



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: September 1, 2020
Person Contacted: Barry S. Webber
NTSB Accident Number: ERA20LA297

Narrative:

Mr Barry S. Webber sent an e-mail to NTSB eyewitness on August 28, 2020, at 1158 EDT. The content of his e-mail was copied into the digest below. He subsequently was contacted by NTSB on September 1, 2020, at 0852 EDT, at [REDACTED] He confirmed his e-mail address was [REDACTED]

At the beginning of the interview 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.

From the e-mail:

“My name is Barry Webber and I live at [REDACTED] Hallandale Beach, FL [REDACTED] When I was in my front yard this morning I saw an Aero Commander fly over my house coming off the ocean and heading west. It caught my attention because of the engine sounds which at first was an acceleration and deceleration sound which then changed to a popping sound. I am quite certain that it is the same aircraft that went down in Pembroke Park. I don't know if this information will assist in your investigation, but I wanted to let someone know what I observed in the event that it would be helpful. I can be reached by phone at [REDACTED] or by email at [REDACTED] Thank you, Barry Webber”

During the phone call he indicated that he is not a pilot but did take 2 private flight lessons over a 40 years period. He does consider himself an aviation enthusiast. He and his wife have been to Oshkosh, Wisconsin a couple times. He does not consider himself to be mechanically inclined, but he does know about engines, though he would not have the ability to rebuild an engine. He

was asked if he had any eyesight or hearing issues and he did not. He was also asked if he took any video or pictures and reported it occurred too fast.

He indicated that his house is on the Intracoastal Waterway near the Atlantic Ocean, and on the date of the accident he was outside his house in his driveway washing his car.¹ At the time he was wearing earbuds listening to a talk radio program, which allowed him to be able to hear outside sounds. He heard the airplane which was unusual where it was because it was flying north of his house. Airplanes flying into North Perry Airport (HWO), are usually more south of his location. He heard a different sound, that after seeing the airplane, he recognized as being an Aero Commander and relayed a story that when he was a teenager, the family of a friend of his owned one, making him familiar with the airplane. He indicated that the engines were accelerating and decelerating which was repeated twice. He pulled out his earbuds and watched the airplane flying in a southwesterly direction. He could hear the engine sound changing in what he described as “missing”, and “like a car spark plugs were missing.” He then reported hearing a “severe missing” which he described as popping. The airplane went out of sight, but he could continue to hear it. It became more of a distressed sound. He thought the airplane was high enough to have made Fort Lauderdale. The airplane went out of hearing range and he continued washing his car. His wife later mentioned the airplane accident and he asked her if it was an Aero Commander that had crashed. She replied she did not know. He watched the news and recognized the crashed airplane on the news as the airplane he had seen flying earlier that day. He added that he usually doesn’t see an Aero Commander flying near his home.

NTSB Questions –

When he first saw the airplane what direction was it flying?
It was flying in a west-southwest direction.

What altitude was the airplane at when he first saw it?
He couldn’t cite a number but added it wasn’t unusually low. It looked like the altitude he expected to see it at when compared with other airplanes flying in that area.

Did the airplane fly over his house?
It was a little bit north of his house. He had a view of the left side of the airplane.

How long did you hear and see the airplane?
He saw it for about 20 to 25 seconds and heard it for about 1 minute 15 seconds.

Did you see anything trailing the airplane?
No. Other than the unusual sound nothing was unusual. It was moving faster than the typical airplane that flies over that area.

¹ Using Google Earth he was located at 25.980129° North latitude and -080.123466° West longitude. That location when plotted was about 1,850 ft and 151° from an ADS-B target at 0900:23, and about 2.70 nm and 109° from the accident site location. Based on ADS-B data the airplane was flying in a southwesterly direction past his position.

NTSB Questions Continued –

Describe the landing gear position?

He did not see any landing gear. He admired how the airplane looked and reported he doesn't usually see an Aero Commander flying. He did not recall seeing the landing gear extended.

Did he have any experience for that type of sound?

Not getting fuel. The "engine would start to roar" and was accelerating then would go back. It throttled up and back two to three times. At first, he thought the pilot was intentionally doing that but after it was repeated he did not think it was pilot induced. To him it sounded like a fuel issue.

What was the weather conditions?

It was pretty good. Clear. There was no adverse weather. It was a bright day. He was admiring the airplane as it flew past him.

