6 the approval was done, hindsight being 20/20, would you -- I mean
7 is that a normal practice? Do people ask that a lot here, like,
8 hey, I got the field in sight even though I'm on the IFR approach
9 to do like a quick 360 to rejoin the final?

10 A. I would say it's fairly normal.

11 Q. Okay.

12 A. It has happened more than, you know, a few times.

13 Q. Okay. And Indianapolis doesn't question that? They also
14 approved that?

15 A. All I can say is I've never been denied that request from a
16 pilot through Indy. So.

17 Q. I'm just thinking how I want to word this. When he asked
18 that, did it ever, did it ever cross your mind to be like, no, and
19 do the missed approach and go back and go back around?

20 A. No.

21 Q. Okay. That's all I have for now, I'll keep thinking. Thank
22 you.

23 MR. OGDEN: Thank you, Allison. Paul.

24 BY MR. SUFFERN:

25 Q. Turning to a little bit to weather and discussions. Again,

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1 today you kind of described what you recall for the weather, and
2 that was really helpful there. So you are LAWRS certified?

3 A. Yes, sir.

4 Q. And what -- here in Muncie and for you in particular, what
5 does being LAWRS certified, how is that accomplished?

6 A. When I first hired on, we had to take the LAWRS certification
7 test. I'm sure you know the big test, and then in order to stay
8 current, you have to take one observation per month and I do. My
9 summertime is a little difficult, but I do my best to do it when
10 we have weather. I just don't want to put clear and 10, clear and
11 10. So I try to do it when we have weather, and then I will match
12 my observation up with the ASOS office to see how close I was.
13 And so we do that once a month.

14 Q. And as a regular part of I guess just when observations are
15 coming out and you're at LAWRS, you know, you're looking through
16 things, how do you work through doing quality control and quality
17 assurance of what the ASOS office is showing there when its
18 observations are coming out?

19 A. I'm not really sure how to answer that. I trust the ASOS is
20 correct. It's a machine. It's going to be smarter than I am when
21 it comes to that stuff with all the sensors. And I cannot recall
22 a time when I've looked at ASOS and been like 500 feet overcast.
23 It's clear. It's just always seemed, I don't know, close enough
24 to what it looks like. Does that make sense?

25 Q. Absolutely. So, for the ASOS here at Muncie, is there ever a

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1 time that you can recall either during the accident sequence or
2 before where, you know, you've had equipment issues, you know,
3 like the wind sensor's always wrong or the temperature sensor is
4 always wrong and you're having trouble getting it fixed. Is there
5 any issues that you see here?

6 A. Not that I recall, no.

7 Q. What other resources do you use outside of the ASOS to help
8 you do your LAWRS function in the tower? Are there any other
9 things in the tower that help you with that?

10 A. I mean certainly the wind indicator when I'm making the wind
11 and stuff and then we have separate altimeter settings in the
12 tower. So I will look at that information for the LAWRS
13 observation versus what the ASOS is saying because sometimes
14 they're like one off. So I use what the tower displays, saying it
15 currently is.

16 Q. If the cloud information, you know, you spoke earlier just
17 talking about the -- I'm not necessarily saying anything really to
18 use a technical meteorology term, wonky, with -- between what you
19 see out the cab and then what the ASOS is showing, if you did see
20 something, you know, like hey, it looks like it's 700 feet out and
21 the ASOS is showing 1500, how do you -- is there a chart, a
22 picture, you know, something that you can use to help provide --

23 A. We have a manual and it has a bunch of pictures and DME and
24 we can take tower visibility, you know, with the pictures like we
25 still this water tower, we know we have at least this many miles.

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1 So that's always up in the tower. If there's ever an issue with
2 any equipment, John is the first call, and then like with the
3 ASOS, we would call the weather guys down in Indy and say, hey,
4 we're getting, you know, this is going on with the ASOS. And,
5 then from there they would fix it down there or come up here or do
6 what they do.

7 Q. Okay. Can you give me an example of when you augmented or
8 had to change the METAR observations because the ASOS information
9 was either a little bit off or incorrect?

10 A. Frequently during the summertime, birds will sit on the
11 antenna. And so the wind will go missing. So we frequently
12 augment the wind until the bird moves. And sometimes during
13 thunderstorms, we will have to augment if the thunderstorm is
14 overhead, but it may be in the vicinity or something to that
15 effect. So we'll augment that show that this is actually what's
16 happening at the field.

17 Q. And then just going back to the example you mentioned about
18 the birds, what wind observation do you use to help supplement or
19 if it says missing, what do you use? When we were up there taking
20 the tour, I saw the wind there, but I notice you have windsocks
21 out there, too. What kind of wind information do you use?

22 A. I use the wind indicators that are on the console.

23 Q. And then just to follow up quickly on that observation there,
24 when an airplane is coming in and you issue -- and they ask for
25 like wind check, what wind information are you providing to the

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1 pilot then?

2 A. The instant readout off the console.

3 Q. Okay. And do you feel that that wind is more accurate? Why
4 do you provide that wind?

5 A. Because it's now. I can watch it. If it's changing, I can
6 say it is variable this to this or whatever. To me that's the
7 most current information that I can give the pilot. So that's why
8 I do it.

9 Q. Okay. Going through things just a little bit, I'm jumping
10 around a little bit on my questions. I apologize for that. Going
11 back to I guess a little bit of accident sequence, if the weather
12 conditions are changing rapidly, and you just cut the ATIS, you
13 know, to the top of the next hour, what kind of weather condition
14 change would you need to see at the field to provide a pilot
15 different weather than what they saw or what they received on the
16 ATIS?

17 A. Well, any changes the ATIS or the ASOS office is going to
18 need to tell me. So if the ceiling even drops 100 feet, the aural
19 alarm goes off. So I would just issue whatever the current ASOS
20 information is, hey, the ceiling just dropped. I know it was 800
21 when you check in but now it's this or I would try to -- I try to
22 give the pilot as much information as possible because they're the
23 ones flying and the need to know.

24 Q. So would you say that's kind of a standard practice for you?

25 A. For me, yes.

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1 Q. Okay. And then if the -- if there is additional weather
2 information in the remarks section of the METAR, when would you
3 provide that to the pilot?

4 A. If the pilot said that he had the ATIS code, I probably
5 wouldn't unless it went from say light rain to thunderstorm. Then
6 I would provide the change of the information but once they have
7 the ATIS, I have to assume you have the weather and whatever
8 weather conditions are at the field. So I don't want to add too
9 much. I don't want to repeat myself and, you know, give the pilot
10 too much to think about.

11 Q. Okay. I noticed on the day of the accident that the ATIS had
12 the METAR code all the way to the altimeter but it did not include
13 the remarks section. Is that a standard practice here to --

14 A. Yes.

15 Q. -- to cut the ATIS that way. Okay. In the SOP it mentioned
16 at times being able to put pertinent remarks in the ATIS. What
17 would be a pertinent remark to be able to put into the ATIS as
18 well?

19 A. If there was a thunderstorm or, you know, some sort of
20 weather anomaly like we had the real high winds, the 60 knots of
21 winds here a few weeks ago, anything like that. I mean there's
22 not a list of you will do these, these, these, but I feel like
23 anything that could significantly impact is something I would
24 report.

25 Q. Would a variable ceiling be pertinent sometimes or is that

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1 something you see quite often?

2 A. I mean it's fairly normal around here to have it. So that
3 doesn't seem like it's out of the realm of, you know, normal
4 activity here.

5 Q. Okay. That's all I have for right now. Thank you. That's
6 really helpful.

7 MR. OGDEN: Thank you, both. Go ahead, Andrew.

8 BY MR. LIESER:

9 Q. So that morning when you came in, you completed your pre-duty
10 weather briefing. Via a terminal, that's in the tower.

11 A. Yes, sir.

12 Q. And my understanding is that's the center's product that they
13 put out for you?

14 A. Yes.

15 Q. What other things do you do to familiarize yourself with
16 weather conditions as you come in for the day? Is that the main
17 source or your position or the briefing, walk me through what
18 that --

19 A. Well, prior to getting here, I get on my phone and check the
20 local weather just to see what's what, look through and see if
21 we're expecting rain later. Like it's not raining now but, you
22 know, what's the day going to kind of hold. And then when I get
23 here, I do the pre-weather briefing, and then just keep an eye out
24 on the ASOS to make sure that it's all kind of matching up.

25 Q. Okay. And on that day with the weather conditions that you

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1 saw forecasted in the briefing, did you -- do you believe the
2 weather briefing indicated that conditions would be deteriorating
3 or what was your expectation if you can recall?

4 A. I don't think I had an expectation other than it was just
5 kind of going to be a dreary day.

6 Q. Okay. Do you recall what the ceilings were on the ATIS that
7 the aircraft received?

8 A. That he received? It would be a guess. I don't recall
9 exactly.

10 Q. Okay. Changing course just a little bit, for refresher
11 training, you guys do a monthly refresher training here?

12 A. Yes.

13 Q. And what typically goes into the refresher training? So are
14 those like electronic courses, PowerPoints? Are they in-person
15 briefings?

16 A. They're a combination of. Some things will be in-person
17 briefings. Some things are on ELMs and then Midwest has an
18 alternate site where they require certain ongoing training, and
19 then they'll put out other information for briefings and things
20 like that. And so we're responsible to sign on and do whatever
21 training and take the test or read whatever the memorandum is or
22 whatever, and so that gets reported to Midwest saying this person
23 completed that.

24 Q. Okay. And in the information we got as background
25 information, it looked like in December, there was some refresher

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1 training on missed approach procedures. Do you recall what that
2 covered?

3 A. It just -- I don't want to say vague, but it falls onto the
4 LOA that we do the Indianapolis approach and a lot of it was like,
5 A, I don't have authority as a VFR tower to just issue control
6 instructions if a guy goes missed. So that is why we call
7 Indianapolis to get some instruction and direction. But the
8 training was like review your LOA and so we go like into the LOA
9 and look through to make sure --

10 Q. Okay.

11 A. -- that I've still got it, that I still understand it.

12 Q. It's a self-study type environment for that portion of
13 refresher --

14 A. Um-hum.

15 Q. -- like review your LOA and then you just take it and sign
16 off. Okay. Do you recall the procedures for missed approach in
17 your SOP?

18 A. Yes, I mean there are none that I can issue without
19 permission from Indianapolis. So I would call them and say, hey,
20 he's going missed. What do you want me to do with him? Who knows
21 what traffic they have. So they may give me one instruction, you
22 know, fly runway heading but then 10 minutes later they may say
23 turn right 2-7-0 like I -- it just depends on what their traffic
24 load is, is what they're going to issue me that's not going to
25 conflict with that. And then I just repeat that verbatim to the

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1 pilot.

2 Q. Okay. I noticed in the LOA, too, there was some information
3 about updating Indy approach on weather conditions, changing
4 weather conditions. What does that typically look like? Is that
5 just the ATIS code information or is there calls back when the
6 ceilings change from say 1,000 feet to 500 feet or visibility, you
7 know, drops down and maybe doesn't make it into a special
8 observation like -- just walk me through whatever that would look
9 like for you guys.

