



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: January 10, 2018
Person Contacted: Michael Van Wagener
NTSB Accident Number: ERA16FA279

Narrative:

Mr. Michael Van Wagener was contacted by phone on August 4, 2016, at 1033 EDT. He was called at [REDACTED]

He indicated that he is with the family at the time of the call, and he is the son-in-law. It was immediately asked by the family members why NTSB released the name of the pilot to the media. They were informed that NTSB did not release the name to the media. They were asked to provide a 7-day history for the pilot.

They advised he was in good health, and to their knowledge he was not taking any medication. Gwendolyn indicated her husband was highly experienced. He had over 15,000 hours flight time, which was either logged or unlogged. He uses flightplan.com for his pilot logbook. He had flown to Destin Executive Airport (DTS), Destin, Florida to drop off Wayne Elmore for a vacation. The pilot departed Abbeville Chris Crusta Memorial Airport (IYA), Abbeville, Louisiana, approximately 1300 to 1330 Central Daylight Time (CDT). Aaron indicated that he was scheduled to be in the airplane.

Aaron Habetz talked to his father at 2001 CDT; the phone call lasted approximately six minutes. During that call his father did not mention any problems with the airplane. His father was returning to IYA, and as soon as the phone call ended, he would be going to the airplane to initiate the flight. Aaron attempted to call his father again at 2051 CDT. The phone rang a couple minutes then went to voicemail.

They were asked whether they had any pictures of the airplane. Aaron advised he may have some on his phone. They were also asked whether the airplane had a Global Positioning System (GPS) receiver on board the airplane. They indicated that there might have been a Garmin 396,

430, 530, or 796 GPS receiver on board. The only time a handheld GPS receiver would be turned on is if there was anticipated weather.

Aaron and Allan Norbert Habetz, Jr. are pilots. Allan had last flown the accident airplane about two weeks earlier, or towards the end of July. He indicated that if there were any problems with the airplane, the owner would take care of any maintenance, which was done in Abbeville Louisiana. That is where the maintenance records are located. Aaron did not recall who last flew in the accident airplane. Aaron indicated that if something was not right on the airplane, his father would not fly it.

I was referred to Ms. Fisher at SIMCOM located in Orlando Florida for recurrent training of the accident pilot.

They indicated that their father normally flies to DTS about 3 to 4 times a month. After landing, he would generally try to get a bite to eat. They are well aware of the departure procedure at the airport. For departure, contact with air traffic control (ATC) is made on 132.1 MHz, but sometimes you need to contact clearance delivery. With respect to the crane, their father was well aware of it. In fact, during an approach to the airport, you would need to sideslip because of the crane on the approach path. They indicated that the crane was not lighted very well, and it only has one light. Allan indicated that if a pilot were not paying attention it, "will scare the * out of you." They also indicated that an airplane would normally be picked up on radar by Eglin Approach Control at 800 feet mean sea level (MSL).

Typically, in that airplane when departing from runway 14 at DTS, at the shoreline the airplane would be at approximately 1000 feet MSL, in a cruise climb between 700 and 800 feet per minute.

They were briefed on the status of the investigation.

The digest was reviewed with them during the phone call and they agreed to the content.



RECORD OF CONVERSATION

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Eastern Region

Date: November 16, 2017
Person Contacted: Dave Janca
NTSB Accident Number: ERA16FA279

Narrative:

Mr. Janca was interviewed on August 5, 2016 at 0700 CDT. He was interviewed at the construction site location that was the subject of the NOTAM for the crane. He provided a cell phone number of [REDACTED] and an e-mail address of [REDACTED]

He indicated that he is the Superintendent of the building being constructed, which will have an address of 1900 Scenic Highway 98, Destin, Florida. The crane, which is the subject of the current NOTAM (later identified as 12/003), will likely be removed from the site on August 24, 2016. Since the crane has been erected, aircraft have flown "...very close to it. Closer than the 700 feet above ground listed in the permit." He reported the, "low flights to Okaloosa County Airport officials at DTS" using office number (850) 651-7166. He referred the crane as a "magnet".

