

ERA23FA108

AIR TRAFFIC CONTROL

Group Chairman's Factual Report - Attachment 4
Interview Transcripts

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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PIPER PA-32R-301 FATAL *

ACCIDENT NEAR DAYTON, VIRGINIA * Accident No.: ERA23FA108

ON JANUARY 11, 2023 *

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Interview of: JOSEPH HOFFMAN

Linden Sector OJT Instructor (R9-OJTI)

Federal Aviation Administration

Washington Air Traffic
Control Center (ZDC ARTCC)
825 East Market Street
Leesburg, Virginia

Tuesday,
January 24, 2023

APPEARANCES:

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<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Joseph Hoffman:		
By Mr. Soper		6
By Mr. Myers		19
By Mr. Alliston		24
By Mr. Soper		27
By Mr. Myers		30
By Mr. Soper		33
By Mr. Myers		36
By Mr. Bunch		38
By Mr. Alliston		38
By Mr. Soper		40
By Mr. Alliston		42

I N T E R V I E W

(1:20 p.m. EST)

MR. SOPER: Okay. Good afternoon. My name is Brian Soper. I'm an air traffic investigator with the NTSB, and I have here with me today, if you could for me, sir, state your name, first and last name for the record.

MR. HOFFMAN: Joseph Hoffman.

MR. SOPER: Joseph Hoffman. And, you were the CPC that was providing OJTI at the time of the incident. Is that correct?

MR. HOFFMAN: Yes.

MR. SOPER: Okay. And you have with you -- this is your selected representative. And if I could, sir, have you state your name.

MR. WILT: Aaron Wilt.

MR. SOPER: How do you spell your last name?

MR. WILT: Wilt, W-i-l-t.

MR. SOPER: Okay. Thank you very much. And you are the FACREP here?

MR. WILT: Acting FACREP, yes.

MR. SOPER: Acting FACREP, okay, for NATCA. I also have in the room with me, Mr. Jason Alliston from -- he is here with us out of -- I'm sorry, again what facility?

MR. ALLISTON: Columbus Tower.

MR. SOPER: Columbus Tower, acting ATM at Columbus Tower or on detail rather as ATM at Columbus Tower. I also have with me

1 Mr. Anthony Bunch who is here with NATCA. He is an ASI in
2 training with NATCA, and he comes to us out of the Southern
3 California TRACON. And lastly I have Mr. Seth Myers with us out
4 of Boston Center, also representing NATCA, as the lead ASI here.

5 The investigative process here, just so that you -- we have
6 an understanding, the NTSB is -- as I mentioned earlier, is an
7 independent federal agency charged by Congress with the
8 investigation of civil aviation accidents and incidents and other
9 transportation-related incidents and accidents and developing a
10 probable cause. And hopefully from that, being able to develop
11 safety recommendations either to industry or some segment of
12 industry to prevent reoccurrence. And that's our whole job in a
13 nutshell.

14 We're not interested in fault or who's to blame. We are not
15 affiliated with the Department of Transportation or the FAA in any
16 way. We're separate by design.

17 And the -- as I mentioned, we record these interviews, and
18 this recording will be provided for transcription to a court
19 reporter, and the transcript will come back to us and be verified
20 by the group for accuracy as well as a copy provided to you to
21 review for accuracy. Once those have been reviewed and any
22 corrections made, that is the document that will become part of
23 the final record, and the recording is not made part of the final
24 record.

25 Do you have any questions with us before we begin?

1 MR. HOFFMAN: No.

2 MR. SOPER: All right. So I'm going to start off. We will
3 go in kind of a round robin fashion as I mentioned earlier. I'll
4 start off with some background questions, and we will go around
5 the room then until we've all asked everything we need to ask.
6 And then we'll get you out of here if you don't have any questions
7 for us.

8 So I showed our start time at 13:20 local here.

9 INTERVIEW OF JOSEPH HOFFMAN

10 BY MR. SOPER:

11 Q. And, if you would, can you spell your first and last name for
12 me?

13 A. Joseph, J-o-s-e-p-h.

14 Q. Yes.

15 A. Hoffman, H-o-f-f-m-a-n.

16 Q. And what was your age on the day of the incident?

17 A. 48.

18 Q. And your operating initials here?

19 A. Lima Lima.

20 Q. And we already said you were the CP providing OJTI on R5,
21 right?

22 A. Yes.

23 Q. Does R5 have another name here? Do you guys have a name for
24 that sector at all?

25 A. Linden.

1 Q. Linden?

2 A. Linden-Casanova because it's usually combined up.

3 Q. And it was combined up on this day, correct?

4 A. Correct.

5 Q. All right. And do you have any prior FAA work experience,

6 FAA -- I'm sorry, military, DOD, contract tower, anything prior to

7 the FAA for air traffic?

8 A. DOD and military.

9 Q. Okay. And what was your, what was your military?

10 A. I was in the Navy for eight years.

11 Q. Okay. From what year to what year?

12 A. From '93 to 2001.

13 Q. Where were you at?

14 A. I was at Bremerton, Washington on the USS NIMITZ for two

15 years and then at the Navy Fallon for six.

16 Q. Okay. Did you know Carl Warner?

17 A. Say that again.

18 Q. Did you know Carl Warner?

19 A. Carl Warner. It doesn't sound familiar.

20 Q. Okay. That time might not have overlapped. I retired from

21 the Navy as a controller.

22 A. I see.

23 Q. I was in the same time as you. I went in in '86 and left in

24 2010. All right. And DOD, where did you go?

25 A. I was in Fort Polk, Louisiana.

1 Q. From when to when? Years.

2 A. That would be 2001 to 2003.

3 Q. And is that when you got picked up by the FAA?

4 A. Yes.

5 Q. Okay. Cool. And you were a controller in the Navy, correct,
6 the whole time you were in?

7 A. Not the whole time. I was undesignated for the first two
8 years and then --

9 Q. Okay.

10 A. -- on the USS NIMITZ and then the six years at Navy Fallon I
11 was a controller.

12 Q. All right. Excellent. So what year did you go through air
13 traffic school in the navy?

14 A. I went through in '95 I think it was.

15 Q. Okay.

16 A. And they only took the last --

17 Q. Yeah, I was going to say. I know I went in like '90 or '91,
18 because I crossed rated myself and -- yeah, it wasn't long after
19 that, they got rid of Millington. All right. Do you hold any
20 collateral duties here at this facility or have you been on any
21 recent details that have taken you out of the facility affecting
22 currency or proficiency?

23 A. No.

24 Q. Okay. And if you would, give us your kind of 10,000 foot
25 bio, right. And what I'm looking for here is just as it relates

1 to aviation, what brought you here today. So, hey, I'm in high
2 school. I thought I was interested in aviation or whatever it
3 was. I went into the Navy. I did this. I got a college degree
4 in that. I got my pilot's license. Just that kind of run through
5 the bio bringing you to here.

6 A. Graduated High School, went to college for a semester,
7 quickly learned that it cost a lot of money to go to college. So
8 I joined the Navy. While going through the Navy training, they
9 introduced a lot of the jobs that you can do. Air traffic and air
10 traffic looked pretty interesting. So I chose that.
11 Unfortunately the route I went through, I couldn't go immediately
12 into it. So I had to go to the ship for two years and then after
13 that, I could strike which I did and left going there. I then
14 fell in love with it and decided to stay with it ever since.

15 Q. Cool. And did you, did you -- do you have a pilot's license
16 or anything?

17 A. No.

18 Q. Did you pursue any of that?

19 A. No.

20 Q. Okay. And have you ever been terminated, suspended or asked
21 to resign from any position since you've been with the FAA?

22 A. No.

23 Q. All right. And how would you describe your overall health in
24 terms of excellent, good, fair, poor?

25 A. Excellent.

1 Q. Okay. And you have a medical clearance that was current at
2 the time of the accident. Is that correct?

3 A. Yes.

4 Q. And do you have a requirement to wear corrective lenses at
5 all?

6 A. No.

7 Q. Okay. And do you have any other restrictions or limitations
8 to your medical clearance?

9 A. No.

10 Q. Were you taking any maintenance or any over-the-counter
11 medications on the day of the incident --

12 A. No.

13 Q. -- that you can recall? All right. And was a drug or
14 alcohol screen performed or toxicology after this event?

15 A. Yes.

16 Q. And do you know how long after that was? So this is rough --

17 A. Two days I think.

18 Q. -- not precisely. What was that? I'm sorry.

19 A. Two days I think.

20 Q. About two days. Okay. And any major changes in your health
21 over the last year, good, bad or indifferent? This can be things.
22 We're looking for big stuff like, yeah, I had pins put in my arm
23 or, you know, I had a major surgery or --

24 A. No.

25 Q. -- that kind of stuff?

1 A. Nothing.

2 Q. Okay. And how about major changes in your personal life?
3 Got married, got divorced, had a child.

4 A. No.

5 Q. Big things, okay. And how about major changes in a financial
6 situation? Won the lotto, filed bankruptcy.

7 A. Unfortunately no.

8 Q. You wouldn't be here. I know that. All right. And then
9 this one is a little bit harder to do but we really want you to
10 think back and try to put yourself back. So the 72 hours leading
11 up to the time of the accident, so for those 3 previous days. Was
12 there anything in those three previous days that you can recall
13 that were a disruption in your normal daily routine or life so to
14 speak? Like, where you didn't get your normal meals or food or
15 you didn't get your normal sleep, whether it was because you were
16 sick, whether you had a family member sick, somebody you knew was
17 in a car accident, you went on a trip or a vacation.

18 A. No.

19 Q. Anything like that that disrupted your normal --

20 A. Nothing.

21 Q. So like to the best of your knowledge, it was like any
22 normal --

23 A. Correct.

24 Q. Okay. And did you file ATSAP as a result of this event?

25 A. Yes.

1 Q. Did you get an acknowledgement back from the ERC that they
2 received it?

3 A. Yes.

4 Q. Okay. And have you been interviewed about this event prior
5 to now?

6 A. No.

7 Q. Okay. And you just --

8 A. Actually, I'm sorry.

9 Q. -- briefly --

10 A. I did have one. I think it was on the Monday following. I
11 can't recall.

12 Q. Was it part of the CER process maybe or was it --

13 A. It might have been.

14 Q. -- or SSR, whichever?

15 A. It was through a local facility.

16 Q. So it was a local facility personnel --

17 A. Correct.

18 Q. -- that you were meeting with, right? Okay. And have you
19 had an opportunity to review replays of this event?

20 A. I have, yes.

21 Q. And that was like a Falcon like, where you're able to get
22 audio and video?

23 A. Correct.

24 Q. Do you remember the last time you actually observed that
25 last?

1 A. That was the morning that I found out that the aircraft was
2 lost.

3 Q. Okay.

4 A. That Thursday morning.

5 Q. All right. Thinking back now to the day of the event, was a
6 relief briefing conducted when you took the position?

7 A. Yes.

8 Q. And did you utilize a checklist?

9 A. Yes.

10 Q. Is in your -- was it a physical checklist or one that was --
11 the one that's embedded in the scope or --

12 A. It was the one in the scope.

13 Q. And was it recorded?

14 A. Yes.

15 Q. Okay. So on a scale of 1 to 5, 5 being the heaviest, how
16 would you rate the traffic volume at the time of the incident on
17 the position?

18 A. 3.

19 Q. Okay. And do you feel that was normal, above average, below
20 average, for that time of day and --

21 A. Normal.

22 Q. So it was a normal expectation. And on a scale of 1 to 5, 5
23 being the most complex, how would you rate the traffic complexity?

24 A. 3 I would say.

25 Q. 3. And same question, was that normal for that time of day

1 traffic?

2 A. Normal, yes.

3 Q. Okay. And do you recall, were there any distractions at or
4 leading up to the time of the event? This can be anything
5 meaning, you know, the room climate was, you know, the heat wasn't
6 working. The air wasn't working. There was loud banging, and the
7 techs were working on something in the area behind us or we had --
8 we were having comm problems or there was an emergency in progress
9 somewhere else in the sector. Anything that could have been a
10 distraction during or leading up to the operation at all?

11 A. No.

12 Q. Okay. And do you recall the general weather conditions
13 around the time of the event? And I'm not looking for you to spit
14 out a METAR but was it IMC, VMC? Was there precip, no precip?
15 Any advisories in the area that you can recall?

16 A. There was precip depicted.

17 Q. Okay.

18 A. And no advisories that I had received in that area.

19 Q. Okay. And had you received the pre-duty weather briefing on
20 that day?

21 A. Yes.

22 Q. Do you recall, was there anything in it that stood out to you
23 as concerning or things that you wanted to note or as you were
24 taking the position, was there something that just stood out or
25 no?

1 A. No.

2 Q. And this is more of an opinion question, but when it comes to
3 pre-duty weather briefing, how well is it serving you here in your
4 opinion? Like for you, does it -- how much does it help you
5 prepare for the weather to expect on the watch? Is it -- does it
6 help you a lot? Does it help you some? Does it help you a
7 little? Does it help you very little or almost none?

8 A. I would say almost none.

9 Q. Okay. Do you feel there is something that if they would
10 provide this information, it would be helpful to you or do you
11 feel that you're better self-briefing or whatever on -- through
12 your own means?

13 A. I'm not sure what they could do.

14 Q. Okay. No, that's fair. You know, if you don't know
15 something. Sometimes people have something in their head like if
16 they could do this, that would really be helpful but they don't
17 seem to be able to do that. So. All right. And do you recall,
18 did you have a cellular phone or PED on you at the time of the
19 event?

20 A. No.

21 Q. All right. And had you requested a relief or assistance
22 leading up to the time of the event? Like were you waiting on a
23 relief like, hey, man, where's the relief? I --

24 A. No.

25 Q. You know, that's part of normal rotation.

1 A. Correct.

2 Q. Okay. And are you the one that notified the supervisor about
3 this event?

4 A. Yes.

5 Q. Okay. And do you recall when that was? Did it happen -- was
6 it right away essentially? I mean --

7 A. Right away.

8 Q. -- once you had lost comms? Okay. All right. Okay. So
9 that's it for background questions. What I'd like you to do now
10 is, if you would, tell us the story in your own words. And what
11 I'd like you to do is just -- and in this case, I want you to be
12 as detailed as possible because sometimes the most mundane odd
13 details make a lot of sense. Like if you -- I remember this
14 because I looked at this and it said four (ph.), you know,
15 whatever. I mean if you have a detail please include it. But
16 what we're looking for here is pick us up about from everything
17 you can remember from the time you guys took the handoff on the
18 aircraft in question, all the way through until you had notified
19 the supervisor that you've lost radar and radio communications.

20 A. I took the handoff from Potomac Approach. It was level at
21 6,500 VFR. He checked in. My trainee gave him the Shenandoah
22 altimeter I believe, stayed there for a few minutes. I'm not sure
23 of the timeframe, but eventually he said that I'm going to drop
24 down to 5,500 for a minute. And then we observed him descending
25 to 5,500. As he did that, there were -- there was weather east

1 and west of him but it was a pretty wide gap of any depiction that
2 I saw on radar. I saw nothing in his flight path that he was
3 going through.

4 So kind of went back to doing what we were doing. There was
5 another departure push starting to come out up in the northeastern
6 part of the scope. And looked back. He had descended to 5,500.
7 It seemed like he was still there. Went back to work with the
8 northeastern part of the sector again. And I'm not sure how long
9 it was before we came back to him, and noticed it was in a coast
10 track. I never observed him leave 5,500. He never said anything.

11 So at that point, I told my trainee to call Potomac Approach,
12 Charlottesville Sector, and see if they see anything out there
13 primary or a target or a beacon or anything like that. They said,
14 no. I believe there was a FedEx that was descending into Dulles
15 at the time, pretty close to that area. I asked the trainee to
16 ask him if he could go on the frequency and see if he can get
17 communications with the -- that aircraft. He attempted. There
18 was nothing there.

19 So at that point, I told the supervisor, hey, this guy -- we
20 lost radar on him, lost comms. Told him what we did. And then I
21 believe we went on Guard and tried to contact him that way. Still
22 nothing.

23 Q. Okay.

24 A. That was basically it.

25 Q. All right. And so this kind of was -- it seemed like when I

1 was looking at the replay at that time, I noticed the guy was down
2 at that altitude stratum. Most everything you were working was
3 high. Is that -- how -- do you guys work traffic routinely below
4 10,000 there? I mean do you have a lot of that? I mean is it
5 fairly routine or is it --

6 A. It's fairly routine.

7 Q. So that is fairly routine for you guys to be working that.
8 And as far as the mountainous terrain out there. So we know
9 there's an area of mountainous terrain that cuts through that area
10 and stuff. Are you guys -- was there ever any -- did a discussion
11 ever come up when you were on position, as this guy's traveling,
12 he wanted to descend down to 5500, if he was going to start
13 encroaching that mountainous terrain at all? Was there a
14 discussion --

15 A. No.

16 Q. -- on that matter with the trainee? Nothing. Okay. And to
17 your recollection or if you even know, do you know what the
18 highest heights of the mountainous terrain is through that area
19 that you have to be concerned with?

20 A. Natural terrain, no.

21 Q. Okay. All right. Very well. So you had a trainee position.
22 So are you her primary trainer?

23 A. I am now.

24 Q. Okay. And how long have you guys -- has she been in training
25 with you roughly?

1 A. From I think the beginning of the year maybe.

2 Q. Okay. And is this her first radar position?

3 A. Yes.

4 Q. Okay. And was she qualified at another facility before this
5 or is this her first do you know?

6 A. I don't know.

7 Q. Okay. All right. And do you know if a -- was a PROC written
8 up for you on this event or her --

9 A. I don't know.

10 Q. -- that you're aware of?

11 A. What is that?

12 Q. A performance record of counseling. Did you do a written
13 write up or anything?

14 A. No.

15 Q. Okay. All right.

16 MR. BUNCH: Did you say no?

17 MR. HOFFMAN: No.

18 MR. SOPER: All right. Very good. I'm going to go ahead and
19 pass off. I definitely have more questions, but I want everybody
20 to be able to start asking some questions. So I'm going to pass
21 along first to Mr. Seth Myers.

22 BY MR. MYERS:

23 Q. I just want to piggyback on some of the questions that Brian
24 asked. Pre-duty weather brief, and when you say it's not much
25 stuff in those, but are you guys allowed enough time to do those?

1 A. Yes.

2 Q. Typically walk me through when you come, at the beginning of
3 your shift, you know, do you come in and immediately do those?
4 When do you do your MBIs? Like before you go take position. Just
5 walk me through what you do there.

6 A. Usually just walk into the control room. There's two
7 separate areas where you can go to listen to it. I normally
8 listen to the one that's towards the front of the control room,
9 and go down, sign in the computer, check my CEDAR, check off that
10 I've received my pre-duty weather briefing, sign it and sometimes,
11 not always in that order, but -- and then I continue to the
12 position.

13 Q. I know you told Brian that those positions are -- were
14 combined that day.

15 A. Yeah, four combined positions on that day. It was 1, 2, 5
16 and 29. So Linden, Casanova, Elkins and Hot Springs Sectors.

17 Q. And you did not have a d-side?

18 A. No.

19 Q. And you said that typically they are combined, correct?

20 A. Yes.

21 Q. And that's -- and how long have you been in Area 6?

22 A. Area 6, I think it's been eight years now.

23 Q. And you'd say for those eight years, it's always been like
24 that, not pre-COVID, post-COVID?

25 A. No, it's typically been -- I mean 2 and 5, the Linden and

1 Casanova Sector, I think they've been split once or twice since
2 I've been here, but other than that. The other two, Elkins and
3 Hot Springs, they get separated out often but the combination is
4 those four sectors.

5 Q. Gotcha. Do you know what map values are?

6 A. No. Maybe not the --

7 Q. Maybe I'm using a different term. It comes up on the TSD
8 sometimes. There's the numbers in red.

9 A. Yeah.

10 Q. Gotcha. Do you know what those --

11 A. The supervisor -- I'm aware of what they are, but I don't
12 know what they really mean.

13 Q. Okay. Are they posted in your area?

14 A. No.

15 Q. So you don't have any way to look at those?

16 A. Usually -- no.

17 Q. Okay. So before you sit down and work a position, some
18 people use that as an indicator. What is your indicator of the
19 workload or the volume? Do you just strictly rely on the position
20 briefing or what do you rely on?

21 A. I rely on the supervisor at the time to keep an eye on that
22 to make sure that we're staying within reason when it's combined
23 up. I don't have any input on what those numbers mean.

24 Q. Okay. When you were saying that the complexity and the
25 workload at the position on that day was a 3 for someone that

1 was --

2 A. Normal, yeah.

3 Q. -- do you think it was a 3 for the trainee?

4 A. I do.

5 Q. Okay. So those -- my main question is going to be, do you
6 know that map values can be dynamically adjusted for the workload
7 on the position and, you know, they changed the reg a few years
8 ago about duty priority and calling the weather. So obviously
9 there's been no talk here about -- you don't remember a MBI or
10 anything about the duty priority and calling the weather being
11 mandatory and duty priority like every --

12 A. Yes.

13 Q. Okay.

14 A. And we've had training on that, yes.

15 Q. Okay. Are you familiar with the Washington Center Local
16 Safety Council?

17 A. Vaguely.

18 Q. What do you think they do here?

19 A. Keep an eye to make sure that we're complying with things
20 that we need to do, calling weather. I believe that would be part
21 of their description.

22 Q. Have you ever been involved with them?

23 A. No.

24 Q. Have you ever been to a monthly safe discussion? Do you know
25 what that is?

1 A. Yes, I've been to maybe a handful of those since --

2 Q. Eight years.

3 A. Yeah.

4 Q. Okay. Have you -- how would you go to one of those? How
5 would you know to go to one of those?

6 A. The supervisor would send us back to go and get the briefing.

7 Q. Okay. The handful that you've been to, what have they been
8 on? Do you remember?

9 A. I'm sure there would have been weather in there. It's been a
10 while since I've been to one.

11 Q. Do you know who's on the Washington Center --

12 A. No.

13 Q. -- Local Safety Council?

14 A. No.

15 Q. Anything else -- let me ask that again. Did you go to
16 recurrent training last year?

17 A. Yes.

18 Q. Do you remember what was on it?

19 A. That's the one that we do -- there was weather associated
20 with the simulation that we did, merging targets, emergency
21 aircraft, intercept aircraft. I believe those are --

22 Q. In your -- and you've been around long enough. Do you think
23 recurrent training serves a purpose? Could it be better?

24 A. It could be better. I mean it's redundant. We've seen the
25 same scenarios for a while. So.

1 Q. Anybody ever reach out to you and ask what you would like to
2 see in recurrent training?

3 A. No.

4 MR. MYERS: I'm all set, Brian. Thank you.

5 MR. SOPER: Okay. Thanks, Seth. Anthony?

6 MR. BUNCH: I have no questions.

7 MR. SOPER: Okay. Jason?

8 BY MR. ALLISTON:

9 Q. So with your trainee, how often -- you said you've been
10 training her since roughly the beginning of the year?

11 A. Yes.

12 Q. How often have you two discussed weather and PIREP
13 dissemination?

14 A. Formal discussion, we haven't.

15 Q. Okay. So I guess that kind of leads to the second question.
16 So there really hasn't been much documentation as far as Dash 25.
17 So when you've been involved in weather situations and things like
18 that?

19 A. I don't, I don't believe so.

20 Q. And I guess I should back up, because we just did switch over
21 a year. The beginning of '23.

22 A. Yes.

23 Q. So we've had that a few days.

24 A. Yeah.

25 Q. Okay. So, yeah, I've just got to get my mind right on the

1 dates there. So additionally, so PIREPs have kind of been a focus
2 item for this facility for a while. Do you recall roughly how
3 much training you received on PIREPs and weather dissemination in
4 the past year?

5 A. I don't remember the time or an amount that we've had
6 training on, but I know it's been brought up.

7 Q. Okay. And -- because I believe there's been three or four
8 briefing items. When these -- actually I'll get a little bit more
9 narrow. So do you know what ICV and ECV are?

10 A. No.

11 Q. Okay. So ICV is internal compliance verification and ECV is
12 external compliance verification. It's a QC process. So those
13 basically go through a long list of items, and judge on compliance
14 or noncompliance. So if a facility was found noncompliant for
15 PIREPs and weather dissemination on both ICV and ECV. So there's
16 been mitigations in place. Were you aware of the mitigations that
17 the facility have in place?

18 A. No.

19 Q. Okay. And in your time in this facility, how many
20 discussions would you say you've had with a supervisor regarding
21 weather or PIREPs?

22 A. Once or twice maybe.

23 Q. Do you know if any of those were documented like a
24 performance record of conference?

25 A. No.

1 Q. So we touched briefly on the local safe discussions. So
2 there have been -- there's documentation of one of those occurring
3 per month. What format are those typically in when you get that
4 monthly briefing?

5 A. Usually it's a group with say a PowerPoint presentation I
6 believe it is. And then -- and that's basically our safe
7 discussion.

8 Q. Okay. And every month it is in that group setting?

9 A. The ones that I've been to, yes.

10 Q. Okay. I'm going to jump to the actual event a little bit
11 more. Were you aware of the bases or the tops of the weather in
12 your airspace?

13 A. We did get one top report. I think it was flight level 2-6-
14 0. I had no base reports.

15 Q. Okay. And in that airspace are there any airports where you
16 control, basically you control all the way to the ground?

17 A. Yes.

18 Q. And what airports are those?

19 A. There's Luray Airport. The ones that we run approaches into
20 Luray Airport in that general vicinity, Grant County, and then
21 there are various other smaller airports around that --

22 Q. Okay. Do you run -- those airports, do you run with your
23 weather view up --

24 A. Um-hum.

25 Q. -- to keep those up?

1 A. Yes.

2 Q. And do you recall if you looked at those at all?

3 A. I don't.

4 Q. Okay. And are you guys using Team for training
5 documentation?

6 A. Is that the new one?

7 Q. That's the new one.

8 A. No.

9 Q. So still using CEDAR.

10 A. Yes.

11 MR. ALLISTON: Okay. And I think that's it for me for the
12 moment.

13 MR. SOPER: All right. Thanks, Jason.

14 BY MR. SOPER:

15 Q. Okay. So I'm going to go back to the event as well. We're
16 going to continue on the theme of the PIREPs situation. So on
17 that day, around the time of the event, I mean was there -- were
18 weather conditions -- did weather conditions exist that required
19 the solicitation of PIREPs during that time? Are you aware or do
20 you know even?

21 A. I mean there was weather. So I would say yes.

22 Q. Okay. What is your practice when you have -- when you're in
23 a requirement to solicit PIREPs, do you have a means to ensure
24 that you capture PIREPs periodically so that you're compliant or
25 does your sup normally remind you guys or is there any other type

1 of memory aid or availability of something that lets you know
2 that, hey, PIREPs are required to be solicited right now? I need
3 to make sure I get them. Is there anything that you do or that
4 you know of --

5 A. No.

6 Q. -- that exists? Okay. And tell me a little bit about the
7 process that when you do have a PIREP here, so as a controller in
8 this facility, what is the lifecycle of a PIREP? So you have an
9 aircraft that does give you a PIREP? How does it make its way
10 through the system?

11 A. Basically receive the PIREP, go into the ERIDS, type into the
12 ERIDS there, send it, tell the supervisor that you sent a PIREP
13 and what the PIREP was for.

14 Q. Okay. Do you know where it goes after that or is that --

15 A. That's somebody else's job. It goes to weather, and they do
16 what they do with it.

17 Q. Okay.

18 A. I know sometimes like there have been PIREPs come back,
19 but --

20 Q. Yeah.

21 A. -- as far as the other stuff, I -- it goes where it goes.

22 Q. And that leads me to my next question. So when you receive
23 PIREPs not from an airplane, like ones that have made it into the
24 system and they're coming up on your EDST, do you find that you're
25 just getting the PIREPs and the other advisories for everywhere in

1 the facility at your position? Is that how it works here or is it
2 being segregated by your area of responsibility?

3 A. I don't know how they filter those out.

4 Q. Okay. How full does that EDST get of those notifications for
5 PIREPs and weather during a weather event like that one, you know,
6 where you had some weather in the area? Do you --

7 A. I don't know.

8 Q. You don't know. Okay. And the process, if I'm not mistaken,
9 is it still the same way? Essentially they populate in there.
10 When they do, they come up, they're a different color or something
11 when they first pop in. Is that right? Until you acknowledge it.
12 Is that how that works or --

13 A. I believe there's like a blinking number --

14 Q. Okay.

15 A. -- or something on there.

16 Q. All right.

17 A. I don't --

18 Q. Okay. No worries. No worries. And on average, how many do
19 you think you end up putting in? If you're working a R side for,
20 I don't know, how many would you probably say you put in over the
21 last week of shifts that you've worked, just roughly? I'm not
22 looking for a, you know.

23 A. Five or less.

24 Q. Okay. All right. And is it normal -- I know I've been
25 jumping around a little bit here, but is it normal for you to

1 operate without a D side at that position? Is it --

2 A. Yes.

3 Q. That's routine for them not to have a D side. Do you feel
4 like you have the ability to ask for a D side if you wanted one?

5 A. Oh, yes.

6 Q. I mean that would be support. How many sups do you -- do you
7 know many sups, OSs you have in your area?

8 A. Two that I know of, one in training.

9 Q. Okay. And on that day, you did have a sup working, right?

10 A. Yes.

11 Q. It wasn't a CIC or whatever. You had a sup providing. Okay.

12 MR. SOPER: All right. That's all I have right now. That
13 takes care of one area for me. I'm probably going to have so more
14 here in a few minutes, but Seth.

15 MR. MYERS: Yeah.

16 BY MR. MYERS:

17 Q. I just want to re-hit on what Brian was talking about. So
18 busy summer day, the GI tab on your EDST, you know, gets yellow,
19 lots of numbers in there. Do you ever find that there's so many
20 of them in there that you can't read them like --

21 A. Yes.

22 Q. And how do you personally filter through all of that for
23 people you work with?

24 A. Basically I don't pay much attention to that.

25 Q. Okay. So and why don't you pay much attention to that?

1 A. I rely on position briefings, positional relief briefings and
2 real time information from pilots as I'm working the position
3 because it's so dynamic that it changes so often that by the time
4 I get there to look at that, it might not be valid anymore. So.

5 Q. Do you think it would help you or anybody working in there to
6 have a D side to filter through all that information?

7 A. No. Well, if I'm really busy, well, then I can, yes, but on
8 a normal standard night, no.

9 Q. Do you know the difference between a UUA and a UA?

10 A. No.

11 Q. What about a -- do you know what section a PIREP would come
12 on the EDST label, under what tab?

13 A. No.

14 Q. What about a convective SIGMET?

15 A. That's come out on our E (ph.).

16 Q. Does that come out the same place as a PIREP or a different
17 place?

18 A. It comes out different. Like urgent PIREPs, we get on the
19 EDST or the URET. And then the -- if I'm calling it the correct
20 thing.

21 Q. EDST and URET are the same thing.

22 A. Yeah. Yeah, I'm thinking of the other, the ERIDS.

23 Q. The ERIDS.

24 A. Yeah, the ERIDS. The EDST, that's where the PIREPs come out.
25 The center weather advisories, we get those there. The other --

1 where we send the PIREPs through, the ERIDS --

2 Q. Yeah.

3 A. -- was the other one that I'm talking about.

4 Q. Okay. Going back to just talking about the training of the
5 event and the night of the event, the training that was going on,
6 I know that you had said that you didn't have any opportunity yet
7 this year to really talk to your trainee about, you know, calling
8 weather or what the requirements are. What is your understanding
9 of what the requirements are for that?

10 A. If it's weather depicted on a scope that's going to impact
11 their flight path, then call it out, try and get some information
12 from it.

13 Q. Do you feel like she accomplished that, that day?

14 A. Yes, I do.

15 Q. If an airplane checks on frequency and it's deviating, do you
16 still have to call the weather?

17 A. Not for the weather they're deviating around. Normally if,
18 you know, we'll let them know what we're seeing or when they might
19 be able to turn back on course. I'm not gonna call, you know, if
20 you're in moderate precipitation, I'm not going to call that, but
21 I'll let them know, hey, in about 10 more miles, it looks like you
22 can turn back on course, and then if there's additional weather
23 beyond that, then, yes, I'll call that weather.

24 MR. MYERS: Okay. Thanks, Brian.

25 MR. SOPER: Thank you. And, Anthony, did you have anything?

1 MR. BUNCH: No.

2 MR. SOPER: All right. And, Jason, back to you.

3 MR. ALLISTON: I don't think I have anything else right now.

4 MR. SOPER: We can come back in case you come up with
5 anything.

6 BY MR. SOPER:

7 Q. So I have another thing. Back to the PIREPs, I hate to beat
8 a dead horse, but with regard to PIREPs, how are you made aware
9 that PIREPs are needing to be solicited in your area? Would that
10 be something normally you would get from the sup, like they're
11 ones that they kind of track that or is there something that you
12 see or do you just know based on the weather you're getting like,
13 yeah, well, we're getting this. We probably need to solicit
14 PIREPs.

15 A. Based on real time weather.

16 Q. Okay. So based on your observation. Okay. All right. Now,
17 shifting to the training a little bit. He spoke to you about
18 recurrent training. So refresher and recurrent training, do you
19 recall the last time you went through it? How long ago it was?

20 A. That was December what -- what date? It was towards the end
21 of last year but --

22 Q. Okay. And do you guys during recurrent training, do you do
23 the simulator portion as well --

24 A. Yes.

25 Q. -- as part of your recurrent? At this facility, is it done

1 individually where each person goes through some simulator time as
2 part of that recurrent or is it done as a group?

3 A. Individually.

4 Q. Okay. Do you recall during your, during your last one that
5 went through, do you recall if -- whether dissemination was part
6 of that at all?

7 A. Yes.

8 Q. It was part of it. Okay. All right. Very well. So he
9 asked you about if you felt the training was good there. Do you
10 recall on that day to your recollection, were there any AIRMETs,
11 SIGMETs or CWAs active for your area?

12 A. Not that I recall.

13 Q. Okay. And there's recently been some change in AIRMETs. Are
14 you familiar with the G-AIRMET?

15 A. No.

16 Q. Okay. How are you normally provided information that there's
17 AIRMETs? Is it strictly through the EDST or the ERIDS or whatever
18 where you get those --

19 A. Yes.

20 Q. -- advisories? Okay. All right. And is there anybody that
21 -- does the sup ever check up to ensure you guys are transmitting
22 that information out, that you're broadcasting that information
23 when it comes in or essentially is that left to you to make sure
24 you do?

25 A. It's left to us.

1 Q. Okay. All right. And so back to the aircraft. You said, if
2 I recall correctly, you were -- you guys were looking at the
3 airplane when he descended. He said he needed to descend to
4 5,500. You were working other traffic. You came back to him in
5 your scan, noticed he had got down to 5,500. You seen him there
6 at least at some point, and then you were working your other
7 traffic again. He was trucking along, and when you looked back
8 the next time, he was in a coast track. So you're not sure
9 exactly how long that took but essentially was in a coast and you
10 immediately started making calls or, I mean, you know, trying to
11 get ahold of him --

12 A. Right.

13 Q. -- and find out what was up. Do you know if that area, do
14 you have a common -- is there, is there a radar coverage issue in
15 that area where you lose aircraft below a certain altitude or I
16 mean besides it's mountainous terrain, I mean I get down in the
17 mountains but I mean --

18 A. I mean sometimes we do lose targets in that area.

19 Q. How about comms?

20 A. Comms, occasionally.

21 Q. Okay. All right. And do you know what the, what the MVA is
22 in that area by chance?

23 A. I'd have to look on the scope. I know it's kind of right
24 down the line of --

25 Q. Nowheres.

1 A. -- where it goes.

2 Q. Okay.

3 A. From one to another, around 55 to up to 61 or 6,000,

4 something like that.

5 Q. All right. And do you guys have -- in these scopes, do you

6 have an obstruction map that you can pull up on there? Do you

7 know?

8 A. Just the MVA map.

9 Q. It's just the MVA. All right.

10 A. MIAs is what we call it.

11 Q. All right. Okay. All right. That's all I have for now.

12 MR. SOPER: Seth.

13 BY MR. MYERS:

14 Q. Is it typical for you guys in your area or facility I mean to

15 train with a newly -- new development -- developmental combined

16 up, no D side?

17 A. Yes.

18 Q. That's very typical?

19 A. Um-hum.

20 Q. But you are confident that if they were to ask for help, that

21 they would do that --

22 A. Yes.

23 Q. -- if they felt they were overloaded? Do you know what they

24 go through for training upstairs for weather and all that stuff?

25 A. No.

1 Q. No. Have you ever had a supervisor or CIC come out and ask
2 you to get a PIREP from somebody?

3 A. No.

4 Q. Are you a CIC?

5 A. No.

6 Q. Okay. Have you ever been up to TMU or the weather unit?

7 A. A long time ago.

8 Q. Okay. Do you know what the weather coordinator is?

9 A. I know where they sit. What or are. I should say, no, I
10 don't know exactly what the weather coordinator is.

11 Q. Okay. You said --

12 A. What I assume is the weather coordinator is in the -- where
13 the weather people sit. So.

14 Q. Okay. Do you know what the center weather unit does there?

15 A. Not exactly.

16 Q. Have you ever got a briefing from them or --

17 A. No.

18 Q. -- anything?

19 A. No.

20 Q. Ever get a briefing from TMU about any weather stuff, weather
21 type stuff?

22 A. No.

23 MR. MYERS: All right. That's all I have. Thanks, Brian.

24 MR. SOPER: Anthony?

25 MR. BUNCH: Yeah, I have a question.

1 BY MR. BUNCH:

2 Q. In the approach control, we have what's called an EOVM, which
3 is actual true depiction of the altitudes of the terrain. Do you
4 guys have that feature?

5 A. No.

6 Q. So you just have the MVA map and that's it?

7 A. Correct.

8 Q. Okay. And the MVA map shows the actual obstructions of the
9 highest obstacles in certain areas or --

10 A. Just the lowest that we can --

11 Q. Go over safely.

12 A. Yeah.

13 MR. BUNCH: Okay. That's all I have.

14 MR. SOPER: Jason.

15 MR. ALLISTON: A couple more.

16 BY MR. ALLISTON:

17 Q. So in a general shift, where is the supervisor typically
18 during the course of the shift?

19 A. Sitting up at the supervisor's desk, right outside of the
20 area.

21 Q. And how much time in the general eight hour shift would you
22 say the supervisor's actually physically in the area?