10 A. Typically it would just be the ATIS covered. When we call
11 for an instrument approach, weather's below for visual approaches
12 but we're still VFR. We would let them know, I'm VFR but, you
13 know, 1500 or whatever. So we would pass that information to them
14 letting them know, yes, I'm still a VFR, however, you might not
15 pick me up on visual. So we're going to do this instrument
16 approach --

17 Q. Okay.

18 A. -- type of thing.

19 Q. It was previously mentioned that this procedure to do a turn
20 to reestablish and join final was something that you haven't had,
21 like it's not typically disapproved by Indy approach. Just for
22 clarification, is that -- that is on -- RNAV instrument approaches
23 and not just visual approaches or contact approaches, those
24 requests are made -- because they're just different type of
25 approaches.

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1 A. I can't remember anyone ever doing a contact approach, but
2 any IFR approach, whether it's visual or instrument, if that were
3 to happen, it would be a call to Indianapolis, hey, this is what
4 the pilot wants. What do you want me to do? And then I would do
5 whatever they said to do.

6 Q. Okay. That's all I have for right now. Thank you very much.

7 A. You're welcome.

8 BY MR. OGDEN:

9 Q. Yeah. So kind of beating on the same drum, missed approach,
10 have you ever suggested to Indy approach conditions are IMC here,
11 they should do a missed approach? Have you ever made that
12 suggestion in the past?

13 A. No, sir.

14 Q. No. Being that this aircraft was coming in and it was IMC
15 conditions at the field, did you feel that the aircraft could
16 reasonably land because he reported the field in sight even though
17 it was IFR?

18 A. All I can speak to feeling is he made a request, and I didn't
19 see anything abnormal with the request.

20 Q. Um-hum.

21 A. So I got permission to approve it.

22 Q. I see.

23 MR. OGDEN: Okay. That's all the questions I have for now.
24 Brian, do you have anything?

25 MR. SOPER: Yeah.

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1 BY MR. SOPER:

2 Q. So what is the -- what's your overall relationship with
3 Indy's approach here? Like how is the working relationship? I
4 mean is it strained? Is it easy flowing, you get along with them
5 great?

6 A. I get along with them just fine. I mean I've never had any
7 issues with them.

8 Q. Okay. And do you guys -- I'm going to jump around a little
9 because these are kind of follow-up questions. So do you guys
10 conduct performance management here? Like I know it's different
11 when Midwest, than it might be in the FAA or something. Do you
12 conduct individual performance management here? Do you do PROCs
13 or something similar at all? You can answer that as well?

14 MS. ST. PIERRE: We do performance management. We still kind
15 of follow the TTB process.

16 MR. SOPER: Okay.

17 MS. ST. PIERRE: They (indiscernible) on job (indiscernible)
18 technical training discussions biannually.

19 MR. SOPER: Okay. Do they document that on paper normally?

20 MS. ST. PIERRE: Yes.

21 MR. SOPER: Okay. Great.

22 BY MR. SOPER:

23 Q. And do you recall the last time you received one of those?

24 A. It was a few months ago.

25 Q. Okay.

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1 A. I don't remember exactly.

2 Q. No worries. No worries. I think we're looking at your
3 training.

4 MR. SOPER: And did you say, Andrew, you seen in there that
5 they had conducted training on Mr. Burgess here back in September
6 maybe?

7 MR. LIESER: It was December I believe.

8 MR. SOPER: Was that part of refresher or recurrent?

9 MR. LIESER: Yeah, it was just a monthly refresher course
10 list that was pulled down. So it's December, you guys sat in an
11 aircraft accident tabletop and also go around missed approaches.
12 The references that were listed I think were more aligned to
13 visual approaches but, yeah, it was --

14 BY MR. SOPER:

15 Q. Do you recall anything about that training? Do you remember
16 having that? So that was a scenarios based type of thing a little
17 bit. It sounded like there was a tabletop or something. Were you
18 involved in that or ere you just observing? How does that --

19 A. Well, it wasn't a tabletop training, and I mean I just know
20 that we're not allowed to -- we have no authority to do anything.
21 So I just --

22 Q. I understand.

23 A. -- understand that we have to ask for -- even if I wanted to
24 issue legit missed approach instructions, I can't because I have
25 to find out from Indy where they want the guy to go.

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1 Q. Okay.

2 MS. ST. PIERRE: Can I just clarify that?

3 MR. SOPER: Yeah.

4 MS. ST. PIERRE: So the monthly training and refresher that
5 your speaking of on the schedule, we create -- it's an electronic
6 course that every controller takes.

7 MR. SOPER: Okay.

8 MS. ST. PIERRE: It touches on all those subjects from a
9 broader perspective and then like he said, it says, hey, take a
10 look at your local procedures. They're more site specific. So --
11 yeah.

12 MR. SOPER: Okay.

13 BY MR. SOPER:

14 Q. All right. How many controllers do you have here? Do you
15 know what the number is right now?

16 A. Five.

17 Q. Five. And, is that including your ATM?

18 A. Yes.

19 Q. And your ATM is in the rotation? I mean as far as you know,
20 I mean he works --

21 A. No, I mean he works in traffic to stay current.

22 Q. Okay.

23 A. And then he covers when somebody's on leave or sick or
24 whatever.

25 Q. Okay. And, so this is kind of a more general question. I

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1 just want to get your feel. You've been here for a while. So you
2 have a good feel of what's here. What -- if you had to put your
3 finger on something, is there anything that stands out as being
4 your biggest challenge here to deal with, with regard to doing
5 your job moving traffic? I mean is it an equipment problem? Is
6 it a lack of equipment problem? Is it lack of training? Is there
7 anything that stands out? I'm not trying to tell you that there
8 needs to be done, just is there anything though that stands out to
9 you?

10 A. The thing that bothers me the most, and this is just me being
11 me, is student pilots.

12 Q. Okay.

13 A. They'll say I'm 10 north and you're 10 south. So, I
14 understand they're learning but coming from the Navy where I say
15 you do, it was frustrating to be like how are these guys not
16 paying attention? Do they not realize what they're doing? But, I
17 mean overall, I would say, no, to that.

18 Q. Okay. That takes me to a good lead in. I'm glad you
19 mentioned that. For the training, the student pilots that show up
20 out here, is that -- do you have a lot of student pilot activity
21 out here?

22 A. Um-hum.

23 Q. Okay. And are there any of the home based here?

24 A. There used to be. There's a flight school that just came in.

25 Q. Okay.

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1 A. And to my knowledge, they're not flying yet. They're
2 preparing to open it.

3 Q. Okay. Outside of that, do you know do they generally come
4 from someplace specific or is it just an all over the map thing?

5 A. From Lafayette and Ohio State.

6 Q. Okay. So that being said, do you guys -- have you ever been
7 engaged in conducting or being a part of or having them here? Has
8 there ever been any outreach either way? Do you ever have those
9 student pilots -- do you call those organizations and say, hey,
10 you know what? We have a lot of these issues out here. What
11 about you guys bringing people down here to do orientation in our
12 tower so you can see it from the other side and understand it a
13 little better? Is there any of that going on or vice versa? You
14 guys -- are you ever able to go there, visit their flight schools,
15 give them briefings on, hey, you guys operate up here a lot. We
16 can come down there and give you a little briefing on what occurs
17 out at this tower so that you have some awareness of VFR reporting
18 point, pattern altitudes, direction, any of those course rules.
19 Like in the Navy, course rule briefings, right. Guys go on
20 deployment. When they come back, they've got to go through back
21 in the saddle. You're going to listen to air traffic control,
22 refresh your memory on all the rules here and how we operate,
23 right?

24 A. Yeah.

25 Q. Is there anything like that here?

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1 A. For me, no.

2 Q. Okay.

3 A. That would be more of a question for John. I do know that he
4 would be open to such things. I'm just not sure if he's had time
5 or people have contacted him or what. I don't know.

6 Q. Sometimes it's bandwidth -- you guys don't have a lot of
7 excessive staff hanging around.

8 A. Yeah.

9 Q. So I get it, but I just kind of wondered if there was any of
10 that here. Okay. Great. I think that's all I've got for now.
11 So, yeah, I might have one wrap-up question at the end, but that's
12 -- I think that's it for me now.

13 MR. OGDEN: Thank you, Brian. Allison.

14 BY MS. MATTIOLI:

15 Q. When you talked about student pilots because they're all a
16 struggle with us half the time, but if you could -- do you think
17 in your professional opinion, if you were offered a tower display,
18 do you think that would help Muncie?

19 A. Yes, I think it would.

20 Q. I want to go back to the accident, and if you don't know,
21 that's fine. Was that aircraft based here? Does he live here?

22 A. No.

23 Q. Was there ever a low altitude alert that Indianapolis called
24 you on to issue?

25 A. No.

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1 Q. None that you received.

2 A. Correct.

3 Q. So, when we talked about it the first time, and he asked to
4 do the 360 to rejoin the final, you called Indianapolis, get the
5 approval, issued the request and what transpires does. Has
6 Indianapolis ever in the past told you no, put them back on me for
7 a re-sequence of the airport?

8 A. I honestly couldn't tell you with any certainty, yes or no.

9 Q. Okay.

10 A. I don't remember being told no, but it's possible.

11 Q. Okay. That's all I have for now.

12 MR. OGDEN: Thank you, Allison. Paul.

13 BY MR. SUFFERN:

14 Q. Yeah, just a couple more questions. I appreciate your time.
15 Just as Brian mentioned earlier, and others have, you know, you've
16 been here for a while. Is there a particular direction that the
17 weather usually comes from to your field or --

18 A. No, sir, it comes from everywhere.

19 Q. Could you kind of step me through for you here at Muncie kind
20 of the pilot process, you know, you're requesting it or you
21 receive it from a pilot, can you kind of step me through the
22 process of where it goes from there?

23 A. The CIC would log on to what is an AISR program, and would
24 input whatever the information would, you know, type aircraft,
25 time, the conditions that were being forwarded, and then if you

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1 reported something else like icing or whatever, we'd put that down
2 in the remarks. There have been times where that program didn't
3 work. We couldn't log into it. So then as per our LOA, we're
4 required to call Indianapolis approach and give them the pilot so
5 they can then put it into the system. And so that's what we would
6 do, one of those two things.

7 Q. On the day of the accident, do you recall whether your AISR
8 system was up and you guys were able to enter it or did you have
9 to call over to Indy?

10 A. It was down. The AISR system was down. So we had to call
11 over to Indy.

12 Q. How often is it down for you guys?

13 A. It's a password thing. When it expires, we don't get
14 notified that the password expired. And so John has to go in and,
15 you know, redo a new password and user name and all that kind of
16 stuff. So by the time we notice it, it's too late because they've
17 already cut off the access to it.

18 Q. Do you recall either requesting or receiving any PIREPs from
19 pilots on the day of the accident?

20 A. Yes. The second guy that landed was a King Air. I was kind
21 of in the middle of a bunch of stuff. I didn't get a PIREP from
22 him, but maybe 30, 40 minutes later, another aircraft came in and
23 I got a PIREP from him.

