

DCA23LA185

AIR TRAFFIC CONTROL

Group Chair's Factual Report - Attachment 1

ATC Interview Transcriptions

January 19, 2025

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RUNWAY INCURSION BETWEEN SKYWEST

*

EMBRAER & MESA AIRLINES AT THE BOB

*

Accident No.: DCA23LA185

HOPE BURBANK AIRPORT IN BURBANK,

*

CALIFORNIA ON FEBRUARY 22, 2023

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Interview of: BRIAN MARSHALL, Air Traffic Manager
Federal Aviation Administration

Hollywood Burbank Airport
Burbank, California

FREE STATE REPORTING, INC.
Court Reporting Transcription
D.C. Area 301-261-1902
Balt. & Annap. 410-974-0947

APPEARANCES:

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National Transportation Safety Board

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I N T E R V I E W

(10:33 a.m.)

MS. KOSCHIG: The time now is 10:33. Okay. I will be recording this interview with a digital recorder, and we'll have a transcription made. A transcription will become part of the factual report, not the audio. So, good morning.

MR. MARSHALL: Good morning.

MS. KOSCHIG: So please state your name?

MR. MARSHALL: Brian Marshall.

MS. KOSCHIG: Will you please spell both?

MR. MARSHALL: B-r-i-a-n, M-a-r-s-h-a-l-l.

MS. KOSCHIG: Okay, great. So I'm going to introduce myself again. I'm Betty Koschig, NTSB Air Traffic Investigator. I've been working at the NTSB for 15 years. My prior ATC experience is with the Navy, various air stations, ships, and finally I was in QA/QC and training at the very end -- at the tail end of my career.

MR. MARSHALL: Okay.

MS. KOSCHIG: So a little bit about the NTSB is we are an independent agency, so we don't work under the FAA, DOD, anyone. So that gives us a little bit more flexibility on what we do, and it keeps us on our mission, so we don't have to answer to anybody.

MR. MARSHALL: Right.

MS. KOSCHIG: Except for Congress. So we don't have any regulatory or enforcement powers. So mainly the power of the pen

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1 is our --

2 MR. MARSHALL: Okay.

3 MS. KOSCHIG: -- is our thing. As part of our process, we do
4 invite party members to our investigations because I've been doing
5 this for 15 years. That means I have not been controlling traffic
6 for 15 years.

7 MR. MARSHALL: Yes.

8 MS. KOSCHIG: And so we need the subject matter experts to
9 provide that information to make sure that we are looking at
10 everything.

11 MR. MARSHALL: Right.

12 MS. KOSCHIG: You know, I can -- I definitely can research
13 and know a lot about the subject, but it gives us some real time
14 expertise. So I am going to let Dan introduce himself.

15 MR. CARRICO: Brian, my name is Dan Carrico. I'm a
16 controller out of O'Hare Tower. I'm also an air safety
17 investigator with NATCA.

18 MR. MARSHALL: Okay.

19 MR. WOLTERS: I'm Joe Wolters, I'm with Denver TRACON. I'm
20 the XO up there. Up there since 2004, so terminal radar is my
21 primary background, but I do have experience at all other towers,
22 both up and down and VFR.

23 MR. MARSHALL: Thanks.

24 MS. KOSCHIG: Okay, great. And as part of the regulations,
25 you are welcome to have a representative and I do see that you

1 have one. Is this the representative that --

2 MR. MARSHALL: Yes.

3 MS. KOSCHIG: Okay. Can you please state your name?

4 MS. WRIGHT: Keshia Wright, and I am the TWALA District
5 Support Manager.

6 MS. KOSCHIG: Okay.

7 MS. WRIGHT: Do you need me to spell it again?

8 MS. KOSCHIG: No.

9 MS. WRIGHT: Okay.

10 MS. KOSCHIG: Thank you. Okay. So the reason we're here is
11 for the incident that occurred on February 22nd between SkyWest
12 5326 and Air Shuttle 5826. So what we want to do is fact find.
13 That's what we're doing. We're looking at facts trying to learn
14 about the airport and -- so that we can determine a probable
15 cause.

16 MR. MARSHALL: Right.

17 MS. KOSCHIG: The pilots are also -- that side is being
18 looked at, so there's a lot of different parts that is taken under
19 consideration. So this interview does not lay any blame,
20 liability or anything like that.

21 MR. MARSHALL: Okay.

22 MS. KOSCHIG: So if you needed to take a break while we're in
23 here, you're more than welcome. If you guys wanted to talk, you
24 know, if there's something that, you know, need to talk about
25 before you answer, fine.

1 MR. MARSHALL: Okay.

2 MS. KOSCHIG: Just let me know.

3 MR. MARSHALL: Sure.

4 MS. KOSCHIG: So during this, we're going to ask a bunch of
5 questions. If you don't know something, that's fine. I don't
6 know is a perfect answer. You are more than welcome to speculate
7 or give your opinion on things. It helps us to understand more of
8 Burbank. We want to understand this facility.

9 MR. MARSHALL: Okay.

10 MS. KOSCHIG: And all the obstacles you go through. If
11 there's something that you don't know or don't recall -- and I
12 don't see anything that we're -- I'm not going to ask if you don't
13 recall since you weren't there for the incident itself.

14 MR. MARSHALL: Right.

15 MS. KOSCHIG: So -- but we may ask you some questions that
16 are you think well, you should know that very simple type
17 question, we just don't want to put words in your mouth.

18 MR. MARSHALL: I understand.

19 MS. KOSCHIG: I am -- so first I'm going to start talking
20 about -- asking questions about some of your background.

21 MR. MARSHALL: Okay.

22 MS. KOSCHIG: And then we'll start asking some general --
23 other questions. So I'm starting now, and then we're just going
24 to bounce it around and have a conversation and see what we can --
25 what are all the questions we can ask. We seem to be digging up

1 lots of questions that we're curious about things. So --

2 MR. MARSHALL: Okay.

3 MS. KOSCHIG: -- we're so happy you're in here for us today.

4 MR. MARSHALL: Okay, good.

5 INTERVIEW OF BRIAN MARSHALL

6 BY MS. KOSCHIG:

7 Q. So first of all, how long have you been working for -- when
8 did you start working for the FAA?

9 A. I started working for the FAA on May 26, 1998. And do you
10 just want me to go on with my --

11 Q. Yes, was that the academy?

12 A. No, that was a direct hire out of the military.

13 Q. Okay, go ahead. Where did you go from there?

14 A. Go to Longview, Texas, Great County Airport, Longview
15 approach.

16 Q. Um-hum.

17 A. That's a radar tower facility.

18 Q. Okay.

19 A. And I worked there from 1998 until 2003.

20 Q. Um-hum.

21 A. From there, I went to Oakland Center --

22 Q. Um-hum.

23 A. -- which I was a controller from 2003 until 2010. At that
24 point, I stayed at the Center, and I became an operational
25 supervisor in 2010 at Oakland Center.

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1 Q. Okay.

2 A. I've only been there for a year as a sup, from 2010 to 11, at
3 which time I transferred to Oakland Tower as an operational
4 supervisor. And I was an operational supervisor at Oakland Tower
5 from 2011 until 2017, at which time in 2017, I became the air
6 traffic manager at Oakland Tower. And I was a manager there from
7 2017 until end of 2020 -- December of 2020.

8 Q. Um-hum.

9 A. Then became the Burbank manager in December of 2020 till
10 present.

11 Q. You got right here for COVID.

12 A. I was right here for COVID, right in the middle of it.

13 Q. Oh, my goodness.

14 A. Right in the thick of it, yes.

15 Q. Oh, that had to be tough.

16 A. It was very tough, it was hard.

17 Q. Yes.

18 A. It was a lot.

19 Q. I bet. So you said you were military. What service?

20 A. United States Navy.

21 Q. Okay. What years?

22 A. I was in the Navy 1998 to -- oh, I'm sorry -- 1988 until
23 1998, so ten years I served.

24 Q. Oh, okay. So where were you stationed?

25 A. I started off at Navy Fallon. And the years of Navy Fallon

1 was 1989 to 1992, at which time I went on the U.S.S. Kitty Hawk --

2 Q. Okay.

3 A. -- from 92 to 95 -- 1992 to 1995. From the Kitty Hawk, I
4 went to Navy North Island, 1995 to 1998.

5 Q. Okay, great. Do you have any college or any degrees?

6 A. No college, no degrees. All my -- just from the FAA and the
7 military. That's all where my education is from.

8 Q. That is stuff you cannot buy, exactly. So do you have any
9 pilot's license or anything like that?

10 A. I do not.

11 Q. Okay.

12 A. No pilot's license.

13 Q. All right. And you're not required to have a medical --
14 current medical.

15 A. Not right now, correct.

16 Q. And let's see -- a lot of this other stuff is not applicable.
17 Okay. So -- yes, all right. So a lot of the questions I don't
18 have to ask because they weren't applicable. So what I want to
19 start out talking about is -- I mean, I think we've already talked
20 about the incident itself.

21 A. Um-hum.

22 Q. Do you want to give us your take on the incident? I know you
23 weren't there, but --

24 A. Okay.

25 Q. Yes.

1 A. Yes. I've watched it enough.

2 Q. Yes, I bet.

3 A. Listened to it enough.

4 Q. Um-hum.

5 A. Okay. So staffing was good. I mean, it was that -- we
6 wouldn't call it good staffing. Five certified professional
7 controllers.

8 Q. Um-hum.

9 A. So that wasn't necessarily a concern at the time. Staffing
10 in the tower itself was good. I think they had four people
11 actively working and then they started combining positions since
12 it was getting in the evening. But -- so listening to it, and
13 when I first started listening to the audio, I felt like
14 everything was just a normal -- everything was going well. She
15 sounded good, you know, there was no sense of this is turning out
16 to be a bad thing. Everything was going according to, like, hey,
17 this is -- everything was going well.

18 And so when I dug in and started really listening to the
19 audio and looking at the FALCON, I did start noticing some things
20 that were that kosher, or that I thought was maybe that was
21 unusual. First of all, the configuration in and of itself, the
22 runway 26/33 configuration is not something that we do often here.

23 Q. Um-hum.

24 A. And so that in itself creates a level of complexity that
25 requires a lot of, you know, coordination and attention, I would

1 say. So that in itself, you know, puts people on sort of an
2 alert, like, hey, you know we're in this configuration. There's a
3 reason why we're in it. Usually there is a wind event or some
4 type of weather event. We're just not there -- it's not a normal
5 configuration.

6 So looking at the event and the controller, you know, like I
7 said things started off normal. What I would say that the
8 particular for me -- and this is just my own talking to, you know,
9 to my support specialists and my sups, you know, why don't the
10 VFRs get sequenced to the airport from approach, the initial.
11 It's just of the way that Ps and Qs, they don't have the sequence.

12 So that's just part of the LO, so part of the agreement that
13 they don't have to do that. I said it sure would have helped in
14 this situation had they had some sort of sequence set up. And so
15 I know that was a part of the thing that that particular
16 controller was thinking about, because, you know, that -- what do
17 I do with this puzzle, this VFR, I got my two IFRs -- excuse me --
18 my Air Shuttle and my Southwest coming in, you know, what am I
19 going to do with this VFR.

20 So, you know, so looking at it, I know that was a situation
21 that this particular controller was thinking about, what do I do
22 with the VFR. That's not -- that hasn't been figured out yet.

23 Q. Um-hum.

24 A. I had to figure it out. And so when she -- you know, like I
25 said, you know, put the SkyWest -- I'm not sure if you've -- maybe

1 you have up to this point --

2 Q. Right.

3 A. -- gave the clearance to line up and wait, a couple of
4 things. You know, have local control -- not that that's something
5 that should be an urgent thing -- but I know, you know, we want to
6 comply with local control, if we can, something we want to do. So
7 when she told the SkyWest to line up and wait -- and this was in
8 my, you know, part of my breakdown that -- of looking at it, that
9 we spend a lot of time more than we should have with the VFR
10 series. We probably shouldn't have given it the level of priority
11 that we did and that was something that's been talked to with her.

12 But the issue with the SkyWest getting onto the runway, she
13 felt a need to get that SkyWest out. And I think that -- like I
14 will tell you this and I will say this, our relationship with
15 approach control in these instances have gotten to the point to
16 where we really feel like we should get them out, we have to,
17 because releases don't come like they should.

18 Q. Um-hum.

19 A. You know, or haven't been, you know. You know, in a normal
20 configuration of 8/15, and surely not in this configuration of
21 26/33. And so I know the culture is you get a release, you try to
22 get this plane out because you don't know when you're going to get
23 your next release, at what point will you --

24 Q. Yes.

25 A. So I know that was -- I know that played a part in why this

1 particular plane got dealt with the way it did. And so for --
2 this is my own synopsis of the situation --

3 Q. Okay, yes.

4 A. -- of what I'm looking at and hearing and everything. And so
5 I'm not sure if you wanted me just to go back and tell you
6 everything, what I thought went wrong, what I thought went well,
7 or just my whole -- my whole thing is I think that not having
8 suitable taxiways to safely position aircraft --

9 Q. Um-hum.

10 A. -- for departures, in my opinion, played a role in this,
11 without a doubt.

12 Q. Um-hum.

13 A. Most airports have panel taxiways with 90-degree turn-ons,
14 and you get on the runway. You can position planes safely.

15 Q. Right.

16 A. We don't have that here. They're very -- actually, we don't
17 -- the only suitable taxiways that we really have, we have taxiway
18 Alpha, it goes up to 1-5. And we have Charlie, but then, you
19 know, that is suitable. Even Bravo on the other side over here
20 has a restriction for aircraft because it's too close. So I say
21 all that. It's like a mahjong puzzle, how you are going to get
22 aircraft where they need to go. And so it's just one of those
23 dominoes, perfect --

24 Q. Okay.

25 A. -- domino things that happen. We got flow time; oh look, I

1 got a release, you ran down. I got to get this plane out; if I
2 don't, I don't know when I'm going to be able to get him out. It
3 may be a while. And while -- in this particular case, Betty, this
4 particular case, the SkyWest did not have to get put on the runway
5 because he was well-within the wing limits of being out of the
6 runway safety area.

7 Q. Um-hum.

8 A. But the culture is -- I don't know what the percentage is --
9 but a large percentage of the aircraft that park on that side of
10 the airfield exceed that.

11 Q. Um-hum.

12 A. And so once you start moving planes, if it was a typical --
13 excuse me -- 737 aircraft and not the E75, he would absolutely be
14 in the RSA as he pushed back. And the mindset is we've got to
15 hurry because he's on the RSA. Either that plane's going to go-
16 around or we're going to have to get him going and departed, so.

17 Q. Yes.

18 A. So that's how we run that. That's how -- that is -- and I'm
19 just telling you the causal factors.

20 Q. Yes --

21 A. I'm just telling you --

22 Q. -- this is great.

23 A. -- I'm just telling you how the culture gets built over time
24 of how we run runway 26/33 operation. And I will be the first --
25 I'm not certified up there, I'm the air traffic manager, I didn't

1 go to the training program, I didn't get certified. But I have
2 seen enough of it, I have heard enough of it. I have a good
3 knowledge of the airfield, in my opinion. I mean, it's not what
4 they would have, but I know enough to hear enough of the things,
5 and I see enough of it to understand how -- when you worked enough
6 time, how they can get to the point to feel that they don't have
7 very many outs to get planes positioned and go.

8 And so you know, in my opinion what happened on February 22nd
9 truly did not happen on February 22nd. It happened three, four
10 years ago.

11 Q. Um-hum.

12 A. Because over time, that is how you have been told to work it,
13 and ultimately how you need -- how they felt they need to work it.
14 And so that's -- you know, I'm kind of rambling, I guess.

15 Q. Oh, no, this is great. You're giving --

16 A. But --

17 Q. -- me good insight.

18 A. But I do know that we need something, and I have been working
19 with Southern California TRACON. I've been working with the
20 traffic management unit there, as well as with the airport
21 authority. It's been one of the things I've -- I've been here
22 just a little over two years, but it's one of the things that I
23 have addressed it almost immediately when coming here with them.
24 We are -- we have an ongoing working group with the airport to
25 talk about our gates. We have an ongoing working group with

1 Southern California TRACON to talk about runway 26/33
2 configuration, to figure out what we can do. And this is prior to
3 this incident.

4 Q. Yes.

5 A. Prior to that -- and we are close to having something
6 implemented that would actually, in my opinion, address the
7 situation. And so -- but back to the incident itself, you know,
8 the way I see it, and you asked my opinion of it, is that it was
9 just a perfect storm of things that transpired to where we got to
10 we were. And like I said, three years ago, because the culture --
11 this is what we do. And then you have a situation with the Air
12 Shuttle coming from the east -- generally they typically don't
13 bring them in like that. They rack them back around and bring
14 them in; it didn't happen. You had the Southwest going in, here's
15 a Cirrus, and here's an Air Shuttle. The perfect storm of things.

16 Q. Um-hum.

17 A. Mix that in with the culture of how we are and how they --
18 how SoCal TRACON and Burbank relationship is. You mix all that in
19 and this is what you get.

20 Q. Um-hum.

21 A. Enough blame to go around. We know it wasn't one of our
22 finer moments in air traffic. That's, you know, I think anybody
23 will tell you that, it's not one of our finer moments. And it's
24 our job to look at it, I have looked at it, drafted in a
25 performance management, and that I think our priorities and duties

1 could have been better. So, you know, maybe don't give the Cirrus
2 as much priority than the, you know, than any other aircraft.

3 Q. Um-hum.

4 A. But, you know, so we've learned from it -- we are learning
5 from it.

6 Q. That's great, yes.

7 A. So -- and so, if there's more we need to talk about it, but
8 I'm giving you a lot of --

9 Q. No, this is --

10 A. -- of what I need -- what I thought with this incident and
11 how we got here and so forth.

12 Q. And this is great, and you're showing the fact that this, you
13 know, like we're not here to blame the local controller in this.

14 A. Yes.

15 Q. You know, this could have happened to anybody else that was
16 standing in that position at any time.

17 A. Oh, yes.

18 Q. So it's not like a person thing.

19 A. Right, right.

20 Q. So this is what we look --

21 A. Well --

22 Q. -- at, and if it happened, we're looking at the situation.
23 And --

24 A. Correct.

25 Q. -- and I'm glad you, you know, you are addressing a lot of

1 the issues --

2 A. Oh, yes.

3 Q. -- that you're seeing, which is -- that's great.

4 A. Yes, I mean, it's -- I mean, absolutely, you know. I mean,
5 there's -- when we talk about risk behavior and we talk about
6 safety culture, you know, this stuff didn't happen overnight.

7 Q. No.

8 A. And it's not necessarily going to get fixed overnight.

9 Q. Exactly.

10 A. I think that it's happening little by little, incrementally,
11 it is getting better, I would say. We're not there yet, but it is
12 getting better. I mean, I got -- you've already talked to Scott,
13 he's great.

14 Q. Yes.

15 A. I think his mind and his attitude is in the right place.

16 Q. Um-hum.

17 A. But I will say no one likes to be told what to do and how to
18 do it.

19 Q. Right.

20 A. And so we're finding out how to tear down the layers of past
21 practices and things, and it's taking time. But I will just say,
22 you know, we are working on it. And my thing is, as a manager, as
23 the air traffic manager, my job is to challenge the status quo, is
24 to look at things objectively and do the best that I can. And so
25 I'm not going to sit -- and I don't even want to point the finger

1 at S-C-T. I don't want to --

2 Q. Right.

3 A. -- do that. But I will say -- because we have to own what we
4 do -- but I will say this and it's -- this is part of knocking the
5 chip off of everybody's shoulder, I do know how it is to be a
6 small tower, and not to be felt respected by the people above you
7 who make a lot more money and who are working a whole lot more
8 traffic than you. You feel, because they are so busy, that
9 whatever they give you, you just have to work it out because
10 they're so busy and they don't mind telling you that they're very
11 busy.

12 Q. Right.

13 A. So my thing is this. It's my job as a manager to take those
14 things and say I understand, however --

15 Q. Yes.

16 A. -- we have this and this -- while you are busy, kind of still
17 is your job to make sure that you're sequencing properly.

18 Q. Right.

19 A. And you can't just say here's a tie, tower, use your tools,
20 fix it. And so that was happening, and so we're addressing that.

21 Q. Right.

22 A. And so my thing is, as far as that is, this incident just
23 highlighted a symptom of what's been going on for many years
24 before.

25 Q. Right.

1 A. Before even I got here --

2 Q. Right.

3 A. -- I will say. And so -- but we are looking at it. We're

4 not --

5 Q. Right.

6 A. -- standing pat. We're addressing it and we are taking

7 steps, and I am happy to see S-C-T being responsive to some of the

8 suggestions. I'm happy to see that the traffic management unit

9 and the TMO are being responsive. We're trying to address this

10 configuration with either traffic management initiatives, miles --

11 what are we going to do. They got -- so it's risen to that level,

12 not because of this incident --

13 Q. Right.

14 A. -- but because they know this is not working.

15 Q. Right.

16 A. This is not --

17 Q. Right --

18 A. -- working.

19 Q. -- um-hum.

20 A. And so we're trying to get it -- we're trying to fix it. And

21 so --

22 Q. Yes, it's tough when you come in and the status quo has been

23 just accepted for so many years --

24 A. Yes.

25 Q. -- and we can do this, and we'll get by. And it's difficult

1 and -- to make changes, but baby steps is what you're taking so --
2 and some big ones.

3 A. Well, I mean --

4 (Crosstalk)

5 A. Definitely, we were being given a tough hand, this airport.

6 Q. Yes.

7 A. I mean, it truly has. I don't know an airport in the country
8 where you push out of a gate and you're on the runway. I don't
9 know very many places --

10 Q. No.

11 A. -- like that out there and it's frustrating, you know,
12 because they want tools.

13 Q. Yes.

14 A. They want to be able to do the job safely, efficiently, they
15 -- and good. But right now --

16 Q. Yes.

17 A. -- they don't really have those tools right now, and we're
18 trying to get tools for them.

19 Q. Okay, exactly. And so has there been any -- is there any
20 meetings that go on between Burbank and SoCal with maybe Van Nuys
21 and Whiteman? Do you communicate with each other?

22 A. I would say less Whiteman. Maybe we should do the Whiteman.
23 I'd say less with Whiteman. The -- I mean, but we do communicate
24 with Whiteman, but I would say it's not ongoing meetings with
25 Whiteman.

- 1 Q. Um-hum.
- 2 A. As of recently, yes, Van Nuys --
- 3 Q. Um-hum.
- 4 A. -- and us and the operational support group --
- 5 Q. Um-hum.
- 6 A. -- team. We have an ongoing working meeting to address an
- 7 issue that we have called the TCAS RA
- 8 Q. Um-hum.
- 9 A. We have -- I don't know if you know -- we have just a
- 10 plethora of TCAS RA's --
- 11 Q. Um-hum.
- 12 A. -- that come in throughout runway 8 that conflicts with the
- 13 Van Nuys traffic patterns.
- 14 Q. Yes, um-hum.
- 15 A. And so when I first got here, I've been addressing it. I've
- 16 been, like, hey what can we do, I think we need outside help from
- 17 the district. I think we need fresh eyes on this particular
- 18 thing. It's been kicked around too many times from manager to
- 19 manager, from different Van Nuys managers --
- 20 Q. Yes.
- 21 A. -- or different Burbank managers. I said I think we need
- 22 outside help. Can we get the OSG people to come in and help to
- 23 see what they can do.
- 24 Q. Right.
- 25 A. We're there. We got OSG involved, Burbank's involved, Van

1 Nuys is involved. As a matter of fact, we had a meeting a couple
2 of weeks, three weeks ago, and we have some ideas of what we want
3 to do, that what we can do. So, you know, we're trying to get a
4 letter to airmen to address them, what they -- I think they call
5 it a focus note. I mean, I don't know what they called
6 that --

7 Q. Yes.

8 A. -- to basically alert them that this is a concern --

9 Q. Right.

10 A. -- it's an issue. I know that S-C-T, they're -- they have --
11 there's a chain. They're alerting their aircraft that are inbound
12 to 8 use caution for traffic -- Van Nuys traffic pattern, so which
13 is good.

14 Q. Yes.

15 A. So incremental changes, but it is still an issue. We get a
16 lot of TCASRA's in that general area. So --

17 Q. Um-hum.

18 A. -- to answer your question, yes, we have a working group of
19 -- with Van Nuys, SoCal and the OSG. We're set to meet in
20 April --

21 Q. Um-hum.

22 A. -- to talk about this particular -- and we'll probably
23 continue to do until there's something official done to see.
24 That's that one. And we have -- I have a working group -- if I'm
25 going too fast, I'm sorry.

1 Q. No.

2 A. We have an ongoing working group. My team here at Burbank
3 with the airport authority --

4 Q. Um-hum.

5 A. -- and we're just now starting to loop runway safety into
6 that meeting --

7 Q. Right.

8 A. -- to talk about the markings on the ground at the Bravo
9 gates, to talk about those issues that we have in these B gates,
10 not just for 8/15 configuration, but also 26/33 configuration.
11 That's a monthly meeting. We've been -- probably met four times
12 now. I had to postpone number 5, because I had to take care of
13 this.

14 Q. Right.

15 A. But we have an ongoing meeting monthly that we meet to
16 discuss this, to make sure that everybody has their say. I know
17 before they proceed, there's going to be a safety risk assessment
18 for that. They're going to have the users involved, the airlines,
19 which I'm going to be a part of, my group, my team's going to be a
20 part of to just toss it out there, where the concerns with this.
21 The airport knows the gate situation's not great --

22 Q. Um-hum.

23 A. -- you know, over there. They understand it's been -- it's
24 been heightened, it's been -- I've been going out there all along,
25 like, what are you doing about this.

1 Q. Um-hum.

2 A. Do you know it's unlit at night. So that's been my issue
3 with all of this.

4 Q. Um-hum.

5 A. Like, the guidance. Yes, you can paint all the lines you
6 want, but at night, it's unlit. Which is why even if an aircraft
7 -- for me, even if -- and this is where I say which I'm going to
8 bring up in -- when we have these meetings -- that even if some
9 aircraft is within those wingtip limits, I still think we need to
10 shut down 8/15. Because at night they don't know where they're
11 going. I guess, I mean, if you follow the line. So that's been
12 my concern and that's been my sort of criticism of the airport.

13 Q. Um-hum.

14 A. It's like what are you all doing to address this?

15 Q. Right.

16 A. I know they want to build a new terminal and they've hired a
17 design person who's -- to get a new terminal, but we need
18 something in the meantime, so.

19 Q. Exactly.

20 A. So they have given me -- what's the word I'm looking for --
21 the wingtip requirements of what each gate can have --

22 Q. Um-hum.

23 A. -- and we have that. And so -- for each gate.

24 Q. Okay.

25 A. And for the most part, the only gate that are -- that we are

1 able to push back and line up on the -- and technically be not in
2 the RSA is out at Bravo 4 gate. All the other ones, the aircraft
3 are too large, generally speaking, except for the E75, the 95,
4 they have to be 95 feet or less wingtip, otherwise they occupy the
5 RSA, an already shrunken RSA --

6 Q. Um-hum.

7 A. -- might I tell you -- I might have to add to that.

8 Q. Yes.

9 A. But -- so, yes, I mean, they're already given us that
10 guidance, what it is that we can do and what we, you know, as far
11 as the pushbacks and what occupies the RSA and what doesn't.

12 Q. Um-hum.

13 A. They haven't addressed the nighttime -- the lightings because
14 it's ramp.

15 Q. Um-hum.

16 A. It's ramp area.

17 Q. Right.

18 A. And so we have that working group going. And then we have an
19 ongoing working group at Southern California TRACON, the Burbank
20 area, this tower, addressing the 26/33 configuration along with
21 8/15. We just had to finish one aspect of it with runway 15,
22 where they're now required to coordinate arrivals for runway 15.
23 They didn't used to have to do that.

24 Q. Oh.

25 A. And so I got them together and said listen, I said we need to

1 know when we're getting 8/15, not because we just want to make
2 your job harder, but because we need to know when we can push out
3 of these gates. Or we will push out of the gates, and you give us
4 the 15, and now what do we do because he's in the RSA.

5 Q. Um-hum.

6 A. And so this is why -- and so we do now have in writing, and
7 we put a notice out that's already been briefed out by everybody,
8 it was effective February 16th or 19th, I can't remember what it
9 is, February 16th or 19th --

10 Q. Um-hum.

11 A. -- that states that SoCal will coordinate the first SoCal
12 sector receiving a request for a 15 arrival must coordinate with
13 Burbank tower --

14 Q. Um-hum.

15 A. Okay. And then we have the -- no, we can't enable or okay.

16 Q. Um-hum.

17 A. Come on in. That's just -- I don't know if you want to --
18 that's like a win for us.

19 Q. That is a win.

20 A. Because we've never had that before.

21 Q. Um-hum.

22 A. In the past, there's -- I'm going to touch on some of the
23 safety culture stuff here.

24 Q. Yes, okay.

25 A. In the past, you just get a data block blast to you. He's

1 coming 15, no coordination, nothing, and figure it out.

2 Q. Yes.

3 A. So it's either try to rush his -- the pushbacks, checklists,
4 and hurry up and get out of that -- unhook and go, or you're kind
5 of doing this number, and it looks like he's going to go around.

6 Q. Right.

7 A. And so that's -- and so -- and I know Scott's big on this.
8 He goes -- and I said, look, there's nothing wrong with the
9 transmission of go-around --

10 Q. Um-hum.

11 A. -- if that's what is the safest transmission --

12 Q. Right.

13 A. -- you can make.

14 Q. As a matter of fact, we need to let the commuters know that
15 that's okay. I mean, it's not okay in the sense that this plane's
16 got to go --

17 Q. Right.

18 A. -- back around. But I'd rather have you say go around than
19 set up there and have a risky procedure.

20 Q. Right.

21 A. However, it's better now.

22 Q. Um-hum.

23 A. They coordinate 15's. We know when we can push -- if we push
24 -- you know what I mean, we don't sit there and have to like, hey,
25 is he coming, because they're going to coordinate a 15 and they're

1 -- and we can say enable --

2 Q. Um-hum.

3 A. -- and that's fine. So that's what we're doing. We had a
4 working group to do that, which we resolved that half of it. Now
5 we're still working on the other half of 26/33 configuration, and
6 we haven't quite wrapped that up because there's some language
7 that needs to be refined in the house of SoCal, in the traffic
8 management unit.

9 Q. Um-hum.

10 A. They want to refine some language. I think they finally got
11 that, and we're waiting to get scheduled together to talk about it
12 to see if everybody agrees with what -- and it's going to be a 90-
13 day test.

14 Q. Oh, okay.

15 A. So it's going to be a 90-day test period to see if this works
16 and if it works. So we do have some things in place to try to --
17 and I wish we had it, because I honestly believe -- I'm going to
18 take that back.

19 Q. Um-hum.

20 A. The SkyWest was 95 feet. It would not have addressed -- that
21 would not have addressed that, because that plane could have
22 stayed put on that area --

23 Q. Right.

24 A. -- where he pushed and be not in the RSA. So I don't want to
25 say this would have fixed that.

1 Q. Right.

2 A. I don't want to say that, because we didn't have to put the
3 plane on the runway.

4 Q. Right.

5 A. It could have stayed put right there. But to give you an
6 idea, you know, this new test procedure is going to give us more
7 tools to be able to safely push out of the gate and not feel
8 rushed --

9 Q. Right.

10 A. -- to get that plane pushed and unhooked, get it released and
11 go.

12 Q. Yes.

13 A. Because that's currently what we're doing. They feel amped
14 up to, like, I got to hurry up, he's on the runway, I got to go,
15 and the arrivals are coming.

16 Q. Right.

17 A. So right now this is going to, hopefully, address that aspect
18 of it.

19 Q. Yes, that's a very real feeling. I mean, even some pilots at
20 airports they have a feel to get out because they've got their
21 clients, it's at -- the logistics --

22 A. Yes.

23 Q. -- we've got to launch. So this expectation, it's a real
24 feeling and I'm glad that you're addressing that part. A question
25 about -- you were just talking about meetings with SoCal and all

1 of them. Do you meet in person or --

2 A. No, we have not met in person. We've met over -- the airport
3 we do.

4 Q. Okay.

5 A. They come here.

6 Q. Okay.

7 A. So the airport, they come here, we meet.

8 Q. Oh, great.

9 A. SoCal, they're down in San Diego, we meet over the telecon --
10 we have a telecon --

11 Q. Okay.

12 A. -- teleconference, and I bring my computer, because I think
13 they set up either a Teams meeting or a Zoom meeting. I bring my
14 laptop in here with my group and if they need to share a screen,
15 we -- I pull it up and we can see it. But typically --

16 Q. Right.

17 A. -- it's on -- it's over the phone.

18 Q. Okay.

19 A. So that's kind of how we're able to meet with Southern
20 California TRACON. But the other ones, Van Nuys same thing, it's
21 over Teams or Zoom, not in person. Obviously, they're in
22 Washington state and so, you know, just --

23 Q. Yes.

24 A. -- you know, we just use technology where we can. But the
25 airport -- an airport authority meetings, we meet in person right

1 here.

2 Q. Right.

3 A. And -- yes.

4 Q. You know, one of the things that -- you know, I know when I
5 went in the tower and I'm sure that you guys could chime in on
6 this, but going up there, you see Burbank on a -- on the airport
7 diagram. And you look at it, you're like, okay, so you got this,
8 this and this. But you go to the tower, you look out there and
9 you're like, wow, this is -- it does -- the diagram doesn't do
10 it --

11 A. It does not.

12 Q. -- justice of what you're dealing with.

13 A. Correct.

14 Q. And I think -- I really wish you could get people from SoCal
15 to come up to look, to walk in that tower and you would probably
16 have a totally different understanding of what you're dealing
17 with, because the diagram, the map, and what you're really dealing
18 with, there's --

19 A. Right.

20 (Crosstalk)

21 A. They say two different things.

22 Q. Yes.

23 A. And to be honest with you, they have in the past come, but
24 they have a good turnover rate, and so --

25 Q. Right.

1 A. -- and then, like, when things get lost in translation and
2 people come and they go, and they forget.

3 Q. Right.

4 A. They just forget that we're not asking like -- for instance,
5 let me give you an example.

6 Q. Um-hum.

7 A. When we're in 8/15 configuration and we have a row of planes
8 on taxiway Alpha --

9 Q. Um-hum.

10 A. -- ready to go and we're trying -- we're running them down
11 and we're not getting any responsiveness, we could call up and say
12 hey, and we got planes that want to push out of the gates and the
13 local controller and the ground controller coordinate this because
14 obviously they're going to occupy the runway if they push back.
15 The local controller does not want to give up his departure runway
16 if he's going to get a release --

17 Q. Um-hum.

18 A. -- imminently like within 30 seconds.

19 Q. Right.

20 A. So Valley Burbank, can -- and they -- not very responsive, so
21 it's frustrating to us. Or we do get them and I'm not even --
22 like I said, I want to be clear, I am not pointing a finger at --

23 Q. Right.

24 A. -- at SoCal. I don't -- I feel like they've gotten better.
25 I'm stating to you past --

1 Q. Right.

2 A. -- things that have happened --

3 Q. Right.

4 A. -- from what I heard from controllers how it goes. Valley
5 Burbank, non-responsive -- unresponsive. And they're, like, I
6 want to push your guy, but if I push him, it's going to take 5 to
7 7 or 8 minutes to be able to push, unhook, taxi clear to RSA.
8 Because what has happened in the past, they will say expect a
9 release in 8 minutes or 10 minutes. Okay, great, ground 1-5-0 to
10 pushback, right.

11 Q. Um-hum.

12 A. They do it. 45 seconds later, you got three releases. I
13 just gave up my runway. Okay, hold. Then they go back to Van
14 Nuys.

15 Q. Um-hum.

16 A. Van Nuys is going in like when can I -- and then we go back
17 to the same cycle. Valley Burbank -- crickets. Valley Burbank --
18 crickets. When can I get a release? I'm waiting for 4 off of Van
19 Nuys. So what I'm getting at here -- I hope I'm explaining it --
20 is that when you get a release, you want to keep your release,
21 which takes me back to the 26/33.

22 Q. Um-hum.

23 A. I got a release, I want to go because I'm not sure when I'm
24 going to get another one. That's just -- now, we're
25 professionals, it's our job to be safe, keep the plane safe

1 regardless of if you get a release or not. It's our job to make
2 good choices and good decisions. But I'm letting you know how
3 stuff gets filtered in your mind --

4 Q. Um-hum.

5 A. -- and we deal with 8/15 all day long. And that is how
6 communication at times goes between SoCal and Burbank. It has
7 gotten better, I will say. It has gotten better, but this is,
8 like I said, February 22nd didn't happen -- it happened years ago.
9 Many, many years ago working it and dealing with them over and
10 over and over again. So when you feel like that, if you get a
11 release, you got to take it, then that's what happens.

12 Q. Okay.

13 A. You know, that's the ordeal.

14 Q. Okay, absolutely.

15 A. And so they're our counterpart there. And we -- and I don't
16 want to feel like that. I don't want to throw them under the bus.

17 Q. Right.

18 A. Obviously they, you know, they're from the other way, I
19 guess, you know, and we have to make the proper choice to do it
20 safely, and obviously, you know. So that was that, you know. And
21 so -- that being said, I hope I'm showing you how this stuff gets
22 ingrained in people, and I would love to bring them here to see
23 this --

24 Q. Um-hum.

25 A. -- because you're right, the picture doesn't do it -- the

1 diagram doesn't do it justice. All the terrains sitting around
2 you, and you see all the terrain. There's not very many outs
3 that you have to turn airplanes and do things with because of the
4 high rising terrain --

5 Q. Right.

6 A. -- and so forth. And so -- and the fact that they're used to
7 not picking up the lines when we call.

8 Q. Um-hum.

9 A. It's all of that. And I have to share with the OM on
10 occasion, like, when we call you it's not to harass you, we really
11 need you. We really want to get an answer for the pilots that
12 are, like, when can we go, when can we go, when can we go. We
13 want to get them -- and so -- and, plus, we want to get them
14 pushed out of the gates.

15 Q. Right.

16 A. It's not a normal airport. If we didn't have to -- we'd love
17 to just push them and go, but we can't. We have to share that
18 pushback with the local controller and the runway. So it's a
19 dynamic that I don't think they appreciate fully.

20 Q. Right.

21 A. That hopefully, you know, over time when we have discussed --
22 they've come down. It's not a consistent -- it's not an everyday
23 thing. I would love for them to come down and see this.

24 Q. Exactly.

25 A. I think the airport's -- I think they know.

1 Q. Right.

2 A. Oh, yes, we know, we know, you know.

3 Q. Right.

4 A. I know you know. So -- and so -- yes, we got some things, we
5 got some lessons learned out of this that we hope to brief out to
6 the -- that we will brief out to the facility, you know.

7 Q. Okay.

8 A. It'll be ongoing lessons learned that we will continue to
9 refine and update as we go forward, you know.

10 Q. Okay, great.

11 A. And so -- yes.

12 Q. I'm going to let the other guys ask some questions.

13 BY MR. WOLTERS:

14 Q. Yes, so all of -- it's great information. We certainly
15 appreciate it. So let me get in a little bit more into, like,
16 current times a little bit --

17 A. Sure.

18 Q. -- what the facility is doing a little bit more and what not.
19 So first -- so when you came into the facility in 2020, early 21.
20 So that did you do -- you didn't go through the training program,
21 but how did you get up to speed, how did you learn the ops, what
22 did you do --

23 A. Listened, read the information, listened, observed and so
24 forth. I mean, like I said, I don't -- I know that -- you know,
25 probably -- I don't want to say a pedestrian knowledge of it, but

1 through discussion, through listening to audio, observing, reading
2 the LOA, reading the SOP. I'm not going to say I memorized it or
3 know what the --

4 Q. Yes.

5 A. -- you know, forward +and backwards. But I know how to find
6 information. I've been to other towers and so forth to know rules
7 and things of that nature, yes.

8 Q. How much time, on average, do you think you spend in the
9 tower a week, a month?

10 A. Probably like two hours a week, and it probably should be a
11 little more. But I will say this, and I will -- whether it's a
12 reason or not or a good reason or not -- I will say when I got
13 here, this is the first year that I felt like COVID's not an
14 issue. During the height -- when I was there, I was all about
15 producing the footprint size in the tower cab. Not spending time
16 up there trying to -- because COVID -- we take a COVID hit, we
17 shut down. So my mindset was I'm reducing the footprint size and
18 we're going to accept -- we're going to distance ourselves and so
19 forth.

