

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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LANCAIR 320, N670BS FATALITY *

IN BOCA RATON, FLORIDA, *

Accident No.: ERA21LA141

ON FEBRUARY 24, 2021 *

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Interview of: DANIEL BRAUN, Local Controller
Boca Raton FCT (BCT)

Via Video Conference

Wednesday,
March 10, 2021

APPEARANCES:

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I N T E R V I E W

MR. SOPER: Okay. Again, my name is Brian Soper. I'm a senior air traffic investigator with the NTSB. We're an independent federal agency charged with determining -- investigating and determining the probable cause of transportation incidents and accidents, and to promote transportation safety. We're not part of the DOT or the FAA, and we have no affiliation with them by design.

I've already introduced the people here in the group: myself, from the NTSB; my colleague, Doug Brazy, who is the investigator in charge from Eastern Region; Ted Zimmerman, who is here with us from the FAA and represents the FAA as an air traffic control group member; and Dan Carrico, an air safety investigator with NATCA, representing NATCA on the air traffic control group; and then you have your representative, Stephen, with us as well.

We'll be using a digital recorder to record this interview and it will be transcribed afterwards by a professional transcription company who will provide copies back that we will ensure are correct and corrected for accuracy, and then the transcript, not the recording, is what will ultimately go into the public docket, as I mentioned earlier.

The purpose of our investigation is safety, completely. We are not worried about fault, blame. We're not concerned with that part. We need to get that probable cause. So the interviews -- this is all part of the fact-finding phase of the investigation.

1 I mentioned to you that we can't offer anonymity. There is no
2 guarantee of that. We're a very transparent agency. So what we
3 glean here today will go onto the report.

4 Each of the group --

5 MR. BRAUN: Okay.

6 MR. SOPER: Each of the group members here will have a chance
7 to answer -- or to ask questions of you. And we'll, like I said,
8 we'll just go around the room, and we just ask that you answer
9 honestly and forthright to the best of your recollection as you go
10 through them.

11 We already mentioned that you have your rep here. And do you
12 have any questions for us now before we ask questions?

13 MR. BRAUN: No, sir.

14 MR. SOPER: Awesome. Okay. So for the record, I now have
15 the time at 1433 Eastern Standard Time.

16 INTERVIEW OF DANIEL BRAUN

17 BY MR. SOPER:

18 Q. If you would for me, could you state -- one second. I'm
19 sorry. Could you state your -- is your first name Dan or is it
20 Danny or Daniel or is there another -- your first, your actual
21 first name?

22 A. Daniel, on my birth certificate.

23 Q. Okay. And you go by Dan.

24 A. Yeah.

25 Q. And your last name, the spelling of your last name for me?

1 A. B-R-A-U-N.

2 Q. Awesome. And what's your age?

3 A. Fifty-four.

4 Q. And your operating initials?

5 A. Delta Bravo.

6 Q. And you're a CPC there, correct?

7 A. Yes.

8 Q. And you mentioned, I know you -- we talked about it. You
9 have Air Force background. What years were you in the Air Force,
10 from when to when?

11 A. 1986, that included a terminal leave -- '86, '96, '97 -- till
12 January '98; 11.2 years is, I think, was on my 8214. Eleven
13 years.

14 Q. You were right on that cusp of that deciding factor, weren't
15 you? Am I going to -- where like I'm either going to be a lifer
16 or I'm getting out; I got to make my choice now.

17 A. Yeah. At that -- my second deployment was a 6-year
18 enlistment. They extended it, but at that point I could make a
19 decision.

20 Q. Where were you stationed in the Air Force? What were the
21 places you were stationed at?

22 A. Nellis Air Force Base, Nevada, and Aviano, Italy.

23 Q. Those aren't bad either. So Nellis Air Force Base, when were
24 you at Nellis?

25 A. I arrived there after tech school. It would have been early

1 1987, and I was there for over 10 years.

2 Q. Wow. See, there's a funny thing. We were -- like I was on
3 that base twice, I think, during the time you were there. I was
4 actually part of a squadron back then. I was with VF-33 and we
5 used to go there for Red Flag.

6 A. Oh, yeah.

7 Q. Yeah. And so I remember the whole having to get the brief
8 when you go to an Air Force base about the red line of death that
9 you guys have on your ramp area. And you know you have --

10 A. Yeah. Do you remember, did you go to any debriefs over
11 there?

12 Q. Yeah. I did. Man, it's been so long, I mean can't remember
13 how they went, but yeah, I certainly went. And, yeah, we went
14 through a bunch of stuff.

15 A. I used to do those debriefs, a few of them anyway.

16 Q. Oh, like the course rules and all that?

17 A. Well, about, you know, how the Red Flag went.

18 Q. Yeah.

19 A. Air traffic would have their input. And so you're standing
20 in front of a bunch of officers in the auditorium answering
21 questions. Felt like a big bull's eye on your chest.

22 Q. Yeah, you pretty much do. I know. I went through the stuff.
23 Man, it's funny how you cross paths with people, like you would
24 have never known. We've probably seen each other and never even
25 knew it obviously.

1 A. Yeah.

2 Q. But that's interesting. Did you do anything when you left
3 the Air Force prior to coming to RVA? Did you work anywhere else
4 air traffic? DOD, FAA, anything?

5 A. I worked for the Department of Aviation at McCarran LAS.
6 It's not an air traffic control job. Good job with good benefits,
7 but I wanted to get back into air traffic control. So I went to
8 work for KDR in Bosnia as a civilian.

9 Q. Yep. And how long did you do that for? From when to when?

10 A. I think I started in July of 2003 till September 2004. And
11 right after that, I started here.

12 Q. And you started with RVA right after that, right there at
13 Boca Raton? Is that your only tower with them?

14 A. Yes.

15 Q. Okay. Do you hold any collateral duties or have you been on
16 any recent details that took you outside the facility for periods
17 of time that would have affected your ability to remain current or
18 proficient?

19 A. No.

20 Q. Okay. And if you would, just kind of me the 10,000-foot
21 level of your aviation background, like your history aviation
22 wise. And what I mean by that is, you know, yeah, I was always
23 interested in aviation in school; when I got out, I joined the Air
24 Force; I went and did this in the Air Force for a while, then I
25 transferred to here; I got my private pilot's license when I was

1 whenever. Anything that involved aviation, just kind of step us
2 through, like I said, the big 10,000-foot level, no dates or
3 anything like that, just kind of how your aviation background
4 goes.