Did he see any birds in the vicinity of the airplane during the time he saw it?

No.

Is there anything I have not asked?

No. It was pretty upsetting to hear about the accident knowing that he had seen the airplane.

Does his house have a doorbell camera?

He has 2 cameras in the back of his house which have southeast and east views of the Intracoastal Waterway. He also has 3 cameras in the front of his house. One camera is at the south end with a northern view, a second camera with a view of the front door, and the final camera on the northwest corner of his house with a southwest view. The camera with the southwest view was the camera that captured his washing of his car. He checked all video and none of them depicted the airplane in-flight, though it did capture the flight getting his attention. He does not have any audio.

The call ended at 0913 EDT.

He called back the same day at 0938 EDT and indicated that although the camera did not depict the airplane, the camera which faces southwest does show him washing his car. He reviewed the video and it then catches him looking up to watch the airplane. He indicated that he would e-mail NTSB the video.

The digest was e-mailed to him for review on September 1, 2020. He replied on September 2, 2020, at 0902 EDT with comments that were incorporated into the narrative. The corrected digest in "Track Changes" mode was e-mailed to him for his review on September 2, 2020. He replied the same day at 1020 EDT with, "It looks good. Thank you." The FINAL digest was e-mailed to him on September 2, 2020. His location coordinates were updated on September 16, 2020, as well as directions and distances listed in footnote 1. The FINAL digest was e-mailed to him on September 16, 2020.



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: August 28, 2020
Person Contacted: FAA Inspector Juan Garcia
NTSB Accident Number: ERA20LA297

Narrative:

FAA Inspector Juan Garcia contacted NTSB by phone on August 28, 2020 at 1218 EDT. He called from [REDACTED] and was at the accident site.

He indicated that there were 2 fatalities and there was no postcrash fire. He verified the registration as N900DT, an Aero Commander 500S, and the airframe serial number as 3056. He said there would be autopsy and toxicology for both flightcrew members. The accident flight departed from Pompano Beach Airpark (PMP), Pompano Beach, Florida, and was en route to Miami-Opa Locka Executive Airport (OPF), Miami, Florida. The purpose of the flight was a training flight. A flightcrew member reported to OPF ATCT having engine issues. The last recorded response was an expletive said three times.

Examination of the accident site revealed the airplane impacted the 5th floor of a storage building on the east side of the building. The address of the building was [REDACTED] Hallandale Beach, Florida. The mark on the building exterior was consistent with the airplane being in a right bank of about 35°. A hole was noted in the building exterior wall and that was likely from the left engine. The wreckage came to rest on the ground on the north side of the building and was facing about 100°. The wreckage was upright. The left engine came to rest on the side of the street. The cockpit was destroyed.

Detective Cottam of the Broward County Sheriff's Office was asked to obtain drove footage of the accident site.

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: August 28, 2020
Person Contacted: Thomas Cooper, President of Conquest Air, Inc.
NTSB Accident Number: ERA20LA297

Narrative:

Mr. Thomas Cooper was contacted by phone on August 28, 2020, at 1244 EDT, and left a voice mail message. He was called at [REDACTED] He was called the same day at 1245 EDT to [REDACTED] and left a voice mail message. He returned the call the same day at 1257 EDT. He provided an e-mail address of [REDACTED]

He indicated that Conquest Air, Inc., have 4 aircraft including the accident airplane. The other airplanes are Convair 340's used as part of their Part 135 on-demand cargo only operation. They have been operating since 2014. The Aero Commander 500S was used under Part 91 and was hangered at Pompano Beach Airpark (PMP), Pompano Beach, Florida, which was the origination airport of the accident flight. They rent space from Aero Diesel, and the airplane's last annual inspection was performed 2 to 3 months ago. The purpose of the flight was a training flight, which was en-route to the Miami-Opa Locka Executive Airport, Miami, Florida.

The pilot-in-command (PIC) was Mr. Nissan Giat, and the second officer was Joaquin Ricalde.

He indicated that they will secure the aircraft, and operations records.

He provided the following information for the PIC:

Nissan Giat

[REDACTED]
Miramar, Florida

Date of Birth: [REDACTED]

Pilot Certificate Number: [REDACTED] He held a commercial pilot certificate with airplane single and multi-engine land, and instrument airplane ratings. He is type rated in the CV-240, CV-340, and CV-440. He also held a flight instructor certificate with ratings for airplane single engine,

and airplane multi-engine issued May 31, 2018. He held a 2nd class medical certificate with a limitation to wear corrective lenses issued September 13, 2019.