23 A. Maybe -- total time, maybe an hour.

24 Q. Okay.

25 A. If we have a sup.

1 Q. All right. I have a next question. How often do you have a
2 supervisor versus a CIC?

3 A. I would say it's probably about 80/20, CIC to supervisor.

4 Q. Okay. That's 20 percent supervisor, 80 percent CIC in
5 general for your area?

6 A. Um-hum.

7 Q. Because you said you only have two sups and one in training
8 which will give you three.

9 A. That I can recall, yeah.

10 Q. Do you know if the supervisors are cross-trained between
11 areas?

12 A. I don't believe, not in ours.

13 Q. Okay. Some facilities do that. Is there any requirement in
14 the control room for the sup or the CIC to be monitoring any
15 sectors with a cordless headset or have you ever observed that?

16 A. I have. During the weather, like major weather in the
17 summertime, I believe that I've seen them with headsets on walking
18 around but --

19 Q. And you don't know if that's necessarily an expectation?

20 A. I don't know if it's an expectation, no.

21 Q. Okay. And have you ever observed supervisors in the area
22 like giving on-the-spot corrections --

23 A. No.

24 Q. -- to controllers or anything like that?

25 A. No.

1 MR. ALLISTON: That's all I have.

2 BY MR. SOPER: Okay.

3 Q. Back to weather just a little bit. Do you know resource-
4 wise, is there anything available to you -- do you have any way of
5 obtaining TOPs information or cloud height information other than
6 via direct PIREP from a pilot?

7 A. Yes, I don't know what it's called. There's a little monitor
8 that will give that information out.

9 Q. So you've been able to -- you've used that before to
10 obtain --

11 A. Yes.

12 Q. CIWS? Okay. All right. Good. And in your area, and I know
13 this can vary based on supervisory setups, you know, they can --
14 the area kind of chooses or the sup. Do you have a normal setup
15 for your large displays --

16 A. Yes.

17 Q. -- that are in the area, that are standard all the time?
18 What is your displays? What do they contain in your normal setup?

19 A. On the left side, in-trail spacing for airports.

20 Q. Okay.

21 A. On the right side it'll have outages and special use airspace
22 status.

23 Q. Okay. Is that, is that information you refer to a lot
24 throughout the course of your shift or is it --

25 A. Minimal.

1 Q. So that is regular stuff that you utilize all the time.

2 A. Yes.

3 Q. Is there anything that you wish you did have available to you
4 more readily in the area as you work where you felt like, you know
5 what, I always have to like dig to go get this or something?

6 A. No, no, not really.

7 Q. No. Okay. And one last area. When it comes to ALNOTs, what
8 is your responsibility in an ALNPT? When do you have to do one?
9 When do you have to initiate one or pass the information on? What
10 is your role in that process? Where does it start and begin?

11 A. It's been so long since I've trained on that part.

12 Q. Okay. Again, I'm not looking for you to quote this.

13 A. Yeah.

14 Q. I'm trying to get the feel for here.

15 A. I mean I've never done one other than telling the supervisor
16 that I'm not talking to anyone and then --

17 Q. So it's mostly handled from supervisor and above --

18 A. Correct.

19 Q. -- once you passed off the information?

20 A. Um-hum.

21 Q. Okay. All right. Very well.

22 MR. SOPER: All right. Do you have anything else, Seth?

23 MR. MYERS: No, I'm good.

24 MR. SOPER: Anthony?

25 MR. BUNCH: No.

1 MR. SOPER: Jason?

2 BY MR. ALLISTON:

3 Q. Just one more on the ALNOT thing. So say you cleared
4 somebody in one of the airports that you own to the ground and
5 don't get a cancellation from that aircraft. Typically how long
6 are you waiting before you notify the supervisor?

7 A. Usually like 30 minutes and then I tell them, hey, I haven't
8 heard anything from this guy. Can you please go find him?

9 Q. Okay.

10 MR. SOPER: Okay. That's it?

11 MR. ALLISTON: That's it, yes.

12 MR. SOPER: Do you have any questions for us before we end?

13 MR. HOFFMAN: No.

14 MR. SOPER: I'm going to go ahead and stop the recording. I
15 show the time at 14:11.

16 (Whereupon, at 2:11 p.m. EST, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

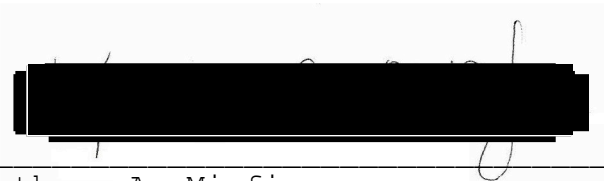
IN THE MATTER OF: PIPER PA-32R-31 FATAL ACCIDENT
 NEAR DAYTON, VIRGINIA
 ON JANUARY 11, 2023
 Interview of Joseph Hoffman

ACCIDENT NO.: ERA23FA108

PLACE: Leesburg, Virginia

DATE: January 24, 2023

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.



Kathryn A. Mirfin
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

PIPER PA-32R-301 FATAL *

ACCIDENT NEAR DAYTON, VIRGINIA * Accident No.: ERA23FA108

ON JANUARY 11, 2023 *

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Interview of: LANI DOZACK, Linden Sector Developmental
Controller (R9-DEV)
Federal Aviation Administration

Washington Air Traffic
Control Center (ZDC ARTCC)
825 East Market Street
Leesburg, Virginia

Thursday,
January 26, 2023

APPEARANCES:

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert
Federal Aviation Administration

SETH MYERS, Air Safety Investigator
National Air Traffic Controllers Association

ANTHONY BUNCH, Air Safety Investigator
National Air Traffic Controllers Association

AARON WILT, Acting Factory Representative
National Air Traffic Controllers Association
On behalf of Lani Dozack

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Lani Dozack:		
By Mr. Soper		6
By Mr. Myers		20
By Mr. Soper		26
By Mr. Bunch		26
By Mr. Alliston		27
By Mr. Soper		28
By Mr. Myers		31
By Mr. Bunch		35
By Mr. Soper		37
By Mr. Alliston		37
By Mr. Bunch		39
By Mr. Soper		39

I N T E R V I E W

(8:50 a.m. EST)

MR. SOPER: All right. My name is Brian Soper. I'm an air traffic investigator with the NTSB. And, we are here to investigate the fatal accident of N43156 that occurred on January 12th [sic], 2023.

And, I have with me here in the room -- your name for the record?

MS. DOZACK: My name is Lani Dozack.

MR. SOPER: Lani Dozack. Could you spell your last name for me?

MS. DOZACK: D-o-z-a-c-k.

MR. SOPER: Thank you. And you have with you -- this is your chosen representative. Is that correct?

MS. DOZACK: Yes.

MR. SOPER: And could you state your name for the record, sir?

MR. WILT: Aaron Wilt.

MR. SOPER: Thank you very much. And with me also in the room I have our air traffic control group for the NTSB. Representing the FAA as a party group member there is Mr. Jason Alliston out of Columbus Tower previously -- or on detail from there. Is it a detail or are you --

MR. ALLISTON: Yes.

MR. SOPER: Yeah, on detail there from Atlanta Center where

1 he was QC manager and XO previously. I also have with me Mr.
2 Anthony Bunch from NATCA. He is an ASI in training from NATCA,
3 and is here with us out of Southern California TRACON. And Mr.
4 Seth Myers is the primary representative for NATCA on the group,
5 and he is out of Boston Center, as a NATCA ASI.

6 As I mentioned to you earlier, the NTSB is an independent
7 federal agency. We're charged with the investigation of civil
8 aviation accidents and incidents of a serious nature, developing
9 the probable cause and then hopefully safety recommendations to
10 industry or some segment of industry to prevent reoccurrence.
11 That's our nutshell.

12 We are not affiliated with the FAA or DOT in any way. We're
13 non-regulatory. We have no enforcement powers. So we don't make
14 rules. We don't enforce rules.

15 This interview is being recorded as you know. The recording
16 will be provided for transcription. The transcript will be
17 provided back to us for an accuracy check and concurrence. You
18 will also get a copy of that to check for accuracy. Once we have
19 finalized that as being the true, official record, then that is
20 what will become part of the official report and be placed into
21 the public docket, not the recording. We do not place our
22 recordings in the public docket.

23 Do you have any questions for us before we begin?

24 MS. DOZACK: No.

25 MR. SOPER: Awesome.

1 INTERVIEW OF LANI DOZACK

2 BY MR. SOPER:

3 Q. All right. So I am going to kick off some background
4 questions.

5 A. All right.

6 Q. So if you could for me again, spell your first and last name?

7 A. Sure. First name is Lani, L-a-n-i. Last name is Dozack, D-
8 o-z-a-c-k.9 Q. Okay. And how old were you on the day on the day of the
10 accident?

11 A. I was 34.

12 Q. All right. And your operating initials?

13 A. KD.

14 Q. KD. I would have guessed you were a lot younger than that.
15 I'm not going to lie.

16 A. No, I was born 1988.

17 Q. All right. So -- and you were training on R5 at the time,
18 correct? And it was combined up, right?

19 A. Yes.

20 Q. Okay. And how long have you been training in there, in that
21 sector?

22 A. Since the end of August. So a little over five months.

23 Q. Okay. All right. Do you have any prior -- pre-FAA air
24 traffic work experience? Military, DOD, federal contract,
25 dispatch, anything like that?

1 A. No.

2 Q. Okay. Are you a CTI grad from somewhere?

3 A. I am.

4 Q. Where at?

5 A. CCBC Baltimore County.

6 Q. Okay. Cool. And do you hold any collateral duties here at
7 this facility or have you been on any recent details that have
8 taken you outside of the facility that would affect your currency
9 and proficiency, anything like that?

10 A. No.

11 Q. And if you could, give us, give us your quick aviation bio
12 meaning -- what I mean by that is what brought you here to this
13 today. Like, hey, I was always interested in aviation. I
14 graduated high school. I decided I was going to go get my pilot's
15 license. I went to college. Whatever it was for you that ended
16 up leading you to here.

17 A. I think air traffic control is just one of the things that
18 came up, you know, when we were in high school or college and you
19 looked for jobs. And I always thought, I always thought it was
20 cool, but I never thought it was attainable. It didn't seem like
21 it was something that I could get, but I met a girl that was in
22 CCBC and someone saw me at work one day at a restaurant and said
23 to me, I think you would make a good air traffic controller. So
24 then I started looking into it, and that's when I got in the CTI
25 program and finished that. And now I'm here.

1 Q. Cool. That's awesome. And so since you've been here, you
2 said you got here like in '18 but COVID was here. So it really
3 kind of delayed everything and kind of made it a messy situation
4 for training because it wasn't happening. So you've -- are you
5 qualified on any positions yet? Have you qualified anywhere?

6 A. I have my D-sides which are the assistant.

7 Q. Okay. You have your D-sides. And you're just -- you just
8 train in one area, correct? I mean you're Area 6?

9 A. Yes.

10 Q. You're in Area 6 developmental. That's the way it is. Okay.
11 Cool. All right. And have you ever been terminated, suspended or
12 asked to resign from a position since you've been in the FAA?

13 A. No.

14 Q. Okay. And how would you describe your overall health in
15 excellent, good, fair, poor?

16 A. Excellent.

17 Q. Okay. And do you have -- you have a current medical
18 clearance at the time of the event, correct?

19 A. Yes.

20 Q. And did you -- do you have any waivers or restrictions to
21 your medical?

22 A. I do.

23 Q. Okay. And are they documented in your medical record?

24 A. Yes.

25 Q. Do you take any maintenance medications for those conditions?

1 A. Yes.

2 Q. Were you taking them as prescribed on the day of the
3 accident?

4 A. Yes.

5 Q. Okay. Are you required to wear corrective lenses when
6 performing aircraft duties?

7 A. Contacts.

8 Q. Okay. And were you wearing them on the day of the accident?

9 A. Yes.

10 Q. Cool. Were you taking any other medications, over the
11 counter or anything, on the day of the incident other than what
12 you're normally prescribed?

13 A. No.

14 Q. Okay. And was drug or alcohol screening performed as a
15 result of this event?

16 A. No.

17 Q. Okay. And have you had any major changes in your health over
18 the last year? And I'm looking for big things, i.e. major
19 surgery, you know, anything like that?

20 A. No.

21 Q. No. Okay. Similar question, any major changes in your
22 personal life over the last year, got married, got divorced, had a
23 child, anything?

24 A. No.

25 Q. Okay. Any major changes in your financial situation over the

1 last year? Won the lotto, filed bankruptcy.

2 A. I wish, but no.

3 Q. Yeah, I know, right. You see these guys winning over a
4 billion bucks. I'm like, what?

5 A. Yeah.

6 Q. So -- all right. And this one's a little bit more difficult
7 but I want you to give it a little bit of thought if you would,
8 and that is the 72 hours leading up to the day of the accident, so
9 for those 3 days previous to the day that you -- that the accident
10 occurred, can you think of anything that occurred during that
11 timeframe that would have been a disruption in your normal life
12 and routine like you normally do? Like, yeah, I was -- I could
13 not sleep because I was sick for like two days straight. This was
14 my first day back to work or my friend had a car accident. I had
15 to go pick them up, and I was up all night and, you know, with
16 them. Anything like that that would have taken you out of your
17 normal routine of eating, sleeping, rest, all that? Was it pretty
18 much normal daily routine from what you can recall?

19 A. Um-hum.

20 Q. Okay. All right. And did you file an ATSAP as a result of
21 this event?

22 A. Yes.

23 Q. Did you get confirmation back from the ERC that it was
24 received?

25 A. Yes.

1 Q. Okay. Good. And have you been interviewed about this event
2 prior to now?

3 A. Yes, the Local Safety Council, yes.

4 Q. So for the CER? Was that what that was for --

5 A. Yes.

6 Q. -- for the covered event review?

7 A. Yes.

8 Q. Okay. And -- all right. Very well. And have you had an
9 opportunity to review replays of this event? Like a Falcon or a
10 Satori (ph.).

11 A. Falcon.

12 Q. Okay. And when was the last time you did that?

13 A. I think it was probably the day after, because I think the --
14 he went NORDO January 11th, the night, correct?

15 Q. Yeah.

16 A. And then it was the morning that we knew what happened. So
17 that same morning.

18 Q. Okay. All right. Was -- on that day, do you remember was a
19 relief briefing conducted when you took position with your
20 instructor? Was a relief briefing conducting with the off going
21 or were you the first one to take the -- were you opening in the
22 position --

23 A. No, there was a relief briefing, yes.

24 Q. Okay. Was that -- did you utilize a checklist on that?

25 A. Yes.

1 Q. And do you guys -- is it the checklist that's on the scope
2 now or that's included in there or is it a separate checklist?

3 A. It's on the scope.

4 Q. Okay. And was it recorded?

5 A. Yes.

6 Q. Okay. So on a scale of 1 to 5, and I know you're not
7 certified yet, but you've been trained in it for a little bit now.
8 Based on your experience that you've had thus far, on a scale of 1
9 to 5, 5 being the heaviest, how would you classify the traffic
10 volume at the time this event occurred?

11 A. A 4.

12 Q. Okay.

13 A. Yeah.

14 Q. And from your experience, has that been normal for that time
15 of shift and day of the week, or was it above normal? That was
16 more than average or below average?

17 A. It was normal.

18 Q. Okay.

19 A. Yeah.

20 Q. And similar question, on a scale of 1 to 5, 5 being the most
21 complex, how would you rate the traffic complexity at that time?

22 A. A 4.

23 Q. Okay. And do you feel that was normal or that was above
24 average or below average?

25 A. It was slightly above average.

1 Q. Okay. And do you recall leading up to or at the time of the
2 event, was there any distractions occurring in the operation, work
3 distractions for you? This could be anything. So kind of give it
4 some thought for a second. Was there, you know, techs were trying
5 to work on equipment right next to me or there was -- we were
6 having another emergency with another aircraft that we were trying
7 to deal with or we were having comm problems with something or,
8 you know, just anything that could have been a distraction during
9 that time leading up to the accident? Was there anything like
10 that that occurred or any problems?

11 A. No.

12 Q. No. Okay. And do you recall the general weather conditions
13 around the time of the event? When I'm asking this, I'm not
14 looking for a METAR. I'm looking more for, yeah, it was generally
15 IFR in the area or VFR in the area. We had precip or there was
16 storm cells or whatever it was, you know. Do you -- were there
17 any advisories in effect that you remember, any of that kind of
18 stuff?

19 A. I did have moderate precipitation in my sector, and that's as
20 much as I can recall. I don't recall if it was VFR or IFR.

21 Q. Okay. And did you receive the pre-duty weather briefing on
22 that day?

23 A. Yes.

24 Q. Okay. And do you recall anything standing out to you about
25 the briefing on that day?

1 A. No.

2 Q. Okay. And let me ask you this because -- regarding the pre-
3 duty weather briefing, since you've only been here, you know,
4 several months now or -- well, I mean in training really like
5 solidly for whatever time, what's your, what's your -- what value
6 do you get out of the pre-duty weather briefing? How would you
7 classify its value? Do you -- does it help you? Is it a great
8 help in preparing you for the watch? Is it some help or is it
9 very little?

10 A. It's some help.

11 Q. Some help.

12 A. But you get more from your -- the relief briefings.

13 Q. Okay. Is there anything -- have you found anything that you
14 can identify with that you think, I wish they would give me this
15 information in the pre-duty weather briefing. It would be much
16 more valuable if I knew this -- if I had this, and I always have
17 to get it from off going or something like that. Is there
18 anything that occurs to you like that? Or do you really not think
19 there's anything else they can really do differently that you're
20 aware of?

21 A. Well, I wouldn't change anything.

22 Q. Okay. Did you have a cellular phone or personal electronic
23 device on you at the time of the incident?

24 A. No.

25 Q. Okay. And had you, had you requested a relief or were you

1 expecting a relief at the time of the incident or were you in your
2 normal rotation where you expected to be --

3 A. I was in my normal rotation. I think we did pass at least
4 one break at some point when I was sitting there.

5 Q. Okay. And --

6 A. But it's not like I was dying for a break.

7 Q. Yeah. Okay. And did you -- the loss of radar and radio
8 communications, who passed that information to the supervisor?
9 Was it your or your OJTI?

10 A. I think we both kind of. I don't remember.

11 Q. Okay.

12 A. Yeah, between the both of us I think.

13 Q. All right. And -- all right. That takes care of the
14 background questions. What I would like you to do now for us if
15 you would, is kind of just tell us the story, okay. And what I
16 would like you to do is try to remember back and be as detailed as
17 you possibly can. And even if it's mundane details, you know,
18 like, well, I remember because I was just looking at this other
19 guy and I noticed this or whatever it is. I want you to be clear
20 about that because sometimes the most mundane details are very
21 helpful to us in putting it together. So -- but just kind of tell
22 us the story from the time you -- as much as you can recall from
23 the time you took the handoff on this accident aircraft until the
24 point you had notified supervision that you had loss of radar and
25 radio communications. And it was just now a big notification

1 process.

2 A. Okay. I can start off when they gave the handoff for us.

3 Q. Yeah.

4 A. So Potomac handed off or started initiating the handoff. I
5 don't know if I took it right away.

6 Q. Okay.

7 A. But, once I did take it, and he checked on it, I just
8 remember giving him -- it was routine, you know. I gave him the
9 altimeter. It was the Shenandoah altimeter, and I remember there
10 was a little push of traffic, and so I worked that traffic. He
11 didn't say anything, and then I remember like as soon as that push
12 was over, and it was kind of quiet on that frequency, I thought to
13 myself I should check in to make sure he's on my frequency still
14 and he's okay. And that's when he piped up and said, I'm going to
15 descend to 5,500, and I said, Roger, maintain VFR. And I guess I
16 went back to doing a few things. The next thing I know, we looked
17 and saw that his track was on coast, and that's when I tried to
18 get in touch with him and couldn't. And then I tried to ask
19 Charlottesville, which is the one underneath us if they could see
20 any targets out there. And sometime around then, between Joey and
21 I, we had told the supervisor that he went NORDO and was coasting.

22 Q. Okay. All right. Do you recall at the time -- so as you
23 watched replays and you're going back over it, did you, did you
24 recall him flying through any precip along his route of flight?

25 A. I checked multiple times, and I don't remember seeing any

1 precipitation on his route of flight.

2 Q. All right. And so I'll bounce around a little bit here. My
3 questions might -- they might not follow an exact order. So when
4 it comes to -- do you know on that evening, was weather conditions
5 present -- were weather conditions present that would have
6 required the solicitation of PIREPs?

7 A. I don't remember.

8 Q. Okay. Do you know, do you know the conditions that would
9 affect you to have to solicit PIREPs?

10 A. Like --

11 Q. I mean are you aware of all the things -- all the weather
12 conditions that would be present or are you told when you have to
13 solicit PIREPs? Does somebody inform you or do you -- is it up to
14 you to determine?

15 A. I guess it's up to me to determine.

16 Q. Okay.

17 A. And I don't recall what the, what the requirements are.

18 Q. Okay. And do you find yourself -- have you -- in your
19 training experience so far, have you, have you often -- have you
20 solicited PIREPs very often?

21 A. Yeah.

22 Q. Okay. And your trainers have discussed PIREP solicitation
23 and dissemination with you?

24 A. Yes.

25 Q. So what do you do with a PIREP when you get it?

1 A. Well, depending on the ERIDS, for example, if we're talking
2 about not by turbulence, and it's moderate or better, then you put
3 it in the ERIDS.

4 Q. Okay.

5 A. So there's a pattern to put it in the ERIDS, if I don't have
6 time, I'll ask someone to do that for me.

7 Q. Okay. Do you know where that goes?

8 A. Not -- no.

9 Q. Okay. When you -- what about PIREPs that you receive on --
10 not that you receive personally but that come to your station?
11 How do you receive other PIREPs that may have been taken by --
12 that may have been received by other entities but they may be
13 applicable to you in your airspace?

14 A. So, there's a few ways. Sometimes there's coordination with
15 the approach control that will call us if there's a PIREP in our
16 airspace or around our airspace, position release briefings, we
17 pass them on. And then in the EDST, things will pop up, urgent
18 pop ups and the like.

19 Q. Okay. And what's your procedure, what have you been taught
20 with regard to how do you handle urgents when they come up on the
21 EDST? What occurs with those?

22 A. If they're near my airspace, I'll read them.

23 Q. Okay. Once you read them, do you delete them out of that
24 list or do you strictly suppress the yellow saying you acknowledge
25 it and leave it in the list? What's your practice?

1 A. It doesn't happen often. So I'm not sure.

2 Q. Okay. All right. And how about routine PIREPs? Do you
3 receive those in any way?

4 A. I don't believe so other than the coordination and word of
5 mouth and --

6 Q. Okay.

7 A. -- things like that.

8 Q. And -- okay. Let's see. You've been training since August.
9 Have you had the same primary trainer the whole time?

10 A. I kept one of my trainers the entire time, and then recently
11 because of the schedule change, each one of my trainers were
12 switched out. So Joey, Joey who was my trainer that day is the
13 guy that was swapped into my --

14 Q. So how long has he been training you?

15 A. He's been training me since -- I don't remember but at least
16 since December, maybe the end of November. I don't remember the
17 exact -- it was right after we did bid for --

18 Q. Have you noticed any big differences in the way those two
19 people have trained you? Like has there been a big variance in
20 what -- in how they train just out of curiosity for you?

21 A. Not really --

22 Q. Okay.

23 A. -- you know.

24 Q. All right. I'm going to go ahead and pass it along for now.
25 I'm probably going to ask you some more questions but I'm going to

1 stop monopolizing the airspace here.

2 MR. SOPER: So, Seth.

3 BY MR. MYERS:

4 Q. I just have a couple of questions for you. Do you know what
5 the Local Safety Council is?

6 A. As far as who, like who's in it or --

7 Q. Yeah, sure.

8 A. Yeah.

9 Q. Tell us what they do?

10 A. They just -- well, every month they do the safety briefings.
11 So they coordinate that, and then whenever there's something that
12 happens, an event, like this, they'll do a review.

13 Q. When's the last time you went to one of those safety
14 briefings?

15 A. We do them monthly. So I don't know, but I went to the
16 January one, yeah.

17 Q. So you would say that you do that monthly. As far as like
18 other things that come out from let's say quality control and
19 things like that, how do you get information from those
20 departments or do you?

21 A. I'm not sure. I don't know how they --

22 Q. Okay.

23 A. -- yeah.

24 Q. Do you know what an ICV or an ECV is?

25 A. No.

1 Q. Walk us through what you -- when you walk into the door, what
2 do you do before you go to the area?

3 A. I go straight to the area.

4 Q. Okay. Do you do like a pre-duty weather briefing there?

5 A. Yes, it's in the corner.

6 Q. Okay. Can you walk us through doing that? Like what do you
7 do before you take position?

8 A. I just go and walk in. We'll do the -- go around the corner,
9 they'll give us everything and then just log in --

10 Q. Okay.

11 A. -- and do my CEDAR.

12 Q. Okay. What's in the CEDARs?

13 A. Well, you check that you did the weather briefing and then
14 sometimes if there's LOA changes or if airspace is going to be
15 activated, there's notifications in there.

16 Q. Are they always in there?

17 A. I think so.

18 Q. Okay. Do you ever get any other person-to-person briefings
19 other than the LSC discussions that you go to?

20 A. There's -- sometimes there's data, like if there's an update.
21 DataComm I think recently did an update, and we all had to go to
22 that briefing and -- but other than that, I don't think there's
23 anything else.

24 Q. Do you think those -- the way that they -- in your opinion,
25 the way that they give you those MBIs in CEDAR, is that a valuable

1 way to gain that information?

2 A. I think so, yeah.

3 Q. Do you think the majority of the people that you work with
4 feel that way?

5 A. Well, I'm not sure.

6 Q. Okay.

7 A. And then there's also -- we had -- recently had airspace
8 changes. We did our area person-to-person briefings for that,
9 airspace and B-E (ph.) the MOAs.

10 Q. Okay. Do you know what a training team meeting is?

11 A. Um-hum.

12 Q. How often do you have those?

13 A. I have one every month.

14 Q. Every month. Who's usually at that?

15 A. Me -- well, at least one of my trainers me and a supervisor.

16 Q. And what do they cover with you in those?

17 A. How training's going, if we need any additional like skill
18 enhancement training. Just touching base basically.

19 Q. Have you ever had that?

20 A. Yes, so when I first started at the very beginning they did
21 some skill enhancement training for me.

22 Q. How did you find that?

23 A. It was --

24 Q. Valuable?

25 A. Yeah, it was nice to see.

1 Q. How long did that process take? Did they have problems ready
2 for you or did you have to wait for it?

3 A. Yeah, they actually -- we -- when I first started, everybody
4 was first supportive when I first started, and there were some
5 things that I was not struggling with but like wanting to see
6 more, like more complex traffic situations where there was more
7 than one conflict. So they actually built problems for me to run.

8 Q. Do you remember how long that took?

9 A. Just from start to finish, I think a couple weeks. It wasn't
10 very long.

11 Q. Good.

12 A. They -- yeah. They were very supportive, yeah.

13 Q. And that was -- when did you do that?

14 A. It was within the first month of my training.

15 Q. So like August.

16 A. It was really the end of August. So it would have been
17 September.

18 Q. September?

19 A. Yeah.

20 Q. Have you guys been using the benchmarks with the NTI?

21 A. Is that the skills check? Is that what they are?

22 Q. Yeah.

23 A. Yes, we have -- I have one every month.

24 Q. Like 25 percent, 50 percent, 75 percent?

25 A. I think it's just monthly that she did it.

1 Q. Okay.

2 A. My supervisor did it that time, yeah.

3 Q. Okay.

4 A. It wasn't by percentage.

5 Q. What kind of post brief do you get from those skill checks
6 from her?

7 A. She just usually -- whenever I've messed up, she'll go over
8 that and then that's basically it.

9 Q. Do you find value in those?

10 A. Yeah, I think so. Not nothing -- it's not always necessary
11 stuff -- necessarily stuff that I mess up. It's stuff that I can
12 build on, you know, like -- I can't remember but just advice and
13 things like that.

14 Q. Does she give you a reason why you should -- so you're saying
15 sometimes they give you stuff to build on. Does she ever give you
16 a reason why that is?

17 A. Yeah, the only thing I can think of is, you know, I called an
18 Air Wisconsin Wis- or I called a Wisconsin an Air Wisconsin,
19 little things like that.

20 Q. Phraseology?

21 A. Yeah, phraseology, yeah.

22 Q. Good. Have you ever -- just to go back to your training,
23 kind of about that, have you ever been in a sector where somebody
24 has asked you to do a PIREP or get a PIREP or -- and who is that
25 that usually asks you that?

1 A. Sometimes it's pilots or if another -- if an aircraft in
2 another sector, they'll ask about ice, they'll ask me about
3 somebody.

4 Q. So it would be another controller?

5 A. Yeah.

6 Q. Does the supervisor or somebody from TMU or anybody like that
7 ask you to get PIREP?

8 A. If I don't -- I don't remember. Not from TMU. The
9 supervisor might once in a while come over and ask about flights
10 and stuff.

11 Q. Have you ever heard anybody -- do you know how you get a UUA
12 or what the difference is between a UUA and a UA?

13 A. I think a UUA is a kind of urgent one --

14 Q. Okay.

15 A. -- right?

16 Q. Yeah. How are you notified of those?

17 A. I just see them in the EDST, yeah.

18 Q. Okay. So the same way you're notified of a UA or is there a
19 different process?

20 A. The UA, I don't know. Those don't usually pop up on the EDST
21 I think. I'm not -- yeah. I'm not recalling those. But urgent
22 PIREPs definitely do.

23 Q. Okay.

24 A. Yeah.

25 MR. MYERS: Thanks, Brian. That's all I have for now.

1 BY MR. SOPER:

2 Q. Okay. Before I pass along, I did have question and I don't
3 want to forget it because I have a tendency to do that. So are
4 you aware of any -- has anybody talked to you about emphasis items
5 that they feel that -- that we're looking at the facility right
6 now, and do you know of things that they're particularly focusing
7 on and they've mentioned to you like, hey, this is the emphasis
8 item for our facility right now. We're trying to move the needle
9 on this. We need you to be doing this or that or the other thing
10 or concentrating on it. Is there anything that? Has there been
11 any focus items that you can recall people talking about or
12 emphasizing?

13 A. I don't think so.

14 Q. Okay. All right. Very cool. Something you were saying
15 reminded me of that, and I wanted to put it out there before I
16 forgot to ask.

17 MR. SOPER: Anthony, go ahead.

18 BY MR. BUNCH:

19 Q. Have you had any discussed with your trainers about weather
20 and like sensitive PIREPs or like you said you were kind of
21 unfamiliar with, which I understand you're still in training,
22 you're still learning the process, but as far as when it's more
23 important to solicit and when it's really not? Have you had any
24 discussions with any of your trainers about that?

25 A. We talked about the sector. So in this particular day,

1 because we had precipitation and it's the winter. So we, you
2 know, this time of year it's not as common. So we were talking
3 about it that day because it was a training opportunity. I had
4 aircraft deviate while in our airspace. So we were talking about
5 it that day.

6 MR. BUNCH: Okay. That's all I have.

7 MR. SOPER: Okay. Jason?

8 BY MR. ALLISTON:

9 Q. And so to dovetail on that, on that day, do you recall if you
10 solicited any PIREPs?

11 A. With -- in regards to weather, yes, I did.

12 Q. And did those go into the system?

13 A. Some of them did. There was turbulence.

14 Q. So typically if you're soliciting a PIREP, say on your own
15 shift, how many would you say on a weather day you're soliciting?
16 Ballpark is fine.

17 A. I don't know. I honestly don't have an answer for that. I
18 don't know.

19 Q. Okay.

20 A. It just depends I guess on --

21 Q. Well, I'll just kind of use the next question. If you were
22 to say solicit 10 on a given day, how many of those do you think
23 would actually make into the ERIDS?

24 A. Depending on the trend, if there's -- everyone's complaining
25 about the same thing, like often PIREPs are about moderate

1 turbulence, we'll put maybe two or three in to establish a trend.

2 Q. Okay. And then -- so back to the training piece. Do you
3 recall if you had any training team meetings or Dash 25s that had
4 notes speaking to weather or PIREP dissemination?

5 A. I don't remember.

6 MR. ALLISTON: I have some other questions, but I've
7 forgotten them. So, we'll move on.

8 MR. SOPER: You're all done for right now?

9 MR. ALLISTON: Yeah.

10 BY MR. SOPER:

11 Q. Okay. If you decide to put an overall, you know, tag on, how
12 do you feel the quality of the training has been since you've been
13 at this facility? I'm not looking for you to dime out people.
14 I'm looking for you just to -- what's your feel? Have you been --
15 have you wished there's been more of something? Have you been --
16 has it been more than you thought it would be, less than you
17 thought it would be? Or, do you feel like it's, you know, how is
18 recurrent and refresher training working here at this facility?
19 How has it been for you? Has it helped you or not helped you or
20 whatever? Just sort of give me your feel.

21 A. The training -- my training experience so far has been
22 excellent.

23 Q. Okay.

24 A. My area's pretty good at training. I always get trained.
25 There's very few days where I don't get training. Everybody's

1 very supportive. My trainers are great. I have no complaints
2 about training so far.

3 Q. Okay. Good. And do you recall the last time you went to any
4 refresher or recurrent training by chance?

5 A. I know we did around -- I want to say recently. I don't know
6 how many months ago it was. So -- but I do remember we just did,
7 I think it was recurrent.

8 Q. You don't remember any of the subjects that you guys did
9 or --

10 A. No.

11 Q. Okay. Are you ready to get out of here yet?

12 A. Yeah.

13 Q. All right. Gee, she won't even look at me now.

14 A. I'm sorry.

15 Q. She's actually gone from being nervous to --

16 A. Yeah.

17 Q. All right. Okay. All right. All right.

18 A. I'm sorry. I just --

19 Q. No, it's all good. It's all good. I understand.

20 A. It's all good. That's nice.

21 Q. No, very good. Okay. How close do you think you are to
22 qualification?

23 A. So from D sectors --

24 Q. Yeah.

25 A. -- we're just been working on freshing up, you know --

1 Q. Good.

2 A. -- you know, little things and working on efficiency and, you
3 know, just technique stuff.

4 Q. You sound good on the air. We've listened to your audio and
5 stuff. You're sounding confident. You're all right. No, I mean
6 it's --

7 A. Yeah. Generally, the past few weeks, we've just been -- I
8 mean I have the time. Why not use it. These are complex sectors.
9 I mean I would take extra time. I'm not in a hurry, you know.

10 Q. Um-hum.

11 A. I mean is it a race? Yes, but I want to be well prepared,
12 you know.

13 Q. Okay.

14 A. You can sit there -- I mean I sat there for how many hours,
15 and this was a new thing that I did not experience.

16 Q. Right.

17 A. You know, so you could sit there for a year and still
18 experience different things.

19 Q. Well, these guys have been qualified for years, and they'll
20 tell you that they probably still run across stuff even today that
21 they didn't run across ever yet in their career.

22 A. Yeah. So we're at the point where we're just polishing.

23 Q. Good. Are you okay with what happened here meaning -- has it
24 set you back or do you still feel you understand it, and you're
25 using it as a learning experience or --

1 A. Yeah, I think I'm using it as a learning experience.

2 Q. Okay. Have you -- has it changed any of the way you do stuff
3 now? Has anything that occurred throughout that process changed
4 the way you approach position now when you come in at all?

5 A. Well, I haven't worked since.

6 Q. You haven't worked since. Okay. All right. Very well.
7 Let's see.

8 MR. SOPER: Okay. That's all I have for right now. Seth.

9 BY MR. MYERS:

10 Q. So you've been here pre and post the NTI coming out, the
11 National Training Initiative with the time requirement.

12 A. Um-hum.

13 Q. Do you think that helps or helps your training?

14 A. Is that --

15 Q. The daily --

16 A. We have to do the --

17 Q. -- with impediments and all that stuff?

18 A. It obviously hasn't changed anything for me. We've always
19 gotten that much. In my area, we've always been able to meet that
20 hourly in my area specifically. I'm not sure about everybody
21 else, but we've always been pretty good with training.

22 Q. Have you -- how often do you think you train, and just give
23 me a percentage without a D-side?

24 A. Probably 95 percent of the time, yeah.

25 Q. Have you ever --

1 A. Have I been assigned D-side?

2 Q. Yes.

3 A. Yeah.

4 Q. How often does your trainer slide over and do D-side

5 functions?

6 A. They don't.

7 Q. Have you ever asked for a D-side?

8 A. I've asked for a D-side, yes.

9 Q. Have you ever been told we're working on it?

10 A. Generally it happens frequently.

11 Q. So do they page somebody back or grab somebody from someplace

12 else?

13 A. It depends if there's somebody available.

14 Q. Give a percentage?

15 A. Of what?

16 Q. Like when they will page somebody back or when they will pull

17 somebody from another position in the area?

18 A. So for a while, when I was training, there was always another

19 D-side in the area that was not training. So a lot of times he

20 would slide over, yeah, but he's been upstairs. So the last time

21 I asked for a D-side, they either paged somebody or somebody was

22 brought in, you know. I don't know. I just know he appeared.

23 Q. Well, good. That's good. Do you think not having a D-side

24 hinders your training?

25 A. No, not necessarily, no.

1 Q. What are your indicators to find when you start to get
2 overloaded? What do you look at in the area? Like how do you
3 know?

4 A. When I need D-side?

5 Q. Yes.

6 A. So I was given this tip by another controller before I
7 started training, the D-sides, and if it gets to the point where
8 you're -- you cannot check your EDST thoroughly, that's probably a
9 good indication of you need a D-side.

10 Q. Do you know what MAP values are?

11 A. No. Well -- no, not really.

12 Q. MAP values are an indicator that here, the supervisor --

13 A. Oh, it's the red and the yellow.

14 Q. Yes.

15 A. Yes.

16 Q. Do you know what those are?

17 A. I do know but I can't see them from where I sit.

18 Q. Okay. Do you know what they tell you?

19 A. What predicted traffic is, yeah, and our sups are generally
20 pretty good on that.

21 Q. Does that workload go up when weather's involved?

22 A. The yellow and the red, I don't know if the yellow and red --

23 Q. I mean your workload.

24 A. Yes, but -- yes, on that particular day the workload was
25 slightly higher because we had weather.

1 Q. Has your trainer ever asked for a D-side without you asking
2 for one?

3 A. Yes.

4 Q. Has the supervisor or CIC ever given you a D-side without
5 either you or your trainer asking for one?

6 A. (No audible response.)

7 Q. Generally speaking, percentage, when a supervisor or CIC is
8 in the area or, you know, are they in the area or are they at the
9 sup's desk if you give can give a percentage like. I know you're
10 facing your scope, but what do you think?