20 So that was the mindset. This is the first -- right now, the
21 -- I feel like that COVID's not an issue to where we don't feel
22 like that if we get a COVID hit then we shut down our airport. So
23 that time in the tower should increase for me going up there and
24 observing, which it has slowly right now, not as a result of this,
25 but because I felt like that, you know what, I felt like COVID is

1 slowly dissipating and it's not going to be an issue. And so --
2 and I know the district is encouraging managers to do it more. We
3 got an initiative going out to make sure we increase our presence.
4 That has been slowly being pushed out, and you will see that -- or
5 should -- see managers in the operation a whole lot more now.

6 MS. KOSCHIG: Oh, great.

7 MR. MARSHALL: Yes.

8 BY MR. WOLTERS:

9 Q. So it's great to hear you've got these ongoing work groups to
10 try to, you know, change culture, change relationships and what
11 not. Who from your facility is typically involved in these
12 decisions?

13 A. City representative, my staff support specialist, who also
14 operates as a subject matter expert, my operational supervisor,
15 the Local Safety Council -- and she's also -- I'm still trying to
16 get him scheduled for a Local Safety Council training. But the
17 union side of Local Safety Council, we have an Article 114 rep
18 that also is a part of it. So I have me, the rep, my support
19 specialist, my sup, Local 114 and the local -- so 6 of us are on
20 these calls typically. That's the one for the airport. At the
21 very least, it'll be me, the rep and the staff support specialist.
22 That's at a minimum. The -- when we need the other ones, we bring
23 them in, Article 114 and Local Safety Council.

24 So right now for the Van Nuys one, it's myself, the rep and
25 my support specialists. They're the ones in there. So we haven't

1 needed an Article 114 rep, probably should introduce maybe the
2 Local Safety Council into that one, sure. But at the very
3 minimum, it's myself, the rep, support specialist, and as needed,
4 the 114 rep and Local Safety Council.

5 Q. Let's see here, just real quick for config and just the SoCal
6 conversation. So you have a win with the 15 coordination.

7 A. Yes.

8 Q. You, and honestly others, have said coming from the east
9 landing is a rare type thing. Do they not coordinate that? Do
10 they give you a heads-up when that happens? Should that be a
11 thing?

12 A. I'll be honest with you because I'm not certified up there.
13 I asked the question, just like you're asking, hey, what's going
14 on here. And I've been advised that that's not normal. So what's
15 normal? Normal they bring them through, and they bring them back,
16 wrapped around. So to be truthful, I think it's just -- it wasn't
17 coordinated, so I would say that it's probably not required to be
18 coordinated, but I would have to look at our LOA and go back to
19 see if that, in fact, was the way he was coming in on a visual.

20 So maybe that was the reasoning that they could just --
21 airport said clear him, but I didn't know typically they set them
22 up differently and this time they didn't. So I don't recall if I
23 was -- I would have to look at my LOA to see if that's something
24 that is a required coordination piece by SoCal TRACON.

25 Q. Let's see here. Let's see, you mentioned the LSC. What type

1 of stuff are they working on?

2 A. Right now, they're just assisting with these work groups. We
3 have not had the most active LSC for various reasons. COVID was
4 one of the reasons we weren't meeting and just a lot of turnover
5 in supervisory to have an established charter LSC. You need a
6 representative from management, and you need a representative from
7 the union. And right now, I'm trying to get him trained. He --
8 honestly, he's just been here one year, and he's only been
9 certified -- I think it was August actually -- so he's not even
10 been a certified supervisor for a year yet.

11 So I'm trying to get him onboarded, I'm trying to get him
12 completed with the charting of our LSC. I sent an email out to
13 the Partnership for Safety to get scheduled dates. They're not
14 every week or every -- they're just random, so you're just kind of
15 like -- so he did get set up for some training, but I -- actually,
16 it wasn't a training; it was just a webinar. So I have to get him
17 another -- you're probably familiar with the Local Safety Council
18 and how they work. It's not like you got -- it's a tiny thing,
19 so.

20 Q. Yes.

21 A. So to answer your question -- I forgot your name, I
22 apologize.

23 Q. Joe.

24 A. Joe, to answer your question, the only thing they're working
25 on is assisting us with these work groups right now. I know that

1 the rep and I had talked to -- gotten together and spoken that we
2 really need to get together and maybe have a concerted effort with
3 Van Nuys' Local Safety Council, specifically to do with the RSA
4 stuff to just to get together to make sure that we are
5 consistently talking together. And I would love that.

6 But I will say this, Joe. I want to have all these workers;
7 I love work groups. However, I won't supervise it. And you --
8 and so, typically speaking, the rep and myself, when we're putting
9 the work groups, we aren't -- I forget the technical names -- but
10 we are the ones that put them together and we put the team
11 together. We're not necessarily a part of the group. I have one
12 sup. He can only do so much. Well, my thing is you're in the
13 operational oversight and he's got -- now we're -- have three
14 people in training. But still, that's a lot for one sup. And I
15 have two more coming -- no, I'm sorry -- three more coming for
16 training. We have three more coming.

17 And so you know, and you know what it's like to put people in
18 training. You need to do mostly proficiency assessments, you need
19 to do training team meetings, and you need to do a biannual skills
20 evaluation all on him. He's the sup of record. So my thing is
21 this -- and he's on the Local Safety Council. And so if I have to
22 put together a work group as we did put work groups for our SOP,
23 put together a work group for our local training arm. It's him,
24 and so it's unfair. It really is unfair. It's a problem that the
25 lower-level facilities deal with consistently. So pick and

1 choose, what do we do? And so this is where we are right now.
2 And so I don't want to overtask him, but it's like if we're going
3 to have a successful and honest to goodness real working group,
4 that's the dynamic of it. That's how it is.

5 BY MS. KOSCHIG:

6 Q. How long have you had just one sup?

7 A. It's been a while, a long time. So I will say this, and I
8 want to speak truthfully. We had two sups but not certified sups.
9 When Scott got here last year in 2022 --

10 Q. Um-hum.

11 A. -- he was in training. I had a supervisor who was training
12 him, but was already selected to go to ZLA, LA Center.

13 Q. Oh, okay.

14 A. Okay. And I got him on loan to -- can I keep him until
15 Scott's done.

16 Q. Right.

17 A. Okay.

18 Q. Um-hum.

19 A. So they said sure. Scott was a burner, he got it done quick,
20 and I was able to let Stevie, who was the sup going to LA Center,
21 go away. And so I had Scott. Prior to Scott arriving on the
22 scene in 2022, I had Armando Sandoval, who was the operational
23 sup, and Stevie Nicks, who I spoke of. Also Armando lost his
24 medical.

25 Q. Um-hum.

1 A. So he ended up being disqualified medically.

2 Q. Um-hum.

3 A. And he's our support specialist in Long Beach. So I would
4 say one certified sup the entire time that I've been here for two
5 years. And prior to that probably -- I can't really speak to
6 that, but I can only say -- hearing the murmurings at the
7 facility, they will say I can't remember when we had two sups. So
8 it's been a while --

9 Q. Yes.

10 A. -- just to give you the inside. It's been a long time.

11 Q. And what's the outlook on you getting some more?

12 A. We just had a supervisor selected and thankfully he has been
13 issued a tentative offer letter. He's going through the security
14 background checks right now. I'm not sure when we're going to get
15 him --

16 Q. Right.

17 A. -- because he has to be released from his facility.

18 Q. Right.

19 A. He's already coming from a facility that's really short-
20 staffed. So I'm not sure when we're going to get him. But I will
21 say this. I have been asking -- as a matter of fact, Joe, you all
22 know how the process works with DDH and stuff, so you know -- you
23 put a bid out -- actually I put a bid out, paid move, \$27,000 for
24 two sups. This was last -- geez, June, July, whatever it is. So
25 I've been waiting a while.

1 Q. Um-hum.

2 A. And so -- as it is now, I've got one offer. That's -- I'm
3 going to actually put out another one again once this one expires
4 if we can get another sup. So I've been asking for a long time
5 because I understand what they want us to do and what we are
6 actually capable of doing requires more than one sup.

7 Q. Right.

8 A. You cannot accomplish it effectively.

9 Q. Um-hum.

10 A. We get -- we can get -- we'll get the job done, but it can't
11 be accomplished effectively with one supervisor. It's tough.

12 Q. Right.

13 A. And so I don't know when we'll get this one, but I have been
14 asking for a while for -- and so would this have happened if I had
15 a sup up there that night? I don't know. Who knows, we won't
16 know. I like to think not. I like to think this would be a
17 totally different situation here, Betty, if I had a sup up there,
18 but I don't know.

19 Q. Right.

20 A. We don't know. I can't say what -- so.

21 BY MR. WOLTERS

22 Q. What's your thought on SOI's?

23 A. I'm not opposed to SOI's. And like I said, if -- and I may
24 do one now that I got a sup coming -- I may just talk to the DEA
25 about it. Was it the DEA or no -- was it my -- well, someone in

1 the district about the SOI. I'm not opposed to an SOI. I think
2 that I was just -- I guess for me, I was just really hopeful that
3 this process would have been a lot quicker.

4 But I will say this -- and I don't know. I don't want to,
5 you know -- I know that from past experiences -- and I don't know.
6 Maybe you can speak better with the unions. I think they're
7 afraid of them sometimes because of their seniority. I don't know
8 if their seniority's affected by SOI's or not. And I know that's
9 been an issue before where people don't want to lose seniority
10 within NATCA, so those aren't necessarily always -- because I
11 would love to put SOI's. Hey, if you ever wanted or thought about
12 being a sup at any time, this is an opportunity to do it in a
13 facility, in a place that you already know.

14 But I don't know how -- there's always been ins and outs of
15 is it going to affect seniority or is it -- I don't have knowledge
16 of that to be truthful.

17 Q. Yes, you know, I mean, obviously for me, I mean, that's their
18 personal choice if they want to go for it. You know they're --
19 I've never been one to want to prevent somebody from choosing the
20 career path they want to. And, I mean, the answer's always no
21 unless it's out there, right.

22 A. That's a good point.

23 Q. So --

24 A. Yes, that's true.

25 Q. -- I just want your thought on it.

1 A. So -- no, and so to answer your question, yes, an SOI has
2 been brought up. And that may be a good bridge builder until I
3 get the one that I just got selected. So we have been tossed out
4 as I said because -- yes, because I know it will compete with
5 deviations with an SOI. So that's a good tool that we're -- we
6 are talking about, without a doubt.

7 Q. So that's good. What about -- so changing culture, moving
8 things forward. Can you speak to your LRSAT a little bit and how
9 -- who's involved in that in particular. Does SoCal dial on to
10 help build the understanding? What's --

11 A. I think --

12 Q. -- what's that conversation like?

13 A. We have a pretty robust LRSAT. We had to move it, because I
14 was actually scheduled today, as a matter of fact. We had to --

15 MS. KOSCHIG: Oh, sorry.

16 BY MR. WOLTERS:

17 A. -- move it to June. That's okay, no problem we moved it to
18 June. But runway safety's a big part of it, obviously. They're
19 involved. Fernando Morales, who's our runway safety person out of
20 LA, he's involved, and we do the airport management and their
21 team's involved. We do -- a lot of airliners are users from -- air
22 carriers involved at Whiteman pilots out of there. They get
23 involved. And I think sometimes we used to help facilitate
24 Whiteman's. I don't think we're doing that anymore. I think
25 they're taking on more responsibility for their own. I think the

1 operational support group people out of the Seattle area, they get
2 involved.

3 It's a pretty highly involved where -- LRSAT. And so -- and
4 it's good. I mean, my support specialist, he facilitates our
5 LRSAT here locally. He facilitates ours. I'm involved, the rep,
6 NATCA's involved. I think -- and Local Safety Council, Sosa, he
7 was involved. This is speaking of our last one. And so we
8 usually use the same sort of invite email list to send out, and
9 then we try to cast a broader net, you know, accordingly and so
10 forth.

11 So, yes, it's a very -- I would say -- I mean, very well-
12 received, you know, from our -- and we have a couple of action
13 items that we're still probably going to roll over in this next
14 one, too, so.

15 Q. And kind of tied into that whole thing -- I can't remember
16 the actual name of the video -- but at complex airports --

17 A. Oh, from the flight deck.

18 Q. From the flight deck. Has that been done here?

19 A. It has been done. And --

20 (Crosstalk)

21 Q. Sorry, has that been shared with SoCal? Did they --

22 A. I don't know if it's been shared with SoCal. I know it's
23 been shared here and throughout -- that's a good question. I
24 don't know, I don't know that it has been shared with SoCal or
25 not. I know I've seen it, and I know that the things that have

1 been addressed are GA specific sort of things. And I know that a
2 lot of the things that we -- because we gave a lot of input --

3 Q. Um-hum.

4 A. -- to them when they were developing this from the flight
5 deck video. Four GA pilots that want to know what's going on and
6 it was a lot to do with our airspace. Something to do with the
7 airport itself, but a lot to do with our class Charlie airspace.
8 And we -- because we wanted them to know about our terrain, how to
9 get through this airspace, and we said we are freeway specific.
10 We use a lot of the freeways to get through here.

11 So if you're going to fly, know the freeways and freeway
12 directions, and how we're going to communicate to you to follow
13 this freeway and follow that freeway. And so I thought it was
14 well done. I mean, I can't -- I haven't seen it in a while, so I
15 can't speak --

16 Q. Do you know how long ago it was?

17 A. Probably last year --

18 Q. Oh, last year.

19 A. -- that they did it. Yes, last year. It was recently just
20 done.

21 Q. I wonder if they would consider like an air carrier
22 centric --

23 A. Like from the flight deck?

24 Q. -- from the flight deck for Burbank to kind of get that?

25 A. They may, I think we do address it from the standpoint that

1 if we -- if you end up on this side of the airfield, know this.

2 Q. Okay.

3 A. I think we have. I got to look at it again. To be honest
4 with you, I have not looked at it in a little while to see what
5 part of the air carrier side we do exactly address --

6 Q. Okay.

7 A. -- and see.

8 Q. So my last question for now -- and then I'll turn it over to
9 Dan -- regarding the 90-day test for 26/33.

10 A. Yes.

11 Q. So as we've learned in all this, that configuration is very
12 seasonal.

13 A. Correct.

14 Q. You just -- you really don't know when it's going to happen.

15 A. Correct.

16 Q. How do you do a 90-day test for seasonal --

17 A. Okay.

18 (Crosstalk)

19 A. Yes, I mean, that's a good question. That's fair. I guess
20 that's a good point. And so I think that was -- the probably was
21 the selling point --

22 Q. Um-hum.

23 A. -- to say we won't be locked into it. We will give an
24 opportunity to test it and if we have problems -- I don't know how
25 to say it. I think it was just one of those little selling points

1 that say, hey, let's just -- what's the harm. Let's do it and see
2 how it goes. Right now -- and you're right. It is seasonal. And
3 it's always -- if we're in that configuration -- which I'll put on
4 my lessons learned -- if we are in this configuration, it's for a
5 reason.

6 Q. Um-hum.

7 A. It's a winter weather event. So I -- you know, honestly, I
8 think that everybody always wants, before it's made permanent and
9 our ways have changed, to have an opportunity to see if it's
10 working or not working before being written into an LOA. I think
11 that's the only reason why they want a 90-day test to give that
12 opportunity. Maybe it was 90 days because I've heard of 30-day
13 tests, maybe it's 90 days to give that -- and I honestly believe
14 we did that because we thought we would have that test already up
15 and running already. But it's been a little longer because
16 internally at SoCal between the area and traffic management,
17 they're having issues with language, so they're trying to work it
18 out.

19 Q. Got you.

20 A. I'm ready to go with it, because when we were -- we're ready
21 to do it. I was, like, well, you guys work out what your inner
22 squabbles are, get it -- we're ready to move on with this. So I
23 think -- I just reached out to the airport airspace and procedures
24 manager there. He said he was waiting for language, which he just
25 got, and I just talked -- sent an email to him a few days ago and

1 he is in the process of putting together a meeting for everybody
2 to come together --

3 Q. Um-hum.

4 A. -- my team and their team so we can talk about language and
5 have an opportunity to address it and get this thing moving. So,
6 yes, for sure.

7 MR. WOLTERS: Dan, your --

8 BY MR. CARRICO:

9 Q. Work groups -- I love work groups, too. Do you have scoping
10 documents for your airport work group and your S-C-T work group?

11 A. I do -- no, I don't. The only scoping document I have would
12 be for the Local Safety Council. And the one -- and I'm going to
13 say this for the airports -- it kind of organically just happened,
14 because it started off with an SRA -- a safety risk assessment --
15 with the helo situation that we had. It started off with an SRA
16 and I said, hey, I just want to keep this going because I want to
17 make sure we don't forget about it, and then it just sort of
18 started morphing into this, to be honest with you. So there was
19 no scoping document that was actually written. It was just more
20 one of those let's just keep meeting.

21 Q. Okay.

22 A. And we call them a work group for lack of a better word. We
23 do call it a work group and it probably could absolutely be a work
24 group if the rep and I go ahead and decide to put it in writing.
25 But, in all honesty, I don't know -- I guess it could be a work --

1 but how to include them in my sort of work group at the airport.
2 It was just more of a working meeting. Let's continue to just
3 keep rolling it over until we have exhausted everything and gotten
4 to some sort of a resolution with this. So that's kind of -- it
5 just organically happened --

6 Q. Okay.

7 A. -- to be honest with you.

8 Q. What are the goals of these meetings and that's what I'm
9 trying to get at is really, if you don't have a scoping document,
10 then why are you meeting?

11 A. So the --

12 Q. What is the goal?

13 A. No, good point. So the goal is -- for the SoCal TRACON -- to
14 come up with a resolution, something for 26/33 and 8/15. We met
15 half of that goal, which we are dealing with right now. And the
16 other one was to come up with something because I didn't know what
17 we needed, what could be done. I know we needed something so the
18 first thing -- so the goal was to come up with a plan for 26/33
19 and how to safely and subsequently, efficiently use that
20 configuration. And so that was the ultimate goal, and so -- and I
21 know I needed traffic management's input because they needed to be
22 involved in the accident.

23 Q. Okay. How about with the airport authority? What are your
24 intentions and goals there? Are you addressing things
25 specifically or -- if so, what?

1 A. Ultimately -- like I said it started off with the helo thing.
2 And my goal was to have a definitive, absolutely no, you're not
3 going to be able to land on a taxiway with a helicopter and this
4 is why, or you tell us yes in these specific parameters, you can
5 utilize the taxiway. That was the goal for that. And the goal
6 was to keep that goal because they wanted to do an SRA, which we
7 started, but they also wanted to talk to their executives to find
8 out if they're going to be able to do it.

9 And I thought it would be a very simple request. And I
10 didn't realize it was more involved in that than what I've seen
11 and -- than what I'm hearing. And so -- and like I said I just
12 did not -- I've seen, or I've heard the managers and other people
13 try to address certain things and then it just gets lost. I
14 didn't want to keep kicking this can down the road, so I said
15 well, let's just keep meeting. Let's keep it -- every -- we have
16 a bi-weekly meeting with the airport that they put together, and
17 every meeting when I say, hey, where are we on the helos? I just
18 wanted to keep it going. I didn't want it to get lost. And so
19 that came and then we started talking about we wanted to re-stripe
20 the B gates, and that precipitated because two planes --

21 Q. Right.

22 A. -- hit wingtips.

23 Q. Yes.

24 A. And so -- we got to -- because they have lines all over the
25 place. So that we see a need to redo our lines. So I said let's

1 just keep talking about it. Let me tell you what we have going on
2 here, I said, and we want to make sure that you are hearing our
3 concerns. So we -- so the airport set it upon themselves -- let's
4 just have an ongoing meeting. I said okay, that sounds great.

5 Q. Um-hum.

6 A. And we start off over there, but then they said, you know,
7 it's better to come here, because we don't have the parking
8 restrictions that they would have. So they -- so we've been
9 coming here and meeting every month to talk about that, Dan. And
10 so the goal, as it pertains to the airport is number one, to have
11 a procedure -- because I wanted to clarify, okay, which -- what is
12 -- what planes can push where and not occupy the runway, what is
13 the wingtip limits. I want it definitively written because I know
14 there was some discrepancy in what we had, what they had. So --
15 and they were redoing the line.

16 So our goal was to, like, let's keep talking about it, let's
17 keep coming together, let's keep tossing these things around until
18 your lines are done and we know what we're dealing with when we
19 build a new terminal, which -- I'm okay with that, too. And so, I
20 guess, that was the objective, and the goal was to not allow
21 things to slip through the cracks. That was my goal, because I
22 know that if you're not -- you know, I guess that no news is not
23 always good news, and people -- and as long as I just keep -- hey,
24 let's keep meeting and I know we're going to talk about it. That
25 means that they're going to come and hopefully do their part and

1 get information.

2 And so -- and I think this particular airport authority
3 group, I love. They're more -- they're responsive to my request.
4 I feel like they really want to work with me. Not so when I first
5 got here. I felt like they didn't want to deal with any of this
6 stuff. And I felt like we're making progress in all -- the helo
7 thing, as well as this B gates. B gates are just what they are
8 and there's not much they're going to be able to do, to be honest
9 with you.

10 Q. Right.

11 A. They're just what they are.

12 Q. Um-hum.

13 A. So, yes.

14 Q. Okay. So the LSC is scarcely meeting? Is that --

15 A. Yes.

16 Q. Okay. Mandatory safety discussions. Are those being
17 produced or sent out?

18 A. Yes, they are. They are not being briefed face to face,
19 which I just talked to my sup and said, yes, we need to start
20 briefing those face to face. He knows it. The way we were
21 disseminating up on to this point, we're through -- we're
22 electronically through CEDAR -- it was at -- you're talking about
23 the ATSAP reports and the SICP's? Those --

24 Q. Yes. Well, there's a monthly safety inspection, too, that --
25 it's not just the ATSAP reports or the SICP's. It's the safe

1 discussions that's mandatory.

2 A. Which -- okay, so -- and it -- so you're not talking about
3 those two briefings that are sent out?

4 Q. Yes, there's that part of it and then they develop local
5 issue stuff that -- local content that would go into it to make it
6 more effective for the facility.

7 A. Oh, okay, okay. I'm going to have to look into that,
8 honestly speaking.

9 Q. A lot's going on? How often are you availing yourself to the
10 shared services council? What kind of shared services support are
11 you getting?

12 A. I think we do pretty good, but we're not as needy as other
13 facilities, because I do have a staff support specialist that
14 handles a lot of what I need, QC stuff. But I know she won't
15 talk, but she's my QC manager, and she has volunteered to bring us
16 -- Burbank and Van Nuys under her, and she's been great. She says
17 I need your RSAT, so I know she wants -- I know she's interested
18 in the RSAT -- I need your RSAT date as soon as it was canceled
19 and it was rescheduled, get me the new date. So I know that
20 that's available to me.

21 As far as training, not very much. I know that they are
22 concerned with our national training initiative. But like I said,
23 I mean, I might pull shared services. If I need something, I feel
24 like I can ask for it, but again, I have a support specialist and
25 I'm thankful for that. And I think that I get what I need from a

1 quality control standpoint either through -- from her or through
2 him.

3 We do have a training rep here who is involved with our
4 training, along with the staff support specialist. So I'm not --
5 I support shared services. I know that Drew my support
6 specialist, helps out smaller facilities. So not only am I asking
7 for -- I actually get out the services. He goes down and helps
8 out with their QC and training and teaches in things like that.
9 So we're definitely supporting that model, for sure.

10 Q. Okay.

11 MR. CARRICO: That's all I got for now, Betty. Thank you.

12 MS. KOSCHIG: All right.

13 BY MS. KOSCHIG:

14 Q. You really -- you discussed a lot of things that you're doing
15 and a lot of things that, you know, there are some obstacles. Is
16 -- besides those, is there anything else that you have been trying
17 to get fixed or done that you just are hitting a brick wall?

18 A. Up until this point, my OS's.

19 Q. Right, yes.

20 A. I mean, I still like to have three.

21 Q. Um-hum.

22 A. I'm allocated three; I'd love to get three. That would be
23 great if I can get three OS's. So that -- up until this point, I
24 would say my OS's. I would say the helicopter thing --

25 Q. Um-hum.

1 A. -- definitely. Definitely I don't understand what's the
2 problem. I'm having a hard time wrapping my mind around why we
3 just -- why we don't have that and why we can't get it.

4 Q. I totally agree with you on that one.

5 A. So that's definitely the thing that really baffles me a
6 little bit.

7 Q. Um-hum.

8 A. As far as other things, I mean, like the OS's --

9 Q. Um-hum.

10 A. -- give me two more OS's. You know, we can manage it better,
11 and the helo thing. I think that would be good and we're making
12 progress. I'm happy with the 26/33. The fact that they're
13 actually listening and actually being helpful, you know, I mean,
14 everyone. Better than being ignored. So I wouldn't call that a
15 brick wall at all, at least not right now.

16 Q. Any type of equipment or stuff that is --

17 A. You know, one of the things that I ask for -- oh, boy -- was
18 another printer, an FDIO printer. We need another redundancy, and
19 I am trying to talk with tech ops to see how we can do that.

20 Q. Um-hum.

21 A. Get another printer, except that one's out. If we can just
22 have a little more redundancy.

23 Q. Um-hum.

24 A. And I don't want to call it a brick wall. I just know I need
25 to revisit that again --

1 Q. Um-hum.

2 A. -- because our tech ops people are great. I mean, they --

3 Q. Um-hum.

4 A. -- do a good job for us. I don't want to say that's a brick
5 wall, but it's just --

6 Q. Right.

7 A. -- that's definitely a piece of equipment that I would like.
8 I would love to be able to -- and I don't know how we can do this
9 -- I'd love to be able to consolidate the NIDS and the ASOS
10 information, all that into one so we can clean up that area where
11 you don't feel --

12 Q. Um-hum.

13 A. -- you know, inundated with screens. I think there's a way
14 to do it. I've not been able to figure it out, how to do it or if
15 it's even possible. But if it is, we'd love to do that one screen
16 that has --

17 Q. Um-hum.

18 A. -- a NIDS or ASOS stuff to be able to operate it in one -- so
19 that's -- you know.

20 Q. Oh, yes.

21 A. That's one thing.

22 MS. KOSCHIG: I didn't know if you guys knew anything about
23 that, so.

24 MS. CARRICO: I don't --

25 (Crosstalk)

1 MR. CARRICO: -- I still have ideas for it.

2 MS. KOSCHIG: Yes.

3 MR. MARSHALL: Yes, we had --

4 MR. CARRICO: Yes. That -- it has -- it literally has
5 stickers all over do not turn off, because that thing will never
6 turn on. It's like a 286. Yes, I think my -- yes.

7 BY MS. KOSCHIG:

8 Q. For airport equipment -- well, like the localizers fan out,
9 and I heard that the radar was out.

10 A. Oh, boy.

11 Q. Do you feel the -- I mean, this is outside of the realm, but
12 it's -- it impacts operations. So how are you addressing those
13 issues and tell me a little bit about that?

14 A. Okay.

15 Q. And how often it's out?

16 A. Not often. Oh, probably when it rains. We don't get much
17 rain -- I mean --

18 (Crosstalk)

19 A. In all honesty, it doesn't go off that much, speaking of the
20 localizer and the radar for that matter. It doesn't go off that
21 much, but --

22 Q. Um-hum.

23 A. And it's so -- it's like the perfect storm. I mean, goodness
24 gracious. The way I address it, like I said I have a really good
25 relationship with my SSC manager.

- 1 Q. Okay.
- 2 A. We feel very comfortable --
- 3 Q. Okay.
- 4 A. -- picking up the phone and talking to each other. And he's
- 5 been great, very responsive. If I need anything, he's like --
- 6 he's -- he doesn't -- he picks up the phone and that's half the
- 7 battle, answering the call. So I initially -- I have no problem
- 8 picking up the phone, asking him directly, you know, hey, what's
- 9 going on with this, can you give me an update? The radar was the
- 10 big one. That was the -- and it wasn't even a radar outage --
- 11 Q. Um-hum.
- 12 A. -- per se. It was just our connection to the -- our Burbank
- 13 -- STARS connection was out.
- 14 Q. Um-hum.
- 15 A. Radar works -- SoCal like radar. It worked without a doubt,
- 16 but we didn't have that display because our connection was lost --
- 17 Q. Um-hum.
- 18 A. -- to the Burbank tower. And so, you know, immediately when
- 19 that happened, I thought it would be a quick fix, but it didn't
- 20 end up being a quick fix. It was out for over a week. But, you
- 21 know, so I was able to -- the -- and it's not even their issue.
- 22 It was contracted out with FTI. I'm not sure if you're familiar
- 23 with FTI --
- 24 Q. Um-hum.
- 25 A. -- and who -- basically it was a contractor issue. They

1 maintain our lines and so that -- it was a problem, and so, like I
2 said, it resolved. It took about a week to fix it, but --

3 Q. Um-hum.

4 A. -- I mean, I put out -- just to keep people -- I put out
5 messaging to the tower, I'm like, hey, this is where we are, you
6 know. Please just stay focused and this -- and I just put out --
7 until then these are my expectations of what services we're going
8 to be able to provide and what services we're not going to be able
9 to provide. And I put that out to the tower to let them know that
10 this is what's going on. So, yes.

11 Q. Okay.

12 BY MR. WOLTERS:

13 Q. I want to transition the conversation a little bit to DVA's
14 the change tool, vectors below a minimum altitude to -- that sort
15 of thing. So what was kind of your knowledge before, I guess,
16 when you walk in the door and then how the change kind of
17 transpired, how it happened here, and just kind of the overall
18 process for how that took place.

19 A. Well, I was never familiar with DVA's until I -- here. We
20 didn't do DVA's when I was up there. But when I got here in 2020,
21 2021, the DVA's existed where they were able to utilize them quite
22 effectively, you know. I know they had a bank of headings that
23 they were able to use. I can't tell you the degrees of those bank
24 of headings, but we had a bank of headings that we were -- areas
25 that we were authorized to use this particular rule. And so

1 leading, you know -- but leading into the end of 2021, beginning
2 of 2022, it was informed that they were going to be changed or
3 gotten rid of --

4 Q. Um-hum.

5 A. -- for missed approaches and go-arounds. DVA's still exists,
6 from what I understand. They still exist for departures, but not
7 for go-arounds and missed approaches. And my understanding is if
8 you're going to utilize them, you have to issue it to him while
9 they're on the ground. You have to take him off of the SID and
10 give him a heading, and then instructions on a redrawing,
11 coordinate it with SoCal, who's going to put him back on the
12 procedure.

13 It -- so I know that during this working group that we have
14 with Southern California TRACON and us -- it was all the tower but
15 us -- would be -- it's so laborious to do this for an aircraft on
16 the ground. You need so much time, that it almost was going to be
17 never used because of it. And obviously, we don't have a it for
18 the missed approach and go-around. The DVA are not authorized
19 for missed approach and go-around.

20 And so that's my pedestrian knowledge of DVA's and my
21 understanding of how we got there. I know that this was a
22 national directive. This is not a SoCal-ism or a Burbank-ism.
23 This is something that has come down from the national level that
24 this is what needs to happen, and your LOA's need to reflect this.

25 So we're -- and so in all actuality, we were actually given a

1 waiver to extend it because it was supposed to be done by December
2 31st or December of 2021, something like that. We received an
3 authorization to extend that until June of 2022 because we were
4 dealing with the Super Bowl. And so we got that authorization to
5 continue the status quo of what we are doing until the Super Bowl
6 was over, so they gave us till June of 2022 to come into
7 compliance, which we did.

8 Q. So tie this into the event that happened, a month or so ago,
9 so -- and that that just MDA's and what not. What's kind of the
10 word amongst the work force with how they can handle go-arounds
11 with missed approaches and what not? Are they -- do they feel
12 like they're tied into something, or do they know they have
13 options if the rules are applied correctly?

14 A. I think they understand the DVA as it pertains to the SID --
15 and I'm just speaking very casually --

16 Q. Um-hum.

17 A. -- you know, that -- and understand that it was involved that
18 in this particular instance, there's a lot of top work that needs
19 to happen if you're going to put this departure -- take him off
20 the SID and put him on a DVA because you think that you're going
21 to need it.

22 Q. Um-hum.

23 A. And so I think that -- and here's the thing. They're -- we
24 want to be rule followers.

25 Q. Um-hum.

1 A. We want to follow the rules, and by rules I mean, 7110.65
2 rules, LOA rules, SOP rules. We want to follow them; we want to
3 comply with them. And so our first inclination is to comply with
4 the rules, and that is if there's a go-around, missed approach,
5 turn left at 2-7-0, climb and maintain 18,400. That's complying
6 with the rules. Now I do know -- and this is why we want to --
7 nobody wants to say but regardless, you're going to have to break
8 the rules to keep -- do this. Our mindset is we want to follow
9 the rules.

10 And I know that that's what her intention was, to follow the
11 rule given to her. And so they feel -- let me just -- I don't
12 want to tell you what they feel. I don't want to get into
13 anybody's feelings. I'm just going to say it is my hope, and
14 expectation, that we separate airplanes first, coordinate second.
15 That is our ultimate, without a doubt, been communicated to the
16 work force. Separate first and I want to say -- and if that means
17 break the rule, break the rule. But if that means you had to turn
18 the plane, then you turn the plane.

19 Q. Yes.

20 A. And so -- but I will say this, had we had those DVA's --
21 because I think prior to that we had a, I think, it was 2-5-0 to
22 3-0-0 was our bank of headings that we had. Turned a guy and he
23 would have been off on his merry way. It would -- that would be
24 the hope that that's what would have happened.

25 Q. So when the DVA's -- when this change happened and 5-6-3 was

1 added to .65, the vector below MDA, how was that briefed where the
2 controllers conveyed that, hey, you know, you still have options
3 with what you can do. You can still assign a heading. How did
4 that training come out for their -- was there good conversation
5 with it? Just kind of the feel for how they received the training
6 when -- because that's a big change.

7 A. It was a big change, and it was face-to-face, down here, a
8 PowerPoint. I wasn't in here for the briefings. I got the
9 briefings, I read it, I understood it, worked with my support
10 specialist to deliver it, along with the sups who were here to
11 look it over. It was a PowerPoint that we put out. And I'll be
12 honest. It was -- even going through the work group, it was,
13 like, we were still trying to wrap your mind about what we can and
14 what we cannot do.

15 I do know that what was conveyed -- and we tried to tell them
16 -- I hate to say in the most simplest way on how to do it
17 effectively. And it would be -- if they're on instrument
18 approach approach, give them the publish missed approach. If
19 they're on a visual approach, 5-6-3 complies, but that going below
20 the MVA is authorized because they're assuming they're on terrain
21 obstruction clearance and you can turn them.

22 But in either way, like I said, the rule followers. 2-7-0 is
23 your heading, we're giving them 2-7-0 even if they're below the
24 MDA. We can give the that. I think, because they don't have
25 other headings in which they can reference, no one believes that

1 they can turn them into those other headings until we get approval
2 from the sector.

3 Q. Was anybody from OSG part of the conversations with how all
4 this transition was going to happen to -- because they're --
5 really also they're the experts in, you know, helping all these
6 facilities make the change. Will they have --

7 A. I would have to ask to go back and look at the list of who
8 was on that call, but I would have to go refer to the airspace and
9 procedures manager, who actually facilitated the discussion from
10 SoCal.

11 Q. Okay.

12 A. So he was the one -- it was his meeting. It's to help along
13 with all the other folks and the reps on that call to get this
14 information so that we can get the LOA updated.

15 Q. Okay.

16 A. That was -- to answer the question, Joe, I don't know if OSG
17 was on that call. I'd like to hope that they were.

18 Q. Yes, that's --

19 A. I don't know. I don't have the roster of who --

20 Q. No, I'm just trying to get a feel for how this -- how it all
21 happened, and --

22 A. Um-hum.

23 Q. -- how the work force was briefed.

24 MR. WOLTERS: So do you have anything else for that?

25 BY MR. CARRICO:

1 Q. Yes, actually because I just -- you brought up the LOA and it
2 reminds me. I mean, in the LOA it's a 270 at 4000, and yes we'd
3 like to be rule followers. We also assume, for the most part,
4 that an LOA is designed --

5 A. Right.

6 Q. -- to maintain standard separation.

7 A. Correct.

8 Q. That's why we have a letter of agreement on what we can and
9 what we cannot do. Clearly in this case, the SID conflicts with
10 the predetermined --

11 A. Correct.

12 Q. -- headings. Again, you can do anything with coordination.
13 You yourself said that they are not typically responsive. I think
14 in this case -- I didn't hear the tape yet, but I understand that
15 they were somewhat responsive. Why have a heading in there then
16 if I got to call and coordinate, or why not just have the heading
17 of 250 to 300. Is 270 TERP'ed for something or --

18 A. I think part of it is -- and -- I think a lot of it is
19 because you have Van Nuys over there. I think that had a lot to
20 do with it. Van Nuys was a, my understanding, a concern during
21 all of that, because they're -- if we're -- you know, they're
22 coming off and I think that was part of it. And I thought during
23 the -- if I looked at -- and I don't want to -- I may be
24 misquoting -- that they wanted missed approaches and go-arounds to
25 mimic departure procedures, because we know departure procedures

1 are TERP'ed. And so I think that had a lot of sway in how we were
2 going to design and give our go-around and missed approaches.

3 Q. Okay. I mean, it's just -- yes, I don't see the -- in this
4 incident, it led to the incident.

5 A. Right.

6 Q. And led to the proximity of these airplanes. And I'm just --
7 I'm really trying to understand why we're locking the controllers
8 down as rule followers, because --

9 A. Right.

10 Q. -- if I comply with the rules, I don't get in trouble.
11 Because the expectation is --

12 A. The rules keep you out of -- keep you --

13 Q. Yes.

14 A. -- in compliance.

15 Q. From the controller's standpoint. And as soon as I deviate
16 from -- and I've been on enough SRT calls. The expectation is
17 that we follow the rules, and we deviate from the rules the first
18 thing typically the ATM says is I expect them to comply with this
19 SOP and the LOA. So --

20 A. No, I mean --

21 (Crosstalk)

22 A. No, I mean, this is actually good discussion and maybe this
23 is part of putting our procedures to a stress test and another set
24 of eyeballs.

25 Q. Yes, well, I think we --

1 A. And so --

2 Q. -- stressed it.

3 A. No, I --

4 (Crosstalk)

5 A. No, what I'm saying is, like, sometimes when things are
6 getting -- and such a huge change like you mentioned, Joe,
7 sometimes you don't see that particular thing as an issue. You
8 know, I mean, sorry to say, but that's just being honest, you
9 know. That's just the facts, you know. So -- but, you bring up a
10 good point, Dan, that if we had LOA's and SOP's and orders, and if
11 we follow them, that should be a good thing and a safe thing. And
12 I understand that. It makes -- so I know that this is -- yes, I
13 mean, I definitely will sit down with Southern California TRACON
14 and see what we could do as far as within the scope of what their
15 traffic going on and, you know, obviously this is one of those
16 findings that needs to be dealt with, you know.

17 Q. And another point I'll bring up -- and, again hindsight 20/20
18 and all that good stuff -- but in this particular case, when you
19 look at this and you said earlier we should not be afraid to say
20 go-around.

21 A. Right.

22 Q. And that's --

23 A. That's true.

24 Q. -- exactly what happened. If I had said go-around, we are,
25 you know -- and that's the issue. So it's really tough for a

1 controller now sitting in the per few to say man, if I had said
2 go-around, that's what I get. So I ain't going to let him land
3 next time or I'm going to just, you know, however that works out.
4 So I think that's just problematic and that really, in my opinion,
5 is that the LOA needs to be really examined. I think there's a
6 lot of confusing points that I'm trying to pull it up here, and
7 I'm having a hard time just to -- because I think at attachment 6
8 is very conflicting to what's in the LOA, earlier parts of it.
9 And then in addition to that, your SOP is outdated in comparison
10 to this --

11 A. Yes, we were ready to -- the SOP sent out and then we pulled
12 it and said let's -- because we had other things that we wanted to
13 add to it. So, yes, we realized that, and we do have one that's
14 in draft status. It's been in draft -- we were trying to, like,
15 we were hoping that it wouldn't take as long as it's been taking
16 with the -- we thought we'd get the helo thing and we thought we'd
17 get the gate thing, but it's just -- took a lot longer than --
18 it's taking a lot longer. So, yes, maybe we'll just pause what we
19 have and then do either some change or addendums. I don't know.
20 So that's -- but that was our thought process. And we know that
21 it is currently not where we want it to be, our SOP, but yes.

22 BY MR. WOLTERS:

23 Q. Let's see, since we're talking a little bit about training,
24 let's transition to kind of just the training program in general,
25 what your thoughts on it, the TSS, do you think it's effective, is

1 it up to date, who manages the TSS, just kind of in general.

2 A. Well, I'd like to think our local training here being
3 effective. I have my support specialist who does a lot of the
4 teachings who have -- who is -- or was, I should say, sort of my
5 controller here, so he knows the operation really well. He does
6 the classroom teaching part of it, and we will send -- everyone
7 goes to the TSS. So we send OJTI to the TSS, along with a
8 certified controller who's going to work the other position. So
9 we do our own -- the only thing they support us down there is the
10 remote pilot.