He was 1st with the company since October 2017, He became chief pilot about 1 to 1.5 years ago. His last checkride for 135.297 was on July 9, 2020; the N# was not listed in the form, but the flight was performed in a Convair CV-340. The flight duration was 2.7 hours and the check airman was Eduardo Blanco, their captain and check airman.

He provided the following information for the SIC:

Joaquin Hernan Ricalde, Sr.

[REDACTED]
Miami, Florida [REDACTED]

Date of Birth: [REDACTED]

Pilot Certificate Number: [REDACTED] He held an airline transport pilot certificate with airplane multi-engine land rating. He was type rated in the Cessna 500, IA Jet. At the Cessna 500 second-in-command was required. He did not hold a flight instructor certificate. He held a 1st class medical certificate with no limitations issued July 21, 2020. He started with the company in May 2016, and was a 1st officer in the Convair 340. His last checkride for 135.293 was on September 18, 2019; the N# was not listed in the form, but the flight was performed in a Convair CV-340. The flight duration was 2.5 hours and the check airman was Eduardo Blanco, their captain and check airman.

Aero Diesel does the maintenance for the Aero Commander 500S. The airplane was maintained on the manufacturer's program. Aero Diesel has the maintenance records. The contact there is Alex Bristol whose contact is [REDACTED] and [REDACTED]

The operator of the airplane was Conquest Air, Inc. [REDACTED] Miami Lakes, Florida [REDACTED] The co-owners of that company are Thomas Cooper (President), Juan Carlos Gomez (VP/DOM), and Mark Wolff (CEO).

The airplane was being flown to OPF by Mr. Giat, who was on the flight with the 1st officer.

With respect to the accident flight, Carlos Gomez spoke with someone at Miami who spoke with someone at the OPF air traffic control tower. He indicated that they normally get fuel at the fixed base operator.

He was asked if he had any questions?
No.

The call end time was not recorded.

The digest was reviewed with him during the call and he agreed to the content. The digest was e-mailed to him on February 1, 2022.



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: August 28, 2020
Person Contacted: FAA Inspector Juan Garcia
NTSB Accident Number: ERA20LA297

Narrative:

FAA Inspector Juan Garcia was contacted by phone on August 28, 2020 at 1353 EDT. He was called at [REDACTED] to get an update.

He indicated that Mr. Giat was the right seat occupant and Mr. Ricalde who was the left seat occupant was ejected from the airplane. That seat was ripped from the fuselage. Law enforcement was working on getting the requested drone footage, from 3 different places.

He noticed no fuel leakage and no smell of fuel. The upper part of the wing was destroyed. The flap selector was in the down position, and the right flap appeared to be down between 10° and 15°, he could not tell for the left flap. During his examination of the flight controls, he noted some movement of the elevator and rudder flight controls but the fuselage and aft empennage were damaged. The right main landing gear was down and locked. The spinner of the left propeller was separated. He reported the following for the throttle quadrant:

Left Throttle - 3/4 from full forward

Right Throttle - full forward

Left Propeller - full forward

Right Propeller- the middle of the lever was midpoint between the placard of normal operating range and feather range

Left Mixture - full forward

Right Mixture - full forward

The needle of the airspeed indicator was at 155 mph, and he noted that the red line radial was 70 mph and the blue line radial was 100 mph.

The lower surface of the right wing had blood adhering to it and there was human remains on the top of the right wing. The right wing leading edge was impact damaged caused by an adjacent light pole. All elevator and rudder primary and secondary flight controls remained attached. The elevator and rudder primary controls were binding but that was attributed to be from impact damage to the airframe. The rudder trim tab was trailing edge tab left (tail left nose right).

He noted some residual oil on the left engine exhaust. The left flap was extended, and the left aileron was attached. The Ameri-King emergency locator transmitter remained connected in the airplane and the switch was in the arm position.

The airplane impacted the east face of the building while heading in a westerly direction. There was no evidence of preimpact or postimpact fire on any components.

At this point of the conversation, he was asked if there were any witnesses. He reported that Broward Sheriff's Office took recorded statements and would provide. Detective Cottam of the Broward Sheriff's Office got on speaker phone and said that the witnesses who were on a nearby golf course saw the airplane flying in a westerly direction. They did not hear any sounds from either engine and noted the airplane banked to the left then went down. There were other recorded statements.¹

The right engine with attached propeller were separated from the airframe. There were engine cylinder parts located 33 ft from the resting position of the engine.

