



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: November 3, 2020
Person Contacted: Victor L. Girgenti
NTSB Accident Number: ERA21LA028

Narrative:

Mr Victor L. Girgenti was contacted by phone on October 22, 2020, at 1416 EDT. He was called at [REDACTED] and left a voice mail message. The pilot's wife contacted NTSB the same day at 1434 EDT, from [REDACTED]. She indicated that she was still at their house and heading to the hospital to see her husband who was still hospitalized. She was advised that I needed to speak with him briefly and ask him if there was anything mechanically wrong with the helicopter that caused the accident. She asked if the next day was OK to speak with him. The answer was yes but that I had people on standby and needed to know the answer to that question. She advised she would call me back.

The pilot called the same day at 1836 EDT from [REDACTED]. He was asked if there was any engine out lights or annunciations and indicated that the engine remained running after the accident.

He was asked:

Was there was anything mechanically wrong with the helicopter that caused the accident?
He indicated that after takeoff he told the controller that the flight was returning to the initial departure airport Republic Airport (FRG), Farmingdale, New York. He was heading west bound and couldn't turn. As he tried to turn to the northeast back to FRG he was unable to maintain that required heading and he had no tail rotor authority. The helicopter kept trying to swing south into the wind and the altitude was increasing and decreasing. While flying at 90 knots, the helicopter swung around. He believed at that time the torque was between 75% and 80%. While in instrument meteorological conditions, he thought he heard a "bang" noise in the rear of the aircraft but he did not know what that was. He added that after that noise the helicopter was uncontrollable. He then entered an autorotation. He never saw the water before impact. After coming to rest he cut the throttle, and electrical system but was not sure if he secured the fuel shutoff.

He provided an e-mail address of [REDACTED]

The digest was e-mailed to him for review on November 3, 2020. He replied the same day at 1223 EST with comments that were incorporated into the narrative. The corrected digest was e-mailed to him on November 3, 2020.



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Date: November 3, 2020
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Narrative:

Mr Victor L. Girgenti was contacted by phone on October 30, 2020, at 1248 EDT. 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 provided an address of [REDACTED] Sands Point, New York [REDACTED]. He holds an Airline Transport Pilot certificate with airplane multi-engine land rating, and type rating in an Eclipse EA-500S. He also holds a commercial pilot certificate with rotorcraft helicopter and instrument helicopter ratings. Finally, he holds a private pilot certificate with airplane single engine land and sea ratings (he recently added on the single engine sea rating). He owned the LLC that owned the helicopter. He reported he has about 3,000 hours total time, and about 160 hours in make and model (same serial number).

He was asked:

What was the purpose of the flight?

He was attempting to fly from Republic Airport (FRG), Farmingdale, New York to Sterling Heliport (PS01), Croydon, Pennsylvania, for scheduled maintenance, which included timed replacement of the torsion-tension (TT) straps which were due at the end of the month. He estimated the flight from FRG to PS01 would take 45 miles and is about 80 miles straight line distance. He did not have a flight plan filed for the flight but did put in Waypoints into ForeFlight to avoid Class B airspace.

In advance of the flight did he obtain a preflight weather briefing for his intended route of flight? He arrived at FRG about 1200 and intended to leave about that time. He obtained the automated terminal information service (ATIS) and also checked the weather using Foreflight. He departed FRG between 1300 and 1330¹ with about 86 gallons of fuel and didn't like the weather that the flight had encountered so he elected to return to FRG and waited on the ramp for the weather to improve.

While on the ramp at FRG waiting for the weather to improve he obtained the ATIS from John F. Kennedy International Airport (JFK), New York, New York. Based on a report from another airplane flying from FRG, he was informed that the ceiling was at 900 ft and was better to the west, which was his direction of flight. He asked for a special visual flight rules (VFR) departure and departed FRG about 1600².

Was he instrument current in a helicopter?

Yes. His last instrument proficiency check (IPC) was in August 2020, which was performed as part of his Flight Review in accordance with 14 CFR Part 61.56. The flight was conducted in the accident helicopter. He also had recurrent training in April 2020. He added that the accident helicopter was not certified for flight in instrument meteorological conditions.

Describe in detail the accident flight?

About 1600 while sitting on the ramp at FRG he became aware that the ceiling was increasing. He contacted ground control and was advised of a pilot report from a departing aircraft indicated the ceiling was 900 ft, which was better to the west, his direction of flight. He decided it was OK to initiate the flight and departed with 80 to 82 gallons of fuel on-board. He lifted off and headed south-southwest to Jones Beach Monument where he intended to call JFK air traffic control tower (JFK ATCT) for clearance thru their Class Bravo airspace, even though he would be flying at 500 ft or less. He attempted to contact JFK ATCT, but they did not hear his transmissions. Finally, they did hear his radio call and he was provided a discrete transponder code. He flew west along the shore to the west side of Class Bravo airspace, and noted the weather was, "coming in quick and hard." He asked the controller what the current weather conditions at JFK were and was advised the ceiling was at 300 ft. He did not anticipate that. He informed the controller that the flight was returning to FRG and he tried to turn to a north-northeast heading but the helicopter began to spin (yaw). He programmed into the Garmin G5 and his iPad which had ForeFlight a direct course to FRG. As he turned to fly towards FRG, the helicopter turned to a southerly direction. He indicated there was a problem with tail rotor authority and it did that same thing 3 to 4 times. The further south the helicopter flew the flight flew into instrument meteorological conditions (IMC). He told the controller that he was having trouble holding a heading and while in "soup that thick" he then heard a loud noise "bang/boom" sound from the tail. He attempted to maintain altitude and added collective while the ship was yawing. He tried

¹ According to Federal Aviation Administration (FAA) ADS-B data, the first ADS-B target at 1349:09 EDT was over the ramp at FRG heading ESE, while the last ADS-B target at 1357:15 EDT, was over taxiway Bravo near the approach end of runway 1 heading in a southerly direction.