24 Q. Do you ever at any point in time receive PIREPs or weather
25 information from other air traffic facilities, from Indy or

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1 anything like that? Do they ever call over anything?

2 A. I don't know. I don't recall.

3 MS. MATTIOLI: Can I ask a question on that real quick. So
4 the NOTAM system or PIREP system is down, do you call specific --
5 do you call on the arrival controller? Do you call on the flight
6 data position at Indy? Who are you calling for that to relay that
7 information?

8 MR. OLDS: I will call the flight data controller. Sometimes
9 the approach control will pick up --

10 MS. MATTIOLI: Sure.

11 MR. OLDS: -- if that guy is busy, but we call the flight
12 data guy and pass it to him.

13 MS. MATTIOLI: Are they the ones also that issue you your IFR
14 flight plans?

15 MR. OLDS: Yes.

16 BY MR. SUFFERN:

17 Q. In the tower, do you have access to any radar information
18 while you're on shift?

19 A. No, aside from the ASOS and the weather briefing from Indy,
20 that's all we have access to.

21 Q. Okay. And then I guess to take you back on that, do you have
22 access to any weather satellite information in the tower on your
23 own shifts?

24 A. My answer's going to be no. The FAA computer is pretty
25 strict about what it will let you go see, but if I'm working on

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1 position, I don't have time to go play on the computer. So there
2 may be something on the FAA computer. Does that make sense?

3 Q. Just a couple more, still jumping around a little bit. I
4 apologize for that.

5 A. No problem.

6 Q. Have you ever been -- here at Muncie, have you ever been over
7 tasked working traffic and not able to perform your LAWRS duties
8 or anything like that?

9 A. No, sir.

10 Q. Okay. If a pilot is on an IFR flight plan, do you assume
11 they're comfortable flying in clouds in IMC?

12 A. I'm not sure I assume anything. I assume he's qualified to
13 do whatever operations. I'm not a pilot. So I don't know what it
14 takes to do that.

15 Q. Last but not least, my favorite question. If I put you in
16 charge, is there any weather tool out there that you wish you had
17 that could help you do your job better?

18 A. I'm not really up to date on current weather tools. I mean
19 honestly just something that would stay current and give us the
20 most updated weather conditions at the field that we can provide
21 to the pilots, whatever that piece of equipment may be. I don't
22 -- I'm not sure.

23 MR. SUFFERN: That's all I've got. Casey.

24 MR. OGDEN: Thank you, Paul. Andrew.

25 BY MR. LIESER:

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1 Q. I just have a few more questions. Again, I appreciate all
2 the answers to everything you've given. Hitting on the PIREPs
3 again, was it your understanding that at the time of the event
4 that solicitation criteria were met to -- for you to be soliciting
5 PIREPs on -- per the order?

6 A. Yes.

7 Q. Okay. And do you recall -- I know nothing made it into the
8 AISR. It sounds like that can be a hassle sometimes. When we
9 were upstairs touring the tower cab, they said, you know, it
10 seemed like it was routine to write down PIREP information on the
11 glass in between the ground and local control position. Do you
12 recall if anything was on the glass that day from any previous
13 flights?

14 A. No, that's not necessarily -- I don't know what the word is
15 I'm looking for. Normally, we write it down on the glass when the
16 pilot gives it us that we pass it on to Indy.

17 Q. Okay.

18 A. And so we just kind of keep that for us so we remember. This
19 guy said it was this many visible miles or whatever.

20 Q. Sure.

21 A. But once we pass it to Indy, we theoretically could erase it
22 and it not matter.

23 Q. Okay. Is it routine on an IFR approach, to have somebody
24 coming in, do you let the aircraft know whether they're in sight
25 or not on IFR approaches routinely?

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1 A. I'd say no. If the weather is IFR, then no.

2 Q. Okay. And when you have an instrument approach being flown,
3 it sounds like there was a ground control position, a local
4 control position, and the air traffic manager is up observing,
5 walk me through the process? Is it a local controller's
6 responsibility to try and locate that aircraft on approach or is
7 it kind of all eyes in the cab looking for that aircraft or does
8 -- would ground control notify you, hey, I see that guy, if they
9 had maybe a better look. It looked like maybe they were a little
10 closer, may have had a better look on the 1-4 side of things?

11 A. It's everybody.

12 Q. Okay.

13 A. We all -- it's not necessarily a rule, but we just all look
14 out the windows on days like that to try and find whoever we're
15 looking for.

16 Q. Okay. And nobody on the date of the accident had ever
17 acquired visually the aircraft?

18 A. And two of us were looking through the binoculars.

19 Q. Okay. That's all I have. Thank you.

20 BY MS. MATTIOLI:

21 Q. Can I take you back on one thing?

22 A. Yes.

23 Q. Do you guys wear headsets or handset only?

24 A. It's handset only.

25 Q. And the speaker.

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1 BY MR. OGDEN:

2 Q. Yeah. Talking about the control room, so you had a ground
3 controller. Was there any other observer with binoculars at the
4 time?

5 A. Actually John Ferratt, the manager, was the other guy with
6 the binoculars.

7 Q. Understood. And it's on the handset, and the audio's coming
8 out. Was there any input from anyone else in the control room
9 about possible pilot action, anything like that?

10 A. No.

11 Q. Okay.

12 MR. OGDEN: All right. That's all the questions I have.
13 Brian, do you have anything?

14 MR. SOPER: I do have some wrap ups.

15 BY MR. SOPER:

16 Q. So I'll jump -- I'll bounce around a little bit here because
17 there are my wrap up finals. But, just to be clear, there was
18 three people in the tower physically at the time?

19 A. At the time, two.

20 Q. Okay.

21 A. The ground controller had stepped out to use the bathroom.

22 Q. Maybe you already covered that, and I apologize for not
23 capturing it. The second thing, how do you -- we talked a lot
24 about soliciting PIREPs, disseminating PIREP information. How do
25 you receive PIREP information from -- not from a pilot, but from

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1 another facility? Does anybody ever give you information? Do you
2 receive it in any way?

3 A. Statistically I'm sure I have, but I can't remember any other
4 facility calling me with a PIREP.

5 Q. Okay. What about Indy? Do they call you with much coming
6 out?

7 A. As far as weather PIREP goes, no. They -- on one occasion
8 they have said, hey, there's a storm, thunderstorm coming your
9 way. We're showing it as a, you know, 2, 3, whatever, down here.

10 Q. Okay.

11 A. But, no, not with any normality.

12 Q. No worries. Okay.

13 MR. LEISER: Can I piggy back on that just real quick.

14 MR. SOPER: Yeah, go ahead.

15 MR. LEISER: So if you have a departure that comes out, do
16 you routinely -- I guess is practice here to hold onto that
17 aircraft to acquire a base report or is it more routine to switch
18 that aircraft to approach and have approach call you back with a
19 base report?

20 MR. OLDS: It's -- we don't hold onto them. I don't know
21 what kind of traffic they have. So I try to issue the frequency
22 change as soon as practical. Like we wait for them to get up, get
23 their wheels up, level out, and then we'll issue the frequency
24 change because I don't want them flying for 4 or 5 miles before
25 they contact Indy approach, that may cause something with them.

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1 So I don't want to say we try to get rid of them, but we try to
2 send them over as soon as practical.

3 BY MR. SOPER:

4 Q. Yes, my next question. So that's exactly where I wanted to
5 go, is I wanted to understand a little bit more about how do we,
6 how do we go ahead and ascertain that bases PIREP on departure,
7 right? Because that's an important piece of information for you
8 and for them, right?

9 A. Um-hum.

10 Q. So some towers is more habit. Like you said, we want to get
11 them off to approach so they can start working them, and so we add
12 on to that transmission. We go contact approach, please check in
13 with PIREP on, you know, climb out or something like that. So we
14 give them some information. So hopefully they check in with
15 approach, go, departure so and so, climb through, bases were at 4,
16 we're with you, blah, blah, blah, blah, right. And then they
17 would pass that information back to you. Hey, man, that guy that
18 just departed he reported bases at 4 and top is at 7, you know,
19 and you're like, great, thanks. Now, you've got a guy taxiing
20 out. Now you can tell him, hey, just had a previous departure,
21 bases at 4, top's at 7, because that's the way you get it, right.
22 So I think that's where we were going with that is you have a
23 circle there that closes the loop to ensure that you're able to
24 capture the entire information for them and for you so that you
25 give it back. So that's where I think we were headed with that.

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1 How about other pertinent weather information such as in
2 flight advisories, AIRMETs, SIGMETs, CWAs? Do you receive any of
3 that information from anybody like, hey, we have SIGMET available
4 or I have a SIGMET that's current right now? I know you're
5 generally a VFR tower and that you would have an expectation that
6 radar would give that information to them maybe, but I didn't know
7 if they pass that to you at all?

8 A. They have in the past. I don't know what frequency SIGMETs
9 and AIRMETs and stuff are issued.

10 Q. Okay.

11 A. Indianapolis has passed that information to us, hey, there's
12 such and such going on.

13 Q. Okay. One other one -- a couple other ones here real quick,
14 and I'll try to get out of here. The ATM, what was -- how -- why
15 was the ATM in the tower that day? Was it just a normal he's on
16 his kind of walk around being up there, you know, it's part of his
17 normal operation or was he up there for a specific reason that
18 day?

19 A. He was up there just kind of, hey, how's everybody doing,
20 does anybody need a break, kind of thing.

21 Q. Perfect.

22 A. And that when the ground controller was like, hey, can I step
23 out, you know, to go to the head.

24 Q. Yeah.

25 A. And at the time, there was nothing going on.

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1 Q. Yeah.

2 A. Like we weren't even talking to anybody.

3 Q. Sure.

4 A. So.

5 Q. Do you see, do you see the ATM in your operation a lot here?

6 A. Yes.

7 Q. Up in the operations.

8 A. Yes.

9 Q. Good. And, one last one to jump a little bit again. Could
10 you explain to me, and I apologize this duplicates because I might
11 not have caught it when Mr. Suffern was talking to you but how do
12 you understand, perceive the differences in your wind sources
13 here, meaning how do you -- what is your, what is your most
14 accurate source of wind? Do you know? I mean do you have an
15 expectation of like, well, this is the most accurate, and this is
16 what I use or is there -- what is it for you?

17 A. The indicators on the console.

18 Q. Gotcha.

19 A. Because you can look at them and watch it change. So to me
20 that's the instant. There's an antenna on the roof --

21 Q. Okay.

22 A. -- and that's kind of the center of the airport. So to me
23 the wind indicators on the console are the most current wind
24 conditions on the field.

25 Q. Okay. That's good on that. And one final question. So

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1 looking back on this whole event in retrospect, hindsight being
2 20/20, and that whole deal, right, can you give me what your
3 thoughts have been about successes, failures and -- what's the
4 other piece I always ask? Successes, failures and -- it's not
5 improvement. There's another word. Okay. Talk to me about
6 successes and failures and maybe I'll pull my head out of my butt
7 and figure what I was going to say on the third one. But do you
8 see any clear successes or failures in the way things played out
9 here on any part from the pilot side, from your side, from Indy's
10 side, from anything that you just observed afterwards that you're
11 like, hum, we can improve here or this might be a better thing or
12 I wish we would have known that?