The Broward Sheriff's Office currently have in their possession 1 iPhone 11, which he will obtain.

A security camera from the building east of the crash site depicted a portion of the sequence after impact with the building. He added a civilian (Armando Perez) who saw the airplane impact the building reported he took a video of his responding to the accident site.²

The accident occurred at 0902 and the address was [REDACTED] Pembroke Park, Florida [REDACTED]

The right engine was west of the initial impact and one magneto of the right engine separated.

He reported the following:

Left Fuel Shutoff – Open

Left Fuel Boost Pump – On

Left Engine Ignition Switch – Left Magneto

Hour Meter – impact separated and middle row digits reading 1203.6

¹ Please see NTSB Record of Conversations in the public docket for this investigation that has the transcribed recorded conversation with the witnesses.

² Please see NTSB Record of Conversations in the public docket for this investigation that has the transcribed recorded conversation with the witnesses.

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: August 29, 2020
Person Contacted: FAA Inspector Juan Garcia
NTSB Accident Number: ERA20LA297

Narrative:

FAA inspector Juan Garcia contacted NTSB by Facetime on August 29, 2020, at 0958 EDT. His cell phone was [REDACTED]

He indicated that he estimated there was 1/2 cup of blue colored fuel consistent with aviation fuel in the left fuel tank. There was no evidence of fuel leakage on the wreckage or ground. The bladder of that tank was not torn.

FAA inspector Garcia contacted NTSB again by Facetime the same day at 1005 and said that he cut open the right fuel tank and noted about 1 cup of blue colored fuel consistent with aviation fuel. There was no evidence of bladder rupture for that tank.

He inspected the single point filler cap and noted no fuel staining aft of the cap, which was in-place (Figure 1).

FAA inspector Garcia contacted NTSB again by Facetime the same day at 1017 EDT. During that call he reported the left rear fuel tank contained about 12 ounces of blue colored fuel consistent with aviation fuel with no water. The left forward fuel tank contained about 6 ounces of blue colored fuel consistent with aviation fuel; the bladder was not torn. The right forward fuel tank contained no fuel. There was a small tear in the bladder but there was no stains in the surrounding area consistent with fuel leakage. Examination of the left airframe fuel strainer and fractured or separated right fuel lines revealed minimal fuel leakage. There was no fuel at the firewall area of the right engine. The right forward fuel tank contained no fuel and the bladder was torn in 2 areas.

Examination of the cockpit revealed:

Right Engine Magneto Switch – Was beyond the Start position and was jammed
Right Boost Pump Switch – Missing
Blower – Off
Pitot Heat – Off
Fuel Vent Heat – Off
Radio – Off
Autopilot – Off
Trim – Off

The fuel collector tank was ruptured. Both shutoff valves were in the open position. The fuel lines at the right auxiliary fuel pump were tight and there were no fuel stains noted in the area. There were no stains in the area of the left auxiliary fuel pump.

He indicated he found 1 iPad. He was asked to retain for NTSB.



Figure 1: Screenshot From FAA Video Depicting Single Fuel Filler Port with Attached Fuel Cap.

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: August 31, 2020
Person Contacted: FAA Inspector Juan Garcia
NTSB Accident Number: ERA20LA297

Narrative:

FAA inspector Juan Garcia was contacted by phone on August 31, 2020, at 0830 EDT. His cell phone was [REDACTED]

He provided the accident site coordinates as 25.994570° north and -80.170820° west.

He indicated the accident time was 0900:59 based on a video in which you can see the right wing.

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: August 31, 2020
Person Contacted: Thomas Cooper, President of Conquest Air, Inc.
NTSB Accident Number: ERA20LA297

Narrative:

Mr. Thomas Cooper was contacted by phone on August 31, 2020, at 1231 EDT. He was called at [REDACTED] and left a voice mail message. He returned the call the same day but the time was not recorded.

He provided the following timeline for the accident airplane-

August 19, 2020-The airplane was fueled at the Miami-Opa Locka Executive Airport (OPF), Miami, Florida. It was then flown to Pompano Beach Airpark (PMP), Pompano Beach, Florida.