At the end of every work day, the crane which has a single red light on the top of the main mast is lowered to 200 ft, and the boom remains over the property. On August 2, 2016, he indicated that he left the worksite at 1600, and when he left the crane was lowered, and the boom was pointing over the southeast corner of the building.

He was informed that I viewed the crane the evening before at 2030 EDT, and I noted the single red flashing light. He indicated that he has received complaints of the light not being illuminated, and would have to personally drive to the site to inspect it, only to arrive and find it working. He subsequently asked an off-duty Okaloosa County deputy who was providing security for a nearby building if he too could see the light. The deputy gave him his car number, but he (Mr. Janca), would, "always be the person that checked out the complaints.

The digest was e-mailed to him/her for review on August 15, 2016, at 1110 EDT. He replied on August 16, 2016, at 2148 EDT with, "Mr. Monville, I will send you some minor adjustments

clarifying the statements in your [interview]. Thank You Dave Janca” A second e-mail was sent to him on September 28, 2016, at 1055 EDT, asking him to provide clarifying information. He responded on October 9, 2016, at 1311 EDT, with, “Timothy

I have attempted to edit the report you sent me twice and it hasn't made it to you. I'm going to try this a different way and just tell you the parts I consider inaccurate. In the second paragraph, Third sentence you stated "aircraft have almost hit it" (it being the crane). My words were intended to convey, they fly very close to it. Closer than the 700 feet above the ground listed in the permit.

In the fourth sentence, you report I complained to to Tracy Stage at DTS, I told you I reported the low flights to Okaloosa County Airport officials at DTS. You read the name off of my phone. That is the office number.

In the Fourth paragraph, third sentence, you write " He subsequently friended". My words were I " asked " the Deputy if he could see the light. He gave me his car number, not his phone number and I never asked him to check the lights again. I would always be the person that checked out the complaints.

I hope this will clear up your report.
Dave Janca”

These comments were incorporated into the narrative. The corrected digest was e-mailed to him for review on June 14, 2017, at 0941 EDT. He replied on June 15, 2017, at 1507 EDT, with, “Mr. Monville I Agree with your statement dated June 14, 2017 , 09:40 Dave Janca”



RECORD OF CONVERSATION

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Sr. Air Safety Investigator
Eastern Region

Date: August 16, 2016
Person Contacted: Geff Brohl
NTSB Accident Number: ERA16FA279

Narrative:

Mr. Brohl was interviewed at the location he was standing when he observed the accident airplane in flight. The interview was performed of August 5, 2016, at 0912 EDT. That location was determined to be 30 degrees 23 minutes 02.2 seconds North latitude and 086 degrees 27 minutes 29.6 seconds West longitude. His e-mail address is [REDACTED] and his cell phone number is [REDACTED]. He also indicated that he flies RC aircraft.

He indicated that the airplane was about 150 feet over the highest portion of The Back Porch restaurant flying in a heading of about 210 degrees while in a slight climb. When over water, the airplane banked to the right which he described as the wings being nearly vertical. He indicated the airplane then rolled to near wings level and while flying on a westerly heading, the nose of the airplane then pitched down. He indicated that he could see the aircraft's lights the whole time, but he could not discern the position of the landing gear.

During the conversation personnel of the The Back Porch restaurant were in the vicinity. NTSB established contact with the manager (Trey Horton) of that restaurant and asked if any security cameras depicted the accident flight. He confirmed none of their cameras records the beach area.