² According to FAA ADS-B data, the first ADS-B target at 1546:07 was over taxiway Bravo near the approach end of runway 1. The helicopter was flying in a southerly direction.

to keep the helicopter level and knew the flight was above water at that time. The helicopter impacted the water. He secured the throttle, circuit breakers, and battery and noted the engine began winding down. He heard people say aloud to get out of the helicopter. Wearing his inflatable life preserver, he looked for his cellular phone and exited the helicopter. He noted the helicopter was only resting in about 12 inches of water. He noted the fuel cap was still on. The individual shouted for him to walk towards them, and he asked them how deep the water was there. The response was the same depth as the depth at the helicopter location. He walked to the boat, and along the way the water was still 12 inches deep. At the boat he called his wife and informed her of the event. The U.S. Coast Guard responded, and he walked another 100 yards to that boat. He was then taken by the Coast Guard to shore where with a sore back, he was transported to Nassau County Medical Center. He was discharged about lunchtime the next day.

What were his injuries?

He had a small cut on his left hand above the knuckles that did not require sutures. He had a smaller cut above his left eye about 1/4 inch in length, and he had bit the inside of his mouth which was bleeding. His back hurt, with him adding that he had a previous bad back. He experienced whiplash of his lower back, caused when he “kissed his knees” at impact. They did all appropriate tests at the hospital, and he has been home since. The left side of his back of good and the right side of his back is getting better.

Describe the restraint he was wearing?

He was wearing the 4-place seatbelt and shoulder harness.

Was he wearing the 4-place restraint loose, snug or tight?

Taught. He always flew with a life preserver but did not and never inflated it inside the helicopter.

What direction was the helicopter yawing?

He was heading 260° or 270° and his first turn to return to FRG was a turn to the right. He was heading towards FRG and then the helicopter went past the intended heading. He added that he was able to control the helicopter to the intended heading for a second or two, and then the heading would change. The first couple of times it yawed to the right, then would yaw to the left, like it was “windmilling into the wind.” He was looking at the turn coordinator and he couldn’t hold the ball centered and he couldn’t hold heading. He then heard a “bang” sound. The helicopter landed flat, maybe a slight turn to the left, but was level at touchdown. The helicopter stayed in the water 4 to 5 days before being recovered.

During the turns was the helicopter in VMC or IMC conditions?

It started when flying in VMC but then the flight encountered IMC. As the helicopter kept flying further south, though he wanted to fly in a northerly direction.

What indicated airspeed was the helicopter flying at during the 1st turn?

He was flying about 80 knots and 80% torque.

What altitude was the helicopter flying at when the 1st uncommanded turn occurred?

500 ft. The controller had cleared him to climb to 1,400 ft mean sea level.

When you heard the “bang” what airspeed and altitude were you flying at?

The airspeed was 70 or 80 knots, and the altitude was changing with corresponding changes in airspeed. He was more trying to hold heading with cyclic and collective. At 300 to 400 ft, the helicopter was in IMC conditions at that point. Based on his experience it was IMC near the shore.

Did he experience any vibration and if so, what was the frequency?

No. The helicopter kept spinning around and was not controlled with anti-torque pedal input. He had full right cyclic and anti-torque pedal inputs.

Was he recording the flight on video or ForeFlight?

No. He saw the flight path on Flight Aware.

What direction was the helicopter yawing at the end of the flight?

After the “bang” it was yawing in a clockwise direction “very fast.”

What was his reaction to that?

He attempted to keep the helicopter level, to impact.

Did he lower the collective?

Yes. He saw the collective was full down following water impact.

Did he lower the collective after the helicopter began yawing?

He thinks he lowered it. When he attempted to raise it while descending, the helicopter yawing became worse. He knew the helicopter’s altitude was low. He “babied” the collective to impact. There was 0 visibility.

Did he hear any engine out annunciations or alarms?

No. He did not recall any alarms or low rotor rpm warning. The engine was running when the helicopter landed, “I know that.”

Did he have any thoughts?

When he flew away from FRG it was VMC, but he saw the weather was getting worse. That is why he decided to return to FRG. He remembered hearing a bang and “hard turns.” He informed the tower controller that he was having trouble maintaining heading.

Who did he talk to during the flight?

FRG ATCT and JFK ATCT.

Was the helicopter ADS-B equipped?

Yes.

When did he slow below 60 knots first?

When returning to FRG. When it occurred, he removed “some power” and the helicopter swung around a couple times. He lowered the collective to maintain 70 knots and attempted to turn to the north.

Describe the bang sound?

It was like all the way in the tail. Then in a second, it was spinning clockwise. He was not sure how many turns before the helicopter impacted the water.

Did he perceive an engine issue?

No. The engine appeared to be fine. The only issue was when he pulled collective, the helicopter would yaw. He stopped pulling collective and was 'babying' it.

The last transponder test was July 2020. He gave FAA copies of documents they requested.

Did he have any questions for NTSB?

No.

Mr. Robert Bean is his attorney and gave him permission to speak with NTSB.

The call ended at 1334 EDT.

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