

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, *

ON FEBRUARY 24, 2021 *

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Accident No.: ERA21LA141

Interview of: DAVID BEZANIS, Air Traffic Manager
Boca Raton FCT (BCT)

Via Video Conference

Thursday,
March 25, 2021

APPEARANCES:

BRIAN SOPER, Senior Air Traffic Investigator
National Transportation Safety Board

TED ZIMMERMAN, Investigator
Federal Aviation Administration

DAN CARRICO, Air Safety Investigator
National Air Traffic Controllers Association (NATCA)

BRUCE BIVINS, Area Manager, RVA, Inc.
(Representative on behalf of Mr. Bezanis)

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I N T E R V I E W

1
2 MR. SOPER: Okay. Good morning again. My name is Brian
3 Soper. I'm a senior air traffic investigator with the NTSB.
4 We're a federal agency. We're charged -- we're an independent
5 federal agency actually. We're not affiliated with the DOT or the
6 FAA or anything like that. We're independent by nature, and we're
7 charged with investigating commercial transportation incidents or
8 accidents of a serious nature and finding the probable cause.
9 Once we're able to develop a probable cause, hopefully we are able
10 to make recommendations to industry or agencies to keep this from
11 happening again. Right? So that's our whole mission in a
12 nutshell here. It's all safety related.

13 I mentioned to you, here with us today we have on the air
14 traffic control group Ted Zimmerman representing the FAA, and Dan
15 Carrico representing NATCA, and then your representative, Bruce
16 Bivins, is with us as well.

17 We'll be using a digital recorder to record this, these
18 interviews, and they will -- a transcription will be made from
19 that audio recording. Recording by any other entity is strictly
20 prohibited. Everybody on this group already knows that. And we
21 will -- when the transcript is produced, we will provide that back
22 out to the group members to go over for accuracy because they
23 often get things wrong, like acronyms or something. Like we may
24 say ATIS and they may spell it A-D-I-S all the way through the
25 thing. So we correct those kind of things. And then we all agree

1 on those corrections and we drop that -- that is what goes into
2 the docket, not the recording.

3 We cannot offer any immunity, so if -- you know, I know you
4 have a military background, so you know that safety investigations
5 in the military we are able to offer privilege, and in the NTSB
6 it's kind of the exact opposite. It's -- our whole credibility is
7 largely hinged on our transparency at the NTSB, so everything we
8 say will be used as part of the report unless we specifically go
9 off the record for something.

10 Each of the group members will have a chance to ask
11 questions. Like I said, we'll go around the room. We just ask
12 that each other doesn't -- that each of us doesn't interrupt each
13 other to the greatest extent possible. It's a little bit of a new
14 environment here doing these virtually, so -- we've done a few of
15 these now and they seem to be going okay but they're not optimal.
16 We would much rather be sitting in person and having the
17 discussion because it goes much better, but we do the best we can
18 with the virtual environment. So we just need people to make
19 sure -- it gets difficult if we step on each other or interrupt
20 each other from a transcription standpoint at the end, right? So
21 we'll try to hand off the communications we go. So as I ask you
22 questions, when I'm done, I will then say, okay, now I'll pass it
23 along to Ted, and that allows the transcriptionist to know who's
24 talking a little bit easier, you know, as we go through stuff.
25 So, anyway, that's why we do that.

1 You're entitled to one representative. You have him. Is
2 there anybody in this group right here that you do not want to be
3 here besides you and me?

4 MR. BEZANIS: No.

5 MR. SOPER: Okay. Good. And do you have any questions
6 before we start?

7 MR. BEZANIS: I do not.

8 MR. SOPER: Awesome. Okay. So I will go ahead and we will
9 go ahead and start some background information.

10 INTERVIEW OF DAVID BEZANIS

11 BY MR. SOPER:

12 Q. If I could, could you -- your name, your first name is David
13 or Dave?

14 A. David.

15 Q. And last name, to make sure I have the spelling right,
16 B-E-Z-A-N-I-S?

17 A. That is correct.

18 Q. Awesome. And what is your age, Dave?

19 A. Fifty-three.

20 Q. All right. And me too. I think. Wait a minute, what's the
21 year? '21 --

22 A. I had to think about it for a second, too.

23 Q. Gosh, I'm not 53 yet. I won't be 53 till July. Okay.
24 What's your operating initials there?

25 A. Bravo Zulu.

1 Q. Bravo Zulu. Nice. All right. And you're the air traffic
2 manager. And you do have military background, so if you would,
3 what years were you in the military, from when to when again?

4 A. I was in the Navy from 1988 until 1994.

5 Q. And where did you serve? What were the duty stations you
6 served at?

7 A. I was the Dallas Naval Air Station and then the USS *Ranger*
8 and USS *Tripoli*.

9 Q. Okay. And after the military and prior to being hired by
10 RVA, did you work other air traffic control related jobs at all?

11 A. No. I worked in airport operations.

12 Q. Okay. And I'm going to flip back to another form here. So
13 when did you get hired by RVA? Month and year, if you can
14 remember.

15 A. March of 2003.

16 Q. And when did you come to Boca Raton?

17 A. I believe it was September of 2012.

18 Q. Okay. September of 2012. And up until September of 2012
19 where were you at?

20 A. Immediately prior to Boca Raton I was the air traffic manager
21 at Hollywood North Perry.

22 Q. Hollywood North Perry.

23 A. HWO is the three letters.

24 Q. Cool. And when did you get there?

25 A. I believe that was August of 2008.

1 Q. Okay. And then up until 2008, August of '08, where were you
2 at?

3 A. From 2003, when I started with RVA, until then, I was at Opa
4 Locka, Oscar Papa Foxtrot.

5 Q. Opa Locka. You know a guy named Robert -- I'll think of his
6 last name. We had a guy that came to work for us as a contractor
7 doing TCAS stuff. He was an air traffic guy that retired, I
8 think, out of the -- I don't remember if he was out of the FAA,
9 but I know he flew out of Opa Locka too, I think, if I'm not
10 mistaken. I'll have to remember his name. I don't remember what
11 it was.