August 24, 2020-The airplane was flown from PMP to Ocala International Airport-Jim Taylor Field (OCF), Ocala, Florida, then returned to PMP. No fuel was purchased at OCF.

One partner (Mark) lives in OCF. That person was there when the flight arrived. Mark offered to purchase fuel but was declined. His contact is [REDACTED]

The airplane was not flown between the last flight on August 24th and the accident flight.

The call end time was not recorded.

The digest was reviewed with him during the call and he agreed to the content. The digest was e-mailed to him on February 1, 2022.



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: September 1, 2020
Person Contacted: Fuel Facility Interview
NTSB Accident Number: ERA20LA297

Narrative:

FAA inspector Juan Garcia contacted NTSB by phone on September 1, 2020, the time was not recorded clearly in the notes. He called using his cell phone was [REDACTED] He was located at Atlantic Aviation located at the Miami-Opa Locka Executive Airport (OPF), Miami, Florida. Present in the room were the fueler (Rafi Taylor), David Corley, and the operations manager Hugo Cortes.

During the meeting it was confirmed that they did not have any specific fueling training for the Aero Commander series aircraft.¹ Their procedures do however require the pilot to be present when the airplane was fueled, and Mr. Giat and Ricalde were both present. The fueler was asked how long it took him to fuel the airplane² but that could not be determined. There was no video that recorded the airplane being fueled.

A statement was requested from the fueler.

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

¹ On September 2, 2020, at 0805 EDT, Mr. Corley was sent an e-mail with a suggestion to consider adding specific fueling training for the Aero Commander series of airplanes. He read the e-mail at 0917 EDT, but did not reply.

² According to fueling records 51.4 gallons of 100 low lead fuel were added.



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: September 2, 2020
Person Contacted: Kenny Boyton
NTSB Accident Number: ERA20LA297

Narrative:

Mr. Ken Boyton was contacted by phone on September 2, 2020 at 1919 EDT. He was called at [REDACTED]

He indicated that he has maintained/fueled and performed annual inspections for 5 years to Aero Commander aircraft. He indicated that the airplane has a single point fuel filler opening. He said the biggest issue when topping off the fuel tank is to let the fuel settle a dozen times or about 15 minutes. The only way to get a complete top off was to let the fuel settle. On the original fuel gauge, it shows 125 to 130 gallons when the 5 tanks are completely full, then once the fuel load is below that number it reads the fuel remaining.

On one instance when he had the airplane topped off, he went to the airport the next day and noted the fuel in the center tank was down 1.5 inches. He had the fueler fill it up and it took an additional 12.5 gallons.

He watched the flight path of the airplane and the only conclusion he could draw was the airplane was out of fuel. It burns about 25 gallons-per-hour total.

The call end time was 1935 EDT.

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



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: September 16, 2020
Person Contacted: FAA Inspector Juan Garcia
NTSB Accident Number: ERA20LA297

Narrative:

FAA inspector Juan Garcia contacted NTSB by phone on September 16, 2020, at 1148 EDT. He called using his cell phone was [REDACTED] He was located at Florida Air Recovery and Storage facility in Fort Pierce, Florida.

During the inspection of the fuel transmitter (part number EA515B-1404M, serial number 982, with a date stamp September 11, 1978), it was in good shape.¹ Between terminals B and C there was no linear jump. The left propeller governor was intact while the right propeller governor had the head broken off. Another inspector with him (Marcelo Martin) found the faceplate to the fuel quantity indicator gauge. Inspector Garcia added that they found the wire to the power terminal and ground, as well as the ground wire from the instrument and the power supply wire to the indicator. They also found the dampening capacitors and took them out.

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

¹ Per Andrew Wilson of Twin Commander Aircraft, when the airplane left the factory it did not have the Kit 110 installed, which was the low fuel warning kit.



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: September 17, 2020
Person Contacted: FAA Inspector Juan Garcia
NTSB Accident Number: ERA20LA297

Narrative:

FAA inspector Juan Garcia contacted NTSB by phone on September 17, 2020, at 1129 EDT. He called using his cell phone was [REDACTED]. He was located at Florida Air Recovery and Storage facility in Fort Pierce, Florida.

He indicated that both ailerons were fixed tabs, thus no actuator to determine the position.¹ The rudder trim tab was tab trailing edge left. He measured the elevator and rudder trim tab actuators and recorded the following:

Left Elevator – 4.25 inches extended from the jam nut to the center of the securing bolt of the control surface.