11 A. I would think in and out. So about 30 percent in the area
12 and then the rest at the desk.

13 Q. How many times do you think a CIC is in compared to a
14 supervisor?

15 A. I would think -- say the same.

16 Q. Thirty and seventy?

17 A. Yeah.

18 Q. Thirty percent CIC and thirty percent sup?

19 A. Yeah. I would think -- yeah.

20 Q. I mean like a CIC in position as CIC or the sup in the
21 position --

22 A. Oh.

23 Q. -- CIC versus supervisor?

24 A. We have CICs often. So I would probably say 70 percent CICs,
25 if not more.

1 Q. Okay.

2 A. Yeah. Because one of our sups is on a detail and the other
3 sup is -- we just had one and half for a little while and we have
4 a new one now.

5 Q. What detail's your sup on?

6 A. I believe she's on the Local Safety Council.

7 Q. And is she like one of the co-leads?

8 A. I'm not sure, but she's out -- I knew she was only working
9 Friday and Saturday morning at one point.

10 Q. Is that your supervisor? Is that your training team
11 meetings?

12 A. She was my supervisor but since the schedule change, she is
13 not longer my supervisor, yeah.

14 Q. Have you had a training team meeting with your new
15 supervisor?

16 A. No. But it only just changed over.

17 Q. Okay.

18 A. Yeah.

19 MR. MYERS: That's all I have. Thanks.

20 MR. SOPER: Yeah. Anthony?

21 BY MR. BUNCH:

22 Q. When you're working and weather starts popping up and you
23 guys notice that, do you see more engagement from the CICs and
24 supervisors --

25 A. Absolutely.

1 Q. -- coming to you asking to solicit PIREPs or trying to focus
2 on where the weather's at and how to help people out?

3 A. What do you mean?

4 Q. Are they more from behind the desk doing whatever they're
5 doing --

6 A. No, they will come. If there's weather that's affecting our
7 area, they will check in more often.

8 Q. Okay. And do you feel that -- considering weather happens
9 quite a bit during different seasons, do you get enough training
10 experience working with that and get explained different
11 techniques and stuff to help you mitigate those and work
12 efficiently or do you find yourself falling behind because things
13 are popping up that you haven't seen and aren't used to?

14 A. So it's been a while since we've seen weather. When I first
15 started we had it, but it's now -- I mean thunderstorm season is
16 over now. So this was the first weather I can remember in a while
17 that day.

18 Q. Did you get any kind of special training for the winter
19 season per se? Because like we have in Southern California,
20 (indiscernible) traffic in the wintertime because a lot of time we
21 get different winds and different situations that we're not used
22 to. So over here do they have anything like that, that you guys
23 get in particular?

24 A. Sometimes, and we're not there yet, but sometimes trainees
25 will ask for skill enhancement training for deviations like if

1 they train primarily during the summer and they're waiting to see
2 a weather day, sometimes they'll ask for that.

3 MR. BUNCH: That's all I have.

4 MR. SOPER: Thank you. And, Jason?

5 MR. ALLISTON: I think you guys touched on everything.

6 BY MR. SOPER:

7 Q. Okay. I do have one last thing. Do you recall -- have you
8 received -- have you specifically -- have you guy been receiving
9 training or briefing items that you can recall in recent months
10 regarding PIREP and weather dissemination in particular?

11 A. I think we might have had one of the monthly Safety Council,
12 there were things on it. And that would be all I remember.

13 Q. Okay. You don't remember -- nothing stands out to you?

14 A. I think we had it -- I forget what they're called, but I
15 think recurrent training, we had one on weather. I don't remember
16 when it was but it was after I came back that we had one of those.

17 Q. Okay.

18 A. I think.

19 MR. SOPER: Okay. Anybody else got anything?

20 MR. ALLISTON: I have one.

21 MR. SOPER: Go ahead, Jason.

22 BY MR. ALLISTON:

23 Q. So when you're in training, how often do you guys -- say
24 you've got a slow period. Do you ever use the ERIDS to get into
25 the 7110 and actually pull up rules and see like what the

1 requirements are and things like that?

2 A. Yes, we will. We use the 7110, yeah.

3 Q. And do you do that in debriefs as well?

4 A. Yeah, we, you know, if something happens, we'll go into it
5 and use it.

6 Q. Do you recall what the last thing that's come up that you
7 looked up?

8 A. The last thing we looked up -- we might have looked up the
9 altimeters and -- because you have to give a certain announcement.
10 So when they check in, obviously if they're under flight level 180
11 you give them the closest altimeter and then when you -- when
12 they're still in the five levels, when that was -- when the
13 transition is, what the best altimeter is to use. I think that
14 was the last thing that we looked up.

15 Q. Okay. And then -- so do you -- you guys own to the ground in
16 the sectors that you're tracking on, correct?

17 A. Um-hum. In some areas, yeah.

18 Q. Yeah, and the notes kind of lead me all over the place. But,
19 do you -- the airports that you own to the ground, do you run
20 their weather displays up on your scope?

21 A. Yes.

22 Q. And how often would you say you look at those if you have
23 little traffic?

24 A. At the weather, I only look at the weather at those airports
25 when there's somebody to them, but I do have altimeters set up for

1 in the area. I'm not sure exactly what you're looking for, but if
2 somebody's flying to that airport, I will look at the weather.

3 MR. ALLISTON: Okay. That's all I have.

4 MR. SOPER: Very good.

5 MR. BUNCH: I have one.

6 MR. SOPER: Go ahead, Anthony.

7 BY MR. BUNCH:

8 Q. Are you familiar with when you get a PIREP, when you pass
9 that to your supervisor what happens in the process, who it goes
10 to and how it gets put out? Have you been taught that?

11 A. I don't know what happens. So I don't necessarily give it to
12 my supervisor. We put it in the ERIDS and then we tell the
13 supervisor that we put one in.

14 Q. Okay.

15 A. So I don't give it to the supervisor, if that makes sense,
16 yeah.

17 MR. BUNCH: That's all I have.

18 MR. SOPER: Seth, did you have anything else?

19 MR. MYERS: No.

20 BY MR. SOPER:

21 Q. Do you happen to know what the weather coordinator is here?

22 A. No.

23 Q. So you don't have any dealings with them?

24 A. No.

25 Q. And how often do you have -- do you interact with the CWSU

1 folks at all --

2 A. No.

3 Q. -- in the course of your work?

4 A. No.

5 Q. Okay. Do you know where they're located?

6 A. Uh-uh.

7 Q. Okay. All right. Very well. Do you have any questions for
8 us?

9 A. No.

10 Q. Are you sure you want to go?

11 A. Yes.

12 MR. SOPER: Okay. I'm going to stop the recording for now.
13 I show the time as 0937.

14 (Whereupon, at 9:37 a.m. EST, 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: PIPER PA-32R-31 FATAL ACCIDENT
 NEAR DAYTON, VIRGINIA
 ON JANUARY 11, 2023
 Interview of Lani Dozack

ACCIDENT NO.: ERA23FA108

PLACE: Leesburg, Virginia

DATE: January 26, 2023

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.



Kathryn A. Mirfin
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

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PIPER PA-32R-301 FATAL *

ACCIDENT NEAR DAYTON, VIRGINIA * Accident No.: ERA23FA108

ON JANUARY 11, 2023 *

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Interview of: JAMES SCANIO, Operations Supervisor
Federal Aviation Administration

Washington Air Traffic
Control Center (ZDC ARTCC)
825 East Market Street
Leesburg, Virginia

Tuesday,
January 24, 2023

APPEARANCES:

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert
Federal Aviation Administration

SETH MYERS, Air Safety Investigator
National Air Traffic Controllers Association

ANTHONY BUNCH, Air Safety Investigator
National Air Traffic Controllers Association

MATT SMITH, ESQ.
Federal Aviation Administration
Office of the Chief Counsel
On behalf of James Scanio

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of James Scanio:		
By Mr. Soper		6
By Mr. Myers		21
By Mr. Alliston		30
By Mr. Soper		35
By Mr. Myers		41
By Mr. Alliston		43
By Mr. Soper		43

I N T E R V I E W

(3:09 p.m. EST)

MR. SOPER: All right. My name is Brian Soper. I'm an air traffic investigation with the NTSB. And we are here to investigate the accident of N43156 that occurred on -- what was the date of this accident? Do you recall?

MR. SCANIO: January 11th.

MR. SOPER: January 11th, thank you very much, 2023. I have with us in the room, if you would, state your name for the record please.

MR. SCANIO: James Scanio, operations supervisor at Washington Center.

MR. SOPER: And how do you spell your last name?

MR. SCANIO: That's S-c-a-n-i-o.

MR. SOPER: Thank you. And with you, your representative is?

MR. SMITH: Matt Smith with the FAA's Office of the Chief Counsel.

MR. SOPER: Thank you, Matt. And going around the room I also have in my group here with me today, I have Jason Alliston out of -- is it -- I always forget this.

MR. ALLISTON: Columbus Tower.

MR. SOPER: Columbus. I keep wanting to say Columbia, and I know it's wrong.

MR. ALLISTON: That's Columbia Center of Health.

MR. SOPER: I know it's wrong every time I say it. So thank

1 you, and he's representing the FAA's group member on the group. I
2 have Anthony Bunch here with us from Southern California TRACON
3 representing NATCA as a NATCA ASI, and under the observation of
4 the other NATCA ASI, Mr. Seth Myers, out of Boston Center.

5 The NTSB, as I mentioned earlier, we're non-regulatory. We
6 do not have enforcement powers. We don't make rules. We don't
7 enforce rules. We're charged by Congress to investigate civil
8 aviation accidents and incidents of a serious nature and come up
9 with probable cause. What was it that allowed it happened? And
10 then hopefully make recommendations to industry or a segment of
11 industry to prevent reoccurrence, that's our job in a nutshell.

12 We do not -- we're not concerned with blame or who's at
13 fault. This is a safety accident. So gathering the factual
14 information is just paramount in that process. This should not be
15 an intimidating thing, even though I know it's almost impossible
16 to get around that, but it's not. We call it an interview for a
17 reason, because it's literally a discussion between us and the
18 experts that work at this facility. It's not an interrogation.
19 We don't have a light swinging over your head. We don't have any
20 trick questions in an NTSB investigation. There's no ah-ha
21 moment, I gotcha or any of that kind of stuff. Everything is very
22 straightforward and very simple.

23 If you do not know the answer to a question, it's okay to say
24 you don't know. And if you don't recall something, it's okay to
25 say you don't recall. We don't want you to fill in the blanks

1 with what you think we want to hear. So -- and that's about it.

2 Do you have any questions for us before we begin?

3 MR. SCANIO: No questions.

4 MR. SOPER: Awesome. All right. So I will start out. I
5 will have some background questions for you, a little bit, and
6 then a couple questions about the event, and then we'll go around
7 the room one by one until we've asked everything we need to ask.
8 And then we'll get you out of here.

9 INTERVIEW OF JAMES SCANIO

10 BY MR. SOPER:

11 Q. All right. So, you said your name was James Scanio. That's
12 S-c-a-n-i-o.

13 A. Correct.

14 Q. And what was your age on the day of the incident?

15 A. 48.

16 Q. And your operating initials here?

17 A. Juliet Sierra.

18 Q. And you were the OS --

19 A. Correct.

20 Q. -- on duty. And do you have any prior FAA air traffic
21 control work experience? Military, DOD, federal contract,
22 dispatch.

23 A. I have seven years in the U.S. Navy as an air traffic
24 controller.

25 Q. Awesome. And where were you at? From what year to what

1 year?

2 A. '95 to 2000 -- excuse me. 1994 to 2001.

3 Q. And where were you at?

4 A. I was stationed on board the USS GEORGE WASHINGTON.

5 Q. From when to when?

6 A. '95 through '97.

7 Q. Okay.

8 A. And then I was FACSAC Jacksonville, F-A-C-S-F-A-C

9 Jacksonville --

10 Q. I retired from the Navy.

11 A. -- for the remainder of the time.

12 Q. All right. And did you come to the FAA right after getting
13 out of the --

14 A. Approximately one year break in service waiting for the
15 actual appointment.

16 Q. Okay. Awesome. And do you hold any collateral duties or
17 have you been on any recent details that have taken you outside of
18 the facility for more than or that would have affected your
19 currency or proficiency?

20 A. No.

21 Q. Okay. So if you would, give us kind of your 10,000 foot bio
22 aviation background. What I mean by this is starting with, you
23 know, when you first became interested in aviation essentially
24 until you arrived here as a controller here, and I don't need to
25 know every place you've been or anything, but just those general

1 things. Like, I was interested in aviation. I went into the
2 Navy. I did this. I got my pilot's license. I went to college,
3 whatever.

4 A. I went into the Navy. The recruiter was a good friend of
5 mine. He pointed me at air traffic control because he said it was
6 a very good job to have in the military. So I didn't really know
7 about it to be honest with you. After seven years of doing it, I
8 realized that I enjoyed it and pursued a career in the FAA right
9 after that.

10 Q. Have you ever been terminated, suspended or asked to resign
11 from a position since you've been in the FAA?

12 A. No.

13 Q. And how would you describe your overall health in terms of
14 excellent, good, fair or poor?

15 A. I would say excellent.

16 Q. Okay. And did you have a medical clearance certificate at
17 the time of the event? Were you up?

18 A. Yes.

19 Q. And do you have any waivers or limitations or restrictions to
20 your medical clearance?

21 A. No, I do not.

22 Q. Corrective lenses requirement?

23 A. No.

24 Q. Okay. And were you taking any over-the-counter or
25 maintenance medications, prescription on the day of the incident?

1 A. No, I was not.

2 Q. And was drug or alcohol screening performed as a result of
3 this event?

4 A. No.

5 Q. And have you had any major changes in your health over the
6 last year? When I say major changes, good, bad, or indifferent,
7 like, yeah, I had a major surgery. Yeah, I had, you know, a pin
8 put in my arm, anything like that that was significant, lost, you
9 know, 70 pounds, anything like that?

10 A. No changes, no.

11 Q. And similar question, major changes in your personal life
12 during the last year, got married, got divorced, had children,
13 adopted a child, anything like that was --

14 A. Nothing at all.

15 Q. Okay. And last one but still similar, any major changes in
16 your financial situation over the last year? These are big
17 things, won the lotto, filed bankruptcy, that type of thing.

18 A. No, nothing.

19 Q. All right. This one's a little tougher, but I'd like you to
20 try to think back to the time and really think about it for a
21 second, and that is the 72 hour history, the 72 hours leading up
22 to the time of the accident, so those 3 days previously, was there
23 anything that occurred during those three days that ring a bell
24 with you as being kind of a wrench in the spokes of life so to
25 speak? And I mean like things that took you out of your --

1 disrupted your normal sleep and rest patterns or disrupted your
2 normal eating patterns like, yeah, I was sick as a dog for like,
3 you know, three days. This was my first day back to work or I had
4 a family member in a car accident, and I was up all night or my
5 kid was keeping me awake, anything that would have taken you out
6 of those normal routines, that you can recall?

7 A. I don't recall anything being abnormal at all, no. Standard
8 day.

9 Q. Okay. All right. And did you file an ATSAP as a result of
10 this matter? I know you're not a bargaining unit member but --

11 A. I did not.

12 Q. -- you can still do that. All right. Have you been
13 interviewed about this event prior to now?

14 A. Well, the event review team here at Washington Center --

15 Q. Um-hum.

16 A. -- did sit down and discuss the events with me, yes.

17 Q. As part of CER or SSR do you know?

18 A. I think it was part of the -- I don't remember exactly what
19 they called it to be honest with you.

20 Q. Okay.

21 MR. SMITH: Brian --

22 MR. SOPER: Yes.

23 MR. SMITH: -- I just want make sure that -- understanding
24 that. Are you referring to the sit down that you had about an
25 hour ago with the ERT?

1 MR. SCANIO: No.

2 MR. SMITH: Okay.

3 MR. SCANIO: No, the Local Safety Council sat down with me.

4 MR. SMITH: I just wanted to make sure what he said.

5 BY MR. SOPER:

6 Q. Okay. And have you had an opportunity to review replays of
7 this event?

8 A. Last night I did actually -- I asked for some information so
9 I could see the event because I hadn't actually seen it prior
10 until last night. So I did it on my own last night.

11 Q. Was it on like Falcon?

12 A. It was Falcon and I think I had a copy of the SATORI but I
13 couldn't get it to work. So I just basically looked at the Falcon
14 replay.

15 Q. Okay. Good. Do you recall on the day of the incident, was a
16 relief briefing conducted when you took over the OS position on
17 that day? Did you relieve somebody else that was in the position?

18 A. I relieved a CIC, controller in charge.

19 Q. Okay. And did you guys do a formalized turnover of position
20 relief briefing?

21 A. We did, yes.

22 Q. Do you know, is that recorded?

23 A. It's not recorded. We don't really have a way to record the
24 briefing other than we could call each other on a phone line. We
25 could record it that way.

1 Q. Okay.

2 A. But we don't have like a station to record the briefing or
3 anything.

4 Q. Okay. And do you know was a checklist utilized?

5 A. I don't recall if one was utilized that day.

6 Q. Okay. And do you routinely use a checklist?

7 A. Yes.

8 Q. Okay. And is that something that's on a computer or is it,
9 you know, a physical checklist that you got somewhere around the
10 sup's desk?

11 A. We have a physical checklist on paper.

12 Q. All right. Very good. And on a scale of 1 to 5, 5 being the
13 heaviest, how would you rate the traffic volume on that position
14 at the time of the event?

15 A. About a 1 I would say.

16 Q. Okay. And do you feel that was normal for that day of the
17 week, time of the day type thing here?

18 A. Yes.

19 Q. Or was it below average or above average?

20 A. Fairly normal for that time of day.

21 Q. Okay. Similar question, on a scale of 1 to 5, 5 being the
22 most complex, how would you rate the traffic complexity at the
23 time?

24 A. About a 1.

25 Q. Okay. Same question, pretty normal for that time of day

1 or --

2 A. Yes, very normal.

3 Q. All right. And do you recall around the time or leading up
4 to the time of the event, were there any distractions occurring
5 around the radar room? This can be anything from physical
6 distractions like climate control, heat not working, air not
7 working, to techs working on something, you know, loud banging in
8 an adjacent area or there was an emergency going on in another
9 sector or something else that you were trying to help with or you
10 were having communication issues with your -- with a part of your
11 airspace. So it can be anything. Was there just anything that
12 you recall that may have been distracting or could have been
13 distracting leading up to the event at the time?

14 A. Nothing that I can recall.

15 Q. Okay. Do you recall the general weather conditions in the
16 area around the time of the event? And when I'm asking this, I
17 certainly don't want you to try to spit out a METAR. I'm looking
18 more along the lines of was it predominantly IFR, VFR? Were you
19 having a lot of deviations? Was there precip in the area,
20 thunderstorms, anything that you can, you know, recall generally
21 about the weather? Advisories that were in effect, any AIRMETs,
22 you know, SIGMETs, CWAs.

23 A. The northern part of the sector had some precipitation in it,
24 moderate and heavy if I recall correctly. The southern portion of
25 the airspace really didn't have any at that time. There was some

1 earlier in the day, but it moved through. As far as deviations,
2 there was some minor deviations in the northern part of the
3 sector. And then that's all I remember.

4 Q. Any weather in-flight advisories, SIGMETs, CWAs, AIRMETs,
5 that you can recall sent out?

6 A. There was a, there was a couple of AIRMETs that night,
7 specific AIRMETs I can't recall at this time.

8 Q. Okay.

9 A. But we definitely had a couple.

10 Q. All right. And did you receive the pre-duty weather briefing
11 on that day?

12 A. Yes.

13 Q. And was there anything in that briefing that you recall you
14 would say that stood out to you that day as something you were
15 trying to -- that you needed to be aware of or that you needed to
16 put out to the team or anything like that?

17 A. Our region is a mountainous region. So we do tend to have
18 more precipitation than other areas. So we do tend to remind the
19 controllers that they're going to be dealing with more
20 possibilities of precipitation than the rest of the center will.

21 Q. Okay. And in your, in your perception here, this is kind of
22 an opinion question a little bit, and that is how much value is
23 there in the pre-duty weather briefing in its current state in
24 preparing you for the weather that you're getting ready to
25 experience on your watch? So meaning do you find that it provides

1 you high value, some value, very little value?

2 A. It's high value because it actually tells you what you can
3 expect for your shift.

4 Q. All right. Good deal. All right. Did you have a cellular
5 phone or PED on you at the time of the event?

6 A. No.

7 Q. Okay. And had you requested assistance or relief or were you
8 waiting on a relief or assistance at or leading up to the time of
9 the event -- prior to the loss of aircraft? I mean were you like,
10 okay, man, dude, where's my sup relief. I've been waiting on him
11 for whatever. I mean was there any of that or were you in your
12 normal rotation?

13 A. I was in my normal shift. So, no, I was not.

14 Q. Okay. And did you -- are you the one that notified -- did
15 you notify the OM about this event?

16 A. I was training a supervisor at the time.

17 Q. Okay.

18 A. So he's the one that actually made the phone call under my
19 supervision.

20 Q. Okay. And do you recall about how long after you made -- was
21 that something you did immediately when you were notified by the
22 OS or I mean by the controller rather?

23 A. It was within 2 minutes at the very most --

24 Q. Okay.

25 A. -- that we notified the OM.

1 Q. All right. Very good. So that takes care of the general
2 background stuff. What I'd like you to do for us now, if you
3 could, is try to -- so just tell us the story, right, and I want
4 you to do this in your own words, just recalling how you went
5 through things. Be as detailed as you possibly can. Try to
6 recall even the most minute or mundane details. They often
7 provide some insight to us as we piece things together, but kind
8 of step us through from just -- probably a little bit before you
9 became aware that there was a problem with this guy or the first
10 recollection you have of this aircraft because I don't know what
11 your duties were leading up to it until you were made aware. So
12 I'm gathering you may not have been aware until the controller
13 made you aware there was a problem. So just take me through that,
14 and then what transpired once you were made aware and how things
15 went to the point that it was just now a lot of coordination
16 happening with the OM, you know, in the other part of the
17 facility.

18 A. Okay. Very normal shift with normal traffic volume. I know
19 at the time I was discussing sectorization with the new
20 supervisor, kind of teaching him how we run the sectors, when it's
21 time to split the sectors, different configurations that we run.
22 When we were notified of the event, there was no prior indication
23 that there was any issues whatsoever. So when we were notified of
24 the event, we asked the controllers specifically what happened,
25 and they said we lost radar contact and we can't get ahold of him.

1 Q. Okay.

2 A. We then started the process of -- you want me to keep going?

3 Q. Yeah.

4 A. We started the process of relaying to other aircraft to see
5 if they could raise the aircraft because sometimes when they get
6 at lower altitudes, they can't hear us. So we tried doing
7 multiple relays through different aircraft. We tried multiple
8 frequencies in the area to see if he may have ended up on a
9 different frequency. And then we obviously tried on the guard
10 frequency as well.

11 Q. Okay.

12 A. And while they were doing that is when we were coordinating
13 with the OM to let him know what happened.

14 Q. Okay. When did you first become aware that an actual
15 accident had definitely occurred? When was there confirmation for
16 you?

17 A. Well, I didn't really know for sure, you know, when I left
18 that night because it is common occurrence for a VFR aircraft to
19 -- for us to lose radar contact on them, and then we find out
20 hours later that they've landed somewhere. Through a bunch of
21 research, we finally find them.

22 Q. All right.

23 A. So I really wasn't aware until the next day.

24 Q. Okay. So did you -- leading up to the time, I know you were
25 training another sup. So were you monitoring any positions at the

1 time actively when this -- when the sup first told you? Had you
2 been already monitoring or were you doing other duties with the
3 new sup?

4 A. Part of our duties is watching through the area periodically
5 every 10, 15 minutes or so and get up and walk around.

6 Q. Okay.

7 A. One of the things I was actually trying to teach him that day
8 was to stand behind the controllers because you can't get a better
9 picture of what's going on than standing behind them and watching.
10 So.

11 Q. Okay. So when you were first made aware, do you remember
12 physically where you were at or what you were doing when the
13 controller first brought to your attention, we just lost radar
14 comms on somebody?

15 A. We were at the operations sup desk.

16 Q. When you were notified, did you then come into the area or --

17 A. Yes.

18 Q. Okay. And what do you recall about that timeframe? You went
19 over there and what did they do? Did they, did they show you?
20 Was it still in a coast or --

21 A. They called for attention. They said, hey, we lost radar
22 contact with this guy and we can't raise him on the frequency
23 either.

24 Q. Okay. Some of these questions will be general. I'll bounce
25 around a little bit, but for you, do you tend to spend -- on

1 average, do you spend more of your time in the operation or at the
2 sup's desk over the course of a watch? What normally pulls your
3 attention more throughout in general?

4 A. We have very busy periods of the day --

5 Q. Okay.

6 A. -- to where we do spend a lot more time in the operation, but
7 as a general rule, it's about a 50/50 split.

8 Q. Okay. And how many sups -- how many Oses do you have in your
9 area right now?

10 A. We have three.

11 Q. Does that include the one you were training?

12 A. Yes, he is now certified.

13 Q. Okay.

14 A. So at the time, we had two.

15 Q. All right. Is that adequate in your opinion? For what
16 you've been tasked with here, is that enough for you to accomplish
17 the appropriate amount of oversight and administrative duties to
18 include, you know, performance management and stuff that's
19 expected of you or are you -- is that a stretch for you?

20 A. I'd have to say we're used to it. It's been like this for
21 several years.

22 Q. Okay. All right. Going back to the ALNOT stuff, so what is
23 your role as an OS, what role do you have in the ALNOT process and
24 what are the things that you have to be cognizant of throughout
25 it? How does it play into your --

1 A. If we are just the operations supervisor, in other words, not
2 standing temporary duty as the operations manager in charge, then
3 we pass all the pertinent information to the OM as quickly as
4 possible.

5 Q. And from there, it's kind of on its own then. The OM takes
6 care of all further reporting from there.

7 A. Correct.

8 Q. You don't any play back in the game other than, I guess if
9 they call, you know, and ask you more further questions, right?

10 A. Right. Sometimes they'll call and ask for further
11 information. We will continue on our end doing routine things
12 like calling local airports and just making sure that the aircraft
13 didn't touch down or anything like that.

14 Q. Okay. And do you guys have -- is there a checklist for ALNOT
15 stuff or a form or anything that you guys have to fill out at the
16 sup desk that you take to the OM or is it all done just verbally
17 in some way or shape normally?

18 A. There is no formal checklist. It's done verbally.

19 Q. Okay. And do you what the requirements are for issuance of
20 an ALNOT?

21 A. Within 30 minutes.

22 Q. Of?

23 A. It actually depends on the situation.

24 Q. Okay.

25 A. Thirty minutes of the fuel exhaustion, if it's a lost

1 aircraft, if it's overdue, unless you suspect otherwise. Then you
2 do it immediately.

3 Q. Okay. Do you remember, did you leave the area to go advise
4 the OM or did you call him on the phone or --

5 A. We called him on the phone.

6 Q. You called him on the phone. Okay. All right. I'm going to
7 go ahead and pass it along for now, and I'm going to have some
8 more questions for you, but I'm going to go ahead and pass it
9 along.

10 MR. SOPER: Seth.

11 BY MR. MYERS:

12 Q. All right. Do you, do you track the pre-duty weather briefs
13 for your controllers on a shift? How is that done here?

14 A. It's tracked via CEDAR.

15 Q. How are informed if they don't do that? Do you check that
16 or --

17 A. The OM will actually put us out a email advising if any of
18 the controllers did miss it for the shift.

19 Q. How often would you say that is noncompliant?

20 A. Usually maybe one out of a shift won't do it. They forget,
21 but most of them are compliant.

22 Q. So if they print you out that sheet, you're the one to ensure
23 the controllers get the weather brief along with the OM team?

24 A. Correct.

25 Q. On a night like or the day that you were working that shift,

1 and there's depicted weather in the area as you were saying, how
2 do you ensure as a supervisor that the weather is being called?

3 A. Stand behind them and listen to make sure that they're
4 calling.

5 Q. And if they are not?

6 A. A reminder that you have weather on your scope. You need to
7 be calling it.

8 Q. On the spot correction?

9 A. Right.

10 Q. What about if it's a day where there's a lot of PIREPs,
11 things of that nature, solicitation, dissemination. Can you kind
12 of walk us through how the facility meets compliance for that, you
13 know, you as general supervision, how you play a role in that?

14 A. The controllers will usually us know when they're getting
15 PIREPs and they're putting them in the system. So that way, we're
16 aware of them and if it's significant PIREPs, we can pass them on
17 to the traffic management unit to possibly -- if it's one arrival
18 that's getting severe icing or something like that, we will
19 probably route them off of those arrivals, try to take them out of
20 severe turbulence, things like that. So our role is to basically
21 just disseminate everything that the controllers gather as much as
22 we can and then as much as we get from our briefings, disseminate
23 that to the controllers so they're prepared for what might come
24 their way.

25 Q. So how are you informed that it's a requirement to solicit

1 for PIREPs as a supervisor?

2 A. We do a weather briefing at the standup briefing during the
3 day, and they'll tell us what's forecasted in the area for the
4 evening.

5 Q. And like are you -- do you go back to the area? Is there a
6 sheet that you bring back? Is there a placard in the area that
7 you put on --

8 A. It's not a sheet, but we usually just come back and verbally
9 advise we're expecting icing this evening, we're expecting
10 moderate turbulence, whatever the case may be.

11 Q. And that would be -- that would bring you into compliance for
12 PIREP solicitation obviously. Have you ever been called from TMU,
13 the weather unit, OM, and said, hey, can you get some PIREPs?

14 A. If we have areas of precipitation on an arrival, TMU will
15 time to time ask us for some PIREPs, or we're having problems
16 getting through the area or people deviating, things of that
17 nature.

18 Q. Do you know or have you ever heard of a weather coordinator?

19 A. Yes.

20 Q. Where is that?

21 A. We do it for on the midnight shift.

22 Q. Okay.

23 A. TMU does it during the dayshift.

24 Q. What is your understanding of what the weather coordinator is
25 supposed to do?

1 A. Gather and disseminate PIREPs.

2 Q. Is that written anywhere?

3 A. We get training on a weather coordinator position when we

4 become frontline managers. So it's on our checklist.

5 Q. During the day, you said it's normally where?

6 A. Traffic management unit does it during the day.

7 Q. AIRMETs, SIGMETs, convective SIGMETs, any of those things

8 that come out, how are controllers advised or are they know that

9 they're supposed to be doing those or that they've come out?

10 A. There is a message indicator on their URET screen that shows

11 that they have a new message to be read. Then they click on it,

12 and it displays the full AIRMET or SIGMET, whatever the case may

13 be, and then they read it.

14 Q. And how do you know that they've done that?

15 A. If their messages are cleared out, you can see that they did

16 because once they read them, they're supposed to clear them out of

17 their system. And you can hear them reading them. So obviously.

18 Q. It's the chain effect, right?

19 A. Right.

20 Q. One person does it, the rest will do it.

21 A. Usually you can hear a lot of them pipe up at one time, yes.

22 Q. Do you know what MAP values are?

23 A. Yes.

24 Q. Where are those usually displayed in the area?

25 A. Well, we don't usually display them in the area. They're

1 displayed at the supervisor's desk.

2 Q. What do they tell you?

3 A. The acceptable workload for the sector.

4 Q. And how do you know that by looking at them?

5 A. You mean how do I know what the numbers are?

6 Q. Yeah. So like do they give you any indicators of the
7 workload through those MAP values?

8 A. Yes. If we're below the, if we're below the MAP number,
9 usually it's a non-busy sector. However --

10 Q. Is that color coded or --

11 A. Yes. So if it turns yellow, that means there's a possibility
12 that it's going to get busy. When it turns red, it means it's
13 actively in the air and going to get busy.

14 Q. Do you remember what it was for that day?

15 A. It was green. So it was coded normal.

16 Q. Have you ever heard of dynamically adjusting the MAP values?

17 A. I have, yes.

18 Q. And what is that?

19 A. Based on workload, weather conditions, things of that nature,
20 sometimes we can adjust up or down to accommodate.

21 Q. Did you think about adjusting those that day because of there
22 was weather and PIREPs and things of that nature going on?

23 A. No, it was very low top (ph.) precipitation. So it wasn't
24 really complexity or deviations.

25 Q. Have you ever dynamically adjusted those MAP numbers?

1 A. I have not, no.

2 Q. Have you ever seen anybody in your facility adjust those
3 dynamically?

4 A. No, I haven't.

5 Q. Is there any process for the facility to follow or for you to
6 follow if the MAP values are red or overloaded?

7 A. The process that I follow is I will evaluate the situation to
8 see, first of all, to see how long it's going to be that busy,
9 what other factors may be contributing to it being busier than
10 just a MAP number, and then we make the decision either to split
11 the sector if it's in a combined configuration or provide them
12 with assistance. I decide.

13 Q. So you made that up on your own obviously. You said that's
14 what I do. That's not training. That's not written down
15 anywhere. It's --

16 A. I mean it is --

17 Q. It's just passed on, passed on sup to sup per --

18 A. Yeah, it's trained when we're training to be a supervisor.
19 As far as is it written in anything, it doesn't say if a number
20 reaches this value, to split it. Nothing's written, no.

21 Q. Do you know why you guys don't display those in the area for
22 the controllers to see?

23 A. We have a lot of information on the status boards, and don't
24 really have a lot of room to put more up there. If they want to
25 see it, we'll certainly cite it over there for them to see, but we

1 don't keep it up there as a normal thing.

2 Q. So you have two boards up there. What is each one?

3 A. The left side shows restrictions we get and restrictions we
4 give. The right side has equipment outage information, status of
5 all the restricted areas we have in our airspace, the landing
6 direction of all the airports, any miscellaneous information that
7 may impact them.

8 Q. Do you guys have a CIWS in the area?

9 A. We do.

10 Q. Do you ever see any controllers looking at them?

11 A. Yes. It gives more detail information about tops of
12 precipitation and things like that.

13 Q. Do you know what the Washington Center LSC is?

14 A. Yeah, the Local Safety Council.

15 Q. Do you know what they do?

16 A. Well, they have a lot of duties from what I understand. I've
17 never served in that role. I know, as far as I'm concerned, they
18 handle any safety related matters, any changes that may need to be
19 made to standard operating procedures or letters of agreement.
20 We'll run through them first to make sure it's a safe thing to be
21 doing. They review events. They review ATSAPs. And I'm sure
22 they have a lot more that I don't know about.

23 Q. So all those things that they do, do you know if they ever
24 have any opportunity to give that feedback back to the workforce?

25 A. They do. They do monthly -- we do a monthly training through

1 them that they put on.

2 Q. Safe discussions.

3 A. Safe discussions every single month, and then we send the
4 controllers out to a briefing done by the Local Safety Council.
5 And it's a variety of topics that they choose for every month to
6 go over.

7 Q. What would you say your facility compliance is with getting
8 controllers out to that number? What are you supposed to and what
9 do you think the compliance is? Do you know if there's any
10 numbers for that?

11 A. I don't know what the facility compliance because I'm an
12 operations supervisor. But I can tell you my area compliance is
13 usually at 100 percent.

14 Q. That's also the national order.

15 A. Okay.

16 Q. So how do you ensure controllers getting to that?

17 A. Well, you send them to the briefings. We have briefings four
18 times a day. So we either attempt to send to one of those
19 briefings as staffing permits, and then if it does not permit,
20 then we actually receive the briefing and we'll give that to them
21 in person.

22 Q. Along the same lines for feedback, do you know what an ICV
23 and ECV is?

24 A. Yes, internal compliance verification and external compliance
25 verification.

1 Q. Yep. So they have like facility emphasis items. Have you
2 ever had any information about what those are here? How about
3 your controllers?

4 A. I have received information on them in the past, yes,
5 specifically.

6 Q. Could you tell us any of them that you have right now?

7 A. No, not now.

8 Q. What other duties do you do as a frontline because I know
9 there's of them other than general supervision in the area? Could
10 you explain a few of those for us?

11 A. Managing the schedule.

12 Q. Okay. Do you do training team meetings and --

13 A. We do, yes. Training team meetings, performance assessments,
14 things of that nature.

15 Q. And I know Brian talked about a little bit how often do you
16 find that those tasks take you out of the operation where you have
17 to put a CIC in to -- in order for you to do -- or can you do
18 those in the operation? Some facilities allow you to do that.

19 A. No, we do put a CIC in charge to do performance assessments
20 and training team meetings, things of that nature. We always have
21 a CIC in charge when we're doing them. So how often does this
22 happen? A few times a month.

23 Q. How many trainees do you have under you right now?

24 A. Only one actively training. Yeah, one actively training
25 right now. One is waiting for radar school and one is in radar

1 school.

2 Q. How many trainees are in the area?

3 A. Three.

4 Q. That's all I have for now. Thank you.

5 MR. SOPER: Thank you. Anthony, do you have anything?

6 MR. BUNCH: No.

7 MR. SOPER: All right. And, Jason?

8 BY MR. ALLISTON:

9 Q. How long have you been an ops supervisor?

10 A. 2011, I was hired. So about 11 years.

11 Q. Okay. And has this been your only facility FAA side?

12 A. No, I was at Jacksonville Center prior to here.

13 Q. Okay. And how many years in this facility?

14 A. Six years.

15 Q. Six years. All right. On the -- we were just on the
16 training side. When one of your developmentals finish this
17 training for the day, what is the process of where that form goes?

18 A. We record their hours on a form to make sure that we're
19 meeting minimum requirements in the facility, and then the form
20 goes up to the operations desk.

21 Q. Okay. And do you review the form as far as the subtasks and
22 the notes on the back?

23 A. Yes, the actual Dash 25 (ph.), since the change received, we
24 do review those. We review those. In fact, they bring them to us
25 when they're done for the day. We review them for accurate notes,

1 read the comments, things like that and then we put our initials
2 stating that we've reviewed them.

3 Q. Okay. And so the -- over the course of we'll say the past
4 year or so, how often would you say that they mark a subtask for
5 weather dissemination or have notes on weather or PIREPs?

6 A. I've actually seen a few positive ones on there where it said
7 good job calling the weather, good job disseminating turbulence
8 reports, things like that. It depends on the time of year to be
9 honest with you. Obviously we have a lot more in the summertime
10 than we do in the wintertime. We don't have a lot of weather
11 events during the wintertime.