5 A. None before I joined the Air Force as an air traffic
6 controller. I was an air traffic control baby. That's how I
7 started and that's where I am now. There's really nothing to it.
8 I don't have any pilot's licenses or anything to that effect.

9 Q. Okay. And have you ever been fired, terminated, suspended or
10 asked to resign from any employment aircraft control wise since
11 you've been doing this?

12 A. No.

13 Q. And how would you describe your overall health in the terms
14 of excellent, good, fair or poor, in your opinion, if you just had
15 to throw a tag on it?

16 A. Excellent.

17 Q. Okay. And --

18 A. Excellent on the inside. You know, you get a little older,
19 you get some bones creaking, but I feel pretty excellent.

20 Q. I feel you there, man. I feel you there. And my -- the
21 weight gain has been awful. I need -- we got to get out of Covid.
22 It's been --

23 A. Yeah.

24 Q. I got to get back to good activity.

25 So you had a second class medical clearance certificate,

1 correct, at the time of the event?

2 A. Yes.

3 Q. And do you have any waivers or restrictions to your medical
4 clearance?

5 A. I have to possess a pair of reading glasses.

6 Q. Okay.

7 A. It doesn't say that I have to always wear them, but I have to
8 have them with me.

9 Q. Cool. Yep. And were you taking any -- do you take any
10 maintenance prescriptions at this time for medical conditions --

11 A. Yes.

12 Q. -- that you take on a regular basis? Were you taking them as
13 prescribed on the day of the event?

14 A. I try to take my one pill every morning, yes.

15 Q. Okay.

16 A. A blood pressure medication.

17 Q. Okay. And to the best of your recollection, you took it on
18 that day?

19 A. Yeah.

20 Q. And do you -- were you taking any over-the-counter
21 medications on that day that you're aware of? Flu, cold, that
22 type of thing?

23 A. No.

24 Q. And was a drug or alcohol screening performed following this
25 event for you?

1 A. No.

2 Q. Okay. And have you ever failed a drug or alcohol screening
3 since you've been doing air traffic control?

4 A. No.

5 Q. Any major changes in your health -- good, bad or
6 indifferent -- over the last year? And when I say that, like had
7 a major surgery, you know, whatever. I mean big things -- lost 50
8 pounds, gained 50 pounds, big kind of things.

9 A. No.

10 Q. Okay. And similar question, major changes in your personal
11 life in the last year? The same way, good, bad or indifferent --
12 got married, got divorced, adopted a child, you know, big things
13 that occurred in your life, any of those kind of things?

14 A. No.

15 Q. And again, similar question, changes in your financial
16 situation, good, bad or indifferent? Again, major. I'm not
17 talking about your income, but like filed bankruptcy, won the
18 Lotto.

19 A. Not at all.

20 Q. Okay. Now this one's a little bit more difficult because I
21 need you to recollect, again, to the best of your ability. So for
22 the 72 hours leading up to the time of the incident, to the best
23 of your recollection, on that shift -- so those 3 days leading up
24 to that, was there anything that you can recall as being kind of
25 a, you know, wrench in the spokes of life so to speak that took

1 you out of your normal daily routine of an ability to sleep or eat
2 or anything else? And these can be things like had a car accident
3 or I was up late every night with my kids or I had a sick child or
4 I had a death in the family and had to head to a funeral, we just
5 got back into town, we were gone for like 2 days straight.

6 Anything that affected your normal daily routine significantly
7 that you can recall in those 3 days leading up to the time of the
8 incident?

9 A. I don't recall anything.

10 Q. Okay. All right. And did you file an ASAP report as a -- it
11 is ASAP for you guys, right? You guys use ASAP not ATSAP; is that
12 right?

13 A. I forget what the acronym is, but we go to safefct.org. I
14 think it's an ASAP or an ATSAP. I don't know.

15 Q. Okay. Did you file one as a result of this event?

16 A. Yes.

17 Q. Okay. And did you receive any confirmation of receipt back
18 from them yet?

19 A. Yes.

20 Q. Okay. And nothing beyond that, correct?

21 A. Correct.

22 Q. Okay. Have you been interviewed about this event prior to
23 now?

24 A. No.

25 Q. Okay. And have you had an opportunity to review a replay of

1 the event? Like a Falcon replay or anything?

2 A. From a distance and just the -- not the whole what do you
3 call it? Not from beginning to end. The voice recording, I was
4 played 60 seconds.

5 Q. Okay.

6 A. Nothing before that. And as far as Falcon, it was the ATM,
7 on his computer, and I'm looking from the side. He goes, see,
8 there he is right there. And then he went like this and -- but
9 no, nothing, you know, nothing in detail.

10 Q. Do you --

11 A. But I was told by the ATM what happened, but I haven't seen
12 any lengthy Falcon display or --

13 Q. Okay. Well, the Falcon is not really lengthy, but what I
14 can -- I mean would you like to see it before you answer questions
15 and stuff today? I mean we can show it on here.

16 A. No thank you.

17 Q. Okay. I just wanted to check. I wanted to make sure you had
18 the opportunity, so -- I mean I know it's pretty brief, so you
19 probably got the gist, but I just wanted to make sure we offered
20 that.

21 Okay. And was -- to the best of your recollection, when you
22 took the position -- you were working local at the time, correct?

23 A. Yes.

24 Q. Were you combined with anything else?

25 A. The log shows I was combined at CIC.

1 Q. Okay. The log shows that. So you don't think you were or --

2 A. I don't know if I got a CIC briefing, but on the Dash-4 I
3 logged out as local control/CIC.

4 Q. Okay. For the local control position did you receive a pass-
5 down when you took the position, a relief briefing?

6 A. It's really difficult to remember anything from back then,
7 but typically we do get one for a position relief, especially when
8 the person's not coming back. Yeah.

9 Q. Okay. And would you have expected -- would that have been
10 recorded likely, if it happened?

11 A. Yeah, when someone is -- yeah, someone's going to be gone for
12 the rest of the day, definitely we record it. Yeah.