Right Elevator – 4.00 inches extended from the jam nut to the center of the securing bolt of the control surface.

Rudder – 10.00 inches extended from the jam nut to the center of the securing bolt of the control surface.

He indicated that there was a small amount of red colored preservative oil in the airside of the right engine servo fuel injector.

With respect to the fuel transmitter, the resistance readings between terminals A and B at empty was 197.9 ohms and at full was 196.7 ohms. During full range movement of the transmitter the resistance readings would not flow smoothly and would spike. The response was not linear. He was in the process of checking the wiring from the circuit breaker to the gauge.

¹ According to the airplane Type Certificate Data Sheet, the up range for the aileron was 23° + or - 2° Up and 15° + or - 2° down.

The final fuel count was:

Left Front Tank – 5 ounces

Left Rear Tank – 11 ounces

Right Front Tank – 0 fuel. Small rupture was noted

Right Rear Tank – 7 ounces

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: September 17, 2020
Person Contacted: Alex Bristol
NTSB Accident Number: ERA20LA297

Narrative:

Mr. Alex Bristol of Aero Diesel was contacted by phone on September 17, 2020 at 1154 EDT. He was called at [REDACTED]

He indicated that he gave copies of the work orders to FAA inspector Juan Garcia, and all documents associated with the airplane to Conquest Air, Inc.

He indicated that the airplane had sat for a long time.

On the same day at 1235 EDT, he was sent the following e-mail:

“Alex, hello. I checked all provided documents thus far from FAA and the operator and need the following from you:

1. Page 9 of the Inspection Guide from the MM used at the last inspection. It was not provided in the attached document.
2. Copies of all work orders for your facility and this airplane.
3. Copy of any discrepancies and corrective action list (hand written) for the last annual inspection.
4. Provide a statement addressed to NTSB on your letterhead and signed whether the last annual inspection included a calibration test of the fuel quantity transmitter and tension check of the fuel quantity transmitter per Section II of the MM which is highlighted on the attached document.

I am available today to discuss until 1600 and then tomorrow from 0730 to 1400.”

The call end time was not recorded.

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



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: September 17, 2020
Person Contacted: Bruce Byerly
NTSB Accident Number: ERA20LA297

Narrative:

Mr. Bruce Byerly of Byerly Aviation, Inc., was contacted by phone on September 17, 2020, at 1406 EDT, and left a voice mail message. He was contacted at [REDACTED] He returned the call the same day at 1416 EDT, from the same phone number. His e-mail address was [REDACTED]

He indicated that he got his multi-engine rating in an Aero Commander and still owns a Shrike Commander. He owns 2 Commander Service Centers. One is located in Peoria, Illinois and the other in Naples, Florida. The Illinois facility has maintained Aero Commander 500's.

With respect to maintenance of the Aero Commander and the calibration of the fuel transmitter, he can speak for his facility and state that they perform what is required.

He indicated that faults happen in any system, but he has been told there is a particular failure mode of the fuel quantity gauge in that it could still indicate fuel even if there is no fuel in the center fuel tank.

The call end time was not recorded.

The digest was reviewed with him during the call and he agreed to the content. The digest was e-mailed to him on February 1, 2022. He replied the same day at 2154 EST with comments that were incorporated into the digest. The corrected digest was e-mailed to him on February 8, 2022.



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: September 23, 2020
Person Contacted: Ricardo Jimenez
NTSB Accident Number: ERA20LA297

Narrative:

Mr. Ricardo Jimenez contacted NTSB by phone on September 22, 2020, at 1144 EDT. He called from [REDACTED] He provided an e-mail address of [REDACTED]

At the beginning of the interview 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 been employed by Conquest Air for between 2 and 2.5 years. His title is First Officer and he flies the Convair 340. He has between 4,000 and 5,000 hours total time, of which about 3,000 are in multi-engine aircraft. His pilot certificate number is [REDACTED] He is not a flight instructor.

He was asked if prior to his flights on August 19th and August 24th had he flown an Aero Commander 500 and he replied he had not. He indicated that the flights on August 19th and 24th were "familiarization flights", but aside from those had never before been on an Aero Commander 500.