11 So it's all in-house, what we do. Our teaching, our
12 classrooms, our instruction down at the lab. As far as
13 effectiveness, I think it's good to be able to get phraseology,
14 the consistent use of phraseology to see how -- to build in some
15 conflictions in -- I think it's less effective in this way. They
16 haven't figured out how to implement our ARTS keypad in the TSS.
17 We use it a lot here. It would be highly effective, in my
18 opinion, if they could figure out a way for us to utilize our ARTZ
19 keypads in a TSS for practice. It's always a slow thing for
20 people to learn how to type and talk, and it's non-existent in the
21 TSS.

22 And so from that perspective, it's less than effective. It
23 hasn't posed an issue in OJT here in the tower to the point to
24 where people weren't able to catch on and learn it and do it to
25 the point to where they couldn't get certified. So that has not

1 been an issue in on-the-job training. We do have a practice one.
2 Like I said, it's not hooked up to anything, but they can
3 practice, give them a script and practice and so forth. We have
4 that. But from an actual TSS training point, that's probably the
5 least effective of all of our scenarios is the -- that -- not
6 having that -- being able to be implemented in a simulated
7 environment.

8 Q. How often are the scenarios updated, validated?

9 A. We just recently -- and I'd have to ask Devon, one of our
10 guys who went down there. He had some free time helping redo and
11 refreshing -- that just happened last year -- of a lot of our
12 scenarios. Went down and updated it to the call signs that we use
13 today and not call signs of years ago. We are in the process of
14 trying to get more 26/33 scenarios. We only have one right now,
15 and so that was a finding in this -- of all this.

16 We did that, and so we realized that we need more of unusual
17 type scenarios, which we are in the process of trying to --
18 getting some developed. So that's a finding we're going to use.
19 So, yes, I mean, we utilize the TSS, probably not to the greatest
20 advantage that we could, but, you know, this event has highlighted
21 the need to do that very thing for everybody, specifically to
22 address the 26/33 complexity. So that's one of the things that
23 we're going to share a part of our lessons learned outtake to the
24 facility, is the expect everyone to get -- cycle through the TSS,
25 probably before the start of the 26/33 season.

1 Q. And when is that typically? Nobody's ever really mentioned
2 that.

3 A. I put it in my findings. I said typically between, I say,
4 September, October and January during that year. Like I said,
5 it's kind of odd we've been having a lot. So that's typically
6 when we're going to get -- but then again, it can -- this area is
7 -- I'm not sure if you've heard of the Santa Ana winds.
8 Typically, you know, when it happens, you know, we get, you know,
9 some Santa Ana's that can kick up and we can get windy days. So
10 that shifts our -- so it is good that we should send them out and
11 get people just so we can, I guess, get their mind set up for the
12 configuration and the complexity.

13 Q. Okay. And you kind of answered my -- because I was also
14 leading into refresher and recovery type training, and you kind of
15 alluded to that, that you're going to make the -- make those --

16 A. It is.

17 Q. -- trainings a little more robust. What other type of
18 refresher training do you do other than TSS, in particular for
19 this type of scenario? How do they stay up to speed on --

20 A. So --

21 (Crosstalk)

22 A. -- we have a refresher. We have an unusual situation
23 refresher that talks about the go-around situations. And then so
24 that is an annual sort of thing. Talking to you about support
25 specialist, you know what, maybe what we need to do is be a little

1 bit more creative in our delivery --

2 Q. Um-hum.

3 A. -- with the refresher trainings, so they're just not --
4 here's a piece of paper, read them. So we're probably going to be
5 more PowerPoint driven and -- for refreshers, face-to-face, not
6 delivered in CEDAR, not delivered through Teams. We're going to
7 probably -- not probably. We've already talked -- we're going to
8 do more face-to-face, PowerPoint driven, interactive, you know.
9 We already do recurrent training.

10 So, you know, if this is what we got to do to make it more
11 creative, when we change our placards out every so often for a
12 reason, so maybe we need to change our delivery point for
13 refresher training for reasons we don't -- so then we're just
14 going to, like, mix it up a little bit here.

15 Q. Great.

16 A. So that's in the works. We talked to him so we'll -- I can't
17 say it's done. So we still got to develop that PowerPoint, but we
18 will be developing PowerPoints to be able to be more creative on
19 our delivery for our refresher training.

20 MS. KOSCHIG: That's great.

21 BY MR. WOLTERS:

22 Q. And then would you plan on doing that like -- in Denver, you
23 know, we have thunderstorm season, we have nice --

24 A. Yes.

25 Q. -- snowy season, and we make sure we --

1 A. In the time that -- that season you want to hit it --
2 Q. -- just like a force, so --
3 A. Yes.
4 Q. -- is that something that you --
5 A. So yes --
6 Q. -- talk about, put it in your calendar?
7 A. For sure, and we want to -- you know -- and I will say this
8 -- and I'm going to sit down with Drew -- we don't want to give
9 IFR refresher example of -- special VFR refresher in the middle of
10 summer when we never had to see it. We want to prep it to when
11 it's going to be useful, to get them thinking about it. So we're
12 going to be -- he and I -- looking at the calendar more closely to
13 say -- making sure -- but he did tell me this. He said, you know,
14 when we have situations happen, I sometimes want to move that up,
15 the calendar, to say, hey, let's talk about this now. And I'm
16 okay with him being creative because I don't want to micromanage
17 his job.
18 Q. Um-hum.
19 A. I want to give him the ability and freedom to be creative,
20 dynamic and how he wants to deliver it within the scope of what
21 needs to happen. But I do -- but he does understand that special
22 VFR time, when we don't get our IFR low ceilings, this is the time
23 when we need to do it and so forth. But he knows he can be
24 creative in other ways. But one of the things that he just said
25 well, yes, I don't want to do it because it might be death by

1 PowerPoint. I said, well, we just need to change it up a little
2 bit, you know. You know, as I told you it's not all mundane, so
3 let's just make sure that we give them variety at different types
4 of training, and that's kind of what, I think, the point I was
5 getting at. Change it up and have the delivery, you know, be
6 changed up a little bit.

7 Q. Sure.

8 A. And, so.

9 Q. What about -- since we're rolling on this subject -- what
10 about crew briefings? What are your thoughts, do they exist --

11 A. They do, they exist. We kind of got off track a little bit,
12 and I don't want to make COVID an excuse, but, you know, I don't,
13 and so -- but. And this is not the reason why we're talking about
14 it, the event -- we just so happened to be here. But it is a
15 thing that we have already talked about with my sup and a support
16 specialist about we need to start getting people in this room for
17 group briefs. It is a thing, they do exist, it's typically in the
18 web schedule when a particular person's crew brief is. We just --
19 we have to like, now, go forth and do it sort of thing. It does
20 exist.

21 It is farther right now and been talked about how we're going
22 to deliver it and how we're going to do it. So, yes, absolutely.
23 Crew briefs exist and they're going to be the fabric of Burbank
24 here going forward. It will be something that we do, hopefully,
25 consistently, you know what I mean. You know, given the -- where

1 we are in our staffing and so forth. But that's something that we
2 definitely want to do. Again, another change in delivery of
3 information, and not just through CEDAR.

4 Q. Do you know when your last ECV was?

5 A. Burbank's last ECV was 2019, prior to me. And I'm surprised
6 -- I'm expecting one this year. As a matter of fact, I can almost
7 guarantee you we will be getting one this year. We're supposed to
8 get them every two years. I'm just being honest. I can almost
9 guarantee you it won't happen this year. So our last one was
10 2019, and so we'll have, you know, when I got here. I said man,
11 what's going on, we should have the ECV. And I already know some
12 of the things that weren't great on our last ECV, so I'm already
13 kind of, like, thinking about that. So
14 hope --

15 (Crosstalk)

16 Q. I don't think, you know, they're not bad. Everybody
17 perceives them as all this --

18 A. No.

19 Q. -- horrible thing. It's just a good review of the ongoing
20 of a facility.

21 A. Without a doubt, yes.

22 Q. So with that, kind of segue off, do you have any current caps
23 or anything in the facility that you're working on?

24 A. We don't have any caps in place right now. You know, I'm not
25 opposed to them. I'd like to do a very good -- with Drew in sup,

1 I'm going to be pulling him more off of it, because we need to
2 reduce his administrative responsibilities for OSA's. I like to
3 see trend in drift before we -- I like to start from the bottom.
4 We see something, hey, put out a briefing, like, hey remember to
5 do it.

6 That being said, no caps. We don't have any caps in place
7 right now. I'm not opposed to them. I've done them before, I've
8 done a cap before. I'll probably need help developing a cap if I
9 need one, because it's been a while since I've made a cap. But
10 I'm not opposed to them and I think they can be effective, you
11 know, different things. And they don't have to be long caps.
12 They can be short, intermediate caps, I know that. So, yes.

13 Q. So caps -- so then the ICV or yearly review, what's -- what
14 was the biggest item that came out of your last year's ICV?

15 A. The biggest item that came out of last year's was not --
16 radar identifying aircraft properly. Leaving out a step, you
17 know, that sort of thing. That was one of the things that we
18 addressed on one of our last year's ICV was we weren't doing radar
19 identification properly. They weren't doing it, you know,
20 position coordination, co-relation, a squawk code. We weren't
21 doing it, validating the Mode C.

22 So that was one of the things that we addressed through the
23 ICV and through OSA's and sending out a briefing in the interim
24 and just highlight it. I'm not sure if we did that as a
25 refresher, but I got to -- or a supplement training. I got to ask

1 him how we addressed that. I know we did address it. And it had
2 to do with, honestly speaking, with -- we had a lot of new certs.

3 Q. Um-hum.

4 A. We had a bunch of new certs last year. And so I think it had
5 a lot to do with that, with a lot of our new certifications, and I
6 -- how I just hammer this home, and we don't want to get to a
7 point where they don't -- where we know it's an issue and we're
8 not addressing it. So -- and we are on the other side of that in
9 the right direction with the radar identification part of it.

10 So that was one of the things. I know that came out of last
11 year's ICV. I'm trying to think back were there anything else?
12 I'd have to go back and look at last year's --

13 (Crosstalk)

14 A. -- compliance.

15 Q. So when you listen to audio or just pulling random time,
16 whatever, what are some of the things that you hear or see when
17 you're up in the tower, like, I've never seen that before or
18 something like oh, we might want to have some talk about that or
19 what not.

20 A. Well, one of the things -- because I look at MOR's and we'll
21 pull up MOR data and listen to it and everything. It would be
22 when I don't want to look at a FALCON and, like, we have a lot of
23 transitions. And I know this came up before where timely traffic
24 -- I love timely traffic and then and so forth where even though
25 they may not cross paths -- and, like, it -- that was a thing for

1 me. I look for that sort of thing in Class Charlie for VFR's,
2 IFR, because of the separation requirements that exist. And so I
3 look for stuff like that because I know that we get people that
4 don't come from places that don't have airspace and rules that go
5 with airspace and VFR's that have separation requirements and so
6 forth.

7 But -- so I look for that. But I would say, in all honesty,
8 I believe listening to a lot of the TCASRA's when they -- which
9 makes me very happy when I listen to them -- how proactive we are
10 with issuing traffic, even when aircraft have not checked on
11 frequency. They are reaching out to the plane, because they could
12 be sitting there, giving them traffic, giving them traffic, giving
13 them traffic. We've been ingrained to do that.

14 And so I think that there's not really any, in my opinion,
15 super red flags that come up immediately, but that's why I think
16 you have ECV's --

17 Q. Yes.

18 A. -- to remove -- to see where the holes are and so forth.
19 They have a good cross-section and I would love to have a better
20 cross-section of OSA data, audio and stuff. We have -- I'd love
21 to use my supervisor to have, but, you know, like I said -- which
22 is why it's good to have three. We can all have a part into
23 having a good cross-section of information for the facility to be
24 able to look for those drift areas. But -- yes.

25 Q. It's a lot of information, some good stuff.

1 BY MS. KOSCHIG:

2 Q. So do you feel that -- I mean, tell me about what training's
3 done on safety alert? Do you -- and do you feel that they would
4 put that out. Because that seems -- you say safety alert and
5 you're, like, wow.

6 A. Yes, it's part of our --

7 (Crosstalk)

8 A. It's part of our annual refresher that we send out. But then
9 again, like I said, you know -- and I'm going to be honest, you
10 know, we want to -- you, like anything else, there's an
11 expectation bias that comes through. And -- which is why I've
12 talked to them about the delivery method for these refreshers
13 being different. Maybe there's an expectation bias, and I don't
14 know. I'm just being honest. I'm just speaking. Maybe there's
15 an expectation bias. I see a piece of paper, refresher, I just
16 need to get through it.

17 Q. Um-hum.

18 A. So we're going to create probably a little more interactive
19 and probably -- just the delivery method. I don't want to put
20 this in Drew's, because -- but I want -- if I'm going to be
21 honest -- some different, interactive briefings to talk about
22 things a little bit -- more dialogue --

23 Q. Right.

24 A. -- more than just read and initial type thing. And so, yes,
25 we do. It's part of our annual refresher calendar. We do traffic

1 advisories and safety alerts.

2 Q. Um-hum.

3 A. But I know. I was a controller for many years, and we know
4 -- we do it and we want to get through it, and I'm not --

5 Q. Right.

6 A. -- saying that that's the case here.

7 Q. Right.

8 A. We are professionals and I believe they handle themselves as
9 professionals to know their job well and to try to do a good job
10 each and every time they're there. But we're not opposed to say
11 that there's not an expectation bias at times. That's our job --

12 Q. Um-hum.

13 A. -- managers, supervisors to challenge that, to like -- to
14 make it interesting.

15 Q. Okay.

16 A. We'll do our best to make it more interesting, to make -- to
17 draw it out of them, which is why recurrent training that was
18 made.

19 Q. Um-hum.

20 A. And we -- as a matter of fact, we're going to -- I don't even
21 know what the recurrent training delivery is this year. I got to
22 take a look at it. We're about to get that going in April. And
23 so I want to see what the ELM's are and what the discussion is
24 going to be around recurrent training. That's why we have
25 recurrent training so that we can get there, start talking about

1 these things -- safety things in a more open dialogue environment.
2 And so -- I surely don't want to bore them with a PowerPoint, but
3 I feel like a change is needed from go to ASIR, read this --

4 Q. Yes.

5 A. -- check off that you did that. I do believe that there's a
6 need to change up a little bit on our delivery method with
7 refresher.

8 Q. Um-hum. I'm just curious. We come across so many cases
9 where, like with safety alerts, where it's going to get -- keep
10 that in the back pocket, that -- I'll do that when it's just --

11 A. Yes.

12 Q. -- it's my last card on the table. And --

13 A. No, that's a good point --

14 Q. -- it don't cost -- and they don't cost anything to say it.
15 But I do know it gets attention.

16 A. Yes.

17 Q. But if you give a safety alert, does that mean you've made a
18 mistake? No, not necessarily.

19 A. Right.

20 Q. But -- yes, there's that vibe around --

21 A. Right.

22 Q. -- the safety alert issuance. So --

23 A. I mean, it is. I mean -- when I was a controller working and
24 sometimes we know to call traffic, and then sometimes you just
25 have to amp that up a little bit --

1 Q. Yes.

2 A. -- and just say conflict alert, traffic alert, you know. And
3 so I know sometimes it's just -- I get it. And so one of the
4 things then -- I dialogue with managers all the time and I'm, like
5 -- and we talk about it all the time about what constitutes
6 traffic versus the traffic alert. And then at what point do you
7 think it is a traffic alert versus just a normal traffic call.

8 Q. Right.

9 A. And so -- no, no, absolutely, you make good points. And
10 that's something that we, as managers talk about it, now we need
11 to draw that dialogue out, put the controllers --

12 Q. Yes.

13 A. -- and see if we can get them to start thinking about it, you
14 know, in a different way.

15 Q. Yes. I mean, yes, because I know -- well, you've been on all
16 the SRT's and stuff as well. Yes, I know one of the thing is, you
17 know, the question usually is didn't they give us any traffic
18 alerts, safety alert, traffic advisory.

19 A. Yes.

20 Q. The basic things and it's -- so many times just giving that
21 alert, you know, you're --

22 A. Yes.

23 (Crosstalk)

24 A. I mean it is, you're right. It just alerts the pilot that
25 you need to be paying attention now --

1 Q. Yes.

2 A. -- closely. And -- because they hear traffic all the time.

3 Q. Yes.

4 A. And sometimes it's not really a factor, but it's traffic, so
5 you -- and I think that you want to -- when you say traffic alert,
6 be able to, like -- that part of the get engaged and, you know --

7 Q. Right.

8 A. -- really pay attention at what's going on. I get that, yes.

9 Q. Right.

10 MS. KOSCHIG: Dan?

11 MR. CARRICO: I'm good, thank you, Betty.

12 BY MR. WOLTERS:

13 Q. One more note here, and it's kind of circling back to airport
14 layout. You made a comment before about nighttime ops, can't see
15 the taxiway line because it's unlit. Is that Bravo taxiway line
16 unlit? So how do the controllers verify that that aircraft is on
17 the center line? How can they see that they're not overlapping
18 and --

19 A. We shut down 15/33. We suspend operations. We do -- until
20 we know that they're at a point on -- it's a hotspot Sierra 2.
21 There's a point north of that point -- I don't know if you could
22 see -- that we have -- the airport has verified that if they note
23 the Sierra 2, that they are actually not in the RSA. But anything
24 south of that and beyond that, we shut down 15. We suspend
25 operations 15/33.

1 Q. So on that night --

2 A. Day and night.

3 Q. -- they coordinated -- so they had to roll -- they had to get
4 that SkyWest --

5 A. No, and this is why I was saying in this particular instance,
6 so it doesn't -- this doesn't fit because that Embraer was well-
7 within the wingtip limits to not be in the RSA. So he pushed out
8 of the gate and never occupied the RSA the whole time he held,
9 which is why I'm saying it baffles me why we did what we did, but
10 we did it, you know, anyways, because we got a -- yes, we didn't
11 have to. He was well safe where he was.

12 Q. No, I just wanted to clarify --

13 (Crosstalk)

14 Q. -- the center line --

15 BY MR. CARRICO:

16 Q. Well, assuming he was on the center line.

17 A. Assuming he's on the center -- I know what you're saying.

18 Q. Because --

19 A. Yes, good point, yes, you're right.

20 Q. -- well, you said through this interview --

21 A. You're right.

22 Q. -- is -- you used the air quotes I think when it's in clear
23 or trusting that they're going to be on the -- clear the RSA. If
24 you're looking down, the line is unlit, you're putting a lot of
25 trust into the pushback crew who may or may not be familiar.

1 Turnover over there, I've heard -- so -- and then you just said we
2 suspend operations, but in this case, he was well-clear of it. Is
3 this one of those rule following and, you know, it's -- I'm really
4 confused now. Do we suspend operations, do we allow operations?
5 Do we know that they're clear of the RSA, and if so, how?
6 Binoculars I understand are up there, but if you can't see the
7 line at night, this event took place at night, you said there's
8 pressure to move those airplanes and that's the culture of the
9 facility. So I get it. It's probably a whole conglomerate of all
10 of that, but --

11 A. Um-hum.

12 Q. -- again back to the -- and I like -- I really do like the
13 rule following, because if I follow the rules, I stay out of
14 trouble. What is the expectation of the facility and what is
15 really happening in the facility?

16 A. The expectation of the facility is Bravo 1, 2 and 3, aircraft
17 that exceed 95 feet, we suspend operations. If they're less than
18 95 feet, they're considered to be out of the RSA when they
19 pushback. That is the -- if Bravo -- if they're greater than 95
20 feet, they are not clear of the RSA during that pushback and even
21 during the hold. They're not. Bravo 4 is if they exceed 118 feet
22 of wingtip -- or do not exceed 118 feet, then they are not within
23 the RSA. And so anything excess of those would be considered in
24 the RSA, and that is what we've gone by, given to us from the
25 airport.

1 BY MR. WOLTERS:

2 Q. At nighttime, are the pilots required to report, you know, or
3 pushback, we're on the center line. Are they required -- is that
4 in any -- is that written anywhere that they're required to
5 report?

6 A. I don't believe it is. But very -- but generally speaking, I
7 would -- there are very few aircraft that are less than 95 feet
8 that operate out of here.

9 Q. Okay.

10 A. They're mostly the larger airplanes. So we suspend
11 operations the majority of the time, all the time.

12 BY MS. KOSCHIG:

13 Q. It's almost like it's, you know, you're just -- they
14 automatically just -- no matter who it is, they're going to
15 suspend, because --

16 A. Right, exactly. I mean, but in this particular case --

17 Q. Yes.

18 A. -- they didn't because he was --

19 Q. Yes.

20 A. -- that Embraer --

21 Q. Um-hum.

22 A. -- and -- until she put him on the runway. Then obviously
23 the runway's occupied at that point, yes.

24 Q. Okay.

25 MS. KOSCHIG: Anything else?

1 MR. WOLTERS: I think I'm good.

2 MS. KOSCHIG: Are you tapped out?

3 (Crosstalk)

4 BY MS. KOSCHIG:

5 Q. So do you have anything else that you would like to tell us
6 about, add?

7 A. Just that talks are ongoing with the airport to highlight the
8 importance of messaging to the airlines of things out of that gate
9 are not going to be expeditious.

10 Q. Um-hum.

11 A. You can expect and just understand that you can expect a back
12 taxi as written in AFD. And so just that they're aware, they
13 know, and they are trying to communicate and send a messaging out
14 to all the users. And they have more than -- told me that they
15 are ensuring and making sure -- I shouldn't say ensure -- but
16 making sure that all the ground movement folks understand when
17 they (indiscernible) what it is that they need to do --

18 Q. Um-hum.

19 A. -- as far as the pushback and so forth. So, yes, that was
20 all.

21 Q. Okay, great.

22 MS. KOSCHIG: Any oh by the ways, last chance.

23 MR. CARRICO: No, actually, I do have one, Betty. I have
24 briefings.

25 BY MR. CARRICO:

1 Q. Do you guys locally work with your pilot community, both GA
2 and FISDO and commercial carriers to have any type of briefings,
3 talk about the intricacies of the problem push gates, or even have
4 somebody go over there and explain to the push crews?

5 A. The -- as far as on that side, we are developing some
6 messaging. We have not met with them as of yet. We have not.
7 That was a finding of -- for ours during all of this, that said
8 that maybe a memo can be written up to circulate throughout the
9 users of the complexity of 26/33 and the Bravo gates. So, yes.
10 And we are -- like I said before, getting together with the pilot
11 community on the SRA. They're going to be involved in the SRA as
12 pertains to the Bravo gates and so forth.

13 But, yes, we have not -- as far as the GA side, not as of
14 yet. I would love to do -- I know we have to take an operational
15 raincheck. I want to get that involved, have a robust pilot
16 outreach sort of involvement with the facility. We have had --
17 from time to time folks come up. I just had an airport folks come
18 up to take look. But, yes, I mean, we definitely know that
19 there's a need of getting this information out, the awareness of
20 what's going on. We know that there's a need and so -- so, yes,
21 but it hasn't happened as of yet. So, yes, definitely.

22 Q. Okay, thanks.

23 BY MS. KOSCHIG:

24 Q. Do you have any questions for us?

25 A. No, this was -- I appreciate it. That was better than I

1 thought.

2 Q. Oh, good.

3 MS. KOSCHIG: Well, then, I am going to end the interview at
4 12:35.

5 (Whereupon, at 12:35 p.m., 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: RUNWAY INCURSION BETWEEN SKYWEST
 EMBRAER & MESA AIRLINES AT THE
 BOB HOPE BURBANK AIRPORT IN BURBANK,
 CALIFORNIA ON FEBRUARY 22, 2023
 Interview of Brian Marshall

ACCIDENT NO.: DCA23LA185

PLACE: Burbank, California

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.


Ma  ellar
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

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RUNWAY INCURSION BETWEEN SKYWEST

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EMBRAER & MESA AIRLINES AT THE BOB

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Accident No.: DCA23LA185

HOPE BURBANK AIRPORT IN BURBANK,

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CALIFORNIA ON FEBRUARY 22, 2023

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Interview of: SCOTT THALER, Operations Supervisor (OS)
Federal Aviation Administration

Hollywood Burbank Airport
Burbank, California

APPEARANCES:

BETTY KOSCHIG, Air Traffic Control Investigator
National Transportation Safety Board

DAN CARRICO, Air Safety Investigator
National Air Traffic Controllers Association (NATCA)

JOSEPH WOLTERS, Executive Officer, Denver TRACON
Federal Aviation Administration

KEISHA WRIGHT, District Support Manager of QC
Los Angeles District
Representative for Scott Thaler

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I N T E R V I E W

(8:30 a.m.)

MS. KOSCHIG: Okay. Good morning. I will be recording the audio with a digital recorder, and we'll have a transcription made. A transcription will become part of the factual report, not the audio. And the time now is 0830. Can you please state your name?

MR. THALER: Sure. First name's Scott, last name's Thaler.

MS. KOSCHIG: Can you please spell both?

MR. THALER: Yes. S-c-o-t-t, last name T, as in Tango, h-a-l-e-r.

MS. KOSCHIG: Okay. Great. So now, we're going to make some introductions. My name is Betty Koschig. I am an air traffic control investigator with the NTSB. I was a controller in the Navy for 20 years, various different airports, ships and so I have a wide variety of experience there. After that, I started working for the NTSB. I have been doing this for 15 years.

A little bit about the NTSB. We're a federal agency. We are independent which means we don't work for the FAA, the DOD or anyone else. We go straight to Congress. That gives us a little advantage that we don't have to work through someone else and we can get things done faster, but we don't have any regulatory or enforcement powers which is -- I mean it's good on that point, that you don't have to worry about us with looking for fault, liability or any of that, because we're here to find the facts and

1 look for safety issues. That's our main focus because we have to
2 determine a probable cause of any incident or accident. So that's
3 the reason we look through everything, and we consider everything.

4 And now, just to help us to do that, because working in the
5 NTSB, I could probably research and find just about anything I
6 need to find, and I keep abreast of everything, but I am not an
7 active controller. So in these situations, we will, you know, we
8 invite parties to join us to get some subject matter expertise.
9 NATCA is a party to us, and we have the FAA which is also a party,
10 and I'm going to let them introduce themselves.

11 MR. CARRICO: Hi, Scott. My name is Dan Carrico. I'm a
12 controller at O'Hare Tower. I've been there since 2004. Prior to
13 that, I was at Reno. And then I did a short time with U.S.
14 Customs, and then I've worked with the U.S. Marine Corps down at
15 El Toro. So -- before they closed that. That's my experience and
16 background.

17 MR. WOLTERS: I'm Joe Wolters of the Denver TRACON. I'm the
18 executive officer up there. I've been there since 2004, and other
19 than that, I have four other towers with experience in up-downs
20 and VFR towers. So that's a little bit of my background.

21 MS. KOSCHIG: So this is the NTSB team, and what we will be
22 doing is we will carry this process long after we leave here.
23 We'll do the reports and all of us will review those. I don't
24 have like that I'm the chair. So I'm going to say this is that.
25 We all agree on everything. So that's just a little bit about us.

1 So as part of the regulations, you are welcome to have a
2 representative of your choice to attend, and I believe you do have
3 a representative here. Is this the representative that you
4 wanted?

5 MR. THALER: Yes.

6 MS. KOSCHIG: Okay. Can you please state your name?

7 MS. WRIGHT: My name is Keisha Wright. I am the district
8 support manager of QC for Los Angeles District.

9 MS. KOSCHIG: Okay. Thank you. Would you spell your name
10 please?

11 MS. WRIGHT: K, as in Kilo, Echo India Sierra Alpha [sic],
12 last name Wright, Whiskey Romeo India Golf Hotel Tango.

13 MS. KOSCHIG: Okay. Great. So during the interview, all the
14 questions are going to be going to Scott, and -- but if you wanted
15 to talk together, you are more than welcome to take a break and
16 have a discussion. And speaking of breaks, if you do need a break
17 during this, I don't think we'll be in here long enough for that,
18 we'll be less than hour, but you're more than welcome to take a
19 break if you need to, okay.

20 Any questions so far?

21 MR. THALER: No.

22 MS. KOSCHIG: Okay. Just to remind us why we're here, we're
23 going to discuss the incident that occurred on February 22nd with
24 Air Shuttle 5826 and SkyWest 5326, okay.

25 All right. So, how this is going to work is, we're going to

1 start out asking -- I'm going to ask you a bunch of admin type
2 questions, to get to know you, a little bit of your background
3 with the FAA and all. And, then we're going to start talking
4 about the incident, and then we'll start picking your brain on the
5 facility procedures and things like that, that works here and find
6 out more about the airport.

7 If we ask you a question and you don't know it, I don't know
8 is a good answer. If you wanted to speculate on something or give
9 your opinion on something, you're more than welcome to do that.
10 The more we know, the better it is to search for safety issues.

11 If you don't -- if there's something you don't recall, I
12 don't recall is a great answer. We don't want you to make
13 something up to try to fill in that space.

14 We may ask you some questions that you think we probably
15 should know, and we may know -- think we know something, but we
16 want -- we will not put words in your mouth. So that's the reason
17 we would be asking those.

18 And let's see. So after I get done with my questions, then
19 we'll start going around the room and just having discussions,
20 asking questions and seeing what else we need that we can think
21 of.

22 If at any time, we're not clear, say what do you mean?
23 Explain that. Restate that. You know, it's both ways on the
24 conversations.

25 So, are you ready to get started?

1 MR. THALER: Let's go.

2 MS. KOSCHIG: Let's go.

3 INTERVIEW OF SCOTT THALER

4 BY MS. KOSCHIG:

5 Q. So what are your operating initials?

6 A. Sierra Sierra.

7 Q. When did you start working for the FAA?

8 A. 2008.

9 Q. And was that the Academy?

10 A. Yes.

11 Q. Where did you go after the Academy?

12 A. Las Vegas Tower.

13 Q. Wow. How long were you there?

14 A. 13 1/2 years.

15 Q. Wow. That's a nice tower. And, where did you go after that?

16 A. Here.

17 Q. What year was that?

18 A. It was 1 year ago as of yesterday.

19 Q. Oh, happy anniversary.

20 A. Thanks.

21 Q. And you came here as an OS?

22 A. I did.

23 Q. Okay. And Las Vegas, you were a controller?

24 A. Um-hum. Yes.

25 Q. Did you, did you -- were you an OS or supervisor at any time

1 other than CIC?

2 A. I was on -- I was CPC there.

3 Q. Oh, okay.

4 A. Yeah.

5 Q. Great. All right. Do you have any military?

6 A. I do not.

7 Q. Okay. Do you have any college or a degree?

8 A. I do.

9 Q. Where did you go?

10 A. Bachelor's degree, science, Arizona State, May 2006. And

11 then I got an associate degree to get into air traffic the year

12 after at Mount San Antonio College in December of 2007 out here.

13 Q. Great.

14 A. Aviation science.

15 Q. Nice. I bet that was a tough degree.

16 A. Yeah, college is not easy but --

17 Q. Exactly.

18 A. -- I did pretty good I thought.

19 Q. Oh, great. So do you have any other aeronautical

20 certificates like pilot's license?

21 A. I do.

22 Q. Yeah. What do you have?

23 A. I have all the way to commercial, single engine with

24 instrument rating. I have 350 hours of time.

25 Q. Okay. Anything else?

1 A. Just those three. I do have an advanced ground control
2 certificate as well I got.

3 Q. Oh, okay.

4 A. I should say advanced -- not advanced ground control but
5 ground school. It's a certification.

6 Q. Nice.

7 A. It's like, it's like a CFI but not in the air type of thing.

8 Q. Right. Impressive. Do you have a current medical?

9 A. I do.

10 Q. Okay. Are you required to have one?

11 A. I do.

12 Q. Um-hum.

13 A. Yes.

14 Q. Do you have any restrictions?

15 A. I do have a specials consideration.

16 Q. Okay. And that's -- that is written on your, on your medical
17 certificate?

18 A. That is correct.

19 Q. Okay. I think we got a copy. Who is your supervisor?

20 A. Brian Marshall.

21 Q. Are you qualified on all the positions here?

22 A. I am.

23 Q. Are you current?

24 A. I am.

25 Q. What is your normal work schedule?

1 A. Saturday and Sunday I work swing shift. Monday, Tuesday,
2 Wednesday morning shift.

3 Q. And what would the morning shift hours be like?

4 A. Generally either -- mostly it's from 5:30 to 1:30. On
5 Monday's, I'll generally come in at 6 and get off at 2.

6 Q. And what's the swing shift?

7 A. The swing shift generally is 12:30 to 8:30, although
8 sometimes on Saturday I will come in at 2:15 for coverage.

9 Q. Okay. So on the day of the incident, were you here?

10 A. I was not. I was here, but not at that time.

11 Q. At the time, I'm sorry, at the time of the incident.

12 A. Correct.

13 Q. Okay. And you did work your normal shift that day?

14 A. I did.

15 Q. Okay. Do you get overtime?

16 A. Sometimes.

17 Q. So you're on the list for overtime?

18 A. I'm on the no list.

19 Q. Oh, okay. Are cell phones allowed in that tower?

20 A. They are not.

21 Q. All right. So since you were not here for the incident,
22 we're going to -- so you can't tell us anything about it. But
23 we're going to ask a bunch of questions about the facility. All
24 right. So, first of all, how many OSES do you have here?

25 A. It's just me.

1 Q. Just you. Do you know how many you are slated for and just
2 not filled?

3 A. Yeah, we're supposed to have three.

4 Q. Three, okay. How long have you been working it by yourself?

5 A. Pretty much the whole time I've been here, minus while I was
6 in training.

7 Q. Oh, okay. Tell us on that day, were you -- was Burbank in
8 the 3/3 configuration that day? 33/26?

9 A. They were.

10 Q. When you were here. Tell us a little bit about the operation
11 and the complexity of it when you're on 33/26.

12 A. It can get very complex.

13 Q. Okay.

14 A. We have to back taxi. Most of our airliners from the
15 terminal or if they're parked on the other side of the airport,
16 they can't access the actual taxiway on the western side because
17 of wingspan restriction. So they have to back taxi on the runway
18 to go to the full length of runway 33 which takes time
19 particularly if you have somebody on final approach to that
20 runway. Generally, those folks that come in on final, they're
21 coming in from the west on the base I would say about almost 100
22 percent of the time but not every time. And, that's really the
23 big problem there. And, the time it takes to back taxi varies by
24 pilot comfortability and how they want to fly the airplane.

25 Q. Okay.

1 A. But it can be -- it's a very unique operation because we also
2 have a non-standard RSA over there.

3 Q. Um-hum.

4 A. The entire RSA from start to finish, including the side of 33
5 is non-standard because the terminal was built back in the early
6 1930s. And so as planes have gotten bigger, well, there's less
7 space, you know, to get in there. So when there's push backs,
8 much of the time we have to close down the runway and we have to
9 get space in order to do that. Oftentimes we have to delay
10 airplanes in the gates. Sometimes we get the help to get a gap.
11 Sometimes it happens naturally but oftentimes we don't get help
12 for that, and we just work with the parameters that we have.

13 Q. Okay. So how often are you in that configuration?

14 A. Not often.

15 Q. About how many times a year?

16 A. I would say up to 20.

17 Q. Oh, okay. And is there -- is it seasonal or is it just
18 sporadic?

19 A. I would say it's seasonal --

20 Q. Okay. And --

21 A. -- for the most part.

22 Q. And who makes that call that you go into that configuration?

23 A. The CIC generally, but it's usually the whole tower will talk
24 about it before we actually make that move on it.

25 Q. Um-hum.

1 A. But ultimately, it's the CIC who will make the final judgment
2 call.

3 Q. All right. And -- I forgot the question I was going to ask
4 you. I'm going to let -- Dan, you want to ask some question.
5 I've still got to think.

6 MR. CARRICO: Okay.

7 BY MR. CARRICO:

8 Q. I have a couple things. Are you, are you on the LSC?

9 A. I am. However, the LSC I would say is not active.

10 Q. When's the last time you met for that?

11 A. We've only met one time. It was probably about a month and a
12 half ago, and it was just an introductory thing. I believe in the
13 past that LSC was not active here. I don't know. I couldn't tell
14 you the reason though because I was not here for that.

15 Q. Okay. So in the year that you've been here, there's only
16 been one time that you met about a month and a half ago?

17 A. Yeah, and it was an introductory meeting, more just -- we
18 took an event as an example and I'm trying to get trained to be
19 actively on the LSC on as well, but we've been -- it's been a very
20 slow process.

21 Q. Okay. Who's the other member of the LSC?

22 A. Erik Sosa. It's E-r-i-k, S-o-s-a, his last name.

23 Q. I was going to say, I thought we interviewed him, but we
24 didn't. It was somebody else. Okay. Somebody lied to us. Get
25 the hose. Oh, sorry. I'm on the recording. I didn't mean to

1 beat somebody. So you don't meet. It's not active. Okay. We
2 can talk about that later. So you had said that the pushbacks
3 blocked the runway and we've gone through the LOA because there's
4 some very confusing parts about the LOA from the outside looking
5 in. But that is something that's not in the LOA is any
6 coordination needs to be effectuated between Burbank and SoCal to
7 let them know or, hey, the runway could be fouled for this
8 compliance of push back. Is there a reason that you know of or
9 can think of that that wouldn't be included in the LOA?

10 A. I can't give you a reason. I haven't been here long enough
11 probably to give you an official reason. However, as an active
12 operations supervisor, what I have done behind the scenes is to
13 call SoCal TMU to find out if they can give us some gaps or give
14 us some help. When we first started, it came I think with a lot
15 of resistance. I feel like between myself and my manager, Brian,
16 I feel like we've made very small victories as far as trying to
17 improve that relationship as far as like, hey, can we get a little
18 bit of relief here? And, it's more known now that we've made it
19 to their attention that, hey, we've got an issue here. But, it's
20 been like I said very, very small victories on that. I wouldn't
21 say, you know, anything substantial.

22 Q. Is there anything that prevents the ground controller and
23 load controller doing their coordination effectuating the pushback
24 and then telling SoCal, the runway's closed. You're spinning
25 them. There's nothing in your LOA, is there?

1 A. Uh-huh.

2 Q. Okay.

3 A. No.

4 Q. How do you describe the relationship when -- between SoCal
5 and the tower?

6 A. Since I've been here, I would say it's not good.

7 Q. Okay. Has anything been done locally to try to improve those
8 relationships?

9 A. I feel the only thing that has been done, it's because I've
10 been up there monitoring the operation obviously, especially as a
11 supervisor, and reporting that to Brian and letting him know that,
12 hey, we've got a problem here. We need to make this -- we need to
13 have a better relationship with these folks because we're not --
14 we're having a lot of issues all around, not just what we're
15 talking about here, but this is the topic we're talking about.
16 Just so we can all get on the same page. And I think it's just
17 past history from years before we even walked in this building
18 that this is why things like this occur where we're having
19 resistance because they're not used to hearing us talk about, hey,
20 we need help. But now all of a sudden, it's like why -- how come
21 you always seem to need help?

22 Q. Yeah.

23 A. So.

24 Q. Okay. What other -- somebody's jamming music out there. I
25 like that. What other type of workgroups do you guys have in the

1 facility? SOP, anything like that?

2 A. Nothing active I can think of.

3 Q. Airport authority here, how are they to deal with?

4 A. I've heard in the past, not good. However, the new people
5 that have -- that I'm used to, who I work with, they appear that
6 they want to work with us, and they're very friendly. So the
7 airport authority from what I understand is not owned by the city.
8 It's rather a contract company that runs the airport on behalf of
9 the cities of Burbank, Glendale and Pasadena or B-G-P-A-A.

10 Q. I was trying to figure out that acronym.

11 A. Yes. Yeah, there you go. But we have active airport
12 meetings now with them. We have one coming up on April 6th. They
13 -- the group that I personally have dealt with, they have been
14 very open.

15 Q. Good.

16 A. We've made some small victories, Brian and myself, as far as
17 distractions in the tower, for example. They've -- we have two
18 FBOs on the airport here, Millionaire and Atlantic, and they would
19 constantly call the desk asking, hey, can you park someone here?
20 Can you park someone here? I was like, well, we're not a valet
21 parking service. So I told them in the meeting, and we finally
22 got them on the same page where they don't distract us on the desk
23 anymore.

24 Q. Good.

25 A. Because anytime they called, it takes us away from the

1 operation. So that's one of those little small victories, you
2 know, we're talking about, trying to make progress, you know.