13 Q. And do you guys use a checklist there? And, if so, is it
14 electronic or is it on the bull nose or something you got
15 laminated or how does it work there at your facility?

16 A. The position relief checklist is located at the position.
17 It's like in a piece of laminated paper.

18 Q. Okay. And that's what you normally use when you're doing the
19 position relief briefing?

20 A. Yes.

21 Q. Okay. And so on a scale of 1 to 5, 5 being the heaviest, how
22 would you rate the traffic volume that existed at the time on that
23 day of the event there, at that time frame?

24 A. Just a real quick --

25 Q. Yeah.

1 A. I wasn't told about this at all. I didn't know that it
2 happened until 2 days later. And then when I was informed that it
3 happened, the only information I had was what was told to me.

4 Q. Okay.

5 A. The ATM here said -- told me I was extremely busy and it was
6 very complex, but some of the things I've seen written afterwards
7 said that I was slow.

8 Q. Okay.

9 A. But it's been busy here for the last couple weeks. So I
10 don't remember if I was busy or slow at the time because I didn't
11 even know this occurred until 2 days later. And you can
12 imagine --

13 Q. No, I understand. Yeah, I understand.

14 A. I can't say what I did last night, you know, let alone --

15 Q. Right.

16 A. -- 2 days ago, but -- yeah.

17 Q. Okay. All right. Very well. I guess that kind of makes the
18 next question a little bit moot anyway, then, because that was
19 going to be how you would classify the complexity. But I -- you
20 really don't recollect the operations of that day; is that right?

21 A. No, sir. It came as a surprise to me 2 days later that this
22 occurred. And at that point I hadn't had any reason to try to
23 remember anything from that day.

24 Q. Okay.

25 A. It's been busy here for a couple weeks. The ATM here told me

1 I was really busy leading up to that point and that it was very
2 complex. That's what he told me, but like I say that's only from
3 what he told me.

4 Q. Okay. All right. Let's see. I think I'll skip that
5 question, too.

6 Do you recall -- do you happen to recall what the general
7 weather was that day? And what I mean by that is, was it
8 predominantly VFR, IFR, really cloudy, rainy? I mean do you know?

9 A. I don't know.

10 Q. Okay.

11 A. Now the ATM told me I was busy. If I was busy, that means
12 probably we were at least VFR, but I don't know, you know.

13 Q. Okay. That makes sense. All right. And had you received a
14 pre-duty weather briefing on that day; do you recall?

15 A. Yes. We would -- yes.

16 Q. Okay. Kind of a separate question away from the event, just
17 about the pre-duty weather briefings. Do you find value -- is
18 there value added to the pre-duty weather briefing in its current
19 state for you at that facility, in your opinion? This is strictly
20 an opinion thing. I just want your view of it.

21 You can swear.

22 A. I mean I'm not going to say that adding certain things to a
23 pre-duty briefing is a bad thing. I think I look at it more like,
24 oh, it's probably going to rain today. We can get that
25 information from the Terminal Area Forecast like we typically do

1 anyway if -- you know, we can access that as we have in the past.

2 But I guess it's kind of useful.

3 Q. Okay.

4 A. I mean, you know, you can look at it and go, it might rain
5 about 10 hours or 4 hours or whatever.

6 Q. Okay. Yeah, that was, again, not a trick question or
7 something to pin somebody down.

8 A. I understand.

9 Q. I'm just kind of curious of your view on it.

10 A. I hate to say that it's useless. Necessary, I don't know.

11 Q. Well, I mean I'll be frank with you. I mean, you know, part
12 of our reason for asking that question is I think some of it is
13 driven from our own recommendations that we had made about other
14 things, about providing better tools and better weather
15 information to air traffic controllers before they take the
16 position, like some sort of formalized briefing.

17 So I don't know if you remember, like in the military, right,
18 we had the luxury -- I mean every time I went on shift, I got --
19 weather was part of our briefing. It was just -- but we work
20 differently there, right? I mean, you know, you came in generally
21 as a crew of people or a section or whatever it was that you had.
22 You all came in at the same time and if you came in 30 minutes
23 early so that you got your brief and all that, and they talked
24 about what the traffic was going to be today, what's going on,
25 what to expect, what the weather's going to be like, we got all

1 that. In today's world we don't see that a lot out in -- now
2 we're just on our own to get our own weather, right? I mean
3 because we come in at different times and --

4 A. Right.

5 Q. -- a lot of times for you guys you're talking about you're an
6 army of one or two that's there. So you just have to be cognizant
7 and find a place to go get it.

8 So the reason we bring all that up is that we do -- I think
9 we're aware right now that in its current state the pre-duty
10 weather briefing, you know, there is some question about whether
11 it's really doing its job, right, of what it was intended, and is
12 there a better way to maybe handle that rather than the way that
13 it was handled, you know. And so that's why we're kind of getting
14 your view on that, because if they're going to have it, it should
15 be a useful thing. If it's not going to be useful and value
16 added, then we probably need to look at it again and see what is a
17 better option. So, anyway, that was the background of that
18 question. That just -- it's just really to try and get a feeling.

19 A. It's not useless. Let's just say that. You know, any
20 additional information is (indiscernible) --

21 Q. So you're not opposed to the concept of receiving weather
22 information as part of your briefing, but whether or not that's
23 the correct vehicle might be another question?

24 A. Yeah.

25 Q. Okay. Let's see. Did you have a cell phone on you to the

1 best of your recollection or a PED at the time of the event?

2 A. I never bring one into the tower cab, so no.

3 Q. Okay. That's good. Had you requested a relief that you can
4 recall leading up that? Like had you been waiting on somebody to
5 relieve you, were they late, or was this your normal rotation that
6 you were expecting to be working that day?

7 A. It was a normal shift for me. On Wednesdays I go to work at
8 10 or 12, and the ATM leaves, and then it's me and one other
9 person until 3:15. So it's the same every Wednesday.

10 Q. Okay. Cool. And I know you did not notify the supervisor
11 about the event because you were not aware of the event until a
12 couple days later. And the supervisor brought it you, correct?
13 They called you? Was it the ATM that called you?

14 A. Yes.

15 Q. Okay. All right. So that takes care of all these black and
16 white questions. Now normally what I like to ask somebody to do
17 here is to kind of tell me the story of what they recollect about
18 the day surrounding the event and how things transpired. But I'm
19 gathering you're not really aware of how it all -- like you -- are
20 you able to step me through that or is there really not enough
21 recollection for you to do that?