12 What was their -- what's their identifier again?

13 A. Oscar Papa Foxtrot.

14 Q. Okay. And do you work a regular schedule or are you in the
15 rotation with the guys, the other guys there at the facility?

16 A. Yeah. It's a standard schedule. I'm basically in the --
17 scheduled in the tower Monday through Wednesday, and then Thursday
18 and Friday are administrative duties.

19 Q. Okay. So Monday through Wednesday -- Monday, Tuesday,
20 Wednesday, you're in the tower. Is it the same shift every day or
21 do you remember -- so what I want to be able to capture here then,
22 I guess, is on the week of the accident -- so I believe the
23 accident happened on a Wednesday; is that right?

24 A. That's correct.

25 Q. Okay. On that Wednesday, what was your shift that day, from

1 time to time?

2 A. Wednesdays I work part in the tower -- can you hear me?

3 Q. Yep.

4 A. I clicked -- oh, there it is. I start in the tower at 0700.

5 Q. Yep.

6 A. And then normally I work until noon in the tower and then go
7 down to the office. On that particular day, Dan Braun had asked
8 if he could come in at 10 a.m., which I approved.

9 Q. Okay. So on that day, what were your total work hours? You
10 don't need to split up when you were in the tower and when you
11 were ATM, so -- when you were doing other duties.

12 A. Normally for me on a Wednesday is 07 to 1500.

13 Q. Okay. And then Monday and Tuesday, are the hours still the
14 same, the overall hours?

15 A. No. Monday is the only day that's really different. Monday
16 I usually work a 10 until 1800 shift.

17 Q. And then 7 to 15 on Tuesday, right?

18 A. Yeah.

19 Q. And what about Thursday, the -- so going backwards. Let's
20 just keep going backwards. On Sunday, what shift -- are you off
21 on that day?

22 A. Yeah. It's a regular day off for me.

23 Q. Okay. And Saturday/Sunday, both off?

24 A. Correct.

25 Q. And what about Friday?

1 A. Friday's the same, 07 to 15, generally at work.

2 Q. And last one, Thursday?

3 A. Thursday's the same, 07 to 15.

4 Q. All right. Cool. All right. Did you work overtime that
5 week?

6 A. I don't believe so. No.

7 Q. Okay. And you have a second class medical because you're an
8 active controller there, so do you remember when the month/year of
9 your last air traffic control physical was?

10 A. Would have been May of 2020.

11 Q. And who is your supervisor? Who do you report to?

12 A. Mr. Bivins.

13 Q. And how long has he been your supe probably, roughly?

14 A. I forget.

15 MR. BEZANIS: Bruce, when did you start there? It's been a
16 couple, 3 years, I think.

17 MR. SOPER: Okay. So over -- can I say over 2 years?

18 MR. BEZANIS: Is that correct, Bruce?

19 MR. BIVINS: I had a hard time unmuting. Year and a half, 18
20 months.

21 MR. SOPER: Okay.

22 MR. BIVINS: Almost.

23 MR. SOPER: Got it.

24 BY MR. SOPER:

25 Q. All right. And no toxicology, and you're the ATM. Okay. So

1 that covers that one.

2 All right. So did you -- do you hold any other collateral
3 duties there, you know, at your facility? I mean ATM, I know it's
4 kind of a bundle of collateral duties anyway kind of thing. But
5 anything specific -- do you hold any collateral duties, let's say
6 with RVA, that would have taken you out of the facility for any
7 periods of time over the last 6 months that would have affected
8 your currency?

9 A. No.

10 Q. Okay. And so if I can just get you to give me a kind of
11 background of your aviation experience. Okay, when I ask this
12 it's real 10,000-foot level, right? I'm just looking for, yeah,
13 you know, when I grew up I was always interested in aviation, I
14 ended up joining the Navy, I was a controller for this amount of
15 time, I got my private pilot's license here, I went to college for
16 this year, I got hired with RVA, whatever. Just kind of give me
17 anything as it applies to aviation. Kind of run me through that.

18 A. Basically exactly what you said. My dad took me for kind of
19 an intro flight for my eighth birthday, which is what basically I
20 gotten bitten by the bug then, got interested in aviation. I, as
21 a young adult, had started working on my private pilot's license,
22 but things being the way they were, it was expensive and it wasn't
23 going as quickly as I would have liked, so that's why I joined the
24 Navy. Figured I could get an air traffic control job, I was
25 guaranteed that, and see if I could work myself into a flying spot

1 in the Navy. And, if not, when I got out of the Navy, I could be
2 an FAA controller. Or that's what I thought at the time.

3 Q. Yeah.

4 A. So I was in the Navy, as I said, from 1988 until 1994.
5 Unfortunately, 1994 was probably the worst time to get out of the
6 Navy and try to get a job with the FAA. Federal hiring freeze,
7 and then where my age was in the bracket, I just -- I missed the
8 window because I had aged out for starting with the FAA and they
9 had no -- to my knowledge, I don't think they still have any
10 exception for that for prior military.

11 Q. Yeah.

12 A. So in the interim, when I got out of the Navy, I started out
13 in airfield operations at the Dallas-Fort Worth airport,
14 overseeing, you know, the runway safety aspect of 139 compliance,
15 construction oversight with them. And then I -- I had been in
16 Texas for a long time. I grew up in New Jersey. I wanted to get
17 back to the beach. There was an airside supervisor job in Fort
18 Lauderdale. I transferred to Fort Lauderdale International as
19 a -- it wasn't a transfer; it was just a whole 'nother job. I got
20 hired for there -- Fort Lauderdale International as an airside
21 operations supervisor.