12 Q. Okay. And if you have -- so -- and going back to ECV and
13 ICV, if you have open mitigations, there's those emphasis items,
14 do you typically discuss those with your training teams?

15 A. We don't really bring compliance verification to them because
16 most of them don't really know what it is. We just basically ask
17 them to ensure they're doing what they're supposed to be doing
18 because it's part of their job, is to make sure everybody's aware
19 of the weather.

20 Q. Okay. So we touched a little bit on you spend roughly 50
21 percent of your time at the desk, 50 percent in the area. And as
22 far as monitoring that 50 percent where you're actually physically
23 in the area, how often do you use a headset or I guess a
24 subquestion of that is, do you have cordless headsets?

25 A. We do, yes.

1 Q. And how often would you say you use that during the time you
2 spent in the area?

3 A. Basically any time there's a -- it's -- if it's forecasted to
4 be a severe weather event or we know we're going to have
5 deviations and a lot of reroutes, then we do immediately go to the
6 cordless headsets.

7 Q. Okay.

8 A. In fact, the whole building will go to them at one time.

9 Q. And is that a facility expectation?

10 A. Yes.

11 Q. And is that written anywhere?

12 A. No. Usually we'll discuss it at the standup briefing, that
13 tonight's going to be weather event. So when you get back to your
14 area, go to cordless headsets.

15 Q. Okay.

16 A. And we use them to communicate with each other amongst the
17 areas with TMU and to monitor the sectors as well.

18 Q. Okay. On the performance management side, typically how many
19 talks do you end up doing in a month?

20 A. I would say average maybe 5 to 10.

21 Q. And what is the -- typically when you're doing those, what is
22 your emphasis? Are you looking for emphasis items or are you just
23 reviewing a 30 minute session or something? What is your process
24 for that?

25 A. I try to do a certain amount of good ones per month, so that

1 they're not always seem like they're bad basically.

2 Q. Okay.

3 A. So we --

4 Q. That's good.

5 A. If we have a severe weather night, I make sure -- I try to
6 recognize everybody that participated especially if they went
7 above and beyond, you know, assisting pilots with deviations,
8 things like that. So usually the process is, depending how the
9 shift goes and I try to recognize with positive as much as I can.
10 And then obviously if there's a negative event then we have to do
11 the negative performance management as well.

12 Q. Would you say you probably issue significantly more
13 positives?

14 A. Yeah, in the summertime especially, there's a lot more done
15 than there is this time of year. I would say it's not quite that
16 many but definitely more positive than negative, yes.

17 Q. All right. And so there's been training probably three or
18 four this past year on emphasis items for weather and PIREPs. Do
19 you specifically try to target those emphasis items for the
20 performance discussions?

21 A. If we're not compliant, yes.

22 Q. Okay.

23 A. If we're compliant, then I may write a positive one saying
24 that you are doing what we're expecting of you with the weather.

25 Q. And on a weather day, how often would you say you make on the

1 spot corrections?

2 A. I would say not very often. I usually do hear the majority
3 of people calling the weather. It's impossible to monitor every
4 transmission but not very often.

5 Q. Would you say the PIREP process as it stands now in ZDC is an
6 effective way to solicit PIREPs?

7 MR. SMITH: Before you answer that, it's a bit of an opinion
8 based question, and I would just suggest you be cautious with your
9 response to that and only answer to what you have factual
10 knowledge of big picture-wise, if you can answer it at all.

11 MR. SCANIO: Right.

12 MR. SMITH: And you might have to ask your question again?

13 MR. ALLISTON: I can rephrase it.

14 MR. SMITH: Yeah, I don't want to tell you how to ask your
15 questions. It was just kind of a very broad kind of policy type
16 question. I don't want him to speak too much outside of what he
17 knows. However you want to ask it is fine as long as he's able to
18 answer it.

19 MR. ALLISTON: Yeah. I'll narrow it down. How's that?

20 BY MR. ALLISTON:

21 Q. So maybe because I'm most concerned with the dissemination
22 piece of it. So solicitation, you kind of see that piece of it
23 because it comes to you. They either notify you or you see it in
24 the EDST. On the solici -- I'm sorry. On the dissemination piece
25 of it, is the -- and this is -- so there's two parts, right.

1 Urgent PIREPs come through the EDST and regular PIREPs come
2 through the ERIDS.

3 A. Correct.

4 Q. So do you see them disseminating those PIREPs that come
5 through the ERIDS?

6 A. Yes.

7 Q. And is that a regular thing?

8 A. Yes, when they pop into the ERIDS, there's a flashing
9 notification. So yes.

10 Q. Okay. And when those -- do you know what the process is in
11 TMU, whether they identify specific sectors or whether they just
12 sent them out to the entire facility when they give a PIREP to the
13 facility?

14 A. I don't know the process.

15 MR. ALLISTON: I am done for now.

16 BY MR. SOPER:

17 Q. Okay. We're going to stay with the PIREP theme a little bit
18 here. And, first of all, kind of going along the same line where
19 he was with that, do you see -- in your area, do you note a lot of
20 PIREPs and/or in flight weather advisories, whether it be SIGMETs,
21 AIRMETs, CWAs, that come into your area that are not necessarily
22 applicable to your area? Meaning you look at them right off the
23 bat and go, dude, that's not even in our area. That's way over
24 there in Sector 1 or whatever. Or do you not note that in your
25 area?

1 A. I don't notice a lot of insignificant ones, no.

2 Q. Okay.

3 A. They usually pertain to us one way or another.

4 Q. Very good. And, what is your understanding of the PIREP
5 lifecycle in this facility? So a controller receives a PIREP from
6 an aircraft. How does it make its way through the system? What
7 happens?

8 A. The controller puts it into the ERIDS system.

9 Q. Okay.

10 A. It gets sent up to the flight data unit. The flight data
11 unit broadcasts it out --

12 Q. Okay.

13 A. -- through a GI message.

14 Q. Okay. And then you receive -- you see those come back either
15 via ERIDS or your EDST?

16 A. Correct, yes.

17 Q. Depending on whether they're routine or urgent.

18 A. Right.

19 Q. Okay. And how do you -- what is your expectation in your
20 area of the controllers there, when PIREPs are required to be
21 solicited? So when you have conditions that require the
22 solicitation of PIREPs, how do you engage to ensure that your area
23 is doing that? What's your process?

24 A. If I'm observing an area of precipitation and -- or if it's
25 forecast for the evening, and I'm not hearing any pilots being

1 brought to my attention, then my process is to go over to the
2 sector and say, hey, are we calling weather? Yes. Okay. Are you
3 receiving any PIREPs? Get some PIREPs and then send them. Just
4 general reminders on the spot corrections.

5 Q. Okay.

6 A. Making sure that they are doing what they should be doing.

7 Q. Do you have an expectation as to -- do you guys -- do you
8 have any gauge or is there any facility gauge like, hey, when
9 PIREPs are required to be solicited, you need to be "X" number or
10 "X" amount of time in between or anything like that? Is there any
11 requirement for or do you have a personal requirement that my
12 expectation is that if I'm not seeing more than this, then I'm
13 going to start asking?

14 A. No facility requirement for exact time to get them. My
15 personal requirement is dynamic based on the situation.

16 Q. Okay. Could you expound on that just a little bit for me,
17 just kind of give me an example of what you mean by that for you?

18 A. Severe weather night we're obviously going to be expecting a
19 lot more. On a night where there is no precipitation in the area,
20 then unless it's a turbulence night, then we're not going to be
21 expecting a lot of PIREPs.

22 Q. Okay. Good. And do you know, do you know what a G-AIRMET
23 is?

24 A. A G-AIRMET?

25 Q. Yeah.

1 A. No.

2 Q. Have you heard that term?

3 A. I have not.

4 Q. Okay. It's a new word. It's not super new but it is newer.
5 G-AIRMETs are replacing AIRMETs altogether. They're graphical
6 AIRMETs is what it is. So now they're coming out in a graphical
7 format. They still have a text side to it. I was just curious a
8 little bit on that if you knew, if you were -- how those might be
9 provided to you guys now because it's not -- G-AIRMETs, there's a
10 graphical depiction. I didn't know if they might be putting it
11 out at standup or whatever, but they might not be doing it quite
12 yet here. They might just be transposing and giving you the text.
13 So.

14 A. Okay.

15 Q. All right. I'm going through some questions I had here. I
16 covered all that stuff. Do you recall on that night if you had
17 conditions at the time? Were conditions such that you -- your
18 area was required to be soliciting PIREPs that evening?

19 A. There was precipitation forecasted. So, yes, we should have
20 been soliciting PIREPs.

21 Q. Okay. Very good. And do you recall -- do they -- do the
22 controllers -- I guess because they're entering them on the EDST,
23 you're really -- they're not really giving them to you or going
24 through you essentially. They're plugging them in and you might
25 see them when they come back through, but is that how you kind of

1 monitor mostly is seeing them come back through?

2 A. No, they'll give me a verbal notification.

3 Q. Oh, they do.

4 A. I'm putting in a PIREP for icing or I'm putting in a PIREP
5 for turbulence.

6 Q. Okay. Cool.

7 A. And then it gives me a chance to review it.

8 Q. Do you remember, where you -- do you recall hearing those
9 that day on that shift? Were you receiving them from the area?

10 A. I did. I received a few for icing earlier on the shift, and
11 then I believe a few for light turbulence. I don't remember if
12 there was moderate turbulence that night or not.

13 Q. Okay. And -- all right. Now, shifting just a little bit. I
14 did have one odd question out of the blue here that's kind of off.
15 It was stated at some point during our thing (ph.) that there was
16 a call made to Rockingham County Sheriff. Did you make that call?

17 A. No, I believe the OM made the call.

18 Q. The OM made the call, okay. So -- and that was during the
19 looking for the -- I think that they're the ones that reported
20 there had been a report of an accident when they talked to them.
21 So I was just curious who made that call. So that was likely then
22 -- never mind. You can't speak for the OM.

23 Do you recall the last recurrent or refresher training you
24 went to at all? And I apologize if it sounds duplicative of what
25 he asked earlier but I might not have captured it.

1 A. No, I do not specifically remember, no.

2 Q. Okay. No worries. In recurrent training here, do you guys
3 also do the simulator portion of that training? Is that included?

4 A. Yes.

5 Q. Do you know, is that done individually or is that done as a
6 group in this facility?

7 A. Individually.

8 Q. And do you still go through those as a sup? Do you remain
9 certified in positions (ph.) here as a sup --

10 A. Yes.

11 Q. -- as a sup here?

12 A. Yes, I do. And, yes, we do go through them.

13 Q. Okay. Good. And do you recall, and you may not recall, but
14 I mean do you recall when the last one that you had to do a
15 simulator on, was there weather dissemination as a part of that in
16 that?

17 A. I do not recall that being on the last recurrent training,
18 no.

19 Q. Okay. And this one, this is a somewhat opinionated question
20 but it's yours, meaning it's your area. I want you to tell me
21 what is your view of your area's compliance in the area of PIREP
22 and weather dissemination? So do you feel that they are meeting
23 the expectation? Do you feel they are -- need some work or do you
24 feel like they are below?

25 A. I feel like we do very well on it.

1 Q. Okay.

2 A. I do hear routine PIREPs. I do hear a lot. So I feel like
3 we're above.

4 Q. Good. Okay. That's all I have for the moment.

5 MR. SOPER: So I'll pass it along --

6 MR. SMITH: Brian --

7 MR. SOPER: Yes, sir.

8 MR. SMITH: I just wanted to make sure -- we're looking at
9 we've been going about an hour. Do you need a restroom break or
10 water?

11 MR. SCANIO: I've got water. I think I'm okay if you guys
12 are.

13 MR. SOPER: We're going to wrap it up pretty quick. We won't
14 be too much longer.

15 MR. SMITH: Okay.

16 BY MR. MYERS:

17 Q. I just have a couple of questions. Do you, as far as
18 compliance for calling the weather, do you know what your
19 facility's requirement is? You know, in the ICV and ECV, that's
20 part of the thing. Do you know what your facility's requirement
21 is to be compliant in that?

22 A. You mean how much we were not compliant?

23 Q. Like when they do an OSA, when they do a direct monitor, how
24 are they marking it as compliant or noncompliant?

25 A. No, I do not know what the facility is.

1 Q. What is your expectation of being compliant with calling the
2 weather?

3 A. 100 percent.

4 Q. 100 percent?

5 A. As in you should call it to every aircraft that it affects
6 obviously.

7 Q. Okay. Does that apply if aircraft comes over deviated, like
8 it checks on deviating the weather?

9 A. Still, still give it to them and let them know how far you
10 see it going beyond their current position. Because even though
11 they're deviating for this, they may not be deviating for what's
12 in front of them.

13 MR. SOPER: Thank you for saying that.

14 MR. SCANIO: Um-hum.

15 BY MR. MYERS:

16 Q. Next question, do you know chapter that's in, in the .65?

17 A. Boy, that's been a long time.

18 Q. Let the record reflect he does not have a copy of the .65 in
19 front of him. I was just curious because you did a pretty good
20 job reciting it. So I thought maybe you knew right where it was.

21 A. No, I don't. I would just be guessing. I could find it very
22 quickly.

23 Q. Is it a duty priority?

24 A. Absolutely.

25 MR. MYERS: That's it. Thanks, Brian.

1 MR. SOPER: Yeah. Anthony, do you have anything?

2 MR. BUNCH: No.

3 MR. SOPER: Jason?

4 BY MR. ALLISTON:

5 Q. I just wanted to quickly touch on your standups, and you have
6 those morning and evening?

7 A. Correct.

8 Q. Okay. And what is typically -- what do you typically go over
9 at the standup?

10 A. The first thing we get is the weather briefing from the
11 meteorologist telling us what's anticipated for the day. Then we
12 get the information from the traffic management unit discussing
13 what the volume expectation is for the day, any special programs
14 that are in effect, any closures, things of that nature, and we
15 get a briefing from the SOC desk explaining the condition of the
16 equipment, anything that might be out.

17 Q. And do you have anybody from the front office, your ATM, XO,
18 QC manager, and do they typically have anything that they throw in
19 there?

20 A. Sometimes they do, but not every day.

21 Q. And specifically from the QC side, does the QC side ever
22 bring up focus items, again going back to ICV, ECV?

23 A. At standup briefing, not necessarily, no.

24 MR. ALLISTON: That's all I've got.

25 BY MR. SOPER:

1 Q. Okay. Now that you're on this side, right, hindsight is
2 always 20/20, the ability to look at a replay and see it from an
3 angle you didn't get to see it from while it was going on, right,
4 because you got called over and all that kind of stuff. But now
5 that you've looked at it and you're playing armchair quarterback,
6 did -- in this case, did the air traffic control services provided
7 in your area meet the expectation of what you would have expected
8 in this event as you watch an aircraft or were there any things
9 that stood out to you as I would have liked to have seen this or
10 heard this on this as it played out?

11 MR. SMITH: Before you answer that, I just want you to ensure
12 that in your answer, you are sure that you know all of the facts
13 surrounding any answer that you give.

14 MR. SCANIO: Okay. So from my observance, yes, we met the
15 expectations from what I could observe. That's only speaking to
16 my area and what I saw.

17 BY MR. SOPER:

18 Q. And that's all I'm asking you for. Yeah, exactly right.
19 Just as it pertains to this event. And is there anything since
20 this event has occurred that you have either changed or altered in
21 the way that you monitor, in the way that you prepare your team,
22 in the way that you react to things, that's changed as a result of
23 going through this at all? Have you altered anything in your --

24 A. No, I have not.

25 MR. SOPER: Okay. All right. Okay. I don't have anything

1 additional. Do you, Seth?

2 MR. MYERS: No, thank you very much.

3 MR. SOPER: Anthony?

4 MR. BUNCH: No.

5 MR. SOPER: Jason?

6 MR. ALLISTON: No.

7 MR. SOPER: All right. I'm going to -- do you have any

8 questions for us?

9 MR. SCANIO: No questions.

10 MR. SOPER: All right. I'm going to turn off the recorder.

11 I show the time is 16:07.

12 (Whereupon, at 4:07 p.m. EST, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

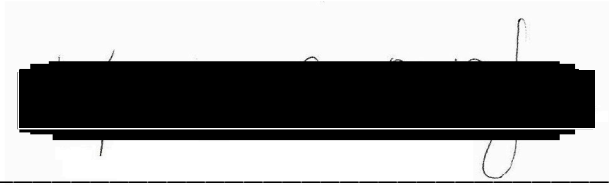
IN THE MATTER OF: PIPER PA-32R-31 FATAL ACCIDENT
 NEAR DAYTON, VIRGINIA
 ON JANUARY 11, 2023
 Interview of James Scanio

ACCIDENT NO.: ERA23FA108

PLACE: Leesburg, Virginia

DATE: January 24, 2023

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.



Kathryn A. Mirfin
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

PIPER PA-32R-301 FATAL *

ACCIDENT NEAR DAYTON, VIRGINIA * Accident No.: ERA23FA108

ON JANUARY 11, 2023 *

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Interview of: JARAD McCLEVE, Operations Manager
Federal Aviation Administration

Washington Air Traffic
Control Center (ZDC ARTCC)
825 East Market Street
Leesburg, Virginia

Wednesday,
January 25, 2023

APPEARANCES:

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert
Federal Aviation Administration

SETH MYERS, Air Safety Investigator
National Air Traffic Controllers Association

ANTHONY BUNCH, Air Safety Investigator
National Air Traffic Controllers Association

MATTHEW SMITH, ESQUIRE
Federal Aviation Administration
Office of the Chief Counsel
On behalf of Mark Winter

CRISTINA ZAMBRANA, ESQUIRE, Observer
Federal Aviation Administration
Office of the Chief Counsel

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Jarad McCleve:		
By Mr. Soper		6
By Mr. Myers		20
By Mr. Alliston		23
By Mr. Soper		27
By Mr. Myers		32
By Mr. Bunch		32
By Mr. Soper		35
By Mr. Alliston		39

I N T E R V I E W

(2:43 p.m. EST)

MR. SOPER: All right. Great. My name is Brian Soper. I'm an air traffic investigator with the NTSB, and we're here to investigate the fatal accident of N43156 that occurred on January 12th, 2023.

And I have here with me today at DC Center, could you state your name for the record for me?

MR. McCLEVE: Jarad McCleve.

MR. SOPER: And you were the operations manager on duty at the time of the event. Is that correct?

MR. McCLEVE: Yes.

MR. SOPER: Okay. And with you, this is the representative that you have chosen. Is that correct?

MR. McCLEVE: Yes.

MR. SOPER: And could you state your name for the record, sir?

MR. SMITH: Matt Smith, with the FAA's Office of the Chief Counsel.

MR. SOPER: Thank you. And you with you today observing these proceedings, an attorney there also. Could you state your name for me?

MS. ZAMBRANA: Cristina Zambrana, Z-a-m-b-r-a-n-a, with the FAA Office of the Chief Counsel.

MR. SOPER: Thank you very much. And I have with us for the

1 NTSB air traffic group here today, representing the FAA is -- I'm
2 sorry -- Jason, Jason Alliston out of Columbus Tower in Georgia,
3 and who is on detail there as the acting ATM previously from
4 Atlanta Center serving in multiple roles there. Representing
5 NATCA, we have Mr. Seth Myers out of Boston Center, and with him,
6 we have another ASI currently observing these proceedings as well,
7 Anthony Bunch, out of Southern California TRACON.

8 So as I mentioned earlier, the NTSB is an independent federal
9 agency charged with the investigation of civil aviation accidents
10 and incidents of a serious nature, developing probable cause and
11 hopefully recommendations to industry or some segment of industry
12 to prevent reoccurrence.

13 We have not have enforcement power. We do not make rules.
14 We do not enforce rules. We're affiliated with the FAA or DOT in
15 any way. Our job is safety and that's going to be the focus here.

16 As I mentioned, we are recording this interview, and a
17 transcript will be developed from this recording. The transcript,
18 once it has gone through the group for check of -- for accuracy
19 and yourself for accuracy, we will finalize that transcript and
20 that's what will become part of the final docket and the report,
21 not the recording. Okay.

22 Do you have any questions for us before we begin?

23 MR. McCLEVE: No, sir.

24 MR. SOPER: Awesome. All right. I'm going to start out by
25 asking you some just background questions, and then we will get

1 right into the rest of it.

2 INTERVIEW OF JARAD McCLEVE

3 BY MR. SOPER:

4 Q. So, could you, could you spell your first and last name for
5 me?

6 A. J-a-r-a-d, last name, M-c-C-l-e-v-e.

7 Q. Okay. Is that -- on the last name, is it M-c-C or --

8 A. Yes.

9 Q. -- is it all -- okay. Very good. And just to make sure I
10 copied that right, you said J-a-r-a-d, right?

11 A. That's right.

12 Q. That's a unique spelling. I like it. All right. And, what
13 was your age on the day of the accident?

14 A. 39.

15 Q. And your operating initials here?

16 A. Mike Charlie.

17 Q. And we covered that you were the OM. And how long have you
18 been an OM here?

19 A. One year and three months.

20 Q. And do you have any prior FAA air traffic control work
21 experience? Military, DOD, federal contract, any of that?

22 A. All with the FAA.

23 Q. And what was your EOD with the FAA? When did you come in?

24 A. April 12th, 2010.

25 Q. Is this your only facility?

1 A. Yes.

2 Q. All right. And do you hold any collateral duties here or
3 have you been on any recent details that have taken you outside
4 the facility for extended periods of time?

5 A. No.

6 Q. Okay. And if you would, could you just kind of give us the
7 10,000 foot level bio of your aviation background? What brought
8 you here to this point today? So what I mean by that is, yep,
9 always interested in aviation. When I got out of high school, I
10 decided I was going to go to college for this or get my pilot's
11 license. I went out, and I ended up in the FAA and whatever it is
12 to bring you to here.

13 A. I've always been interested in aviation. I started college
14 to be a pilot, got so far as to working for an airline, got laid
15 off, and just before I got laid off, the FAA came in and did a
16 tour. Somebody mentioned after that tour that I provided, that I
17 would be a good controller. So I applied.

18 Q. Sucker. Very good. All right. And where was that offhand?
19 Where were you at? Where were you --

20 A. I was working for US Airways at the time.

21 Q. Oh, okay. Yeah. Cool. Very good. And have you ever been
22 terminated, suspended or asked to resign from any job since you've
23 been with the FAA?

24 A. No.

25 Q. Okay. And in general terms, how would you describe your

1 overall health? Excellent, good, fair, poor.

2 A. Fair.

3 Q. Okay. And you are not required to hold a medical clearance
4 here in the job, correct?

5 A. Correct.

6 Q. Okay. And I'm just going to go down a little bit here for
7 some things that I don't need. So for an OM, is toxicology
8 testing ever ordered for you guys as part of a -- post-accident or
9 does it have the ability to? I mean I'm going to ask you was any
10 performed on you as a result of this accident?

11 A. No.

12 Q. I was just curious because I don't even know if I should even
13 ask that question to an OM because I don't know if you guys are
14 ever toxicology tested quite frankly?

15 A. I haven't seen it done.

16 Q. I was just kind of curious. I didn't want to ask the
17 question. It's kind of silly to. All right. So just big picture
18 questions, and these are, you know, good, bad or indifferent. Any
19 major changes in your health over the last year? Like, you know,
20 you had a major surgery, had pins put in your arm, whatever, that
21 kind of thing.

22 A. No.

23 Q. All right. How about any major changes in your personal life
24 over the last year? Like we adopted children or had children or I
25 got married or I got divorced or any of that kind of thing.

1 A. No.

2 Q. All right. And final one, along the same lines, major
3 changes in your financial situations? Won the lotto, filed
4 bankruptcy, that type of stuff?

5 A. No.

6 Q. Okay. Very good. All right. This one, a little bit harder
7 because I know it's been a little bit since the accident and all
8 that, but if you think back to the 72 hours leading up to the time
9 of the accident, so that 3 days prior, was there anything that
10 occurred in your life that was wrench in life, in the spokes of
11 life so to speak? And what I mean by that is, stuff that took you
12 out of your normal daily routine of normal sleep, normal rest,
13 normal eating habits, that type of thing. Were you sick? Did you
14 -- yeah, I was up all night because I had a young child that was
15 keeping me awake or we had to go pick up a family member that was
16 in a car accident and, you know, I had been on the road for a day.
17 Anything like that over those 72 hours that just disrupted your
18 normal pattern of what would be your normal daily routine?

19 A. No.

20 Q. Okay. And have you been interviewed about this event prior
21 to now?

22 A. No.

23 Q. Okay. And have you had an opportunity to review replays of
24 this event?

25 A. Many times.

1 Q. Okay. When was the last time probably?

2 A. The day after.

3 Q. And I'm assuming this was audio and video, right, like the
4 Falcon or Satori or both or --

5 A. Correct.

6 Q. Okay. And was a relief briefing -- for the OM position on
7 the day of the accident, was a relief briefing conducted when you
8 took the OM position?

9 A. Yes.

10 Q. And do you guys record those for OM? Is that a recorded
11 briefing?

12 A. Yes.

13 Q. So did you record it that day? I mean did you --

14 A. No.

15 Q. Okay. And how about checklists? Do you utilize a checklist
16 there?

17 A. Yes.

18 Q. And did you use it that day?

19 A. Yes.

20 Q. Okay. And why was it not recorded on that day? Was there a
21 reason that you didn't or was it just the circumstances of the
22 day?

23 A. Circumstances.

24 Q. Okay. And on a scale of 1 to 5, and so on this one, I
25 understand that you're the OM. So you weren't working the traffic

1 in the area but being an OM you see, you observe the traffic in
2 these areas on a regular basis, at least what normally goes on and
3 how the operation goes. From your point of view, on a scale of 1
4 to 5, 5 being the heaviest, how would you classify the traffic
5 volume at the time of the event where this occurred?

6 A. 2.

7 Q. 2. And do you feel that is -- would you classify that as
8 normal for that time of day or shift of the week or whatever or
9 was it above average or below average?

10 A. About average.

11 Q. Okay. And similar question on a scale of 1 to 5, 5 being the
12 most complex. How would you rate the traffic complexity?

13 A. It's hard to say.

14 Q. Okay. That's not a problem. I mean if you can't answer
15 that, that's perfectly acceptable. And I know -- I don't want you
16 to consider -- and just to rephrase it, again I'm strictly talking
17 about you looking at the traffic, understanding that you have no
18 idea what the training situation with the controllers or what they
19 may have been faced with complexity-wise. You just looking at the
20 traffic that was involved in this event during that replay, that's
21 what I was asking, but if you can't answer that, I'm okay with
22 that.

23 All right. And were there -- that you're aware of, were
24 there any distractions at or leading up to the time of the event
25 that could have affected the operation as a whole? I know you're

1 back away from the, you know, from that area necessarily, so I'm
2 not expecting you to know what was going on inside the area per
3 se, but in the control room, were there other things occurring?
4 Were you having a major weather night? Was there an emergency
5 going on somewhere? Was there any type of other -- any other
6 ALNOTs that you were dealing with or things that you were having
7 to, that were emergent in nature, equipment problems, you know,
8 techs working on something in the room, anything like that, that
9 you feel could have been a distraction to the operation?

10 A. Not that I can recall.

11 Q. Okay. And do you recall the general weather conditions
12 around the time of the event in the area? Did you guys -- were
13 you precip, no precip, generally IMC, generally VMC? I know it's
14 a large amount of airspace here. We're talking about a big chunk,
15 but I mean were you -- just what you can remember in general about
16 that shift of weather in the area.

17 A. There were some deviations in the western portion of the
18 airspace, two fairly large cells that were separated but causing
19 enough issues.

20 Q. Okay. And as an OM, do you receive the pre-duty weather
21 briefing when you come on watch as well? Are you required to do
22 that or not?

23 A. We -- I do not believe there's a requirement --

24 Q. Okay.

25 A. -- for us to watch that briefing. However, we have a

1 personal briefing from Center Weather when they bring the weather
2 synopsis sheet over for the shift. And then the standup briefing
3 we observe two additional ones from Center Weather that get
4 delivered to the supervisors.

5 Q. Okay. So you did not review what's put out there for the
6 control workforce, the pre-duty weather briefing on that day?

7 A. I did not.

8 Q. But you did, however, attend -- let's see. This was in the
9 evening. So you -- did you attend the evening standup that
10 evening? Was that part of your --

11 A. The OM conducts the evening standups.

12 Q. Okay. And that would have been you on that evening, right?

13 A. Um-hum.

14 Q. All right. Great. Did anything stand out to you from the
15 CWSU brief with regard to weather that night that you can recall
16 at all as far as what there was going to be to expect, you know,
17 over the watch or anything? Was there anything that stood out?

18 A. Nothing unusual for the time of year.

19 Q. Okay. And did you have a cellular phone or PED on you at the
20 time of the event?

21 A. They were on the desk, yes.

22 Q. On the desk. And were those, were those on or off? Do you
23 know?

24 A. They were off.

25 Q. Okay. And were you using it around the time of the event?

1 A. No.

2 Q. Okay. Had you requested a relief or assistance? Like I
3 don't know how many OMs. When you're on OM, what's your rotation?
4 How do you -- on that night, do you have another OM that is on
5 duty at all that you guys are able to swap on and off? Or, when
6 you're on, you're on for the whole shift?

7 A. Usually these shifts, you're the only one.

8 Q. Okay. So I'm assuming there was no -- you had made no
9 request for relief or you weren't expecting any type of rotation?
10 You were in your normal rotation that you expected for that
11 evening?

12 A. Yes.

13 Q. Okay. And are you the one that notified upper management,
14 whether it was the ATM or whoever that next level was in the
15 facility, about this event in particular?

16 A. Yes.

17 Q. Do you remember when that was? Like how long after the event
18 did you notify that management team?

19 A. Within 20 minutes.

20 Q. Okay. And was that, was that the ATM?

21 A. It was the acting ATM at the time.

22 Q. Which was?

23 A. Mr. Rodney Watcher (ph.).

24 Q. That's right. I heard that earlier. All right. Okay. That
25 takes care of the background questions for now. So what I'd like

1 you to do for us now, if you could, try to just go back to that
2 day and recall -- take us -- just kind of tell us the story from
3 the OM point of view of when you were first made aware there was
4 an issue or a concern of any kind down there in that area relative
5 to this airplane, and then just step us through how you recall
6 everything playing out, until the point you had -- there was
7 confirmation that there was an accident, and you were just in the
8 notification phase of making sure you did all your notifications
9 and stuff.

10 A. It was a fairly quiet evening actually. The supervisor in
11 training approached the desk with a trainer supervisor, Mr.
12 Scanio, behind him, and notified me that they had lost radar and
13 radios on a vehicle aircraft. I asked clarifying questions. They
14 said it was simultaneous loss of radar and radio. So I
15 immediately went to -- there's a file cabinet off to the right
16 side. The bottom drawer has the ALNOT paperwork. I pulled it out
17 and began asking questions from that particular checklist.

18 Q. Okay. Yeah. Okay. Thanks.

19 A. After that, the location that was given when he walked up
20 there was not correct, not where -- I pulled -- let me backtrack.
21 I pulled up the data block on the OM scope and the location they
22 provided did not coincide with where that data block was. So I
23 asked him for clarification at which point he went back to the
24 area to provide the lat/long.

25 Q. Okay.

1 A. After that, it seems like Murphy's law kicked in and multiple
2 other areas had incidents that required my attention. There was
3 an emergency in another area that was a NORDO aircraft in another
4 area that was approaching the NCR, and then a separate security
5 concern from the DEN that required my attention. After that, I
6 got the rest of the information, filled it out to make sure it was
7 correct, and I walked it over to flight data. A considerable
8 amount of time had passed in that period of time. After I
9 submitted the ALNOT paperwork to flight data for them to enter it
10 into AISR, I went back and that's when I called Mr. Watcher.

11 Q. Okay.

12 A. After I called Mr. Watcher, I made the decision to call the
13 Rockingham County Sheriff's Office which is the county in which we
14 last had radar on the aircraft and advised them we had a possible
15 aircraft down.

16 Q. What did they say?

17 A. They wanted more information.

18 Q. Okay. So they hadn't heard anything prior to that?

19 A. They had not, no.

20 Q. Okay.

21 A. After that, it became -- the phone calls coming into the
22 watch desk became excessive. So I called up a supervisor to the
23 desk to assist me on answering the phones so that I could continue
24 focusing on the incident. Multiple calls were coming from the
25 Rescue Coordination Center, from Rockingham County Sheriff's

1 Office and the Virginia State Police, trying to get as much
2 information as possible. I was also trying to answer questions
3 from the acting ATM who was having questions being given to him
4 through -- by the district through him. So I was trying to get
5 ERAM playback from the SOC desk as well as maintain oversight of
6 the rest of the facility.

7 Q. Okay.

8 A. You want to go over it until --

9 Q. That's good for now. That kind of takes us through. I know
10 there starts taking us into some other things. So I did have a
11 couple of questions for you. I'm going to back you up a little
12 bit and talk first about just to clarify. You did say that your
13 first notification came in person, when they came up to your watch
14 desk to tell you about it?

15 A. Yes.

16 Q. Okay. And it was the sup and the trainee -- the sup trainee
17 that came up. So it was both of them that came up and let you
18 know about that.

19 A. Um-hum.

20 Q. All right. The second thing, the ALNOT, okay. So for the
21 ALNOT procedure, you said that some time had elapsed. Like you
22 went back, that from the time you pulled it out, were gathering
23 information, they went back to the area to get you a corrected
24 lat/long or to get you an updated lat/long that was more accurate.
25 Between the time you started that, and maybe I have this wrong,

1 but you started -- that's when you said Murphy's law kind of
2 kicked in and now all of a sudden now you had an emergency from
3 one area, a NORDO from another area, a security concern coming
4 from the DEN, that all required your attention. So some time
5 elapsed from the time you took down that initial information
6 before the time you actually got it back to the flight data. Do I
7 have that right?

8 A. That's correct.

9 Q. Okay. So, you -- and so normally you would have likely had
10 went back there sooner had you not had all that come on right at
11 once.

12 A. Um-hum.

13 Q. And you were just trying to prioritize the workload. Once
14 you did take it back, do you know -- was there a delay in it
15 coming out then? Like I mean we've heard that there was a delay
16 in it coming out then. Do you know what that was? Have you
17 heard?

18 A. I don't know exactly. I just know it was about 15 minutes
19 from the time I got it back to the time it was actually issued.

20 Q. Okay. In general, in your experience as an OM, do you
21 normally -- is that routine for you to see time spans like that
22 happen from the time you actually get it to them before they get
23 in or was that kind of an odd instance? Do you normally see it
24 come out quicker or do you recall?

25 A. Normally?

1 Q. Yeah.

2 A. The last time I did an ALNOT it was maybe three minutes.

3 Q. Okay. And how long you say you have been an OM here again?

4 A. One year, three months.

5 Q. Okay. So how many times -- I don't want you to kind of
6 remember how many times you've done an ALNOT in that year, but I'm
7 saying, is it routine for you to have -- for you to do ALNOTs?

8 A. It is not.

9 Q. Okay. And what -- so you're kind of the primary focal for
10 ALNOTs when they come in from a supervisor or from an area. And
11 do you -- you mentioned going to a checklist or a -- was it a
12 checklist that you pulled out from that thing that you have for
13 ALNOT? Is that what it is or a worksheet or --

14 A. It's a worksheet, yeah.

15 Q. It's a worksheet that has the information. Do the sups have
16 that as well? Is it your expectation that they will just let you
17 know and you'll go ahead and ask what questions you need or do
18 they also have the ability to fill out that and bring it to you?
19 Is that --

20 A. They have the ability to fill it out.

21 Q. They do that. Okay. All right. And what is your
22 expectation as an OM with regard to if an aircraft -- if an area
23 experiences a simultaneous loss of radar and radio communications,
24 what's your expectation of delivery of that information to you?
25 Do you feel like that --

1 A. Immediately.

2 Q. Okay. That's what I wanted. All right. I'm going to have
3 some more questions for you inevitably, but I'm going to pass it
4 along for now to Seth.

5 MR. MYERS: Thanks, Brian.

6 MR. SOPER: Yep.

7 BY MR. MYERS:

8 Q. Do you know what the weather coordinator is?

9 A. Um-hum.

10 Q. Where is the weather coordinator located here?

11 A. The weather coordinator is in the traffic management unit.

12 Q. What is their job that you think they do?

13 A. The weather coordinator is responsible for the dissemination
14 of all weather products to the workforce. So SIGMETs, AIRMETs,
15 and the like.

16 Q. And how do they mainly do that here?

17 A. Mostly through AISR and ERIDS as well as ERAM workstation.

18 Q. What is your expectation for after the weather coordinator
19 disseminates that to the workforce? How are they notified of that
20 and how does the operations level above them know that that's been
21 completed?

22 A. The AIRMETs and SIGMETs are delivered via email. So they pop
23 up on EDST. PIREPs, urgent ones are GI messages through ERAM as
24 well. The other ones pertinent to that position are on the ERIDS
25 and there's a flashing blue icon on your weather. They can click

1 on it, and they all pop up.

2 Q. EDST or ERIDS?

3 A. ERIDS are the general PIREPs. Urgent PIREPs go through EDST.

4 Q. Okay. Then how is a CIC or a frontline OS know that those
5 are being completed?

6 A. Well, that would be direct observance of it being done. So
7 they hear it or when you walk up behind the position, the GI
8 button would be yellow if there's anything that has not been
9 acknowledged.

10 Q. Would that expectation be for a CIC or a supervisor to do
11 that?

12 A. Yes.

13 Q. How would that CIC or supervisor know those are out other
14 than by looking behind? Is there any other way other than them
15 seeing the yellow light?

16 A. The ERAM workstation at each desk has the same yellow icon on
17 it.

18 Q. And you were saying earlier that the -- you guys get a
19 weather brief at each standup. Do they talk about those type of
20 things there?

21 A. Yes.

22 Q. There's been talk like of PIREPs and things of that nature
23 through the ICV process and ECV process as being, you know,
24 deficient or, you know, deficient items of those types of things.
25 Is that ever highlighted from the OM team here? And, how is that

1 done?

2 A. At the standup, myself, weather gives me the weather synopsis
3 for the day. She has which areas are forecast to have weather
4 conditions that would be pertinent to PIREP solicitation. And I
5 notify each either CIC or supervisor that comes up, you know,
6 areas 1 through 6 or, you know, these areas have these conditions
7 or paths. Please make sure it's getting done.