22 A. I'm sorry. I wish I could, but it came as a surprise to me a
23 couple days later, and that day came and went.

24 Q. No worries. No worries.

25 A. There was no events in my life on that day that would have

1 triggered me to try to remember something.

2 Q. Understand. Understand. Okay. And that's fine. I totally
3 understand. We don't want to go down that road. I don't want you
4 to be trying to force memories into your head. So that being
5 said, we'll ask you some questions that kind of pertain to the
6 situation and you can just do your best to answer those kind of
7 things.

8 So in this event, the first thing I'd like to do -- I'm
9 actually going to show you a picture. Are you watching this on a
10 phone?

11 A. Yes.

12 Q. Okay. This might be a little hard to see then. But I'm
13 going to share a picture with you of your tower cab, and I kind
14 of -- this is to orient us to the tower because we're not there.
15 Normally we would be able to be there, go up to your tower and
16 take a look at it and get a feel for how things are situated. So
17 I'm going to share a picture, and it should look very familiar to
18 you. Are you seeing a picture from looking outside from in your
19 tower cab?

20 A. Yes.

21 Q. Okay. So as you look at this picture, I can see we have two
22 windows to the left and two windows to the right or
23 straightforward, and I see the TDW sits between those two sets of
24 windows, correct?

25 A. What a TDW?

1 Q. I'm sorry. Your radar display.

2 A. Oh, yeah, the STARS display?

3 Q. Yep.

4 A. Yeah. It sits -- yes, sits between those two windows right
5 there.

6 Q. Okay. So that -- if I'm -- where I'm looking at right now,
7 the view of this picture, whoever took this photograph, what
8 direction are they looking? North, northwest, northeast?

9 A. The STARS display, from there, if you draw a straight line,
10 would pretty much be north.

11 Q. Okay.

12 A. But if you look out the other window -- yeah, that window, if
13 you look out -- the STARS for the window on the right, it's
14 north-ish, yeah.

15 Q. Okay. Very good. That's kind of what I needed. I needed to
16 be oriented.

17 Now on the day of this event -- I know you don't recall the
18 particulars, but do you normally staff -- from about the same
19 position in the tower, where would you have been on that day? Can
20 I see it in this photo or is not in this photo?

21 A. Do you see the PED that's in the most forefront of the
22 picture?

23 Q. To the left, where the blue cup is?

24 A. Yeah.

25 Q. Yes.

1 A. And it's not that one, but the next monitor to its right.

2 Q. Okay.

3 A. Next to the STARS, there's a monitor there.

4 Q. Yep. To the left of the STARS display and to the right of
5 the clock?

6 A. Yeah. That's local control.

7 Q. Okay. And you normally would be -- I mean I know you don't
8 sit and face the same direction all the time, that it's going to
9 be based on what you're doing. But in general you're just kind of
10 in that corner -- I mean from what I can see, it appears the
11 runway runs across out in front of that, left to right, correct?

12 A. Yes.

13 Q. Yeah. And you have a parallel taxiway that runs all the way,
14 too?

15 A. Yes.

16 Q. Okay. So I guess because you don't remember on the day or
17 remember seeing the event, it's kind of hard to -- but he reported
18 10 miles to the northwest. So in this picture, that would
19 generally probably be out towards that second window on the right,
20 all the way to the right of this photo, right? Roughly, that
21 would be northwest-ish?

22 A. Give me just a second. If I'm looking that way, that's more
23 north, and I think northwest would be more like where the STARS
24 is. Does that seem right?

25 Q. Oh, yeah. I'm sorry. And I'm actually going -- I did that

1 earlier today, too. Damn Navy guys, man, I can't get my stuff
2 straight. I'm confusing my east and west as I'm trying to talk.
3 So I know what I'm thinking when I'm looking but I'm saying the
4 wrong thing. So, yeah. I'm sorry.

5 So looking out north there, northwest would have been out
6 basically where that corner support beam --

7 A. Yeah.

8 Q. -- is essentially. So -- and just to the left of that --

9 A. Yeah.

10 Q. -- maybe a little, even. Okay.

11 A. Right.

12 Q. All right.

13 A. Because where you see the runway there at 050, that's
14 northeast. So north would be the center of the right window, so
15 northwest would be pretty much where the TAD and the beam are,
16 yeah.

17 Q. Okay.

18 A. That's about right.

19 Q. Very good. And you guys -- so you're on runway 5 that day.
20 Okay. All right. That's kind of what I needed to know. I wanted
21 to kind of get my feel for where you would have been in the tower
22 and what you would have been looking at.

23 And so generally speaking, just these are generalities, when
24 you're in the tower on a day like that picture is right there,
25 where it's kind of like you've got some scattered clouds around

1 here and there, when are you usually able to pick up a small GA
2 aircraft visually, in your experience, coming from the
3 west/northwest area over there? Generally when would you expect
4 to be able to start picking them up visually without the STARS?

5 A. As you mentioned, you know, it all has to do with the
6 backdrop of the plane.

7 Q. Yeah.

8 A. Depending what the backdrop is behind the plane, depending on
9 the color of the plane, and of course depending, you know, the
10 aerodynamics of the plane.

11 Q. Yeah.

12 A. Like the hardest -- one of the hardest airplanes to see here
13 is like -- is a Long-EZ, right, but that's hard everywhere. And
14 but with the clouds in the backdrop it's even more hard.

15 But I would say we can generally pick them up out the
16 window -- this isn't every airplane -- you know, when they're
17 turning downwind and their wings and their belly's up to you, it's
18 easier to see because they're turning downwind and the belly's up
19 to you and they're easier to see. But I would say as far as
20 distance, a small GA airplane coming into the pattern, if you look
21 hard, 3-ish miles, I guess.

22 Q. Okay. Yeah, I'm just looking for round figures. I'm just
23 trying to get a feel for where you guys normally start, you know,
24 realistically picking them up visually. You know, so I mean my
25 guess would have been 3 to 5 miles unless it's, you know, it's a

1 bigger airplane, a black airplane. I mean, there are a whole
2 bunch of factors that --

3 A. Yeah.

4 MR. SOPER: -- can come into play. But, you know, it seems
5 like you usually get a feel for what you can -- and that's fine.
6 That's perfectly good.