13 A. Without sound like I'm passing the buck, I'm not in on that
14 decision.

15 Q. Right.

16 A. So my whole thing is did I follow the procedures that are set
17 forth in an attempt to prevent something like this.

18 Q. Um-hum.

19 A. I think I did. I feel like I did.

20 Q. Okay.

21 A. So, all I would simply say is whatever procedures are in
22 place are what needs to be followed. If someone down the line
23 decides to make a change, I will follow those procedures because I
24 don't want -- I never want this to happen, didn't want it to
25 happen, don't ever, you know what I mean? None of us do.

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1 Q. Yeah, of course.

2 A. So if they come up with a procedure that say does fix this
3 from every happening again, by all means, I will apply that
4 procedure 100 times out of 100 times.

5 Q. Okay. Do you -- and one last thing. I know I've said that
6 once already. So one last thing though because it made me think
7 of it. Do you guys ever here ever go to Indy approach to see
8 their operation at any time? Is that something you guys have done
9 or work with them at all to have like a kind of orientation? And
10 again, obviously you can't all go at once. I mean it's a small
11 operation, but I mean is that something that's ever in your
12 training purview, like, yeah, we go there every -- once a year or
13 so. We try to make an orientation tour over there or something.
14 Is there anything like that here?

15 A. There's been talks of it. I went down with John. He took
16 over I think in '09 maybe or '10, early in '10.

17 Q. Okay.

18 A. We went down just to -- he wanted to introduce himself as the
19 new ATM, and I was like, I have nothing to do. So we went down
20 kind of introduced ourselves to a few people and looked around and
21 so I know controllers are famous for, he ain't doing nothing, why
22 don't you answer my call.

23 Q. Sure.

24 A. I know they're busy down there. So when you can, let's work
25 this out and get it done.

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1 Q. Vice versa. Did anybody ever come here and provide you guys
2 training on something or like -- maybe briefing is a better term,
3 you know, like of the operation on their side or what's happening?

4 A. I don't think so.

5 Q. Okay.

6 A. John may have had conversations with people down there about
7 things but --

8 Q. Okay. All right. Cool. I don't have any more. I
9 appreciate it.

10 MR. SOPER: Casey.

11 MR. OGDEN: Anybody have any oh, by the ways, before we wrap
12 up?

13 MR. SUFFERN: No.

14 MR. OGDEN: Okay. We'll show the interview ending at 1034
15 Eastern Daylight Time.

16 (Whereupon, 10:34 a.m. EDT, the interview was concluded.)
17
18
19
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CERTIFICATE

This is to certify that the attached proceeding before the

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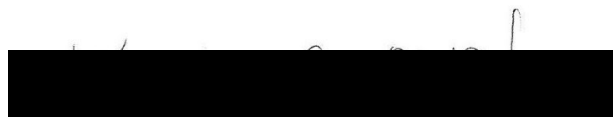
IN THE MATTER OF: PEDESTRIANS STRUCK AS PIPER PA-28
DAKOTA MISSES LANDING AT THE
DELAWARE COUNTY REGIONAL AIRPORT
IN MUNCIE, INDIANA ON APRIL 1, 2024
Interview of Willie R. Olds

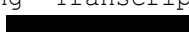
ACCIDENT NO.: CEN24LA144

PLACE: Muncie, Indiana

DATE: April 9, 2024

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

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

PEDESTRIANS STRUCK AS PIPER PA-28 *

DAKOTA MISSES LANDING AT THE *

DELAWARE COUNTY REGIONAL AIRPORT *

IN MUNCIE, INDIANA ON APRIL 1, 2024 *

*

* * * * *

Interview of: SHAWN SMART, Radar Controller

Departure Radar East (DRE)

Indianapolis Air Traffic
Control Tower
Indianapolis, Indiana

Wednesday,
April 10, 2024

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APPEARANCES:

CASEY OGDEN, Air Traffic Control Investigator
National Transportation Safety Board

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

ALLISON MATTIOLI, Air Safety Investigator
National Air Traffic Controllers Association

ANDREW LIESER, Subject Matter Expert
Federal Aviation Administration

ANDREW ROUGH
Representative for Mr. Smart

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I N T E R V I E W

(11:05 a.m. EDT)

MR. OGDEN: Okay. The time is now 1105 Eastern Daylight Time.

Could you please state your name?

MR. SMART: Shawn Smart.

MR. OGDEN: Could you spell that?

MR. SMART: S-h-a-w-n, S-m-a-r-t.

MR. OGDEN: Thank you. As part of the process, I'll be recording the interview, and I'll have a transcription made. The transcript will be part of the factual report. The audio will be not be part of the public docket. I'll send you a copy of the transcript for your review. It should be about a month before I can have it back to you. Do you have any questions about the transcription process?

MR. SMART: No.

MR. OGDEN: Okay. Good morning. My name is Casey Ogden. I'm an air traffic control investigator with the National Transportation Safety Board.

The NTSB is an independent federal agency charged by Congress with determining the probable cause of aviation accidents and incidents of a significant nature and promoting transportation safety.

With me today, I have two other investigators from the NTSB. They'll now introduce themselves starting with Brian.

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1 MR. SOPER: Brian Soper, air traffic investigator, NTSB.

2 MR. OGDEN: Thank you, Brian. Paul.

3 MR. SUFFERN: Paul Suffern, meteorologist.

4 MR. OGDEN: As part of our process, we invite parties to
5 participate in the investigation to provide us technical
6 expertise. With me today are the ATC group who will now introduce
7 themselves starting with Allison.

8 MS. MATTIOLI: I'm Allison Mattioli, on behalf of NATCA.

9 MR. OGDEN: Thank you, Allison. Andrew.

10 MR. LIESER: Andrew Lieser, FAA subject matter expert.

11 MR. OGDEN: Thank you, Andrew. The purpose of this
12 investigation is safety, to gather the facts, determine the
13 probable cause and prevent recurrence. Our role is not to assign
14 fault, blame or liability. This interview is part of the fact-
15 finding phase of this investigation.

16 As part of the regulations, you're welcome to have one
17 representative of your choice to attend. I see you have a
18 representative with you. Is the person sitting next to you, the
19 person you want to have be your representative?

20 MR. SMART: Yes.

21 MR. OGDEN: Could you please state your name?

22 MR. ROUGH: My name is Andrew Rough.

23 MR. OGDEN: Could you spell that?

24 MR. ROUGH: A-n-d-r-e-w, R-o-u-g-h.

25 MR. OGDEN: Thank you. The reason for this interview today

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1 is to discuss the accident that occurred on April 1st, 2024,
2 regarding N8438B. We'll ask a variety of questions. So if at any
3 time you have any questions, please feel free to ask. Please
4 answer all questions to the best of your knowledge and
5 recollection. If you don't know an answer to a question, I don't
6 know, I don't recall, those are perfectly acceptable answers. If
7 you don't understand a question, please ask to have it repeated,
8 reiterated, rephrased. Whatever you need to understand the
9 question better, we can do that.

10 If at any time you wish to take a break or you want to
11 consult with your representative, we can pause the recording. You
12 can step out and do that consultation or take the break, whatever
13 you need. Do you have any questions so far?

14 MR. SMART: No. Thank you.

15 MR. OGDEN: Okay. The way things will work today is I'll
16 start out asking some questions. We'll go around the room. Each
17 group member will have an opportunity to ask questions as well.
18 You may see some of us typing, writing notes, jotting things down.
19 That's just to jog our memory for questions. These notes will be
20 destroyed. This is the basic structure of our interview. Any
21 questions about the process at any point?

22 MR. SMART: No.

23 INTERVIEW OF SHAWN SMART

24 BY MR. OGDEN:

25 Q. All right. Let's get started. So what is your age?

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1 A. 43.

2 Q. And your operating initials?

3 A. OG.

4 Q. Thank you. Do you have any military or pre-FAA ATC work
5 experience?

6 A. I have 9 years of experience as an air traffic controller in
7 the Marine Corps.

8 Q. Okay. No other experience?

9 A. There was -- I worked approximately 1 years, maybe a little
10 longer, as an air traffic controller for Robinson Aviation. It
11 was a federal contract tower.

12 Q. And then does that experience take you up to here?

13 A. It does. I've been with the Indianapolis TRACON since
14 September 6th of 2018.

15 Q. Okay. Thank you. Do you hold any collateral duties or have
16 you been on any recent details?

17 A. Negative.

18 Q. Okay. So this is kind of a broad overview. Some people call
19 it the 10,000 foot view. Could you please briefly describe how
20 you got into air traffic control and your aviation background?

21 A. I took an ASVAB to join the Marine Corps, and I had a list of
22 jobs offered to me. And the air traffic controller route was the
23 one that seemed the most appealing because when I got out of the
24 Marine Corps, there was the opportunity to provide for my family.
25 I was also interested in aviation as well. So.

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1 Q. Have you ever been fired, terminated, suspended or asked to
2 resign in any ATC position?

3 A. No.

4 Q. Okay. How would you describe your overall health? Poor,
5 fair, good, excellent.

6 A. Excellent.

7 Q. Okay. Do you hold a medical classification?

8 A. Yes.

9 Q. Any limitations?

10 A. No.

11 Q. Okay. Do you take any maintenance prescription or non-
12 prescription medications?

13 A. No.

14 Q. Was drug or alcohol screening performed following this event?

15 A. Yes.

16 Q. Okay. How long after?

17 A. The next morning.

18 Q. Any changes in your health the last year? Have a stroke,
19 stent put in, anything major?

20 A. No.

21 Q. Okay. Any changes in your personal life? Like, did you get
22 married, have a kid, adopt a kid, anything like that?

23 A. No.

24 Q. Okay. Any changes in your financial situation? Declare
25 bankruptcy, win the lottery, fall into a big sum of money.

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1 A. No.

2 Q. Okay. Unfortunately not, huh?

3 A. Right.

4 Q. Okay. So the next phase is a 72 hour history. This event
5 happened on Monday. We're going to start from Monday and work all
6 the way back to Friday.

7 A. Okay.

8 Q. So, the morning -- let's see. So Monday, was this a normal
9 shift for you?

10 A. Yes.

11 Q. Okay. You weren't covering leave, no sick out, no overtime?

12 A. No.

13 Q. Okay. The night prior, what time did you go to bed
14 approximately?

15 A. So on Sunday, I worked 1 to 9. I had 1300 to 2100 shift, and
16 I went home and went immediately to bed pretty much. I'd say
17 before 2200, I was asleep.

18 Q. Were you well rested? Did you get a good sleep that night?

19 A. Yes.

20 Q. How many hours of sleep do you usually need to feel well
21 rested?

22 A. Six is plenty, but I typically try to get 7 or more.

23 Q. Okay. That's Sunday. So you worked that day 1 to 9. What
24 time did you get up that day?

25 A. I got up -- let's see. It's Sunday. So I got up around 8,

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1 8:30.