3 MS. KOSCHIG: Absolutely.

4 MR. THALER: Yeah.

5 BY MR. CARRICO:

6 Q. Good.

7 A. Trying to change the way of, you know, doing business.

8 MR. CARRICO: Okay. I'll turn it over to Joe for now. I
9 think I'm good right now.

10 BY MS. KOSCHIG:

11 Q. I have just one follow-up question.

12 A. Sure.

13 Q. The LSC, you said it's slow going. And why is that?

14 A. I just think, A, from what I know in the past and obviously
15 this is just speculation, we had a lot of training going on here
16 before I came here before I came here to the facility. And so
17 this facility was not staffed enough to have a LSC or an active
18 LSC.

19 Q. Oh, okay.

20 A. My manager is, at 1,000 percent, trying to get the LSC back
21 going again. And like I said, we had our first meeting about a
22 month and a half ago, but we just haven't had the manpower to do
23 it unfortunately. I know how important it is to have a very good
24 LSC because when I talked to the LSC the first time, when we met,
25 I was like, well, how can we coordinate with other facilities to

1 make things better? And they said, well, we don't. I'm like,
2 well, but how are we going to have a good relationship with Van
3 Nuys, for example, and SCT? And they said, well, we just do
4 things locally. All right. Well, that's fine. I mean it's a
5 start but we need to go beyond that. And so I think it's going to
6 take us a while to get that.

7 Q. Yeah, I think that will definitely improve relationships.

8 A. Yeah. Because right now, as I walked in the door, and this
9 is my honest opinion, I -- there is no relationship. There was
10 none. Now, we're trying to create those relationships and, you
11 know, it takes us little small steps along the way to get there.

12 Q. Yeah. Great.

13 MS. KOSCHIG: I'm sorry. Go ahead, Joe.

14 MR. WOLTERS: No, that's okay.

15 BY MR. WOLTERS:

16 Q. So I'll get information. And I'll say kudos to you for
17 trying to expand the division of the facility. You know, I refer
18 to it like more as like NAS vision versus just working in your
19 little bubble. So that's great to hear.

20 A. Thank you.

21 Q. And one last thing about the LSC. So is there interest
22 facility-wide for the LSC? You know, there's the -- I forget his
23 name. Mr. Sosa and you. Is there other interest? Do people want
24 to be involved?

25 A. I think Mr. Sosa absolutely wants to be involved. He has a

1 very big wealth of knowledge, very friendly, great trainer, very
2 knowledgeable. He's been here for a long time, and he wants to
3 see good things happen. And he definitely wants to work with me
4 as well. We have a very good relationship, Sosa and I. I have
5 nothing but great things to say about him. But as far as the rest
6 of the facility, I don't know if some of the people here know even
7 know what a LSC is quite honestly. That's just the culture.

8 Q. Okay. How about workforce suggestion input? Is there a way
9 they can relay ideas, thoughts? Hey, maybe we should do this.
10 How does that work here?

11 A. There's something in the elevator. They have an email in
12 there about that. I have no access to it. I don't know anything
13 about it. Anyone's always welcome to come to me or Brian or their
14 local union, and we can talk about and see what goes on. I don't
15 think that's a thing though quite honestly.

16 Q. Okay.

17 A. It's more of like, you know, the complaint is like, well,
18 we'll never get this because no one will ever listen to us. Well,
19 you've got to say something, you know. See something, say
20 something.

21 Q. Right.

22 A. Right.

23 MS. KOSCHIG: That's right.

24 BY MR. WOLTERS:

25 Q. You mentioned the facility was understaffed. What's the

1 control? What's the staffing like here now? What are you
2 allotted? Do you know? And where are you at on the trainees?

3 A. I don't remember the number we're allotted. I think it's 23.
4 We only have two trainees currently. We do have one coming next
5 month, and then we have one coming about a year from now from the
6 academy.

7 Q. Okay.

8 A. The two that are training now are on clearance delivery.
9 Since I've been here, I inherited two trainees, got them both
10 through, and then I had a third one that came in recently and he
11 just certified last week.

12 Q. Okay.

13 A. So we got all three of them through, but we also have lost
14 folks since I've been here, too.

15 Q. Okay.

16 A. And we're about ready to lose some more here beginning next
17 month. So.

18 Q. As far as your training, when did you certify? You came in
19 March you said a year ago.

20 A. Yes.

21 Q. How long did it take to get through the program?

22 A. I was done in July. I probably trained maybe 5 to 6 weeks
23 total. Probably 6 weeks total out of 4 months.

24 Q. Okay.

25 A. I mean I quickly certified on clearance in ground control.

1 And then I had to wait for a local class and I probably trained on
2 local for about 4 1/2, 5 weeks.

3 Q. Okay. And so local class, let's just talk about training
4 itself a little bit.

5 A. Sure.

6 Q. How did you feel the -- did you go through the TSS?

7 A. Only for local I did.

8 Q. Okay. How did that -- how was that? Can you describe the
9 experience, the scenarios, maybe a little bit about recovery
10 training, just kind of what are your thoughts on the sim training?

11 A. Sure. I think their problems develop -- they're pretty,
12 they're pretty good. There's definitely thought that's put into
13 them. However, I think there needs to be updates to them.
14 They're not completely current to how the crow flies today. It
15 basically -- it makes you, it makes you work on certain aspects of
16 the operation. Most of it, what's done in there is configuration
17 8/15. Configuration 26/33 is only seen on the last day. So you
18 don't get really a whole lot of experience with that, albeit you
19 won't see it a lot up here, but there are certain times that you
20 will and you do need to know how to work it obviously. So I do
21 think it does need some updating.

22 Q. Okay.

23 A. But overall, I don't think it's terrible at all.

24 Q. Let's see. You are the only supervisor. Since you've been
25 here, have there been any supervisor bids out?

1 A. There have.

2 Q. And no takers or -- that you know of. I mean the process is
3 outside the facility now. So you're not always in the, in the
4 know on who's coming right away but do you know of anybody coming
5 or has it been difficult? Describe how difficult it is to get a
6 sup here?

7 A. Well, the last bid was back in August/September I believe.
8 It had move money as well. And, it was for two. So it would give
9 us three. And, I think only as of the other day when I was
10 talking to Brian, I think we might have finally got one of the
11 selections off that bid. And this was from like 6 months ago.
12 And, I know that they interviewed quite a few people from what I
13 heard, you know. And this is things that are shared because I'm
14 out of the process obviously. So I'm not sure why it's been slow,
15 but we need people because I mean you have me running an operation
16 of 20 something controllers and 7 different crews. I mean I can't
17 possibly see the other side of the crew every single day, you
18 know. It's impossible. It's just not realistic.

19 Q. What's the thought on SOIs here? You know, pulling somebody
20 for 180 days if they're interested. Has that been thought of?

21 A. I haven't heard a word about that.

22 Q. No.

23 A. Yeah.

24 Q. And then you mentioned your schedule, difficult rotating.
25 You're the only one.

1 A. Sure.

2 Q. So describe what you do to stay in tune with the other side
3 of the schedule that you don't see as much?

4 A. It's tough. It's really tough. I mean I work overtime
5 occasionally. I would say once a month is where I'm targeting,
6 sometimes twice a month. Now, next month I have scheduled two,
7 but I also have to have my off time, too, or otherwise, you know,
8 I'm going to disintegrate or otherwise. You know, I mean I have
9 to see my wife, too, you know, outside of work. Otherwise, it's
10 not good.

11 MS. KOSCHIG: Right.

12 MR. THALER: You know, it just --

13 MS. KOSCHIG: Right.

14 MR. THALER: -- you know, you've got to have a life outside
15 of work, too, you know. Although -- you know, because we see the
16 folks here often here than we see our families, right.

17 MS. KOSCHIG: Absolutely.

18 MR. THALER: So, you know, so seeing let's say Tuesday,
19 Wednesday crew, for example, that's one that's completely opposite
20 of me. It is very hard. There's two controllers in our crew
21 currently, and I, you know, they work the mids every week. So I
22 -- unless they're on an overtime and one of them's on the no list,
23 I hardly ever see them and communicate with that one person who is
24 on the no list, I see him as I'm walking in and walking out.
25 There is no supervisor to controller interaction with them. And

1 it's -- so it's very difficult. I mean there's no sugar coating
2 it.

3 BY MR. WOLTERS:

4 Q. Can you describe like schedule creation for controllers and
5 supervisors, you know, currently it is only you, but if there were
6 more how that might look now or into the future? Has there been
7 any talk of rotating schedules to ensure people are seen --

8 A. Yeah, I mean --

9 Q. -- by management or how does that work?

10 A. Yeah, I mean for three supervisors, there would be a sweet
11 spot only because now you'd have at least two supervisors for
12 every day and one day of the week you'd have three. And so there
13 would be some sort of management presence up there. I think the
14 big thing, and I know this is not referring to the question
15 itself, but like, for example, when you have CICs who are on the
16 desk and mind you, they're qualified and all that, it's not the
17 same as having managers on the desk who knows how to do proper
18 protocol when something goes down, for example.

19 So, for example, the other night we had an emergency that
20 came in, and I have -- I was getting pro time on local, and I was
21 just getting off, and we just -- we got word that there was an
22 aircraft coming that had a warning light. And so I had the CIC
23 stay on the desk. I took the phone calls. I made sure everything
24 was done, and I had them do the paperwork at the end of it all and
25 it went textbook. I mean you couldn't ask for a better situation.

1 The aircraft landed. They lost their nose wheel steering, and it
2 was absolutely textbook. But I guarantee you if there was no
3 management presence up there, it would have probably gone a little
4 differently. So maybe we got lucky.

5 MS. KOSCHIG: Yeah.

6 BY MR. WOLTERS:

7 Q. With respect to CIC training, how do you feel on that?

8 Describe your thoughts on that. Is it robust, more needed.

9 A. I don't think it's robust. I think it's more as a checkbox
10 here. Obviously they get 10 to 15 hours up there. I've only had
11 to certify a few people here. I have a certain way of doing
12 things and protocol. Obviously it's hard to teach everything.
13 One thing that I mentioned here that we don't have which I think
14 we should have is an automated checklist on the computer instead
15 of having a red binder up there with papers to flip through and
16 try to find stuff, when you can just click on something. And I've
17 talked about that, and it hasn't come to fruition yet. I don't
18 know if it will or not, but it would be nice. And maybe this is
19 going back to my experience at Vegas perhaps, I don't know. I
20 mean obviously I come from a big city environment and, you know,
21 how things are done. So that's why, you know, obviously this is
22 not a big facility, but there's still traffic here. I mean
23 there's no sugar coating that.

24 So I would say CICs probably need more refreshers because I
25 think like things are missed. They're not reporting delays and

1 they need to report delays. There's not filing MORs and they
2 should be filing MORs. They're not contacting -- they're not
3 following the proper checklist when things are happening or should
4 be happening, and as a result, I feel like there are things being
5 missed that we don't even know about.

6 Q. Let's see. If there was one thing you would change about CIC
7 training, how would you improve it?

8 A. How would I improve it? Good question. Beyond the class, I
9 think it takes more time. There's two parts of it. One is the
10 automated thing. Going through papers, it's archaic. And, if you
11 go up to our tower and you see the things that we have to go
12 through, like the other night, when we had that emergency, for
13 example, my CIC came to me and says, how would I have known to use
14 this particular checklist because we don't have a checklist that
15 states of a non-significant emergency. You can't obviously put
16 everything in there, but I told him. I just use the ATC work
17 checklist because it pretty much mimics what a non-emergency is,
18 and if it becomes significant, then we go through the protocols,
19 but the first and most important thing is to call Brian, hands
20 down. Let him know you're putting it in there before you put the
21 MOR in because he's going to see it --

22 Q. Um-hum.

23 A. -- you know, and then go through the protocols. Or if
24 necessary, call the JSEN and the DEN or they'll connect you first
25 and then call Brian if the situation warrants. But doing nothing

1 is even worse, you know. So I just thing every so often, I don't
2 think it should just be like a checkbox refresher whether you use
3 Teams or if you use CEDAR or whatever system you're using. I
4 think it should actually be a classroom every year, and hey,
5 here's the protocols. This is what you need to do. Being a CIC
6 is not your lax time, make your 10 percent. CIC is very serious
7 and if you have something that happens, you need to be on the
8 phone immediately coordinating stuff. Call the airport. Call the
9 fire department. Do what you need to do. Things like that.

10 That's what I think.

11 MR. WOLTERS: That's all I have.

12 BY MS. KOSCHIG:

13 Q. A little bit more about the training. Where is the TSS?

14 A. It's down in El Segundo. It's at the regional office.

15 Q. Oh, okay. Just curious about that.

16 A. Sure.

17 Q. When you --

18 MR. CARRICO: I don't -- sorry. I don't know where El
19 Segundo is.

20 MR. THALER: Down at LAX.

21 MR. CARRICO: LAX, okay.

22 MR. WOLTERS: LAX, yeah.

23 BY MS. KOSCHIG:

24 Q. So when -- before you got qualified, were you able to work
25 the 33/26 configuration?

1 A. I was not.

2 Q. Okay. When you first, when you first started working, how
3 did you feel? What was your comfort level?

4 A. I'm comfortable. I mean I'm built on volume honestly. I
5 love volume. Obviously here it's not as much as Vegas
6 obviously --

7 Q. Right.

8 A. -- you know, and complexity but Vegas has crossing runways
9 just like here. So I'm very familiar how crossing runways work
10 and how that operation should run.

11 Q. Right.

12 A. So.

13 Q. And speaking of you've got lot of experience on the different
14 technologies and you mentioned some stuff, the relationship with
15 SoCal. What are some things that, if you just had, you know, an
16 empty, you know, a checkbook that you could write, what are some
17 things that would work here to make it, you know, add that level
18 of safety, you know, if there's more procedures that you need or
19 tweaking the LOAs or what is it that would help you guys to do
20 your job better and provide, you know, a safe service and not have
21 to always be restricted due to what someone else is saying you
22 should have?

23 A. I hate to say this, but I'm going to.

24 Q. Go ahead.

25 A. The culture around here is the status quo is okay. And,

1 we'll just make it work. And maybe that was true 15, 20, 25 years
2 ago. It was certainly the mentality when I first joined the
3 agency in 2008. Well, we'll just make it work. Well, how are you
4 going to make something work when the pilots renege on it? Which
5 has happened a number of times here recently. It's happened
6 throughout my career, and I'm not -- never been under that
7 mentality we'll just make it work. No. We need to create a safe
8 operating culture to make sure it works without having to do
9 shenanigans. We do so much here to please the providers, and I'm
10 like just because somebody requests something, does not mean you
11 need to approve it. Or just because someone hands you off
12 something doesn't mean that you need to take corrective action and
13 just try to make them work.

14 For example, let's say you're doing a squeeze play. Well,
15 first of all how did you get into that in the first place? Now,
16 you have to do S turns on file. It should never come down to
17 that. You know, sometimes it does and, you know, everything is --
18 the situation dictates but we have problems here at the
19 intersection which has gotten better by the way I must say. I
20 mean because of my manager and myself raising our voice on that --
21 Q. Right.

22 A. -- and there's certain things. But, the other thing and like
23 I said, I'm all about collaboration. I love collaborating with
24 the union. I mean obviously I just came out of the bargaining
25 unit. I'm very supportive of them obviously, but I think the

1 biggest wrench in this whole thing has been negotiating with the
2 bargaining unit. I hate to say it. It's been rough, and a lot of
3 them say, well, it's just work. So, you know, we'll just -- I'm
4 okay doing it that way. But that's a terrible attitude. And so
5 with this whole stuff here, you know, you're giving pilots
6 requests that are not good, and then you're getting riff raft back
7 saying that, well, this is not what we were expecting. Why are we
8 doing this now for example?

9 You know, I mean I'm not going to go into complete specifics
10 about certain things but I mean in general, you know, we're here
11 to provide a service. We cannot provide a service when you're
12 going to use squeeze plays and expect that to be the norm and
13 expect the pilot to do something because that's what's happened in
14 the past. This is 2023 now. I mean this is not, you know,
15 another year or whatever. And I'm not saying back then they
16 should have done it either. But, we're here to provide a positive
17 safety culture and a service that the pilots can rely on us
18 because when you start doing stuff that, you know, we're handing
19 off stuff, and it's like, what do we do now? It's like, well, how
20 are we supposed to provide that service?

21 Q. Yeah.

22 A. So --

23 Q. Absolutely.

24 A. -- I don't know if that answers your question or not but --

25 Q. It does and -- but is there anything -- additionally, is

1 there anything that you can -- any technology that works here
2 since you've -- like you were talking about --

3 A. Yeah.

4 Q. -- the automatic, you know, you know, get everything on the
5 computer, things like that.

6 A. Well, I will say this. I mean this airport's probably not
7 big enough for this but I mean if we had ground radar, ASDE-X,
8 here, I mean that would be lovely. I don't know if we'll ever get
9 to that, but the other thing is, we have intersecting runways here
10 and cutoff points and what not. We -- it doesn't really apply. I
11 mean I'm used to like arrival/departure windows, ASDE-Xes and all
12 that. But it's -- here it doesn't -- I mean it doesn't compute.
13 What does compute though is seeing what the pilots, how they're
14 flying their airplane, what they're doing. You know, just because
15 they're flying, you know, 149 knots over there, it doesn't mean
16 they're going to slow down to 110 knots here, for example. And
17 just because they're flying this airplane today at 150 knots
18 doesn't mean tomorrow -- I mean I've seen Eclipse Jets come off at
19 200 knots and those are slow. They'll stay at 200 knots, but
20 usually they'll come off like 120. So just, you know, you can't
21 assume. That's pretty much the moral of the story, you can't
22 assume.

23 Q. Exactly.

24 MS. KOSCHIG: Dan, I'm still thinking.

25 MR. CARRICO: Okay.

1 BY MR. CARRICO:

2 Q. A couple of quick things. You brought up safety culture.
3 Great, great. I love it. So, have you had the opportunity -- you
4 reviewed this, yes?

5 A. Yes.

6 Q. Okay. Have you and Ms. Owens sat down and gone over this in
7 performance management?

8 A. Yes.

9 Q. Okay. Can you talk about that?

10 A. Sure. Absolutely. We reviewed the audio and the Falcon
11 replay as expected obviously. The first thing -- obviously I
12 reviewed it before I sat down with her, too. So I had a good
13 foundation what talking points and discussion was. This was an
14 unusual event, because the first thing is, you have an air show
15 come in on a visual approach, coming in from the east. Definitely
16 they fly over Burbank Airport. They're coming from there, come
17 back around and land on base from the west. This was an approach
18 from the east this time which is unusual. I mentioned that on our
19 conversation today. So they're on a visual approach for 33. So
20 that was the first unusual thing.

21 The second thing is you have the Cirrus that's from the south
22 that's calling up and was put onto the left downwind for -- or
23 left base actually from runway 26. So the Cirrus kind of got in
24 the way obviously of the situation. And so I don't know if there
25 was fixation on that or whatnot, but the biggest thing which I

1 noticed immediately is SkyWest was in position for a very long
2 time and with no information. No traffic was given on final.
3 Really it's just line up and wait. That was pretty much it. So I
4 -- we had the discussion about that. I said you need to keep the
5 pilots informed obviously in a very professional manner, of
6 course.

7 MS. KOSCHIG: Right.

8 MR. THALER: There was nothing derogatory about the
9 conversation.

10 MS. KOSCHIG: Right.

11 MR. THALER: It's a performance conversation that -- in a
12 very sensitive event. There's humanity portion to this as well.
13 So that was the first thing was the line up and wait thing.

14 The second thing is forcing someone out. I believe SkyWest
15 was a flow time to San Francisco if I'm not mistaken. You know,
16 to me flow times are flow times. You miss them, you miss them.
17 Get another one. It's not a big deal.

18 There were certain outs in the situation I mentioned to her.
19 First of all, SkyWest happened to be one of the few types of
20 airplanes that can actually go on that taxiway at all on the
21 western side of 33 over there with their wing span restrictions.
22 So they could have taxied off the runway.

23 MS. KOSCHIG: Okay.

24 MR. THALER: You can Monday morning quarterback this
25 obviously, and that was not the purpose of the conversation. We

1 didn't really get into Monday morning quarterbacking or anything
2 like that. But I said I guess the most important thing of this
3 whole thing is that why did you launch? You know, I said, what
4 made you think to launch because there was a lot of invalid
5 information that was given. The Cirrus to turn base for 33 but he
6 had to turn downwind and he wasn't even past the intersection yet.
7 So there was a lot of things. Like not being there and listening
8 to the recording, it's a very different perspective obviously.

9 So the big thing also I told her, since we're in this pickle
10 now where you have someone rolling, air show doesn't see this
11 plane. It's dark out. So, you know, all you're seeing is just
12 probably the beacon light and say they don't -- the illusion could
13 be like they could be over here when they could be over here, you
14 know. We don't know.

15 MS. KOSCHIG: Right.

16 MR. THALER: My whole big thing is turn them. Turn them
17 away, you know. First thing, get some sort of diversions, you
18 know, and it's okay if you have to take them off the set.

19 Now, obviously we have terrain over there. So you can't do
20 it very long. But even 1 mile can make a big difference, but the
21 most important thing is when in doubt turn them. That was one of
22 the first things I learned in air traffic. It's like just because
23 it's the standard doesn't mean you have to give the standard.
24 You've got to get separation first before you can give the
25 standard. So that was like the big thing of the conversation

1 right there.

2 The way I'm talking to you right here, kind of like in a
3 more, you know, high beat way, it was definitely more
4 professional, lower manner --

5 MS. KOSCHIG: Right.

6 MR. THALER: -- you know, because of the sensitivity of the
7 event because at the end of the day, I'm here to support my
8 workers --

9 MS. KOSCHIG: Right.

10 MR. THALER: -- you know. You know, we're all in this
11 together. And, you know, obviously if I was there, I would have
12 done everything to prevent it obviously.

13 MS. KOSCHIG: Right.

14 MR. THALER: So we had that. And then really, you know what I
15 mean, I asked her why, why 270 for both of them and she was
16 thinking that one would turn out of the way and one wouldn't climb
17 as fast and all that. I was like, well, we can't make those
18 predictions. I mean everybody flies the plane differently, and
19 obviously there's climb gradients on the SID and all that, but for
20 the Air Shuttle to rely on TCAS, I mean at the end of the day,
21 that's why we're here, you know. We don't want that to go off.

22 So -- but the long story short was, you know, I think there
23 was a lot of jitters. She was nervous with what was going on.
24 You can hear it on the radio and, you know, I know she probably
25 felt very bad about it, and the humanity part about it. But, I

1 mean it's just -- it was just -- basically I reviewed the event.
2 Don't hold in position was big thing for a long time, and kicking
3 the VFR out was -- and thought it was the right thing to do but
4 probably extend them out and get them out of the way was proven
5 even a better thing to do which wasn't done.

6 We run a lot of helicopters in there. You saw there was a
7 police helicopter falling in behind as well. That to me was not
8 that big of a deal on the whole thing. I think the thing that
9 contributed to the event, the unusual things was the Cirrus coming
10 in from the south over there, nighttime, and particularly air show
11 coming in on a right base for 33, I think was even a bigger one
12 because generally we don't get visual approaches coming from that
13 direction, at least since I've been here. Granted, I've only been
14 here a year but, you know, I always told folks, I might be newer
15 to this facility but I'm not new to air traffic. So, I don't know
16 if that answers your question or not.

17 MS. KOSCHIG: Oh, yeah.

18 BY MR. CARRICO:

19 Q. It sure did. DVAs --

20 A. Sure.

21 Q. -- are you -- there have been some. We're looking in the
22 SOP, and they're in there. We look in the LOA. They're in there.
23 But we're being told that they're no longer existent. What can
24 you tell me about the history of DVAs here?

25 A. I can tell you since I've been here, the DVAs pretty much

1 disappeared when I got here, and they were only for those folks
2 that were for departures but you had to issue them off the runway.
3 So based on the taxiway. DVAs do no longer exist. They are still
4 written in our SOP. I don't know why they have not been taken
5 out. I don't -- I'm not in any workgroup for SOP. I don't even
6 know who the SOP workgroup is honestly because like I said before,
7 I don't know workgroups we have because we don't have any right
8 now. Minus the LSC, we met one time about a month and a half ago.
9 So I really couldn't give you any further information on that.

10 Q. Back to your earlier -- in the conversation you asked why
11 270.

12 A. Um-hum.

13 Q. Would it shock you to know that 270 is the heading in your
14 LOA?

15 A. No.

16 Q. And that's why.

17 A. No, that does not shock me.

18 Q. I mean because that's the thing. It's in the LOA is that
19 that's what they need to be assigned, 270, out of the LOA, and
20 that was from 2022 I think.

21 MS. KOSCHIG: Yeah.

22 BY MR. CARRICO:

23 Q. So there's a discombobulation between your SOP and your LOA,
24 and I'm just trying to determine if that causes any confusion with
25 your workforce?

1 A. So I couldn't answer that question honestly, but I will tell
2 you this. Based off of my experience, if I have a situation where
3 I have someone that's rolling and have someone going around, I'm
4 turning Air Shuttle minimally, minimally to a 250. There was no
5 one to the south on that. So I'm cranking him away, and I'm also
6 telling SkyWest, fly runway heading, I'll call turns just
7 momentarily because I know there's terrain out there. MVA's exist
8 just north of the airport. That's just to create a preventative
9 measure for more additional spacing. But that's what Scott would
10 do. That's not what someone else may have done. I'm just saying
11 that's how I operate because I've worked many, many go arounds
12 with simultaneous departure in my career at Vegas. So I'm not --
13 like I say, I'm not new to this.

14 MS. KOSCHIG: Right.

15 MR. THALER: I also know that we do have standards that are
16 written in the LOA. I do know there's definitely some variations
17 between the two which I don't know how it got that way. I know
18 there's a 2 minute thing with the lineup and wait thing and a 1
19 and the 90 second one, which 90 seconds is 90 seconds. You can't
20 make that up --

21 MS. KOSCHIG: Yeah.

22 MR. THALER: -- you know. So, you know, I turn them away.
23 You know, I say, hey, can you issue the traffic alert? And I say
24 turn left immediately, I need 2-5-0, maintain 4,000, expect more
25 on this in a moment. SkyWest 5326, continue runway heading, I'll

1 call your turns and rejoin the set in just a moment. Simple as
2 that, you know. But like I said, you can Monday morning
3 quarterback and what do they call it, skin a cat in many different
4 ways. I don't know if it's a proper term or not but that's --
5 when I joined the agency in 2008, I heard that so many times, you
6 know, but at the end of the day, you know, our job is to be safe,
7 orderly and expeditious, and I say this to my controllers,
8 especially, you know, in my little documentation. You cannot be
9 orderly if you're not safe, and you cannot be expeditious if
10 you're not orderly and safe. You can't do all. You can't do it.
11 So you've got to be safe first. Hands down.

12 MS. KOSCHIG: Do you know how it's being taught out there for
13 that 270 heading because hypothetically if people were thinking
14 that's hard core, this is 270, I can't turn on anything else
15 unless I coordinate it with approach or I've just got to give them
16 that 270, that they feel that there is no way they can vector them
17 off of that.

18 MR. THALER: You separate and coordinate, and I also
19 mentioned that as well in my debrief with the controller that was
20 involved. I mean I didn't harp on it obviously, you know, but I
21 believe I -- I'm pretty sure I wrote it in my documentation. If I
22 didn't, definitely something was said. But that being said, you
23 separate and say, hey, you're getting this -- you're getting air
24 show on a 250 heading. How's that? Okay. Can you put it on 220?
25 Sure, absolutely. As long as it takes them away from the course

1 of the other aircraft, you know. Like in Vegas, we had certain
2 things that are written, too. We had, we had a go around
3 procedure off 26 left there that has on configuration 3 which is
4 landing 1 and 26 simultaneously and departing runway 1. Your 2-6
5 go around, if you have someone depart off 1, and their turning was
6 done, you've got to form separation between that 2-6 go around and
7 the 1 departure or else you're going to lose sep. So you can't
8 just give the standard go around procedure. You've got to
9 separate first. I mean that's just -- that's our job.

10 So -- and that's what I was trying to explain also to the
11 controller involved here. Say just because it's written,
12 obviously you want to keep to the standard as much as practicable
13 and possible, but it doesn't apply to every situation in life, you
14 know. You've got to think sometimes outside the box. That's our
15 job. I mean, you know, air traffic is variable. It's just --
16 it's what it is. And they pay us well to do it.

17 MS. KOSCHIG: Absolutely.

18 BY MR. CARRICO:

19 Q. So regarding the DVA conversation, so you got here last
20 March. The LOA was updated in May. So you were still in
21 training.

22 A. Yeah.

23 Q. Can you explain how that change was briefed because it was a
24 pretty big change nationwide of the BCP and the removal of the DVA
25 piece and then the addition of 563 and the .65, the vector below

1 MVA? Can you explain how that was briefed here? Does the
2 controller workforce fully understand what that paragraph means
3 and how it should be used in relation to the DVA?

4 A. I would say no. We do -- we were briefed on it. But I would
5 say no because it was kind of like a blip and gone, you know, and
6 how it's kind of like you talk about drift, you know, for example,
7 and so like now it's just like we operate like the DVAs were never
8 there because we have no -- they're of no use for us any more.

9 Q. You talk about not being aware of who's on what workgroup and
10 whatnot. What's your relationship like with Brian?

11 A. I love Brian. Brian's awesome. He is a fantastic manager.
12 I give him -- kudos for him because what I do is my job up there
13 and I try to stay as much time up there as I possibly can.
14 Sometimes it's not possible because I'm solo. There's not an
15 operational sup here. But my job is to see and report, and if I
16 see an anomaly, I'm going to tell him. And that's why we've made
17 some of these small victories. It's like, for example, and this
18 is unrelated, but I'm going to mention it because I think it's a
19 huge safety factor around here. We're getting constant ties from
20 8 and 1-5, from SET. And I'm like -- and we were just trying to
21 make it work. I'm like this is not going to work.

22 And I remember I was in training, and I was just going to
23 send the one on 1-5 around. I'm like I'm not going to make an
24 extra effort for this. And according to them, they said we need
25 to use our tools. One of our tools is to just send them around.

1 This is what SET tells us, you know. I'm like sure, use my tools.
2 And my trainer over keys me and tells SET, the controller, no,
3 we're just going to make it work. I'm like, all right, make a S
4 turn, you know, maintain slowest practical speed. And I'm like --
5 this is -- I mean I've been up there where we had one that we
6 around and came back around and had another squeeze play with
7 another one coming in for 1-5, and the controller tells him,
8 expedite off the runway, needed, turn left immediately, I have
9 traffic inside the final from 1-8. I'm like why are we doing this?
10 And this doesn't make any sense. So finally, I mentioned
11 something and it didn't go without resistance, but ever since
12 then, it's kind of not happened.

13 And they -- and so now what we have is they call us because
14 of this B gate thing is really the reason we use for it, but now
15 they call us for -- we have a 1-5 arrival, 1 down, and they
16 sequence it and we haven't had any issues. I was like so if
17 that's not progress, I don't know what is.

18 MS. KOSCHIG: Absolutely. And if they don't, if they don't
19 feel any push back, why would they change, right?

20 MR. THALER: Exactly. But they didn't like it, and we got a
21 lot of riff raft from it, and I've been told -- I keep getting --
22 I hear grumbling saying that -- they was like, well, you're
23 destroying our relationship with SET, and I'm like, what
24 relationship? I said what relationship? We don't have a
25 relationship with SET. I'm like, really. And I was like,

1 whatever. I mean obviously in a very professional manner because
2 that's the way I am.

3 MS. KOSCHIG: Of course.

4 MR. THALER: I'm not going to dig anybody on that I mean.
5 And, at the end of the day, I'm the person that the 20 folks that
6 are out there look up to.

7 MS. KOSCHIG: Yeah.

8 MR. THALER: And albeit I've only been here a year, whether
9 you want to respect me or not, that's fine. I mean at the end of
10 the day, I am your supervisor, and I'm going to make the calls.
11 And if you don't like it, come talk to me.

12 MS. KOSCHIG: Sure.

13 MR. THALER: My office door is always open. I mean I come
14 from the bargaining unit. So I'm not out here to get anybody.
15 I'm sure to make you come to work. You're successful. You enjoy
16 your job because at the end of the day, like I said earlier in
17 this conversation, you're around us more than your families during
18 the week.

19 MS. KOSCHIG: Exactly.

20 MR. THALER: It's as simple as that.

21 MS. KOSCHIG: Absolutely.

22 BY MR. CARRICO:

23 Q. As far as like order updates, announcements, SOP, LOAs,
24 you're the only supervisor.

25 A. Yes.

1 Q. Do you feel you should have a voice in what these orders
2 should look like?

3 A. I do. I do. However, a lot of this stuff is done between
4 the fac rep and the manager, and that's pretty much it. I mean I
5 don't honestly think I have a lot of time to have a voice in it.
6 I'd like to at least read it, make sure it looks all good. It's
7 kind of like looking at a schedule, make sure the schedule's good
8 that we can accommodate training, for example, make sure it looks
9 good, you know. Just -- I mean it doesn't have to be perfect
10 obviously, but it's something that we can work with, you know. So
11 it don't have to be, oh, this is the order now. I'm like, okay,
12 it's published, you know. So.

13 Q. Can you describe crew briefings? Do crew briefings occur
14 here?

15 A. They don't. Our support specialist, Drew, who by the way
16 does a magnificent job I must say, when we have a mandatory
17 briefing, he makes sure that everyone comes to his office. He
18 makes sure that the briefing's on -- we still use CEDAR for
19 briefings. We still have not migrated to Teams for that, but he
20 makes sure those are out and for refresher trainings. But as far
21 as like one-on-ones, like I've been a proponent like every week
22 that we should have at least some of the crew come down here and
23 talk to either Brian or myself. But we just haven't been able to
24 get to that, and I can't really give you an answer why at this
25 point. Why this happened? It could be staffing. It could be

1 something else, but at the end of the day, it just -- it's not
2 part of the culture of this facility as it should be.

3 Q. Would that be a viable way to start changing culture?

4 A. I think it would be one way but it's not the end all. I
5 think it's a small thing. There's many more other things that
6 need to be done here to change culture, and I think a lot of it
7 has to do with the mindset of the folks that have been here a long
8 time. Not saying anything against them because most of those
9 folks are really good people, but they're in the mindset, well,
10 I'm just going to make it work. I'll make -- I'll circle them to
11 land because they're going to be tied tight at the intersection.
12 But then you get riff raft from the pilots like we weren't
13 expecting this. And it's like send them around. You know, it's
14 -- just send them around. I mean they'd rather do that than have
15 them do a circle of the land in an unstabilized approach. This is
16 what we're setting them up for now. I say do not do that, and I'm
17 not there to see that. So, you know, it's just -- that's why we
18 need more oversight. We don't have oversight here. The oversight
19 is me when I'm here and Brian when he possibly can look at it.
20 But we're busy people. I mean there's only so much two people can
21 do.

22 Q. You talk about oversight. A lot is the big, you know,
23 resource management focus on oversight, remove the admin stuff out
24 of --

25 A. Yeah.

1 Q. -- the operation. Describe your average day.

2 A. Average --

3 Q. How do you function in the tower? When do you do your admin
4 stuff, et cetera?

5 A. Sure. When I come in for my shift, the first thing I do is
6 go up there. When I first got here, when I was in training, it
7 was a little bit different obviously. And then also when I first,
8 when I first got certified, I would look at my email before I come
9 up, make sure the shift was all good because that's the way I was
10 basically kind of taught, make sure, you know, you know what your
11 -- you've got going on and you come in and all that.

12 But now I've completely changed that. I go up to the tower
13 now and do all that stuff. I want to have -- I want to make sure
14 everything is good when I'm here and kosher. I want to make sure
15 the shift is ran properly. And this is why, you know, they
16 schedule the supervisors at 6 o'clock in the morning here, but we
17 have a shift at 5:30. I do come in at 6 on Monday because I have
18 a short term but the other days I come in at 5:30 because I want
19 to be in full control, make sure this shift is ran properly. You
20 know, right now there is no oversight up there because I'm here,
21 you know. It is what it is. I mean we don't have the staffing
22 for it.

23 So, yeah, I try to spend as much time as I possibly can up
24 there. Obviously, I'm going to -- I need to go downstairs and
25 take my breaks once in a while just so I keep my mind going, you

1 know, and have something to eat, you know, my lunch break and all
2 that, you know, to keep operating but I mean -- and the other
3 thing, and I don't know if this is a culture thing or not. I
4 always told the folks up there, you know, even though I am the
5 supervisor, I don't mind working the position either, as long as
6 I'm up there, you know. And if something goes wrong, we can
7 always swap, you know. We get somebody up there and get me out
8 and, you know, like the emergency the other night.

9 MS. KOSCHIG: Absolutely, yeah.

10 BY MR. CARRICO:

11 Q. What about like inbound predictability? Do you have enough
12 tools to know when aircraft are coming in, like the arrival list
13 for that populates? Is there anything else you guys might need to
14 help understand when your flights are actually coming in?

15 A. Yes, mostly I would say to that because just as -- just
16 because they're on the arrival list doesn't mean they're going to
17 come in that order because you could have someone coming in here
18 from the south, you could have someone coming from the north and
19 the one from the south beats the one from the north even though
20 the one from the north might be closer mileage to the airport, but
21 they're at number 1. And so there are times where IFR here, where
22 we will get an unfortunate sequence where we will lose separation.
23 Like on a day like today, they're in the clouds. We can't see
24 them. We have to send the middle one around. It doesn't happen
25 often.

1 But one thing, and I've already mentioned this to you before.
2 The improvement is SET announced calling for a 1-5 arrival. We
3 can't necessarily, we've been told, hey, unable the arrival or
4 deny them. However, my work around on that is say, hey, I have
5 someone occupying the runway. Is there anyway you can take them
6 to runway 8. And usually they'll comply. I mean, you know, it's
7 a request but just because the pilot says I want 1-5, on a day
8 like today, they're not going to get it because we don't have an
9 instrument approach to that runway, but on a clear day, just
10 because JetSuite X or Big Strike wants 1-5, approach control had
11 the mindset before, well, that was a pilot request. So we're
12 going to accommodate that. Okay. Well, as I said before, just
13 because it's a pilot request doesn't mean we're going to be able
14 to accommodate that.

15 And I've already talked to one of the chief pilots over there
16 at JetSuite. He came over here during Christmastime, and we have
17 a very good relationship with them. And, I told him the whole
18 thing, and he's even shared his plates with us, they're liable
19 plates. So I kind of get an idea how they're flying their
20 approach in here as well which is very helpful by the way. It's
21 kind of like the -- RNAV plates that Southwest puts out coming in
22 here as well and Vegas and whatnot. They -- they're definitely --
23 I don't know if they're all on the same page like communicating
24 this stuff but at least now SET is advising us, I have a 1-5
25 arrival 30 miles out. Great. At least we know about it. Oh, we

1 have someone to push off the Bravo gates. Anyway you can stay on
2 the runway? Sure. That's all we need. It was as simple as that.
3 And for whatever reason, for years it was just like this -- it was
4 just a shock. It's like, oh, we have an arrival come in.

5 Now, the VFRs, it's different. If it's a VFR slow person,
6 they can just shift them, and we can -- Cessnas, we have a lot
7 more maneuverability with but with the fast ones, the turbo props
8 and the jets, they have to advise us. And it's worked. So like I
9 said, small victories.

10 MS. KOSCHIG: Exactly. It ends up, you know, getting big
11 benefits.

12 MR. THALER: Yeah. We've got a long way to go though.

13 MS. KOSCHIG: Yeah.

14 BY MR. CARRICO:

15 Q. Is there a minimum requirement controllers have to look at
16 mileage-wise on the screen?

17 A. Most of the folks look at 11 miles from the airport all the
18 way around. I don't know if there's a minimum on there. I -- if
19 there is, I'm not aware of it. I look at 11 miles. There's no
20 requirement as far as I know by putting the roadways up on the
21 there because a lot of what we do here, we do a lot of transitions
22 with helicopters, TV, fire, police, medevacs, transitions going to
23 Van Nuys. So in the -- I put the freeway map up. I think most
24 folks do and the road map and all the obstacles along the way
25 because it helps me keep the pilots honest. I say, hey, you're

1 off course. I need you over here instead, you know, for example.
2 I did the same thing in Vegas, too. We had the local 3, and it
3 was -- local 3 is the helicopter tower there. It operates very
4 similar to how we do things here. I put the map up to keep folks
5 honest, you know, keep everyone safe.

6 Q. So all your approaches are runway 8?

7 A. Yeah, all our approaches are to runway 8. Our localizer is
8 currently out of service today.

9 Q. So when you're landing 33, how does SoCal offer
10 predictability on where are these guys in turnaround on visual? I
11 mean do they give them a point to turn, square your base, what do
12 they do so you know what the aircraft? As a visual you can
13 maneuver as you need to, to turn final unless they restrict you.
14 So describe how they set you up?