7 I'll tell you what, I'm going to pass it along early on this
8 one. I kind of capitalized -- monopolized some question asking on
9 the last one. I want the other gents to have an opportunity to
10 ask some questions. I'll probably have some more for you, but
11 I'll start out by going with Mr. Zimmerman.

12 Ted.

13 MR. ZIMMERMAN: Hey, thanks. I appreciate that.

14 BY MR. ZIMMERMAN:

15 Q. And so, again, I'm -- I do tower control, support manager
16 stuff, and I do it in your district. And I usually just focus on,
17 almost solely on systemic concerns, the causal factors when you
18 have events. So -- and again, but most of my tower experience has
19 been small VFR towers. I believe I'm at least somewhat familiar
20 of your procedures, but I just had a couple of questions for you
21 if that's okay.

22 So, for most of the stories that were -- you worked at had
23 some version of pad management, some version of tracking traffic
24 using paper or a chart or a graph, and not necessarily with the
25 radar, the RACD. What could you tell me about your pad management

1 in general for the facility? And I know some facilities are
2 standardized and some aren't with how they track it. What would
3 be your normal mode of operating for this aircraft coming inbound
4 from the north/northwest, for instance? What would that pad
5 management look like?

6 A. We don't have a standard procedure here. Each person has
7 their own ideas of how they should write something on their pad.
8 Maybe if it's a touch-and-go you put a star next to it, if it's a
9 full stop, taxi back, you put a plus to it, and some airplanes you
10 don't write down at all.

11 Q. If you -- I'm trying to phrase this the right way so it
12 doesn't come out odd. What would be your personal annotation for
13 clear to land, for instance? That's one of the -- clear to land
14 is one of the things we have to track versus we don't necessarily
15 need to track all and every aircraft, but there is some aircraft
16 that we're required to track for clearances. Like clear to land
17 is one of the things we have to track. What would be your
18 annotation for that?

19 A. We don't have a procedure for that. I mean, maybe it's
20 because we actually watch people land and that's the verification
21 that they landed. If I took the opportunity -- and I may not
22 have, some airplanes I don't write down. Some of the planes that
23 have been flying out of here, after you've been here a few years
24 you just remember their tail number so you don't write it down.
25 They land and you tell them to taxi to the ramp. So I don't put a

1 checkmark, I don't line through, I don't do anything when I clear
2 someone to land.

3 When I'm done with them, after they land and they go to the
4 ramp, I may or may not cross them out and go, ooh, this guy's not
5 in my pattern anymore, you know. That's great, you know, I'm one
6 less plane. But no annotation for clear to land, actually. No, I
7 don't have one.

8 Q. Okay. Thanks. Appreciate that. So my questions jump around
9 a little bit because as I was thinking questions through I -- you
10 know, you're thinking stuff through and how I do it, what would it
11 look like for me just as I'm scanning kind of things. So I have a
12 couple other questions for you.

13 So radar duties wise, obviously your RACD is right there in
14 front of you at the local control position. Thanks for clarifying
15 that, by the way. I appreciate that. I was unsure, because I've
16 had facilities where the RACD is actually behind us on local
17 control for whatever reason. So thanks for clarifying all that.
18 I appreciate it.

19 But you don't use the squawk codes or radar contact or
20 anything like that?

21 A. We do not.

22 Q. I saw in the SOP or in the letter -- the LOA with West Palm,
23 that there's some radar duties assigned, some radar separation
24 duties assigned, like separating departures from departures is an
25 example, or departures from overflights. Usually there's some

1 radar training that goes along with that. So it looked like in
2 the SOP that you already changed in 2015 and added radar
3 separation functions. Do you remember a change back then by any
4 chance? Were you around for that?

5 A. Man, I -- yeah, I was here. I don't know exactly when it
6 changed, but I remember questioning, if we don't have radar
7 certifications, we can't use any primary or secondary radar
8 identification methods of an IFR airplane, then how could be
9 responsible for providing the separation unless it's visual
10 separation. Of course we determine distances between two
11 departures. We know if there's 15 degrees or more between
12 departures, but that's not a radar separation function. Palm
13 Beach gives us 15 degrees between two departures. We need 6,000
14 feet airborne. That's our VFR rule.

15 Q. Um-hum.

16 A. So I as I questioned at the time, but apparently there's a
17 letter that you can get maybe from headquarters or something that
18 allows VFR tower controllers to do radar separation between
19 departures. I don't know where it came from because STARS isn't
20 really a radar, right?

21 Q. I'll definitely offer that your grasp of a full radar ding is
22 more advanced than many people's. But I'm actually specialized in
23 determining radar usage and using them, not using them, or using
24 for, not using for. So, but I appreciate your knowledge on the
25 subject. That's all very common questions, but you definitely

1 have an advanced grasp of the process for sure, so -- very good.
2 Those are all very good questions, very common questions, and that
3 we implement radar to somewhat. Very good.

4 So there's another radar question. No, that's okay, that's
5 good. That's good enough for now. Radar wise that's good.

6 So I guess traffic count wise at the end of the day, whenever
7 you do your traffic counts -- do you do them at the end of the day
8 or every hour or -- and how would you -- I think I saw an SOP
9 there was a counter. You use a clicker, a clicker counter to
10 count traffic?

11 A. Yes.

12 Q. So there would be no reason to retain the traffic count, like
13 the paper pad you write that on? There's really no reason to
14 retain that in the first place because it's just a memory jogger
15 for you, would that be safe to say?

16 A. Correct. We have the clicker, and for IFR airplanes we save
17 the strips and count them.

18 Q. Okay. Yeah, that was my next question. Thanks.

19 A. You're welcome.

20 Q. Do you ever have battles to see who can click traffic
21 fastest?

22 A. Yeah.

23 Q. Like (indiscernible) --

24 A. We have it.

25 Q. I can click faster than you.

1 A. If you go too fast, it won't advance to the next number. You
2 know, it's technique.

3 Q. See, (indiscernible). I was the only -- I was one of the
4 only people who could say that it triggered a clicker failure.
5 So --

6 So tower wise, obviously no tower tours. Just really that's
7 about distractions, the tower tours. There's no one else around
8 that would have been distracting you from local control duties or
9 anything like that, right? It's kind of a moot point in the time
10 of Covid but just thought I would ask.