The digest was e-mailed to him for review on August 15, 2016, at 1405 EDT. He replied on August 16, 2016, at 0722 EDT with, "Mr. Monville, The information looks correct. If possible, please let me know the final outcome of the [investigation] [Geff Brohl Cell](#). [REDACTED]"

[REDACTED]



RECORD OF CONVERSATION

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Eastern Region

Date: January 10, 2018
Person Contacted: Numerous Family Members
NTSB Accident Number: ERA16FA279

Narrative:

Numerous family members were given an update about the investigation at the Destin Florida U.S. Coast Guard station on August 5, 2016, at approximately 1830 Eastern Daylight Time.

They were given an update about the day's activities. Allan Habetz, Jr., indicated that his father usually activated the autopilot at 500 feet mean sea level if in instrument meteorological conditions (IMC), or higher if the weather was marginal, which was the procedure taught at SimCom. He also indicated that the engines were recently modified at RAM which increase the horsepower. Recently, a piece of plastic was able to get past the flow divider and plugged a fuel injector nozzle. As a result, the auxiliary fuel pumps were replaced. Allan Habetz, Jr., has a maintenance records, and was advised that the NTSB would need to inspect them. There were also advised that the NTSB would need copies of his pilot logbooks.

The digest was reviewed with them during the meeting and they agreed to the content.



RECORD OF CONVERSATION

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Sr. Air Safety Investigator
Eastern Region

Date: August 15, 2016
Person Contacted: Captain John of Sea Tow
NTSB Accident Number: ERA16FA279

Narrative:

Captain John of SeaTow was contacted by phone on August 15, 2016, at 1201 EDT. He was called at his cell phone number of [REDACTED]

He was asked at any point of the wreckage recovery did he separate any fuel line. He indicated that at no point of the wreckage recovery was any fuel line disconnected.

The digest was reviewed with him during the call and he agreed with the content.



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: January 10, 2018
Person Contacted: Aaron and Gwendolyn Habetz
NTSB Accident Number: ERA16FA279

Narrative:

Mr. Aaron Habetz and Gwendolyn Habetz contacted NTSB by phone on August 15, 2016, at 1452 Eastern Daylight Time. They called from [REDACTED]. Aaron provided a cellular phone number of [REDACTED].

He indicated that he was unable to download his father's pilot logbooks from flightplan.com. He did find his father's first pilot logbook which has about 245 log hours. On flightplan.com, his father has about 2200 hours logged.

With respect to the airplane maintenance records, the owner wanted them first, then would provide them to the insurance adjuster.

They were given an update regarding the investigation. Aaron indicated that he attended training at SimCom with his father, and while his father was in the simulator in the left seat, Aaron would be in the right seat. And while Aaron would be in the left seat, his father would be in the right seat. Aaron felt the training was okay, or "very well done."

With respect to the accident, in their heart they thought they could either be related to medical issues or mechanical issue.

The digest was reviewed with them during the call and they agreed with the content.



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: January 10, 2018
Person Contacted: Aaron B. Habetz
NTSB Accident Number: ERA16LA279

Narrative:

Mr. Aaron B. Habetz contacted NTSB on August 19, 2016 at 1634 EDT. He called from [REDACTED]

He asked whether I had received 3 e-mails. I advised that I had received 2 and told him what attachments I did have.

During the call he was given an update about the status of the investigation and told the propellers were being examined next week, the engines are being shipped to Continental Motors, Inc., for pending test run of them the week of September 12th, and that the on-board recording devices are in our headquarters in Washington, DC. He was also informed that our Recorder Lab has a lot of work, so it may be some time before I get the data.

He was asked if he had the maintenance records because I had a question about the auxiliary fuel pump related to information provided on August 5, 2016. He indicated that the records were shipped yesterday by FEDEX to the insurance adjuster. He had hoped they would get on the truck yesterday because of the flooding in LA. He was asked if he recalled what position was the issue and he thought it was the right.

During the conversation he was informed that his father's medical was expired. He was asked why he did not have one. He advised that his father was working with a doctor and submitting paperwork to the FAA. I informed him that process is usually reserved for a person with a medical issue. At that time he informed me his father had lymphoma. I asked him why I was not told this when I asked them if he had any medical issues or if he was taking any medication. He advised me that they were overwhelmed with his death and did not intend to mislead NTSB. I informed him depending on the autopsy results the NTSB may need to Subpoena his doctor's medical records.