15 A. So I can answer that question. In fact, we'll start with
16 JetSuite X, for example. When I talked to them, they had a
17 concern about SoCal turning them too tight for 33 causing some of
18 them to go around. I've actually recently spoke to the pilots and
19 said how things going with them? They said actually lately it's
20 been much better. But it doesn't sound like they have a
21 relationship with SET like they do with us. In fact, I don't know
22 if they have any relationship with SET quite frankly. But what I
23 do know is that most of the airliners are set up and equipped to
24 fly the RNAV visual into runway 33. So it's a guided visual
25 approach from point to point to point.

1 Now, Air Shuttle, obviously that night was not, and I don't
2 think they are -- Air Shuttle is actually going away from American
3 if I read the story correctly. So they don't have, they don't
4 have many flights in here. But they did that night, and they
5 obviously were not. They were on a very low visual, I'd rather
6 stick to runway 33 from the southeast. Unusual in that sense.

7 But we, but we do have, like for JetSuite X who, when they
8 fly into 33 on a visual first, they're not signed off duty RNAV,
9 for example. So we do have operators like that. I don't know if
10 they're going to be on there or if they started or what their plan
11 is on that as far as I know. But, mostly airliners they're on the
12 guided approach.

13 Q. Timeline, were they -- when an aircraft pushes off Bravo 1
14 say, and the wing span isn't compliant, timewise what's the
15 average for coordination, you know, call for push, get the runway,
16 pushback, unhook, taxi into position, hold. What's the average
17 time it takes?

18 A. I would say like -- let's say nothing going on, as they were
19 calling for push, ground control gets permission to get control
20 runway 1 or runway 33 in this case, even stop the runway. I would
21 say average time 7 minutes.

22 Q. Okay.

23 A. And that's just -- I haven't timed it obviously but it's a
24 lengthy amount of time. You have Spirit who parks down there.
25 You've got United who parks down there as well. They all fly

1 Airbus 319, 320s down there. Spirit's all 320s. United's 319 and
2 320. But you also have Avelo down at B3. They're 73-700,
3 sometime 800s. And then the other thing, and I know currently
4 they're going to be fixing this because they're moving the line.
5 SkyWest flies -- United hired SkyWest to fly some of their flights
6 from here to San Francisco Embraer 175. There's currently no wing
7 span restriction when they push back tail north over there right
8 now or even tail south for that matter with the 175. But let me
9 tell you, those winglets, they point out like this. So it looks
10 like they are touching that line. They may not be over it, but
11 boy, oh boy, it --

12 Q. Inches.

13 A. Yeah, it does. And, the other part we're also dealing with
14 is the ground crews down there. They're very inexperienced.
15 There's a lot of turnover from what I hear, like a lot of
16 turnover. So these folks are pushing. I mean they've pushed onto
17 the runway before. They pushed the wrong way. They're very
18 inexperienced. So we have to deal with that, too, as an
19 observation side to make sure things are done right. Quite
20 frankly, for me, I'm not comfortable pushing an Embraer 175 over
21 there. I just, I just think it's too close. You have people
22 landing right here. There's folks landing, and so if you look
23 over here on operation on the runway 8 side, there's I think -- I
24 don't know how many feet it is, but it's very close. I want to
25 say it's -- is it like -- is it 6 feet on each side or something

1 like that? I can't remember what it was but when you have a 73
2 land on runway 8, and you have a 73 push off the Alpha gates, it's
3 close. And it's a waiver from years ago. And it's just the way
4 things have operated. But if you're not on that centerline,
5 you're cooked.

6 Q. So would you say, and I don't want to make an assumption --

7 A. Sure.

8 Q. -- but for all intents and purposes, when you push off the
9 taxiway for SkyWest and then park --

10 A. Yep.

11 Q. -- is there pressure once they push just to get them going
12 versus having them sit there and wait for aircraft to land?

13 A. Yes, there's a lot of pressure getting them going. You say,
14 okay, I've got a 20 miles gap. I can get this. Let's get the
15 pilots prepped and all that. It's like it shouldn't come down to
16 that. There should be -- there's no procedure here until I say,
17 okay, we can push to a certain spot. And say, okay, they're
18 clearly RSA. With the ones at B3 and 4, sometimes you'll have to
19 ask if they'll tug around the corner and go to spot Sierra 1, so
20 you push away from the B side. And, not all the crews will do
21 that. Or they'll say they can do it and then they get dumbfounded
22 on and they stop and like, hey, what do you want me to do? And
23 then they're just sitting there and it's like okay, what do you
24 want me to do next? So you're relying on the fact that the ground
25 crew knows what they're doing, the pilot's not going to

1 communicate that to the ground crew, and in hopes that what
2 instructions that we're giving them, that they can do that.

3 Now, what I found hard to believe when I got here, but I
4 understand why now, is how we're giving control instructions on
5 non-movement area. That to me was just like, whoa, you know.
6 It's like -- I mean that's a liability to me. So like we're
7 saying taxi via the terminal ramp, hold short -- hold at spot
8 Sierra 1, contact power which is what it says in the SOP. I mean
9 you're giving a taxi instruction now on a non-movement area.
10 That's just the way they've operated here. And I'm like, okay,
11 that's fine and dandy, but what if something actually happens.
12 Now, who's liable for that? Because it says in the SOP, the
13 tower's generally not liable for anything that happens on that
14 site, but we just give a taxi instruction. So now what?

15 MS. KOSCHIG: Exactly. And there's no waiver or do you know
16 of a waiver?

17 MR. THALER: Well, the -- I don't know. The only waiver I
18 know about is the non-standard RSA.

19 MS. KOSCHIG: Okay.

20 MR. THALER: I mean you don't see anything like it. This is,
21 this is very unique.

22 MS. KOSCHIG: Absolutely.

23 BY MR. CARRICO:

24 Q. And I think some of where this is just to tie it in a little
25 bit.

1 A. Yeah.

2 Q. So back to the predictability piece.

3 A. Yeah.

4 Q. Like TSD, ETMS, would that help? Has there ever been any
5 discussion to your knowledge of trying to acquire TMU equivalency
6 to know when airplanes are coming?

7 A. We have TSD up in the tower.

8 Q. You do have one upstairs.

9 A. Yeah. In fact, I've also taught some of my folks some stuff
10 about the TSD up there. Some folks know some parts of it but
11 like, for example, EDCT checks, for example. Like they call ST
12 TMU for EDCT checks and which is the right thing to do. However,
13 on the TSD, you can also check your own EDCT times in there as
14 well and that saves them some time, you know, but for the most
15 part, the controllers, they like using TSD. We do have the IDAC
16 as well for -- but as far as like reporting delays, for example,
17 this has been a big thing for our controllers that are CIC
18 qualified. I just feel as much as I try to teach them how to do
19 delay reporting, they just don't get it right. And it's kind of
20 frustrating to say the least, but like for the longest time, no
21 one thought that they had to report TMU delays for flow programs
22 to Vegas and San Francisco and all that. I said you absolutely
23 have to report it. You report it -- you file it. I didn't know
24 who to charge it to, you know, because I wasn't a TMU, but I knew
25 you had to report it, and they never did that for the longest

1 time. Now, they're finally doing it and you charge it to the
2 destination airport. But, even like when we are in delays, I just
3 feel like they're not being reported or they're not being reported
4 correctly because people -- they just don't know how to report it
5 or they -- I've seen where they've been reported, but they're
6 charging Burbank for a delay that should have been charged for SET
7 because we couldn't get releases.

8 MS. KOSCHIG: Oh, yeah.

9 MR. THALER: Because they didn't put no traffic management
10 initiative. If you put no traffic management initiative,
11 automatically we get charged.

12 MS. KOSCHIG: Wow.

13 MR. THALER: So you've got to put something, you know,
14 departure space, metering, if it's a flow control program,
15 something that matter. VIP movement which we had yesterday, for
16 example, something that says, okay, just -- and put in a
17 description what it is. Obviously don't say because our -- don't
18 put in there because the departure controller wouldn't give us any
19 releases and all that, just say sector bind, put something
20 professionally in there, short and sweet to the point and submit
21 it. But for whatever reason, like things are -- I think there's a
22 lot of delays off this airport that are not reported. I just do
23 because there's no oversight.

24 MR. CARRICO: That's all I have for now.

25 BY MS. KOSCHIG:

1 Q. I've got one question.

2 A. Sure.

3 Q. Talking about -- we were earlier talking about the airport
4 and relationship it here. It seems like it's pretty good, right?

5 A. It's gotten better.

6 Q. Oh, good. Because it seems like, you know, no one hesitates
7 as far as when it comes to switching configurations which some
8 places we go and there's this big riff between airports and the
9 tower. So it seems like it's fairly smooth. Is that a --

10 A. The only thing I can speak to is the folks that work here on
11 the airport. Like the airport office folks, I have a great
12 relationship with. I did in Vegas. I do here, and the folks
13 behind the scenes who work, you know, in the desk areas and all
14 that, I have a great relationship. Who I don't know about though
15 is the folks above them, because remember, this is a contract
16 company.

17 Q. Right.

18 A. So I don't know, you know, I don't know what their stuff is
19 and all that because, for example, we have an order that says that
20 helicopters must land on runways here.

21 Q. That was my next question. Go ahead.

22 A. Helicopters have to land on runways unless there's an
23 emergency. I've never seen a helicopter here land on a taxiway.
24 Where I come from -- I come from an airport that has a specific
25 helicopter tower, and in Vegas, you don't land on the runways

1 there. You don't even land on the taxiways. You land on the non-
2 movement area there. And it's just not a thing here. They say,
3 well, because of noise, noise, noise, noise. This airport was
4 built in 1930. These homes were -- although they're old, they
5 were built after the airport was built, you know. So I mean what
6 comes first? Noise or safety. Clearly the noise comes first
7 before the safety it sounds like, but it seems like we're going in
8 the right direction I think when it comes to that, but my thing is
9 that putting the helicopters in the way of airplanes particular on
10 26/33 configuration, when you're landing 33, is highly dangerous.

11 You know, I saw something maybe a couple of weeks over on
12 that config. We had a helicopter doing pattern work over here on
13 26, on this side of the intersection. And he was supposed to stay
14 west of taxiway Delta 7. Delta 7, if you look at the map here, if
15 you look at the approach on runway 8 --

16 Q. Yeah.

17 A. -- and the first cross actually is Delta 8 and then Delta 7's
18 the second one there. That's the millionaire ramp. So they're
19 supposed to remain west of that at all times including in the air.
20 Well, they're coming around their pattern, and they're like almost
21 overflying 33. I'm like, are we going to say something about
22 that, you know? Otherwise, we can't be -- keep them further west.
23 Put them on Delta 8 or something.

24 Q. Right.

25 A. They have no business being even close to the runway. And so

1 that's something I've also noticed is like especially when pilots
2 are not familiar like -- the pilots around here are familiar with
3 8/15 configuration. They're not familiar with 26/33 as much
4 because they hardly see it. 8/33 is even less common. 8/33 is
5 not as bad as 26/33 for what it's worth, but with that
6 configuration, you've got to sometimes give, you know, small steps
7 to these folks, like hey, I need you to do this because otherwise
8 you're going to get over the runway and get too close to aircraft
9 and start sending out unnecessary TCAS alerts. And, you know,
10 possibly get an inquiry from the pilots saying that, what's this
11 helicopter doing over here? You know, I mean that's -- our job is
12 to keep them away, not --

13 Q. Right.

14 A. -- keep them close, you know. So it's also communication as
15 well letting pilots know. It's like just because you say
16 something doesn't mean they're actually going to do it. That's
17 what we're here for.

18 Q. Right. So the whole crux of that --

19 A. Yeah.

20 Q. -- not letting the helicopters land on any other place than a
21 runway is noise abatement.

22 A. Yes. It's noise.

23 Q. And there's noise. There's no where else on the airport that
24 they can land other than an active runway.

25 A. Which is ridiculous because how far off, if you look at just

1 north of runway 8/26, there's taxiway Delta.

2 Q. Right.

3 A. Taxiway Delta is -- I mean it's, you know, it's adjacent to,
4 you know, runway 26, you know. It's right there. I mean -- so
5 you're telling me if we -- they can depart from the taxiway
6 though, but they can't land on the taxiway. And we have a
7 helicopter operator who operates out of the Atlantic there by
8 taxiway Delta 8 near the approach of runway 8, and they come out,
9 all day, everyday. They have their business there. They're good.
10 But, they depart of that taxiway every day but they have to land
11 on runway 8. Well, they're saying that there's going to more
12 noise created because they're going to be 150 feet, 200 feet
13 further to the north than runway 8 is. I mean that to me doesn't
14 sound logical.

15 Q. Yeah.

16 A. But it's a whole political thing now because they have to do
17 an environmental study and all this. I'm like, okay, wait a
18 minute here. This doesn't make a whole lot of sense. I mean I
19 understand we have aircraft taxi on taxiways, and we've got a
20 protect for that.

21 Q. Right.

22 A. But I mean let's have some options here because otherwise, if
23 we have -- not that we have a packed final (indiscernible) very
24 often, but if we do, and I've seen it, where are you going to put
25 the helicopter. You're going to have them do a squeeze play

1 between two airliners. I mean, come on, really. You know, so --

2 Q. Yeah, it just -- that just seems a little bit odd, and
3 they've been doing this for many, many years.

4 A. Yes.

5 Q. And has the facility or the FAA approached that with the
6 city, right?

7 A. Yeah, it with the city. The city owns the airport. But like
8 I say, they contract out to B-G-P-A-A which I don't know what the
9 name of the company is. From what I -- I think they run Rome and
10 Gatwick if I'm not mistaken from what I heard in the meetings in
11 all that. So I don't know the hierarchy beyond the folks that
12 work here but I can tell you that the folks that work her
13 currently, they're very in tune to what we have to tell them. And
14 they're very professional and friendly. It's been good. The
15 previous regimes I heard, not so. But I can't speak for that
16 because I wasn't here for that.

17 Q. Okay.

18 A. So, yeah. It just -- I know, it just doesn't make a whole
19 lot of sense to me. Obviously there might be some more stuff
20 beyond that that I don't know personally but at the end of the
21 day, I mean my whole thing is to keep the helicopters away from
22 the airplanes.

23 Q. Right.

24 A. I've always worked that way. I mean I've worked many
25 helicopters and I know that all they're going to do is cause TCAS

1 RAs. Just keep them away, you know, move them somewhere else. I
2 mean I love to work them, but I don't want them near the flying
3 public because I don't want them to be questioning, what's this
4 guy doing over here? What's this aircraft doing over here? It's
5 like that means I didn't do my job.

6 Q. Right. It just seems so odd because I mean look at the -- I
7 mean you hear the jets.

8 A. Yeah.

9 Q. You've got the Aspires come in, but that's totally different.
10 But you hear the jets and it's a lot of noise.

11 A. Yeah.

12 Q. I just -- it's amazing how they figured that a helicopter
13 noise is going to be worse, you know, and --

14 A. I mean they can fly anywhere. I mean they can depart. They
15 can fly over the neighborhoods if they want.

16 Q. Yes.

17 A. I mean how do they -- they fly to Van Nuys all the time, for
18 example. More commonly, they fly south but they fly everywhere,
19 you know. On top of the police fire medevac, they're always out
20 there, too.

21 Q. Right.

22 A. So, yeah, I really don't know what the logic is behind that,
23 you know. And remember what I told you before. It's the way
24 we've done it. So we'll just work with it. And that mentality to
25 me does not work.

1 Q. Right. And it seems like this was -- this happened a long,
2 long time ago and, you know, it's probably just hasn't been
3 approached again and that's just the way it is, right?

4 A. Yeah. You better believe it.

5 Q. And, you know, who knows what type aircraft was coming in
6 when that was decided.

7 A. Yeah. You better believe it. I mean -- like I said, I can't
8 attest to what the logic was back on that, but here we are today,
9 and we're still talking about it.

10 Q. 2023, right?

11 A. Yeah.

12 Q. You've got your work cut out for you.

13 A. I -- yeah.

14 Q. Yeah. It's good you're striving to make some changes, a
15 little at a time, baby steps.

16 A. Yep.

17 Q. But you'll end up, it'll add up. So that's good.

18 A. Sure.

19 BY MR. WOLTERS:

20 Q. I just have a last couple of questions.

21 A. Sure. Yeah.

22 Q. So the 33 -- do air carriers ever land on 26 or is the
23 terrain too close over there?

24 A. The terrain is too close. The only time -- the biggest plane
25 I've ever seen land there is VFR Gulfstream.

1 Q. Okay.

2 A. And this -- because this person, I think it was local to the
3 airport.

4 Q. Okay.

5 A. So they know the airspace. But, no, it's not safe.

6 Q. Okay. I kind of figured that, but just wanted to verify.

7 A. Sure.

8 Q. So in the config, would it ever be common to just land only
9 33 and pushing everybody off and taking them to 26 for departure?

10 A. Yes and no. And no and yes. So, yeah. It depends on the
11 wind because bear in mind that 26 is 1,000 feet shorter
12 approximately than 33. You do have a downhill roll for 15 and
13 uphill roll for 33.

14 Q. Okay.

15 A. And, if I'm not mistaken, 26, I can't remember what the
16 elevation is down on the other side down there, but either way
17 regardless, you're still losing 1,000 feet anyway you look at it.
18 So Southwest will take 26 commonly unless the winds are straight
19 out of the north, and then they'll take 33. But I always give
20 everyone the option. Hey, what runway are you set up for? We're
21 set up for 33. We're set up for 26. Okay. I ask everybody. I
22 don't care what airline you are, you know. If you're set up for
23 33, great. If you're set up for 26, great. It doesn't really
24 matter to me. But if you are set up for 33 and we have Delta
25 flies their SkyWest 175s in here. Sometimes what I'll do is if

1 it's busy is I'll place them down on Golf. So I'll actually take
2 them across over here. I do have to cross a couple of active
3 runways which I don't particularly like doing, but if traffic need
4 be it and we're a little busy, I'll put them over there. So now,
5 they're number one at the runway on the other side of the runway.

6 Q. Sure.

7 A. We're ready to go, instead of having to do that back taxi.
8 So that's something I'll do. But, I give the pilots the option.
9 I mean in a perfect world, would that be great? Yeah, I would
10 love everyone to take 26. But most of the folks are not set up
11 for the runway or they say it's too short.

12 Q. Right.

13 MR. WOLTERS: Anything else, Dan?

14 MR. CARRICO: I did have something.

15 BY MR. CARRICO:

16 Q. It's funny you mention the non-movement instructions because
17 O'Hare just engaged in a letter of agreement with one of the
18 ramps, reference the A380s and how they push back and phraseology
19 that we use. So that might be something for you to look into.

20 A. Sure.

21 Q. I know Phoenix has a LOA with the air users regarding the use
22 of Aerobahn and movement and non-movement areas. So that's
23 something if you guys want to look into to make your safety more
24 robust and protections. But real quick, all that to say, you
25 mentioned about crew briefings and you had mentioned mandatory

1 briefings, and that just brought my mind to something. When's the
2 last time you guys have done safe discussions here at all?

3 A. We don't do safe discussions here.

4 Q. Okay. Why not? Just no time, no --

5 A. There's no setup for it because I have mentioned it. Brian
6 got me into a telecom or it was really a webinar actually maybe
7 about 2 or 3 weeks ago as far as getting these things going, but
8 it wasn't the actual class. It was actually for LSC --

9 Q. Yeah.

10 A. -- more than anything, but it was actually -- it was the
11 bimonthly webinar I think it was --

12 Q. Okay.

13 A. -- or whatever -- however they do it.

14 Q. Yeah.

15 A. It wasn't the actual class which was, you know, it was just a
16 mistake. It was miscommunication on that but the intentions were
17 to get this going, but we just haven't. And since I've been here,
18 I've never done that.

19 Q. Okay.

20 A. I know it's required.

21 Q. Easy culture change.

22 A. Yeah.

23 Q. Easy culture change.

24 MR. WOLTERS: Do you know when the last ECV was here?

25 MR. THALER: No.

1 MS. KOSCHIG: What about ICV?

2 MR. THALER: No.

3 MS. KOSCHIG: None. Okay.

4 MR. THALER: I can't speak for it.

5 MS. KOSCHIG: Okay.

6 MR. CARRICO: I'm. Thank you.

7 MS. KOSCHIG: You got anything, Joe?

8 MR. WOLTERS: No, I'm good.

9 BY MS. KOSCHIG:

10 Q. Okay. Do you have any questions for us?

11 A. No. No.

12 Q. Do you have anything else you would like to add?

13 A. No, I appreciate meeting everybody today. It's been real
14 good.

15 Q. Thank you. And we appreciate you coming in here to talk to
16 us because it's really been enlightening, and it helps us out so
17 much. We really get to know the facility and what goes on, and
18 that helps us to look at the safety issues and thank you.

19 A. No, thank you. Thank, everybody. I appreciate everything.

20 MS. KOSCHIG: I'm going to stop the interview now. The time
21 is 0957.

22 (Whereupon, at 9:57 a.m., the interview was concluded.)
23

CERTIFICATE

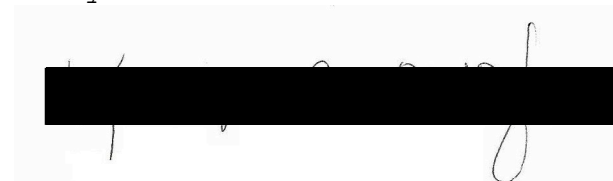
This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: RUNWAY INCURSION BETWEEN SKYWEST
 EMBRAER & MESA AIRLINES AT THE
 BOB HOPE BURBANK AIRPORT IN BURBANK,
 CALIFORNIA ON FEBRUARY 22, 2023
 Interview of Scott Thaler

ACCIDENT NO.: DCA23LA185

PLACE: Burbank, California

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.

A handwritten signature in dark ink, appearing to read 'Kathryn A. Mirfin', is written over a solid black rectangular redaction box. The signature is fluid and cursive.

Kathryn A. Mirfin
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

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RUNWAY INCURSION BETWEEN SKYWEST

*

EMBRAER & MESA AIRLINES AT THE BOB

*

Accident No.: DCA23LA185

HOPE BURBANK AIRPORT IN BURBANK,

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CALIFORNIA ON FEBRUARY 22, 2023

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Interview of: GARRETT SUNICH, Air Traffic Controller
Federal Aviation Administration

Hollywood Burbank Airport
Burbank, California

APPEARANCES:

BETTY KOSCHIG, Air Traffic Control Investigator
National Transportation Safety Board

DAN CARRICO, Air Safety Investigator
National Air Traffic Controllers Association (NATCA)

JOSEPH WOLTERS, Executive Officer, Denver TRACON
Federal Aviation Administration

NICHOLAS ZAJAC
Representative for Garrett Sunich

I N D E X

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I N T E R V I E W

(9:29 p.m.)

MS. KOSCHIG: All right. The time now is 9:29. All right. As I was saying a little bit earlier, I will be recording the interview with a digital recorder, and we will have a transcription made. The transcription will become part of the factual report, not the audio. Could you please state your name?

MR. SUNICH: Garrett Sunich.

MS. KOSCHIG: Could you please spell your first and last name?

MR. SUNICH: G-a-r-r-e-t-t, and then S-u-n-i-c-h.

MS. KOSCHIG: Okay. Even though we are recording this, we might be taking notes just so that we can refer back to ask questions. So you might hear me typing over here. So anyway, good morning.

MR. SUNICH: Good morning.

MS. KOSCHIG: My name is Betty Koschig, and I am an air traffic control investigator with the National Transportation Safety Board. The NTSB is an independent agency. We're charged with determining a probable cause of any incident or accident and promoting transportation safety. So that's what we do.

As an independent agency, we don't fall under the FAA, DOD, any of those others. We're just it. We have no regulatory power or enforcement power. So all we have is the power of the pen. And we can only recommend things. So there's nothing I could do

1 to you in any kind of way, disciplinary or otherwise.

2 So as part of our process, we invite parties to the
3 investigation for their technical expertise. I've been -- I was a
4 Navy controller for 20 years, various places. I've been doing
5 this for 15 years. I can quote you books and do research that,
6 you know, it's what I do. I go into a lot of facilities, but I do
7 not work in any facility. So we do invite expertise to help us
8 with the current situation that's going on out there. And in this
9 setting, we are team. So we will work together a team. We are
10 the NTSB team.

11 We have NATCA and we have a FAA SME. So I will let Dan
12 introduce himself from NATCA.

13 MR. CARRICO: Hi. My name is Dan Carrico. I'm an air
14 traffic controller out of O'Hare Tower. I've been there since
15 2004. Certified there in 2005-ish, maybe 6. It's been a while.
16 My background, I'm from the military out of El Toro, just south of
17 here. I started in FAA in Reno in 2001 and moved over O'Hare
18 Tower in 2004-ish. I'm also an air safety investigator for NATCA.
19 So I am a subject matter expert on this ATC workgroup.

20 MS. KOSCHIG: And for the FAA, I'll let Joe introduce
21 himself.

22 MR. WOLTERS: Good morning. Joe Wolters, Denver TRACON,
23 executive officer. I've been there also since 2004, and have done
24 pretty much everything, traffic management, quality control,
25 airspace, et cetera. So that's my radar background, and then

1 multiple towers that were down in Texas and then also up in
2 Wisconsin as a tower controller. So a little bit of robust
3 background. I'm just here to hear and learn a little bit about
4 what happened and pick your brain a little.

5 MS. KOSCHIG: Great. So as part of the -- so that's our
6 team. So as part of the regulations, you are welcome to have one
7 representative of your choice to attend. And I see that you do
8 have a representative. Is that correct?

9 MR. SUNICH: Yes.

10 MS. KOSCHIG: All right. Would you please state your name?

11 MR. ZAJAC: Nicholas Zajac.

12 MS. KOSCHIG: Will you please spell it?

13 MR. ZAJAC: N-i-c-h-o-l-a-s, Z-a-j-a-c.

14 MS. KOSCHIG: Okay. The reason we're here, the interview's
15 being conducted so that we can get factual information about what
16 happened and what you saw, what you heard, on the day of February
17 22nd between -- the incident between Air Shuttle 5826 and SkyWest
18 5326. So as we were talking earlier, the purpose of this is to
19 determine the probable cause, and the only way you can do that is
20 to find out what was going on, what was happening, and if there's
21 anything that, you know, we try to find the safety issue, to see
22 if there's anything that can help increase the safety. We're not
23 here to assign fault. We're not going to blame. We're not --
24 liability, none of that. Just fact finding.

25 So during this interview, if you need a break, just let me

1 know. I don't think it's going to last that long, no more than an
2 hour on the outside. You can do it. If you want to talk to your
3 rep at any time, you can say, let me go out here and chat. That's
4 fine. We'll stop the interview.

5 During the questioning, we may ask you things that you don't
6 know. I don't know is a perfect answer. If you wanted to
7 speculate or give your opinion, that's fine. But if you don't
8 know it, you don't know it. If you don't recall something, you
9 don't recall it. That's a fine answer. We just don't want you
10 answering any questions that you're unsure of, okay.

11 So, as we do this, what we're going to do is go around and
12 I'll first start asking questions, and then the other guys will
13 start asking questions so that we can start filling in any holes.

14 Do you have any questions yet about the process?

15 MR. SUNICH: No, no.

16 MS. KOSCHIG: Okay. So let's get started.

17 INTERVIEW OF GARRETT SUNICH

18 BY MS. KOSCHIG:

19 Q. First I'm going to find out some information about you, okay.
20 You told us your name. What are your operating initials?

21 A. Golf Sierra.

22 Q. When did you start working for the FAA?

23 A. 2017.

24 Q. Was that the Academy?

25 A. Yes.

1 Q. And where did you go from there?
2 A. Burbank Tower.
3 Q. Been here ever since?
4 A. Yes.
5 Q. Okay. You like it here?
6 A. Yes.
7 Q. Good. Do you have any military service?
8 A. No.
9 Q. Have any college or any degrees?
10 A. Yes, I have a Bachelor of Science.
11 Q. Where is that from?
12 A. University of North Dakota.
13 Q. And what was that degree in?
14 A. I think it's just aeronautics.
15 Q. I hear they've got a good college up there. Do you have any
16 other aeronautical certificates other than air traffic? A pilot's
17 license.
18 A. No.
19 Q. Do you have a current medical?
20 A. Yes.
21 Q. Do you have any restrictions?
22 A. Yeah, glasses or contacts.
23 Q. Are you required to have them with you or to have them on?
24 A. On.
25 Q. Okay. Did you have them on the day of the incident?

1 A. Yes.

2 Q. Who's your supervisor?

3 A. Scott.

4 Q. What's his last name?

5 A. Is it Thaler?

6 Q. Okay. Thaler.

7 A. Thaler.

8 Q. Thaler.

9 MR. ZAJAC: T-h-a-l-e-r.

10 MR. SUNICH: Yeah.

11 MS. KOSCHIG: Thank you.

12 BY MS. KOSCHIG:

13 Q. And just to let you know, we may ask you a questions that you

14 think, well, you should know that, but we can't put words in your

15 mouth. So that's where I'm probably going to come up with some

16 questions here. What positions are you qualified on or certified

17 on here?

18 A. All of them.

19 Q. Okay.

20 A. I wasn't sure if you wanted me to name them all.

21 Q. No. That's great. Are you current on all of them?

22 A. Yes.

23 Q. Okay. What was your schedule the week of the incident? What

24 days are you normally on and off and the times?

25 A. My normal days off are Monday, Tuesday.

1 Q. Okay. So what's the schedule like Wednesday through Sunday?
2 What hours do you work?

3 A. Wednesday is 2 p.m. to 10 p.m.

4 Q. Um-hum.

5 A. Thursday's typically at 12:30 to 8:30 p.m.

6 Q. Um-hum.

7 A. Thursday's usually 6 a.m. to 2 p.m.

8 Q. Um-hum.

9 A. Friday's usually 6 a.m. to 2 p.m. And then Saturday's
10 usually 5:30 a.m. to 1:30 p.m. And then come back Saturday night
11 at 11:45 p.m. till Sunday morning 7:45 a.m.

12 Q. Okay. Great. Was that your -- were you working your normal
13 shift the day of the incident?

14 A. Yes.

15 Q. What position were you working?

16 A. At the time?

17 Q. Yes, at the time.

18 A. CIC.

19 Q. Okay. Do you work overtime?

20 A. Yes.

21 Q. About how much -- how many shifts or hours a month?

22 A. A month, 40.

23 Q. 40. Okay. So you work like an extra shift every week or --

24 A. Yeah, probably at least every other week, once a pay period
25 at least.

1 Q. Once a pay period. Okay. That's great. Do you recall if
2 you had your cell phone in the tower that day?

3 A. I don't recall.

4 Q. Can you guys have them up there?

5 A. No.

6 Q. Okay. So now, I'm going to ask just a few questions about
7 you yourself healthwise and overall feelings. But -- yeah. Okay.
8 So how do you feel your health is I mean overall? Good,
9 excellent, poor, outstanding.

10 A. Good.

11 Q. Okay. All right. Do you recall if you felt well rested that
12 day that you were working?

13 A. I don't recall.

14 Q. Okay. About how many hours of sleep do you get every night?

15 A. Seven.

16 Q. Would you say that it varies around seven?

17 A. Yes.

18 Q. Let's see. Was there anything going on in the tower that day
19 that was distracting?

20 A. Not that I recall.

21 Q. Okay. Were you given the opportunity to review the audio or
22 the replay?

23 A. Yes.

24 Q. And you did review it?

25 A. Yes.

1 Q. Okay. Did you file an ATSAP?

2 A. Yes.

3 Q. All right. So now, we're just going to start talking about
4 the incident, start picking your brain. So do you recall what
5 time you got up to the tower before the incident occurred? When
6 did you sign on or had you been up there for a while?

7 A. Specifically for the event?

8 Q. Yes.

9 A. No, I don't remember.

10 Q. Okay. So, take us back to that. I know you listened to the
11 audio and you watched the replay, but that's all fine. But I want
12 to know what was going on in the tower or what you were doing,
13 what you were seeing, what you were hearing during that time based
14 on your observation, any of the actions that you took or did. So,
15 take us back to that leading up to the incident and what part?
16 Whatever part you want to take us back to, you can start at.

17 A. I remember there being four people up there and I remember
18 thinking about moving -- shuffling people around in order to start
19 breaks for the two of us before we come back for the rest of the
20 night, before the mid shift people get in there.

21 Q. Um-hum.

22 A. I'm not really sure what else there might be --

23 Q. Okay.

24 A. -- prior.

25 Q. Um-hum. So you were shuffling people around. Had you just

1 put -- the local controller that was involved, did you just put
2 her on the position or how long -- do you recall how long you had
3 her on that position?

4 A. I don't recall. I don't think she was put on recently. She
5 had been on position for a little bit.

6 Q. Okay.

7 A. I don't recall the specific.

8 Q. So did you, did you see the incident happen?

9 A. Yes.

10 Q. Okay. So tell us, where were you standing in the tower and
11 what you were looking at because there were other things going
12 on --

13 A. Right.

14 Q. -- with the traffic? Tell us about the traffic that day.
15 How was it?

16 A. I was standing in the back trying to locate the VFR inbound
17 from the south and make sure that they weren't in the way of Air
18 Shuttle who was coming in from the south as well.

19 Q. Um-hum.

20 A. Yeah, I just remained in the back.

21 Q. All right. So what do you recall about SkyWest 5326? Do you
22 recall seeing him and what was going on in the pattern at that
23 time?

24 A. SkyWest, I don't recall keeping much of an eye on. I guess I
25 was trying to look at the VFR inbound and where they were at in

1 reference to Air Shuttle the whole time.

2 Q. Okay. And do you recall when -- do you recall hearing the
3 local controller provide the landing clearance and the takeoff
4 clearance for SkyWest and Air Shuttle?

5 A. Yes.

6 Q. Okay. So did you happen to look out the window at that
7 direction when you heard that?

8 A. Yes.

9 Q. What was your thoughts on that?

10 A. I saw that it was going to be close.

11 Q. Um-hum. Did you think it was going to work?

12 A. Absolutely.

13 Q. Is that a normal configuration that you work?

14 A. No.

15 Q. So tell me some of the issues with it since it's not normal?
16 Tell me what goes on.

17 A. I don't think we've got enough time for that.

18 Q. We have time. Was this --

19 A. Some of the problems or some of the --

20 Q. Yeah. Yeah, because this is what it's -- I mean we've got an
21 incident.

22 A. Yeah.

23 Q. It's important.

24 A. Like pretty much 80 percent of the aircraft that have to
25 depart 33 specifically have to back taxi a bit. That takes a

1 while.

2 Q. Um-hum.

3 A. And the fact that we don't have automatic releases doesn't
4 help. So we don't know when we can go and when we can't. Yeah,
5 there's restrictions of pushing back aircraft from the Bravo gates
6 that occupy the runway. We can't land a helicopter on taxiways.
7 So we have to land them on the runway.

8 Q. Do you know why?

9 A. The airport.

10 Q. The airport ops. The airport says you just can't do it?

11 A. Yeah.

12 Q. Okay.

13 MR. ZAJAC: Am I allowed to speak on that or not?

14 MS. KOSCHIG: No.

15 MR. ZAJAC: Okay. Whatever.

16 MS. KOSCHIG: I mean I --

17 MR. ZAJAC: That's fine.

18 MS. KOSCHIG: It's his interview.

19 MR. ZAJAC: Whatever.

20 BY MS. KOSCHIG:

21 Q. Okay.

22 A. They can take off from the taxiway.

23 Q. Um-hum.

24 A. The helicopters. SoCal TRACON loves to give us just VFR
25 inbounds such as the one they did that night and they say it's

1 your problem because our LOA states that they only responsible for
2 separating J and M, like jets and high powered turbine engine
3 aircraft to the intersection. There's probably a lot more.

4 Q. Yeah. That's fine. I'm all ears. Because this is, this is
5 what we want to know what you -- when you're in that situation,
6 what you're faced with.

7 A. Yeah, there's a restriction on Golf that doesn't allow a good
8 majority of the aircraft that depart. So they can't use Golf at
9 all. So they have to back taxi from Charlie which takes some
10 time.

11 MS. KOSCHIG: Okay. If you wanted to tell -- if you wanted
12 to give him some advice, that's fine.

13 MR. ZAJAC: No.

14 BY MS. KOSCHIG:

15 Q. So, do you know -- have you -- do you know what -- have you
16 been involved in any talks or anything when it comes to SoCal and
17 all of these types of issues that puts all these restrictions on
18 your, anything that they are doing that, you know, like you said,
19 you don't get the auto releases, things like this.

20 A. I have not been involved, but I know that he and our manager,
21 Brian or Scott, have had those talks and they're not very
22 cooperative.

23 Q. Okay. All right. So we were talking about this
24 configuration. How often are you in it?

25 A. Not often.

1 Q. Say probably 10 percent of the time, 5 percent?

2 A. Less than 10.

3 Q. Okay. Was the traffic for that time -- what -- how would
4 you, how would you classify it? Light, moderate, heavy.

5 A. I'd say it wasn't heavy. Moderate, but complex.

6 Q. Great. Yes. I've got some more questions, but I am going to
7 let the others ask.

8 BY MR. CARRICO:

9 Q. I have some quick questions here, Garrett. Was the -- you
10 mentioned that there was a restriction on this configuration for
11 the Bravo gates pushing back and the runway. Is that correct?

12 A. Yes.

13 Q. Did SkyWest -- is that where SkyWest was? Did he come off of
14 that Bravo gate do you recall?

15 A. Yes.

16 Q. Okay.

17 A. And it's every configuration that when somebody with a
18 certain wing span over there, pushing on Bravo blocks the whole
19 runway, whether we're on that configuration or the other --

20 Q. Okay. So a lot of the things you just said, are they
21 specific this configuration or generalized airport issues? Like
22 the helicopters landing on the taxiway.

23 A. I mean that's general.

24 Q. Okay. So they're more generalized --

25 A. Yeah.

1 Q. -- to the entirety of the -- okay.

2 A. Yeah.

3 Q. I was just trying to glance at your SOP. Are all these
4 restrictions contained in your SOP somewhere?

5 A. That or the LOA.

6 Q. Okay. With the airport authority?

7 A. Yes.

8 MR. CARRICO: Do we have that, Betty? Did I miss that in
9 here?

10 MS. KOSCHIG: I don't know if they gave it to us yet. I
11 asked for all the LOAs.

12 MR. CARRICO: Okay.

13 MS. KOSCHIG: So I'll check on it.

14 MR. CARRICO: Okay.

15 BY MR. CARRICO:

16 Q. I'm just trying to think. So going back to the evening or
17 the afternoon of the event, I'm not sure what time it was. Did
18 everything appear normal? Was there, was there anything that
19 sticks out in your mind that says, man, that's just not right
20 or --

21 A. In terms of just the incident?

22 Q. How the event unfolded? Is there anything abnormal?

23 A. Abnormal, no, but --

24 Q. Nothing that stuck out --

25 A. No.

1 Q. -- to say, hey, we've got a problem here? Okay.

2 A. No, no.

3 Q. What role -- once the incident was happening or unfolding I
4 should say, what was your role at that point? When you said, hey,
5 this guy's going around. This guy's coming back around for the
6 downwind. You had the police helicopter I think coming in to land
7 on the numbers over there.

8 A. Just tried to assist, coordinate with SoCal as best I could.

9 MR. CARRICO: Okay. Joe.

10 BY MR. WOLTERS:

11 Q. Can you describe how the pushback off those gates works?
12 What's required? When do you get a release from SoCal? How does
13 that all kind of function?

14 A. It's a (indiscernible) at best, like -- because if we're
15 26/33 specifically, you know, most of our arrivals will come into
16 33, and not 26 due to the mountains. Every once in a while you'll
17 get VFR or a jet that might be willing, not an airline certainly
18 not, I mean but as far as they occupy runway, like everybody but
19 like RJ2 over there occupies the runway. And it's just kind of a
20 -- I don't know, a guessing game on if we can push and then hold
21 our releases or see how far out there's an inbound and say, okay.
22 We've got enough time, let's push them back and then hold them
23 there. And then we'll run them down when they're doing their
24 pushback and -- but hopefully get a release so we can depart them
25 and then the inbound can get in there after.

1 Q. Okay. Do air carriers ever land 26?

2 A. I can't remember the last time I saw one. Southwest I'm sure
3 a year ago, 2 years ago. I don't know.

4 Q. So in your configs, are you always two config? Do you ever
5 run a single runway operation like land and depart 33 or is
6 that --

7 A. I mean that's pretty much what 26/33 is because you usually
8 it's very windy out of the north. So nobody wants 26 to take off
9 even.

10 Q. Okay. That's good info. What about just like -- because
11 this config is so rare, what is the comfort level of everybody in
12 the cab when you have go into this configuration? Are you guys
13 comfortable with it, uncomfortable? Is everybody just on high
14 alert?