11 A. Yeah. There wasn't any visitors or anything like that.

12 Q. And there's a bathroom right below the tower cab, just like
13 every facility in the country, right?

14 A. Yeah. One flight of stairs and then it's right in --

15 Q. I would always (indiscernible) --

16 A. Yeah. Right.

17 Q. So I think I'm maybe -- oh, the -- so, if you had an aircraft
18 that asked the ground control but also was -- but it wasn't -- it
19 was expecting a different answer. Maybe you could clarify for me.
20 Do you have to go up like, towards -- is Port Royal whatever, is
21 off the coast there, South Bimini? It's like an island off the
22 coast. Do you have a lot of aircraft that go out over the water?

23 A. Oh, yeah. Yeah, very popular. Some of the local people live
24 out there. There's (indiscernible), you know, have second homes
25 and stuff like that.

1 Q. Oh, okay. Okay. So if you were -- I mean if aircraft go
2 that way, like I guess just familiarity with your facility, they'd
3 get airborne off of there and then call you right away or they, if
4 they're going that way, do you terminate somewhere off the coast
5 or like how does -- what does that all look like?

6 A. My technique normally, if there's someone departing going to
7 the Bahamas is contact Palm Beach at the shoreline. Because I
8 think at some point they have to pick up their -- they have to
9 activate their VFR flight plan because it's international if
10 they're going to the Bahamas or whatever.

11 Q. Oh, okay.

12 A. So we switch them before they leave the Class -- or either
13 before or as they enter the Class Delta. We're only 4 miles
14 airspeed. Coming in, they call us right before they get to the
15 Class Delta. We treat them like any other -- you know, report
16 left downwind.

17 Q. Oh, okay.

18 A. Or whatever. If they land, whatever.

19 Q. There's no coverage issues over -- I mean, it's all flat. It
20 must be. I can't imagine there's any radar issues or fusion
21 issues or like a dead spot. Like I've been a facilities that have
22 a radar dead spot or a fusion dead spot because of a mountain or a
23 tower or a -- is there anything out that way that would limit
24 radar coverage, I guess is the question?

25 A. Radar coverage? The only thing that, you know, would limit

1 radar coverage because this STARS system is pretty good, would be
2 if it's still a fact, as it was with DBRITE, that the STARS
3 display, I believe, can be off by 300 feet or so, right? There's
4 an error possibility of 300 feet when it's a display and not the
5 actual radar.

6 Q. Oh, okay.

7 A. Something like that. But nobody's told us there's a radar
8 blind spot over there.

9 Q. Okay. That's all I have. All right, thank you. I
10 appreciate it.

11 A. You're welcome.

12 MR. SOPER: Thanks, Ted.

13 And I will pass it along to Dan.

14 BY MR. CARRICO:

15 Q. And I have just a couple of quick questions. One I want to
16 touch on, the log real quick. So you said, paraphrase, that some
17 of the airplanes there is no standard procedure. Obviously I get
18 that. Some of the airplanes that come in you write down a plus
19 mark for a touch-and-go or whatever, some airplanes you don't
20 write up at all. Can you tell me in your way of working it what
21 would you write down and what wouldn't you write down as far as on
22 your pad?

23 A. If traffic gets to a point where I need to look at my --
24 where I need pad management, like let's say if you have four
25 airplanes, two are doing touch-and-goes, one is doing full stop,

1 taxi backs, and the other one's a full stop. Well, you know, we
2 only get a V on the STARS display and if you look out the window
3 it doesn't really tell you which one that is. So I'll put a star
4 if the guy's coming in to do touch-and-goes, or the girl. I'll
5 put a plus if they're full stop, taxi backs. But that's not every
6 time. If I only have one plane, I'm not going to write it down.
7 If I have two planes, I'm probably not going to write it down. If
8 that makes sense. I use that as an aid when I'm using --

9 Q. The busier you are --

10 A. Yeah.

11 Q. So is it fair to say the busier you are the more you'll use
12 the pad, the less busy you are the less you'll use the pad? Is
13 that a fair assumption?

14 A. I wouldn't say that at a 100 percent rate. Because, for
15 instance, if you're busy but the airplane is tagged up on the
16 display, or let's say this is your buddy Billy and you know him
17 and he's coming in on Cessna 123, I won't write that one down.
18 I'll remember that one. So the ones that you think you're going
19 to need help with, you know, I would write down. And it's --

20 Q. Okay.

21 A. -- it's okay to say the busier it gets the more you need a
22 pad, but that doesn't mean you need it for every single airplane,
23 in my opinion.

24 Q. Okay. My next question kind of deals with the local populous
25 of flying down there. I think the ground controller had kind of

1 indicated that on occasion sometimes, you know, people will check
2 in with one intention -- you know, kind of like Ted was saying,
3 they'll check in with one intention and then change their mind and
4 either reverse course and leave the airspace or they'll go off and
5 do something else. Is that, in your experience, is that a common
6 thing, not so common thing? You know, where they say, hey, I'm
7 going to come in and land and then change their mind and dart off
8 out of the airspace to someplace else to do something else?

9 A. It's common. They -- well, you know, a lot of the people --
10 a lot of airplanes now are coming in from different airports, they
11 enjoy our crosswind. We only have one runway, unfortunately, but
12 they hear -- probably they hear how busy we are and they're like,
13 okay, I changed my mind. It's not uncommon for that to happen.

14 Q. But will they -- is it one of those things they'll tell you
15 that they changed their mind or will they just typically bug out
16 of the -- I'm just getting out of here, they're too busy? What do
17 you run into?

18 A. Both.

19 Q. Okay. That's fair.

20 A. Hey, we're going to go ahead and go back to Lantana. Or
21 sometimes you're busy, busy, busy, and you'll tell someone to
22 remain clear of the Class Delta airspace and call you back in 5
23 minutes because you think you might have time for them at that
24 point, but then they just disappear instead of waiting or
25 whatever.