He was asked to provide me the shipper name and tracking number for the maintenance records.

The digest was reviewed with him during the call and he agreed to the content.



RECORD OF CONVERSATION

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Sr. Air Safety Investigator
Eastern Region

Date: January 10, 2018
Person Contacted: Doyle Wayne Elmore
NTSB Accident Number: ERA16FA279

Narrative:

Mr. Elmore contacted NTSB by phone on September 8, 2016, at 1443 EDT. He called from [REDACTED]. He provided an e-mail address of [REDACTED].

He indicated that he was driving, and because of safety concerns he said he would call back.

He called back the same day but the time was not recorded. At the beginning of the phone call he was advised that the NTSB is a federal agency mandated by Congress to investigate aircraft accidents, and NTSB has no authority to take any action against any individual. He was also informed that the purpose of an NTSB investigation is for safety only, and any person NTSB talks with has the right to representation; he agreed to the interview without representation.

He indicated that he has talked to an attorney, but is willing to talk to NTSB. He is not a pilot, and has been a co-owner of the airplane for about six years. During that span, Mr. Habetz or his son Allan Habetz, Jr., flew them on that airplane, with the accident pilot flying them the majority of the time.

The airplane is registered to Cessna 414 LLC, and was owned by himself, Robert H. Rhyne, Jr., Mike Poole, and Bart Bernard. Messrs. Poole and Elmore own 50% of the airplane, while the remaining two owners equally split the remaining 50%. He does not know who the officers of Cessna 414 LLC are. The operator of the aircraft is Mr. Robert Rhyne, while Mr. Habetz was there pilot who they paid \$400 per flight per day. Mr. Habetz also managed the maintenance of the airplane. If something minor in nature was wrong with the airplane, Mr. Habetz had authority to fix it without apprising the owners. He indicated they never had a problem with the airplane, and new engines and propellers (engine enhancements) were recently performed. He reported that the airplane was in "fantastic shape." The only own/operate one aircraft. If something were wrong with the airplane, they would fix it immediately.

Earlier in the day on the accident date, the accident pilot flew him, three adults, and two children from Abbeville, Louisiana, to Destin Executive Airport (DTS), Destin, Florida, arriving there between 1430 and 1440 Central Daylight Time. He reported it was a great flight and at no time either before, during, or after the flight did the pilot mentioned to him any issues about the airplane. After landing, his car was brought around and he asked the pilot to fill up the airplane. He also asked the pilot if he was returning, and he said yes “fairly soon.” They then parted company and he had no more interaction with the pilot. The pilot used his credit card to pay for the fuel of the airplane, and ate at a Jimmy John’s restaurant. The pilot seemed to be his “same happy self”, and he did not notice anything wrong with the pilot or the airplane. He further indicated that his children and grandchildren were on the flight to Destin, Florida; therefore, if there had been something wrong with the airplane, or he was aware of a problem with the pilot, the airplane would not have been flown. On the flight to DTS, he was in the left side of the airplane adjacent to the door, while his son (Greg) was in the copilot seat. He indicated the flight to DTS was for personal reasons.

Since his son was in the left seat, he asked him whether he noticed anything unusual during the flight to Destin Florida. His son did not notice anything unusual during that flight. Typically on the flight to DTS, after landing the pilot would fuel the airplane and then leave within one hour.

With respect to Mr. Habetz, he was not aware that the pilot did not have a current medical certificate, nor was he, or any of the other three partners aware of his health issue (Lymphoma). If they had known that, it is likely they would have asked the pilot some very specific questions related to his cancer. Mr. Robert Rhyne had flown with the pilot for about 15 years.

The digest was reviewed with him during the call, and he agreed with the content