15 A. Yeah, it's --

16 Q. Can you -- what do you guys talk about when you go into the
17 config?

18 A. It's high alert for sure, not as comfortable as what we were.
19 We just try to slow it down as best we can and --

20 Q. How do you slow it down?

21 A. I don't know.

22 Q. Do you ever call SoCal for miles of trail or that type of
23 thing?

24 A. Yeah, we've tried.

25 Q. Are you guys trained on that? Are you able to do that?

1 A. We've tried.

2 Q. What's the typical response?

3 A. No.

4 Q. Do they ever follow up with a reason or it's just no, we
5 can't do that?

6 A. No, they don't really give us a reason.

7 MR. WOLTERS: That's all I have for now.

8 BY MS. KOSCHIG:

9 Q. You were talking about auto releases. So, the local
10 controller puts SkyWest in line up and wait. And Air Shuttle was
11 back there. So what was going on at that point? Were you trying
12 to get a release on SkyWest? Not you.

13 A. Right.

14 Q. But was that -- what was going on with that?

15 A. I don't recall.

16 Q. What would it typically -- you'd be doing once you put
17 somebody into line up and wait that you're looking at? Some of
18 the thing.

19 A. We would get a call say, we're waiting for one up (ph.) Van
20 Nuys and then we see the one that's in our way. We know which one
21 it is. So then typically some of us would line up and wait and --
22 because a release is imminent and a clear for takeoff is imminent,
23 like --

24 Q. So you don't know the issue was at that point, why they
25 didn't get that release?

1 A. No, I don't recall.

2 Q. So, when you saw this, where it was going to be tight, did
3 you think about telling the controller to send Air Shuttle around
4 or cancel SkyWest?

5 A. No.

6 Q. Would you have felt comfortable doing that if you felt you
7 needed to?

8 A. Would I have felt comfortable saying something?

9 Q. Yeah.

10 A. Yes.

11 Q. Okay. Do you have a pretty good working relationship with
12 everybody in the tower? Everybody does?

13 A. Yes.

14 Q. Okay. So what did you do after you saw that SkyWest -- did
15 you see SkyWest taking off and the Air Shuttle when they were both
16 doing, you know, climbing? Did you see that?

17 A. Yes, I saw that.

18 Q. Okay. So, at that point, what were you doing? Were you
19 coordinating? Were you -- what was going on?

20 A. Yeah, I was coordinating. I remember looking at Air Shuttle
21 not climbing.

22 Q. Um-hum. So, did you call SoCal at any time?

23 A. Yes.

24 Q. Okay. And what were you asking them?

25 A. For a heading.

1 Q. Okay. And how did they know that the Air Shuttle was going
2 about? Did you tell them?

3 A. I told them.

4 Q. Okay. So once the airplane -- did you see, did you see what
5 they looked like when they were -- when you said Air Shuttle
6 wasn't climbing? Was SkyWest climbing?

7 A. Yes.

8 Q. Okay. So that's -- and you were coordinating the heading at
9 that point or when were you coordinating the heading or was it
10 before that or --

11 A. Before that, like when they said they were going around.

12 Q. Um-hum.

13 A. And I don't know. I don't recall if I asked the local
14 controller if they wanted me to coordinate or if I just got on and
15 said, hey, this Air Shuttle is going around.

16 Q. Okay. So you coordinated the heading. Did you coordinate
17 anything else with SoCal?

18 A. Not that I recall.

19 Q. Okay. So after they're gone, did you write the MOR?

20 A. No, I did not.

21 Q. Okay. As a CIC, can you?

22 A. Yes.

23 Q. Okay. So who did the MOR?

24 A. The person who relieved me.

25 Q. Was that an OS or another CIC?

1 A. Just a CIC.

2 Q. Okay. Was the OS in the tower?

3 A. No.

4 Q. Okay. Who was in the tower?

5 A. Like the name?

6 Q. No, just the positions, the people that were --

7 A. So there was CIC, clearance delivery, a ground and a local.

8 Q. Okay. Was there anybody else in the tower just handing out?

9 A. Not -- like halfway through the event I'd say, that's when

10 the other person came up the stairs and was there.

11 Q. Okay. So after, you know, everything you coordinated, Air

12 Shuttle's gone back to SoCal, how long was the controller on

13 position after that?

14 A. I don't recall.

15 Q. Okay. But she was relieved not long after that, correct? Or

16 when she was relieved, was that a normal relief or was --

17 A. Yes.

18 Q. It was a normal relief time.

19 A. Yes.

20 Q. You didn't call anybody else up?

21 A. No.

22 Q. So, looking at it in hindsight, what could have helped? I

23 mean you do this job all the time. You know all the things, and

24 you told us a bunch of restrictions and things that, you know, I'm

25 sure is going to be brought up throughout the next couple of days,

1 that these things, if you had them put in place, may have assisted
2 better. Tell me what you think is -- would have -- would give you
3 guys more tools, if there's any procedures that would change, that
4 would help you do your job better, if you had, you know, your wish
5 list of things to do?

6 A. A new terminal because I know they've been talking about that
7 for years.

8 Q. Um-hum. How would that help? Tell me. I don't want to
9 guess.

10 A. I mean I would hope that they would extend the taxiway down
11 there, like where Bravo -- the Bravo gates are. Therefore, we
12 wouldn't have restrictions. They would have to knock down a
13 building that doesn't even get used over by Golf taxiway, that
14 that's why we have a restriction over there for a building that no
15 one's even in.

16 Q. Yeah.

17 A. Auto releases, more than one heading for a go around.

18 Q. Why do they only give you one heading?

19 A. I don't, I don't know.

20 Q. Okay. What else? I know you've got a list. Can you think
21 of any technology that would help you, anything that you've seen
22 other airports have that you're like, man, that's cool stuff?

23 A. Not that I -- no.

24 MS. KOSCHIG: Do you have some more questions?

25 MR. CARRICO: I do actually.

1 BY MR. CARRICO:

2 Q. So I want to talk about the auto release. So this SkyWest
3 pushes, he encroaches on runway 33. Is that right?

4 A. I don't recall what gate he was in, but if he -- I don't -- I
5 mean it depends in what gate they were in.

6 Q. Okay. So I'm just -- from your perspective as the CIC and
7 the general supervision aspect, did the local controller have a
8 release and that's why they went in position or do you know? Or,
9 is it normal to put in position without a release or an imminent
10 release or I mean would that coordination have been affected to
11 line up and wait normally I guess would be the word in this
12 configuration?

13 A. There's a few questions in there. Can I --

14 Q. Okay. So, in this configuration, did -- the auto release
15 wasn't there. So the local controller taxied into position or
16 back taxied into position all I'm assuming come around --

17 A. Yeah.

18 Q. -- in that little area. We don't know if the gate they
19 pushed on -- do gates over there push and encroach on Bravo 8/33?

20 A. Yes.

21 Q. Okay. So we don't know if this was the case and that's why
22 they put them in position or whatnot. But, in this -- well, let's
23 go to that. So if this is a gate that would push and encroach on
24 runway 8, who would do that push in this facility?

25 A. So it would encroach on 33.

1 Q. 33.

2 A. 15/33.

3 Q. Yeah.

4 A. The ground controller would coordinate with local, say I need
5 the runway to push this aircraft, probably more so off the line
6 there. So that when the time comes, they can just get on the line
7 and then do it officially to get the runway from local.

8 Q. Okay. So then the ground controller coordinates with the
9 local controller to get the release to push this aircraft onto the
10 line. If they push out onto the line, are they encroached on
11 runway 33 -- 15/33 or --

12 A. Yeah, until they move out of the way, yeah.

13 Q. Okay. So the local controller then has to know when their
14 next inbound is. How far out do you guys typically look on your
15 power display or does SoCal call you with an inbound? How do you
16 guys know what's coming in next?

17 A. It's a couple different ways. We only scope out 10, 11 miles
18 from the center of Burbank.

19 Q. Okay.

20 A. So a big circle. Some people have an arrival list on their
21 scope that says, you know, how many miles out they are. Some
22 people will zoom out to see where their arrivals are lined up from
23 and where they're coming from to see how far they are. But, no,
24 there's no inbound calls and obviously we have to wait for a
25 release.

1 Q. So in this configuration, if this individual pushes onto the
2 -- encroaches on runway 33, it's unusable. They break. You call
3 SoCal and say the runway's fouled. You've got to go to holding.
4 Or, how does that look?

5 A. There is no --

6 Q. There is no procedure.

7 A. They don't know when there's a pushback happening and the
8 runway is unusable.

9 Q. Okay. I want to go back to the looking at the MOR and
10 whatnot and everything on this. This airplane was assigned a SID
11 that goes 270 off the ground for 33. So SoCal knew that this
12 airplane was released on this and still gave the 270. Is there
13 another heading that you as a tower controller can use until you
14 get them to a 270 heading? In other words, how far out can you go
15 on an assigned heading from you before they have to be turned to a
16 270 and shifting to SoCal?

17 A. For the SID?

18 Q. No, for your missed approach. Because the SID -- the
19 departure is operating on the SID.

20 A. Right. Yeah.

21 Q. That's defined. This guy's on a visual approach. I'm
22 assuming it's a visual approach?

23 A. Yeah.

24 Q. When they come in, they go around, immediately turn to a 270
25 heading but how far can you go straight before you turn? What's

1 -- do you have other avenues, other headings to maintain
2 separation?

3 A. No.

4 Q. Okay. And you have a diverse vectoring area here?

5 A. We did until October. Is it still a thing.

6 MR. ZAJAC: We'll go talk.

7 MR. SUNICH: Yeah.

8 MR. CARRICO: Are we off?

9 (Off the record.)

10 (On the record.)

11 MS. KOSCHIG: We're back on.

12 MR. SUNICH: Okay. So the DVAs went away May of 2022.

13 MR. CARRICO: We have an old SOP.

14 MS. KOSCHIG: When was it updated, do you know or --

15 MR. SUNICH: I don't recall.

16 BY MR. CARRICO:

17 Q. Do you why they went away in May of 2022?

18 A. I do not.

19 MS. KOSCHIG: Do you think it would be good to have them back
20 or what do you think about that? Tell us your opinion. Just an
21 opinion.

22 MR. SUNICH: I thought they were more restrictive but --

23 MS. KOSCHIG: Okay. Are you glad to see them gone?

24 MR. SUNICH: I wouldn't say I'm glad.

25 MS. KOSCHIG: Okay. I'm sorry. Go ahead.

1 MR. CARRICO: I think that's all I have, Betty. Thank you.

2 BY MR. WOLTERS:

3 Q. Your current wing span, where do you get that information
4 from? How do you know what aircraft have what wing span?

5 A. We have a cheat sheet upstairs, and it's also on our display
6 board that we can search through.

7 Q. Okay. Do you know what the SkyWest wing span was? I think
8 he was an EU175.

9 A. I don't recall.

10 Q. You don't recall. That's okay. But he wouldn't have been
11 able to use the taxiway at all, correct?

12 A. I think they can.

13 Q. They can. So in this configuration departing 33 when an
14 aircraft pushes off those gates, is there pressure to get him
15 airborne or do you guys every utilize crossing the runway if
16 they're compliant to hold over there?

17 A. Yes, we will -- both. I mean if we can push them out and get
18 them out without having them to go over Golf, we'll do that, but
19 if we have to use Golf, we do that, too.

20 Q. I couldn't see it in the LOA. Do you know what the -- is
21 there a time restriction with releases? Do you have a certain
22 amount of number of minutes to get airplanes --

23 A. When we have a release? Yeah, it's 3 minutes.

24 Q. Three minutes. Do you wish it were more?

25 A. For that configuration, yes.

1 Q. Have you ever been down to SoCal to visit --

2 A. Yes.

3 Q. -- and watch the operation? Do they come up here?

4 A. No.

5 Q. Do you think it would be beneficial if someone came up here?

6 A. Absolutely.

7 Q. What did you learn when you visited down there? Did you
8 watch the whole sector or were you more focused on Burbank? I
9 don't know how --

10 A. Yeah, the Burbank area. I specifically sat there for a while
11 and it was slow. I just -- and that's all I remember.

12 Q. Okay.

13 A. It wasn't much that went on but obviously they see more than
14 what we have but --

15 Q. What about refresher training for this configuration? Does
16 that happen or how do you guys stay up to speed on this
17 configuration since it's so rare?

18 A. I don't know. I mean there's not much of a refresher I
19 guess.

20 Q. That's okay.

21 MS. KOSCHIG: Yeah.

22 BY MS. KOSCHIG:

23 Q. So do you have Local Safety Council here?

24 A. Yes.

25 Q. Are you part of it?

1 A. No.

2 Q. Do you feel they address issues?

3 A. Yeah.

4 Q. They do. They do a little outreach and they take all your
5 considerations and bring those forward?

6 A. Yeah.

7 Q. Good. That's good to hear.

8 MS. KOSCHIG: I can't think of anything else, right now. You
9 got something, Dan?

10 MR. CARRICO: I do not, thank you.

11 MS. KOSCHIG: Joe?

12 BY MR. WOLTERS:

13 Q. What kind of memory aids do you use in this config?

14 A. None that are different than the other one.

15 MR. WOLTERS: That's all I have.

16 BY MS. KOSCHIG:

17 Q. I know this is going to sound like a dumb question, but is
18 there something that we didn't ask you that you thought we were
19 going to ask you?

20 A. No.

21 Q. So if there was any -- I think we already went over this, but
22 is there anything else that you can think of that would help you
23 guys do your job safer like in this type of situation that would
24 give you that tool to aid you? Anything you can think of besides
25 the other things --

1 A. Yeah. No, not that I've already said.

2 Q. Okay. All right.

3 MS. KOSCHIG: So I don't believe we have any more questions,
4 and we will end the interview, and it is at 10:19.

5 (Whereupon, at 10:19 p.m., the interview was concluded.)
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CERTIFICATE

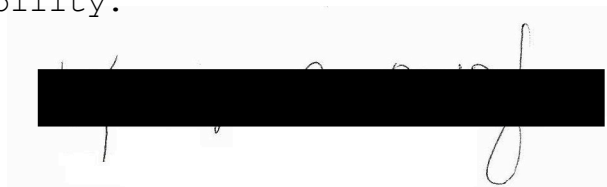
This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: RUNWAY INCURSION BETWEEN SKYWEST
 EMBRAER & MESA AIRLINES AT THE
 BOB HOPE BURBANK AIRPORT IN BURBANK,
 CALIFORNIA ON FEBRUARY 22, 2023
 Interview of Garrett Sunich

ACCIDENT NO.: DCA23LA185

PLACE: Burbank, California

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

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

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*

RUNWAY INCURSION BETWEEN SKYWEST

*

EMBRAER & MESA AIRLINES AT THE BOB

*

Accident No.: DCA23LA185

HOPE BURBANK AIRPORT IN BURBANK,

*

CALIFORNIA ON FEBRUARY 22, 2023

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Interview of: ALEXANDRA OWENS

Federal Aviation Administration

Hollywood Burbank Airport
Burbank, California

FREE STATE REPORTING, INC.
Court Reporting Transcription
D.C. Area 301-261-1902
Balt. & Annap. 410-974-0947

APPEARANCES:

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Federal Aviation Administration

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I N T E R V I E W

(2:04 p.m.)

MS. KOSCHIG: So, I will be recording the interview with a digital recorder and we'll have a transcription made. That transcription will become part of the factual report, not the audio. Time now is 1404.

MS. OWENS: Okay.

MS. KOSCHIG: Can you please state your name?

MS. OWENS: Alexandra Owens.

MS. KOSCHIG: Okay, can you please spell your first and last name?

MS. OWENS: Alexandra, A L E X A N D R A, Owens, O W E N S.

MS. KOSCHIG: Okay, great. First, I want to introduce myself. I'm Betty Koschig from the NTSB. I'm an air traffic control investigator. I've been working there for 15 years, before that it was Navy for 20 years, various air stations and ships, and here I am now. The NTSB -- I don't know if you know much about us, but we're an independent agency. We don't fall under the FAA, DOD, any of those. We don't have anyone to report to but Congress. We don't have any regulatory or enforcement powers. Our power is in the pen and our recommendations and looking at the safety issues and that's where we tend to always stay as a fact-finding process.

In this setting, you see that we have someone from NATCA and someone from the FAA. But this is the NTSB group because we like to bring in subject-matter experts to make sure that we're looking

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1 at everything and that the group's well rounded and that
2 everybody's represented. So, I am going to let them introduce
3 themselves.

4 MR. CARRICO: Hi Andrea -- Alexandra, I'm sorry. My name is
5 Dan Carrico, I'm a controller at O'Hare Tower, I've been there
6 since 2004. I'm also an air safety investigator at NATCA and
7 that's my role as part of this ATC work group.

8 MR. WOLTERS: Hi, my name is Joe Wolters and I'm out of
9 Denver TRACON. I've been there since 2004, which is the bulk of
10 my career over in the -- my entire career, I've also worked at
11 four other towers, a couple up-downs, one VFR tower. So, I do
12 have experience on both sides of the fence.

13 MS. KOSCHIG: So, that's us. So, we'll be going through the
14 process -- once we leave here, we'll still have paperwork to do
15 and we'll be going through this process of doing the factual
16 report and all that. So, we stay a team for quite a while.

17 MS. OWENS: Okay.

18 MS. KOSCHIG: So, as part of the regulations, you are welcome
19 to have one representative and I do see that you have somebody
20 here. Is that the person you chose to be your rep? (Verbatim)

21 MS. OWENS: Yes.

22 MS. KOSCHIG: Okay, and can you please state your name?

23 MR. ZAJAC: Nicholas Zajac.

24 MS. KOSCHIG: Okay, so all the questions that I ask, they'll
25 be asked to you so that, you know, just so we all know. (Clears

1 through) Excuse me. As part of this -- just to inform you that
2 we're not here to assign fault, or blame, or liability. This is
3 a -- NTSB, whenever we do this, we're fact finding and then we
4 take those facts, we look at other facts like the pilots, you
5 know, what was going on there, what was happening with them, and
6 in this case, it's just the pilots and our group. But if it's a
7 major accident or something, then we've got, like, ten different
8 groups and then we put all this together and we come up with a
9 probable cause. So, on our end, that's what we're going to look
10 at, what's going on with the facility, what's with the procedures,
11 what with everything and what you recall of the incident as well.
12 So -- and we are here for the incident on February 22 with Air
13 Shuttle 5826 and Sky West 5326.

14 Okay, so when I ask a bunch of questions during this, if you
15 don't know something, I don't know is a good answer. You can
16 speculate or you can voice your opinion, if you like, on
17 something. We want to understand what's going on and so, that's
18 fine. If you don't recall something, I don't recall is a fine
19 answer. We don't want you to just try to fill in the blanks and
20 not be certain on something. If we're not clear on our questions,
21 say what do you mean, explain that, restate that because we just
22 want to make sure we're clear. If we ask you some questions and
23 you're like oh, you should know that, it's because we don't want
24 to put words in your mouth, so we never make assumptions. So,
25 that's the reason for that. So, any questions yet?

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1 MS. OWENS: I don't think so.

2 MS. KOSCHIG: All right, so if you feel that you need to take
3 a break anytime, that's fine. If you feel that you need to talk
4 to your rep and go out, that's fine, just let me know.

5 INTERVIEW OF ALEXANDRA OWENS

6 BY MS. KOSCHIG:

7 Q. All right, so let's get started.

8 A. Okay.

9 Q. So, what are your operating initials?

10 A. AJ.

11 Q. Okay, when did you start working for the FAA?

12 A. September 2005 -- sorry, 2015.

13 Q. Okay, was that the academy?

14 A. No, I was a previous-experience hire.

15 Q. Okay, where did you -- what kind of experience did you have?

16 A. Air Force for four years and contract tower for ten months.

17 Q. What contract tower did you work?

18 A. (Indiscernible) in Puerto Rico; BQN Airport.

19 Q. Okay, so what was your first -- after working for the FAA,
20 when -- where did you start working there? What facility?

21 A. This is my first and only facility.

22 Q. Oh, okay, do you like it?

23 A. Yeah.

24 Q. Normally, you have beautiful weather here. Okay, so you
25 answered my military question. Let's see, do you have any

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- 1 college -- or a degree?
- 2 A. Credits towards a degree.
- 3 Q. Okay, do you have any other aeronautical certificates like
- 4 pilot's license or anything like that?
- 5 A. No.
- 6 Q. Do you have a current medical?
- 7 A. Yes.
- 8 Q. Any restrictions?
- 9 A. No.
- 10 Q. Okay, who is your supervisor?
- 11 A. Scott Baylor.
- 12 Q. All right, what positions are you qualified in or certified
- 13 on here?
- 14 A. Flight data clearance delivery, ground control, local
- 15 control, and NCIC.
- 16 Q. Are you current on all positions?
- 17 A. Yes.
- 18 Q. Are you an OJTI?
- 19 A. Yes.
- 20 Q. What is your normal schedule? The days and hours?
- 21 A. Monday and Tuesday are my off days and my regular shifts are
- 22 Wednesday through Sunday.
- 23 Q. Wednesday through Sunday, okay. Were you working your normal
- 24 shift that day of the incident?
- 25 A. Yes.

1 Q. Okay, do you work overtime?

2 A. Yes.

3 Q. How many shifts or hours do you work overtime let's say in a
4 pay period?

5 A. Eight to 16.

6 MS. KOSCHIG: Okay.

7 UNKNOWN PARTICIPANT: Let's take a break.

8 (Recording stopped)

9 (Recording resumed)

10 MS. OWENS: Just going back to the current medical clearance,
11 it is current, but the -- I do have corrective lenses on my
12 limitations.

13 BY MS. KOSCHIG:

14 Q. Oh, okay. All right, are you required to have them with you
15 or wear them?

16 A. Wear them.

17 Q. Okay, were you wearing them the day of the incident?

18 A. Yes.

19 Q. Okay, thank you. All right, did you have your cell phone in
20 the tower?

21 A. No.

22 Q. So, that's about those types of questions. Now, I just want
23 to get a question, like, on your overall health, you know. How is
24 your health, good, fair, poor, excellent?

25 A. Good.

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- 1 Q. Okay, do you recall if you felt well rested that day?
- 2 A. Yes.
- 3 Q. Okay, about how many hours of sleep do you get per night?
- 4 A. On average?
- 5 Q. Yeah.
- 6 A. Seven.
- 7 Q. Okay, and I would say if you got big or significant changes
- 8 but being pregnant is a change. Is there anything else that's
- 9 going on in your life that's --
- 10 A. No, pretty normal.
- 11 Q. All right, so (clears throat) excuse me, I'm sorry. Was
- 12 there anything going on in the facility that day that was
- 13 distracting or unusual?
- 14 A. No.
- 15 Q. Okay.
- 16 A. Unusual, yes.
- 17 Q. Yes.
- 18 A. The setup -- distracting, no, but the configuration of the
- 19 airport was unusual.
- 20 Q. Okay, yeah, so we'll -- then we'll talk about that in a
- 21 couple of minutes because that's important. Were you able to
- 22 listen to the audio in the Falcon -- or watch the Falcon replay?
- 23 A. Yes.
- 24 Q. Okay, did you file an ATSAP?
- 25 A. Yes.

1 Q. Okay, great, so now what I'm going to do is start asking some
2 questions about the incident and I'll start passing around and let
3 the other guys ask some questions as well. I know you listened to
4 the audio and -- or watched the Falcon or both. But I want you to
5 go back to what you were doing in the tower at the time so that we
6 can experience what you were dealing with because, you know,
7 it's -- we need to understand the different things that were going
8 on so that we can learn from that, if there's any issues that we
9 can take away with that. So, if you just start telling us and you
10 can start wherever you want to start for your recollection of the
11 events, wherever you feel comfortable beginning?

12 A. I'm not sure where.

13 Q. Well, maybe -- let's see, air shuttle -- let's see, Sky West
14 taxied out before Air Shuttle came up your frequency? Tell me
15 when you started talking with Sky West and --

16 A. Sky West was in the terminal ramp in the Bravo Gates.
17 (Coughs) Excuse me. So, it's not so much of a taxi from the
18 terminal as a turn onto the runway from the terminal and a back
19 taxi.

20 Q. Okay.

21 A. I don't recall if I spoke to -- I think I spoke to Sky West
22 before Air Shuttle. I don't recall which order it was in.

23 Q. All right.

24 A. So, Sky West was placed into position and issued traffic, and
25 there was also another -- a VFR Cirrus on frequency, a Southwest

1 arrival prior to Sky West going into position, and then the Air
2 Shuttle.

3 Q. Okay, so tell me what happened.

4 A. I noticed on arrival Southwest and the Cirrus were both
5 handed off from the SoCal TRACON and what one would classify as
6 kind of a (indiscernible) to a runway. I attempted to reach out
7 to both of them before they were on frequency to try to set up a
8 sequence. Neither were on frequency, but then I got a interphone
9 call from SoCal and they advised me that the VFR Cirrus was on a
10 heading and communications were switched. Southwest -- or the --
11 I don't remember if the Sky West -- or sorry, the Cirrus came over
12 first or the Southwest.

13 My intended sequence was Southwest to land Runway 33 and then
14 the Cirrus to follow them to land Runway 33 as well. But the
15 Cirrus requested 26, so they were instructed to enter the traffic
16 patter for Runway 26. Southwest was clear to land on 33. After
17 that, Sky West was put in position. The Cirrus was given
18 clearance to land on 26 and then once I realized that the speeds
19 were not going to be adequate to have clearance through the
20 intersection, I instructed them to go around and then I cleared
21 Sky West for takeoff and then immediately cleared Air Shuttle.
22 Air Shuttle questioned their landing clearance. I reissued it and
23 they initiated a go around.

24 Q. So, what happened after that?

25 A. After the go around, I instructed Air Shuttle to fly -- or

1 climb to maintain 4,000 and issued a vector and we attempted to
2 coordinate with SoCal TRACON for whatever appropriate vector they
3 wanted. We eventually got everyone on their, I guess, intended
4 headings and over to the correct sector for communications. Then
5 I handed off the position to another controller.

6 Q. Okay, was that close to the end of your shift?

7 A. No.

8 Q. All right, what were your hours that day again?

9 A. 10:00 to 2:00.

10 Q. 10:00 to 2:00.

11 A. Sorry, 2:00 to 10:00 -- 2:15 to 10:15.

12 Q. Okay, so tell me what you were looking at when -- let's see,
13 the Southwest landed and now you've got the Cirrus, so walk me
14 through where are you looking, what are you doing?

15 A. I'm looking for the runway to be clear with Southwest, the
16 positioning of the Cirrus. There's also a helicopter -- a police
17 helicopter conducting survey work on the east side of the freeway.
18 They wanted to be inbound for landing as well. I was just looking
19 for separation from everyone and compliance.

20 Q. Okay, were you just looking out the window or are you looking
21 at the --

22 A. The window, the runway, the stars display.

23 Q. Was anybody helping you to look for -- trying to find the
24 traffic?

25 A. Yes.

1 Q. Do you know who that was?

2 A. The ground controller and the CIC.

3 Q. Oh, okay, so was there anything unusual about how
4 these -- how the handoffs were, or the flow of the inbound, or
5 anything like that, or your Cirrus? I mean, of course, with the
6 Cirrus you had, you know, the go around. But where Air Shuttle
7 was coming in at?

8 A. Air Shuttle does -- we don't typically get Runway 33 arrivals
9 from the east. That's something that doesn't happen very often.
10 They typically -- especially air carriers come in from the
11 southwest. The VFRs can come in from any direction.

12 Q. Okay, so when you cleared Sky West for takeoff and then you
13 cleared Air Shuttle, where were you -- do you remember how far out
14 Air Shuttle was or could you tell? What was your -- what were you
15 looking at that point and thinking?

16 A. I was looking at a combination of the stars and the runway.
17 I don't recall the exact mileage that they -- that Air Shuttle was
18 at and when the clearances were issued.

19 Q. All right, is it -- this is at night, right?

20 A. Yes.

21 Q. So, is there any lights or anything out there that would've
22 prohibited you from seeing him or maybe, you know, an illusion of
23 with all that mixing of the lights, anything like that?

24 A. I mean, there are a lot of lights out there but I don't think
25 that I confused the lights -- his lights with any other.

- 1 Q. Okay, and -- let's see --
- 2 A. There's a whole --
- 3 Q. Yeah, so when Air Shuttle said he was going around, do you
- 4 recall where he was at that point?
- 5 A. I don't recall the exact mileage.
- 6 Q. Okay, do you happen to recall what altitude he was at?
- 7 A. No.
- 8 Q. Okay, so tell me what you saw at the point -- when did you
- 9 first see that there's a conflict?
- 10 A. For Air Shuttle and Sky West?
- 11 Q. Yes.
- 12 A. I mean, there's always a conflict with people going to the
- 13 same runway, so I'm not sure when the exact moment of conflict was
- 14 decided, I guess.
- 15 Q. Okay.
- 16 A. I don't know.
- 17 Q. Okay, so you said that you -- the first thing you did was to
- 18 give him, you know, a climb, correct?
- 19 A. Uh huh.
- 20 Q. And what -- do you recall what heading you put him on after
- 21 that?
- 22 A. I told him to fly runway heading initially.
- 23 Q. Oh, okay, and then you gave --
- 24 A. So, 330.
- 25 Q. Oh, okay, and then did you put him on a different heading?

1 A. Yes, 270 heading.

2 Q. Okay, and so what was going on in your mind at that point?

3 A. At that point, just to keep planes separated.

4 Q. And what heading was Sky West on?

5 A. They were issued, I believe, 273 heading on the departure
6 plate.

7 Q. Okay, just doing a sit, right?

8 A. Yes.

9 MS. KOSCHIG: I am going to let the other guys ask some
10 questions for a little bit.

11 Do you want to start, Joe?

12 MR. WOLTERS: Sure.

13 You're doing great, by the way, we appreciate it.

14 MS. KOSCHIG: Yes.

15 MS. OWENS: Glad I can help.

16 BY MR. WOLTERS:

17 Q. So, I'm just trying to piece it together a little bit. You
18 spoke about headings and, you know, needing to issue a 270 heading
19 for the missed approach. Can you kind of explain just, like,
20 during your training and whatnot how did you learn that, what's
21 happened since you came into the facility regarding missed
22 approaches and how they're handled? Can you speak to that a
23 little bit?

24 A. Here at Burbank), we have limitations that other airports
25 don't have. We have the mountain ranges and whatnot and it's

1 changed a bit since we've been here. We initially had a diverse
2 vectoring area, then that went away, and in most cases, if they're
3 on an instrument approach, we just have them execute whatever the
4 list approach instructions are for that approach. We've designed
5 some suggested headings and altitudes for our visual approaches
6 that don't have missed approach instructions. Basically, we
7 coordinate with SoCal as -- for what they would prefer to take
8 account for their traffic.

9 Q. Are you -- in cases of visual approach, go arounds, are you
10 comfortable issuing a heading other than what's in the other way
11 to get an airplane in a spot where then you can issue the other
12 way heading before you send them back to SoCal?

13 A. Am I comfortable doing it?

14 Q. Uh huh.

15 A. I'm comfortable doing what's safe. So, I mean, obviously,
16 what's written is what one would want to attempt to do first. I
17 think safety would be something that would be -- should be the
18 priority.

19 Q. What is your understanding of the new-ish 165 paragraph 563
20 the vectoring below the MVA?

21 A. I'd have to take a look at it.

22 Q. That's okay. Do you remember when the DVA went away and kind
23 of -- and maybe how that was briefed and what the changes were?

24 A. I want to say last year, towards the beginning of the year,
25 maybe around May.

1 Q. Okay, did you feel that you got enough information in the
2 briefing with how to work it going forward?

3 A. I --

4 Q. Because that was a pretty big change that came down the pipe.

5 A. Yeah, I think the briefings were sufficient.

6 Q. Okay, so back to pushing off the gate and how this whole
7 configuration works. What's your comfort level as a -- you're a
8 CPC, right?

9 A. Uh huh.

10 Q. You're full certified? What's your comfort level with
11 pushing back, lining up and waiting, aircraft out there told to
12 continue, what is your comfort level before you ultimately say
13 this may not work and I need to do something else?

14 A. Do you mean -- are you asking for a cutoff point?

15 Q. Yeah, just is it five miles, is it 25 miles, is it somewhere
16 in between? When you do -- A. when do kind of make that
17 comfortable decision and then after that, when do you start to get
18 nervous like hey, I've got to figure something out here because
19 this isn't going to work?

20 A. It's hard to pinpoint an exact location because there are
21 other factors to factor in, whether or not we have a release,
22 whether or not there's flow, whether or not -- the aircraft type
23 that's inbound, how much taxiing and back taxiing has to be done,
24 how far back they're going to go. So, it kind of varies.

25 Q. In this scenario, were you comfortable with how it was all

1 coming together?

2 A. You mean Air Shuttle's position when Sky West was put into
3 position?

4 Q. Uh huh.

5 A. Yes.

6 Q. Were others in the tower -- CIC, were they -- was there any
7 chatter about, you know, any perking up like hey, we need to keep
8 an eye on this because they're coming in?

9 A. No.

10 Q. Everything was normal so to speak?

11 A. Yes.

12 Q. When somebody pushes off with -- I think you said Bravo 2 in
13 this case -- when somebody pushes off those Bravo gates, at night
14 in particular, how can you tell where they are, is the taxi way,
15 center line -- how can you tell that they're not in -- A. not in
16 the RSA and then in regards to that, is there more pressure at
17 night to get these guys going because this building may be not as
18 good as it is during the day?

19 A. I don't think there's more pressure to get them out. But we
20 rely on the lighting from the terminal and, you know, looking out
21 the windows with binoculars and observing whether or not an
22 aircraft is clear or not.

23 Q. So, the lighting over there is good enough? I was only up
24 there once during the day so I don't know what it looks like at
25 night. So, the lighting of the terminal provides enough light

1 where you can --

2 A. The lighting is what it --

3 Q. You can see through the binoculars they hey, they're lined
4 up? You don't have to ask for a pilot report or find your own
5 center line, nothing like that?

6 A. That's not required of us, no.

7 MR. WOLTERS: Okay, I'll turn it over to you for a second
8 there, Dan.

9 BY MR. CARRICO:

10 Q. A couple of things. So, obviously, that little wedge of the
11 airport down there is a lot of restrictions, a lot of eyeballs, a
12 lot of things need to line up in order for it to be a good
13 operation?

14 A. Correct.

15 Q. A couple feet one way or the other and now you're in an RSA.
16 We know, you know, through reading the books and everything and
17 what we've been told is that Sky West was okay to be there, he's
18 under the magical 95 feet. Do you feel -- let me ask -- how to
19 phrase this -- was there any pressure to move that airplane out
20 when you did or could they have waited under after Air Shuttle?

21 A. Any pressure from -- do you mean from CDC or --

22 Q. Anything, flow time, release time, uncomfortable with the
23 airplane in the RSA with the next arrival, anything whatsoever
24 that cultural -- safety culture here, anything. Is there anything
25 that drove your decision to put that airplane out when you

1 did -- put them in position? And to be more specific, Sky West,
2 sorry.

3 A. There was a flow time involved. I couldn't tell you exactly
4 right now what the actual times were. That does play a part in
5 when we try to get people out and also, we do have a specified
6 amount of time that we should have somebody airborne once somebody
7 is released. I wouldn't call it pressure, though. I'd just say
8 more of -- I wouldn't -- procedure, maybe, I don't know.

9 Q. Okay, I just was trying to understand. When you back taxied
10 Sky West into position, approximately, to your best recollection,
11 how far away was Air Shuttle? Were they on a base leg or a
12 straight in?

13 A. They were on a -- I believe they were on a base leg. I don't
14 exactly recall the specific mileage.

15 Q. Okay.

16 A. Yeah, he was on a visual, so there's no actual set point for
17 them to make any turns.

18 Q. Yeah. Okay, and understanding correct, you had Sky West in
19 position, your intent was to have Cirrus land?

20 A. Uh huh.

21 Q. Then depart Sky West?

22 A. Correct.

23 Q. Okay, would all of that been able to happen given -- I think
24 you guys get a three-minute release window? Was that a sufficient
25 amount of time or -- to allow that operation to happen?

1 A. Yes.

2 Q. Okay, when I listen to the tape, I kind of had an idea of
3 what I think you were trying to do, but I don't want to make that
4 assumption. On your missed approach, what was your intent with
5 the Cirrus?

6 A. For them to make their left crosswind to follow Air Shuttle.

7 Q. So, you wanted to fly through the intersection and then on a
8 left downwind?

9 A. Prior to the intersection.

10 Q. So, you wanted them to turn left over the terminal?

11 A. Yes.

12 Q. And then enter a right downwind to follow?

13 A. Correct.

14 Q. Okay, that's what I thought you were -- that's what I was
15 thinking, I just didn't want to construe that. Okay, I mean,
16 clearly there, I think, was some confusion. Do you
17 feel -- because the pilot didn't do what you told him to do, right
18 or didn't execute?

19 A. Correct.

20 Q. Do you think you got tied up with -- I guess -- I'm going to
21 say over focused on that at any point? Fixated, maybe, is a
22 better word.

23 A. Possibly, I couldn't say for sure, though.

24 Q. Okay, you received a performance record of conference. Can
25 you kind of give me a general feeling of how that -- or what the

1 discussion ensued on that, how that went?

2 A. From -- you mean from this event?

3 Q. Yeah, from this event specifically. You and Scott, I think,
4 right, Scott?

5 A. Yes, we went through the audio in the Falcon and basically
6 discussed what my intent was and what could've been done to
7 improve the situation and I guess advice for, you know, future
8 situations.

9 Q. Any positive comments? Any positive takeaways from it?

10 A. I mean, reflection's always positive.

11 Q. True.

12 A. So, I guess just reflecting on it.

13 Q. Okay, the LOA, I muddled through it probably 15 times now.

14 A. What, SoCal?

15 Q. Yeah, your LOA was SoCal. And I want to talk about the
16 missed approach. So, in the LOA it says that 270 had to be
17 assigned. Is that hard and fast or can you guys coordinate
18 something different because, I mean, in this particular case, you
19 had a departure that's assigned to 270 and then you've got a
20 missed approach that's going to be assigned at 270. They're
21 clearly going to be within conflict.

22 A. Correct.

23 Q. You're not going to be able to provide the -- you provide
24 visual, but once you hand them off to the next controller, SoCal,
25 you're going to have -- you can't provide the visual?

1 A. Correct.

2 Q. So, was Sky West climbing higher? Did I miss that? Or were
3 they both going to 4,000?

4 A. The Sky West was assigned 4,000.

5 Q. So, both of them were assigned 4,00, 270?

6 A. Uh huh.

7 Q. What was the plan there?

8 A. My initial plan was to continue the air shuttle on the runway
9 heading to build some separation from the turn that they were
10 eventually going to have to have. That was the same with Sky
11 West. But then we also have the mountains out to the north, so
12 that plays a part in how far they can fly out and at the altitude
13 that he was at.

14 Q. Did you have visual separation with both airplanes?

15 A. Yes.

16 MR. CARRICO: Okay.

17 I'm good. Thanks, Betty.

18 BY MS. KOSCHIG:

19 Q. Okay, when you put somebody in position -- (clears through)
20 excuse me -- into line up and wait, do you need to have a release
21 at that point?

22 A. You need to have at least an estimate.

23 Q. Okay, cool, do you recall if you did on --

24 A. If I had the release? I believe that I had the release. I'm
25 not 100 percent sure right now, but I believe that I did have the

1 release.

2 Q. Okay, so I'd like to hear some more about the complexity of
3 that operation, and how often you work it, and what you think can
4 go better because that's big for us to understand?

5 A. It's not very often in that configuration. It's mostly
6 weather based, time of year based. It happens more in the
7 wintertime than any other time of the year. But 90 percent of the
8 year, we're on our usual configuration of 815. But, I mean, the
9 obvious challenge is to -- there is no direct taxi way from the
10 terminal for the aircraft to taxi full length as they would with
11 Runway 15 and also for the other side of the runway. There's a
12 taxi way restriction, so we can't have all the aircraft that
13 aren't coming from the terminal taxi full length either. So, I
14 guess the biggest challenge with that is A. we don't have an
15 actual instrument approach there and we don't have the surface
16 area to get them to where they need to go as they typically would
17 go.

18 Q. So, what are some other issues -- when you're working that
19 position and you've got inbounds, you've got -- you know, you do
20 an intersecting runways, are you -- do you have any issues with
21 how SoCal is spacing your traffic, coordination, communication,
22 anything like that with them?

23 A. Yes, I'm not sure if everybody knows how the setup is and I
24 know that we -- according to our LOA, we do have an allotted
25 amount of time that we're supposed to have people airborne after

1 we get a release. But that's not necessarily always possible with
2 the configuration of the airport as well as people that are coming
3 in. Sometimes spacing isn't spaced out enough. We'll have to
4 call and request spacing or extensions of times.