22 Broward County, which oversees the Fort Lauderdale airport,
23 also oversees Hollywood North Perry. So in speaking with an
24 airport manager at North Perry, she knew that I used to be an air
25 traffic controller, I wound up talking to the air traffic manager

1 at North Perry, which was an RVA facility at the time. He asked
2 me if I was interested in getting back into air traffic. I said
3 absolutely. And he introduced me to Don Legg (ph.), who was the
4 air traffic manager down at Opa Locka. And at the time, I was
5 like Opa what? Never heard of it. Pretty neat airport down in
6 south Florida, and that's how I got involved with RVA and the
7 contract world of air traffic control in 2003.

8 Prior to getting out of the Navy, I completed my commercial
9 multi-engine instrument and instructor ratings on my own, again
10 following the theme of, you know, being an aviation geek, as I am.
11 So I --

12 Q. You said you got your commercial multi-engine what?

13 A. Instrument.

14 Q. Okay. Cool.

15 A. And flight instructor, instrument instructor rating. I also
16 have a multi-engine instructor, instrument instructor rating, as
17 well.

18 Q. Do you still fly today?

19 A. I do.

20 Q. Do you fly commercially or --

21 A. I'm sorry?

22 Q. Do you fly commercially or do you fly -- I mean, like do you
23 fly for revenue or do you fly just --

24 A. No, mostly just private.

25 Q. I mean other than flight instructor or --

1 A. You know, for friends that need VFR or stuff like that. Of
2 course, I still do some --

3 Q. Yeah. Cool.

4 Okay. Go ahead. Sorry.

5 A. That pretty much is the 10,000-foot view.

6 Q. All right. Bonus. Do you own an airplane, by chance?

7 A. I do not. I have a very strict policy when it comes to
8 airplanes and boats. It's much better to use other people's.

9 Q. I hear you, man. Because I like boats, and boats are
10 especially that way as well. I owned a boat for a lot of years
11 and, man, it's so much work. It's just -- it's a lot of work. I
12 love them, but it's a lot of work.

13 A. And the airplane's the same way, and there are so many
14 expenses. Even when you're not flying it, you still have to pay,
15 so --

16 Q. Yeah. It's almost more expensive when you're not using them,
17 you know, like --

18 A. Absolutely.

19 Q. -- truthfully.

20 All right. Very good. And have you ever been fired or
21 terminated or suspended or asked to resign from any employment
22 since you've been doing air traffic?

23 A. I have not.

24 Q. Okay. And I'm going to skip some questions on like health
25 and the drug and alcohol screening because that's really not

1 applicable to you. You weren't working that day. We didn't have
2 an issue with you working that, so --

3 Have you been interviewed about this event prior to now?

4 A. Yes. The FAA conducted an interview.

5 Q. That's right. They did theirs a week ago or 2 weeks ago.

6 A. It was last week.

7 Q. Yeah, last week. Okay. And have you had an opportunity to
8 see replays of this event, like a Falcon replay or audio/video or
9 whatever?

10 A. Yes.

11 Q. Okay. And when was the last time you had -- you watched that
12 or went through it? Probably.

13 A. Probably a couple weeks ago.

14 Q. Okay. And so just in your view -- I'm trying to get your
15 opinion of the way things were. Understanding that you're now --
16 you've looked at the event externally looking in, because you
17 weren't working at the time, how do you feel for your facility, on
18 a scale of 1 to 5, 5 being the heaviest, what was the traffic
19 volume at the time of the event up there for your tower?

20 A. I would say it was down to a 2. It was very busy leading up
21 to that, but immediately around the aircraft checking in, the
22 heavy activity, which would have been 4 or 5, had ceased.

23 Q. Okay. All right. And was this -- do you feel this was
24 normal for this time of day for your facility?

25 A. The traffic?

1 Q. Was it out of the ordinary or -- okay. So it was pretty
2 normal. Okay. A similar question, on scale of 1 to 5, 5 being
3 the most complex, how do you feel the traffic complexity was
4 around the time of the accident or the event?

5 A. The time of the accident I would say it would be a 1 or a 2.

6 Q. Okay. And again, pretty normal for that time of day?
7 Nothing that you would have expected differently? I mean, it
8 wasn't a lot less than normal or a lot more than normal?

9 A. Well, with us being, you know, a VFR tower in south Florida,
10 it's feast or famine very often. You know, you get --

11 Q. Yeah.

12 A. -- they decide all to show up at once and then everybody goes
13 away and then there's nothing. And there's no rhyme or reason,
14 too. It's not like every day it happens at 11.

15 Q. Yeah.

16 A. It's completely random.

17 Q. Okay. All right. If I could have you speak to this pre-duty
18 weather briefing that we -- that air traffic controllers are
19 currently required to do or to listen to, watch, whatever. In
20 your case, do you -- is it a watch and listen? Is it something
21 you access via an online portal or something, or is it --

22 A. Yes.

23 Q. -- strictly an audio -- okay. And so I'd like to get your
24 view from your facility standpoint, and I'd like your view on the
25 usefulness or the value to the pre-duty weather briefing in its

1 current state to your operation there.

2 A. My opinion of the usefulness?

3 Q. Yes.

4 A. I honestly don't think it's very useful for us.

5 Q. Okay.

6 A. In a tower environment. Because the majority of the briefing
7 is frontal systems and their location. What we really need that
8 is helpful to us is what we already had, is the TAF, that lets us
9 know what the conditions at our facility are going to be or very
10 close our facility are going to be at certain times of the day.