8 Q. How do you learn about those emphasis items as an OM here
9 from ICVs, ECVs, things of that nature?

10 A. I've attended the in briefs and out briefs for the last two
11 years of either ECV or ICV. So I know about those. Then they are
12 disseminated to the OM group in our weekly meetings. Then we have
13 meetings with our supervisors for responsibility.

14 MR. SOPER: Did --

15 BY MR. MYERS:

16 Q. Then you relay --

17 MR. MYERS: Sorry, Brian.

18 MR. SOPER: Did you say weekly meetings you guys have as OMs?

19 MR. McCLEVE: Yes.

20 MR. SOPER: Okay. Go ahead. I'm sorry.

21 BY MR. MYERS:

22 Q. And you disseminate that to your OS, frontline team, OS. I
23 don't know what they're technically called. It keeps changing
24 every year. You disseminate that in your weekly meetings, those
25 types of things?

1 A. It could be. We also -- there's also a written memo that
2 comes out from ECV with all the findings that goes to everybody,
3 but I will talk to my particular supervisors about, you know, hey,
4 this came up in ECV or ICV. We're noncompliant high or whatever
5 the situation might be.

6 MR. MYERS: Thanks. That's all I have, Brian.

7 MR. SOPER: Great. Thank you. Anthony, do you have
8 anything?

9 MR. BUNCH: No.

10 MR. SOPER: And, Jason?

11 BY MR. ALLISTON:

12 Q. How well versed are you in the QC processes for the facility?

13 A. Better than most.

14 Q. Okay. Have you got any time like detail or otherwise in QC
15 either as a controller, as part of the LSC or anything like that?

16 A. Never directly in QC but I was the LSC manager for two years.

17 Q. Okay.

18 MR. SOPER: Ooh. You just got more questions.

19 MR. McCLEVE: You got me.

20 BY MR. ALLISTON:

21 Q. It seemed like you had a little bit of insight there. Who
22 does the OSAs for the facility currently?

23 A. It's kind of a conglomeration. All management including OMs
24 are required to do one per month, and then QC does the rest. They
25 used to be -- well --

1 Q. That's my next question.

2 A. I'll let you ask it.

3 Q. Okay. So it is just QC now. The LSC no longer does OSAs?

4 A. That's correct.

5 Q. Do you know why?

6 A. That stopped during COVID when QC took over all the
7 (indiscernible).

8 Q. Everything got rowdy during COVID. So when you're doing --
9 so let's take the PIREPs for dissemination as one of our focus
10 items because that's the emphasis item now. Is there any
11 direction from the quality control department to focus the OSAs on
12 those emphasis items specifically like we're looking for weather
13 things. Make sure they're on weather days.

14 A. No.

15 Q. And in your experience, are most of the OSAs done remote or
16 are they done live?

17 A. The ones from the operator -- the management side at least
18 are required to be direct monitored.

19 Q. Okay. And the reason I asked is observing the weather
20 because Falcon's not --

21 A. Right.

22 Q. -- feasible to observe the weather. So as far as these
23 emphasis items for the facility, do you give any kind of guidance
24 to your supervisors in the supervisor meetings for performance
25 management, things to monitor on a regular basis?

1 A. Yeah, it's discussed quite frequently especially on weather
2 nights. It's part of my standup briefing. The OMs go through the
3 entire airspace with weather from 0 to 16. I just say we've got
4 weather over here. Make sure it's being called and stuff like
5 that.

6 Q. Okay. And do you give them any kind of expectation regarding
7 written performance records of conference for those emphasis items
8 or --

9 A. There's -- please clarify.

10 Q. So say it's a weather night.

11 A. Um-hum.

12 Q. So and we've been having issues with weather and -- actually,
13 let me back up a little bit first. Where is area -- what area or
14 areas do you oversee?

15 A. I'm over 5 and 6. I just had Area 1 as well, but I gave it
16 up. So I gave up 1 and took over 5.

17 Q. Okay. So back to the performance records of conference. So
18 we had these emphasis items. Some of them have been kind of
19 renewed mitigations for quite some time without moving the needle
20 here. Are you getting any kind of guidance regarding performance
21 management for individual controllers with respect to calling the
22 weather or soliciting PIREPs?

23 A. There's a general expectation that it is done if they notice
24 it is or is not being done. It's on the positive and negative
25 side. If I am reviewing an event, say A TCAS RA or something of

1 that nature, and I hear something in that, I will say, hey, please
2 do performance management on this individual, and the expectation
3 is that they get it done.

4 Q. Is there any discussion in the OM group or in your
5 discussions with the front office as far as active performance
6 management say when there just in the area and observing, giving
7 those on-the-spot corrections?

8 A. Yes, that is an expectation.

9 Q. And how do you follow up on that expectation?

10 A. Generally I look in CEDAR to see what products that
11 particular supervisor has given. I monitor that.

12 Q. And how many would you say on a -- really any given month,
13 each of your supervisors completes?

14 A. Five or six.

15 Q. So as far as monitoring the area, how much time would you say
16 a supervisor in one of your areas spends at the desk versus in the
17 area?

18 A. I would say my areas, more time in the area than at the desk.

19 Q. And how often do you make it down the aisle to the individual
20 areas from the watch desk?

21 A. A minimum three times a night.

22 Q. And then with respect to monitoring in the area, do you have
23 any kind of expectation regarding they're monitoring a sector and
24 utilizing cordless headsets or anything of that nature?

25 A. There is no requirement.

1 MR. ALLISTON: I think that's all I've got for the moment.

2 BY MR. SOPER:

3 Q. So, I know you mentioned that you feel in your areas they
4 probably spend more time, if you had to classify, you'd probably
5 say they spend more time in the operation than at the desk. Do
6 you have an expectation as far as the -- is there ever discussion
7 at any point that you kind of communicate to the sups what your
8 expectations are as far as things like that? Like, hey, overall,
9 I mean it's your area. You're running it, but I would expect to
10 see you, you know, splitting your time and spending at least 60
11 percent of your time in the operation, 40 percent at the desk. Do
12 you have any type of methodologies or anything like that that you
13 use to give to your sups on what your expectations are? And, if
14 so, what are they? Like give me kind of an example.

15 A. I don't give hard numbers.

16 Q. Yeah.

17 A. But every standup to every area, my expectation as an OM is
18 always put out as I expect you to be in the areas observing what's
19 going on.

20 Q. Okay. Do they -- do your sups -- do you feel that it is --
21 they're routinely communicating with you well on issues that arise
22 in their areas that would require you to be engaged? I mean -- or
23 do you find yourself having to remind them often, like hey, I need
24 to know about this sooner or, hey, I need you to tell me that?

25 A. Area 6 is really good about it.

1 Q. Okay.

2 A. Some of the others, it just varies.

3 Q. Okay. And you mentioned that you -- I'm bouncing around a
4 little bit. I'm sorry for that, but you mentioned that you do
5 weekly meetings with the OMs. So now is that -- that's all OMs in
6 the facility, right. How many of you are there right now?

7 A. Five.

8 Q. Five. And is that -- are -- is that your normal -- are you
9 pretty much at the normal staffing for OMs right now? Is that
10 what you should have or do you are --

11 A. Our number is six.

12 Q. Your number is six. So you're close.

13 A. Yeah.

14 Q. On those meetings, are those informal type meetings or do you
15 document any type of minutes from those meetings to say, hey, we
16 met and we talked about these things and this was brought up?

17 A. The ATM writes everything down. The rest of us write down
18 pertinent information.

19 Q. So that meeting is not just the OMs. You're having a meeting
20 that are all the OMs along with --

21 A. With the ATM, yes.

22 Q. Okay. All right. Very good. And so is that an ATM directed
23 meeting? Like I want to meet with guys once a week, and that's
24 why you guys do that?

25 A. Yes.

1 Q. Okay. Cool. How about you with the supervisors? Do you
2 held any type of -- do you hold any type of regular meetings or
3 regularly scheduled meetings, weekly, monthly, you know, anything
4 with the OSs to kind of go over stuff? What does that look like?

5 A. Monthly.

6 Q. Monthly. And is that all OMs with OSs or is that
7 individually you do it with the OSes for your area of
8 responsibility and other ones do it with their areas of
9 responsibility?

10 A. We do it individually.

11 Q. Okay. Are those documented in any way by you? Do you put
12 out minutes to your sups about what you guys talked about
13 afterwards or are they more just need --

14 A. They're informal.

15 Q. Okay. But you said you do those monthly?

16 A. Yes.

17 Q. Great. And how about your -- do you have any involvement now
18 with the LSC in any way? Do they engage you on any processes or
19 activities or things? Do you get involved as an OM in their realm
20 at all?

21 A. Yeah. I get -- it's definitely died off - further removed
22 because I was the LSC manager and then I became an OM. So there
23 was a lot between the new manager and the LSC as a whole just in
24 transition, and then it's died off.

25 Q. There's a lot of change?

1 A. Yeah.

2 Q. Are there -- has there been a loss of things that -- I'm not
3 asking you to dime out a, you know, a colleague here, but
4 essentially did you see things go away that you wish wouldn't
5 have? You know, maybe things that you had helped establish or
6 built while you were the manager of that team that you felt were
7 valuable to the facility that maybe you wish wouldn't -- you
8 wouldn't have seen them go or not really anything like that? It
9 was just change, changes, change.

10 A. It was jut changes, change. I didn't see anything --

11 Q. Okay. And -- all right. Now, we're just going to talk about
12 training a little bit, big picture here at the facility. You've
13 been here a while, operating in positions. How do you feel -- the
14 recurrent and refresher training, how would you rate it's
15 effectiveness here at the facility right now? Is it good? We get
16 it a lot. It's very rare. You know, it's -- I don't know. You
17 tell me what you think, you know, about those programs.

18 A. It feels rushed.

19 Q. Okay. What role do you have in those generally? Like are
20 you, are you required to attend both of those as an OM?

21 A. OMs are not required to attend.

22 Q. Okay. Do you attend or are you asked to participate in any
23 other way in either providing any of the training or anything like
24 that?

25 A. No.

1 Q. Okay. And do you get any feedback from either your sups of
2 your area or the controllers in the workforce that are in your
3 areas of responsibility about, about the training? Like, it's
4 garbage, you know, hey, I've got to go do this or, you know, they
5 don't have time to do it or is there anything that comes, you
6 know, that you, that you just noted, you know, that you get
7 feedback?

8 A. Not really. Not in general, you know. I do work with the
9 area rep and NATCA rep --

10 Q. Okay.

11 A. -- on items to include in refresher training.

12 Q. Oh, good. Can you think of any of the things that you've
13 recommended or suggested?

14 A. They're very area specific.

15 Q. Oh, okay.

16 A. Yeah. But, yes.

17 Q. All right. Do you have any role in a work -- in a workforce
18 controller training progress? Do you, do you end up engaging in
19 that anywhere along the line or is that generally handled by that
20 person's trainer and their training team supervisor and you just
21 kind of get the information from the supervisor or do you have any
22 role in it?

23 A. I don't have a major role in it. It's -- usually the
24 training is between the trainers or the training team which would
25 include the supervisor. Usually I'm only informed, well, (a) if I

1 ask or there's an issue.

2 MR. SOPER: All right. That's all I've got for right now.
3 Seth.

4 BY MR. MYERS:

5 Q. Just staying in that same thought process, you said you're
6 only approached if you're asked or if you -- or if there's a
7 problem. So do you review those training team meetings that are
8 supposedly going on every month?

9 A. If I'm sitting up there, I'll read them over. I don't read
10 every single training team meeting synopsis, again unless I've
11 been informed that there's an issue. Then I'll take a closer
12 look.

13 Q. How does the facility ensure that those training team
14 meetings are meeting the point four in this facility?

15 A. There's spreadsheets that are maintained by the training
16 department available on the P drive for everyone.

17 MR. MYERS: That's all I have. Thank you. Brian.

18 MR. SOPER: Anthony?

19 BY MR. BUNCH:

20 Q. Just curious, on the ICVs and ECVs, do you discuss those with
21 your supervisors, to add those as emphasis items for their
22 training teams when they have those meetings? Are those discussed
23 at all?

24 A. We don't discuss them in the training team stuff, but we do
25 discuss it in meetings, the findings.

1 MR. BUNCH: Okay. That's it.

2 MR. SOPER: Jason?

3 BY MR. ALLISTON:

4 Q. Jumping back to PIREPs, so in a normal shift at the watch
5 desk, how many PIREPs would you say that the facility puts in the
6 system per hour?

7 A. Per hour? Average probably 15.

8 Q. Do you know how to check that?

9 A. I mean I have the ERIDS -- I have an ERIDS station -- two
10 ERIDS stations at the desk that I generally monitor. Outside of
11 -- like getting a number on them, no.

12 Q. We kind of asked this already, but as far as training
13 documentation reviews, you would only really review those if
14 you're notified of an issue? Somebody struggling in training,
15 something of that nature.

16 A. Um-hum.

17 Q. How is the facility typically doing on NTI?

18 A. I believe we're meeting our numbers, if not just slightly
19 underneath them, but I don't have accurate data.

20 MR. SOPER: What is NTI for my purposes?

21 MR. ALLISTON: National Training Initiative.

22 MR. SOPER: Oh, okay. Yeah, okay.

23 MR. ALLISTON: So it's days trained, hours trained per day.

24 MR. SOPER: Yep.

25 MR. ALLISTON: The centers are always kind of right there,

1 right under by nature of how the facilities work.

2 BY MR. ALLISTON:

3 Q. Let's see. I had one other thing. As far as when you were
4 on the LSC, did -- was the LSC involved at all on validations?

5 A. Heavily involved, yeah.

6 Q. Okay. So you did validations for training forms, for OSAs,
7 all that stuff?

8 A. Um-hum.

9 Q. Typically what would you say on those training validations?
10 Were you typically compliant on those or did you find a decent
11 amount that needed improvement?

12 A. Probably a decent amount that needed improvement.

13 Q. How about the Dash 25s?

14 A. Yeah, the Dash 25 because that's something that we kind of
15 see as a validation-wide issue just like PIREPs. The Dash 25
16 documentation is not quite there.

17 Q. Have you reviewed anybody's training package recently that
18 maybe you're well aware of or were made aware of?

19 A. Yes.

20 Q. And when you -- so when you do that -- this depends on how
21 far they are in the training process because there can be a lot.
22 Do you go through and start pulling Dash 25s and see what their
23 documentation looks like in there?

24 A. Yeah.

25 Q. How often would you say that PIREPs or weather dissemination

1 are referenced?

2 A. Not enough. Less than half.

3 Q. Is there anything that you think that the facility could do
4 beyond those briefing items to kind of needle off some of these
5 mitigations?

6 A. That's a hard question.

7 Q. Yes, it is.

8 A. Yes, I do. I don't know what that would be though off the
9 top of my head.

10 MR. ALLISTON: All right. I think that's all I have.

11 BY MR. SOPER:

12 Q. So let's circle back. I think I'm going to touch on that in
13 a minute, too, but I want to circle all the way back to the event
14 now. As you watched the replay of the event and you had the
15 opportunity to go through the replay obviously numerous times when
16 you were developing stuff. Did you identify anything from a
17 services standpoint that you felt was concerning or stood out to
18 you as like, we could have done that better or that, I wish we
19 would have had that or seen that or things that were done well,
20 that you're like, that was money. I'm glad they did that or I'm
21 glad you did that. Is there anything that stood out to you from
22 the review of that or were you involved in the CER that was done?
23 And if so, anything that you identified during that portion of the
24 time because it's different when you're reviewing it right on the
25 spot and then when you're later looking at it and actually with a

1 group?

2 A. The initial review, I didn't -- I was more looking at the
3 actual event. I wasn't necessarily looking at services provided.

4 Q. Right.

5 A. I was involved in the CER.

6 Q. Okay.

7 A. Those are all generalized questions though, nothing really
8 that involved services provided.

9 Q. Okay.

10 A. At least the questions that were asked of me.

11 Q. So as you looked at stuff then, even though you were not
12 asked, did you -- did anything stand out to you as concerning? I
13 mean -- that's a bad question. Did you just -- did -- I don't
14 know how to word it. It's very, it's very difficult. I just kind
15 of want to know if you reviewed this and thought we should have
16 done better here or we should have done better there. I wish I
17 would have seen this happen or that happen or like I said the
18 reverse. Like this was really good. I think this was a great
19 example of doing a good job on this portion of it. I'm glad to
20 see that. And if not, Jarad, it's okay to say that, too.

21 A. I would say neither.

22 Q. Okay. All right. Very well. So then going back to what we
23 were just talking about a moment ago, and is there anything you
24 think the facility can do in the PIREP weather dissemination. It
25 seems like PIREP and weather dissemination has been an emphasis

1 item for a while now. It's been a consistent thing, and it's not
2 alone at ZDC. Okay. So to be fair, that is a, that is a
3 challenge across the NAS. Here at ZDC, you have a pretty good
4 breadth of experience here with having worked here this long and
5 in various roles and a good amount of time and being the LSC
6 manager. So you've had an opportunity to see and look into so
7 many of these things. I know you said you can't think of
8 something in particular that could be done right now, but you do
9 feel that there's got to be -- that there's something out there
10 that could or should be done to be able to move that needle.

11 What would be your first step if you were given this as a
12 task? If somebody said, all right, dude, let's get this thing
13 fixed once and for all. And I want you to start on it. How would
14 you start that process?

15 A. Probably the first thing I would do is meet with the LSC and
16 more particularly, NATCA, and see what collaborative things we
17 could do together especially in the sense of, you know, providing
18 examples.

19 Q. Okay.

20 A. There's any number. Really, we would have to start with
21 collaboration on what you can actually do.

22 Q. Okay. All right. I think that's a good plan. I hope you
23 guys will do that. I mean I just say that because I -- this is a
24 subject near and dear to my heart and I -- you know, you have a
25 lot of great controllers here. You've got a good facility here.

1 And, I think that people want -- people don't come to work in air
2 traffic control not to be successful. We're very driven on
3 providing, you know, good service and being successful. So it's
4 not -- it's never based on -- it's usually based on, you know,
5 appropriate training and examples and controllers often need to
6 know what is in it for me? How does, how does this benefit me?
7 And if you can show that, then sometimes the light bulb comes on.
8 So I hope you guys will get together collaboratively and do that.

9 That said back real quick to the LSC piece. And you
10 mentioned how during COVID, the LSC got out of the OSA review
11 business, right. So was that taken out because -- so during --
12 why was it taken out? Like what was the reason? Was there
13 something that -- the duties -- distribution of duties were such
14 that, hey, they can't do that any more or the others had enough
15 time to just go ahead and do it without utilizing the OSA? I mean
16 like what was the genesis of actually them not doing it anymore?

17 A. I don't really know the exact genesis. That just came down
18 from the QC manager at the time.

19 Q. So has that been -- has it been a challenge to meet the
20 required number of 150 or whatever it is per quarter? Has it been
21 a challenge to do that now without the OSAs or without the LSC
22 contributing to that work effort?

23 A. I don't have the exact numbers on that.

24 Q. You don't know.

25 A. I don't know.

1 Q. Okay. Nothing that you feel personally, not a pressure
2 you've been receiving. So for you, it hasn't really changed. I
3 mean as a management person, you're required to do one a month,
4 and you're able to meet your requirements without a problem.

5 When you were with the LSC, do you feel that they provided a
6 benefit while you were there? Not today. So while you were there
7 in the LSC, do you feel that it provided a benefit by them being
8 included in those OSA reviews?

9 A. Yes.

10 MR. SOPER: Okay. All right. I don't have anything else
11 right now. Seth?

12 MR. MYERS: I don't have anything.

13 MR. SOPER: Anthony?

14 MR. BUNCH: No.

15 MR. SOPER: Jason?

16 BY MR. ALLISTON:

17 Q. Is three -- you have three supervisors in Area 6, correct?

18 A. Yes.

19 Q. Is three enough supervisors to do everything that they need
20 to do in that area?

21 A. No.

22 Q. How many do you need?

23 A. I would be ecstatic if we had five.

24 Q. Okay. That was really the main one. The only other one,
25 Brian kind of danced around it a little bit, but in the replay,

1 N43156 had a cell of weather approximately two to three miles in
2 diameter in front of it, moderate. Would you expect the
3 controller to call that weather then?

4 A. Yes.

5 MR. ALLISTON: And I think that's all I've got.

6 MR. SOPER: Okay. Very good. I don't have anything
7 additional. Nobody else has any saved rounds. Do you have any
8 questions for us?

9 MR. McCLEVE: No.

10 MR. SOPER: Okay. I'm going to go ahead and turn off the
11 recorder. I show the time at 1540.

12 (Whereupon, at 3:40 p.m. EST, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

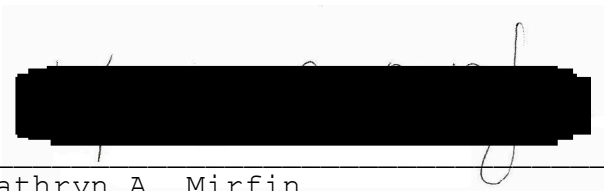
IN THE MATTER OF: PIPER PA-32R-31 FATAL ACCIDENT
 NEAR DAYTON, VIRGINIA
 ON JANUARY 11, 2023
 Interview of Jarad McCleve

ACCIDENT NO.: ERA23FA108

PLACE: Leesburg, Virginia

DATE: January 25, 2023

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.



Kathryn A. Mirfin
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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PIPER PA-32R-301 FATAL

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ACCIDENT NEAR DAYTON, VIRGINIA

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Accident No.: ERA23FA108

ON JANUARY 11, 2023

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Interview of: JAKE RIZZO, Local Safety Council Co-Lead (LSC) for
National Air Traffic Control Association
Federal Aviation Administration

Washington Air Traffic
Control Center (ZDC ARTCC)
825 East Market Street
Leesburg, Virginia

Wednesday,
January 25, 2023

APPEARANCES:

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert
Federal Aviation Administration

SETH MYERS, Air Safety Investigator
National Air Traffic Controllers Association (NATCA)

ANTHONY BUNCH, Air Safety Investigator
National Air Traffic Controllers Association (NATCA)

AARON WILT, Acting Factory Representative
National Air Traffic Controllers Association (NATCA)
On behalf of Jake Rizzo

JOHN CAKMAKCI, ESQUIRE
On behalf of National Air Traffic Controllers
Association (NATCA)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Jake Rizzo:		
By Mr. Soper		6
By Mr. Myers		17
By Mr. Bunch		23
By Mr. Alliston		23
By Mr. Soper		27
By Mr. Alliston		29
By Mr. Soper		29
By Mr. Myers		31
By Mr. Soper		32

I N T E R V I E W

(12:00 p.m. EST)

MR. SOPER: Okay. My name is Brian Soper. I'm an air traffic investigator with the NTSB. And, we're here to investigate the fatal accident of N43156 that occurred on January 11th, 2023. ZDC ARTCC here was providing services at the time of the accident.

I have with me here in the room -- could you please state name for me?

MR. RIZZO: Jake Rizzo.

MR. SOPER: Jake Rizzo. And you are the -- what is your title here?

MR. RIZZO: Local Safety Council co-lead for NATCA.

MR. SOPER: Thank you. And you have with your selected representative. And if you could state your name, sir?

MR. WILT: Aaron Wilt.

MR. SOPER: And you are the acting fac rep here for ZDC. Is that correct? For NATCA.

MR. WILT: That is correct.

MR. SOPER: And then we also have observing from NATCA, their attorney. Could you state your name, sir?

MR. CAKMAKCI: John Cakmakci.

MR. SOPER: Ooh. Could you spell that last name for me?

MR. CAKMAKCI: C-a-k-m-a-k-c-i.

MR. SOPER: Okay. Very well. Thank you very much. And then

1 from our NTSB work group, we have with us representing the FAA,
2 Mr. Jason Alliston out of Columbus Tower. He's the acting ATM
3 there previously out of Atlanta Center as the QC manager and XO
4 out there. Also with us Mr. Anthony Bunch out of SoCal TRACON
5 here with us representing NATCA as an ASI under the observation of
6 Mr. Seth Myers out of Boston Center, also a NATCA ASI representing
7 NATCA on the group.

8 As I mentioned to you earlier, the NTSB is an independent
9 federal agency charged with the investigation of civil aviation
10 accidents and incidents of a serious nature, developing probable
11 cause and hopefully issuing safety recommendations to industry or
12 some segment of industry to prevent reoccurrence.

13 We are non-regulatory. We have no enforcement powers. We do
14 not make rules. We don't enforce rules. And we are not
15 affiliated with the DOT or the FAA in any way.

16 As I mentioned to you, this recording is done for accuracy.
17 It will be transcribed. The transcript is what will become part
18 of the final record. Both the members of the group as well as
19 yourself will have an opportunity to review that for accuracy.
20 And the parties will also have one additional time to review this
21 -- to review the transcript during tech review which happens a
22 little bit further down the road, just to ensure that there's no
23 final corrections that need to be. That corrected copy is what
24 becomes part of the final document, not the record. The record
25 does not go into our public docket at any time.

1 Do you have any questions for us before we get started or do
2 you understand everything that's been explained?

3 MR. RIZZO: No questions.

4 MR. SOPER: Awesome.

5 INTERVIEW OF JAKE RIZZO

6 BY MR. SOPER:

7 Q. So just a little background information from you just so that
8 we know who we're talking to exactly here. You said -- if you
9 could one more time, give me your first and last name.

10 A. Jake Rizzo.

11 Q. And is that R-i-z-z-o?

12 A. Yes.

13 Q. And what is your age?

14 A. 32.

15 Q. And do you -- what operating initials do you utilize here?

16 A. RZ.

17 Q. And you said you're the Local Safety Council -- what was the
18 title again?

19 A. The Local Safety Council co-lead for NATCA.

20 Q. And how long have you been, how long have you been a
21 controller here at ZDC?

22 A. I got here August of 2016.

23 Q. How long have you been in the FAA?

24 A. March of 2016.

25 Q. So this is your first facility?

1 A. Yes.

2 Q. Awesome. Okay. Do you have any pre-FAA air traffic
3 controller experience?

4 A. No, nothing.

5 Q. Okay. And do you hold any major collateral duties here
6 outside of this one? Obviously this is kind of a collateral duty
7 or been on any recent details that have taken you outside of the
8 facility for long periods of time --

9 A. No.

10 Q. -- three weeks or more? So if you could give us just your
11 kind of 10,000 foot bio, right. So if somebody was just to ask
12 you, you know, how did you end up here? You know, what's -- what
13 made you choose aviation? Just kind of give us, you know, hey, I
14 was always interested in aviation. When I graduated high school,
15 I went to college for this or I got my private pilot's license.
16 I'm interested in air traffic control. Whatever it was for you.
17 Take us through to how you came here to be here today.

18 A. Yeah, I always definitely had an interest in aviation, and
19 did not pursue that initially. Just kind of got a regular job at
20 a deli for a couple years, wasn't really happy with it. And I had
21 a friend that was a controller at ZNY and kind of put me on the
22 right track. I went to Community College of Beaver County, their
23 CTI program. Started as a remote pilot operator here at the
24 center for about a year and a half, and went to the academy from
25 there.

1 Q. Cool. So you were a remote pilot operator at one point for
2 the FAA?

3 A. Um-hum. Yeah, contract (indiscernible).

4 Q. Cool. And what were doing? And that was at New York Center.
5 So what were you operating? What were you --

6 A. So we would be in the lab. So we would run, you know, --

7 Q. Oh, okay. Like doing the sims.

8 A. Yeah.

9 Q. Okay. Pseudo pilots, whatever.

10 A. Um-hum.

11 Q. Okay. Cool. And have you ever been suspended, terminated or
12 asked to resign from a position since you've been in the FAA?

13 A. No.

14 Q. Okay. All right. Now, these other things I don't really
15 need to go through with you. They don't really apply. You didn't
16 have anything to do with the incident or accident. So I'm going
17 to skip over these. Out of curiosity though, did you have the --
18 did you in any capacity review this event like via LSC or were you
19 part of the CER? Did you see what occurred on this event?

20 A. Yes.

21 Q. So you've had a chance to look at that?

22 A. Um-hum.

23 Q. What capacity was that in? What -- was it just out of -- was
24 it training? Was it something you were -- you had to do or was it
25 something you just chose to do?

1 A. I was the NATCA representative for the covered event review.

2 Q. Okay. Good. That's helpful. So you're familiar with the
3 event. And are you -- what area do you work in as a controller?

4 A. So I'm Area 4.

5 Q. Okay.

6 A. We're the only area. We're the furthest northeast of the
7 building.

8 Q. All right. Very good. And are you fully checked out in that
9 area?

10 A. Yes.

11 Q. Awesome. Okay. I don't really want to have you speak to the
12 traffic load or complexity because it's not your area. It would
13 not be a fair question.

14 So, let me ask you this though. You were part of the CER,
15 and as you reviewed this event for the purpose that you were
16 supposed to, what kind of things did you identify over the course
17 of that CER that were either -- that you guys felt were deficient
18 or needed work or were good? I mean the good, the bad and the
19 ugly. You know, what kind of things came out of that that you
20 identified with right away that you can recall?

21 A. I'll just kind of take a top down approach I guess.

22 Q. Yeah.

23 A. So the four things we validated for One - the Flight Data --

24 Q. Um-hum.

25 A. -- did not see anything out of the ordinary there other than

1 some issues with the AISR system. It seemed to delay on that a
2 bit. I believe it was 11 minutes from the receipt of the
3 paperwork to the ALNOT being issued. I don't know what the
4 typical time is, but according to the flight data manager that was
5 working that night, the AISR system here is slow --

6 Q. Okay.

7 A. -- and malfunctions, and it did that night. It delays AISR
8 entries.

9 Q. Okay.

10 A. Other than that, I didn't see anything else there. The
11 operations manager I believe got the -- was notified of the
12 incident, the potential incident, the loss of comms and radar at
13 2319, and the ALNOT paperwork gets to the flight data who enters
14 it into AISR at 2344. He stated that there were a bunch of other
15 things that had come up at the same time.

16 Q. Um-hum.

17 A. Got an emergency, things of that nature. The operations
18 manager was alerted to that around they said about -- anywhere
19 from one to three minutes after the loss of comms and radar which
20 was at 2310. So he was aware that around 2313 and he got that
21 information to the ops manager within a couple of minutes. He was
22 aware of the forecasted weather in the area. According to him he
23 had disseminated information to the controllers working.

24 Q. Are we talking about the OM did or the OS?

25 A. The OS.

1 Q. Okay.

2 A. Yeah. The controller sector, according to their interviews,
3 did not have any precipitation on the route of flight. They did
4 not get any adverse PIREPs or any kind of reports from any
5 aircraft around that route of flight. So none was disseminated to
6 that aircraft. They did solicit in the time that we observed.
7 They did solicit one PIREP. It was to the northwest of the
8 airspace by a (indiscernible).

9 Q. Okay.

10 A. That's what I can recall of what we --

11 Q. Did you guys already start with the identification of -- I
12 don't know, things that were -- that would be recommended emphasis
13 items or mitigating things or is that done at a later time?

14 A. Yeah, that -- we have not --

15 Q. That's not something you did yet. Okay. I know there's more
16 time to do that. You need to close out the CER quickly but then
17 the other stuff gets done after. Okay. All right. Cool. So I
18 have some general questions. So you're engagement as a LSC rep or
19 the co-lead for NATCA, first of all, how often do you guys meet
20 right now? Do you have -- what type of scheduled or official
21 meetings do you guys -- are you guys participating in?

22 A. So we have both three days a week off the schedule, and we
23 are on detail. We line up our schedules, work morning shifts,
24 Tuesday, Wednesday and Thursday. And so we spend the entirety of
25 that time in the office and collaborating on all --

1 Q. So Tuesday, Wednesday and Thursday of every week that's you
2 and what other individuals? Is it --

3 A. That's the LSC management lead.

4 Q. Okay. And to there's two of you. Is that right?

5 A. Yeah.

6 Q. Okay. So management lead and the NATCA lead, you guys both
7 work a combined -- not a combined schedule, but an aligned
8 schedule of Tuesday, Wednesday and Thursday in the office together
9 doing collaborative work in support of the LSC and the facility.

10 A. Yes.

11 Q. Okay. Are those documented? Do you document -- I'm sorry.
12 Those wouldn't be document. Those are just workdays. But if you
13 -- do you hold any regularly scheduled meetings that you have like
14 we need -- those three days we work on stuff and every week we
15 have to report here. Every month we have to -- we have whatever
16 meeting with management and the QCM and the ATM and the training
17 manager. Is there anything like that that occurs?

18 A. Nothing that is -- well, we do have a meeting with our
19 airspace office that we're involved in. Training is involved in
20 that as well. I don't recall who else attends those. But those
21 are every Thursday, and we attend those every Thursday. We don't
22 have a set schedule with our sponsors, ATM and the FACREP but we
23 meet with them. Once a month is our target to meet with them,
24 kind of make sure we're on the same page about everything. We
25 have area SMEs, two per area, one for TMU. We meet with them once

1 a month.

2 Q. Okay. On all of those type of meetings, so the one that you
3 hold with the Airspace Office or the one that you hold with the
4 ATM and FACREP, when you have them, when you say you target those
5 for once a month, but they can vary. And then the meeting that
6 you do once a month with the area SMEs and TMU SME, are any of
7 those documented like with minutes or something --

8 A. Yes.

9 Q. -- that you go over? And how are those maintained?

10 A. So for the LSC meetings, since the LSC is kind of calling
11 those meetings and conducting them --

12 Q. Um-hum.

13 A. -- we do keep minutes for all of those meetings. I can't
14 speak to the 5:30 one. The manager that is, you know, that calls
15 these meeting --

16 Q. Yeah.

17 A. -- I see him on the computer taking notes and things. I'm
18 assuming that's what he's doing, but I can't speak to how he
19 documents those.

20 Q. So you -- so what's the 5:30 meeting?

21 A. That's the Airspace Office.

22 Q. Okay. So the other ones, are you the one that does the
23 minutes normally for like the ones with the SMEs and the TMU or is
24 it kind of a shared thing or how does that work?

25 A. Typically the management lead does it --

1 Q. Okay.

2 A. -- but it's whichever one is available.

3 Q. All right. How -- what is the relationship with the LSC and
4 management as a whole here? Do you think it's good? It's
5 healthy?

6 A. Yeah, yeah.

7 Q. You have a healthy relationship here. Do you feel that the
8 workforce in general, is it your experience or do you know, do
9 they seem to know who the LSC is and who the reps are and do they
10 feel -- do you get any feedback from the SMEs that are assigned to
11 the LSC? Do they receive a lot of feedback from the workforce
12 that are not LSC member on things that they'd like to see changed
13 or things that they, you know, you know, want worked on or
14 anything like that? Do they get a lot of interaction?

15 A. Yeah. I think it's pretty well know who the LSC leads and
16 SMEs are. I mean we get a lot of feedback from them. And every
17 FACREP that come to these things, they hear complaints in the
18 area, things like that, they're usually pretty quick to bring it
19 up, bring it to us, you know, and we'll attempt to mitigate it.

20 Q. Okay. And I'm going to shift modes a little bit. When it
21 comes to CAPS for the facility for things like ICVs and ECVs,
22 identified deficiencies there where they develop CAP or a
23 corrective action plan or from SSRs or CERs, does the LSC get
24 engaged in that process at all when they start talking about the
25 mitigating efforts that they're going to put in place? Do you

1 guys engage in that process? Is that something that you're
2 involved in?

3 A. So I've been the NATCA representative on some of those CAPs.
4 So honestly those we have had input on. You -- typically we will
5 kind of lean towards the LSC as being the NATCA leads on those
6 CAPs, you know, because they are the safety SMEs. I would say
7 most of them, yeah, we are not directly involved there.

8 Q. Are you aware right now, do you guys keep like -- do you have
9 a running list? Do you know what open CAPs are at the facility
10 now and what you guys currently have open as emphasis items or
11 things that you've got mitigating things in place for?

12 A. Yeah. I do because I have access to kind of looking at that
13 in CEDAR.

14 Q. Do you know offhand what some of those are? I mean this
15 isn't a test question. I'm just curious if you're kind of aware,
16 if you can tell us what you are aware of?

17 A. Yeah, we have a few open still from ECV last spring, and the
18 ICV and that was the fall, we have a few open currently.

19 Q. Do you know what any of those are?

20 A. Pre-duty weather briefing.

21 Q. Yeah, do any standout to you as something that, yeah, you
22 know, we've seen this a couple times now? It's been kind of a big
23 deal. We're trying to push. Is there anything like that?

24 A. Currently open right now is pre-duty weather briefing, PIREP
25 dissemination, solicitation. I don't recall which other ones are

1 currently open.

2 Q. I think we see in there, too, that PIREP weather
3 dissemination and solicitation, that's been kind of a carryover.
4 It's existed I think on the previous ECV, the last ICV or
5 whichever one they happen on, and I'm not sure which happened
6 before the other, but they've been carried over for a while. Like
7 that's been something that we've had -- that you've had some --
8 they've been attempting mitigation on for a while.

9 Are you guys -- what's your viewpoint? Do you feel like the
10 needle is moving on that at all? Have you noticed it? Are you
11 guys doing anything to -- I don't want to call it audit that, but
12 are you able to monitor the progress to see if -- is there
13 anything in place that allows you to capture, is that needle
14 moving in the right direction? Are we making a move here where
15 we're starting to see more of it, whether it's through, you know,
16 documentation OSAs, additional training that's provided to the
17 workforce? Is there anything you've been able to measure on that?

18 A. The LSC, me personally, no, but as being a part of the ECV
19 and the corrective action plan for that, I know that they did --
20 we had a CAP for that. The mitigation plan was completed. The
21 monitor plan was created. They monitored I believe though OSAs.
22 It did not meet our target goal, and so we reopened it. And
23 that's kind of where we sit now. That's -- I don't know exactly
24 what the numbers were, if they had --

25 Q. Okay.

1 A. -- improved or not. I just know we did not meet our target
2 on that, our target percentage.

3 Q. All right. I'm going to pass it along for now. I may have
4 more questions for you, but I'm going to pass it along to Seth.

5 BY MR. MYERS:

6 Q. Just to kind of stay on that line, the LSC, did you say you
7 guys have a scheduled monthly meeting like -- as the LSC?

8 A. Yeah. So the LSC, the actual co-leads, myself and the
9 management lead, we meet three times a week, but as far as they
10 also have a -- right now it's 12 total, but it's usually 13, 2 per
11 area and 1 from TMU and monthly we will meet with them to go over
12 our safe discussion topics, talk about trends in the facility,
13 just circle back on some things we've seen in the past, and it's
14 kind of like a way to monitor some of our previous mitigations or
15 just kind of keep an eye on, hey, I heard about this issue a
16 couple of months ago. Is this -- I don't want to see any more of
17 it, you know, things like that.