5 Q. Does SoCal -- do they accommodate you pretty much -- or do
6 they -- what's their response?

7 A. Depends on the day, depends on the controller.

8 MS. KOSCHIG: Okay.

9 Joe, I'm going to let you go.

10 MR. WOLTERS: All right.

11 BY MR. WOLTERS:

12 Q. How about memory aids, do you speak to memory aids in --

13 A. As far as this situation?

14 Q. In this configuration, I guess, in particular what kind of
15 memory aids are required? Are any required? Just -- and then
16 maybe overall in general what kind of memory aids do you use the
17 tower?

18 A. In general, we have -- sometimes we have to give control of
19 the runways to the ground controller and we have placards to
20 indicate that -- who is the position of what runway, or vehicles
21 on the runway, or helicopters coming in. Basically, any unusual
22 use of the runway other than departing or landing. We have one
23 for vehicles, one for crossings, if we lose the ability to line up
24 and wait, we have a placard for that. Yeah.

25 Q. Do you ever have to announce out loud to the CIC in

1 this -- since this configuration is so unusual, do you ever have
2 to announce, like, hey, line up and wait 33 to -- just to perk
3 people up? Is anything -- I mean, I'm just trying to figure if
4 anything -- any reminders, anything that would indicate hey,
5 here's a high-focus situation?

6 A. No.

7 Q. What about markings on the scope as far as -- so, all your
8 approaches are to Runway 8, ILS or to -- are there any mileage
9 markers or anything in use or maps for 33 where you can -- it
10 helps you gauge where aircraft are distance wise?

11 A. You mean as far as, like, range rings or --

12 Q. Range rings or final approach markers, anything like that?

13 A. On my individual scope, I do have range rings and the -- what
14 do you call it -- the approach fixes for that instrument
15 approach.

16 Q. Okay, very good. Were those in use -- that's your prep set,
17 it's up every time you work?

18 A. When it's up -- that's -- I have a separate prep set for
19 2633, so that's the one that was -- I was using for 2633.

20 Q. Okay, did you at all -- did you feel at all task saturated in
21 this situation? Was there too much going on or did you feel you
22 were -- you had a good plan?

23 A. I felt I had a good plan.

24 Q. Did you have a plan B?

25 A. I keep them separated. The far runway heading was my initial

1 plan B or to cancel.

2 Q. Okay, so training -- when did you finish training roughly?
3 Was that in 2015?

4 A. Late 2016.

5 Q. Okay, and then when did you become an OJTI?

6 A. I don't remember.

7 Q. If not, that's okay.

8 A. I don't recall.

9 Q. That's okay. But you routinely provide OJT instructions?

10 A. Yes.

11 Q. So, if you were providing instruction in this scenario, how
12 would you provide that instruction?

13 A. You mean a go around instruction or --

14 Q. Anything. Would you advise against your trainee putting
15 somebody in position or would you let it go? just kind of
16 describe how you would treat it if you were a trainee -- if you
17 were the trainer in this scenario?

18 A. I think that the -- I would've made the Cirrus less of an
19 issue by, you know, getting them to actually continue onto Runway
20 33. They said that they were expecting Runway 26, but I guess
21 maybe suggest it more that they entered Runway 33 so we wouldn't
22 have the issue of the crossing runway. Maybe cancelling the
23 departure clearance for the SkyWest and just having the Air
24 Shuttle go around prior. I don't know, looking back on things,
25 there's a lot that you can do differently.

1 MS. KOSCHIG: Yeah.

2 MR. WOLTERS: No, it's tough.

3 MS. KOSCHIG: It's a different perspective, isn't it.

4 MS. OWENS: Yeah.

5 BY MR. WOLTERS:

6 Q. So, after you -- in between, after you certify, do you then
7 yearly -- do you guys -- do you recall any refresher training
8 because it's a rare configuration, is any refresher training
9 conducted before the season starts?

10 A. Not specifically right before the season starts. But
11 throughout the year, we do get, you know, monthly refresher
12 trainings.

13 Q. Okay, anything specifically regarding this configuration?

14 A. Not every month, but yes.

15 Q. Okay, what about recovery training? During -- when you went
16 through training, did you do any recovery training for this
17 configuration or just recovery in general, how do you get out of
18 this type incident?

19 A. We -- yeah, we get recurrent training on go-around
20 procedures. Usually, it's at CEDAR, but we also do have printouts
21 in the tower for reference.

22 MR. WOLTERS: Okay, that's all I have for now.

23 MS. KOSCHIG: Dan?

24 BY MR. CARRICO:

25 Q. Thinking about the, you know, proficiency training or the

1 recurrent training or the -- not the recurrent training, the
2 refresher training, that's the word I'm looking for. I can't read
3 my handwriting. The refresher training, on a scale of one to
4 five, one being it terrible, does nothing for you, five being it's
5 a good thing, where would you rate it's effectiveness?

6 A. I think refresher training is always a good thing, especially
7 if it's something that is non-standard and that we don't see on a
8 regular.

9 Q. Okay, so you think of CEDAR is effective for --

10 A. CEDAR -- usually, with our -- with that, we have someone
11 actually briefing us and they'll go over it with us.

12 Q. Okay.

13 A. And I think it's helpful to speak out loud with it more so
14 than --

15 Q. Okay, so in this particular -- is this is a -- for your
16 refresher training for 2633, is that a verbal briefing or a CEDAR
17 briefing?

18 A. It could be either.

19 Q. Okay, do you guys do crew briefings at all?

20 A. Not recently, but we have.

21 Q. Okay.

22 A. We don't really have the staffing.

23 Q. Aside from your -- don't laugh, but aside from your
24 performance discussion, when is the last time you've worked with
25 or seen your supervisor?

1 A. You mean -- you said prior to this incident?

2 Q. Prior to this?

3 A. Well, my REOs were the day before.

4 Q. Do you work with them regularly?

5 A. I don't. We have opposite days off.

6 MR. CARRICO: Okay.

7 BY MS. KOSCHIG:

8 Q. Do you feel you -- do you feel there's enough training for
9 that type of the configuration?

10 A. You mean for developmentals or for just --

11 Q. Right, yeah, for them coming up and then for refreshers for
12 you guys?

13 A. Again, like, it's based on the time of year that we have it,
14 so some people may only see it once or twice. Some people will
15 see it for a good amount, it just depends on when your training
16 comes up. We do have simulator training on it. But it's
17 something that is -- it's just non-standard and we try to tackle
18 it the best way that we can with what we've got.

19 MS. KOSCHIG: Yeah, I'm good.

20 Joe?

21 BY MR. WOLTERS:

22 Q. CICs, so they do a lot of work here currently. Are you a
23 CIC?

24 A. Yes.

25 Q. How do you feel the training was for that and do you get

1 refresher training for that as well?

2 A. We get a specific -- like incident reporting and things like
3 that specific refreshers, but not, like -- it's not a lot of it,
4 no.

5 Q. Do you feel comfortable working CIC?

6 A. Comfortable, yes.

7 Q. Fully -- for lack of a better term, fully competent working
8 CIC?

9 A. I feel competent working CIC. But I think that it shouldn't
10 always be our responsibility, I guess -- CPCs. But I think we
11 handle it to the best of our abilities.

12 Q. Okay, do you trust the work your peers do when they're
13 assigned CIC?

14 A. Yes.

15 Q. You value their opinion?

16 A. Uh huh.

17 Q. Do you feel if they saw something happening, they would reach
18 out and say hey, fix that?

19 A. Yes.

20 Q. Or would you feel competent doing that?

21 A. Yes.

22 Q. Just something a little different kind of question, kind of
23 not necessarily regarding the config or anything like that.

24 (Verbatim) You've been here eight-ish years?

25 A. Uh huh.

1 Q. What are you passionate about when you come to work?

2 A. What am I passionate about in the facility you mean?

3 Q. Uh huh.

4 A. Doing a good job at my job.

5 Q. That's good. If there were one thing you could change that
6 you have control of, what would you change?

7 A. In the facility?

8 Q. Uh huh, given the opportunity?

9 A. That's something I'd have to think about.

10 MS. KOSCHIG: Anybody have questions?

11 MR. WOLTERS: I'm pretty good.

12 BY MS. KOSCHIG:

13 Q. Oh, I got to think because, you know, like, what we're
14 looking for -- you know, because you just happened to be in that
15 position at that time. It could've been anybody else. When
16 you're in that configuration, it's -- there's that -- it's a
17 greater risk, right?

18 A. Correct.

19 Q. So -- yeah, so that's the reason why we're trying to think of
20 the questions we ask and unfortunately, you were in the position
21 at that time. So, yeah, if -- can you think of any procedure or
22 anything that would help anyone else not have to experience what
23 you have?

24 A. I mean, if we could just pick up the terminal and put it
25 someplace else, then that would make a whole world of difference.

1 Q. Yeah.

2 A. Or if we were able to taxi people more efficiently, then it
3 wouldn't even be an issue.

4 Q. Yeah.

5 A. But I think we kind of do the best with what we have -- with
6 the surface that we have.

7 Q. Yeah, how about appreciation of the airport going up there.
8 I mean, you know, we were saying that you can look at an airport
9 diagram of Burbank and it looks normal until you walk up in the
10 tower and you see it. It's like okay, well, it doesn't
11 look -- the map doesn't do it justice because of all the pavement
12 everywhere.

13 A. Yeah.

14 MS. KOSCHIG: It's very challenging here.

15 MR. CARRICO: It's very challenging.

16 MS. KOSCHIG: Yeah.

17 All right, so come on, guys, some oh, by the ways.

18 MR. WOLTERS: Just check my notes.

19 MS. KOSCHIG: Do you have any questions for us yet?

20 MS. OWENS: I don't think so.

21 MS. KOSCHIG: Is there anything you thought we were going to
22 ask that we haven't asked?

23 MS. OWENS: I had no idea what to expect.

24 MS. KOSCHIG: Yeah.

25 Last round?

1 MR. CARRICO: I'm good.

2 MR. WOLTERS: I'm good.

3 MS. KOSCHIG: All right, then we will go ahead and terminate
4 the interview. The time is --

5 (Whereupon, the interview was concluded.)
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CERTIFICATE

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

IN THE MATTER OF: RUNWAY INCURSION BETWEEN SKYWEST
 EMBRAER & MESA AIRLINES AT THE
 BOB HOPE BURBANK AIRPORT IN BURBANK,
 CALIFORNIA ON FEBRUARY 22, 2023
 Interview of Alexandra Owens

ACCIDENT NO.: DCA23LA185

PLACE: Burbank, California

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.



Carolyn Hanna
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

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RUNWAY INCURSION BETWEEN SKYWEST

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EMBRAER & MESA AIRLINES AT THE BOB

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Accident No.: DCA23LA185

HOPE BURBANK AIRPORT IN BURBANK,

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CALIFORNIA ON FEBRUARY 22, 2023

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Interview of: JUNE BARDEEN, Air Traffic Controller
Federal Aviation Administration

Hollywood Burbank Airport
Burbank, California

APPEARANCES:

BETTY KOSCHIG, Air Traffic Control Investigator
National Transportation Safety Board

DAN CARRICO, Air Safety Investigator
National Air Traffic Controllers Association (NATCA)

JOSEPH WOLTERS, Executive Officer, Denver TRACON
Federal Aviation Administration

NICHOLAS ZAJAC
Representative for June Bardeen

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I N T E R V I E W

(3:08 p.m.)

MS. KOSCHIG: Okay. I will be recording the interview with a digital recorder, and we'll have a transcription made. The transcription will become part of the factual report, not the audio. The time now is 1508. Would you please state your name?

MS. BARDEEN: My name is June Bardeen.

MS. KOSCHIG: Can you spell please, both names?

MS. BARDEEN: J-u-n-e, last name Bardeen, B-a-r-d-e-e-n.

MS. KOSCHIG: Okay. Well, it's good to meet you. And my name is Betty Koschig. I am an air traffic control investigator with the NTSB. I have 20 years in the military as an air traffic controller in the Navy. I worked all different kinds of places. So I have a lot of different experience in that way. And I've been working as an air traffic control investigator for 15 years with the NTSB.

In this setting, we have other people in here, SMEs, that we invite to be part of our investigation because we want to make sure we do have the experts that look at this. And, because I've not been on the glass, working scopes, working the tower in that many years, I rely on their support and input in this. So I am going to let them introduce themselves.

MR. CARRICO: My name is Dan Carrico. I am a controller out of O'Hare Tower. I'm also an air safety investigator for NATCA. I've been at O'Hare since 2004.

1 MR. WOLTERS: I'm Joe Wolters from the Denver TRACON. I've
2 been there since 2004. I'm the executive officer there. That's
3 the bulk of my career. I also have four other tower experiences.
4 So I understand both sides of the terminal system. So thanks for
5 coming out.

6 MS. BARDEEN: Yep.

7 MS. KOSCHIG: And, as part of our -- as part of the
8 regulations, you're welcome to have a representative, and I do see
9 that you do have a representative. Is this who you would like to
10 represent you?

11 MS. BARDEEN: Yes.

12 MS. KOSCHIG: Okay. Would you please state your name?

13 MR. ZAJAC: Nicholas Zajac.

14 MS. KOSCHIG: Okay. So, a little bit about the NTSB. We are
15 an independent, federal agency, which means we don't work for the
16 FAA. We don't work for DOD, any of those other alphabets. We are
17 our own entity as they say. We report directly up to Congress.

18 That being the case though, we don't have any kind of
19 enforcement power, regulatory power, any of that. The power's all
20 in the pen, in recommendations. And our mission is to find out
21 facts about this incident, and to see what we can help recommend
22 for safety -- increase in safety.

23 But we take everything, you know, we're not just going to use
24 this incident as a single thing. There's are things that are
25 happening throughout the NAS that we compare them to so that we

1 can, you know, we don't want to have rules changed because of one
2 place, but maybe small things can change at the facility here --

3 MS. BARDEEN: Yeah.

4 MS. KOSCHIG: -- that will help. So -- yeah. So just to
5 make sure we understand what we're here for. This is for the
6 incident between Air Shuttle 5826 and SkyWest 5326 on February
7 22nd. Were you up in the tower room during that incident?

8 MS. BARDEEN: Yes, I was.

9 MS. KOSCHIG: Okay. All right. So just putting it plainly,
10 we just want to learn from you, pick your brain, find out how --
11 you know, what goes on in the tower, the procedures, how things
12 work, you know, and see what we can find. We are not to blame
13 anybody or put liability on anybody. We can't. So, I just wanted
14 to make sure you understood that part.

15 During this, and it probably won't last more than an hour, if
16 you do need to take a break, you're more than welcome. Just say I
17 need a break. If you need to talk to your rep, no problem. You
18 can go out and talk to your rep and come back. We're good with
19 that.

20 So during this, we're going to be asking a lot of questions.
21 If you don't know something, I don't know is a perfect answer. If
22 you wanted to speculate or to give your opinion on something, you
23 are more than welcome to do that because we want to know what goes
24 on and how you see things. If you don't recall something, I don't
25 recall is a great answer. If we are not asking a question that

1 makes sense because we're humans, we may word something in a way,
2 just say what do you mean? What are you talking about?

3 MS. BARDEEN: Okay.

4 MS. KOSCHIG: And we'll rephrase it. So do you have any
5 questions yet?

6 MS. BARDEEN: Nope.

7 MS. KOSCHIG: Okay. I know you're not ready to get started.

8 MS. BARDEEN: I'm ready.

9 MS. KOSCHIG: You're ready. Okay. Great. So, we're going
10 to start out -- what I'm going to do is ask a few admin questions
11 about you and find out your history, get to know you a little
12 better in that way. And then we'll talk about the incident. But
13 like I said, I'm already starting out. So I'm asking questions,
14 and then we're going to go around and have a conversation or
15 they'll ask questions and we'll just ping off of each other to see
16 what kind of questions we have. So.

17 Oh, and one last thing. If we ask you questions that you're
18 probably thinking, you should know the answer to that, we may
19 think we know the answer but we never want to put words in your
20 mouth.

21 MS. BARDEEN: Okay.

22 MS. KOSCHIG: So that's if there's -- if we ask you a
23 question that sounds stupid.

24 MS. BARDEEN: Okay.

25 INTERVIEW OF JUNE BARDEEN

1 BY MS. KOSCHIG:

2 Q. All right. So what are your operating initials?

3 A. Echo Bravo.

4 Q. Okay. When did you start working for the FAA?

5 A. 2016.

6 Q. Was that the Academy?

7 A. Yes.

8 Q. Where did you go from there?

9 A. Here.

10 Q. Been here ever since?

11 A. Yep.

12 Q. Oh, great. You must like it here.

13 A. Yeah, my husband -- we're stuck. It's hard to get two out.

14 Q. Oh, your husband works here, too.

15 A. He works at LA Center.

16 Q. Oh, okay. That's a little bit of a ride from here though.

17 A. Well, we live in the middle.

18 Q. Oh, okay. I answered two questions there. Do you have any

19 military?

20 A. Nope.

21 Q. Do you have any college?

22 A. Yes.

23 Q. Degrees?

24 A. Bachelor of the Arts from University of Irvine, California.

25 Q. Irvine, nice. Do you hold any other aeronautical

1 certificates?

2 A. Yes. I've got my CTI which I believe it was the associate's.

3 Q. Um-hum.

4 A. I can't recall the degree name but at Mt. SAC.

5 Q. Do you have any pilot's license, anything like that?

6 A. I don't have a license. I've been up a couple times.

7 Q. Okay. Here?

8 A. No, my Dad's a pilot. So he took me up a couple of times a

9 long time ago.

10 Q. Yeah.

11 A. Yeah.

12 Q. All right. That was fun.

13 A. I considered it.

14 Q. Yeah.

15 A. Yeah.

16 Q. Do you have a current medical?

17 A. Yes.

18 Q. Do you have any restrictions?

19 A. I have a special consideration.

20 Q. Okay. Fine.

21 A. But no restrictions, yeah.

22 Q. Okay. Who is your supervisor?

23 A. Scott Thaler.

24 Q. What positions are you qualified and certified on here?

25 A. Clearance delivery, flight data, ground control, local

1 control, system local and CIC and helicopters I guess.

2 Q. And helicopters. Okay. Are you current on all?

3 A. Yes.

4 Q. What was -- what's your normal work schedule?

5 A. I am off on Tuesdays and Wednesdays.

6 MR. ZAJAC: Are you?

7 MS. BARDEEN: Oh, I'm off on Wednesdays and Thursdays.

8 Sorry. My days switched. No, wait. Oh, my goodness. I am off
9 on Sundays and Mondays.

10 BY MS. KOSCHIG:

11 Q. Did that just change recently?

12 A. I was on Monday, Tuesday off for a very long time. I like
13 the other way.

14 Q. Oh, okay. How long have you been working getting the
15 Sundays, Mondays off?

16 A. Three years I think. Three years.

17 Q. So what hours do you work on the other days?

18 A. Okay. So today is Tuesday.

19 Q. Um-hum.

20 A. 2 to 10. Wednesdays usually like 12:30 to 8:30. Thursday, 6
21 to 2 and then Friday is supposed to be a 5:30 to 1:30, sometimes I
22 work a double mid shift. And then come back for the mid shift on
23 Friday night from 9:45 to 5:45.

24 Q. So on the day of the incident, that was your regular shift?

25 A. Yes.

1 Q. So how much overtime do you get?

2 A. I am on the no list. I don't work overtime often.

3 Q. Okay. And what position were you working at the time of the
4 incident?

5 A. I had just given the briefing on ground control to the
6 clearance delivery and my intention was to go back to CIC.

7 Q. Okay. So you were like in limbo?

8 A. Yeah.

9 Q. I don't know if that's a regulatory word. Okay. Did you
10 have your cell phone in the tower?

11 A. No.

12 Q. Okay. Do you recall anything that was distracting or unusual
13 going on in the tower at that point?

14 A. No.

15 Q. Did you file an ATSAP?

16 A. Yes.

17 Q. Did you listen to the audio replay or the Falcon?

18 A. Yes.

19 Q. Both?

20 A. Not the Falcon, just the audio.

21 Q. Okay. So that's all of those kinds of questions I'm done
22 with. Now, we're going to talk about the incident. So I know you
23 were in an in between state. And even though I know you've
24 listened to the audio, I want you to go back to that night of what
25 was actually going on, not what you remember hearing on the audio.

1 A. Okay.

2 Q. I just want you to remember what you saw and heard then.
3 Tell us, and I guess you can start at any point that, you know,
4 before you got off ground.

5 A. Okay.

6 Q. Yeah, just start with your story.

7 A. Okay. So 26/33, SkyWest requested to push back. I believe
8 Spirit Wings had just landed. So I held SkyWest in the gate
9 because they were at Bravo 2. Spirit had to go to Bravo 1. And I
10 think SkyWest had a flow time that I had some time to wait for.
11 So I had Spirit Wing going to Bravo 1. I had to get control of
12 the runway because of its proximity -- the terminal's proximity to
13 the runway and Spirit Wing's wing span. So taking into account
14 the arrivals list, I wanted to put Spirit in first before SkyWest
15 pushed back. So I did that, held onto the runway for a minute,
16 just to make sure that SkyWest gave the push. Then when they
17 looked like they were on the line and their wing was clear, I gave
18 the runway back.

19 Then I think we had talked about combining the position up.
20 So I was just trying to clean it up. Southwest had landed. They
21 were going to Alpha 6. I had a Southwest push back out of like
22 Alpha 4 or something. I knew SkyWest's time was coming up. I
23 knew -- so I knew that that Southwest was going to be after the
24 SkyWest. So my plan was to put the Southwest that hand landed in
25 front and then move him up.

1 So when I gave the relief briefing, I think I told the new
2 ground controller what gate the Southwest was going to. And then
3 during the 2 minute overlap, I remember hearing him move the
4 Southwest up and that caught my attention because that wasn't my
5 plan. So I remember just staying there like, is he going to
6 remember that he's going to 6? Then he asked that Southwest which
7 gate he was going to. Everybody else was taken care of. I waited
8 my time. I was okay, he's got it. So I unplugged, turned around
9 to go to the CIC and it was very quiet, and then I think when I
10 looked up, I noticed Air Shuttle was going around. And that's
11 when it started. Do you want me to keep going?

12 Q. Um-hum. Yes, please.

13 A. Okay. So then -- I'm trying not to get the audio mixed up in
14 my mind from what was happening. So I had been pretty focused
15 just because of that Southwest gate situation. I know when I
16 briefed the ground controller, I told them that the -- there was a
17 Cirrus landing 26 and SkyWest was in position on 33. I think when
18 I looked up to look at the Cirrus, I thought he was going to be
19 landing, but he was pretty high, and I -- that caught my
20 attention, but I didn't really think anything of it. And then
21 when I went to CIC and it was very quiet and I looked out the
22 window, and I saw the Air Shuttle was going around, I -- when I
23 looked out the window, Air Shuttle was going around. SkyWest was
24 moving, but vertically they were separated. So we -- he's going
25 to climb. He's going to climb. So in my mind I thought that's

1 not ideal, but we've got vertical separation.

2 Air Shuttle did not climb and SkyWest did not climb fast
3 either which was good, but Air Shuttle really did not climb. At
4 that point, I mean I had just gotten there, looking out the
5 window. Then I heard Adam say, turn him. He has a very loud
6 voice, and I have a very little voice. So I -- when I heard him
7 say that, I was like, okay, yes, turn him. We're good. And then
8 she turned him. So it looked not amazing. They got closer. She
9 turned him. I think then the SkyWest started turning, too, and
10 then the Air Shuttle I heard say, "We're responding to a TCAS. So
11 we're climbing." Which was good because he had already been
12 instructed to climb. So now he was climbing faster.

13 And then out the window, once he said he was responding to
14 the TCAS, it looked like it had been taken care of.

15 Q. And then what happened?

16 A. And then I took CIC. I saw the tail end of it but I didn't
17 see the beginning part of it. So Sunich went downstairs to take
18 his break, to come back to work the end of the shift. I missed
19 the first part. So I asked AJ what happened to start filling out
20 the MOR. We were typing it up, and then Sunich called up and said
21 that he had already talked to our NATCA rep, Nick. Nick had
22 already called Brian. So as I was finishing typing it up, Brian
23 was aware that it was significant, and we were going through the
24 step. So before I had even finished typing it, he was calling
25 Jason. So the rest of the night was pretty uneventful.

1 Q. That's it.

2 A. Yes.

3 Q. I've got some questions but I'm going to let these guys ask
4 some first.

5 MR. CARRICO: You going to go?

6 MR. WOLTERS: You can go ahead?

7 BY MR. CARRICO:

8 Q. So you mentioned that the SkyWest pushed back from Bravo 2.

9 A. Yes.

10 Q. Spirit's going to Bravo 1.

11 A. Yes.

12 Q. In order to get Spirit to the gate, you've got to request
13 control of that runway?

14 A. Yes.

15 Q. Okay. Then after Spirit gets to the gate, you push the
16 SkyWest --

17 A. Yes.

18 Q. -- from Bravo 2. Now, walk me through that because you said
19 on the line, you gave the runway back.

20 A. Yes. So I only need to have control of the runway for the
21 Airbus to go in. The SkyWest wing span is not great enough for me
22 to need control of the runway.

23 Q. Okay.

24 A. But I wanted to have it just in case. It only took a few
25 more seconds.

1 Q. So in this case, SkyWest can push back --

2 A. Yes.

3 Q. -- anywhere without encroaching on the, without encroaching
4 on the runway and making it unusable?

5 A. Yes, they are allowed to right now. However, they're going
6 to be repainting the lines.

7 Q. What is that wing span restriction as it is today?

8 A. I don't recall the exact number.

9 Q. Okay. So you're actually -- you're working ground. Visual,
10 visual -- so you're able to see them out the window. Did you lose
11 sight of them at any point on the missed approach piece of it when
12 SkyWest was turning and the Air Shuttle turning and climbing? Did
13 you lose sight of them at all or --

14 A. No, I had them the whole time.

15 Q. Okay. Who is AJ you mentioned?

16 A. AJ is the local controller.

17 Q. Okay. I just wanted to make sure I didn't mess that up.

18 MR. CARRICO: That's all I have for right now.

19 BY MR. WOLTERS:

20 Q. Was it dark? Had the sun set?

21 A. Yes.

22 Q. So when -- I'm just trying to clarify what the procedure is
23 for pushing off the gates and whatnot. How -- are the taxiway
24 lines lit or how do you guys tell you're when you're on taxiway
25 line when it's dark out?

1 A. Binoculars. The line and the Alpha gates is lit.

2 Q. Okay.

3 A. The Bravo gates, you can see the runway light and the wing
4 and you can -- well, if they're pushing back for 15, you can see
5 the nose, but they have wing walkers, too. So you can judge based
6 on that as well.

7 Q. Okay. So was that -- so the wing walker -- so we being the
8 FAA, tower rely on the airline company to put them on the line
9 correctly?

10 A. Yes.

11 Q. Okay.

12 A. No, I don't trust them. So I always verify it with my eyes.

13 Q. Okay.

14 A. Yeah.

15 Q. And then I guess just in general, how does the perception of
16 the airport change from day to nighttime operations? Is it easier
17 to see airplanes, harder?

18 A. Harder to see.

19 Q. Because you're surrounded by a city.

20 A. Yeah.

21 Q. So I imagine there's a lot of lights.

22 MR. WOLTERS: I think that's all I have for now for that.

23 BY MR. CARRICO:

24 Q. This configuration, 26/33, how often do you find yourself
25 working this configuration?

1 A. Rarely, but this year it's been more. It's usually seasonal
2 when we have the Santa Ana winds. This year we've had more
3 storms. We've been working it more frequently.

4 Q. Okay. Those Santa Anas.

5 A. Yep.

6 Q. So in this case, the airplane -- the SkyWest pushback, they
7 called the tower ready. Is that the normal way it goes?

8 A. They called me ready and then it's hold position, monitor
9 tower.

10 Q. Okay. And tower will tell them to back taxi into position
11 and hold however they get there. I assume it's just a swoop
12 around or whatever, okay. Now, where they sit on the ramp,
13 they're not encroaching on the runway. So that Air Shuttle -- had
14 a release not been given, the Air Shuttle would have been able to
15 come in and land?

16 A. Yes.

17 MR. CARRICO: Okay. I'm good, Betty. Thank you.

18 BY MS. KOSCHIG:

19 Q. So, when you're working local, do you have a couple of -- if
20 you've got arrivals on 33, and you've got somebody in line to
21 wait, what -- in general, what is your separation? When is your
22 knockoff when you'll say, you know, either you're going to go
23 around or you're going to cancel takeoff clearance?

24 A. Are you asking when I put them in line up and wait or when I
25 would send them around?

1 Q. Either one. Like what -- okay. Like if you have someone on
2 final --

3 A. Yeah.

4 Q. -- when would you put them in line up and wait? When would
5 you say, nope, this is not going to work?

6 A. So 26/33 is very weather dependent and wind dependent.
7 Normally when we're on 26/33, it's because the winds are favoring
8 33 strongly. On this night, they were favoring 26. So 6 miles is
9 usual when I put them in line up and wait and feel comfortable
10 with it.

11 Q. Okay. In getting them out?

12 A. Yeah.

13 Q. Is there anything that's taught? I mean is there -- not like
14 standard, but is there any -- are you an OJTI?

15 A. Yes.

16 Q. So when you teach somebody, what -- how do you teach them how
17 to work that, you know, when to --

18 A. With the line up and wait.

19 Q. Yes.

20 A. Know your players. You're not going to do it with a FedEx.
21 You're going to push that back. They're heavy, and they're going
22 to take longer. Southwest, you can usually count on and then
23 really it's watching the winds because on 26/33, when we've got
24 the Santa Ana winds and those 33 winds are really strong, they're
25 coming in at the speed of the Cessna, very slow. So you can get

1 it a lot closer than you normally would because they're going to
2 slow. So, when I train, I usually say watch the winds, play it
3 super safe and see how fast they're going on final. But, yeah,
4 26/33, it's not the day to push traffic. There's a lot of factors
5 going on on those days.

6 Q. Okay. And at night, can you see out? I mean I'm kind of
7 piggy-backing off of him with the light. When you're looking at
8 33, are there lights that would kind of make it difficult to see
9 the airplane or deceptive on altitude or anything like that?

10 A. No. No.

11 Q. Okay.

12 A. I think -- yeah, I would not -- I would trust the radar on
13 those days.

14 Q. Okay.

15 A. I would not trust my eyes to judge the distance or the
16 altitude. I would trust the radar.

17 MS. KOSCHIG: Okay. Dan, go ahead.

18 BY MR. CARRICO:

19 Q. So regarding configuration, whose -- who makes the decision
20 on whether to stay in a config or come off a config?

21 A. We usually look at the TAF. Sometimes the winds will swing
22 that way, but only for like a minute or two. Usually on 26/33
23 when the winds go that direction, it's super quick, and they don't
24 push back, but it's all wind dependent.

25 Q. Okay. Does any coordination need to take place with --

1 A. Yes.

2 Q. -- the TRACON?

3 A. Yes. Yeah, when we switch, we call --

4 Q. Is that a heads up that they need or do you just --

5 A. We give them a heads up.

6 Q. -- if you have to turn it, you just turn it.

7 A. We'll usually coordinate after, you know, this Alaska, we're

8 going to switch to 26/33.

9 Q. Okay. So just -- we were looking at the weather, and where

10 I'm going with this, I'm just kind of curious of how things work

11 and why. So at the -- on the hand, it's at the top of the hour

12 before the go around, the winds up like 260 at 10, gust 18. So it

13 made sense that you're in the configuration you're in. At the

14 time of the go around after sunset when winds typically die off,

15 the winds were reported very low at 6. So, do you ever change

16 runways in the middle of the hour or do you always wait for an

17 ATIS, kind of walk me through the decision making process how to

18 get off a configuration you don't necessary like as a facility?

19 A. It's all wind dependent, but it takes a lot to switch the

20 airport around. So we would just want to make sure that the winds

21 were going to stay at that.

22 Q. Okay.

23 A. I think I remember on that storm, they were going variable at

24 6 and then they were going straight back to --

25 Q. Okay.

1 A. -- 260, and then they'd go back. So they can't come in on
2 8 --
3 Q. Right.
4 A. -- when they have that, and a lot of the airlines don't like
5 to take off on 15 in that variable at 6. You're good 260, 3. You
6 want to make sure before you switch it.
7 Q. That's good info. Regarding departures, so a better
8 understanding now of SkyWest wing span, they kind of sit on the
9 taxiway and somebody can land, where was Southwest? Were they
10 departing 26?
11 A. They were set up for 26.
12 Q. For 26?
13 A. Yes.
14 Q. So would it be common or uncommon to take SkyWest, they use
15 Bravo, to take them over to 26? How common is it take them over
16 to 26 if that's --
17 A. So when you get to Bravo 1, the wing span restriction gets
18 smaller.
19 Q. Okay.
20 A. And they would have to push this way, and then you might lose
21 control of your runway.
22 Q. Okay.
23 A. Or you'd have to push them this way and cross a runway two
24 times to get them that way.
25 Q. Okay.

1 A. So with the winds what they are, if they'll take 33, it's a
2 lot less runway crossings to take them to 33.

3 Q. That makes sense.

4 MS. KOSCHIG: If the go arounds -- what is the heading you're
5 supposed --

6 MS. BARDEEN: 2-7-0.

7 MS. KOSCHIG: Would you feel comfortable giving them a
8 different heading?

9 MS. BARDEEN: We do not have any DVAs. So that is the only
10 heading that we are legally allowed to give them.

11 MS. KOSCHIG: Okay. And what altitude do you use?

12 MS. BARDEEN: 4,000.

13 MR. WOLTERS: What's your, what's your understanding of
14 165.563 if you're below MVA?

15 MS. BARDEEN: I don't recall that exactly.

16 MR. WOLTERS: That's okay.

17 MS. BARDEEN: I mean I know -- I don't recall.

18 BY MR. CARRICO:

19 Q. Do you feel you're tied to the 270 heading immediately after
20 go around or do you feel you can assign a heading to give what you
21 need to before you put them on a 270 per the LOA?

22 A. You mean like put them on a 250 and then back on a 270?

23 Q. Correct.

24 A. No.

25 Q. You wouldn't be comfortable doing that?

1 A. Unless I needed to, no.

2 Q. Okay. Do all -- are all IFR aircraft here assigned a
3 departure of a SID or do any of them depart here right after? Or
4 is everybody given a SID?

5 A. Everyone is given a SID. If they're given a no SID, we
6 basically give them the verbal SID --

7 Q. Okay.

8 A. -- in our SOP.

9 Q. Okay. Are any -- are all your departure procedures, go
10 around procedures, missed approach procedures, are all those
11 specifically tied to Burbank or is anything else tied in like Van
12 Nuys, Whiteman, or are those based off any of their procedures or
13 is everything --

14 A. I know ours. I would assume that's the reason that we're
15 only given that one heading, but I don't know their exact
16 procedures.

17 MR. CARRICO: Okay. I'm good. Thank you, Betty.

18 MS. KOSCHIG: I'm trying to think of some questions. I know
19 we have a bunch to ask.

20 BY MS. KOSCHIG:

21 Q. Does SoCal give you guys a good heads up as far as your
22 inbounds and how do you find out about those?

23 A. SoCal does not give us a heads up. If we want that
24 information, we would have to ask on the line, go back to the TDLs
25 or some of us have an arrivals list, but the arrivals list, I mean

1 it could be 10 miles away, but if they're coming from this way,
2 then they're going to swing back out. So that's not --

3 Q. Not accurate.

4 A. -- super accurate. Yeah, you have to call SoCal and ask them
5 if you need extra space or something like that.

6 MR. WOLTERS: You didn't get enough heads up for -- in those?

7 MS. BARDEEN: Under normal circumstances, yes. However, on
8 26/33 there are a lot of unusual circumstances where we'll need to
9 have control of 33, and I know that. I have called SoCal and
10 said, hey, can you push an aircraft back? I need extra space. Do
11 you want it between this aircraft or the next aircraft? And it's
12 still pretty close. So -- because it takes quite a long time to
13 push an aircraft back even if you prep everybody. It's -- that
14 terminal's pretty close to that runway, and your hands are pretty
15 tied. Once you start, there's not a lot of allowance.

16 BY MS. KOSCHIG:

17 Q. Yeah. Are there any specific -- how would SoCal -- is there
18 anything specific to runway 33 that's in there as far as -- like
19 in this case, would it be good to have something in there that
20 states when you're in the runway 33, you know, configuration,
21 provide, you know, this much time or mileage or -- I mean is there
22 anything like that in there?

23 A. There's nothing like that. The problem with having a set
24 mileage would be that sometimes you have outbound, outbound,
25 outbound, inbound, inbound, inbound, and then when you're getting

1 that set mileage, it's almost making it worse. Does that make
2 sense?

3 Q. Yes, yes. Absolutely.

4 A. Yeah.

5 Q. So what would you suggest that would help you do your job?

6 A. Get a new terminal, and not have that.

7 Q. This is true, yeah.

8 A. We can't put anybody on the Golf side because of wing span.

9 So I know sometimes I've pushed with my ground controller,
10 somebody at Bravo 1, all the way around the corner because that is
11 faster than having them unhook and then trying to rush them out.
12 You know, once you unhook, they need you to go. You can't count
13 on that, and that's, you know. So having that extra -- just
14 having more space and just -- yeah.

15 Q. Yeah. So until you get the new terminal, which eventually
16 will probably come, what are some, what are some of your ideas
17 about -- that could make things better, better for you guys to
18 operate, get your flow going better?

19 A. Having some DVAs would be nice or something that was at least
20 not the exact courses, the go around, would be a nice thing to
21 have. I know a lot of times we call SoCal and try to coordinate.
22 They don't answer. So it's tough to coordinate a heading when
23 they never answer the line. Having Golf with a wider wing span
24 would be nice. You know, even if we had a higher vertical climb,
25 if we couldn't get a DVA. At least we'd have a higher vertical

1 climb. Something different to ensure separation.

2 Q. These are great ideas. Do you know if any of that has ever
3 been -- has anybody asked you, the controllers, what some of these
4 ideas and do you know if anybody has broached that subject with
5 SoCal or is SoCal just --

6 A. When I got here, we had DVAs.

7 Q. Um-hum.

8 A. And they got taken away.

9 Q. Okay.

10 A. I know there's a new terminal that's supposed to be coming,
11 but I don't know when that's going to be. The Golf situation, I
12 don't know. You'd have to ask the airport. I know that it's for
13 -- they store something over there and the aircraft would blow it
14 over or something. Maybe that could be moved. Yeah.

15 Q. Okay.

16 MR. CARRICO: Why did the DVAs go away?

17 MS. BARDEEN: I do not know. I don't recall.

18 MR. CARRICO: Do you recall how long ago?

19 MS. BARDEEN: I was here, but I don't recall the year.

20 MR. WOLTERS: Are you on the LSC?

21 MS. BARDEEN: No.

22 MR. WOLTERS: Have you ever wanted to be on the LSC?

23 MS. BARDEEN: I would want to make sure I had enough personal
24 time to put everything I had into it, and right now I don't. At
25 home, there's too much going on. So, no.

1 MR. WOLTERS: Is there an avenue at the facility other than
2 ATSAP to share ideas or promote change?

3 MS. BARDEEN: We have a suggestion box. I also think we have
4 a good culture where we can just talk about things. I know
5 Burbank culture, we've talked about things, but I don't know if
6 it's gone past that or if it's just fallen on deaf ears once it
7 goes past that point.

8 BY MS. KOSCHIG:

9 Q. So do you guys have any interaction with like Van Nuys and
10 Whiteman as far as, you know, some of the same issues? Do you
11 communicate these issues with each other? And how's your
12 relationship with all these -- you three airports out here?

13 A. Van Nuys and Whiteman, it's pretty good. I don't -- they're
14 usually pretty communicative. I think it would be SEQ that would
15 be the one that we don't get a lot of response from.

16 Q. Right. Yeah.

17 MR. CARRICO: Distance with SoCal is obviously a challenge.
18 Would you feel you would benefit or the facility would benefit
19 with any type of Zoom meeting, putting face to voice and having
20 some kind of vet interaction "X" number of times a year?

21 MS. BARDEEN: Yeah. I know when we check out a local
22 control, it's -- part of the thing is you go down there and you
23 observe and you ask questions when you're down there, and I think
24 everybody's learned from that. It doesn't go the other way, and
25 if somebody could watch 26/33 and just understand how long it

1 takes, all those restrictions that we're taking into effect, they
2 might -- I don't know, understand more because I know they've
3 given me a release and from the second they get that release, it's
4 back taxi, you know, clear for takeoff even with no stop, and
5 they'll still call over and be like, where is he? Like I say
6 clear for takeoff. Like that's how long. It takes a long time.
7 So, yeah, definitely. If they could come here and watch, it -- I
8 think, I think it would help and maybe it would.