11 Q. Yeah.

12 A. Most specifically as it -- the most useful thing for us is
13 knowing which way the wind is going to be going.

14 Q. Sure.

15 A. Because again, being in a tower, we're looking out the window
16 and we have access to the immediate weather that affects our
17 facility, inbounds and outbounds. And like I said, the majority
18 of that brief is, you know, looking at where the front is over
19 Texas and it really is not applicable to us.

20 Q. Yeah. So what do you guys, so what do you -- what's the most
21 valuable tool you guys use to access to get weather now?

22 Because -- so I understand what you're saying about the pre-duty
23 weather briefing, and I will be pretty straightforward in the fact
24 that I concur with that assessment, meaning I don't --
25 unfortunately, it was a, kind of a -- it appears to have been kind

1 of a reflexive type of, you know, requirement to try to cover
2 something, and it's -- so it had good intent, for sure. I think
3 that air traffic control as a whole in the FAA has not done a good
4 job of providing the tools to brief controllers on the weather
5 that's going to affect them during their shift. Okay? We kind of
6 just lay it on the controller and say thou shall be briefed before
7 you come here, and we don't really provide them good tools.

8 In the military, you know, it was a little different, right?
9 We got a briefing every day. You know, we talked about it. We
10 had a discussion. And I know that we don't have that luxury out
11 in the -- out in your world there. So that being said, what are
12 the tools that we're providing? And unfortunately, the way they
13 went was very in-route centric, right? So you got a CWSU.

14 A. Right.

15 Q. So that briefing is pretty good for a center controller, you
16 know.

17 A. Absolutely.

18 Q. It has their own challenges too because it's only done twice
19 a day and things often change. Especially, you talk about
20 Florida, I mean, you know, Jacksonville, Florida can be different
21 every 3 hours, pretty significantly different, really, you know.
22 So --

23 A. Right.

24 Q. But, anyway, it's in-route centric product. So at a tower, a
25 lot of that stuff -- the jet stream, icing at high levels, winds

1 aloft -- those are really, they don't provide you much value,
2 right? And so we get that. And I kind of just want to get a
3 feeling for -- I'm hoping that the FAA's going to look at this and
4 maybe work on trying to develop a little bit better way to tackle
5 pre-duty weather briefings. I don't want to see it go away
6 because I think it needs to be there, but I think it needs to be
7 value added. So we got to find a way to meet the requirements of
8 the different types of facilities that we have out there and still
9 not over burden somebody.

10 The CWSU couldn't possibly do recordings for every type of
11 facility. You know, they're like you guys. They're an army of
12 three or four in one facility and they cover a huge area, right?
13 So -- but I mean it's something that could be done internally, I
14 feel like. And I just -- so I'm kind of curious. Where do you
15 guys go to get weather information now? You say you used to go to
16 the TAF. What do you do now, really? Because the pre-duty
17 weather briefing probably isn't necessarily doing it. So to get
18 what you need, where do you get it?

19 A. We're still required to -- we use it through Acer, which has
20 TAFs for us.

21 Q. Yep.

22 A. We still use that.

23 Q. Okay.

24 A. In addition to the pre-duty weather briefing, of course.

25 Q. Okay.

1 A. And that's also updated throughout the day, and we keep that
2 up all day.

3 Q. All right. Good. Okay. Awesome. All right.

4 Okay. So getting into a couple things about this event. So
5 one of the first questions I have is kind of the obvious one,
6 right, which is, so knowing what we know about the event now, that
7 this aircraft had checked in and then the controller never went
8 back to him and the aircraft subsequently transited through the
9 Delta and then off over the coast, and nobody really knew for a
10 couple of days. At the time, I know it was explained to us by the
11 controllers that you guys use a scratch pad up in the tower, so to
12 speak, where you -- you keep that there because you have VFRs that
13 come in and out, in and out, and you don't get a strip on
14 everybody if they're not on a flight plan or whatever. So when
15 you just have these VFR entries or VFR departure going out and
16 leaving to, you know, whatever, clear to the east and they're just
17 going out to fly VFR, you just jot down the information on a
18 notepad and then cross it out when you're not -- or whatever,
19 however you manage it. It's different for each controller, I
20 imagine.

21 So that being said, do you feel -- did it surprise you? Did
22 this event surprise you, that a pilot had checked in like that,
23 was told to report a downwind and then the controller forgot to go
24 back, or it appears that the controller forgot to go back to them?
25 Did that surprise you that that occurred or is it -- do you think

1 that's something that has a high potential for occurrence there?

2 A. No, that absolutely surprised me given the circumstances,
3 that an aircraft checked in, was given a reporting point,
4 acknowledged that reporting point, and then there was apparently
5 no follow-up. That seemed very, very, very unusual to me.

6 Q. Okay. So you do believe that -- well, I'm trying not to put
7 words in your mouth or something like that. Is it your -- by
8 definition or by current rules or doctrine or whatever in the FAA,
9 do you feel that at the point that pilot checked in and was given
10 an instruction and he acknowledged that instruction, that your
11 facility was now providing services to that aircraft?

12 A. By the letter of the law, the only services that we
13 technically provide are runway separation. But yes, of course,
14 when an airplane checks in, and I believe the pilot thinks they're
15 receiving services from the moment they check in.

16 Q. Yeah. And I know you're not providing radar services. I
17 mean, I know that. You know, that's not --

18 A. Right. Absolutely. However, there has been -- you know, the
19 FAA's position has been as of late that we have a responsibility
20 to ensure the prevention of a collision in the NAS. Now what
21 hasn't been, in my opinion, clearly defined for VFR towers is
22 where do we draw the line? I mean there is a definition of what
23 services are and are not provided. And specifically for Class
24 Delta, separation services will not be provided. And yet, the
25 expectation is there that we will do everything we can to prevent

1 a collision in the NAS.