18 Q. So you said you have 13 members on the LSC, 2 per area?

19 A. Yeah.

20 Q. Okay. And that -- is that monthly meeting your three days,
21 those people, is that outlined in your scoping document?

22 A. It is.

23 Q. When's the last time that scoping document was looked at,
24 updated? Is it done yearly?

25 A. The last one I believe was signed about a year and a half ago

1 when I came on. We -- myself and management co-lead made some
2 edits to it, and sent it out for sponsor signature, and we just
3 have not gotten that back yet.

4 Q. That monthly meeting, do you ever run into any issue of
5 people getting off the schedule, being allowed to go to it? How
6 do you, how do you -- how does that work?

7 A. The facility's pretty good at getting them off the schedule
8 if they are here and it's tough obviously with everybody having a
9 different schedule. To get everybody in the same room even, you
10 know, without RDOs and leave and things like that, but if they're
11 in the building at that item, scheduled to be in the building at
12 that time, our facility's -- credit has always proved, it's pretty
13 -- it's very rare that they won't be able to be released from the
14 floor if they need to. So if they're in the building, we get the
15 ones that are here usually. They're pretty good at that.

16 Q. So in the scoping document, it's outlined not like every once
17 a month on the first Monday, you have an eight hour meeting for
18 everybody. It's -- you ad hoc it.

19 A. Yeah, it just says we'll meet monthly.

20 Q. We'll meet once a month.

21 A. Yeah.

22 Q. And then you -- it's up to the areas or the co-leads to get
23 everybody to that meeting and --

24 A. Yeah.

25 Q. Okay.

1 A. And management will do the scheduling, OWT (ph.) talk to the
2 other managers and things and get them the time they need to do
3 it.

4 Q. Okay. Now, the actual content that you make up at that
5 meeting and whatnot, how do you guys pick when you do the actual
6 safe discussions?

7 A. It varies. It depends. I mean if we see a lot of leave for
8 those holidays, things like that, we'll try to obviously work
9 around that. So whatever will work best for attendance or, you
10 know, there's reviews going out such as (indiscernible), whatever,
11 a lot of us will try to get, you know, just keep it in a week
12 where -- there's no set week. It's just whatever we think will
13 work best for attendance.

14 Q. Do you find that you get good support from the floor to get
15 controllers to those discussions?

16 A. Yeah, pretty good. Obviously it depends on traffic and that
17 kind of stuff but we see a pretty good turnout usually.

18 Q. Do you monitor the percentage that you get?

19 A. Yeah.

20 Q. And what would you say that percentage is?

21 A. I would say in person, it really depends on -- between 50 and
22 70 depending on, you know, month and traffic but then also from
23 there, we will have a week of offerings and that will be pushed
24 out with the most up-to-date sign in sheets to managers and they
25 will continue that so that at that point, they're marking that off

1 in CEDAR who has attended and then who they have briefed, and
2 their portion of it. So the numbers over the last year, they've
3 run around the low eighties when it's all said and done.

4 Q. That's very good. Nice work on that. So that's the LSC part
5 of it. Obviously there's a lot of things on the 7200.21A, the
6 partnership for safety document about, you know, including the LSC
7 on ICVs, ECVs, you know, there's Article 51 that speaks to that
8 and whatnot. Those people, those SMEs, those people that provide
9 that content, do you find that those are -- that those processes
10 of getting that into those quality control functions are done here
11 and done well like including them in the validation and ICVs and
12 ECVs and, you know, OSAs, things of that nature? Do you find all
13 that happening?

14 A. Yes, as far as facility reviews. Yeah, I do think that the
15 LSC at its meetings are looked to first to be used.

16 Q. What about like SSRs? How are those performed here?

17 A. QC will do some of them. The LSC does some of them. It's
18 not across the board either way but, yeah, the LSC does conduct a
19 lot of the SSRs.

20 Q. When you say the LSC conducts them and QC conducts them, can
21 you explain the difference between that?

22 A. So typically if the LSC is conducting the SSR, it will be
23 myself and the management lead. Other times it will be, you know,
24 another scenario or whoever, but also sometimes QC will conduct
25 the SSRs. So it will be their office collaboratively.

1 Q. And when you say their office collaboratively, what is that?

2 A. The QC office will conduct SSRs at times, and they will have
3 -- without LSC's involvement.

4 Q. What about like NATCA's involvement in that, like
5 collaboratively getting people involved in that processing, QC.
6 Are you saying there's somebody in there that's going to be doing
7 that process as well?

8 A. Yeah.

9 Q. Okay. And with feedback mechanisms for -- to get that
10 information, the lessons learned things back to the workforce
11 through SSRs, through ICVs, is it generally speaking the LSC that
12 does those functions here?

13 A. It definitely depends on what the situation is. I mean if
14 there's a trend, they're saying they'll definitely share it with
15 us, they kind of collaborate with us on how to mitigate, but it
16 definitely depends.

17 Q. Obviously you're on the LSC, you know about the infoHUB and
18 the data portal and things like that. How often do you guys get
19 into that and look at outside trends, stuff like that? How often
20 do you guys do that?

21 A. I would say we review our -- the ATSAPs that are shared with
22 us, maybe once a week, we'll go and catch up.

23 Q. Okay. And that's you and the lead or you and the whole team
24 -- 13, all 13?

25 A. Just me and the lead. We're the only -- the lead and myself

1 are -- the management lead and myself are the only ones that have
2 access to those AFS tools.

3 Q. It's really good that you guys get support three days a week.
4 Like a lot of facilities don't --

5 A. That's huge, you know.

6 Q. -- even do that. So I assume that on those three days a week
7 you guys get together on the portal which it sounds like you do,
8 you get to attend the monthly telecomms which it sounds like you
9 do because it's Tuesday or Thursday.

10 A. Yeah.

11 Q. So you would say from your standpoint as a controller as on
12 the LSC, do you have enough support and enough resources to do
13 what that order 7200.21, (indiscernible), does?

14 A. Yeah, I would say that.

15 MR. MYERS: That's all the questions I have right now.

16 MR. SOPER: Thanks. Anthony, do you have anything?

17 BY MR. BUNCH:

18 Q. Just going back to your scheduled meetings, how far in
19 advance do you schedule them to get everyone there? How much time
20 do you -- like a week or two or do you try to do it a month out?

21 A. We try to stay to around a week.

22 Q. Okay.

23 A. Yeah, I've actually found going longer than that sometimes
24 people forget. So it's getting that out about a week and then
25 kind of reminding them as it comes to be, when we get our best

1 attendance.

2 Q. And you come out with a list of topics, an agenda, that
3 you're going to get input from people, or do they just kind of --
4 whatever you and the co-lead decide, you guys make up the agenda
5 or do you get input from the --

6 A. So we will decide the agenda, and then part of these, does
7 anybody have any other issues or any other potentials, say
8 discussion topics, things like that, and then would be discussed
9 there and added to the next month's or at the next month's backup
10 stuff. So we will come up with the agenda, and then it will be
11 kind of open discussion --

12 Q. Okay.

13 A. -- to add those topics.

14 Q. And as far as your work, is there a QC NATCA lead down there
15 that is dedicated down there? Like a NATCA rep, a QC person?

16 A. Yeah, we have a safety rep that is -- yeah.

17 Q. So -- and they work with you on that stuff?

18 A. Yeah.

19 MR. BUNCH: Okay. That's all I have.

20 MR. SOPER: Thanks, Anthony. Jason?

21 BY MR. ALLISTON:

22 Q. Does the LSC involved in performing validations?

23 A. Not currently, no.

24 Q. Have you discussed validations with your QC safety lead or
25 safety rep? I'm sorry.

1 A. No, not recently, no.

2 Q. Okay. I was looking at one of the outstanding mitigations
3 for a position certification process. Have you guys had any
4 discussion as far as training and documentation? Well, we'll just
5 start there. I don't want to ask you too big of a question.

6 MR. SOPER: What was the -- what was the area of -- what was
7 the outstanding --

8 MR. ALLISTON: The outstanding mitigation is 118 position
9 certification process.

10 MR. SOPER: Position certification, okay.

11 MR. RIZZO: So I'm not well versed on this. That's more of a
12 training function. I know that one, as far as mitigation-wise,
13 was kind of kicked to training. So I don't know too much about
14 that one. It's kind of more into the training side of it. So I
15 don't know the status of that mitigation.

16 BY MR. ALLISTON:

17 Q. Are you a trainer?

18 A. Yes.

19 Q. And are you also a CIC?

20 A. Yes.

21 Q. As a CIC, what is the expectation regarding monitoring area
22 with respect to headset use? I believe they have cordless
23 headsets.

24 A. As in -- I'm sorry. I don't understand exactly what you're
25 asking.

1 Q. So when you're a CIC in the area, is there a facility
2 expectation that you should be in the area and monitoring
3 individual sectors and should you be using a cordless headset?

4 A. Monitoring sectors, kind of just operational oversight, yes.

5 Q. Yes.

6 A. As far as using headsets or actually directly monitoring
7 while being CIC, it's not something that I was -- that I think is
8 expected of me as a CIC.

9 Q. Okay. As a trainer, so you're pretty heavily involved in
10 ICV, ECV and the mitigations. Do you have any current trainees?

11 A. No.

12 Q. Okay. Would you expect a trainer to have discussions with
13 their trainee regarding like facility emphasis items and document
14 those?

15 A. I would.

16 Q. And you said you're not really involved in the validations
17 because that's kind of where I was going with that, whether --
18 when we look at those training forms related to skill checks and
19 training team meetings and for seeing those in the validations,
20 and that's kind of why I brought up the position certification
21 mitigation because that's mostly surrounding components
22 assessments.

23 And, so going back to the operation, how many supervisors are
24 assigned to your area?

25 A. We have three that are certified, I believe one in training,

1 potentially two training.

2 Q. Okay. And how often would you say you have a supervisor in
3 the operation versus a CIC?

4 A. A supervisor, this is just kind of anecdotal, but I'd say 60
5 percent. That's the experience I'm around, yeah.

6 Q. Okay. And it doesn't have to be exact, just kind of in your
7 estimation because it can obviously vary by side of the week.

8 A. Right. I'm on the floor two to two and a half days a week
9 depending on overtime. So I mean I --

10 Q. Right, it's limited.

11 A. Right. So any day of the week that we would not have that
12 coverage, I would see that every time, you know. So
13 (indiscernible).

14 Q. Are CICs required to attend the morning and afternoon
15 standup?

16 A. Yes.

17 Q. And in your experience, is that data especially with respect
18 to soliciting PIREPs, brought back to the area?

19 A. Yeah.

20 Q. And how would you as a CIC give that information to the area?

21 A. During everything I was told that it was forecasted, I would
22 just let -- mostly I'd say I'm just letting that sector know if I
23 think that's what's expected.

24 MR. ALLISTON: Okay. I think that's all I have for the
25 moment.

1 BY MR. SOPER:

2 Q. All right. Do you identify right now with one challenge you
3 guys are having as a LSC? Meaning with the facility, whether it
4 be we've been trying to get traction on this change or this
5 support to conduct this whatever it is. I mean are you -- is
6 there anything you immediately identify with that we've been
7 working on this for quite some time and we're having trouble get
8 traction. And, is there any of those kind of things?

9 A. No, I mean I wouldn't say. There's a couple of items that
10 are --

11 Q. So you feel it's been, you know, the things that you guys
12 have tried to initiate or implement or that have come from your
13 group are being supported? You generally get good support for
14 those you mean?

15 A. Yeah.

16 Q. Okay. Good. Okay. I really -- I don't actually have
17 anything more for you on LSC for myself.

18 MR. SOPER: Seth.

19 BY MR. MYERS:

20 Q. I have several questions. Do you know what the weather
21 coordinator is?

22 A. Yeah.

23 Q. Do you know where it's located?

24 A. Yeah, TMU.

25 Q. Is it written anywhere in your facility what that position

1 is?

2 A. Yeah, they have -- in our SOP, they have a whole section of
3 responsibilities to do and that kind of thing.

4 Q. What do you find -- do you find that that's a pretty active
5 position here in the facility?

6 A. Is it active?

7 Q. Yes.

8 A. Yeah, it obviously depends on the day. I mean there's some
9 days where there's probably not much going on, on some days where
10 they're a lot of responsibility but at times for sure.

11 Q. I know you don't work in TMU, but do you ever see the weather
12 coordinator calling down to the aisle, coming down to as -- when
13 you're CIC or working or inquiring about anything when you're in
14 the operation?

15 A. I don't recall if they do.

16 Q. How are you as a controller supposed to be advised that
17 there's an AIRMET, SIGMET, UUA? How do you get notified of that?

18 A. So for those three particularly, those are all pushed as GIs
19 and goes directly to the scope as well as the EDST.

20 Q. So the yellow indicator will be your --

21 A. I'm sorry. It's only EDST, but --

22 Q. So it's on the EDST, right?

23 A. Yeah.

24 Q. And by you stating it or looking at it, and then clicking on
25 it, that's how somebody providing general supervision would know

1 that you've performed that function?

2 A. Correct. Yeah, it has the yellow banner if you haven't
3 acknowledged it yet.

4 Q. Yes.

5 MR. MYERS: I have one other question. No, I think that's
6 good, Brian. Thanks.

7 MR. SOPER: Okay. Anthony.

8 MR. BUNCH: I'm good.

9 MR. SOPER: Jason.

10 MR. ALLISTON: Just a couple more.

11 BY MR. ALLISTON:

12 Q. So you said the LSC does some of the OSAs?

13 A. Yeah.

14 Q. You don't do any of the OSAs?

15 A. No, but previously we had some involvement in that but not
16 now.

17 Q. Do you know when that ended?

18 A. I can't say. I've been the lead for I believe a year and a
19 half, and it was prior to that.

20 MR. ALLISTON: Okay. I think that's it then.

21 BY MR. SOPER:

22 Q. Okay. This is just a curiosity question with regard to EDST
23 and it reminded me when he was asking the question about how you
24 do it. Now, as I understand it, and please correct me if I don't
25 have this right, with the EDST, you get those informationals, GI

1 messages, like for SIGMET, right. And it shows up as a yellow
2 banner. So you go on it, you click on that. It gives you
3 whatever the SIGMET is. Normally that's when somebody would then
4 go ahead and broadcast that if it was required to be broadcast, if
5 it applied to them. At that point, you can either select to leave
6 it in your list -- leave it in the list or suppress it, correct?
7 Like you can take it so that I don't want it in the list anymore.
8 I read it. I'm done with it. It's gone. What is your practice
9 on those? Do you delete them and get rid of it as soon as you've
10 read it? Or, do you leave them in there for any length of time?
11 And this goes for any of those, whether it's weather or PIREPs
12 that you issue. For instance, if you issue a PIREP, or if you see
13 a PIREP in there that applies to you and I don't know, let's say
14 you gave it to an aircraft wherever, do you do anything else with
15 that PIREP or do you just delete it immediately like, okay, I got
16 that one. I want it out of my list so it ain't muddying things
17 up.

18 A. So, yeah, you have the option to either acknowledge it, and
19 then that yellow will go away and it will stay in the list or
20 completely suppress it and delete it out. If it applies to me, I
21 will leave it in. Essentially urgents --

22 Q. Okay.

23 A. -- SIGMETs, things like that. Urgents for sure. SIGMETs I
24 leave in just in case any pilot would ever ask does it typically
25 happen but that's just my preference.

1 Q. And to your knowledge, is that left up to the individual
2 controller's technique or choice whether they suppress or whether
3 they, you know, whether they delete or whether they leave it in
4 there or is there also a facility policy that if it applies to
5 you, it has to be left in there this amount of time or is there
6 any kind of policy like that for you guys?

7 A. To my knowledge, I do not believe there is any requirement --

8 Q. Okay.

9 A. -- whether or not to leave it in that list or not.

10 Q. Cool.

11 MR. SOPER: Okay. Any other questions?

12 BY MR. MYERS:

13 Q. I actually have just one other question just to -- I know
14 that the MAP values aren't -- do you know what MAP values are?

15 A. Um-hum.

16 Q. And they're not like supplied to the controllers in the area.
17 They're not up on the boards or anywhere for you guys to see them.
18 Have you ever heard in your LSC time or anything of MAP values
19 being dynamically adjusted?

20 A. I have. I don't -- I know we have the ability to do that. I
21 know that's something that's been discussed previously. I don't
22 remember exactly why, but I do know that was something that had
23 been talked about. I can't recall if it's been utilized in my
24 time. I think we -- again, I don't know for sure if we have. I
25 can think of a few times when I believe we have, but I don't know

1 for sure.

2 Q. Okay. No other questions. Thanks.

3 MR. SOPER: All right. Anything else?

4 (No response.)

5 BY MR. SOPER:

6 Q. Okay. One last question before I left you off here. So when
7 you're operating as CIC, and this is important to me. So how
8 often would you say you are called upon to do CIC duties over the
9 course of a month of regular shift rotations?

10 A. Over a month, I'd say probably three days.

11 Q. Okay.

12 A. I have separate, you know, sessions of being CIC and again,
13 I'm on two, maybe two and a half on average days a week. So.

14 Q. How does the workforce -- how is the workforce in your area,
15 how are they receptive to CICs sup-ing? Do you feel comfortable
16 engaging in on-the-spot corrections and things like that? And is
17 it well received by your, by your colleagues or does it vary?

18 A. It definitely varies. CIC. I'm a controller.

19 Q. For sure. All right. Very good. Okay. Cool. No other
20 questions. Any questions for us?

21 A. No.

22 MR. SOPER: I'm going to stop the recording now then. I show
23 the time as 12:24 [sic].

24 (Whereupon, at 12:24 p.m. EST, the interview was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

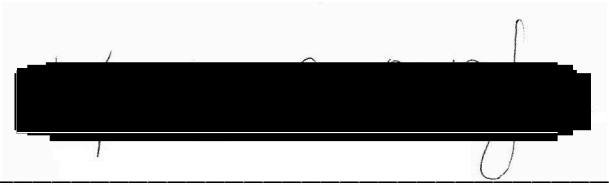
IN THE MATTER OF: PIPER PA-32R-31 FATAL ACCIDENT
 NEAR DAYTON, VIRGINIA
 ON JANUARY 11, 2023
 Interview of Jake Rizzo

ACCIDENT NO.: ERA23FA108

PLACE: Leesburg, Virginia

DATE: January 25, 2023

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.



Kathryn A. Mirfin
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

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PIPER PA-32R-301 FATAL *

ACCIDENT NEAR DAYTON, VIRGINIA * Accident No.: ERA23FA108

ON JANUARY 11, 2023 *

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Interview of: MARK WINTER, Quality Control Manager
Federal Aviation Administration

Washington Air Traffic
Control Center (ZDC ARTCC)
825 East Market Street
Leesburg, Virginia

Wednesday,
January 25, 2023

APPEARANCES:

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert
Federal Aviation Administration

SETH MYERS, Air Safety Investigator
National Air Traffic Controllers Association

ANTHONY BUNCH, Air Safety Investigator
National Air Traffic Controllers Association

MATTHEW SMITH, ESQUIRE
Federal Aviation Administration
Office of the Chief Counsel
On behalf of Mark Winter

CRISTINA ZAMBRANA, ESQUIRE, Observer
Federal Aviation Administration
Office of the Chief Counsel

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Mark Winter:		
By Mr. Soper		6
By Mr. Myers		17
By Mr. Alliston		24
By Mr. Soper		34
By Mr. Myers		41
By Mr. Bunch		43
By Mr. Soper		44

I N T E R V I E W

(8:44 a.m. EST)

MR. SOPER: All right. Very good. And, of course, my computer's locking up. All right. Okay. My name is Brian Soper. I'm an air traffic investigator with the NTSB. And, we're here to investigate the fatal accident of N43156 that occurred on January 11th, 2023, in Dayton or near Dayton, Virginia.

And I have with me here today, if you could, please state your first and last name for the record.

MR. WINTER: Mark Winter.

MR. SOPER: Thank you. And spelling of your last name?

MR. WINTER: W-i-n-t-e-r.

MR. SOPER: Thank you very much. And with you today is the representative that you have selected. Is that correct?

MR. WINTER: That is correct.

MR. SOPER: And that is Mr. Matthew Smith from?

MR. SMITH: Federal Aviation Administration, Office of the Chief Counsel.

MR. SOPER: And with him today, we also have observing?

MS. ZAMBRANA: Cristina Zambrana, with FAA, Office of the Chief Counsel.

MR. SOPER: And could you spell your last name for me?

MS. ZAMBRANA: Zambrana, Z as in Zulu, a-m-b-r-a-n-a.

MR. SOPER: Thank you very much. And with my -- with the NTSB group here today, we have Mr. Jason Alliston here with us

1 from -- he's actually originally out of ZTL ARTCC, Atlanta Center.
2 And he's representing the FAA in our group, and Anthony Bunch who
3 is here with us from NATCA out of Southern California TRACON, is
4 an ASI, and he's being observed by Mr. Seth Myers who is here with
5 us from Boston Center, also an ASI representing NATCA in the
6 group.

7 The NTSB is an independent federal agency charged with the
8 investigation of civil aviation accidents and incidents of a
9 serious nature, developing probable cause and from there,
10 hopefully recommending and making safety recommendations to
11 industry or some segment of industry to prevent reoccurrence.

12 We're non-regulatory. We have no enforcement powers. We do
13 not make rules. We do not enforce rules. We are not affiliated
14 with the FAA or the DOT in any way. So we're independent by
15 design. And our leadership is five political appointees who lead
16 our charge.

17 The process, as I mentioned earlier, is a long process. It
18 takes probably roughly a year to close out an investigation, to
19 have all the avenues taken care of and put together and a probable
20 cause established. And, so we encourage you to go back and look
21 at that when it does come out.

22 Do you have any questions for us before we begin?

23 MR. WINTER: Not really, no.

24 MR. SOPER: Okay. Awesome. So I'm going to start out with
25 some background type information questions. And then we'll get

1 into the questions about the event itself.

2 INTERVIEW OF MARK WINTER

3 BY MR. SOPER:

4 Q. So it's Mark Winter. And I apologize. Did you have a S on
5 your last name?

6 A. No S.

7 Q. No S.

8 A. Just Mark Winter.

9 Q. Mark Winter. All right. And what was your age on the day of
10 -- or what is your age now?

11 A. 49.

12 Q. And your operating initials here? Do you use operating
13 initials?

14 A. I have. They're I-R.

15 Q. Okay. And you are the quality control manager here. Is that
16 correct?

17 A. Affirmative.

18 Q. And how long have you been in that position here?

19 A. About five months.

20 Q. And what were you doing before that?

21 A. Operations manager.

22 Q. And do you have any pre-FAA air traffic control experience?
23 Military, DOD, dispatch, federal contract towers, any of that?

24 A. Yes.

25 Q. What do you have?

1 A. I was in the Marines for six years. I worked at New River on
2 the East Coast, Miramar on the West Coast. And then about six
3 months of civilian DOD controller at El Toro right before they
4 closed.

5 Q. All right. So what years were you in the active duty in the
6 Marine Corps?

7 A. '92 through '98.

8 Q. And when you were in Miramar for -- I'm sorry -- in El Toro.
9 When were you there from?

10 A. That was -- you can call it January to April of '98.

11 Q. Okay. And when were you picked up with the FAA? When is
12 your EOD with them?

13 A. April 12, '98.

14 Q. Okay. And do you hold any collateral duties at this
15 facility? Have you been on any recent details that have taken you
16 outside of the facility?

17 A. Yes.

18 Q. Like what?

19 A. I am a data comm, what do you call it -- CPDLC.

20 Q. Um-hum.

21 A. IOA which is independent operational assessment team.

22 Q. Okay.

23 A. I am also the data comm facility implementation lead on the
24 management side for here. There's not much left with that.

25 Q. You mean it's almost --

1 A. Yeah.

2 Q. -- fully implemented?

3 A. Yeah, I mean everybody's been trained. So.

4 Q. Okay. And the CPDLC, the independent operational assessment
5 team, is that the part of the team you're a representative from
6 ZDC or are you part of a regional team or part of a --

7 A. It would be a national team.

8 Q. National team. Okay.

9 A. Yeah.

10 Q. All right. If you would, just kind of give us your 10,000
11 foot bio, you know, like what your aviation -- what led you to
12 here and, you know, kind of alluded to it already but essentially,
13 you know, everybody's got a little bit of a story, right. Like I
14 was always interested in aviation or my dad was in the -- was a
15 pilot and whatever, and I decided -- for you, I joined the Marine
16 Corps. I did this. I did that. And take us to where you got
17 here. You don't have to go through every single thing --

18 A. Yeah.

19 Q. -- but just kind of that big picture.

20 A. A quick one.

21 Q. Yeah.

22 A. So in high school I was in JROTC, visited Homestead Air Force
23 Base, the air traffic control facility, decided that's what I
24 wanted to do. Went to the Army recruiter. They did not offer air
25 traffic. They wanted me to be a medic which is fine. The Marines

1 offered me air traffic. So that's why I joined the Marines. I
2 was sent to Miramar when it was still a Navy base to take it over
3 and they offered me the chance to basically stay in San Diego for
4 my whole re-enlistment, but a bunch of my friends were getting
5 hired by the FAA. So I got out, and that brought me to here.

6 Q. And so you hit it on the exact other side as me. Like every
7 time -- so I was in the Navy, and every time like my time was
8 coming up, there was a hiring freeze in the FAA or they weren't
9 hiring, and it was like, okay. So I re-enlisted, and then pretty
10 soon, you're over 10 years and you're like, okay, I'm staying now,
11 you know.

12 A. That was the problem I had. It was, you know, \$25,000 to an
13 E5 is a lot of money.

14 Q. I know that.

15 A. And when you get to live in San Diego for your whole re-
16 enlistment --

17 Q. Yeah.

18 A. -- it's also a big deal.

19 Q. Yeah.

20 A. And I was like no. I was going to give it a shot.

21 Q. Well, that's good.

22 A. And it worked out.

23 Q. That's good. All right. And so have you ever been
24 terminated, suspended or asked to resign from any position since
25 you've been in the FAA?

1 A. No.

2 Q. Okay. All right. And some of these questions I don't need
3 to ask you. You were not in the operation or working at the time.
4 So they don't really apply to you and you're not an active
5 controller. You have no requirement to maintain a medical as a
6 QCM, correct?

7 A. I do not.

8 Q. Yeah. And -- all right. Bear with me as I go through these.
9 So have you had an opportunity to review replays of this event?

10 A. Yes.

11 Q. Okay. And was that like a Falcon? So you've seen audio and
12 video, correct?

13 A. Right.

14 Q. And when was the last time you watched a replay probably?

15 A. Monday night.

16 Q. So, this is just your opinion from what you could see from
17 the replay --

18 A. Right.

19 Q. -- knowing nothing else obviously. So just based on being an
20 experienced controller here previously, how familiar are you with
21 Area 6?

22 A. Pretty familiar.

23 Q. Okay. So you're fairly familiar with Area 6. As you watched
24 this replay, how would you have classified the traffic volume on a
25 scale of 1 to 5, 5 being the heaviest?

1 A. At the time of the incident?

2 Q. Yeah.

3 A. One and a half maybe, two.

4 Q. Okay. And one second. Okay. And do you feel that was
5 probably normal for that area position during that time of day
6 from your experience?

7 A. Probably.

8 Q. Okay. And similar type question, on a scale of 1 to 5, 5
9 being the most complex, how would you rate the traffic complexity?
10 And now, understanding you don't know what other separate
11 coordination could have been happening with a trainee and stuff
12 like that, but just the traffic itself on that position.

13 A. Just the traffic itself?

14 Q. Yeah.

15 A. A 1.

16 Q. Okay. And also you feel like that that was probably normal
17 for that time of day and you didn't look?

18 A. Yeah.

19 Q. All right. And do you, do you know what the general weather
20 conditions were at all during the time of that event? Were you
21 ever made aware or did you look into that as part of your --

22 A. I mean I looked into it.

23 Q. Yeah.

24 A. The first thing I did was look at Falcon which is not
25 acceptable for a weather report --

1 Q. Right.

2 A. -- as we all know.

3 Q. Right.

4 A. Generally, marginal VFR probably.

5 Q. Because you were -- you would have been part of the CER,

6 correct?

7 A. I wasn't on the CER.

8 Q. Oh, you were not.

9 A. I reviewed it.

10 Q. Okay.

11 A. Yes.

12 Q. Okay. All right. Are you normally on the CER?

13 A. Not normally.

14 Q. The QC doesn't do that. Okay. All right. Very well. And

15 -- all right then. All right. So, when did you -- that takes

16 care of all the background questions. So now, I just want to talk

17 about, when did you learn there had been an event? How did you as

18 the QC manager learn that there had been an accident I mean? Did

19 you, did you learn there was something -- well, you would have --

20 this would have been at night. So you were probably not working,

21 correct?

22 A. Right.

23 Q. So when were you made aware and how was that done?

24 A. The night of. Rodney Watcher (ph.) called my cell phone.

25 Q. Who is that?

1 A. Rodney Watcher was the acting ATM at the time.

2 Q. Okay. Called you and what did he have to say?

3 A. He said, just to let you know, we may have lost somebody.

4 Q. Okay. And what were your reactions then as QCM? Did you get
5 involved in doing anything? Did you -- what was your --

6 A. I talked it over with Rodney just a little bit.

7 Q. Okay.

8 A. And asked if Jarad had it. He said he thought so. And that
9 was it. I started, you know, I didn't have my laptop with me that
10 night. So I would have had to wait until the next morning anyway.

11 Q. Um-hum.

12 A. And I really resisted the urge to call the watch desk because
13 I know he probably had two phones in his ear.

14 Q. Okay.

15 A. He was probably busy. So I did not call the watch desk.

16 Q. And who is Gerard?

17 A. Gerard is the OM at the time.

18 Q. Gerard was the OM at the time. Okay. And then -- so did you
19 -- you didn't do anything more with this until the following
20 workday I assume?

21 A. The following morning, right.

22 Q. Okay. And what was occurring then when you came into work?

23 A. The following morning, I got here early --

24 Q. Okay.

25 A. -- to try to get in before everybody else so I could at least

1 listen to the tape. I made sure that the controllers who were
2 involved did not work and then I went upstairs and started
3 reviewing. I had two specialists in the building. I had them
4 start doing the stuff for the services rendered telcon and then
5 pulling all the reports. I wanted to make sure that Jarad ordered
6 an ERAM replay and then went upstairs to my office.

7 Q. Okay. So taking us to the replay, as you watched the replay
8 and started your, you know, review of this event, what things, if
9 anything, stood out to you as things that you either had concern
10 with or were annotating, you know, noting as need to look at that
11 or I want to take a closer look at that or anything like that?
12 Did anything stand out to you like that as you reviewed it?

13 A. Not at first, but I will tell you, I could not get a SATORI
14 or ERAM replay. Both of them were broken. So I had to run the
15 services rendered telecon without being able to validate any kind
16 of weather information or even what the data block would have
17 looked like to the controller.

18 Q. So you were stuck with Falcon as your only means of review at
19 that point?

20 A. Yes.

21 Q. Okay.

22 A. And I briefed everybody on the SRT and such, too.

23 Q. Okay. All right. And so at -- once you had been able to get
24 either SATORI and/or ERAM playbacks, and you were able to review
25 with a little more fidelity and stuff, did anything come to your

1 mind then? Did anything stand out to you then as things that, you
2 know, wanted to look at closer or felt needed to be identified?

3 A. We needed to make sure there was weather on scope.

4 Q. Okay.

5 A. And even back in the replay room, there was -- we could see
6 that there was precip on the scope, but very hard to see.

7 Q. Okay.

8 A. In the replay room, I don't know if you guys have been there
9 yet. It's got full lights on it. So I had to basically put my
10 hand over the scope to see the weather that he went through.

11 Q. Okay. Did you guys take a look -- by chance, did you go
12 ahead and try to pull that up and play it back in an environment
13 that you would have with her pref sets?

14 A. I checked her pref sets at the watch desk and all her weather
15 is displayed correctly on her pref set.

16 Q. Okay.

17 A. All right. I should -- let me correct that a little bit.

18 Q. Yeah.

19 A. Her filters are set correctly.

20 Q. Right. Okay. Good.

21 A. There's no way to look at what she was looking at with the
22 exception of the replay.

23 Q. Right. And that's why I was curious on the replays. So I
24 mean we noted but we're watching on a TV in here, right. So we
25 have a much different lighting situation. It was her settings but

1 that's not being played back on an ERAM display.

2 A. Right.

3 Q. So it's -- so we have to -- now we did clearly see the
4 weather that she flew through but that's like again looking at it
5 on a large screen TV and sitting very close to it. Were you guys
6 able to not duplicate, but mimic the environment that she had to
7 the greatest extent possible, just to see like, okay, and the
8 control room is dark. So the lighting is optimal for being able
9 to see these displays and sitting in that light, here's the ERAM
10 display turned on, click off the lights real quick and, yeah, that
11 weather is clearly visible on her display.

12 A. We never had that really opportunity --

13 Q. Okay.

14 A. -- to do that. We would -- if it was me, from QC's
15 standpoint, like look at the trace backs. I would have wanted to
16 go over the physical R5 position --

17 Q. Yeah.

18 A. -- with the lights set how they were.

19 Q. Yeah.

20 A. They're all the same. The lights are on.

21 Q. Can you put that up in the area like that?

22 A. I don't think you can.

23 Q. Yeah, I don't think so either. I mean there probably is a
24 way but it's probably very intrusive.

25 A. I would defer to probably what the controllers would tell you

1 on that.

2 Q. Okay.

3 A. It's rough to be factual on that.

4 Q. No problem. And, so based on the weather that was there,
5 okay, and we did note that there was a large area of precip to the
6 north and kind of a large area to the southeast as you looked at
7 the scope area, okay. And, the area that the accident aircraft
8 flew through and the displayed precipitation that the aircraft
9 flew through was smaller areas. They were much smaller areas.
10 All right. Would you have expected, and I would say that roughly
11 those areas looked to be about not more than a mile in depth, you
12 know, what I'm saying, laterally. Would you -- is it your
13 expectation as a QCM, if you're reviewing events or whatever, that
14 they would call that weather or is that small enough that --

15 A. I would expect them to call that weather.

16 Q. Okay. And the -- all right. I'm going to go ahead and I'm
17 going to shift for now. I asked you a bunch of stuff. I'm going
18 to have some more questions for you but I'm going to go ahead and
19 pass it along to Seth.

20 MR. MYERS: Thanks, Brian.

21 MR. SOPER: Yes.

22 BY MR. MYERS:

23 Q. Do you know what the pre-duty weather brief consists of here
24 for the controllers?

25 A. I do.

1 Q. And what would that be?

2 A. Graphical depictions of the jet stream winds, forecasts,
3 areas of precipitation, areas where you need to solicit PIREPs
4 where it's not graphically defined, you know. We have a separate
5 sheet for that. Audio playback of the weather specialists,
6 reading it out as well.

7 Q. Do you personally think that those pre-duty weather briefs
8 are pertinent?

9 A. Yes.

10 Q. So you find value in those?

11 A. I do.

12 Q. Okay. PIREP dissemination, is that -- PIREP solicitation and
13 dissemination, is that written in your facility SOP anywhere?

14 A. It's -- I don't know if it's in the SOP. I'm not sure, but
15 it is defined in .65.

16 Q. Okay. Can you walk us through how you as a QC manager here
17 would expect that process to work?

18 A. I would expect at the standup briefing for the ops manager to
19 let the areas know that we have conditions present that would
20 qualify for soliciting PIREPs, to get that into the areas, and
21 then the sups or the CICs that are in the areas, should be ensure
22 that it's happening.

23 Q. And when a controller solicits a PIREP, can you walk us
24 through what happens after that part?

25 A. They place it into the ERIDS. Sometimes they'll let the sup

1 know and CIC know they have submitted a PIREP. And it goes to TMU
2 or the weather coordinator I guess you would officially call it.
3 They would enter it into AISR and then it would show up amongst
4 the facility on their ERIDS as a PIREP.

5 Q. Who does that at TMU?

6 A. The coordinator, weather coordinator.

7 Q. Okay. So you know what a weather coordinator is obviously.

8 A. Right.

9 Q. It's -- and it's located in TMU?

10 A. Yes.

11 Q. Is there a standalone position for it?

12 A. There is not. It's always combined with somewhere else.

13 Q. Where is it generally combined to?

14 A. The coordinator, TMC coordinator.

15 Q. Oh, the STMC.

16 A. Not the sup. The coordinator position within TMU.

17 Q. Okay. What -- when there's conflicting priorities for the
18 TMC or the weather coordinator, which one -- is it written
19 anywhere what has priority?

20 A. It's probably not written anywhere. Not that I'm aware of.

21 Q. Obviously as the QC manager, you know what MAP values are,
22 what they're utilized for. I don't want to bore you with those
23 questions. Is there a process in your facility to alert areas
24 when those MAP values exceeding an acceptable --

25 A. The coordinator is supposed to call the areas when that

1 happens, and I believe that's in the SOP.

2 Q. That's in the SOP. And what would you expect the -- to
3 happen when the coordinator calls the area to do if they called
4 them?

5 A. So like the coordinator calls the area and says, hey, you're
6 going over. Probably have a discussion with the sup, see if, you
7 know, anything needs to be done about it. A lot of times they
8 call and say, oh, it's only going to be about a minute or two, and
9 then the sup will say okay. I'm going back to when I was a
10 supervisor here. So.

11 Q. No, that's about what -- it doesn't hurt to ask, does it. So
12 getting at that, was there an SSR completed for this?

13 A. We did a CER for it.

14 Q. Okay. So in the CER, did they talk about MAP values and
15 volume and traffic and -- for this event?

16 A. Not for this event, no.

17 Q. Okay. So are you -- do you know if it was green, yellow,
18 red, where it was?

19 A. I do not know.

20 Q. Okay. So SSR processes, do you know why there was not a SSR
21 done on this?

22 A. Probably because there was a -- like the CER would cover the
23 requirements for the service review. That's why we didn't do a
24 SSR.

25 Q. Okay. So a CER was done. How do you get feedback to the

1 workforce on this then?

2 A. It would be -- anything that comes from the CER, we would
3 create a corrective action plan for which is collaborated with, in
4 this case, Sandy, and whatever we come up with for the CAP would
5 be.

6 Q. Then how does that feedback get back to the CAP? I
7 understand it goes into CEDAR. How does that get back to the
8 workforce?