2 Q. So prior to the shift starting, what did that day look like?
3 Any big event, anything happen, accident?

4 A. No, it was just a normal day of work.

5 Q. Okay. Saturday now. Start with bedtime. What time did you
6 go to bed?

7 A. It was early Sunday morning. It was about 12:30. I worked a
8 4 p.m. to midnight shift on Saturday. That's my first shift of
9 the week. So I worked 4 p.m. to midnight, and then a 1 to 9 and
10 then I worked 3 - 6's to end my week. So I got out of here, I
11 want to say I got out of here about 11:45 and by -- went home and
12 just basically went straight to bed. I live about 10 miles from
13 the airport.

14 Q. Gotcha. So you worked that day. What time did you get up
15 that Saturday?

16 A. About the same time, about 8, 8:30. I've got children. So I
17 don't get the luxury of sleeping past 8 o'clock.

18 Q. I understand complete. Yeah. Overview of that day before
19 going to work, what did that look like?

20 A. On Saturday, a typical day. My daughter plays soccer. So
21 soccer games and just hung out.

22 Q. Okay. Sunday night, about what time did you go to bed?

23 A. Sunday night, that was the night that I worked 1 to 9. So,
24 it was before 10, before 2200.

25 Q. All right. Correction. Friday night.

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1 A. Fright night.

2 Q. Friday night.

3 A. Friday night, probably about the same time because again I
4 have little kids. So around 10 o'clock at night is a typical
5 bedtime for me. My wife will put the kids to bed around 8:30,
6 spent an hour together, and then.

7 Q. About how many hours of sleep?

8 A. I think I actually got about 9 or 10 that night. It was a
9 good one.

10 Q. No doubt. Friday, was that a normal workday for you?

11 A. I was off.

12 Q. Is that a standard day off?

13 A. Yeah.

14 Q. And then could you give me a brief overview? What does that
15 day look like?

16 A. Just typical take the kids to and from school and just normal
17 everyday life.

18 Q. Understood. Okay. That week, recall any notable
19 interruption, anything major, family event, car accident, kids are
20 sick, anything?

21 A. Nope.

22 Q. Okay. That's a 72 hour history. Did you file an ATSAP
23 report following this event?

24 A. Yes.

25 Q. Okay. Was any action taken or was there a recommendation by

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1 the ERC?

2 A. I have not been given one.

3 Q. Okay. Have you been interviewed about this event before now?

4 A. There was a local safety council, the SSR, on Wednesday, the
5 3rd.

6 Q. I know it was mentioned, but did you have an opportunity to
7 review the replay of the event?

8 A. Yes.

9 Q. And that was just prior to this?

10 A. I reviewed it many times but, yes, prior to this as well.

11 Q. Okay. Audio and video?

12 A. Yes.

13 Q. Okay. Was there a relief briefing conducted when you took
14 the position?

15 A. Yes.

16 Q. Okay. Use a checklist?

17 A. Every time, yeah.

18 Q. Okay. On a scale of 1 to 5, 5 being the heaviest, how would
19 you classify the traffic at the time of the event?

20 A. Probably a 3, 2 to 3.

21 Q. Okay. Was that volume normal for that time of day?

22 A. It was typical, yes.

23 Q. On a scale of 1 to 5, 5 being the most complex, how would you
24 classify the traffic complexity at the time of the event?

25 A. Two.

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1 Q. Okay. Is that normal for that time of day as well?

2 A. Yes.

3 Q. Were there any distractions occurring at or leading up to the
4 time of the event?

5 A. No.

6 Q. Do you recall the weather conditions and current advisories
7 at or leading up to the time of the event?

8 A. Most of the airspace was IFR. I want to say the weather at
9 the airport, that airport was about -- it was between 5 and 600
10 foot overcast.

11 Q. Thank you. Did you receive a pre-duty weather briefing?

12 A. Yes, affirmative.

13 Q. Anything stood out?

14 A. No, not really. Just typical Indiana weather.

15 Q. Did you have a cellular phone or cellular personal electronic
16 device with you at the time of the event?

17 A. No.

18 Q. Had you requested a relief or assistance at or leading up to
19 the time of the event?

20 A. Negative.

21 Q. Did you notify your supervisor about the event?

22 A. Immediately, yes.

23 Q. All right. To the best of your ability, please step me
24 through a chronological history of the event as you remember it.
25 You can start whenever.

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1 A. Okay. I had N8438B with his call sign, was en route from
2 Bloomington, Indiana to Muncie, Indiana. Upon taking the aircraft
3 from Bloomington, I issued the altimeter at Indy and he went about
4 his way flying towards Muncie. About 20 miles into the flight, he
5 asked for a climb to 7,000 which I approved. I had no other
6 traffic that I needed to keep him away at that altitude. So if he
7 wants 7,000, he can have 7,000. He is closer to the airport. I
8 said to advise weather NOTAMS at the airport. Muncie also has an
9 ATIS and they have a tower there. So when he advised that he had
10 the information Echo, I had reasonable assurance there that he had
11 all the information that he needed for his approach.

12 I initially had put him towards a fix, I believe it was JOGBA
13 which was essentially to just give him enough space -- to get far
14 enough away from the airport when I vectored him in for the
15 approach to be an acceptable distance to shoot the approach
16 safely. We got a little closer to the airport, and I had taken
17 him down to 3,000. I had another aircraft from the north coming
18 in. It was a King Air. The King Air's faster. So my initial
19 thing was here was to tell the pilot that I was going to vector
20 him inside of the fix that I had pointed him at, and that would be
21 where he would start his approach from, and he said okay.

22 I vectored the aircraft with a 20 degree to intercept,
23 approximately 4 miles from the final approach fix, and cleared him
24 for the approach. He misread his approach clearance. I had a lot
25 of other things going on. so before I turned him over to the

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1 tower, I restated the clearance to the aircraft and cleared him
2 for the approach again which he read back. I then shipped him to
3 the tower.

4 Meanwhile, I had -- during that time, I had already
5 coordinated the inbound with Muncie Tower. I had another aircraft
6 that was going to come in as well which was the King Air. So I
7 coordinated that arrival with the tower as well to let them know
8 that he would be 10 miles in trail. I vectored that aircraft to
9 stay 1,000 -- I maintained my separation between the King Air and
10 the Cherokee. The King Air was on about an 8 mile final I think.
11 I had him join the final approach course at an acceptable area for
12 the approach, but I did not clear him yet because the first
13 aircraft was not -- I would not get a down time which essentially
14 means I was not sure if the aircraft had landed or not.

15 So I was going to call the tower about that, and the tower
16 actually I think may have called me, and told me that the aircraft
17 was going do to a 360 on the final. They advised me that that's
18 he was doing. So, I -- essentially my next step there was to take
19 my King Air off of the approach to ensure IFR separation between
20 the airspace that I was protecting and my subsequent aircraft. I
21 brought the guy back around, brought the King Air back around and
22 put him on the final again. And, when I called for the down time
23 for the first airplane, because what I'm doing here is essentially
24 I'm just protecting airspace from the final approach fix inbound
25 to the airport. So either the airplane lands or it comes off the

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1 missed. Either way, 3,000 foot below is blocked for me from a
2 radar perspective.

3 I have my King Air coming in. I called the tower. They tell
4 me that the guy never checked back in on final or never reported
5 final to them. I scroll in on my scope. I look at the target. I
6 tell them the target appears to be a mile northwest of the airport
7 with no altitude. I never got a low altitude alert or anything
8 for the N8438B that was going to do that 360 with the tower.

9 The -- as far as the -- as far as my equipment goes, I did
10 what we call a multifunction ZZ on the scope which basically keeps
11 the target from dropping when it lands at the satellite airport.
12 So for all intents and purposes, it looked like to me that the
13 pilot had landed. When I called the tower to ask if there was a
14 down time, and they told me that he didn't report final, was when
15 I realized, okay, there's something going on here. So I told the
16 tower, I said I'm going to get a supervisor involved. Let me know
17 if he comes back to you.

18 At that point, I took my King Air off the approach, climbing
19 to 4,000 to maintain my IRF separation between my subsequent
20 arrival of that aircraft because I still have to protect the
21 airspace no matter what, whether we know where he's at or not.
22 Within like a minute or so, the tower calls me back, they
23 confirmed that the aircraft is down where I told them the target
24 is that I have, and they told me that they had a clear deck which
25 I'm interpreting that as the airplane is not on the airport, has

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1 crashed and that they can accept arrivals again.

2 So I asked my supervisor if it's okay if I bring the King Air
3 in. And he takes a second to make sure that it is safe. He tells
4 me yes. So I bring the King Air in, clear him for the approach,
5 and I was relieved shortly thereafter.

6 Q. Thank you. Thank you. That's a very detailed history of the
7 event. I appreciate that. I just have a couple of questions, and
8 then I'll pass it around the room. Do you know if an ALNOT was
9 issued for the airplane?

10 A. We had a minute and a half to determine where the airplane
11 was at. So there was no ALNOT issued because there was no time.
12 There was not enough time. It was a minute and a half between
13 when I told the airport where the airplane, I believed it was at,
14 and them calling me back. I believe it was a minute and a half.
15 So there wasn't enough time to issue an ALNOT before we already
16 knew where the airplane was at.

17 Q. Understood. I'm talking about weather. The bases, you said
18 it decreased about 5, 600 roughly. Was there any expectation that
19 the aircraft could go missed approach?

20 A. Well, when the ceilings are low, there's always -- that's
21 always a likelihood. However, I've not had any other airplanes in
22 the airspace, I'm working multiple satellite airports, no one else
23 had went around any of the other airports. So I did not
24 anticipate the aircraft going around, or going missed, if you
25 will.

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1 Q. Understood. Map selection, had you selected the RNAV runway
2 1-4 map (indiscernible)?

3 A. Affirmative.

4 Q. Okay. That's all the question I have for now.

5 MR. OGDEN: Brian.

6 BY MR. SOPER:

7 Q. Where were you at in the Marine Corps by the way?

8 A. Cherry Point, Afghanistan, Al-Asad, where else.

9 Q. When were you in?

10 A. '05 to '14.

11 Q. We had overlapping service. I was in the Navy. I was a Navy
12 controller from '86 to 2010.

13 A. Okay. Awesome. Yeah, I was also an air traffic controller
14 instructor at the school house for 4 years as well.

15 Q. Yeah. When was that?

16 A. 2010 to 2014.

17 Q. All right. When I was retiring. Yeah. Well, that's cool,
18 man. All right, man. Thanks for your service. That's good. So
19 I just had a quick question. I'm trying to get my head around a
20 little bit of what your -- what was your thoughts about what the
21 guy was doing, when the tower called you and said, he needed to do
22 a 360. I mean like what was it that kind of entered your mind at
23 that point about what's happening here.

24 A. My thought process at this point is, as a radar controller,
25 my job is to separate aircraft from the airspace that I'm

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1 protecting for that airplane.