2 Q. Um-hum.

3 A. You go by the AIM, the AIM recommends you check in 15 miles
4 out. So now it might -- VFR tower guy is supposed to keep a watch
5 on the radar 15 miles out for a guy all the way in?

6 Q. Right.

7 A. Some would say yes. I think if you're talking to a guy, you
8 know, the expectation is, okay, I'm safe; I'm talking to a
9 controller. But that's a big issue that needs to be addressed, I
10 think, system-wide, is what are the expectations of the pilots and
11 what is the expectation of the FAA for a VFR tower to provide that
12 service?

13 Q. That's a really good point, actually. I agree with you, that
14 that very well could be something or should be something that at
15 least gets some visibility to discuss. I would agree. It is a
16 gray area. And I can tell you from looking at it from my side,
17 I've looked at a lot of incidents and accidents in the tower
18 environment, and you're right, there's a gray area there where
19 it's like when do -- where do the responsibility of the controller
20 and the pilot, where do they pick up and drop off, you know,
21 because there --

22 A. Right.

23 A. -- there needs to be something. While we can't black and
24 white everything with a very defined line, we can get to a closer
25 expectation so that pilots -- like you said, so pilots know

1 exactly what they're being provided and controllers know exactly
2 what they're responsible for. So I think that -- you know, I
3 think that the assertion that we will always try to prevent an
4 incident or accident within the NAS, I think that's -- yeah, I
5 mean that's in our mission, right? But I think how you hold
6 someone accountable to it is another story, meaning --

7 A. Right.

8 Q. -- like you said, I would -- you know, there's so much
9 variation, right? I mean, you know, some VFR towers still don't
10 have radar in them. You know, they still exist on
11 (indiscernible).

12 A. Exactly.

13 Q. So it's like even though an airplane checks in with that
14 tower, a lot of them will still use the old phraseology, you know,
15 not in sight; you know, roger, report a left downwind or whatever,
16 report a 4-mile base or something like that. They'll give them a
17 reporting point to get them more into visibility. But they don't
18 see them. They still don't see them, but they're talking to them.
19 So now they're providing a service, right, so to speak. So it's
20 kind of like there's that weird gray area. So I get it. All
21 right.

22 MR. SOPER: Well, I'm going to pass it along right now to the
23 other guys so they can ask some questions. I don't want to
24 monopolize everything here.

25 So, Ted, I'm going to pass it to you.

1 BY MR. ZIMMERMAN:

2 Q. Good morning, David. Thanks for meeting with us.

3 A. Good morning.

4 Q. So I have a few very technical questions for you, the nitty-
5 gritty kind of stuff. So I just wanted to clarify one of your
6 responses, if you don't mind. You know, we were talking about a
7 VFR aircraft and you were talking about runway separation. Is
8 that specific -- I assume that's specific to the VFR, you only
9 provide runway separation for the VFR aircraft, not any kind of
10 airborne separation for the VFR aircraft?

11 A. Correct. Now obviously we provide traffic advisories to the
12 greatest extent possible, you know, within the Delta and outside
13 of the Delta, quite frankly, because people do check in at many
14 different (indiscernible).

15 Q. Sure. So on the -- I was looking through the -- I want to
16 ask some questions about use of the radar and its familiarity with
17 a controller with the radar has, given that the aircraft
18 transition from the northwest to the southeast (indiscernible) a
19 notice. I assume that the Boca-West Palm LOA that talks about the
20 IFR, using the CTRD to provide adequate separation between IFR.
21 So, and I guess that's always in the training invariably. So does
22 the facility conduct radar qualification training so the
23 controllers are made familiar with the use of the CTRD and all
24 that sort of thing, what they can do with it, what they can't do
25 with it?

1 A. Yes. And the controllers, if they have not already done the
2 STARS, full STARS CDI course, we want -- they would be given, if
3 they don't have any experience with that. And every controller
4 takes the radar qualification.

5 Q. Good. That's good. Then, I mean, for VFR specifically, with
6 the controllers we were talking about tracking and pad management.
7 And my understanding was that they -- there's no requirement to
8 track the traffic in any certain way. Like someone can authorize
9 the strips or on paper or a form, for instance, they'll be types
10 of forms and standardization, that you don't have a standardized
11 of way doing kind of those (indiscernible) things.

12 A. At the time, there was a standardized way in our SOP. That
13 has since been rectified.

14 Q. Oh, okay. Yeah, if you don't mind, what did you add?

15 A. They're now required, when an aircraft -- a VFR aircraft
16 checks in, is not on a flight strip, they are required to use the
17 scratch pad and write the call sign down.

18 Q. Okay. Very good. And how often would aircrafts go out that
19 way, off the coast towards Bermuda or Bimini or all the other
20 stuff that's out there?

21 A. Very, very common.

22 Q. Is it -- and they check in, they check out, all that sort of
23 thing, or do the controllers generally preemptively give the
24 frequency change approved thing, or --

25 A. It depends on the scenario and what's going on because very

1 often, again, because we're in south Florida, it's high density
2 traffic. There's a practice area immediately west of us. So very
3 often we're given some traffic calls as they're exiting the Delta,
4 which would usually be accompanied with a frequency change at that
5 time.

6 Q. So there's -- we were talking about upgrades to the 7110 that
7 has a requirement to use memory aids. And is that one of the
8 things you looked at whenever you made the correction to scratch
9 pads?

10 A. Absolutely. The prior process was, which had not been
11 captured in the SOP -- it was part of our training. So we
12 identified that as a spot for improvement. So along with the
13 requirement to write the call sign down, the acknowledgment of the
14 landing clearance is added to that as well. So to checkmark those
15 next to that aircraft for VFR and replacing the checkmark on the
16 flight progress strip for IFR.

