



NTSB MEMORANDUM FOR RECORD

Adam Gerhardt
Air Safety Investigator
Eastern Region, Office of Aviation Safety (ERA)
National Transportation Safety Board

Date: April 16, 2019
NTSB Accident Number: ERA19LA150

Narrative:

The following memorandum contains an interview summary conducted with the pilot in command by Federal Aviation Administration (FAA) inspectors: John R. Harris, Mahesh Gupta, and Katherine Adrada. The following content is an unedited copy of the memorandum text:

On April 16, 2019, Inspector Harris, Inspector Gupta and I, Inspector Adrada conducted an interview of the Pilot-in-Command (PIC), Mr. Dong Il Kim, of aircraft N5296H which was involved in an accident. Inspector Gupta and I provided Mr. Kim with a Pilot Bill of Rights which he signed and returned back to us, we then provided a copy of it to the airman. Mr. Kim then proceeded to recount what happened on Sunday April 14, 2019 prior to the accident. Mr. Kim stated that he woke up at 0500AM to start his trip to Niagara Falls (KIAG). Him and his two friends arrived to Farmingdale Airport (KFRG) at approximately 0630AM. Mr. Kim stated he received weather briefing and filed two Instrument Flight Rules (IFR) flight plans (one from KFRG to KIAG and another from KIAG to KFRG) with 1800-WXBRIEF. Records from Flight Service Station provided by Leidos indicates the airman did not request a weather briefing but filed two IFR flight plans instead. Not obtaining proper weather reports and forecasts as part of a preflight action is a direct violation of 14 CFR 91.103(b). Mr. Kim and his friends arrived to KIAG a little after 1100AM. They toured around Niagara Falls area for about 4 hours and returned to the airport where Mr. Kim napped for about an hour prior to departing back to KFRG. His flight was scheduled to depart KIAG at 1700 hours.

We asked Mr. Kim about his method of obtaining weather information prior to departure, he said he used his iPad application. He knew that the weather would be "bad" when arriving to KFRG but he had to make the flight because one of his friends was flying back to Korea the next day. When asked what was his route of flight back to KFRG, he stated he filed KIAG direct KFRG. N5296H is not equipped with a GPS, Inspector Gupta asked how did he file direct without proper equipment in the aircraft, Mr. Kim stated he used his iPad GPS as means of navigation. Mr. Kim stated that his alternate airport was La Guardia (KLGA). Forecast records for the intended time of arrival indicated that the



NTSB MEMORANDUM FOR RECORD

weather at KLGA was "TAF KLGA 142322Z 1500/1606 18014KT 2SM BR OVC004 WS020/20045KT." Not selecting an appropriate alternate airport is in direct violation of 14 CFR 91.169(b)(2)(i). Mr. Kim stated he selected KLGA because even though it would be foggy with Low IFR conditions, it would be a large enough runway with a lot of lights and easier to land despite the weather. Based on his calculations, Mr. Kim stated he loaded enough fuel for 5 hours and 20 minutes of flight time. When he arrived to KFRG at approximately 2100 hours, he estimated he had used about 4hrs of fuel. Visibility at KFRG was very poor and he could not see the runway. METAR report at the arrival time indicated the following: "METAR KFRG 150053Z 19009KT 1/4SM FG VV002 13/13 A2968 RMK AO2 SLP049 T01330133."

Mr. Kim attempted to land ILS 24 four times before deciding to go to his alternate airport. Air Traffic Control asked him what airport he wanted to proceed to and Mr. Kim said "any airport with better weather." He was redirected to John F. Kennedy (KJFK) even though the weather was not any better there. METAR report was as follow: "METAR KJFK 150051Z 17012KT 1/8SM R04R/1800V3000FT FG VV003 13/13 A2968 RMK AO2 SFC VIS 1/2 SLP049 T01330133." With the same logic as with KLGA, Mr. Kim assumed that because KJFK was a large airport, he would be able to see the lighting and runway to land. New York Approach asked Mr. Kim several times how much fuel he had remaining. He stated that he could not get an accurate reading because the fuel quantity indicator was fluctuating. After attempting to land ILS 22L twice at KJFK, he went missed both times because he could not see the runway at minimums. Mr. Kim finally calculated the fuel and stated he had about "10-15 minutes" of fuel left and notified KJFK. The miscalculation of fuel during IFR conditions is a violation of 14 CFR 91.167(a)(3).

As Mr. Kim was setting up for his third ILS attempt into KJFK, the aircraft's engine sputtered and shut down, losing power. He realized he had no fuel left. He started looking for a clear spot with lights to put the aircraft down. He saw what might have been street lights at about 100 feet above ground level (AGL) and tried to line up the aircraft. He made a hard left turn and remembered the right wing hit and then the aircraft came to a complete stop. Mr. Kim and his friends evacuated the aircraft immediately and sat on the road waiting for emergency responders. At the end of the interview, Mr. Kim was asked by Inspector Harris to write a statement in his own words. Inspector Adrada made copies of his pilot logbook.