2 Q. Okay.

3 A. N8438B passes the final approach fix, I terminate radar
4 service and I ship them to the tower. My anticipation is if he
5 does not execute the approach, that he will come back a missed
6 approach. Anything between the final approach fix and a missed
7 approach is the sole prerogative of the pilot in charge of the
8 airplane. When they ask -- when they advised me that he was going
9 to do a 360, I asked them, is he coming back to me because I was
10 anticipating a missed approach if he's going to do something else.

11 Q. Okay.

12 A. I cannot approve nor deny that request. It's not my, it's
13 not my responsibility inside the final approach fix. If that
14 pilot is starting to turn and I tell him -- or I tell the tower
15 no, or something, how am I to assure that I can give a plane
16 terrain and obstruction clearance in a climb. So at that point,
17 that was advisory in nature, and I would not have -- personally I
18 do not know that I would have done that, but I mean I just
19 protected airspace at that point.

20 Q. Okay. All right. Here's just kind of a general question. I
21 just wonder, how is the working relationship between you and
22 Muncie Tower? And I say, you, the facility here. Do you guys
23 have -- is it a good relationship, you know? Normally things flow
24 pretty well back and forth.

25 A. Yeah.

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1 Q. Or is it strained for anything or --

2 A. No.

3 Q. -- normally it's good?

4 A. I feel like we have a very good working relationship. We
5 actually have one of our retired controllers is there right now
6 who is actually one of my colleagues before he retired here
7 recently in past years.

8 Q. All right. Cool. That's actually all I have for the moment.
9 I'm going to go ahead and pass it along to Allison.

10 A. Okay.

11 BY MS. MATTIOLI:

12 Q. When the tower called you and said that he was going to do a
13 360, did you ever assume that he was VFR or picked up the field
14 or --

15 A. I didn't assume anything because it's not my job to assume
16 things. I try to keep it pretty much black and white. If the
17 tower and the operator of that aircraft wants to do something
18 besides execute missed approach, that's their prerogative. I
19 protected the airspace which was my job.

20 Q. And I'm not trying to trick you.

21 A. You're fine.

22 Q. Do you know that -- so if Muncie were to have -- if the
23 aircraft were to execute a missed approach, what's your normal
24 instructions off of that airport? And if you don't know, it's
25 fine.

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1 A. No, it's fine. He would have climbed to 2900 direct CITUK,
2 which is the next fix off the -- straight off the runway.

3 Q. Okay.

4 A. So it's a typical RNAV missed approach where they climb
5 straight off the runway to the --

6 Q. And that's the expectation if he's missed, that's what --

7 A. Yes, ma'am.

8 Q. Okay. That's all I have for now.

9 A. Okay.

10 MR. OGDEN: Thank you, Allison. Andrew.

11 BY MR. LIESER:

12 Q. You've given up a lot of good information already. The
13 information that the aircraft was going to execute a 360 or
14 perform other than a missed approach maneuver, does -- is that a
15 common occurrence between the approach here, in Muncie Tower, or
16 is it typical that an other than missed approach procedure is
17 coordinated?

18 A. No, that's not typical.

19 Q. Okay.

20 A. Normally, I believe what happens is they call me with a down
21 time. I feel like the only reason that I was advised that that
22 was what this aircraft is doing is because I told them I had
23 another aircraft in trail, and they were trying to give me an
24 advisory that aircraft wasn't just coming in to land, that it was
25 going to do something. So I may need more separation between the

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1 successive aircraft and the arrival.

2 Q. Okay. I'm going to step away from the turn and that part of
3 the situation. There was an aircraft, I believe on the replay we
4 saw an aircraft depart out of Muncie, 10, 15 minutes prior to
5 that. They were going to Appleton. It was after the field had
6 called and sent information, Echo was current and they were IFR.
7 Do you know -- is it the expectation here that Muncie would supply
8 a bases report or get the required PIREP information for the
9 ceilings and -- well, ceilings being -- meeting PIREP solicitation
10 criteria or is that something that is typically done here at the
11 approach?

12 A. We try to get at least one or more PIREPs per hour.

13 Q. Okay.

14 A. We rely on the satellite airports to pass along those as
15 necessary. I actually got a PIREP from the aircraft that crashed
16 a little bit before that in the scenario, and it was disseminated
17 to weather.

18 Q. Okay. Along the lines of your pre-duty weather briefing, do
19 you -- the pre-duty familiarization that you did, give me an idea
20 of what that set you up to believe for the day as far as how the
21 weather was going to progress throughout the day? Do you --
22 because it appears that the ceilings and visibility kind of
23 diminished throughout the day. Was that expected based on the
24 weather briefing?

25 A. I do not recall the exact weather briefing for that day --

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1 Q. Okay.

2 A. -- because I watch the weather every day when I come in, but
3 it was my expectation that we would have marginal VFR for the
4 majority, if not the entire day.

5 Q. Okay. And so just to clarify, when Muncie called back and
6 informed you that the aircraft had requested to do a 360 to
7 reestablish, did -- what did you understand that to be? Was that
8 -- did you understand that to be a missed approach instruction or
9 just a VFR instruction issued by the IFR tower?

10 A. I anticipated the aircraft, if he was not going to do the
11 approach that I cleared him for, to come off missed. Anything
12 else that the tower or that aircraft requested to do with the
13 tower is solely the prerogative of the pilot commanding the
14 aircraft. So my hand in that was basically just to protect
15 airspace, 3,000 feet and below from all other aircraft. So that's
16 what I did.

17 Q. That's all I have for right now. Thank you very much.

18 A. Okay.

19 MR. SOPER: Casey, I just got one thing since we're right on
20 that subject, and I don't want to pass the line.

21 MR. OGDEN: No problem.

22 BY MR. SOPER:

23 Q. So I just -- it probably feels like we're kind of like
24 circling around here.

25 A. Yes, sir.

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1 Q. I'm just going to ask you straight up. So you're
2 understanding, if I'm understanding you correctly, what you're
3 basically saying is that it was your understanding at the time
4 that this aircraft had made a request to the tower that they were
5 going to turn 360. They were doing this because that was what
6 they needed to do, and this was an advisory to you only, meaning
7 you had no idea what that conversation was. You just assumed that
8 tower did their job, this pilot was requesting it, and the pilot
9 chose to do that. It was not something --

10 A. Affirmative. Yeah, there was no request made for anything,
11 no special VFR, contact approach, none of that. No request was
12 made with me.

13 Q. Right.

14 A. And I honestly, and my opinion here is if I did not have
15 another aircraft in trail, I would not have been notified of that
16 because the tower's doing it.

17 Q. Right. I gotcha. Okay. That helps me. I just wanted to --

18 A. Because typically if a guy comes in and does anything other
19 than the approach, I mean say they do get the field in sight, you
20 know, then they circle, the tower's not going to call me and tell
21 me that. I mean that's (indiscernible), you know.

22 Q. Yeah.

23 A. The only reason why I was told is because I had an aircraft
24 follow, and they didn't want me bugging them about the King Air
25 that was about to --

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1 Q. Right.

2 A. -- come in behind that aircraft.

3 Q. Okay. All right. Understood. Thank you. I appreciate
4 that.

5 BY MR. SUFFERN:

6 Q. Yeah. Well, thanks, Shawn, again for your time and we're
7 going to shift off airspace and things like that and shift to some
8 weather questions, and I'm just curious how things work here at
9 Indy for you and stuff there.

10 A. Right.

11 Q. So I'm just trying to understand how it works locally here.
12 So what kind of weather resources do you have here for you to
13 perform your duties?

14 A. Well, we have -- we take PIREPs from the airplanes. I can
15 weather request all of the airports. We have what -- I believe --
16 we have multiple airports that have their own tower there. So
17 they broadcast their own weather. Muncie is one of the nicer ones
18 that actually has their own ATIS. So that's a good thing to have
19 there and they can report their own weather. Typically when the
20 weather's diminishing, we issue PIREPs as necessary, per the 7110,
21 and I believe that hour, I may have gotten two or -- I can't
22 really -- I can't recall how many I got but I know I got at least
23 two PIREPs, possibly three, and one of the PIREPs I got was from
24 the airplane that crashed when he asked for climb.

25 Q. And, just sticking along that PIREP, do you recall any other

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1 air traffic facilities calling you and providing you PIREP
2 information at all that day or anything like that?

3 A. I do not recall. No, sir. I'm sorry.

4 Q. When the weather is rapidly changing, so obviously when you
5 got on Muncie was VFR and then they call you and tell you, hey,
6 we're IFR and Echo is now -- ATIS Echo is now this. How do you
7 stay updated on rapidly changing weather conditions when they've
8 gone VFR down to IFR or vice versa or anything like that? What's
9 your standard practice?

10 A. We typically try to get at least one or more PIREPs per hour,
11 if we can more but, you know, traffic takes the amount of weather,
12 you know, reporting that we have. I felt like as far as Muncie
13 was concerned, with them having their own tower and their ATIS and
14 things of that nature, that they issuing the weather was a very
15 good thing to have.

16 Q. Okay. How often do -- I'm assuming, and I'll mess up the air
17 traffic thing here, but when you're doing a weather request, are
18 you pulling the METAR for that airport --

19 A. I believe the ASOS. Is that what it pull when you weather
20 request somewhere?

21 MR. ROUGH: It would be the same information on the ATIS.

22 MR. SMART: Yeah. So.

23 BY MR. SUFFERN:

24 Q. Okay. And what's your practice as far as doing a weather
25 request when a plane is going inbound to a satellite airport? Do

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1 you use the weather report or if it has an ATIS, do you typically
2 tell the pilot --

3 A. So if there is a -- if it's a towered airport, obviously we
4 have the assistance of the tower there and the controllers there
5 to be able to help issue that weather to the aircraft that are
6 inbound. If it's a satellite airport that does not have a tower,
7 we will focus -- I mean I try to focus on everything about the
8 same but if it's something that I think's going to make the pilot
9 have a missed approach or things of that nature, we will weather
10 request the airport and advise them of the ceiling or, you know,
11 if I had a previous aircraft go missed especially, I would ask
12 that aircraft, hey, were the ceilings in that area, did you
13 encounter any icing in the cloud or the descent, things of that
14 nature, just to keep everybody, you know, in the loop as far as
15 the weather goes.

16 Q. And so it would be -- your expectation for Muncie because
17 they have a tower there, that if the ceiling is changing and may
18 be different than what was set out on the previous ATIS, that
19 Muncie would provide updated weather, like ceilings varying or
20 like --

21 A. Yes.

22 Q. -- if there's a storm moving of the field. So that would be
23 Muncie. Okay. How do you stay updated on weather forecast
24 changes? I know we talked about the pre-duty weather brief.