17 Q. Was there a change like touch-and-goes, anything like that,
18 for the use for touch-and-goes?

19 A. No. Because of the repetitive nature, we have found that --
20 I mean if you put a checkmark, you're not -- because we're doing
21 two things with those guys. Because we also use a manual clicker
22 for the traffic count itself, so generally that's the jog. Where
23 we're trying to figure out a way to do it and just with the
24 repetitive you have five checks, which one is -- you know, it's
25 just kind of another one of those gray areas that, you know, it

1 really hasn't been an issue for us as far as people not getting a
2 landing clearance or not acknowledging a landing clearance.

3 Q. Okay. Did you -- do you retain those now or do you still --
4 are they just -- you write them down or watch the traffic outside
5 and you dispose of the traffic count sheets as --

6 A. No, we're not -- we would only retain them in the event of a
7 real-time incident as part of the tower record. I don't know,
8 Bruce may be able to speak to if the company's looking at creating
9 some sort of retention or form that we will be keeping. But as of
10 now, the scratch pads -- usually what happens is, when a new
11 controller comes in, they rip it off and start another piece of
12 paper.

13 Q. Certainly. Thanks.

14 So the -- one of the controllers mentioned they get on the
15 CIC and they stay on it all day, and you can track that through
16 your facility log. Is that a practice or is that -- like whenever
17 someone says they have the watch all day, is that -- they're on
18 watch no matter where they are in the building or --

19 A. No. That would be inaccurate. Unless -- there have been
20 circumstances where a person would work an entire shift without
21 taking a break. That's extremely rare. So obviously if they're
22 taking a break, someone else is in CIC. So that would be a very,
23 very unusual circumstance for someone to be the CIC for their
24 entire shift.

25 Q. So probably like (indiscernible) places.

1 A. Right.

2 Q. They -- that's exactly what they do. They take those
3 (indiscernible), receive the watch and they're probably on it all
4 day.

5 A. Yeah, it would be rare for us. Now the only time that might
6 be in effect is if we go to a holiday routine with minimum manning
7 where we're splitting a whole day with two people. Then, you
8 know, obviously because you only have one person, you're the CIC.
9 But that is very, very much an exception to the rule.

10 Q. So what's your shift rotation? Is it like day and night or
11 some people work all day and some people work all nights? Just in
12 general.

13 A. Everybody kind of -- well, throughout their workweek it's a
14 rotating schedule. You usually come back on a closing shift,
15 which is 3:15 to 11:15. And then depending upon where your
16 seniority level is in that hierarchy of five people, everybody
17 works at least one closer, some of the shifts work two. And then
18 there's a middle shift, which is the 12 to 8. And then you end on
19 the opening shifts, which are 6:45 or 07 to 1550.

20 Q. Do you have any radar maps or do you use PBIs?

21 A. We have one that's -- it's a PBI map, which it just depicts
22 our extended centerline for the RNAVs in both directions off of
23 the runway.

24 Q. One of the controllers mentioned they don't normally sign in
25 or sign out using the RACD. Is there -- do you have sign in

1 specifications for them? Them using their own initials or someone
2 else's? Or I guess I'm more focused on the specific filter
3 limits. If some people want to put (indiscernible) filter limits
4 about (indiscernible) well, I want to see up to 60,000 limit --

5 A. Yeah. No. And we all basically use the same map. That's
6 why people don't generally sign on and off. It's configured in a
7 way that everybody -- that's what you're used to seeing, that's
8 what everybody sees. The upper filter limit is set at 5500
9 because it just filters out all the crossing traffic going over us
10 and that way we can focus on what's a factor for us entering and
11 exiting the Delta.

12 Q. Okay. What about as far as resets? So the RACD is reset
13 sometimes they default to a base value, which sometimes is as low
14 as 2,000. Is that -- it's adjustable, but I'm just curious if
15 you --

16 A. Well, it just happened the other day actually. They were
17 doing some sort of map updates. The way you are alerted to that
18 is when you come in, the radar is not on the map that it's always
19 on.

20 Q. Oh, okay.

21 A. At that point somebody will sign in and use the press set
22 which resets it to what pretty much everyone uses.

23 Q. Okay. All right. I'll come and visit. I'll handle that
24 problem for you, too.

25 A. Thank you.

1 Q. I'll stop down and (indiscernible). I'll help you out with
2 that. I'm good with those.

3 So we talked about where the controller sits, in the corner
4 on the north side of the -- or northwest side of the facility.
5 I -- observing the pole there with the -- it looks like there's a
6 triangle kind of got the thing on it. Is that -- do you find the
7 pole --

8 A. Are you talking about at the local control position or --

9 Q. Yeah. Local. Local.

10 A. There is -- the way that the tower --

11 Q. The pole (indiscernible) --

12 A. I'm sorry?

13 Q. The pole that's got the thing on it. It looks like it has a
14 triangle-shaped piece of metal on it to make the pole even more of
15 a pole than a normal pole.

16 A. Well, that's not its actual function. The actual function is
17 that's the track for the storm shutter.

18 Q. Ah. Okay. Okay.

19 A. Which it really does also function as a good view blocker.
20 There's literally a spot in that tower, where if you stand 3½ feet
21 back from that stanchion, that the way they place the tower cab
22 and the molding for windows -- if you said design a tower that
23 blocks midfield downwind in the approach end of both runways,
24 that's how you would do it.

25 Q. Oh, wow. That's interesting. Add that to my engineering

1 drawings, don't block -- blocking the approach under a railway
2 (indiscernible) is my personal favorite. But, you know, we do it
3 frequently enough, I guess, but --

4 A. That spot that's in the tower, and I've often joked about
5 putting an X there, because I've had people do it. If you stand
6 in that one spot, you can't see the approach end of either runway
7 or midfield downwind.