1 MR. CARRICO: Okay. Brian, that's all I got. Thank you.

2 MR. SOPER: Okay. Thanks, Dan. Appreciate it.

3 BY MR. SOPER:

4 Q. Okay. Because I'm right on the phone, I don't want to forget
5 to ask this while we were just sitting there having that
6 discussion. In your view, and I know you don't recall the day of
7 the event necessarily because it was kind of an afterthought,
8 knowing what you know now, which is that you know that the guy had
9 checked in -- you know that the pilot checked in with you. You
10 know that you told him to report downwind and that he was going to
11 be landing, you know, his intent was to land runway 5. Those
12 things you know. In your opinion, do you feel that you are now on
13 the hook for providing services to that aircraft or do you feel
14 you still are not? In your understanding of procedure.

15 A. I don't quite understand the question, but let me tell you
16 what I think you're -- I'll answer what I think you're asking.

17 Q. Okay.

18 A. If an airplane -- if I know that an aircraft went lost or
19 missing or had a mishap, I would call somebody.

20 Q. Um-hum. So in this case, I guess -- okay. Well, let me just
21 ask you that. Knowing what happened after the fact, hindsight
22 being 20/20, right -- you've been told now and you were able to
23 listen to the comms so you know clearly that he checked in and
24 that was that. Do you feel -- how do you think you forgot that
25 guy? Did you just forget him or does this happen on a regular

1 basis, like with aircraft coming in and they just change so you
2 didn't think anything of it? Meaning you expected him to report
3 downwind and when he didn't, you weren't necessarily here nor
4 there with it, it was -- he was a VFR entry so you were like,
5 yeah, he probably decided to do something else, like it just
6 didn't come back to you? I mean do you know?

7 A. You know, my thoughts on it now, because I didn't have any
8 thoughts on it then because I didn't know that it occurred, I
9 would surmise that if I would have gotten that call left downwind,
10 which is kind of the primary thing that we rely on, you know, I
11 would have cleared him to land. If I would have observed him out
12 the window, I would have said, "Oh, who's that guy?" and I would
13 have started trying to, you know, go through that process. But I
14 didn't see him. They didn't call me. That's the only thing I can
15 think of. Because I don't -- I'm really sorry to say, but a
16 couple days later it came as a surprise to me that this person is
17 gone. So the only recollections I have is what people are telling
18 me happened and I don't -- I'm not talking about you guys.

19 Q. Yeah.

20 A. What I'm referring to is when people start to tell you what
21 happened, you start thinking, oh, I remember that when I did --

22 Q. I got it.

23 A. I'm being told certain things. The reality is that if I
24 would have observed him, I would have reached out.

25 Q. Okay.

1 A. If he would have reported downwind, I would have done what I
2 was supposed to do.

3 Q. Okay. Do you -- and fair enough. You don't have to worry --
4 yeah, we're good. You answered what I need to know there.

5 What is your pattern altitude there? Do you guys have a
6 pattern altitude or not?

7 A. 1,000 for piston; 1,500 for turboprops and jets.

8 MR. SOPER: Okay. Okay. Cool. All right. That's all for
9 me for right now.

10 Doug, sorry to jump in there on that one. I just had a
11 couple questions I wanted to ask before I forgot them. So I'm
12 going to pass it along to Doug.

13 MR. BRAZY: Thanks, Brian.

14 BY MR. BRAZY:

15 Q. Dan, I only got one question, and it's usually a question
16 that I use at the end, really use for witnesses, but I'm going to
17 throw it out there anyway. Is there anything that you expected or
18 wanted us to ask you that we didn't? Were you hoping for a
19 question? Were you thinking that there was going to be a question
20 in your mind that we didn't ask you?

21 A. I had no idea what to expect so I wasn't expecting -- no, I
22 had no idea what to expect. We all think -- you know, if you over
23 think it and then you're like, you know, the interview is going to
24 be nothing like what I thought, which is actually true now that
25 I've gone through it. It's really nothing that --

1 Q. Wasn't (indiscernible).

2 A. Yeah. So no there's nothing that I thought you'd ask me
3 or -- no.

4 BR. BRAZY: Oh, good. Just too many times I've heard tell,
5 "Well, why didn't they ask me this?" or "I was hoping they were
6 going to ask me that," so I threw that in there. That's all I
7 have. Thank you so much.

8 MR. BRAZY: I don't have -- I think everybody else has
9 covered all the questions as thoroughly as I can imagine, so I
10 don't have anything further, Brian. Thank you.

11 MR. SOPER: Thanks, Doug.

12 MR. BRAUN: Thank you.

13 BY MR. SOPER:

14 Q. So I'll piggyback on that just a tad bit. And I kind of feel
15 remiss I didn't ask the ground controller this and I normally ask
16 this at the end of all my interviews, and that's what reminded me
17 when Doug did that.

18 So hindsight being 20/20 now, now we're all after the fact.
19 I know that you weren't aware of it at the time and I know that
20 even now you've been told what happened, but it doesn't
21 necessarily spark your recollection of the event necessarily. It
22 just -- you believe it happened now the way it happened. But just
23 understanding the event externally, okay, that a guy checked in 10
24 miles northwest, he was told to report a left downwind, he never
25 did, he went through the Class D and exited the other side

1 descending and went into the water, whatever. Obviously human
2 error somewhere, right? Just forgot it for whatever the reason.
3 Doesn't -- we don't really know for sure, but whatever the reason,
4 it was forgotten to either go back to him or nothing prompted to
5 go back or maybe you got -- I know there were other aircraft
6 talking because I heard you talk to other aircraft during the same
7 time frame. So whether that took your attention or whatever and
8 it just didn't spring back to mind. Looking at it externally now,
9 now that you're (indiscernible) happened to you, but do you
10 identify with anything that you feel could be done or might be a
11 good idea as a -- whether it's a memory aid, memory jogger,
12 procedural change, something that you guys could do locally that
13 might prevent this type of thing from recurring to yourself or
14 anybody else that works there? You know, is there anything that
15 just comes to your head that, you know, might be useful?

16 A. Well, my brothers are going to hate me, but -- I'm not going
17 to recommend this becomes a procedure, but I am personally -- I
18 think the VFR airplanes, I'm personally going to write them all
19 down now and then before I get out of position I'm going to double
20 check with somebody to -- okay, remember that tack there, and mark
21 them off, you know?