25 A. Well, we have a terminal weather forecast. I forget what

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1 it's called. You can have a weather request for Indianapolis.
2 It'll tell us what the winds are going to be, whether or not we're
3 going to have a thunderstorm like at a certain time, you know,
4 throughout the day as far as ZULU goes, usually like I believe
5 it's like every 2 hour or every 4 hour snapshot of what the
6 expected weather is. We also have a big board in the TRACON where
7 you can look over, and you can see the weather or the
8 precipitation if it's depicted. I think it's like seven states
9 wide. So whether it's moving, you know, east or west, north or
10 south, you can see the precipitation as it's coming and the level
11 of intensity on the big display in the radar room. And then you
12 also notice when it starts to come into your airspace because it's
13 depicted on the -- all precipitation is depicted on the STARS as
14 well.

15 Q. Do you have any -- that you know of, are there any airports,
16 you know, that you're working traffic to or things like that,
17 where you notice the METAR information, the ASOS or whatever
18 weather equipment is real inconsistent or go down -- goes down a
19 lot like you're doing a weather request and like it doesn't come
20 in?

21 A. No, just normally if it's, if it's an airport that I don't
22 have a lot of approaches go to. So like if they were going by
23 Greensburg, Indiana, or Sheridan or somewhere like that, that
24 doesn't have many approaches, that would, you know, you'd want to
25 pull the weather for that. But, if it's somewhere like Executive

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1 Airport or Muncie or Columbus, you know, anywhere with a tower or
2 somewhere that you have consistent arrivals going to, and you're
3 able to say, okay, this guy canceled his IFR 5 mile final. He
4 obviously has the airport in sight. The weather's good there.
5 Otherwise, there's a tower there. But, yes, if it's a satellite
6 airport, and there haven't been any arrivals, that's kind of when
7 you poke your ear up and you're like, hey, maybe we can weather
8 request this airport or get a PIREP from this guy, see what the
9 weather's like on the southeast side of the airport.

10 Q. Where does the weather generally come from for you as you're
11 working in your airspace? Does it come from southwest to
12 northeast, north to south? How do it --

13 A. It's usually from west to east, okay, eastbound flow, yes,
14 sir.

15 Q. To move on just a little bit, what's the PIREP process here
16 for you all at the TRACON here at Indy?

17 A. We want one or more per hour for arrival and departure,
18 preferably more.

19 Q. Okay. And so if you have a process, if you -- either you
20 request one that you get from the pilot or the pilot just
21 voluntarily gives you a PIREP --

22 A. Right.

23 Q. -- do you guys write it down, have like a PIREP sheet, do you
24 hand it to the sup and sup gives it to flight data? Like how does
25 that work or --

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1 A. So you take the PIREP down on the PIREP form that you have,
2 and then you give it to the clearance delivery person and that
3 person puts it in the local, in the local and IDS so you can pull
4 those up individually. So if you get a PIREP and you want to look
5 and see what it was before you were on position or the trend over
6 like say the past 10 hours, that's immediately available to you
7 and then you also have it being put into the AISR as well so the
8 meteorologist knows what the weather's doing.

9 Q. Okay. That's all the question I have right now. Thanks,
10 Shawn. That's really helpful.

11 A. Okay.

12 MR. OGDEN: Thank you, Paul.

13 BY MR. OGDEN:

14 Q. So kind of jumping around a little bit, talking about the
15 approach. Prior to Muncie calling, you vectored the aircraft.
16 You have a second one coming and you're issuing speed
17 restrictions. You're acutely aware that there's a sequence going
18 there. Did you -- did it ever appear that the first aircraft was
19 not clearly established on final?

20 A. No. It appeared to me that the aircraft was establish on
21 final fairly shortly after I gave him the intercept angle. I gave
22 him a 20 degree intercept, approximately, I don't know, maybe like
23 9 miles from the field. I know it was about 4 miles from the
24 final approach fix which is entirely acceptable for that approach.
25 It's actually what's you're supposed to do in that case. I knew

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1 there was going to be a sequence as soon as I, as soon as I saw
2 the King Air come into my airspace from the top. So my initial
3 thought was I'll slow the King Air down, vector him over the top,
4 bring him back in around to follow. That's the typical way we
5 handle -- it depends on how you want to vector the airplane, but
6 obviously after you get your 10 mile somehow and almost not
7 matching but similar speeds to be able to maintain your
8 separation.

9 Q. Okay. Can you talk me through your technique, like a
10 standard typical -- we'll go RNAV approach to that runway, you're
11 monitoring it. What is your monitoring technique after you've
12 cleared the aircraft?

13 A. My monitoring technique, I do it's called a multifunction ZZ
14 which is where you type that into the STARS, you slew over quick
15 on the airplane. Essentially what it does is it doesn't let the
16 target drop. So when the target lands, it'll appear that he's
17 either at the airport or slightly off, right, but you'll always
18 have the call sign there. Whether it has an altitude or not, it's
19 there so that you, it's just a reminder if you will, hey, I need
20 to get a down time for this airplane before I clear another one
21 into the airport. There's obviously a reasonable amount of time
22 that you will wait for the pilot to either cancel on his own or
23 you ask the supervisor, hey, 5 minutes ago this guy landed. He
24 hasn't reported at down time. Can you call the FBO? Normally,
25 the pilot forgot more often times than not. So, essentially you

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1 just monitor the, you monitor the airport. And I mean we have our
2 rules that we have to go by as far as, you know, just basically
3 just keep airspace clean until you get a down time for that
4 airplane.

5 Q. Understood. At any point in the past when monitoring an
6 aircraft it appeared that they weren't established on final, have
7 you called Muncie to issue alternate missed approach instructions?

8 A. No. The missed approach instructions that are on that RNAV
9 approach specifically, and especially when it's IFR outside, is
10 what -- I just basically adhere to that. There's no need to try
11 to change or reinvent the wheel. That's a safe climb out for the
12 airplane. So I'll let them execute the missed approach as
13 published every time.

14 Q. Understood. Okay. That's all the questions I have for now.

15 MR. OGDEN: Brian, do you have any questions?

16 MR. SOPER: I don't. I don't have anything additional right
17 now.

18 MR. OGDEN: Okay. Allison.

19 BY MS. MATTIOLI:

20 Q. Just one, and it's regarding the LOA with Muncie.

21 A. Okay.

22 Q. If you could change anything, improve anything or if you're
23 indifferent about it, what would you make better, take out?

24 A. I feel like, you know, that the most things that we have with
25 that airport are procedurally correct. In regard to changing

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1 anything, no, I don't think so.

2 Q. And the land line coordination kind of with Muncie, do they
3 -- when you guys release them for departures and say that you do
4 have a missed approach, is it usually Muncie being like, hey, you
5 guys tell me what you want me to do or is it, you know, standard
6 heading set? It's always I don't have to be on the line. You
7 know what to expect.

8 A. Typically if it's a release, I give them a heading and if I
9 want anything higher than 3,000, I'll give it to them. So, our
10 radar coverage actually isn't that good below 3,000 feet on that
11 northeast side. So typically if I have a departure and I can
12 allow them to, I will have the departure climb to 5,000, so that I
13 have better radar coverage, and I acquire the target faster.
14 Otherwise, you know, he comes off, he's talking to me, but I don't
15 have the target yet. So at times I will allow them to climb
16 higher on a departure. As far as executing a missed approach,
17 typically if the guy isn't going to land and he's clear for the
18 approach, they execute the missed approach. They call me up
19 saying he's going missed.

20 Q. Okay. And they leave the responsibility on you to make the
21 decision of a heading where you want him to be --

22 A. I typically just tell them to execute the missed as
23 published --

24 Q. Okay.

25 A. -- because that's the safety thing to do.

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1 Q. Sure.

2 A. Yeah.

3 Q. Okay.

4 A. And that's what I've protected for --

5 Q. Yeah.

6 A. -- as a radar controller. I know exactly what that
7 airplane's going to do, let's do that.

8 Q. All right. That's all I have for now.

9 A. Okay.

10 Q. Thank you.

11 MR. OGDEN: Thank you, Allison. Andrew.

12 BY MR. LIESER:

13 Q. Just a couple follow-up questions. Refresher -- referenced
14 refresher training. Have you guys, in your recent memory,
15 received any refresher training on like approach types like a
16 circle to land approach, RNAV approaches, like the differences in
17 the types of approaches?

18 A. We do refresher training all the time here on multiple
19 things. I cannot recall the exact time of, you know, as far as
20 like an actual day that we did refresher training on that, but our
21 staff specialists are pretty good about, you know, constantly
22 touching base on all of these approaches and, you know, what to
23 expect on a missed approach and things like that, to have us fully
24 prepared.

25 Q. You review those procedures in refresher?

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1 A. Yes, sir.

2 Q. Okay. Do you recall if at any time in refresher training
3 airspace is reviewed? And by that I mean VFR tower services,
4 right. So what in a class delta, the expectation of air traffic
5 service would be once you hand them off, like what they're
6 capabilities in a VFR versus an IFR or VMC versus an IMC
7 environment?

8 A. I don't recall.

9 Q. Okay. Circling back to one thing that you mentioned, there
10 was no -- you didn't get like an MSAW alert or anything like that
11 on the aircraft?

12 A. No, sir. As far as I -- because I was concerned. The 80
13 mile mark, that goes 80 miles off the airport essentially each
14 way, when I, when I slewed on the target to essentially sleep it,
15 put the multifunctions ZZ on the target, for all intents and
16 purposes, for me, it appeared that the aircraft had landed.

17 Q. Okay.

18 A. I just didn't get a down time yet. So the King Air was
19 approximately 7 or 8 miles on final. Before it gets to the final
20 approach fix, I have to make a decision about whether I'm going to
21 let him keep going or whether I take him around. So I called the
22 tower, and they said, hey, he had reported final. So, you know, I
23 wish I would have gotten a low altitude alert. Maybe if our radar
24 coverage was better in that area, we would have.

25 Q. Okay.

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1 A. But if I had gotten a low altitude alert, I would have maybe
2 broadcasted in the blind to the guy, but I didn't get anything
3 like that.

4 Q. So that kind of answers my next question. Is it normal
5 procedure on an IFR environment there that you wouldn't receive a
6 low altitude or like MSAW alert of any kind?

7 A. Honestly, at that airport, I don't believe so. No, I mean we
8 have other airports like where it will happen at and basically
9 whether you're still talking to the guy or not, I always just give
10 the broadcast. I'm like, hey, N8438B, low altitude alert and, you
11 know, the phraseology from there because, you know, I mean you
12 don't know if the guy's monitoring you or not, but you're getting
13 a notification. So you might as well say something or don't keep
14 a secret.

15 Q. And the last question I have, it's been stated multiple
16 times, you know, we get one PIREP an hour or more if you're
17 capable or have the traffic to be able to do that. I'm curious,
18 how the approach does it here. Is it for the entire approach? Is
19 it the departures gets one? Arrivals gets one. Is it geographic
20 in nature? Is it -- do I need one at Indy, you know, Indy Airport
21 and one at Muncie Airport or one at any other service airports
22 that you provide services to?

23 A. We do the best we can to get it in multiple areas across the
24 airspace. It is very difficult to get a PIREP for every single
25 airport. I think we have like close to what? Thirty airports in

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1 airspace. So for me to think that I can get a PIREP for arrival
2 and departure off of every airport within an hour, I mean that
3 would be -- I mean it would be awesome, but I don't think I could
4 -- I mean personally I don't think that -- I don't think you can.