8 Q. Wow. A good conservation piece for (indiscernible), you
9 know, you guys have a report. But do not stand here.

10 A. We don't stand in that spot.

11 Q. Wow. That's wild. So but the controller kind of faces
12 towards the northwest, he wouldn't -- given where a controller I
13 assume sits, they don't stand the whole time. Some facilities
14 stand the whole time. I assume the controllers will sit usually?

15 A. Well, it depends on the air traffic level generally. You
16 have to move around to look, to see, to look around the
17 stanchions, to do -- so I know -- you know, out of habit, I start
18 getting busy, I stand up.

19 Q. Uh-huh. In general, would there be any obstructions, you
20 know, specific to the aircraft we were talking about, the west or
21 the northwest or the southeast, granted at a higher altitude than
22 you would expect to have -- would there be any other obstructions
23 that you can think of, the edge of the cab line, anything up on
24 the edge of the cab roof that would -- out the window or anything
25 up there that would likewise would obscure what you can see up

1 that way?

2 A. No, not really. It would depend of course on where
3 physically the controller was sitting or standing at the time.
4 But, yes, I mean we're all well aware that those mullions are
5 something that -- you know, we all are constantly moving around to
6 look around them. I mean even on the taxiways with taxiing
7 airplanes, you would think -- but it's a good several seconds that
8 an aircraft can be completely masked by that center stanchion.

9 Q. And we talked about shades a little bit, shades up, shades
10 down, double shades. You have various crews, some crews are
11 double shade crew where they have all the -- even if it's midnight
12 and a thunderstorm, they have both shades down. Is anybody shades
13 up you can think of that would be applicable to that day or that
14 time?

15 A. No. The guys that were working that day are shades down
16 guys. I have one guy that's a shades up guy. And my -- there's
17 no written directive on it, but generally we go with how the local
18 controller who's looking out those windows, how they're
19 comfortable working. They're usually the one that gets to pick
20 the shade orientation.

21 Q. And then how typically do you do -- anyone do half shades or
22 is it just straight up or straight down? Like I guess do you have
23 a -- you have a lot of cord driven shades. They're not electric
24 shades, but do you have any half shades, quarter shades, top of
25 the, you know --

1 A. The one guy that is usually no shades, he sometimes will do
2 half shades, but usually they're up or down.

3 MR. ZIMMERMAN: I think that's probably it for me. Thank
4 you. Thank you for your -- for being that familiar as an ATM.
5 That's reassuring that you're easily answering all these
6 questions, at least in my consideration. Thank you.

7 MR. BEZANIS: Sure.

8 MR. SOPER: Thanks, Ted. Appreciate it.

9 Dan, we'll take it to you, buddy.

10 MR. CARRICO: Sorry. I had to step away to plug my computer
11 in.

12 BY MR. CARRICO:

13 Q. So, first, Dave, thanks for being here. I don't have a lot
14 of questions. I think most of them were answered with the
15 complexity and the volume that was missing from previous
16 interviews. Nice (indiscernible) -- that was (indiscernible) on
17 the phone. I like that (indiscernible).

18 The one thing that I -- when I listened to the recordings
19 when we got them, there was -- going back to the scratch pad, one
20 of the things that I heard was a pilot had asked for a frequency
21 change. I don't know if that pilot departed or was just
22 transitioning. Is it -- how would you -- do they have a strip or
23 how does the local controller know this person took off? What's
24 their memory jogger for that?

25 A. Again, if it's IFR, we'll have a strip or VFR flight

1 following. And the process for everyone has always been to write
2 it down.

3 Q. Okay.

4 A. Write it down (indiscernible).

5 Q. So they write their departure down. If it's just a VFR
6 person that's going to go -- they don't want flight following,
7 they're just going to go tool up and down the coast or whatever.
8 I'm not very familiar with the area. I've never been there, so --
9 but I just want take off, go on a little sightseeing tour with my
10 kids or something, I'm going to go out, fly the coast and then
11 come back later. Do they normally write up like a written strip
12 for ground control and local or are they just taxiing to the
13 runway and let it go?

14 A. No. They taxi into the runway -- my personal preference is,
15 if I'm not terrible busy in local control, when I hear a guy
16 taxiing out VFR with ground, I write it on my scratch pad then.

17 Q. Okay.

18 A. I already know who's down there.

19 Q. Okay. And I'm assuming the same for if somebody is just
20 going to transition the airspace. You know, like if this
21 person -- and Ted's mentioned several times some islands off the
22 coast there. If somebody calls up and wants to transition, do you
23 write that call sign down, too, or just the aircraft that are
24 coming in? And I guess I'm more speaking to what your current SOP
25 now says, where you're going to write down all the landing

1 aircraft. Does that include the overflights and those that
2 transition the airspace also?

3 A. The way the SOP is currently written it applies to arriving
4 aircraft. That's something Bruce and I will discuss, if we want
5 to -- I mean, the process in general, from ATC 101, is a guy calls
6 you, you write the call sign down. Now we do have, and one
7 probably one of the best things in my air traffic career, is with
8 ADS-B now in STARS we have a quick look that we can press a button
9 and the call sign now comes up on the radar, which is --

10 Q. Oh, okay.

11 A. -- the best thing sliced bread for a VFR tower. Because you
12 can have five guys written down on scratch pad going around and
13 around in the pattern. You might lose track of who's who, where.

14 Q. Certainly.

15 A. Hit that button and that's cleared up for you
16 instantaneously. In my process, when I'm in the tower, obviously
17 I'm observing the operation, people write the call signs down.
18 It's just -- because they're going to forget. You know, stuff
19 happens. And what's really good is that ADS-B quick look cuts
20 through -- because very often we have -- this is a high volume
21 training environment and there's a lot of student pilots where
22 English is not their first language and you cannot understand them
23 on first, second, third try. But now you can press a button and
24 go, okay, that's what he was saying.