9 A. Through briefings.

10 Q. Through briefings.

11 A. Either all hands briefings, the safe briefing that the LSC
12 does. There's a number of ways we can do it.

13 Q. Okay. Do you know how this one's going to be done? Is it in
14 the CAP?

15 A. We're still working. We're still collaborating on it.

16 Q. Okay. Obviously you know what the LSC is. You've talked
17 about that. What do they, what do they do here in ZDC?

18 A. They answer ATSAPs from an ERC, develop monthly safe
19 briefings. I mean the FAA develops them. They add to them. A
20 lot of times if we have things that come up, I'll ask them to add
21 specific things into the briefings, assist with the SSRs.

22 Q. Okay. And you said they have a monthly discussion that they
23 do, safe discussion?

24 A. They do.

25 Q. Where does that occur here?

1 A. It occurs usually in 1051A which is that big room behind the
2 control room usually.

3 Q. Do you know what kind of participation levels you have with
4 that?

5 A. We should have just about everybody in the area.

6 Q. Do you know if you do?

7 A. I mean there's ways to track it in CEDAR.

8 Q. Okay. So as the quality control umbrella here, do you know
9 what those numbers or not?

10 A. I do not know offhand, but like I said, we can get into CEDAR
11 and see who's marked off on it.

12 Q. Okay. And how would you -- how do you expect those
13 controllers to get to those to get that feedback? How is that
14 performed here? How are controllers -- do they just show up on
15 their own?

16 A. Oh, no. They're sent by the CICs.

17 Q. Okay.

18 A. And when we have safe briefings, they usually ask for a week
19 twice a day. The OM will brief at the standup.

20 Q. Okay. So ICVs, the process, you talked a little bit about
21 that and CAPs and things of that nature. How do the feedback of
22 those occur, so the emphasis items and things like that, get back
23 to the workforce?

24 A. So when we have ICV, whatever items that were, you know,
25 noncompliant, we turn that into the next month's safe briefings.

1 So the workforce is briefed on what we weren't compliant on. And
2 that's just one of the mitigations. There's, you know, each item,
3 so we'll say interphone, you know, priorities could be an item.
4 We have three or four different mitigations for that.

5 Q. Um-hum.

6 A. One of them was safety briefing. Another one could be MBI.
7 I'm just reading off what could be possible, but that's how we
8 normally communicate it to the workforce.

9 Q. Okay. So in -- so it would be your understanding that as
10 long as all those vehicles are working, the whole entire workforce
11 should understand what the facility emphasis items are and, you
12 know, they're getting it through those processes that you're
13 speaking about?

14 A. Yes.

15 Q. Do you know how many facility emphasis items you have right
16 now?

17 A. Seven or eight probably, and I can pull that up pretty easy
18 if you need me to find it.

19 Q. Do you have any participation or process in the recurrent
20 training around here or refresher training?

21 A. I don't really deal with refresher training. That's the
22 training department.

23 Q. So none of those facility emphasis items or CAPs or any
24 refresher training is never included in that?

25 A. Yeah, I mean it could be if we're noncompliant.

1 Q. Okay. Who would take care of that here then?

2 A. So if we were marked noncompliant on refresher training, I
3 would basically send that to the training department. And then
4 the training manager, SMT, whatever you want to call her, would
5 collaborate that with her counterpart --

6 Q. Right.

7 A. -- to mitigate it.

8 Q. So, okay. So just so I understand, the facility emphasis
9 items or issues from a SSR or CER, that would never be
10 incorporated into a refresher training or recurrent training?

11 A. It could be.

12 Q. It could be.

13 A. If that was one of the collaborated mitigations, yes.

14 Q. Okay. Do you know if you had recurrent training here last
15 year?

16 A. We did.

17 Q. Do you know what was on it?

18 A. Who was on it?

19 Q. What was on it?

20 A. I don't think I went to recurrent training.

21 MR. MYERS: Okay. That's all I've got. Thanks, Brian.

22 MR. SOPER: Okay. Anthony, do you have anything?

23 MR. BUNCH: No.

24 MR. SOPER: Okay. And, Jason.

25 BY MR. ALLISTON:

1 Q. All right. I have a list to go off. All right. So, as far
2 as operation oversight supervisors, how many sups on average do
3 you have per area?

4 A. Three.

5 Q. Okay. And is that adequate?

6 A. It's not adequate.

7 Q. Okay. How much time would you say an average area runs a
8 CIC?

9 A. I don't know, but I can tell you the figure ballpark. In the
10 last ERT we had, it was right around 50 percent, if not less.

11 Q. Okay. All right. And, so as far as priorities for a
12 supervisor or a CIC, what is the number one priority they should
13 be doing in the operation?

14 A. Making sure the controllers are performing the safety
15 functions correctly. Safety, you can call it that.

16 Q. Okay.

17 MR. SMITH: If I could just interrupt for one second. For
18 the record, this is Matt Smith speaking. The questions you're
19 asking him in regards to CIC expectations, he's obviously not in
20 that role anymore. And so I think he could only speak to his time
21 as a CIC and may not be aware of any changes that have come along
22 since then. So while I'm not suggesting you don't ask him the
23 questions that you're asking, I just ask you to keep in mind that
24 you're no longer in that position --

25 MR. WINTER: You're absolutely right, and sometimes I still

1 think like a OM or a sup, and I'm sorry.

2 MR. SMITH: I just want it to be clear for the record so we
3 have the appropriate information.

4 MR. WINTER: Five months ago, I can tell you what.

5 MR. ALLISTON: Right. And that's -- and this is kind of a
6 groundwork type situation is all we're kind of doing here.

7 BY MR. ALLISTON:

8 Q. So in your experience as a supervisor or as an OM, what are
9 like administrative tasks that would take away from you being able
10 to monitor the operation?

11 A. COVID, which we have sent up to the watch desk, and
12 administrative tasks, clicking on what a scheduler -- I can, I can
13 list them all. It's a lot.

14 Q. Right.

15 A. Now, we have taken a lot of the administrative tasks away
16 from the frontline sups. So that was a priority issue we have to
17 operational oversight. We've took a lot of the administrative
18 tasks that were distracting them and moved them elsewhere. So
19 once COVID started, the administrative work involved in processing
20 COVID cases was excessive.

21 Q. I concur.

22 A. And that's from the OM desk where I was nine months ago.

23 Q. Okay. And that was actually going to be my next question,
24 but -- and you've kind of answered it, but could these tasks be
25 reassigned to another position in the facility, i.e. like a MPA or

1 an Article 45.

2 A. Are you referring to the sup or the OM?

3 Q. Sup.

4 A. The sups, I -- I'm going to speculate on this one a little
5 bit. I think we've pulled away as much as we can from the sups.

6 Q. Okay. So do you know if there is a written recommendation or
7 expectation to actively monitor sectors in the area as far as with
8 like a cordless headset?

9 A. With a cordless headset? No. Now, during a SWAP, yes, we
10 use cordless headsets for that.

11 Q. And what is SWAP?

12 A. Severe weather.

13 Q. Okay. All right. And if -- that's not written. That's just
14 kind of the known expectation?

15 A. It is written in the SOP that the ops manager can put all the
16 sups or CICs on cordless headsets. The STMC also goes on it for
17 ease of communication.

18 Q. Okay. So as far as mitigations, you said there's seven or
19 eight open between ICV and ECV right now. What is the -- well, I
20 guess I'm going to back up a little bit. Who completes the OSAs
21 for the facility?

22 A. It's a combination of QC specialists and OSs and OMs.

23 Q. And do the OSs and OMs have like a monthly quota that they're
24 supposed to hit, and what is that?

25 A. One per month for the sups, one per quarter for the OMs.

1 Q. Okay. And as far as a QC manager, how often do you check
2 completion numbers?

3 A. Every month.

4 Q. It's a monthly thing. Okay. And what is your quarterly
5 target?

6 A. 150.

7 Q. So for OSAs, so you have these open mitigations. And you've
8 already mentioned that you have some emphasis items open for those
9 in the OSA checklist. Is there anything you do to point the OAs
10 to the specific items? So, for example, weather and PIREPs. Do
11 you point your supervisors and OMs toward, hey, try to collect
12 more of these OSAs during weather days so we can validate
13 progress?

14 A. We -- that's kind of a problem we have with live monitoring.
15 We have no other way to replaying weather except for looking at it
16 live. So the OSAs for weather need to be -- they should be live
17 monitoring.

18 Q. That was going to be my next question. So as a -- generally
19 are your OSAs remote or are they live?

20 A. I would say they're about -- probably skewed toward remote,
21 but there's a decent amount of live ones per month, at least 40 or
22 50 live ones.

23 Q. Okay. And you already touched on getting those live ones so
24 that you can see the weather in real time because Falcon is just
25 not accurate enough to do so.

1 A. Right, and pulling SATORI it takes hours with weather. So
2 it's not -- I would not call it not practical. It's just not
3 practical.

4 Q. It's not practical.

5 A. Yeah.

6 Q. You're right. Have you ever used performance records of
7 conference to validate the progress on your mitigations?

8 A. No.

9 Q. And is there a reason?

10 A. Not really. Just that it never came up to do that. Oh, you
11 know what? Actually there would be a reason. I believe that
12 stuff has to be validated collaboratively before we could use it
13 against mitigation, to either make it successful or not. And IPM
14 wouldn't be collaboratively validated.

15 Q. So do you know if there's any guidance given to supervisors
16 to monitor and issue prompts or on-the-spot corrections for these
17 mitigation items?

18 A. There's -- no. There shouldn't be guidance to do that.

19 Q. Why not?

20 A. I think IPM, it's not supposed to come from the QC function.
21 Like if I were to send out guidance to do IPM, it would be
22 invalid. Because I mean if it's coming -- a mitigation is a QC
23 function. So I can't really tell people to go out and do prompts
24 on people from a QC function. It's got to come from, you know,
25 actual events or, you know, routine traffic, the observation, just

1 not a specific situation.

2 Q. So you wouldn't put out that weather dissemination is a focus
3 item. So -- we'll scratch that, and we'll kind of move
4 differently. Do you attend standup briefings?

5 A. I do occasionally, yes.

6 Q. Okay. And do you discuss items, specifically focus items
7 mitigations?

8 A. I do.

9 Q. Okay. And so I guess going back to the prompts and OSAs. So
10 if you have a mitigation, and you put the mitigation in place, and
11 then you issue a briefing on it, what is the follow up or follow
12 through portion to ensure that the employee makes a change?

13 A. That would be oversight and like a supervisor making sure
14 they do it. And I guess -- I think -- I see where the confusion
15 was now. IPM can't result from that. It's just that I can't put
16 it out like that. I mean if a supervisor is monitoring a
17 controller and wants to do IPM, that's the supervisor's business.
18 I just can't, I just can't go out and say, well, we're watching
19 out for interphone priority. Make sure you prompt the guys on it.
20 That's what I don't want to get in the, in the business of, which
21 I don't actually think I'm allowed to do.

22 Q. If you were to -- so I guess let's take some of the -- was
23 the ECV finished up in June?

24 A. ICV.

25 Q. ICV finished up in June. So you had some mitigations that

1 went through were unsuccessful and were extended. So tell me
2 about that as far as what the mitigation was, and you can choose
3 just one as an example. Say it's PIREPs.

4 A. Right. Well, I'll choose PIREPs because that's one of the
5 ones. Well, the last one I printed was pre-duty weather, but
6 actually I'll talk about that one because that was the last one
7 that was put in. It came out of the ECV unsuccessful. ICV, same
8 thing. Still unsuccessful. We had additional mitigations for
9 them. Part of the problem was the CEDAR stations -- under the
10 COVID return to work plan, controllers didn't have to mark up
11 their own CEDAR. So what we did was collaborated with the union,
12 moved the CEDAR around closer to areas and came to an agreement
13 that they will mark off, and this is controllers, will mark off
14 their own pre-duty weather briefings in CEDAR. And, the delay in
15 that one was the CEDAR terminals took an extra couple of months to
16 be moved than what we planned.

17 Q. Okay. So there is partially the pre-duty weather briefing,
18 but then there were also -- there's a MBI and a safe discussion
19 for that as well, correct?

20 A. In December, right.

21 Q. So did you -- is that something that was reviewed in as well?

22 A. For the pre-duty weather briefing?

23 Q. No, for PIREPs.

24 A. Oh, PIREPs.

25 Q. We're on PIREPs.

1 A. That was also renewed. We added a reminder in the pre-duty
2 weather briefing PDF that pops up. Every day when you go into
3 CEDAR, you acknowledge the pre-duty weather briefing. It comes
4 up, remember to solicit PIREPs. It's in red. That was the latest
5 mitigation we put in, and that was probably November I think. I'd
6 have to look for sure.

7 Q. Okay. And, what is -- how do you validate that those PIREPs
8 are being solicited? Is there a mechanism for that?

9 A. For OSAs, PIREP reviews, that's pretty much the mechanism for
10 it. We have to validate it. So we've got two months of
11 validation now already. We're waiting on one more month to know
12 whether it was successful or not.

13 Q. How often are you on the operational floor?

14 A. I usually go down there once a day.

15 Q. Okay. And what would you say the engagement looks like from
16 the supervisors and CICs? Are they at the desk or are they in the
17 area?

18 A. They're in the desk a lot, and I prefer them in the area, but
19 that's just a preference.

20 Q. Okay.

21 A. But that's not really my thing anymore. I'm not ops manager.

22 Q. And at the desk thing, is that -- do you notice a difference
23 of more CICs at the desk, more supervisors at the desk or is it --

24 A. It's about the same.

25 Q. Okay. On the LSC side, because you interact with the LSC a

1 lot, have you guys had any kind of discussions about CIC
2 engagement?

3 A. Not recently.

4 Q. Do CICs have the same expectations regarding headset use
5 during SWAP?

6 A. They do.

7 Q. All right. And, you said the OM is the one that validates
8 whether they're actually doing it?

9 A. Yeah, it's the OM's discretion when we go on what we call
10 wireless headsets. It's got to be logged in the Dash 4. So.

11 Q. If you can identify a single primary focus item for the
12 facility, what would it be?

13 A. It had to been one thing?

14 MR. SMITH: Do you understand what he's asking? Maybe I just
15 am not really certain what --

16 MR. ALLISTON: It's in the QC realm.

17 MR. SMITH: Yeah. Are you saying just -- there can only be
18 one focus point for --

19 MR. WINTER: So what do I think needs improvement? Is that
20 like --

21 BY MR. ALLISTON:

22 Q. Yeah, just one --

23 A. If I could hit nothing else.

24 Q. If you had this number one. Well, there's several already,
25 but --

1 A. Oversight, and not like everybody thinks. I need people that
2 do it. I don't have the people to do it. That's it.

3 Q. So oversight specifically getting the bodies.

4 A. It's not people are lacking in their oversight abilities. I
5 need people that can do it. A CIC can't do performance
6 management.

7 Q. Right.

8 A. Supervisors can.

9 MR. ALLISTON: Brian, that's it.

10 MR. SOPER: Sorry. I'm catching up here.

11 BY MR. SOPER:

12 Q. All right. So kind of similar to that question. So as a QC
13 manager, you're having to look at and evaluate these type of items
14 all the time that are deficiencies, whether they're emphasis items
15 or whatever come out of these CAPs and stuff, right?

16 A. Right.

17 Q. So that you're -- so PIREP and weather dissemination has been
18 in you guys' stuff as an emphasis item or a CAP or something for
19 quite some time.

20 A. Yes.

21 Q. Since -- I know you've only been QC manager for five months
22 now, but being a previous OM and being in the facility for quite
23 some time, and as you've been now as the QC manager and are
24 starting to go through all of the QC stuff, do you have any sense
25 of how did that -- the inability to move that needle for PIREPs

1 for whatever reason. Is there anything that's starting to come
2 into view for you that you can identify with like, you know, I
3 think we need this or I think this is what's happening here. I
4 mean where do you feel the -- I apologize for being kind of all
5 over the place. I'm trying to feel if you're, if you're getting
6 close or feel like you're starting to identify where the hole is
7 in that, where the ball's being dropped.

8 A. I hate to bring up the O word again, but it's oversight.

9 Q. Okay.

10 A. We need on the spot. The last thing that any controller,
11 even as me, a supervisor that works the radar, even an OM writing
12 up a COVID case, someone needs to be there to remind the
13 controller to do that.

14 Q. Yeah.

15 A. If they're busy, the last thing they're thinking about is,
16 oh, I just got light icing I need to solicit a PIREP. They're not
17 --

18 Q. Right.

19 A. -- going to think that.

20 Q. Yeah.

21 A. On-the-spot oversight. And you want -- not on-the-spot
22 correction. What we need is a reminder. You know, we can brief
23 MBI. We need somebody there to remind them to do it.

24 Q. Do you have a sense -- do you feel like that is -- so I think
25 I know where you're going with that meaning, you know, the

1 expectation that controllers are just going to know and do it is
2 not a valid expectation. That's probably never going to work
3 because there's too many things. They need to be -- they need to
4 have somebody that says, hey, did you give me PIREPs or, hey, you
5 know, we need PIREPs. So like they just need the reminder, and
6 not just on PIREPs, but I mean other things throughout the watch.
7 Do you feel that that is a product of the fact that CICs are
8 utilized such a high amount of the time? Do you feel like CICs
9 are less likely to do that or do you feel like it's just -- it's
10 across the board? It doesn't matter if it's a CIC or an OS is
11 filling the role. It seems to be lacking.

12 A. A little bit of both.

13 Q. Okay.

14 A. There are very good CICs --

15 Q. Right.

16 A. -- who will remind them to do that.

17 Q. Okay.

18 A. But they -- you have a better chance of seeing the sup do it.

19 Q. Yeah. But I do know it's, it's a tough position to be in as
20 a CIC, and in some facilities, it's very, it's very clear that,
21 you know, when a CIC's on, it don't matter. You're just another
22 one of us. Go back.

23 A. Well, from a OM's perspective, which I'm not anymore --

24 Q. Yeah.

25 A. -- nothing made me happier than one of my good CICs in an

1 area.

2 Q. Okay.

3 A. But when it comes to performance management or on-the-spot
4 corrections, you can only expect someone to go after their peers
5 to a certain extent.

6 Q. So since that's the thing, have you, have you had any
7 discussions with either the LSC or the management team here
8 regarding that subject? Meaning, look, we've got -- you've guys
9 have put out a ton of training, okay. So training's -- the
10 production of training is not the problem. You guys have a lot of
11 training items out there, whether it's MBI, the training course
12 with refresher, that's talking about do this, you need to do this
13 and why we do it and all that stuff. So that exists. People are
14 getting it signed off. You put the reminder on the pre-duty
15 weather briefing. The CWSU reminds normally during standup, don't
16 forget, get us PIREPs. But, what are we doing to -- okay. We've
17 got all this stuff. How do we get the sups to engage? How do we
18 monitor that or how do we get sups to engage in that level of
19 oversight that the reminder happens. How do you -- I mean have
20 you talked about what could be a solution to that?

21 A. Offsite training, all hands, you know, all managers briefing.
22 The thing is with us, we're like 50 percent CICs. So really --

23 Q. Yeah.

24 A. -- the union's got to be involved, too. They really do.

25 Q. Right, understood.

1 A. Sandy and I talked a lot about this yesterday. I don't want
2 to get into the specifics yet because we're not --

3 Q. Right.

4 A. -- we're not -- we're on the same page. I'm just going to
5 put it that way, and I'll leave it at that.

6 Q. Okay. Have you -- do you have any interaction with QCMs from
7 other facilities, similar facilities like other centers, to talk
8 about things like lessons learned. Hey, what are you guys doing
9 over there with this, you know, that type of thing.

10 A. Not recently.

11 Q. Okay.

12 A. But back in October, I was in an OM ODP (ph.) class where the
13 QC manager, she wasn't any more. A former QC manager from
14 Albuquerque. So I mean I have a bunch of emails I can reach out
15 to.

16 Q. Okay. I say that because, you know, there's a couple of
17 facilities out there really doing some good jobs with PIREPs right
18 now. They've increased their PIREPs. They've moved that needle
19 significantly.

20 A. Which is Minneapolis.

21 Q. Okay. Yeah.

22 A. Are they one of the good ones?

23 Q. They were one of the good ones. But they were early on a
24 good one because they developed -- they were the -- you know, they
25 were the initiation of the pre-duty weather briefing in its

1 inception. A guy named Phil Pointer out there from CWSU, and he
2 collaborated with the union in that case. And so this was -- this
3 is good to bring up here because this is an example of kind of a
4 thinking outside the box that allowed them to get something that
5 made a significant change. And maybe you guys could, you know, do
6 a similar thing here through collaboration. So sometimes we keep
7 throwing training at something, and it just -- it doesn't stick,
8 right. I mean it becomes white noise to the controller. It's
9 like I've got to watch an eLMS course again. I've got to do
10 another MBI. It's like, yeah, okay, whatever.

11 You know, it becomes -- but sometimes you've got to think
12 outside. And in that case what they did was they were trying to
13 figure out why, you know, this wasn't happening. How do we get
14 them better weather information? And so they said, well, they
15 went to the union and they said, hey, FACREP and LSC. As a CWSU,
16 we're willing to put together this short brief. If we can put
17 together you a weather briefing that essentially gives you the
18 synopsis over a couple minute timeframe, and so that -- would you
19 support your controllers sitting down and watching that brief
20 before they take the watch, and then give us feedback on how
21 that's working? And they said, sure, we'll do that. So they
22 talked to them.

23 The LSC went out. They went to the bargaining unit. They
24 said this is what we're going to do. We think this is a good
25 thing. And they went through it that way and it was -- it had

1 very good reviews overall, and they tweaked it a little bit. The
2 problem then was the FAA said, hey, yep, it's a great idea.
3 Everybody do it now. Start today, you know, like that type of
4 thing, and everybody was like, what? Because other people had
5 different processes.

6 But my whole point to explain all that is in that facility,
7 the outside the box thing came, followed by the collaboration
8 between the appropriate people, management, the LSC and bargaining
9 unit there, to say, hey, let's do something different and see --
10 and monitor its output and see if we can make a change and move
11 that needle. And, it did. I feel like that's an opportunity that
12 we have here. And there are some facilities out there doing good
13 work with PIREPs right now and moving that needle and have had
14 some traction with that through the tools that they're utilizing.
15 Atlanta is one of them. Kansas City is another one, and they have
16 some tools that they've put in place to assist with kind of what
17 you said. It kind of results in sups being more -- I know you
18 were searching for a word earlier. I feel like it's intrusive.
19 You need supervisors with a more intrusive --

20 A. That's kind of why I came up with on-the-spot correction.
21 The same as sitting on someone's back.

22 Q. Yeah. You know, you can, you can be -- you can use intrusive
23 leadership without being a dictator type of guy, you know, person.
24 But -- so I don't know. I mean I just -- that's really wasn't a
25 question. It was a lot of rambling but just to say that, you

1 know, maybe you guys need to do a think outside the box idea here
2 instead of just, okay, well, let's get more training or let's do
3 -- that doesn't seem to be working, you know. Like how are we
4 going to get -- how can we get our sups to provide the intrusive
5 leadership that we need in the areas so that we get reminders to
6 controllers? How are we going to do that? And, how are we going
7 to monitor its feedback? I don't know. You know, it's a question
8 you need to answer, but -- okay.

9 Let's see here. I don't have any further questions at the
10 moment. I might have in a minute. I need to kind of go back
11 through. While we were talking earlier, if you seen me looking
12 very confused for a moment, it was because somehow I deleted
13 everything we've said.

14 A. Too bad.

15 Q. I did, but it's being recorded, so that's all right. But I
16 just -- it -- I was befuddled. Something came up on my screen
17 that I didn't even know how to get rid of. So I apologize if I
18 looked confused, but I'm going to gather my thought. I'm going to
19 pass it along to Seth again.

20 BY MR. MYERS:

21 Q. The 7200.21, the Partnership for Safety Order, does outline
22 the LSC and how the ATM and the FACREPs are the leads. Most
23 facilities delegate that away. Do you know who the delegated
24 leads are here?

25 A. For the --

1 Q. For the LSC.

2 A. Yeah, it's Jake Rizzo and Brandy Johnson's on the sup side.

3 Q. Okay.

4 A. Sandy Foamer (ph.) is actually the FACREP's delegatee.

5 Q. Yeah.

6 A. Sorry. For me.

7 Q. Okay.

8 A. That was for the QC process.

9 Q. Who was the last one ? I'm sorry. I missed it.

10 A. Sandy Foamer.

11 Q. Okay.

12 A. So when any QC process at my level comes out, it's up to the

13 FACREP, and he has delegated Sandy to do it. So.

14 Q. Okay. Do you participate at all in the LSC?

15 A. I go to their briefings every month.

16 Q. Okay. But as far as like the LSC meeting, it's Josh Rizzo

17 and --

18 A. Jake.

19 Q. Jake Rizzo and the OS. Those two kind oversee it. Do you

20 know if they meet monthly with --

21 A. They do.

22 Q. -- the ATM and the FACREP?

23 A. They do.

24 Q. Okay.

25 A. Yeah. They also meet with their -- each area has a safety

1 rep. They meet with them, too. They wanted to start meeting with
2 me separately but there's been so much going on, not even with
3 this, you know, we had to meet more than that any way.

4 MR. MYERS: Okay. That was all. That's all I have. Thank
5 you.

6 BY MR. BUNCH:

7 Q. I just have a question. When you guys are briefing these to
8 the controllers, are you letting them know that you are doing this
9 because there's been identified issues and that you're trying to
10 fix it to help better them and better the facility as a whole?
11 Or, do they just get this, there's another training meeting we're
12 going through, this is what we're briefing, and have a nice day?

13 A. For instance, when the ICV ended --

14 Q. Yeah.

15 A. -- and I think somebody said June. It was actually like
16 August I think. It was right about the time I took over.

17 Q. Okay.

18 A. The next month's safe briefing was on the ICV and they
19 explained, you know, what it is because nobody really knows what
20 an ICV is. I never did until about six months ago. What it is,
21 why we're doing it, all of that stuff we marked noncompliant was
22 briefed to them. So it is explained.

23 Q. Okay. And for the training teams, are those ever looked at
24 to see whether the triggers are ensuring that they're passing on
25 those skill sets of those items to help kind of stop it for not

1 happening in the new generations trained up in doing that kind of
2 stuff?

3 A. Kind of out of my realm a little bit.

4 Q. More of a training manager question.

5 A. Or even a sup question.

6 Q. Okay.

7 A. Yeah. I mean that's just -- I'm trying to be careful.

8 Q. Yeah. That's all I have.

9 A. I've been here so long and done so many things, I just can't
10 help myself.

11 BY MR. SOPER:

12 Q. Before I pass it along to Jason, real quick on that before I
13 forget. Who actually conducts your ICVs here? What group of
14 people is responsible for doing that? Does that fall under you as
15 the QC manager?

16 A. It falls under me.

17 Q. Okay.

18 A. And we also get a rep for that as well. Like for instance --

19 Q. From the bargaining unit?

20 A. Yes.

21 Q. Okay.

22 A. But that rep's going to designate -- I forgot on article,
23 Article 51 maybe.

24 UNIDENTIFIED SPEAKER: It is?

25 MR. WINTER: It is.

1 UNIDENTIFIED SPEAKER: Facilities assessments.

2 MR. WINTER: For like, for instance, for the September ICV,
3 it was Kyle Schonberg (ph.). So basically we came up with the
4 mitigations.

5 BY MR. SOPER:

6 Q. So you did the ICV in --

7 A. I was actually on the ICV at that time.

8 Q. Okay.

9 A. The ECV was May. No, our ECV is this May.

10 Q. Okay.

11 A. This is where I'm starting to lose what year's what.

12 Q. No worries. So the last ICV that was conducted, just to try
13 to remember, if you can recall it, you said you were on the ICV.
14 What does that mean?

15 A. I was monitoring it.

16 Q. Okay. And who was responsible for conducting it I guess?

17 A. I mean it was me.

18 Q. Okay.

19 A. It was me and -- between me and the specialist up there --

20 Q. Okay.

21 A. -- we conducted it.

22 Q. And who was the -- who was your counterpart from the
23 bargaining unit on that one?

24 A. Kyle Schonberg.

25 Q. Okay. And when you guys do these ICVs and you find

1 deficiencies that you find there and you say noncompliant, right,
2 and you -- I guess what? They have values of either noncompliant
3 high, low, whatever. Are you also the person that's responsible
4 for developing the mitigations for those? Is it your office? Is
5 it a group of people? Who --

6 A. It would be me developing the mitigations with Valerie, the
7 51 rep.

8 Q. Okay.

9 A. The same Article 51.

10 Q. All right. And on this last ICV that you had --

11 A. Yeah.

12 Q. -- you were noncompliant for PIREPs, correct?

13 A. Correct.

14 Q. Okay. And how long has that carried? Do you know? Were you
15 guys able to see?

16 A. I'm not exactly positive. I think it was carried over from
17 the ECV that was before that.

18 Q. Yeah, I'm pretty sure it was there, too, but you don't know
19 beyond that if it was. That's not something you looked it
20 necessarily. Okay. So when you, when you look at that, I'm
21 curious a little bit, just to have a better understanding, so you
22 conducted an ICV. You find that you have these findings. You're
23 not compliant for PIREPs in this time, and you look back and
24 you're like, hey, we were noncompliant for PIREPs on the ECV.
25 What were the mitigation -- what were the mitigations put in place

1 or the emphasis items that were developed as a result of the ECV?
2 Do you take those into consideration when you're deciding, okay,
3 what are we going to do for mitigations and stuff here? Or, do
4 you just carry them over and say, well, I guess we need to keep
5 doing that then because we're not there yet?

6 A. I've never -- I haven't been in the position long enough to
7 carry over.

8 Q. Okay. Okay. Very well.

9 MR. SOPER: All right. Sorry about that, Jason. So go
10 ahead. You're up.

11 MR. ALLISTON: Actually, I don't think I have anything else.

12 MR. SOPER: Seth, do you?

13 MR. MYERS: No. Thank you, Mark.

14 BY MR. SOPER:

15 Q. Okay. I have kind of a question here. So it kind of alludes
16 to where he was at one point, but -- well, actually I want you to
17 think about the event again for a moment. And how you've looked
18 at that as -- in a management role. You know, I don't want you to
19 be the sup, and I don't want you to be the controller. I want you
20 to be -- okay, I'm a manager and I'm looking at this event and
21 trying to understand what our facility did or did not do
22 throughout this event. What stands out to you as things that you
23 feel need to be addressed in one way, shape or form, from a QC
24 standpoint to help the entire facility?

25 A. From a straight fact.

1 Q. If there's anything, yeah.

2 A. From a -- no precip was called.

3 Q. Okay.

4 A. No PIREPs were solicited.

5 Q. Okay.

6 A. The ALNOT was not as timely as I would have liked.

7 Q. Okay. And I'm glad you brought up the ALNOT. So -- and

8 again, I know as a QC manager, you were not in the ALNOT process.

9 However, you were previous OM, and that is a primary

10 responsibility for an OM, correct, to ensure that ALNOT is timely

11 and stuff?

12 A. Yes.

13 Q. In this case, it does seem to be there was a timeliness with

14 the ALNOT, but often we don't know that. Have you guys -- do you

15 know if the facility has looked at it, if you've identified where

16 that, where that time gap kind of occurred in this one? Was it,

17 you know, like the -- we just did one recently at another

18 facility, and it was found that essentially the flight data put it

19 in wrong to begin with, and it delayed things. And then so when

20 it came out correct, there was a delay but now we've identified

21 where that, where that error occurred, right. So have you, have

22 you guys identified here where there was a lull?

23 A. There's a 11 minute delay from AISR. It didn't account for

24 all of the delay, but that was --

25 Q. You mean from the time you put in until -- you mean it was

1 put into AISR or --

2 A. By the time it was delivered to flight data to put it into
3 AISR.

4 Q. Okay. So there was --

5 A. 11 minutes.

6 Q. There was 11 minutes that took place before it was entered
7 for whatever reason?

8 A. Right.

9 Q. You can account for when it was delayed and when it went out.
10 Okay. So there's at least -- so you feel that -- I shouldn't say
11 you feel. It appears the sup notified time. The OM passed the
12 flight data timely. Whatever occurred in there is where it didn't
13 make it to the system. There was an added delay.

14 A. There was also some delay with the OM as well --

15 Q. Okay.

16 A. -- because he was workload.

17 Q. Okay.

18 A. And I pulled that directly out of the CER.

19 Q. Okay.

20 A. And I talked to them.

21 Q. So that was addressed in the CER then. All right. Very
22 good. Okay. Have you -- has that come up here before with ALNOT?

23 A. Not that I'm aware of.

24 Q. Not that you're aware of. Okay. All right. Very good.

25 Okay. All right. I guess that's all I have for right now.

1 MR. SOPER: Does anybody have any oh, by the ways or save
2 grounds?

3 No response.

4 MR. SOPER: Do you have any questions for us before we
5 terminate?

6 MR. WINTER: I don't think so.

7 MR. SOPER: Okay. I'm going to go ahead and stop the record.
8 I show the time at 0926.

9 (Whereupon, at 9:26 a.m. EST, 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: PIPER PA-32R-31 FATAL ACCIDENT
 NEAR DAYTON, VIRGINIA
 ON JANUARY 11, 2023
 Interview of Mark Winter

ACCIDENT NO.: ERA23FA108

PLACE: Leesburg, Virginia

DATE: January 25, 2023

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.



Kathryn A. Mirfin
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

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PIPER PA-32R-301 FATAL *

ACCIDENT NEAR DAYTON, VIRGINIA * Accident No.: ERA23FA108

ON JANUARY 11, 2023 *

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Interview of: TESS POWELL, Training Administrator (TA)
Federal Aviation Administration

Washington Air Traffic
Control Center (ZDC ARTCC)
825 East Market Street
Leesburg, Virginia

Thursday,
January 26, 2023

APPEARANCES:

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert
Federal Aviation Administration

SETH MYERS, Air Safety Investigator
National Air Traffic Controllers Association

ANTHONY BUNCH, Air Safety Investigator
National Air Traffic Controllers Association

MATTHEW SMITH, ESQUIRE
Office of the Chief Counsel
Federal Aviation Administration
On behalf of Tess Powell

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Tess Powell:		
By Mr. Soper		6
By Mr. Myers		13
By Mr. Soper		17
By Mr. Myers		19
By Mr. Alliston		20
By Mr. Soper		21
By Mr. Alliston		24

I N T E R V I E W

(10:22 a.m. EST)

MR. SOPER: Okay. I'm Brian Soper. I'm an air traffic investigator with the NTSB. And, I have with me here today -- we're investigating the accident of N43156, that occurred on January 12th -- or correction. I'm sorry. It occurred on January 11th, 2023, and I think I just realized I've said the 12th on almost every other recording. Okay. We'll make that correction. So it happened on January 11th, 2023.

And, I have here in the room with me today -- if you would for me, state name, ma'am?

MS. POWELL: Tess Powell.

MR. SOPER: Tess Powell. And your last name is that spelled with one L or two Ls?

MS. POWELL: Two Ls.

MR. SOPER: Okay. Thank you. And with you, you have -- this is the representative you've chosen, correct?

MS. POWELL: Yes.

MR. SOPER: And your name for the record, sir?

MR. SMITH: Matt Smith with the FAA Office of the Chief Counsel.

MR. SOPER: Thank you. And then I have with me on the air traffic control group, for the NTSB, representing the parties of the FAA and NATCA. From the FAA, I have Mr. Jason Alliston out of Columbus Tower in Georgia, who is on detail there as the ATM out

1 of Atlanta Center where he was the QC manager and XO previously
2 there. Then I have also with me, Anthony Bunch out of Southern
3 California TRACON representing NATCA as an ASI and being monitored
4 by Seth Myers who is also an ASI at NATCA coming out of Boston
5 Center. And then myself.

6 We will -- as I mentioned to you earlier, the NTSB is an
7 independent federal agency. We don't have any enforcement powers.
8 We are not affiliated with the FAA or DOT in any way. We don't
9 make rules. We don't enforce rules. And we're not regulatory.
10 We're here to find the safety aspects of this. So through the
11 investigation, we're charged to investigate civil aviation
12 accidents and incidents of a serious nature, find the probable
13 cause and hopefully develop safety recommendations to industry or
14 some segment of industry to prevent reoccurrence.

15 And we are recording this interview. This interview
16 recording will be provided for transcription. The transcript will
17 be returned to us, provided out to the group members here today
18 for review for accuracy as well as to yourself to review for
19 accuracy. Once we've made any corrections that need to be made,
20 if they need to be made at that time, that's what will become part
21 of the final record and docket and attached to the record, not the
22 recording. That does not go into the public docket.

23 Do you have any questions for us before we begin?

24 MS. POWELL: No.

25 INTERVIEW OF TESS POWELL

1 BY MR. SOPER:

2 Q. Okay. So just some basic stuff. If you would -- could you

3 spell your first and last name for me?

4 A. First name Tess, T-e-s-s.

5 Q. Okay.

6 A. Last name Powell, P-o-w-e-l-l.

7 Q. Okay. And how old are you?

8 A. 37. I'm sorry. 57.

9 Q. Okay.

10 A. Gees.

11 Q. All right. See, I was going to buy it.

12 A. I'm 57.

13 Q. Do you -- in your position here anymore, do you use operating

14 initials for any reason? You probably don't in your job now or do

15 you?

16 A. Yes, I do.

17 Q. Okay. What are they?

18 A. Tango Papa.

19 Q. Okay. And you are the training manager here. How long have

20 you had that position here?

21 A. Since March 2020.

22 Q. Okay. And where were you before that?

23 A. On a detail at Headquarters, TBFM group.

24 Q. How long have you been in the FAA?

25 A. 37 1/2 years.

1 Q. So when was your EOD with the FAA then?

2 A. August 26th, 1985.

3 Q. Nice. All right. Have you been at this facility before in
4 any capacity as a controller or other job over your career?

5 A. Yes.

6 Q. Okay. What did you do here before?

7 A. Controller, supervisor, traffic management coordinator and an
8 operations manager.

9 Q. When was the last time you were working here in a capacity of
10 one of those?

11 A. 2010.

12 Q. All right. So, if you could give us just kind of 10,000 foot
13 bio of yourself aviation-wise, like kind of what got you
14 interested and what you brought you to here. So I mean, you know,
15 for some people it's I was always interested in aviation. I
16 graduated high, I went to college for this or I went to the
17 military for that, and then just kind of step us through what led
18 you to air traffic control and doing what you do today.

19 A. I actually went to school for mechanical engineering
20 technology, received a degree there, but they had a test or
21 advertisement on one of the science and technology buildings. I
22 was bored one weekend, and I inquired about it and took the test.