He was asked to describe in detail the flight on August 19, 2020 –
He indicated that in preparation of the flight while at the Pompano Beach Airpark (PMP), Pompano Beach, Florida, Mr. Giat performed a preflight inspection of the exterior and interior of the airplane; he followed him around during the exterior portion. He saw Mr. Giat check the fuel tanks, and used a checklist. "He did not know what the fuel load was at that time because he had no knowledge of the airplane's fuel capacity. He recalls Mr. Giat said that there was sufficient fuel for the first leg." Mr. Giat, who was in the left seat, started the engines, while he (Mr.

Jimenez) was in the right seat. Mr. Giat who was the pilot flying taxied to the runway and departed for the Miami-Opa Locka Executive Airport (OPF), Miami, Florida. While at OPF the airplane was fueled. After fueling they switched seats and with him as the pilot flying, the flight departed OPF and flew to the west training area. He added that was his first time flying the Aero Commander 500. There he performed airwork, then flew near Lake Okeechobee or "Pahokee Airport (PHK)" where he planned to do a touch-and-go (T&G) landing but because he did not feel comfortable, he did not do a T&G landing and proceeded to PMP where he landed.¹

He was asked to describe in detail the flight on August 24, 2020 –

He believed the airplane had been fueled while at PMP.² Mr. Giat did the exterior and interior preflight inspections, while maintenance personnel were around the airplane. He (Mr. Jimenez) was the pilot flying in the left seat and Mr. Giat was in the right seat. The flight departed PMP and flew to Ocala International Airport-Jim Taylor Field (OCF), Ocala, Florida.³ While on the ground at OCF, "Mr. Jimenez was approached by line service personnel and asked if fuel was needed. He asked Mr. Giat, who declined fuel service." He (Mr. Jimenez) went inside the fixed base operator (FBO), and then went back to the airplane. For the return flight to PMP he was in one of the rear seats of the airplane. He added that the flight was a "traditional" or uneventful flight.

He was asked to clarify details about the August 19th flight at PMP- He indicated that he was not sure the fuel level at the start of the flight at PMP. The airplane was fueled at OPF. He and Mr. Giat were present when the airplane was fueled. There was 1 fuel filler port. After fueling, he (Mr. Jimenez) did not check the fuel level and he could not recall if Mr. Giat did. For the return flight to PMP, Mr. Jimenez was in the left seat and Mr. Giat was in the right seat. After takeoff he flew to near the Dade-Collier Training and Transition Airport (TNT), Miami, Florida, where he performed steep turns, flew to near Lake Okeechobee but did not do a T&G landing, then flew to PMP and landed uneventfully.⁴

¹ According to ADS-B data, the flight departed from runway 27R; the first target at 1743:56 UTC was over runway 27R about 4,800 ft down the runway. The data indicated that the airplane flew in a westerly direction until about 1745 UTC, then turned and flew in a northwesterly direction. The flight proceeded northwest where a right 360° turn followed by a left 360° turn was made. The flight then proceeded to the southeast side of Lake Okeechobee then flew to PMP and landed on runway 10. The last ADS-B target at 1835:03 UTC was over runway 10 about 1,800 ft down the runway.

² According to the "Corrected" statement from Pompano Aviation dated September 1, 2020, there were no records of fuel purchased by the owner/operator of N900DT (Conquest Air) or the name of Mr. Giat between August 23 to August 31, 2020. The statement will be contained in the NTSB public docket for the investigation.

³ According to ADS-B data, the flight departed from runway 10 at PMP; the first target at 1252:49 UTC, was located near the departure end of runway 10, and the last target at 1402:50 UTC was located about 8,000 ft and 002° from the approach end of runway 18 at OCF.

⁴ According to ADS-B data, the flight departed from runway 27R; the first target at 1743:56 UTC was over runway 27R about 4,800 ft down the runway. The data indicated that the airplane flew in a westerly direction until about 1745 UTC, then turned and flew in a northwesterly direction. The flight proceeded northwest where a right 360° turn followed by a left 360° turn was made. The flight then proceeded to the southeast side of Lake Okeechobee then flew to PMP and landed on runway 10. The last ADS-B target at 1835:03 UTC was over runway 10 about 1,800 ft down the runway.

Did he recall the fuel quantity reading after landing at PMP on August 19, 2020?
No he did not recall.