25 Q. Gotcha.

1 A. And down from there, which is a fantastic tool for us.

2 Q. Sure. Okay. Other than that, I have nothing. Thank you
3 very much, Dave.

4 A. Certainly.

5 MR. CARRICO: Brian.

6 MR. SOPER: Thanks, Dan. Appreciate it.

7 BY MR. SOPER:

8 Q. All right. So, Dave, I don't want to keep you too much
9 longer, but I -- you know, I think we've covered a lot of the
10 things technically about the facility that I wanted to capture
11 anyway. Really -- some really good questions from Ted and Dan,
12 which alleviated more than I had.

13 So I would just like to shift to, since the accident, the
14 hindsight 20/20 thing, the ability to be looking at this operation
15 moving forward, have you -- and I believe Bruce might've shared
16 some stuff with me earlier, but I kind of want to just get an
17 update from you there on since the event, have you implemented
18 anything there at the facility? Have you changed any procedural
19 stuff? Are you still ongoing looking at things or what's the
20 status of all of that right now? Has there been any changes or
21 anything?

22 A. It's a little bit of all of that. I mean obviously this is a
23 continuing process for all of us.

24 Q. Yeah.

25 A. We don't -- you know, we identify a problem and, you know, a

1 situation like this comes up and hopefully we can learn from it,
2 which I think we have. Identified a hole in my SOP at the
3 facility level. It somehow -- a directive that had been
4 implemented in 2016 had not been carried forward, but it was being
5 briefed and trained for the use of the scratch pad. And it's
6 something that, like I said, when I'm in the tower, I'm observing
7 the process and everybody's using that process of writing call
8 signs down and the checkmarks for the acknowledgment of the
9 landing clearances and how we were complying with that directive.

10 But not having that specifically enumerated in the SOP leaves
11 that little bit of leeway for somebody to say, well, it wasn't in
12 there or I wasn't aware of that, and that way that hole has been
13 filled in where, you know, it's specifically enumerated both in
14 the position responsibilities for the local controller as well as
15 the appendix for use of memory aids. The scratch pad is
16 specifically named as a memory aid in that appendix now. So there
17 is no doubt on what the expectation is going forward on keeping
18 track of the airplane. Now having said that, you know, when I
19 asked Dan, the controller the involved in the incident, he
20 couldn't remember if he wrote the call sign down or not.

21 Q. Yeah.

22 A. My estimation, based on just the way the transmissions went,
23 because he was talking to an airplane that was winding down,
24 changing to a full stop, the aircraft -- incident aircraft checks
25 in, he doesn't go to him immediately. He goes back because Lima-

1 Uniform asked for a full stop instead of a touch-and-go. He
2 cleared him, didn't get an acknowledgment of the clearance. Goes
3 back and clears him again, and then immediately went back to 670-
4 Bravo-Sierra and used the full -- he said, experimental Lanza 670-
5 Bravo-Sierra. So going back and forth, back and forth like that,
6 I'm like, are you sure you didn't write it down? He just -- he
7 couldn't remember if he wrote it down or not.

8 Q. Yeah. Yeah, and that's understandable.

9 A. Yeah. So putting that in the SOP, rebriefing everybody on
10 the expectations and putting it in the -- specifically in the
11 position responsibilities for local control, which part of our
12 process is, those position responsibilities are in the position
13 binder at every position and will be a, you know, a reference for
14 everyone going forward so that this hole is forever filled in.

15 Q. Okay. Good deal. All right. So you guys, so you've made an
16 actual physical change to the SOP already?

17 A. Yes.

18 MR. SOPER: Okay.

19 And, Bruce, did you already provide me a copy of that?

20 MR. BIVINS: Not the updated one.

21 MR. SOPER: Okay. I couldn't remember. I think you
22 mentioned it to me, though. I think you already told me like it
23 was being done. So --

24 MR. BIVINS: Yeah. We sent it to Emily last week.

25 MR. SOPER: Okay.

1 MR. BIVINS: I don't know if she sent it to you though.

2 MR. SOPER: No, probably not. But if you could send it to
3 me, that'd be great. Unfortunately, when it comes to --

4 MR. BIVINS: I can do that.

5 MR. SOPER: -- with FCP, they don't always -- you know, we --
6 they don't put the things --

7 MR. BIVINS: You don't -- I don't know. Do you have access
8 to the repository?

9 MR. SOPER: No, I don't. That's why I have to ask you to
10 send it to me. So if you could just sent it to me electronically,
11 that'd be great.

12 MR. BIVINS: Of course.

13 MR. SOPER: And I'll make sure the other group members here
14 get that as well. So, that's good. I'm glad to hear that you
15 guys have done that. That's a positive thing.

16 Let's see. I think that's about all I have.

17 Ted, do you have any "Oh, by the ways"?

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

19 MR. SOPER: Okay. Dan, how about yourself, do you have any
20 "Oh, by the ways"?

21 MR. CARRICO: No, I do not.

22 MR. SOPER: All right. Okay. I think that'll sum it up for
23 me, too. So I am going to stop the recording now. I show the
24 time at 10:11 Eastern.

25 (Whereupon, at 10:11 EDT the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

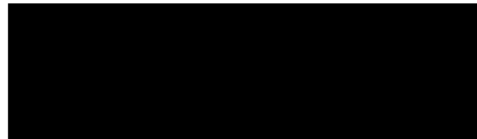
IN THE MATTER OF: LANCAIR 320, N670BS FATALITY
 IN BOCA RATON, FLORIDA
 ON FEBRUARY 24, 2021
 Interview of David Bezanis

ACCIDENT NO.: ERA21LA141

PLACE: Via Video Conference

DATE: March 25, 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