9 BY MS. KOSCHIG:

10 Q. I think so, too. You know, because I mean even like we were
11 saying, looking at an airport map and coming here and looking from
12 the tower, it's two different animals.

13 A. Yeah.

14 Q. And you see the complexity once you go to the tower, and you
15 say, oh, wow. This is like -- where's the real estate?

16 A. Yeah.

17 Q. There is no real estate.

18 A. Yeah, just watching that time click away is crazy.

19 Q. Right. And all they're seeing is an airport diagram or
20 little lines on the scope.

21 A. Yeah.

22 Q. So, yeah, it's hard if you don't see it in person. I totally
23 agree. It would definitely benefit them.

24 BY MR. CARRICO:

25 Q. Just back to training in general. How do you feel the

1 training is overall for ground, local, just overall?

2 A. Good. We definitely have a good culture where we want
3 everybody to succeed, try to, you know, go by the book. I think
4 we have a good culture.

5 Q. If you could change one thing about training, what would it
6 be?

7 A. I'm trying to think how to say it. More of it. I don't know
8 how to say that. We need more people but to have more people, we
9 need to be able to train people. Does that make sense?

10 MS. KOSCHIG: Yeah.

11 BY MR. CARRICO:

12 Q. Yes.

13 A. Okay.

14 Q. What about general oversight?

15 A. As far as?

16 Q. Supervisors. Do you feel it's adequate?

17 A. I wouldn't mind having more supervisors. It's a lot for a
18 controller to take on that back position. We seem to get
19 supervisors and they're gone. I don't see my -- I don't see Scott
20 more than 2 hours a week. I think we're very good at following
21 the rules and policing ourselves for not having a supervisor there
22 most of the time.

23 Q. Can you trust yourself and your peers with the job with
24 what's required of a CIC?

25 A. Yes.

1 Q. Do you feel the CIC training is adequate?

2 A. Yes.

3 Q. If there's one thing about CIC training you could change,
4 what would it be?

5 A. It's been a long time since I've gone through it. Unusual
6 situations I guess. There's so many checklists up there. Just
7 going through the checklists more. I don't know. It's -- I know
8 I've been in this situation before, and I hope I'm never in this
9 situation again. We have checklists, but it's not muscle memory
10 to go to those. Having a supervisor that was there, that was
11 their job, and they were here would be better.

12 Q. So muscle memory -- so checklists only take it so far. So
13 like recovery training. How do you feel that is here?

14 A. Like in this case of 26/33 recovery training or just in
15 general?

16 Q. That specifically but even in general, just like how do you
17 feel recovery is covered in OJT or even refresher training?

18 A. I can only speak to myself and my trainees but I know that we
19 go over that especially at the end. What would you do? This guy
20 goes around right now. What do you do? So as far as I'm
21 concerned and my trainees are concerned, it's good.

22 Q. I guess the last question regarding training for me. So
23 26/33 is a rare occurrence. Does every trainee see that
24 configuration before they're certified?

25 A. I didn't. It depends on the time of year you go through.

1 You do see it in the simulator. It is taught, the philosophy of
2 26/33 is taught. If you were ever to encounter 26/33 and you
3 hadn't worked it before, you would not be expected to work it.

4 Q. Okay.

5 A. You would observe it.

6 Q. So if I hadn't worked it, but I showed up for a shift and
7 it's windy all day, what would be the expectation of me? How do I
8 get that experience?

9 A. I don't know that we've ever been in that situation. I think
10 most of us have seen it. I didn't see it when I was on ground
11 control until I was working it. I observed it for an hour or 2.
12 CIC monitored my job of it once it was happening and -- yeah.

13 MS. KOSCHIG: Is ground control -- what's more complex when
14 you're in that situation? Ground control or local control.

15 MS. BARDEEN: Everything.

16 MS. KOSCHIG: Huh?

17 MS. BARDEEN: Everything, yeah.

18 MS. KOSCHIG: Okay.

19 MR. CARRICO: I'm good, Betty.

20 MS. KOSCHIG: Joe?

21 MR. WOLTERS: I'm good.

22 BY MS. KOSCHIG:

23 Q. You mentioned that you saw the air show when he was going
24 around. When did -- is that when you first saw him?

25 A. Yes.

1 Q. Okay. Is there any questions that we didn't ask you that you
2 thought we were going to ask you?

3 A. No.

4 Q. Is there anything that you'd like to add?

5 A. I think I said everything.

6 Q. Yeah. We won't even get into helo ops.

7 A. Well, it would be nice to land on the taxiways.

8 Q. Yeah, it's still (indiscernible). I understand that.

9 A. I mean that's -- yep, that would be nice. It definitely
10 would be nice.

11 MR. CARRICO: Do you guys have a lot of helo traffic here?

12 MS. BARDEEN: A lot.

13 MR. CARRICO: Okay.

14 MS. BARDEEN: A lot, yes.

15 MR. CARRICO: Base here or just flying here?

16 MS. BARDEEN: Both. We've got police helicopters, fire
17 helicopters, you know, little helicopter flight schools, lots of
18 helicopters.

19 BY MS. KOSCHIG:

20 Q. Is the helo ops position open quite a bit?

21 A. No. That one's a bit more confusing. It's more used for
22 events.

23 Q. Oh, okay.

24 MR. CARRICO: Can you guys land on the non-movement areas,
25 like the ramps or anything or just --

1 MS. BARDEEN: No.

2 MR. CARRICO: Just the --

3 MS. BARDEEN: They can take off on taxiways and land on the
4 runways.

5 MR. WOLTERS: Since you have Class Charlie airspace, who's
6 responsible for sequencing everybody? VFRs --

7 MS. BARDEEN: SoCal is supposed to sequence the IFRs and the
8 J and Ms. We are in charge of sequencing in the VFR, P, Qs.

9 MR. WOLTERS: Okay.

10 MS. KOSCHIG: You look like you're thinking, Dan.

11 BY MR. CARRICO:

12 Q. No, I'm just thinking the Ps and the Qs and the Js and the Rs
13 thing. Is that for tower en route? Do you have like tower en
14 route?

15 A. Yes.

16 Q. Is that --

17 A. Tech clearances.

18 Q. What's that?

19 A. Like tech --

20 Q. Yeah.

21 A. Like canned clearances?

22 Q. Um-hum.

23 A. Yes.

24 Q. And it's designed on those Ps and Rs --

25 A. R clearance is raised a lot.

1 Q. -- and Js and Ms?

2 A. Yeah, we've got --

3 Q. We had those when I was (indiscernible). That's what I
4 was --

5 A. We've got -- but that's for the IFRs.

6 MS. KOSCHIG: Yeah.

7 MR. CARRICO: I was just thinking about that. Those are
8 really more of a (indiscernible) event. Sorry.

9 MS. KOSCHIG: Okay. Last chance.

10 MR. CARRICO: Good.

11 MS. KOSCHIG: Okay. Then we will end the interview at 15:58.

12 (Whereupon, at 3:58 p.m., the interview was concluded.)
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CERTIFICATE

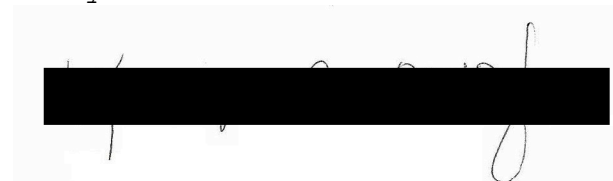
This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: RUNWAY INCURSION BETWEEN SKYWEST
 EMBRAER & MESA AIRLINES AT THE
 BOB HOPE BURBANK AIRPORT IN BURBANK,
 CALIFORNIA ON FEBRUARY 22, 2023
 Interview of June Bardeen

ACCIDENT NO.: DCA23LA185

PLACE: Burbank, California

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

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RUNWAY INCURSION BETWEEN SKYWEST

*

EMBRAER & MESA AIRLINES AT THE BOB

*

Accident No.: DCA23LA185

HOPE BURBANK AIRPORT IN BURBANK,

*

CALIFORNIA ON FEBRUARY 22, 2023

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Interview of: CHRISTOPHER ADAMS, Air Traffic Controller
Federal Aviation Administration

Hollywood Burbank Airport
Burbank, California

APPEARANCES:

BETTY KOSCHIG, Air Traffic Control Investigator
National Transportation Safety Board

DAN CARRICO, Air Safety Investigator
National Air Traffic Controllers Association (NATCA)

JOSEPH WOLTERS, Executive Officer, Denver TRACON
Federal Aviation Administration

NICHOLAS ZAJAC
Representative for Christopher Adams

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I N T E R V I E W

(12:11 p.m.)

MS. KOSCHIG: Okay. So the time now is 1211. I will be -- I know this is a repeat. I will be recording the interview with a digital recorder, and we'll have a transcription made. The transcription will become part of the factual report, not the audio. So would you please state your name?

MR. ADAMS: Christopher Adams.

MS. KOSCHIG: Okay. Would you please spell it?

MR. ADAMS: C-h-r-i-s-t-o-p-h-e-r, A-d-a-m-s.

MS. KOSCHIG: Okay. And now, I'd like to make some introductions and tell you a little bit about our group. And in this setting, we are the NTSB group. My name is Betty Koschig. I am an air traffic control investigator with the National Transportation Safety Board. I've been there for about 15 years. I was a Navy controller for 20 in various air stations, ended up doing QC/QA work on my last one and got this job. So I've got a little experience at this but even though we do these all the time, we need experts, SMEs. So we do bring in -- we invite parties in, but I'll get to that in a minute.

But a little bit about the NTSB. We're an independent agency. We don't work with the FAA, the DOD, anybody else. We report directly to Congress on anything. Our main goal is to fact find. We want to find everything out, everything that happened and take that in to see if there's anything that we can use that

1 for a probable cause and define any safety issues because we -- if
2 there is something safety out there, we want to see what we can
3 help pull into place to keep it from recurring.

4 We don't have no regulatory or enforcement powers. The only
5 thing we have is the power of the pen, recommendations. That's
6 it. So in essence, we're pretty powerless in that area, but we do
7 have a very strong voice especially on safety stuff.

8 And as I mentioned, part of the process is we have other
9 subject matter experts join us, and we invite them to our group.
10 In this case, we have a FAA subject matter expert and NATCA which
11 has subject matter experts, ASI, and I will let them introduce
12 themselves.

13 MR. CARRICO: Hey, Chris. My name is Dan Carrico. I'm an
14 ASI with NATCA. I am also a controller at O'Hare Tower. I've
15 been there since 2004. Prior to that, I worked in Reno, and then
16 prior to that I worked in the military out at El Toro. So that's
17 my background.

18 MR. WOLTERS: Hi, Chris. My name is Joe Wolters from the
19 Denver TRACON, and I've been there also since 2004. So the bulk
20 of my career has been TRACON work, but I've also worked four other
21 towers. So I have a good bit of background there as well. So
22 thanks for coming out.

23 MS. KOSCHIG: And, as part of the regulations, you're welcome
24 to have a representative, and I do see that you do have someone
25 here. Is this person you would like to represent you?

1 MR. ADAMS: Yes.

2 MS. KOSCHIG: All right. Would you please state your name?

3 MR. ZAJAC: Nicholas Zajac.

4 MS. KOSCHIG: Okay. And I got the spelling from the last
5 one. Okay. So why we're here. We're here to look at the
6 incident that happened on February 22nd SkyWest and Air Shuttle.
7 Do you remember that one?

8 MR. ADAMS: Yes.

9 MS. KOSCHIG: Okay. So I'm not the only one doing
10 investigations. We also have pilots that are, you know,
11 investigating the pilots, asking them questions. So there's a lot
12 of moving parts to this other than just me. And I'm not the
13 investigator in charge. Somebody else is. I do the ATC group
14 stuff.

15 So during this, this shouldn't last more than an hour, if
16 that. If you feel like you need to take a break, you're more than
17 welcome to. If you want to talk to your rep, you're more than
18 welcome to step out and do that. But like I said, I don't think
19 it'll too long, that you'll need a break.

20 So during -- we're going to ask -- what we're going to do is
21 ask you a bunch of questions. And first to start out with, about
22 you, find out a little bit about your background in air traffic,
23 and then we're going to ask about what happened on the incident,
24 what you recall.

25 If at any time we ask you a question and you don't understand

1 it, I don't understand. If you don't know something, I don't know
2 is a perfectly good answer. If you wanted to speculate or
3 something or put your opinion out there on something, that's fine.
4 If you don't recall something, you don't recall it. It's a great
5 answer. Because we don't want you to just fill in the blanks on
6 things. And we also might ask some questions that seem very
7 simple, that you think we should know an answer to it, but we
8 don't put words in your mouth, and we don't want to put words in
9 your mouth. So you may hear some of those questions.

10 And we're here to learn from you. So any questions so far?

11 MR. CARRICO: No.

12 MS. KOSCHIG: Okay. So we're ready to get started.

13 INTERVIEW OF CHRISTOPHER ADAMS

14 BY MS. KOSCHIG:

15 Q. What are you operating initials?

16 A. Alpha Charlie.

17 Q. When did you start working for the FAA?

18 A. April 2008, April 18th.

19 Q. And was that the Academy?

20 A. Yes.

21 Q. And where did you go from the Academy?

22 A. Burbank.

23 Q. Been here ever since?

24 A. No.

25 Q. Where did you go -- how long were you here the first time?

1 A. July 2008 to April 2010.

2 Q. Okay. Then where did you go?

3 A. Ontario.

4 Q. How long were you there?

5 A. April 2010 to April 2015.

6 Q. And then where did you go?

7 A. Here, Burbank.

8 Q. Burbank. Been here ever since?

9 A. Yes.

10 Q. Okay. Do you like it here?

11 A. Yes.

12 Q. Do you have any military service?

13 A. No.

14 Q. Do you have any college or any degrees?

15 A. No.

16 Q. Do you hold any other aeronautical certificates other than

17 air traffic? Pilot.

18 A. No.

19 Q. Okay. Do you have a current medical?

20 A. Yes.

21 Q. Do you have any restrictions?

22 A. No.

23 Q. Who's your supervisor?

24 A. Scott Thaler.

25 Q. Okay. What positions are you qualified or certified on here?

1 A. Class delivery, ground control, local assist, helicopter
2 control, local control, CIC.

3 Q. Okay. Are you current on all the positions?

4 A. Yes.

5 Q. So what was your schedule -- what's your normal schedule and
6 did you work that -- the week of the incident?

7 A. My normal schedule is Tuesday, Wednesday 11 to 9, Thursday,
8 Friday 6 to 4. And yes.

9 Q. Okay. So you work 10s?

10 A. Yes.

11 Q. Great. Do you like that schedule?

12 A. Yes.

13 Q. So do you work overtime?

14 A. Yes.

15 Q. How often?

16 A. Do you mean --

17 Q. Like one shift a week or you just fill in hours. How do you
18 -- what's your overtime limit?

19 A. Two to three shifts per pay period.

20 Q. Okay. And that's a normal thing you do all the time?

21 A. Yes.

22 Q. Okay. What position were you working at the time of the
23 incident?

24 A. It depends on what exact time you're speaking of.

25 Q. When the Air Shuttle went around?

1 A. Ground and clearance combined.

2 Q. Okay. Did you have your cell phone in the tower?

3 A. No.

4 Q. Okay. Did you feel pretty rested that day?

5 A. Yes.

6 Q. Okay. How many hours of sleep do you get every night about

7 average?

8 A. Five.

9 Q. Was there anything going on in the tower that was distracting

10 or unusual?

11 A. No.

12 Q. Did you file an ATSAP?

13 A. No.

14 Q. Okay. Were you given an opportunity to review the audio and

15 look at the replay?

16 A. What do you mean by was I given an opportunity?

17 Q. Did somebody ask you if you'd like to see it and did you see

18 it or listen to it?

19 A. No and yes.

20 Q. Okay. You weren't given the opportunity? Is that what you

21 said? I just want to make sure I'm clear.

22 A. Well, in your clarification, you said did someone ask you, do

23 you want to see it?

24 Q. Right.

25 A. No, no one every asked me do I want to see or hear it.

1 Q. Okay. But you did?

2 A. Did I go see and hear it? Yes.

3 Q. Okay. How did you do that?

4 A. By listening to the DALR system.

5 Q. Oh, cool. Great. Thank you. So now, I want just start
6 getting into the incident a little bit. So what I'm going to do
7 is I'm going to start out asking some more questions, and then I'm
8 going to let everybody else ask some questions after that. Okay
9 so far?

10 A. Yes.

11 Q. So do you -- okay. I want to hear your recollection of what
12 you saw, heard, not based off the audio or the replay, anything
13 like that, but what you were doing in the tower and what you saw
14 and heard prior to the incident. And you can start at any point
15 prior to it, and all the way until after it. So you chose the
16 point you want to start.

17 A. I saw Air Shuttle beginning a climb instead of landing. And
18 I knew SkyWest was departing because I could see him departing.
19 After that, I watched them turn to the west, northwest and that
20 was it.

21 Q. Okay. And where were you standing at that point in the
22 tower?

23 A. Pretty much the center of the front counter working ground.

24 Q. Okay. And were you talking to some other aircraft on ground
25 at that point?

1 A. Yes, there were other aircraft on frequency.

2 Q. So where was your focus attention at? Do you recall?

3 A. In the window I just guess?

4 Q. Yeah.

5 A. Out the window.

6 Q. Okay. Did you -- so you're looking out because you're on
7 ground, right. So were you looking at the runway? How was your
8 scan going? Tell me a little bit about that.

9 A. At that time, no, I just noticed Air Shuttle was going
10 around. So my attention's kind of in front and so it's in the
11 peripheral because we're looking directly over runway 15/33. It's
12 pretty much directly in their field.

13 Q. Okay. Great answer. Let's see. That's what I was looking
14 for, what you were doing. Let me see. So did you hear -- was --
15 do you recall -- was the -- are the frequencies on speakers there
16 or over headsets?

17 A. No, on the headset.

18 Q. On the headset, okay. Were you aware at that point that
19 there was an issue when you saw it happening?

20 A. Everything was normal to me until Air Shuttle was going
21 around.

22 Q. Okay. Do you get a lot of go arounds here? Or, what's your
23 opinion for runway 33?

24 A. No.

25 Q. Do you work that configuration a lot?

1 A. It's -- what's the word I'm looking for? More seasonal
2 thing. We know certain times of the year it's going to be more
3 than others. So I wouldn't say a lot but enough.

4 Q. All right. I'm going to let the other guys ask some
5 questions.

6 MR. CARRICO: Joe.

7 BY MR. WOLTERS:

8 Q. Is there anything that drives the configuration? Like is it
9 winds, ceilings?

10 A. It's the wind.

11 Q. Always wind?

12 A. Yes.

13 Q. When you were there that day, were you in any other configs
14 during the day or was this all day or only during your shift?

15 A. I believe it was the entire shift that I was here, yes.

16 Q. So they were already in when you came to work?

17 A. Yes.

18 Q. And it been windier during the day earlier?

19 A. Yeah, maybe the wind speed was higher --

20 Q. Yeah.

21 A. During the day.

22 Q. Was it --

23 A. Earlier in the day.

24 Q. Do you recall what the winds were during -- at the time of
25 the event?

1 A. No.

2 Q. No. With the config being more rare, what's your thought
3 process when you come into work and you're on 33/26? Does your
4 mind shift? Do you have to recalibrate so to speak? Hey, we're
5 doing this. It's a different ops today. I've got to refresh
6 myself or what goes, what goes through your mind when you're
7 working a rare configuration?

8 A. I'm going to get in trouble.

9 Q. What does that mean?

10 A. I have trouble dealing with the TRACON on those days.

11 Q. Okay.

12 A. The traffic doesn't bother me.

13 Q. So elaborate a little bit more about the TRACON.

14 A. The way they operate with us and the configuration is very
15 difficult for us to operate cleanly.

16 Q. Okay.

17 MS. KOSCHIG: What is it that you would like them to do that
18 would make a big difference for you guys?

19 MR. ADAMS: The agreements we have in our LOA, our letter of
20 agreement.

21 MS. KOSCHIG: You need extra spacing. What would help?

22 MR. ADAMS: Just them doing the bare minimum --

23 MS. KOSCHIG: Okay.

24 MR. ADAMS: -- literally.

25 MS. KOSCHIG: Okay.

1 BY MR. WOLTERS:

2 Q. Back to the event itself. You said you noticed Air Shuttle
3 going around. You were focused on some ground. Have you ever had
4 any issue speaking out to a teammate saying, hey, watch that guy,
5 you know, turn left, recommend something just as a teammate?

6 A. No.

7 MR. WOLTERS: That's all I have.

8 BY MR. CARRICO:

9 Q. A couple of real quick questions here, Chris. You -- you
10 work two to three shifts of overtime. Are those 8s or 10s?

11 A. 8s.

12 Q. 8s, okay. I just wanted to make sure. You just said
13 something that the TRACON, you just want them to do the bare
14 minimums. In this scenario or this incident, did they not comply
15 with the LOA in some fashion or another that you can think of?

16 A. I don't know because I wasn't that position.

17 Q. Okay.

18 A. So I wasn't the one communicating with them.

19 Q. All right. The next thing I kind of want to focus on is the
20 pushing of those gates over there where the SkyWest would have
21 came of. You're working ground control. Do you recall what gate
22 SkyWest pushed off of?

23 A. I do not recall, but either Bravo 1 or 2.

24 Q. Okay. So it was one of those two?

25 A. Yes.

1 Q. Okay. And did you do the coordination for those? And what
2 does that look like?

3 A. I did not do the coordination for those. I was not working
4 ground at the time.

5 Q. Okay. So --

6 A. That's why I said --

7 MS. KOSCHIG: Okay. Yeah.

8 MR. ADAMS: -- it depends on what you ask, yeah.

9 MS. KOSCHIG: All right.

10 BY MR. CARRICO:

11 Q. Okay. So you came up after and then combined the grounds?

12 A. Yes. Well, I was up when SkyWest pushed but I was on
13 clearance delivery.

14 Q. Okay. And then it got combined over to you.

15 A. Yes.

16 Q. Okay. Okay. That makes sense now. Okay. So at what point
17 did you -- you took over when Air Shuttle was going around. Is
18 that when you took over ground?

19 A. Right prior, maybe.

20 Q. Okay.

21 A. I mean it could have been as short as a minute prior to Air
22 Shuttle going around.

23 Q. Okay. Well, I mean you work here. So I guess I can -- and
24 you're certified on ground. So I -- walk me through that. What
25 -- if SkyWest pushed off of B1 or 2, is there a different

1 procedure for that or is it the same procedure?

2 A. You mean if they -- is there a different procedure if they
3 pushed off Bravo 1 or if they pushed off Bravo 2?

4 Q. Yeah.

5 A. No.

6 Q. Okay.

7 A. With that type of aircraft, it would be the same --

8 Q. Okay. Perfect.

9 A. -- both ways.

10 Q. So what does that procedure look like internal?

11 A. If you're working ground, you call to local control to get
12 control of the runway. So ground will take control of the runway
13 because the pushback occupied the runway. So you have control of
14 the runway. You do the pushback and then when they say --
15 normally it could be before but normally when they advise you that
16 they're ready for departure, you give control back to local --
17 give control of the runway back to local and then they depart from
18 the pushback.

19 Q. So at no point then in Bravo 1 or 2, either one of those
20 cases, at no point are they clear of the runway? They -- they're
21 always --

22 A. No.

23 Q. -- occupying runway 33?

24 A. Yes.

25 Q. Okay. So then when they're -- they say, hey, we're ready to

1 taxi, then you say contact tower. Obviously you make sure they
2 have ATIS and all the appropriate information and whatnot. Is
3 there any coordination -- ground coordinates it with local. Does
4 local coordinate with SoCal in this configuration for the arrivals
5 coming in or is there anything between Burbank Tower and SoCal
6 TRACON that says, hey, our runway is going to be occupied for the
7 next 10 minutes or 5 minutes?

8 A. There is no required coordination, no.

9 Q. Do -- as a courtesy, does Burbank call down there, say, hey,
10 we've got a pushback or anything like that?

11 A. Some controllers and that's where the issues usually
12 generate.

13 Q. How? Elaborate on that if you would.

14 A. So if you know you have someone to push and you can see
15 arrivals, you can say, hey -- I mean you can maybe ask them when
16 do you have a gap or after this person, I'm going to be pushing
17 back someone. So could you help me get a gap or something like
18 that, but there's no exact coordination when we're in that
19 configuration.

20 Q. Okay.

21 UNIDENTIFIED SPEAKER: Can we take a break? I need to use
22 the bathroom.

23 MR. CARRICO: Sure.

24 MS. KOSCHIG: Um-hum.

25 (Off the record.)

1 (On the record.)

2 MS. KOSCHIG: All right.

3 BY MR. CARRICO:

4 Q. All right. So there's no required coordination. You guys
5 will call down and say, hey, after this guy or something to that
6 effect, that's where I am. So what -- and I get it's more
7 imperative in this configuration because, you know, if you're in
8 your normal configuration, you're departing 15, that's more
9 internal to you, but in 33, would it be helpful in your opinion to
10 have something in your LOA that would give some teeth to it? Hey,
11 after this guy, I've got to push this runway or hey, what does
12 your arrival stream look like or anything like that? I mean do
13 you think that would be beneficial to include something in a LOA?

14 A. Yes.

15 Q. So, we have an older copy of your SOP and it has DVAs in it.
16 Do you know -- DVA, diversion vector areas, just to make sure I
17 didn't use that, because I just heard that acronym the other day.
18 Do you know -- we've since learned that they're no longer active
19 here. Do you know why?

20 A. No, I do not know why.

21 Q. Okay. Completely off to a different area now, do you know
22 why helicopters cannot land on anything but the runways?

23 A. That's what the airport wants.

24 Q. Just -- okay. That's what your LOA with the airport is.

25 Okay. I didn't know if they were blocking that structure. I mean

1 they take off from it. They can't land on it. I just didn't know
2 if there was a structural issue or something, a FOD issue or
3 something.

4 MS. KOSCHIG: Have they ever given you guys a reason for
5 that?

6 MR. ADAMS: I've never asked.

7 MR. CARRICO: Okay. All right, Betty. I'm good. Go ahead.

8 BY MR. WOLTERS:

9 Q. I want to go back to the DVA, vectors below MVA piece. If
10 you were working local control and were in the same scenario, do
11 you feel you're locked into the heading with SoCal or do you feel
12 you can issue another heading before giving of the LOA required
13 heading?

14 A. I'm going to break the rule and take my punishment.

15 Q. In your LOA, it has -- just looking at it, because I'm trying
16 to understand how it's worded because it would be confusing to me
17 a little bit because 563 and .65 allows you to vector below MVAs
18 under certain situations. But in the LOA, it says runway 33 not
19 applicable. Does that mean you -- is that how it's interpreted
20 here that you can't do anything with those guys other than the 270
21 heading exiting your airspace?

22 A. Yes.

23 Q. If it was in the LOA that you could do something else, would
24 that help in your opinion?

25 A. It would depend on the wording.

1 Q. If you were just allowed to vector below the MVA like in this
2 scenario, Air Shuttle turn left heading 240, to peel them apart
3 and then at whatever point applying 270 context SoCal approach.
4 Would something like that help?

5 A. Yes, if it's at exactly that.

6 MR. WOLTERS: That's all I have for MVAs.

7 BY MS. KOSCHIG:

8 Q. I know that every facility has it quirks and everything about
9 it. It seems like there's a lot of restrictions here. What are
10 some things that if you could have changed that would make it
11 easier on you here, and let's not even consider SoCal, if things
12 could just be magically kind of worked into the system, what would
13 help to do your job? Is there any technology, you know,
14 coordination? Tell me some things that would help increase your
15 work flow -- I mean help decrease your work flow and increase the
16 safety.

17 A. I don't know enough about technology to say something like
18 that would help. Expedite the building of the new terminal.

19 Q. Yeah.

20 A. And this is not outside. I know you said that, but it has to
21 be said. Someone force the TRACON to do what they're supposed to
22 do, and that's why I said if they just have to do the bare
23 minimum, it would go a very long way.

24 Q. So -- and like I said, I don't want to put words in your
25 mouth. So do you think -- well, SoCal, they're the big guy in the

1 picture. Do you think that they don't listen to what the facility
2 needs, what the airport needs?

3 A. Well, they don't care because they don't have to care.

4 Q. So it's kind of like -- yeah. And why do you think that is?
5 What can happen to change that attitude on their end?

6 A. Nothing.

7 Q. Nothing.

8 A. Nothing. The other only possible thing would be to -- would
9 be for the airport, I don't know, buy the space on the Gulf side,
10 next to AirJet because it doesn't appear that they use that space
11 there like in the corner. If you have the airport layout down --

12 Q. Yes.

13 A. -- at the bottom left where the two green patches are, at the
14 end of 33 --

15 Q. Yeah.

16 A. -- yes, that corner where the trailer is, yes. So an
17 airplane that is larger can go onto that side of the runway. That
18 would probably be the only thing that will be doable for us like
19 soon that could help us because then you could put airplanes over
20 there. They'd be able to get out earlier --

21 Q. Oh, yeah.

22 A. -- things like that. They wouldn't have to back taxi. So.

23 MR. CARRICO: What is that restriction?

24 MR. ADAMS: 95 feet.

25 MS. KOSCHIG: Wow.

1 BY MR. WOLTERS:

2 Q. So how often do you take aircraft from the gates over to Golf
3 to wait for departure? And who would do that if that were to
4 happen?

5 A. Very seldom. It would be ground who controlled it, but very
6 seldom we just don't have the airplanes that are that small to go
7 over mostly from the terminal. We do have regional jets that can
8 do it, and the Embraer, but the majority of our planes that are
9 over there, are Airbuses and 737 and they just can't fit any way.

10 Q. Which Embraers? Do you know?

11 A. Oh, what's the -- 135.

12 Q. The 135, but I mean is it pretty routine they can get that
13 info in the tower?

14 A. Oh, yes, yes. We have that info in the tower. It's just not
15 very often that we have them on the terminal side. So. But when
16 we do, sometimes they do go over there.

17 Q. And so with that while we're on the pushback type stuff, is
18 there any kind of best practice cutoff or when an aircraft is on
19 approach mileage-wise for when local will approve releasing the
20 runway? Or how does that all work? I mean it's -- or is it just
21 roll the dice on every inbound?

22 A. It's not -- it's really not an exact science because the
23 inbounds are on visuals. So you never know exactly how they're
24 going to get to the runway. Most people I'd say, 15 miles out --

25 Q. Okay.

1 A. -- 15 plus, and that's if it's a real like -- it's got to be
2 a perfect situation to even say 15, probably closer to 20. You
3 feel like I got this for sure because if you push them back, they
4 occupy the runway and if you don't get your release immediately,
5 now you can't have a guy land. So it has to be a lot of things
6 coming together.

7 Q. What's your comfort level?

8 A. To push them back?

9 Q. A go around doesn't really bother me. So I usually go about
10 17 to 20.

11 Q. Are you an OJTI?

12 A. Yeah.

13 Q. How do you train? Do you train just like you --

14 A. I train apart and then come closer. As you get closer to
15 being certified, then we can push for closer because I need to
16 know that you're going to be able to do the things you need to do
17 to make things work. When we're on 26/33, it's not a -- the
18 entire operation is questionable I would say, I mean the way it
19 goes. So for me, it's -- it works until it doesn't.

20 Q. Since we're on the subject of training, have you had any --
21 when's the last training you've had? I guess -- let me rephrase
22 where I'm trying to go. What is the OJT's simulation process?
23 What do you guys do for simulation? How do you -- do you run
24 tabletop exercises? Do you have TSS, locally --

25 A. We have the TSS.

1 Q. So you have TSS. Is this a required configuration in --

2 A. Yes.

3 Q. -- the last? And then what do you know about recovery
4 training for this configuration? Does that exist? And you may or
5 may not know.

6 A. Yes, we do recovery training at the TSS in this
7 configuration.

8 Q. In this config. And does it more or less run like this event
9 or is it -- or are there a couple different scenarios? Like is
10 there a departure and a go around similar to this or is it just
11 different type go around scenarios?

12 A. On this configuration, it is one type because you just read
13 off what we have to do.

14 Q. Okay.

15 A. There's no work to do when you already know what you have to
16 do.

17 Q. Okay.

18 A. It's only one option.

19 Q. And then the last training question, what about refresher
20 training? How do you guys at the facility, since the
21 configuration is rare, how do you guys keep up to speed on it?
22 You said it's seasonal. So do you do refresher training before
23 the season?

24 A. We do not.

25 Q. Are we in that season?

1 A. We do not have planned refresher training.

2 MR. WOLTERS: Okay. That's all I have for now.

3 BY MS. KOSCHIG:

4 Q. So would you put someone -- is it -- I'm just trying to
5 figure out what the norm is. Would you put someone in to line up
6 and wait before you got a release or how is the release -- do they
7 take their time with the (indiscernible) part? How does that
8 work? What's the coordination between SoCal and when you would do
9 something?

10 A. No, per LOA we're not allowed to put someone into line up and
11 wait without a release --

12 Q. Okay.

13 A. -- or a estimate of when they will be released.

14 Q. Okay.

15 BY MR. WOLTERS:

16 Q. You have IDS here, right?

17 A. Yes.

18 Q. How does that work with the releases?

19 A. They don't tie in with each other at all. So potentially --
20 I'll paint the picture. If we have an IDAC, we have a void time
21 of 55. He's in our rundown list with the time that says 55 void
22 time, 55. He could be in the rundown for 10 minutes. If SoCal
23 doesn't answer in say he'll be released at 54, we can't put that
24 airplane on the runway.

25 Q. Okay. Just to better under IDS and how it works here, do you

1 have to use it for every air carrier list? When do you guys use
2 it? Is it an all the time thing or only when --

3 A. No, it's if a facility has the call for release.

4 Q. Okay. Gotcha.

5 A. If that arriving facility has the call for release.

6 Q. Okay.

7 BY MS. KOSCHIG:

8 Q. Are you part of the Local Safety Council?

9 A. I am not.

10 Q. What's your -- would you feel comfortable giving them some,
11 you know, ask them to look into something or what's your
12 relationship with them or do you have a relationship?

13 A. Yes, and the relationship is good.

14 Q. Great.

15 A. With Sosa.

16 Q. So so.

17 A. No, I said Sosa, the one who's in the Local Safety Council.

18 Q. Okay. So he's the guy doing it. All right. Good.

19 MS. KOSCHIG: I'm thinking of some questions. So, Dan.

20 MR. CARRICO: I don't think I have any right now, Betty. Let
21 me think about it. Back to you.

22 MS. KOSCHIG: Okay. Joe.

23 BY MR. WOLTERS:

24 Q. Have you ever visited SoCal?

25 A. Yes.

1 Q. Does anybody ever come up here from SoCal if they're in
2 training or otherwise?

3 A. No, not that I can recall. And that's on both ends. Like
4 the first time I was here and the second time.

5 Q. Do you think any more back and forth would help in that
6 regard as far as like when I came in this morning and went
7 upstairs, a completely different perspective than looking at an
8 airport diagram on the piece of paper. So I mean do you think
9 that would help if there were more in-person interaction between
10 the two facilities?

11 A. I would like to say yes.

12 MS. KOSCHIG: Dan.

13 BY MR. CARRICO:

14 Q. Is your configuration, in this case 33/26, is it tied to any
15 other airport? Meaning when you're on this configuration, that
16 Van Nuys has to be on this and LAX has to be on this one, or --

17 A. I know.

18 Q. -- you can switch independently of another airport?

19 A. Yes, we can switch independently but more times than not, us
20 and Van Nuys are on the same direction.

21 Q. Okay.

22 BY MS. KOSCHIG:

23 Q. Do you know why were you in the 33 configuration that day?

24 A. Just the winds were from the north and the northwest, north
25 northwest.

1 Q. Are there certain gusts or speeds that it has to be?

2 A. Because of the short runway, usually pretty much a 7 knot,
3 like tail wind component, most aircraft don't want to land on it.

4 Q. Okay. So just to go over it again, you were on CD before you
5 absorbed to ground, right?

6 A. Yes.

7 Q. Okay. So do you read -- did you read SkyWest's clearance?
8 Do you guys do that?

9 A. No, it probably as automated 9 times out of 10.

10 Q. Okay.

11 A. Yeah. Barring some issue with like the technology of
12 something, it was mostly likely automated.

13 BY MR. CARRICO:

14 Q. Is there a reason -- because didn't the Southwest take off at
15 26 just before this? Is there a reason that this airplane took 33
16 as opposed to 26?

17 A. Not in particular. Probably just --

18 Q. Location.

19 A. -- closeness.

20 Q. Convenience.

21 A. Yeah.

22 Q. Okay.

23 A. Convenience, yes.

24 BY MR. WOLTERS:

25 Q. Do the pushbacks depend on the runway config?

1 A. What do you mean?

2 Q. The way they push off the gates.

3 A. If we're 8/15, they'll push tails south --

4 Q. Okay.

5 A. -- versus tail to the north.

6 Q. So it is a little bit --

7 A. I mean they -- it still takes up the runway.

8 Q. Yeah.

9 A. That part's the same. It's just where their nose is pointed.

10 MR. CARRICO: Do you as ground control direct that or does
11 the ramp do that?

12 MR. ADAMS: The ramp will do it for the most part because
13 they know which direction they're going. I mean we can always
14 tell them to change the direction, and they'll do it but --

15 MR. CARRICO: Okay.

16 BY MR. WOLTERS:

17 Q. If after an aircraft is pushed back, is there any kind of
18 agreement with the airlines, the gates, the airport, where if
19 something is not going to work normal, we screwed that up, we
20 can't -- it's not going to happen, can they go any length back
21 toward the gate to get out of the RSA?

22 A. Yes, if the airplane is small enough, they can taxi north.
23 The problem is, if they're pushed back tail north, they have to
24 cross and it would -- I mean if their size is appropriate, then
25 they can cross. Otherwise, they'd be spinning on the runway to

1 get their nose back northbound to then get out of the way. And
2 recently, more and more aircraft have been just unwilling to be on
3 the taxi line going north. So even the smaller airplanes will
4 stay on the runway longer than they need to because bigger
5 airplanes --

6 Q. Okay.

7 A. -- are pushed out next to them.

8 Q. But they can't go back in towards the gate at all. There's
9 no agreement in that regard.

10 A. No, there's -- I mean I guess they could if we made them but
11 then they have to get pushed back again. I wouldn't see the plus
12 in that.

13 Q. Are all the controllers here LARWS certified? Do you guys
14 all take --

15 A. Yes.

16 Q. -- provisions?

17 BY MS. KOSCHIG:

18 Q. Is your localizer back up?

19 A. I don't know what's happened. I've been gone since last
20 week, Wednesday.

21 Q. Oh, okay.

22 A. So this is my first day back.

23 Q. Oh, okay. Sorry you had to come back to us.

24 A. It's cool.

25 Q. So how does that -- how's that work? Just kind of -- you

1 know, if you're on 33 and the wind's dictating it, and the
2 weather's bad, I mean you don't have the ability. How do you guys
3 get the airplanes in if you can't do visuals?

4 A. No, it's the opposite. If we're 26/33, it's extremely
5 clear --

6 Q. So you have to be --

7 A. -- 99 percent of the time.

8 Q. -- in order to use it? Okay.

9 A. Well, no, we don't have to be clear. I'm just saying that
10 the wind usually makes it clear. When we're in 26/33
11 configuration, it's very -- I would say never can we not see. We
12 can always see very well in that configuration.

13 Q. Oh, okay. All right. Makes sense.

14 MS. KOSCHIG: Okay. Last time around.

15 MR. WOLTERS: What is the primary runway configuration?

16 MR. ADAMS: 8/15.

17 MR. WOLTERS: So land 8, depart 15.

18 MR. ADAMS: Predominantly, yes.

19 BY MS. KOSCHIG:

20 Q. Okay. This is going to sound like a stupid question, but is
21 there anything that we didn't ask you that you thought we were
22 going to ask you or you wish we would have asked you?

23 A. No.

24 Q. Okay. Do you have any questions for us?

25 A. No.

1 MS. KOSCHIG: All right. So then we will go ahead and end
2 the interview. It is at 12:58.

3 (Whereupon, at 12:58 p.m., 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: RUNWAY INCURSION BETWEEN SKYWEST
 EMBRAER & MESA AIRLINES AT THE
 BOB HOPE BURBANK AIRPORT IN BURBANK,
 CALIFORNIA ON FEBRUARY 22, 2023
 Interview of Christopher Adams

ACCIDENT NO.: DCA23LA185

PLACE: Burbank, California

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.

A handwritten signature in blue ink, which appears to read 'Kathryn A. Mirfin', is written over a solid black rectangular redaction box.

Kathryn A. Mirfin
Transcriber