He was asked to clarify details concerning the August 24, 2020 flights –
"He did not know if the airplane was fueled at PMP on August 24th or the day before." Mr. Giat did the preflight inspection and he recalled him checking the fuel tanks. About that time maintenance personnel were on the ground. On the first leg of the flight from PMP to OCF he was in the left seat. He did not recall the fuel gauge reading before the flight or after landing, adding that he was not even sure where the fuel gauge was located. To his knowledge no fuel was purchased at OCF. Mr. Giat said there was enough fuel to return to PMP. Prior to departure from OCF to return to PMP, he (Mr. Jimenez) did not check the fuel tank and was not sure if Mr. Giat checked the fuel tank. He (Mr. Jimenez) was in the rear seat for the flight from OCF to PMP.⁵ He did not recall the fuel quantity reading before the flight from OCF to PMP or after landing at PMP.

Was there any problem with the engines, propellers, or airframe during any of the flights he was on?
No sir. The engines were running good. There were no unusual noises. There was nothing unusual with the engines that caught his attention when he was in the back of the airplane on the flight from OCF to PMP.

Did you speak with Mr. Giat before the accident flight?
"No, he was flying to Nassau the day of the accident. The last communication he had with him was on August 26th while flying cargo in the Convair 340 to Nassau."

Is there any more he could tell me about the fuel level on board at the start of the accident flight?
No. "He was not present the day of the accident."

Is there anything I hadn't asked him that I need to know?
No. the accident was tragic.

The call ended at 1211 EDT.

The digest was e-mailed to him for review on September 23, 2020. He replied the same day at 1142 EDT, with comments that were incorporated into the narrative. The corrected digest was e-mailed to him on January 26, 2022.

⁵ According to ADS-B data, the first target was at 1451:47 UTC. The airplane at that time was about 3,000 ft and 181° from the departure end of runway 18. The last target over runway 10 was at 1633:05 UTC. The airplane at that time was about 1,600 ft down the runway.



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: January 31, 2022
Person Contacted: Alex Bristol
NTSB Accident Number: ERA20LA297

Narrative:

Mr. Alex Bristol was contacted by phone on January 31, 2022, at 1137 EST. He was contacted at [REDACTED]

He indicated that all records were given to the owner Conquest Air. He indicated that all manuals for the airplane are on-line with a yearly subscription. Since he does not maintain an Aero Commander, he does not have access to the documents on-line for that make and model airplane.

With respect to the work order associated with the last annual inspection, he indicated that he will check the files, but all hard copies were given to Conquest Air. He will provide the requested copies of the work order for the last annual inspection by close of business today.

He was asked whether calibration of the fuel quantity indicating system was performed at the last annual inspection and mentioned that the airplane flight manual had a reference to the fuel system but did not answer the question.

He was asked whether placards were checked as part of the annual inspection?
Yes, they go through the POH/AFM.

He was asked if the checklist they use for an annual inspection has a specific mention to check the placards?

No, but they do have an in-house developed list which is an acceptance guidance format checklist when they do an inspection of a new airplane. That documents damage, placards, and ground straps. If any discrepancies are noted, they give a list to the aircraft owner.

He was asked if that was performed at every inspection?
Yes.

He mentioned that the airplane went from being parked, then a top overhaul was performed.¹ When Mr. Giat was flying he told him to remember to operate the engines at full rich because they were still being broken in.

The call end time was not recorded.

The digest was reviewed with him during the call. The FINAL digest was e-mailed to him on February 9, 2022.

¹ Entries in the left and right engine logbooks on February 21, 2019 specified that all cylinders were removed and replaced with either “serviceable/overhauled” for the left engine or “inspected/repared” for the right engine. The airplane total time was not recorded at either entry.



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: February 8, 2022
Person Contacted: Alex Bristol
NTSB Accident Number: ERA20LA297

Narrative:

Mr. Alex Bristol was contacted by phone on February 8, 2022, at 1554 EST. He was contacted at [REDACTED] His mailbox was full, and a SMS text message was sent to him with the phone number to return the call.

He returned the call the same day at 1606 EST. He was asked during the call about the NTSB requests for a statement regarding calibration at the airplane's last annual inspection. He indicated that his lawyer (Juan Serrano) whose phone is [REDACTED] advised him not to give the NTSB the requested information because a lawsuit has been filed against his company by a flightcrew member's family.

Mr. Bristol was advised that I was disappointed in the failure to provide the requested documents in the interest of aviation safety.

The call end time was 1609 EST.

The digest was reviewed with him during the call. The FINAL digest was e-mailed to him on February 8, 2022.