5 Q. Okay.

6 A. But I mean you want to do the best you can get the weather to
7 pilots and I think we do that here.

8 Q. Okay. Thank you. That's all I have. I really appreciate
9 all the answers.

10 MR. OGDEN: Thank you, Andrew. Paul.

11 MR. SUFFERN: Yeah.

12 BY MR. SUFFERN:

13 Q. Just a couple more because as always, because it's always fun
14 to talk about weather. When you came here to Indy I think it was
15 late 2018, right?

16 A. Yes, sir.

17 Q. Yeah. Did you receive any weather training specific to Indy
18 when you were onboarding here that you can recall?

19 A. Well, we sit through our classes here. We are -- we're given
20 the -- I guess they've got a basic weather class. We're not LAWRS
21 observers. I was a LAWRS observer with Robinson Aviation, and
22 when I was in the Marine Corps, but you're essentially given a
23 basic weather course, and we do that through the ELMS.

24 Q. Okay.

25 A. And also a local class as well. So they do -- they kind of

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1 double hit it there --

2 Q. Perfect.

3 A. -- and tell you what the expectations are as far as making
4 sure that you get the PIREPs. And the supervisors are on it
5 pretty good, too. They're like, hey, guys, you know, we need
6 PIREPs. So.

7 Q. Okay. And then as far as, you know, now that you've --
8 you've been here for 5, 6 years. Is there any kind of refresher
9 training as far as weather, maybe seasonal, you know, or --

10 A. At least once a year, if not more, yes, sir.

11 Q. Do you recall the last one that you had?

12 A. I don't recall the last one that I had, but I do -- it wasn't
13 that long ago that we had, that we had -- we also -- we do the
14 ELMS but we also had a -- like a -- we sat through a briefing that
15 went over, like ceilings at or below 5,000, you know, turbulence
16 present, like we went through a class with that with staff
17 specialists. I don't recall when it was, but it was recent.

18 Q. Okay. Just two more. If a pilot's on an IFR flight plan, do
19 you assume they're comfortable flying in the clouds?

20 A. Yes, sir.

21 Q. Okay. And then last one, my favorite one. If I put you in
22 charge and you had won that lottery, but for one reason or
23 another, you decided to give it to the FAA and you could have any
24 weather tool that you -- for your job to make your job easier.
25 What kind of weather tool would you like?

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1 A. I'm not really sure as far as weather what else we would
2 really need. I do think that there's an area that is north of
3 Muncie Airport, northeast of Muncie Airport where our radar feeds
4 do not overlap. So as far as the FAA's concerned in safety and
5 meteorological conditions go, you guys can -- I'm not sure if we
6 have precipitation on the radar today. I haven't been in
7 operations today. But when you scan out, the RNAV 1-4 approach is
8 completely covered but 10 miles northeast of Muncie Airport,
9 there's a line about 60 miles away from Indianapolis, our weather
10 stops there. If the airplane was going to do I believe the 2-3
11 approach at Muncie, the final -- or the T fix would not be covered
12 by weather radar. So we do not know accurately what the weather
13 is about 10 miles northeast of Muncie, eastward. So there's like
14 a pie.

15 We had the techs in there last weekend, and I was asking
16 them, you know, what we can do to fix this. They said the Grissom
17 doesn't have the radar feed for the weather, that we get their
18 feed for airplanes but they don't have -- they didn't pay for the
19 pastoral weather or something. So if anything, maybe the
20 Government could pay for Grissom to have weather and we could get
21 that weather.

22 Q. Cool. That's all I've got. Thanks, Shawn.

23 A. Okay.

24 MR. OGDEN: Thank you, Paul.

25 BY MR. OGDEN:

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1 Q. Just some questions. In the operation, there was a
2 supervisor present that day, correct?

3 A. Yes.

4 Q. Had they provided any input to you on 38B as far as actions
5 to take or anything?

6 A. You know, I think everything was pretty much standard with
7 that aircraft up until he didn't go missed. I kind of raised my
8 hand and the supervisor, when he heard what they were trying to
9 ask about because he was monitoring the frequencies, his ears kind
10 of perked up. So I mean he was involved when it, you know, the
11 entire time but it was more or less just to make sure that we were
12 doing our job as far as radar goes.

13 Q. Understood. And I know we've talked a lot about this 360
14 degree turn. When the aircraft is in a 360 degree turn, did you
15 understand that he was wanting to do a 360 degree to reestablish
16 on the RNAV or was it just a VFR maneuver in your mind?

17 A. I honestly at that point was worried about making sure that I
18 kept the King Air separated from the protected airspace for the
19 Cherokee. Whether or not it's IFR, VFR, you know, maybe the
20 conditions changed. Maybe the guy could see the ground. I don't
21 know. All I know is I needed to make sure that he had protected
22 airspace. So that's what I did.

23 Q. Understood. Okay. Yeah, that's all the questions that I
24 have.

25 MR. OGDEN: Brian, any follow up?

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1 BY MR. SOPER:

2 Q. Just a couple big picture questions, just that I'm curious
3 about. How is your guys' relationship with your contract weather
4 office here? Do you have much interaction with them or do they
5 kind of stay on their own or --

6 A. It depends on who the person is. Like I know two of them by
7 name. They're really nice. They come and eat with us in the
8 lunchroom. So, you know, they're out walking around a lot. They
9 don't, you know, I've been other places where like you never saw
10 them before. These guys are constantly walking around, looking
11 outside, looking -- they do a very good job.

12 Q. They provide you good support here from a weather standpoint.

13 A. Yeah.

14 Q. You guys are comfortable with what their doing and they're
15 providing you good, updated stuff. That's excellent. Are they a
16 24 hour operation?

17 A. Yes, sir.

18 Q. Just like you guys then. That's good. So, the other thing
19 is just -- it's very general in nature, but very big picture.
20 Looking at this thing now, you're on this side of it so to speak.
21 You're able to look back at it with kind of hindsight about the
22 way things played out and you've looked at the replay I know, and
23 you've probably thought about the event a thousand times.

24 A. Yeah, or more.

25 Q. Yeah, and I get all that. So as you've done that, has

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1 anything come to your mind, have you come up with anything or is
2 anything rose to the level of your attention that says, you know
3 what? That's going to -- that changes the way I look at this
4 moving forward, like this changes how I perceive this or I'm going
5 to do this different moving forward or I'm going to ask this or I
6 think that there should be a procedure. Is there anything like
7 that that comes to your mind that could be done differently to
8 help prevent something like this from transpiring in the future or
9 do you think this was just one of those situations?

10 A. I feel like from a radar controller's standpoint, and looking
11 at the feed and listening to it, over again, over again, as far as
12 my point of view as a radar controller, there's absolutely nothing
13 that I would change because I feel like I did everything
14 correctly.

15 Q. Okay.

16 A. However, as far as the 360 thing with the tower and all that
17 goes, I mean maybe we should say, hey, you know, unless the
18 aircraft requests a circle approach with the radar controller, we
19 don't do that if it's not VFR. You know, what's the hurt of going
20 back out and doing a missed approach. There's no hurt in that.

21 Q. Yeah.

22 A. I mean I don't know, maybe the pilot wasn't comfortable being
23 in the clouds. Maybe he wanted to do that with the tower because
24 he didn't want to go back IMC again. I don't know what happened.
25 I hadn't heard their stuff.

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1 Q. Sure.

2 A. There's a point where the pilot has to climb from 5 to 7,000
3 because he was in the clouds at which I got a PIREP from him. In
4 the back of my mind, why does this guy want to climb to 7,000? Is
5 he comfortable flying in the clouds because he's IFR rated. Then
6 when he, you know, he goes down, he's talking to the tower,
7 requested to do something weird. It's like, I'm thinking to
8 myself, I'm like, you know, after, of course, why did he request
9 that? Was he not comfortable flying using his gauges, you know?

10 Q. Yeah.

11 A. But as a radar controller, you can't really approve or deny
12 anything that happens in that -- inside the final approach fix.
13 So, you know, what if the tower was not there? What if it was
14 just a satellite airport and the pilot would have done that on his
15 own. I mean the pilot can do that on his own at a satellite
16 airport if he wants to, right. So it's like what do you do? So I
17 mean I guess they could try to have some kind of process that
18 says, hey, if you're shooting an IFR approach and you don't ask to
19 circle before you pass the final approach fix, the understanding
20 is that you're going to go down, you can't make the approach,
21 you're going to come back off missed. Said and done if it's IFR.
22 If it's VFR, do as you will, but if it's IFR, straight in,
23 straight out.

24 Q. Cool.

25 A. That would have probably prevented it maybe. I don't know.

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1 Q. In your viewpoint, from your standpoint, what constitutes
2 being missed approach? Meaning when does it become a missed
3 approach?

4 A. On the RNAV approach, that particular RNAV approach, it's a
5 mile and a half final decision, height. He has to determine at a
6 mile and a half, am I going to execute this approach safely or am
7 I going to go missed. So at a mile and a half, if he didn't -- if
8 he wasn't lined up over the runway, and he didn't have the runway
9 environment in sight, or if he knew he could not make a safe
10 approach, the pilot should have climbed and went missed.

11 Q. Okay. All right. And, this is somewhat speculative. But
12 let's just say this was a non-tower field and you cleared him for
13 the RNAV, terminated his radar, waited for him to come off and he
14 called you back up and says, hey, I just passed over the airport.
15 I got a sight of it. I'd like to spin and do a 360 out here and
16 go back to land. What --

17 A. Execute a missed approach.

18 Q. Okay.

19 A. Absolutely.

20 Q. Great.

21 A. 100 percent of the time.

22 Q. Okay. Awesome. That's all I have.

23 MR. OGDEN: Does anyone else have any follow-up, any
24 questions before we stop?

25 BY MR. SOPER:

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1 Q. Do you have any questions for us?

2 A. I don't think so.

3 Q. Okay.

4 BY MR. OGDEN:

5 Q. I guess beating on that same drum, any questions that you
6 thought we would ask that we didn't?

7 A. Well, basically I mean why didn't the aircraft go missed.

8 Q. Yeah, yeah, we've been asking that right from the beginning.

9 A. Yeah. That's the question I keep asking myself is and that I
10 want to ask is like why didn't the guy just do a missed approach?
11 I feel like you wouldn't be here. It would have saved you a trip.

12 Q. Yeah, likely. Very likely.

13 MR. OGDEN: Okay. Well, if nothing else, we'll show the
14 interview done at 1202 Eastern Daylight Time. Thank you very
15 much.

16 (Whereupon, 12:02 p.m. EDT, 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: PEDESTRIANS STRUCK AS PIPER PA-28
DAKOTA MISSES LANDING AT THE
DELAWARE COUNTY REGIONAL AIRPORT
IN MUNCIE, INDIANA ON APRIL 1, 2024
Interview of Shawn Smart

ACCIDENT NO.: CEN24LA144

PLACE: Indianapolis, Indiana

DATE: April 10, 2024

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

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