22 Q. Um-hum.

23 A. If there's one left out, you know, then --

24 Q. You know, I'm glad to hear you say that. I'm going to tell
25 you why. I mean I think that inevitably we all develop our own

1 techniques locally to where we go and where we're at, right? And
2 those techniques sometimes change when we go from one facility to
3 another. We either pick up new things that were a good idea from
4 somebody else or the procedures are different there and we have to
5 adapt our techniques to those procedures. So, I mean, they
6 constantly change. But what I will say, that in this case one of
7 the things that stands out to me the most when I look at it
8 externally -- I'm not in your environment so it's much easier for
9 me to look in and go, that's odd or that's odd and -- because I'm
10 not there. I don't work it, right? I don't have the level --
11 you've been there for a long time, too, so you've operated under
12 the same way for a long time.

13 Well, one of the things that I noted was, and I think some
14 other people have, and that is how do you -- you know, for me I
15 look at things like -- because I'm looking at things forensically
16 all the time now, right, after the fact.

17 A. Right.

18 Q. What happened? I look at things from a totally different
19 view than I used to as an active controller. And I think to
20 myself, in this case, how do I give a -- how do they give good
21 pass-downs to the next guy if they don't write down a lot of these
22 guys that are just kind of local? I mean, you know, you -- it
23 might be local to you. It might be something you remember and
24 you're just kind of there, while you're on position it's not a big
25 deal. But if you have to turn over and you haven't written stuff

1 down, how do you ensure that you gave everything over to that new
2 guy? And then the new guy, do they have an expectation that your
3 pad is going to be useful to them or does it get kind of pitched
4 at the end? I mean, like I guess those are the questions I kind
5 of asked myself, and I wonder, you know -- one of the other
6 gentlemen brought up in the other interview, and I think it was a
7 good question, and I present it to you as well on their behalf.

8 But if you had a sheet in front of you, rather than using a
9 blank scratch pad, like a notebook piece of paper that you guys
10 are just -- you know, and you each have your own way of tracking
11 things. When it comes to aircraft operations, VFR pop-ups coming
12 in, VFRs going out, whatever, that they're not on a strip, they're
13 not somebody that's in the system, if you had a sheet of paper
14 with essentially -- you know, it's a pad also, that just has a --
15 almost like strips. They would be different -- you could develop
16 them however you wanted for your own facility, let's say, that
17 makes sense. Whether it's a one line or two line, and it just
18 goes right down the list, and it has checkmarks. You have a spot
19 to put the call sign, a time when he checked in, like the two-
20 digit time, you know, up or down for landing or departing, or
21 transition, arrow straight across, whatever you want to do. Or
22 you could check, check, check, circle, circle, call sign, time,
23 and then when he leaves the, you know, area or whatever, you put
24 the time out. And that just runs on a regular pad. So when you
25 do a -- you can do it however you want to do it for whatever. I

1 mean would that be something that would be helpful? Or do you
2 think like, no, I want to just keep the pad the way I do it
3 because everybody does it differently? Would you find any value
4 in something like that?

5 A. Well, I think we're all open to new ideas that can improve
6 things. Whether there was an event like this or not, I think
7 that's a pretty good input, pretty good idea.

8 Q. You guys -- I mean, you would be willing --

9 A. I won't object to it.

10 Q. You would be willing to talk --

11 A. I'm doing the same thing. I'm doing the same thing. It's
12 just on a pre -- on a template that's --

13 Q. Yeah.

14 A. Yeah.

15 Q. Well, and that's good. And I'm glad you are. I'm really
16 glad to hear that, because I think that helps you and I think it
17 helps the next person, too. So, you know, I mean -- well, that's
18 good. All right. So you wouldn't be opposed to trying things
19 like that if the facility decided to try something out and see if
20 it worked. I mean it's still your process. You can own it, you
21 know, and you guys can develop it to what works best for you. But
22 I feel like there's a missing tracking mechanism in there that
23 could help you guys. Like I really feel at the end of the day
24 there's something better than just a blank notepad, you know --

25 A. Okay.

1 Q. -- that might work. And I don't know what that is for sure,
2 but I mean I think that's one of the things. I've seen that done
3 in a number of towers. I will just put it that way. And it seems
4 to work. Because that gives a record and it's easier to do pass-
5 down relief briefings. It's easier if you do a pass-down relief
6 briefing and you happen to miss pointing it out, the guy sees it
7 on the pad. When the guy calls up and says, "Ah, turn base," and
8 he goes, "Turn base? Who is that?" And then he looks down and
9 says, oh, dude, Dan forgot to tell me about that dude. But it's
10 on your pad so he figured it out.

11 A. Sure.

12 MR. SOPER: And it's a record, it's a facility record, right?
13 So at the end of the day, you know, a week later, if we need to go
14 back -- hey, does anybody know about this guy when he came in? --
15 we can go back and find it. You know, here we have to pull the
16 tapes, right, if that's the case, because we don't have any other
17 documentation by call sign. Anyway, just thoughts. I'll put it
18 back out there.

19 Ted, do you have any additional questions?

20 I'm sorry. I think we lost you there. What was that?

21 MR. ZIMMERMAN: I do not. Thank you.

22 MR. SOPER: Okay.

23 And Dan, how about you?

24 MR. CARRICO: I'm good. Thank you, Brian.

25 MR. SOPER: Awesome.

1 Doug, any "Oh, by the ways"?

2 MR. BRAZY: I just want to thank Dan and all of you guys for
3 participating. I really appreciate it.

4 MR. SOPER: Thanks, buddy.

5 MR. BRAZY: Even Brian.

6 UNIDENTIFIED SPEAKER: Thanks.

7 MR. BRAUN: Sure.

8 MR. SOPER: Even me. All right. Okay. I'm going to go
9 ahead and stop the recording for now.

10 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

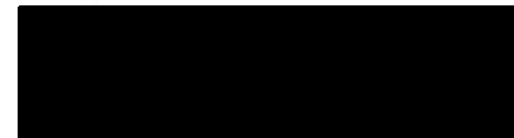
IN THE MATTER OF: LANCAIR 320, N670BS FATALITY
 IN BOCA RATON, FLORIDA
 ON FEBRUARY 24, 2021
 Interview of Daniel Braun

ACCIDENT NO.: ERA21LA141

PLACE: Via Video Conference

DATE: March 10, 2021

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.



Kay Maurer
Transcriber