23 Q. All right. Everything okay?

24 A. That was my son. I need to text him back.

25 Q. Yeah, go ahead.

1 A. Thank you.

2 MR. MYERS: A mechanical engineer went and took the test, and
3 they go, get her to a facility now.

4 MR. SOPER: They won't let her change her mind.

5 MS. POWELL: Okay. I'm done.

6 BY MR. SOPER:

7 Q. Okay. No problem, and if something occurs, you do need to
8 take a break, yeah, just say so. We'll just take a break. So
9 have you ever been terminated, suspended or asked to resign from
10 any position since you've been in the FAA?

11 A. No.

12 Q. Okay. Some of these I don't need to ask you. They don't
13 apply to you. So let me go through some of these, and get beyond
14 them all. In your capacity as training manager, were you part of
15 any process post-event on this event in particular, part of the
16 CER or part of any management team meetings regarding the event?

17 A. No.

18 Q. Okay. All right. That will take care of all that. So you
19 haven't had any reason to have to or review this event or
20 anything, correct?

21 A. Correct.

22 Q. Okay. All right. So, that takes care of the background
23 stuff for you. I don't really need anything else on that, but --
24 so from a training manager's standpoint, so how would you define
25 your role as a training manager here? What are you responsible

1 for in a nutshell? If somebody -- if you were asked to explain
2 like -- to put not just your title but the explanation of what you
3 do on LinkedIn or something, how would you phrase that for you
4 here?

5 A. As the support manager of training, I'm responsible or have a
6 hand pretty much in every aspect of training to some degree.

7 Q. Okay.

8 A. As far as qualification training, stage training, I am sure
9 that that is well organized, structured, resources that are needed
10 are there. The training is, you know, in alignment with the
11 training orders, ensure that anything pertaining to what is
12 necessary to give the trainees the best opportunity to be
13 successful, that we -- that I work together collaboratively with
14 the training rep, and we try to make sure that we, you know,
15 provide that.

16 Q. The training rep, you're talking like from NATCA, like the --

17 A. NATCA training.

18 Q. -- the bargaining unit side.

19 A. Yes, as identified in the Point 4 (ph.).

20 Q. Okay. So you've worked with them pretty closely in your job
21 since you've been here?

22 A. Yes.

23 Q. Thanks. Are you -- is it your position that sets up and
24 organizes the recurrent and refresher training for the facility or
25 do you have input on that or how does that work?

1 A. Refresher training, the training department sets that up. We
2 conduct that. Recurrent training, because that the national
3 facilitators do that. Recurrent training, we set the rule and
4 ensure that everything that is needed, resources, materials are
5 needed are provided and all prepared, and we coordinate with the
6 operation to get the employees scheduled to attend the training
7 for both.

8 Q. Excellent. Okay. When it comes to the facility's ICVs, ECVs
9 and emphasis items that are pulled out of those, are you involved
10 in developing any of the mitigations that might be done if they're
11 training related on those specifically or directly yourself or
12 your team?

13 A. Yes, it depends on the need, the correction that is needed.

14 Q. Okay. So I know that in this case, at this facility, we've
15 seen in the last ICV and ECV, I know there was a deficiency. One
16 of the things was PIREP and weather dissemination was a carried
17 over deficiency in both of those, and there was some mitigations I
18 believe put in place at both times. Were you a part of any of
19 those developments or --

20 A. No. We assist with the PowerPoints points --

21 Q. Okay.

22 A. -- but the briefings were done by our Local Safety Council.

23 Q. Okay. And I'm now shifting gears just a tad bit. Regarding
24 controller training, so actual on-the-job training and stuff. Do
25 you have any role, oversight or otherwise to see the Dash 25s that

1 are done, to -- I don't know, for quality or say like, hey, you
2 know, this should be done. Do you have input on any of that or do
3 you review them at all?

4 A. I review the Dash 25s when there is a concern with the
5 completion of them because my contractors are the ones that are
6 contracted to, you know, record all the Dash 25s.

7 Q. Okay.

8 A. So if there's something that is not done according to the
9 order, they bring it to my attention, and we then contact the
10 operation and ask them to make the corrections.

11 Q. How many contractors do you have here working in the training
12 department?

13 A. I'll have to get that number for you.

14 Q. Okay. That's okay. I mean it's not -- that's not highly
15 important. Roughly, do you have, I don't know, two or three or do
16 you have five or six or more than 10 or --

17 A. We have more than 10, yeah.

18 Q. Okay.

19 A. And that would be a combination of instructors and the remote
20 pilots and administrative.

21 Q. Okay. And who -- what's the contract? Who is it?

22 A. SAIC.

23 Q. It is SAIC. Okay. So your contractors are tasked with
24 reviewing the Dash 25s and getting them put into the system or
25 whatever and document, and if they identify things like, hey, this

1 isn't complete or this one doesn't make sense, they'll bring it to
2 your attention. You would then in turn go to the training team or
3 whoever it was that was involved in that, right?

4 A. I'd either send it or give direction to send it back down,
5 yes.

6 Q. Okay.

7 A. That's the process.

8 Q. And do you get involved in training team meetings at any
9 point?

10 A. No.

11 Q. Okay. Do you manage the OJTI program or process,
12 qualification process for those that are being certified as OJTIs?
13 Do you manage that or does your -- who does that here?

14 A. Can you clarify what you mean by manage?

15 Q. So like if a person is -- yeah. Well, how is that -- how is
16 it done here? How is the OJTI process accomplished?

17 MR. MYERS: You mean selected?

18 MR. SOPER: Yeah.

19 BY MR. SOPER:

20 Q. How is a person selected as an OJTI here? Do they go through
21 a training course? Is it a recommendation based on -- I don't
22 know, you know. By somebody else in the facility? I don't, I
23 don't really know how it works. I'm just kind of -- I guess I
24 kind of need to know.

25 A. We have a panel first.

1 Q. Okay.

2 A. The panel has to agree that they are, you know, they qualify.
3 There is an eLMS course. And then it is forwarded to me as the
4 support management training to either approve or disapprove. And
5 if I approve, and their credential are showing that they meet the
6 qualifications, then it will be forwarded to the air traffic
7 manager for final approval.

8 Q. Okay. As part of, are you aware -- and I know it's an eLMS
9 course. So it's not a course you developed. That's something
10 that is I guess I'm assuming national, right. That's something
11 that all OJTIs would go through the same one essentially, right.
12 Does it -- is an OJTI -- are they taught at any point in time
13 about filling these out, doing Dash 25s? Does it talk about, you
14 know, the content and how it -- what would be -- what you should
15 write in it or, you know, not what you should write but what
16 constitutes a quality Dash 25 and what constitutes a not quality
17 Dash 25 I guess so to speak? Is that talked about in your
18 training at all or is that just something that they're expected to
19 be aware of?

20 A. No, everybody's taught the correct completion of a Dash 25
21 operationally.

22 MR. SOPER: Okay. That's all I've got for right now. I'm
23 going to go ahead and pass it along to Seth.

24 BY MR. MYERS:

25 Q. The content that the LSC puts out, do they ever -- you said

1 you have been on put on training PowerPoints. Can you just
2 explain a little bit more about what input you have on that? I
3 know you said the LSC puts it out. We help with the PowerPoints.

4 A. Depending on the topic. There are things we will assist in,
5 not everything, but there's some training items that we work LSC
6 on, particularly refresher training.

7 Q. Okay.

8 A. The point board tells us we have to, you know, work with them
9 collaboratively.

10 Q. Yeah, that's awesome they do that.

11 A. Yeah.

12 Q. They give you topics. And so you're talking about some of
13 that.

14 A. Yeah, we work together.

15 Q. Do they ever come to you with outside topics outside of that
16 corridor of refresher training? Like, you know, like a SSR or
17 something like this and they need help with that or do you -- is
18 it mostly just refresher training that you work with the LSC with?

19 A. Refresher training for the most part.

20 Q. Do you know how often the LSC meets here?

21 A. I do not have that answer.

22 Q. Okay. Your -- it looks like a counterpart, but the NATCA
23 training rep that you work with, maybe is your counterpart, I
24 don't know how it works here, but how often do you meet with them?

25 A. Every Wednesday morning, we have a training team -- training

1 department meeting. The invitation is given, and if the rep can
2 attend, she will attend. If not, she and I will make special
3 arrangements to meet outside of that.

4 Q. Who else attends that?

5 A. That will be my training specialists and my contractor, the
6 CSS, myself and the training rep.

7 Q. You had said you had 10 up there, and some are SAIC. Do you
8 have FAA up there helping you out and like Article 114 or is it
9 all SAIC in the training --

10 A. SAIC are a contracted board.

11 Q. So you don't have any other supplemental. It's just SAIC up
12 in the training department.

13 A. Article 45s. There's no 114 Article.

14 Q. Okay. So it's just Article 45, six month details or --

15 A. There's no details. Just we, you know, we have to use them
16 for work but we use them as RPOs, you know, if they qualify, if
17 they're certified. That's the agreement that the ATM and the
18 FACREP has and then you know about the memo.

19 Q. Yes.

20 A. So.

21 Q. Okay. Can you explain a little bit to the process here if it
22 comes back to you for skill enhancement training? Like a trainee
23 or a training team requests it.

24 A. Um-hum.

25 Q. Do you know -- how does that work here, the process for

1 getting SET and doing things like that?

2 A. SET training requests are sent to me. They email me as well
3 as send a hard copy, the original. We have a training box at the
4 OM's desk. They'll put it in there requesting SET training. It
5 goes to my contractor, my CSS. And we look at it and see what's
6 the best time we can work them in. We make adjustments to get
7 them into SET training. And we would advise. I have the CSS
8 coordinate with the operations to ensure that we are in agreement
9 with the date, time, number, everything is written on SET training
10 and what they're asking for, and when we have to adjust scenarios
11 to meet the need, then we will have the -- either add it or take
12 it out of scenarios so that we can focus on the areas that they're
13 requesting.

14 Q. A two part question to that. How many trainees do you have
15 in the building? And, that can be a guesstimate. And when those
16 trainees on the floor request SET training, do they get priority
17 over them in the PTL or --

18 A. So we have 50 trainees excluding like TMU and their
19 supervisors because we have those (indiscernible) as well.

20 Q. Yeah.

21 A. So 50 trainees right now is what we have. Now, do they get
22 priority? What we do is try to fit them in because -- as soon as
23 possible, and we look at it as an adjustment we made. It doesn't
24 really interrupt training so much but we are able to work it out.
25 Sometimes it works out sooner than later.

1 Q. Your people that develop the problems, SGET, is that SAIC or
2 is the controllers on the floor or who does that here?

3 A. Now, you said develop problems. You know, there's a
4 difference.

5 Q. I do.

6 A. Okay. So --

7 Q. I assume then you do.

8 A. No, it's okay. Developing the scenarios are my SGET SMEs.

9 Q. Nice. And who does the actual implementation, developed like
10 that, building the problems?

11 A. My SGET SMEs.

12 Q. Okay.

13 A. And there's a combination with my SAIC SGET certified. They
14 work together to make sure they're in compliance with the order
15 and that we are providing the best and most current that we can
16 from the operations.

17 Q. The SGET SMEs come from?

18 A. SAIC. Your SGET SMEs come from the operation, area specific.

19 Q. Okay. Yes.

20 A. SAIC, of course, working and they're more in tune with the
21 actual requirements. And so we work together on that.

22 BY MR. SOPER:

23 Q. So for the sake of recording and me, you have -- you've
24 mentioned this acronym in there that I don't recognize, SGET or
25 something. What is it that you're talking about there?

1 A. Those are simulation developers. They develop scenarios.
2 Now, the acronym, I would have to get, the acronym to spell it out
3 for you.

4 Q. Okay.

5 A. They basically just create the scenarios stuff for us or they
6 have to up level them when we have changes. So we work with the
7 expertise from the areas --

8 Q. Okay.

9 A. -- so that we are up to date with what happens in the
10 operation. And so those are the SMEs which are the subject matter
11 experts.

12 Q. Okay. Okay.

13 A. And the SAIC contractors, I have some that are also certified
14 as SGET, you know, contractors. What they do is make sure that we
15 meet all the requirements as it pertains to the Point 4.

16 Q. Okay. So they're just -- it's kind of a quality control so
17 to speak to ensure the training is relevant, you know, in
18 accordance with the order but also meeting the mission of the
19 facility, what's needed.

20 A. It's a great combination. And I, of course, am the one that
21 has to validate the need.

22 Q. Gotcha. Okay. Perfect.

23 MR. SMITH: For the court reporter, you might want to just
24 spell that the SGET.

25 MS. POWELL: Yes, SGET, yes. So SGET is S-G-E-T.

1 MR. SOPER: S-S-G-E-T.

2 MS. POWELL: No, S-G-E-T.

3 MR. SOPER: S-G-E-T.

4 MS. POWELL: Yeah, S-G-E-T.

5 MR. ALLISTON: I don't understand what it's for either.

6 MR. SOPER: Okay. That's okay. We've got it now. We can
7 run that one down.

8 UNIDENTIFIED SPEAKER: (indiscernible) just calls it SGET.

9 MS. POWELL: Yeah, SGET. Yeah, simulation something, yeah.

10 MR. MYERS: Simulation something.

11 MR. SOPER: Okay. Thank you very much. All right. Sorry
12 about that.

13 BY MR. MYERS:

14 Q. Just one other quick question. The NTI came out with quotas
15 that you're supposed to meet hourly with impediments and all that
16 thing. What are your thoughts on that? You've been in the FAA a
17 very long time. The NTI came out. Do you think that helps or
18 hinders training?

19 A. The attendance?

20 Q. Well, how -- there's an hourly requirement per day that
21 they're supposed to be getting and through the NTI --

22 A. Yeah.

23 Q. -- and if they don't, you know, there has to be impediments
24 and have you found that that's helped or hindered the training
25 process here at ZDC?

1 A. I'd say it would be best to ask an operations manager because
2 I'm in the training department. So they would have a better
3 response to your question.

4 MR. MYERS: Okay. That's all I have, Brian. Thank you.

5 MR. SOPER: Okay. Anthony, do you have anything?

6 MR. BUNCH: No.

7 MR. SOPER: Okay. Jason?

8 BY MR. ALLISTON:

9 Q. So on those Dash 25s, that you send down for correction, how
10 often would you say that happens? Just ballpark it.

11 A. About twice a week.

12 Q. And then what guidance is given to contractors regarding
13 expectations on the Dash 25s? And, is that given directly to them
14 or do you do it through your lead contractor?

15 A. Can you clarify what you mean as far as guidance to them?

16 Q. As far as, as far as what you expect to see on those Dash 25s
17 for quality purposes, detail, et cetera.

18 A. We follow the Point 4, and if it is not in line with Point 4,
19 you know, we just make sure that we tell them the Point 4 clearly
20 tells you how you're supposed to identify an item, line item, if
21 there's a comment to be made. So we look for those various
22 things. We look for the signatures as well, you know. We look to
23 make sure that the, you know, boxes 1 through 10 are completed.
24 So we look -- we go by the Point 4.

25 Q. Okay. Do you know what quality control validation is?

1 A. I don't work in QC. I apologize, I don't have an answer for
2 that.

3 Q. Okay. So in quality control, they do validations for
4 certification skill checks and OJT documentation. Do you ever
5 recall getting anything back from the quality control department
6 reference one of those validations, like the results of one?

7 A. No, I do not recall getting anything.

8 MR. ALLISTON: Okay. I think that's all I have for now.

9 BY MR. SOPER:

10 Q. Okay. Do you ever -- in your capacity anymore, do you ever
11 make it to the floor for any reason or do you have no reason to go
12 there?

13 A. It's rare.

14 Q. Rare. Okay. And I'm kind of bouncing around. I just have
15 some odds and ends I was jotting down. You mentioned that you do
16 have a weekly training meeting that's your team essentially, your
17 -- I guess it's your lead contractor, yourself, the NATCA training
18 lead if they're available, and there was one other person?

19 A. My specialist.

20 Q. Your specialist. That's it. And those -- are those
21 documented? Like do you document minutes from those meetings are
22 they more informal like we're just keeping ourselves on track?
23 That's our way of keeping our thumb on the pulse.

24 A. That's a way of keeping our thumb on the pulse.

25 Q. Okay. Do you have any regularly scheduled meetings as any

1 other part of management team? Like does the ATM say we need to
2 meet monthly and I need to see the QC manager, the training
3 manager and the whatever and the whatever? Is there any of those
4 that you attend or are -- is that all strictly ad hoc? You know,
5 if they want to meet with me, they call and say they want to meet
6 with me.

7 A. Ad hoc.

8 Q. Okay. And do you ever -- in your capacity, do you ever work
9 collaboratively with any other facility's training managers like
10 on best practices, developing training or do you do everything in
11 house here because it's too different from one facility to another
12 for that to be valuable?

13 A. So on TEAM, we have where all training managers, you can, you
14 know, send IM messages.

15 Q. Okay.

16 A. So we shoot ideas on that.

17 Q. Oh, good. So in TEAM, that brings up another point here.
18 They were talking earlier, they are not using TEAM for what was
19 it? They're not using TEAM. They're still using CEDAR for what?

20 MR. ALLISTON: The Dash 25s.

21 MR. SOPER: Yeah. Is that --

22 MR. BUNCH: And the briefings.

23 MR. SOPER: And the briefings.

24 BY MR. SOPER:

25 Q. Is that just -- that's going to change and move to TEAM and

1 just haven't done it here yet? Is that the deal? That's still in
2 transition?

3 A. January 30th --

4 Q. Yeah.

5 A. -- we are transitioning to TEAM.

6 Q. Okay. Cool.

7 A. Everyone are currently being briefed.

8 Q. Good deal. Are you ever involved in any sort of -- I don't
9 know what you would call this because it may not even exist. Is
10 there any type of assessment, auditing of, back checking of, for
11 effectiveness of mitigations that have been put in place that your
12 team may have been involved in with regard to emphasis items or
13 CAPs that came out of ICVs, ECVs, SSRs, anything that would have
14 evolved into a CAP or mitigation effort, was a training piece? Is
15 that ever followed up in any way like to check to see, did it move
16 the needle or is it moving the needle like? And if so, how do you
17 check that or is that just done through like the OSAs that are
18 done by the sups and managers and stuff?

19 A. I'm not aware of any.

20 Q. Okay. You're not aware of any. There's nothing formalized
21 at least any way.

22 A. I don't know QC does. They may be doing that.

23 Q. Okay.

24 A. But I'm just not aware of it in training.

25 Q. You're not aware or involved in any part of that in other

1 areas. Okay. Very good.

2 MR. SOPER: All right. Do you have anything else, Seth?

3 MR. MYERS: No.

4 MR. SOPER: How about you, Anthony?

5 MR. BUNCH: No.

6 MR. SOPER: Okay. Jason?

7 MR. ALLISTON: I just have a couple of more.

8 BY MR. ALLISTON:

9 Q. We kind of touched on it already but do you attend the weekly
10 OM meetings any ever?

11 A. Not the weekly OM meetings.

12 Q. And do you attend the morning or afternoon standup?

13 A. No.

14 MR. ALLISTON: Okay. That's all I've got.

15 MR. SOPER: Okay. Any saved rounds? Everybody's good.

16 (No response.)

17 MR. SOPER: Do you have any questions for us?

18 MS. POWELL: No.

19 MR. SOPER: Okay. I'm going to go ahead and stop the
20 recording. I show the time as 1053.

21 (Whereupon, at 10:53 a.m. EST, the interview was concluded.)
22
23
24

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

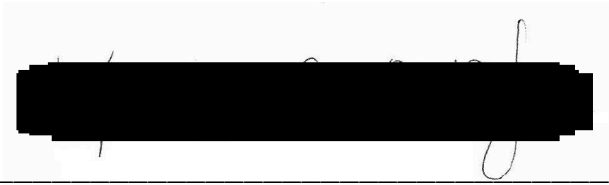
IN THE MATTER OF: PIPER PA-32R-31 FATAL ACCIDENT
 NEAR DAYTON, VIRGINIA
 ON JANUARY 11, 2023
 Interview of Tess Powell

ACCIDENT NO.: ERA23FA108

PLACE: Leesburg, Virginia

DATE: January 26, 2023

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.



Kathryn A. Mirfin
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

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PIPER PA-32R-301 FATAL *

ACCIDENT NEAR DAYTON, VIRGINIA * Accident No.: ERA23FA108

ON JANUARY 11, 2023 *

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Interview of: CARRIE MERLIN, Acting Air Traffic Manager (AATM)
Federal Aviation Administration

Washington Air Traffic
Control Center (ZDC ARTCC)
825 East Market Street
Leesburg, Virginia

Thursday,
January 26, 2023

APPEARANCES:

BRIAN SOPER, Lead Air Traffic Control Investigator
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert
Federal Aviation Administration

SETH MYERS, Air Safety Investigator
National Air Traffic Controllers Association

ANTHONY BUNCH, Air Safety Investigator
National Air Traffic Controllers Association

MATTHEW SMITH, ESQUIRE
Office of the Chief Counsel
Federal Aviation Administration
On behalf of Carrie Merlin

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Carrie Merlin:		
By Mr. Soper		6
By Mr. Myers		13
By Mr. Bunch		15
By Mr. Alliston		15
By Mr. Soper		19
By Mr. Myers		22
By Mr. Soper		23
By Mr. Bunch		26
By Mr. Alliston		26
By Mr. Bunch		28

I N T E R V I E W

(12:35 p.m. EST)

MR. SOPER: Okay. My name is Brian Soper. I'm an air traffic investigator with the NTSB. And, we're here to investigate the fatal accident of N43156 that occurred on January 11th, 2023.

And I have with me here today, the acting air traffic manager from ZDC, and your name please?

MS. MERLIN: Carrie Merlin.

MR. SOPER: Carrie Merlin. And how do you spend your last name?

MS. MERLIN: M-e-r-l-i-n.

MR. SOPER: Thank you. And this is the representative you've chosen to be with you today. Is that correct?

MS. MERLIN: Yes.

MR. SOPER: And your name, sir?

MR. SMITH: Matt Smith, with the FAA's Office of the Chief Counsel.

MR. SOPER: Thank you. And I also have with me our air traffic control group. From the parties representing the FAA, I have Mr. Jason Alliston who is here from Columbus Tower out of Georgia, and previously on detail there from Atlanta Center where he was the QC manager and XO down there previously. I have Mr. Anthony Bunch with us from Southern California TRACON who is here representing NATCA. He's under instruction of Mr. Seth Myers

1 who is here with us from Boston Center.

2 So as I mentioned to you earlier during our in brief, the
3 NTSB is an independent federal agency charged with the
4 investigation of civil aviation accidents and incidents of a
5 serious nature, and finding the probable cause and then hopefully
6 developing some sort of safety recommendations to industry or some
7 segment of industry to prevent reoccurrence.

8 We are not regulatory. We have no enforcement powers. We do
9 not make rules. We don't enforce rules. We're not concerned with
10 who's to blame or who is at fault. We're strictly concerned with
11 gathering the information as it pertains to the safety related
12 stuff of the event, and hopefully preventing reoccurrence. That's
13 our whole job in a nutshell. That's what we're charged to do.
14 We're not affiliated with FAA or DOT in any way.

15 As I mentioned, this is being recorded. It will be
16 transcribed by a transcriptionist or by a -- correction, a court
17 reporter. That transcript will be provided back to us and
18 provided to the group members here to check for accuracy as well
19 as a copy sent to you to check for accuracy. Once we've made any
20 corrections that may need to be made on that, that will become the
21 certified transcript and will go into the final report and placed
22 in the public docket, not the recording. We do not place our
23 recordings in the public document.

24 Do you have any questions before we kick off?

25 MS. MERLIN: I don't.

1 MR. SOPER: Okay. Awesome.

2 INTERVIEW OF CARRIE MERLIN

3 BY MR. SOPER:

4 Q. So -- and could you spell your first name? How do you spell
5 your first name?

6 A. C-a-r-r-i-e.

7 Q. Okay. Very good. And how old are you?

8 A. I'm 50.

9 Q. Okay. And do you use operating initials here in your work
10 still? I mean I know you're the ATM, but do you still use them --

11 A. Yes.

12 Q. -- for correspondence.

13 A. Charlie Victor.

14 Q. Thank you. And you said you have been acting ATM since
15 August. And you left the QC manager job for this detail. Is that
16 right? Is that the job you vacated to do this?

17 A. Yes.

18 Q. And do you have any -- before coming to the FAA, I know you
19 said you've been in the FAA since 1998. That's correct?

20 A. Yes.

21 Q. All right. Did you have any prior FAA air traffic control
22 experience? Were you in the military or DOD or federal contract
23 towers or anything like that?

24 A. No, I was in college.

25 Q. Okay. And I'm skipping over some stuff that is not pertinent

1 to you because you weren't part of the event. Have you ever been
2 suspended, terminated or asked to resign from any position since
3 you've been with the FAA?

4 A. No.

5 Q. All right. Okay. All right. So we're going to get right
6 into some questions then so that we can go through. I don't need
7 any of that other background stuff for you. So when did you first
8 become aware of the incident and by who? How were you notified
9 and when was that?

10 A. I got a text message the morning after the event that said
11 that there was going to be an SRT for a fatal accident.

12 Q. Were you still on leave at that time?

13 A. Yes.

14 Q. Okay. And what did, what did you do with that information?
15 I mean essentially were you involved in doing anything at that
16 point or were you just helping out the person that was standing in
17 for you acting to make sure they did the right thing or what
18 really occurred?

19 A. I was not involved because I had no equipment with me,
20 because I was in an international location.

21 Q. Okay. All right. Okay. So let's talk about it. So since
22 you've been back, have you had an opportunity to review this
23 event --

24 A. Yes.

25 Q. -- just for your own background? So from your standpoint, I

1 know we talked a little bit about it during the in brief, but
2 after having a chance to review and look at things, what -- did
3 you identify with anything that you felt was deficient in nature
4 or not what you would have expected from the facility here? And
5 if so, have you already engaged in any mitigating resolution for
6 those or is it still in work or --

7 A. Collectively we have identified a few items, the solicitation
8 of PIREPs, the dissemination of other products and the requirement
9 to advise pilots of any depicted precipitation. There was a
10 slight delay on the ALNOTs. We identified that there was some
11 equipment issues there.

12 Q. Okay.

13 A. Reference mitigations, the QC manager did forward me a
14 suggestion, a draft --

15 Q. Okay.

16 A. -- this morning of an action plan for management, and he is
17 engaged in collaboration with the safety rep on a mitigation but I
18 don't know what it is yet.

19 Q. Okay. The teams working on it. That's a good thing.

20 Awesome. Okay. So I might jump around a little bit. So, you
21 know, leaving the event just a little bit, just talking about the
22 facility. Do you have any regularly scheduled meetings that you
23 conduct with your management team, like the QC manager or the
24 training manager, support managers, anything that you hold on a
25 regular or recurring basis to keep your thumb on the pulse or is

1 most meetings held ad hoc as you feel they're needed?

2 A. Every Wednesday we have a plan of operations meeting and in
3 attendance are the operations managers and myself. We have -- it
4 just began, a monthly -- every -- on the fourth -- I think it's
5 the fourth Wednesday of every month --

6 Q. Um-hum.

7 A. -- we have -- we include the support managers and training
8 manager. However, yesterday was the first one and we had to
9 cancel it --

10 Q. All right. I'm sorry about that.

11 A. -- because everybody was here.

12 Q. Yeah, I get it.

13 A. So.

14 Q. Okay. Now, have those been -- are those something that you
15 instituted or were they already going on when you when you took
16 over ATM and you just kept them going or --

17 A. No, I changed it a little bit. Prior to me taking over,
18 there were regularly scheduled meetings as well.

19 Q. Okay. So, we, you know, we've had a chance to look at some
20 of the stuff here like the previous ICV, ECV, and like I said, we
21 were here a few years ago on another event where we looked at some
22 similar things like PIREP and weather dissemination was on the,
23 was on the radar then when we were looking at stuff for a
24 turbulence event. We note that there's been carry over, and we
25 talked about them in the in brief. I know you mentioned it. You

1 know, it's been a continual area of deficiency that's been
2 identified, and you've had some various mitigating -- or
3 mitigation efforts that have been put in place to try to move the
4 needle on that.

5 Is there, is there any indication -- I mean has the needle
6 moved at all do you think or is -- it just seems to be you're not
7 able to find whatever -- we see the training's been being done.
8 Like we seen a lot of training put out, briefing items, things
9 like that. So it's clearly not something that's not being
10 addressed, but do you feel that any of those efforts have made any
11 progress thus far? I mean clearly it's not resolved because they
12 still exist, but is it moving in the right direction yet?

13 A. I believe that it's moving in the right direction. I've been
14 involved in mitigations since -- I think in 2016 there was an
15 event that the facility had involving depicted precipitation but
16 had not been issued. And there's -- I think it was moderate or
17 greater. It was quite a bit of precip.

18 Q. Yeah.

19 A. And we've found from there that there was some misconceptions
20 and we found one particular PowerPoint that had been delivered
21 that was incorrect. It indicated that the air carriers had --
22 this was for air carriers, but they had better weather products
23 than us.

24 Q. I recall this.

25 A. Yeah, and so, you know, we've done mitigations and training,

1 briefing, all of these things. So I do think that there has been
2 improvement.

3 Q. Okay.

4 A. I do not think that we have fully fixed the problem.

5 Q. Okay. What kind of things have you tried to do to -- or if
6 you know, what kind of tools have you guys tried to utilize to
7 check that progress, to kind of gauge, are we moving the needle in
8 the right direction?

9 A. Oh, how to meet?

10 Q. Yeah, how --

11 A. Check if your mitigation is --

12 Q. Yeah.

13 A. -- working?

14 Q. Absolutely.

15 A. So we do quality control OSAs, operational skills assessments
16 --

17 Q. Okay.

18 A. -- and we have like a layered approach in collecting them.
19 We use QC specialists. We use operational supervisors, and we use
20 some subject matter experts associated with the Local Safety
21 Council. Once we collect those, we collect 150 every 3 months.
22 That's the requirement. We then collaboratively -- and when I say
23 collaboratively, I mean with the union.

24 Q. Um-hum.

25 A. We validate that information. So we retain all the Falcons

1 and the associated documentation, and then we sit down and we go
2 through it all. And, first we verify that the QC OSAs were in
3 compliance, and that they were reflective of the session. And
4 then once we validate, we make a determination as to whether we
5 are compliant or noncompliant. And we report that through CEDAR.
6 So somebody did an OSA, and they clicked on, you know --

7 Q. Um-hum.

8 A. -- PIREP.

9 Q. Yeah.

10 A. Then that would -- once we validate it, then we can pull that
11 report and say, okay.

12 Q. Okay.

13 A. We have this many that have precipitation or something, and
14 it shows 92 percent or 84 percent or whatever.

15 Q. Is that like a function that would probably be your QC
16 manager's office would pull that report for you type thing?

17 A. Quality control does that, yeah.

18 Q. Yeah. Okay. And -- okay. And you said the -- so the --
19 those conducting OSAs here are -- they're varied. QC specialists,
20 some OS sups --

21 A. All operational supervisors.

22 Q. All operational sups do.

23 A. They're required to.

24 Q. Oh, yeah, and OMs, do they?

25 A. OMs do QC OSAs but they only do them on the supervisor

1 position or CIC.

2 Q. Okay.

3 A. So they're not plugging in.

4 Q. I'm with you. And then there was also SM -- the LSC is also
5 involved in that?

6 A. There are SMEs associated with the LSC, and they do those.
7 We have air traffic controllers, supervisors --

8 Q. Okay.

9 A. -- and QC specialists.

10 Q. Okay. All right. Good. That's all I have for right now.
11 I'm going to go ahead and pass it along to Seth.

12 BY MR. MYERS:

13 Q. Obviously you're very familiar with the Local Safety Council
14 here. It seems that you put a lot of emphasis on it. Have you --
15 just a question. How did you carve out those three days that your
16 facility gives to the FAA and the NATCA co-leads?

17 A. So I haven't made any changes since I've become ATM. That
18 was previously coordination. It used to be five. Now it's three.

19 Q. Yeah, is that just --

20 A. I just have not changed it.

21 Q. Is that just something you delegate and down and say this is
22 going to happen or is that written somewhere in the facility that
23 they get that time?

24 A. You know, I would have to look for that. I'm not sure if we
25 have it in writing. It could be on their assignment, but whatever

1 article that Mr. Rizzo falls under, I can't remember right now.

2 Q. Yeah.

3 A. In Article 114, we may have a document that specifies the
4 days and as well as Ms. Johnson, hers is a detail. It may specify
5 that, but I'm not sure. I'd have to research that.

6 Q. The local -- obviously you have the two co-leads. You know
7 who those are.

8 A. Um-hum.

9 Q. The other members, do you know how many there are and what
10 the makeup is NATCA and FAA?

11 A. There are --

12 Q. Are they management?

13 A. There is no -- there are officially no other members of the
14 Local Safety Council. Now, locally NATCA may identify that these
15 are their safety experts, but that's not in writing. There's no
16 agreement. So are they?

17 Q. Okay. So there's only two members of the --

18 A. There are two members of the Local Safety Council, and that's
19 what's covered in the scoping document.

20 Q. Okay. That's perfect. That was my question I had. I know
21 you said that you meet with the OM team and your support
22 specialists. Do you ever, do you ever meet with the LSC co-leads?

23 A. I don't meet with the support specialists. I meet with the
24 support managers.

25 Q. Oh, sorry. I meant that. Sorry. Thank you.

1 A. And do I meet with --

2 Q. Do you ever meet with the co-leads from the LSC?

3 A. Yeah, every couple of weeks.

4 Q. Is that scheduled?

5 A. They'll come in. Yeah, they'll request a meeting about -- I
6 think it's been about every four to six weeks, something like
7 that. They'll send me a calendar invite, and I'll meet with them,
8 and they'll brief me on what's happening. And they'll send me --

9 Q. Awesome. Have you ever been to a monthly safety discussion?

10 A. Not recently.

11 Q. Okay. Do you know what the participation level is of the
12 facility for those? Like percentage.

13 A. Less than desired.

14 Q. Great. I don't have any other questions. Thank you.

15 MR. SOPER: And, Anthony?

16 BY MR. BUNCH:

17 Q. So for your safety council, you have the two members only.
18 Has there been any discussion about adding more people, management
19 officials along with official NATCA safety reps to the panel at
20 all?

21 A. Not recently.

22 MR. BUNCH: Okay. That's all I have.

23 MR. SOPER: Okay. Thanks. Jason?

24 BY MR. ALLISTON:

25 Q. Okay. Are you allocated an XO?

1 A. I am.

2 Q. Do you have one?

3 A. I do not.

4 Q. How long has that been?

5 A. The last XO officially left on December 3rd, but when I came
6 on in August, he took a lot of leave.

7 Q. Then?

8 A. Throughout the whole time.

9 Q. Okay.

10 A. He had a lot of leave because of COVID or I don't know what,
11 but not because he had COVID but because there hadn't been the
12 opportunities I guess for leave, and he had to use or lose. So he
13 decided to use it.

14 Q. Gotcha. Okay. How often do you make it into the control
15 room?

16 A. Nearly every day.

17 Q. And when you're in there, like how often would you say you
18 CICs versus supervisors?

19 A. I see CICs, I see CICs -- that's a mouthful. I see CICs
20 frequently. However, since I became the ATM, I changed the
21 supervisors' schedules, and I require a minimum of three
22 supervisors day and eve (ph.). And so I adjusted all their
23 schedules, and that began when the new schedules started in
24 January. So although occasionally something happens and there
25 would be less supervisors, but I see CICs every day --

1 Q. Right.

2 A. -- but I require a minimum of three supervisors on the day
3 shift and the evening shift for operational oversight --

4 Q. Okay.

5 A. -- because that has been previously identified as an issue in
6 the facility.

7 Q. And you have -- is it six areas?

8 A. Six areas and then TMU.

9 Q. So that basically gives you at least one per two areas just
10 as kind of general oversight --

11 A. Yes.

12 Q. -- if something goes awry?

13 A. Correct.

14 Q. Okay. All right. That makes sense. So as far as the
15 meetings that you have with your operations managers, how -- I
16 guess have you discussed performance management with them
17 recently? Is that something you discuss with them ongoing? And
18 what are your expectations regarding performance management?

19 A. Well, I have done a lot with performance management in the
20 facility in the last two years, since the last event we had.
21 Well, it was a little bit longer than that, but the records don't
22 go back that far anyways. We -- I developed an action plan with
23 requirements for PROCs, and so this past calendar, from yesterday,
24 the past year, we had 295 PROCs. The year prior to that, we had
25 280 PROCs. And the year prior to that, we had about 20. So we

1 have made great strides in issuing PROCs and having those
2 discussions. And, we -- my expectation is that OMs will engage in
3 having PROCs with supervisors and the supervisors will have those
4 discussions, documented discussions with the controllers providing
5 both positive reinforcement and corrective or coaching PROCs.

6 Q. And have you given any kind of guidance for coaching on the
7 content of those? Specifically, you had outstanding mitigations
8 for the PIREPs and weather dissemination, guidance to aim their
9 PROCs at those emphasis items?

10 A. I haven't. However, that is -- I mentioned a draft action
11 plan that the QC manager sent me this morning, and we've been
12 discussing it. For the last two weeks, we've been texting and
13 talking quite a bit about it, and so we're looking at an action
14 plan that would be similar to last action plan which increased our
15 PROCs and those centered around merging target procedures,
16 application of merging target procedures. So we're in the process
17 of fleshing that out --

18 Q. Okay.

19 A. -- what that looks like.

20 Q. That would be good to see from a reinforcement --

21 A. Right.

22 Q. -- perspective.

23 A. Right.

24 Q. That would be the thing that gives you traction --

25 A. Yeah.

1 Q. -- is those individual conversations.

2 A. Yeah.

3 Q. Let me look through my questions here real quickly. So this
4 is kind of going back a little bit from a quality control
5 manager's standpoint. Do you recall, and it's been a little bit,
6 when you guys did OJTD and CSE validations, if the results of
7 those were shared with the training department?

8 A. I can't remember if they were emailed out to the entire group
9 or at that time, I just emailed them to the air traffic manager
10 then with the expectation that he would send them out. So I'm not
11 really sure.

12 Q. Okay.

13 A. I just -- I could look and get you that information, get you
14 the answer to that. I can't remember.

15 Q. I don't think we need to dig back that far. It was just
16 something that kind of came up. Do you attend the morning and
17 afternoon standups?

18 A. Not always.

19 MR. ALLISTON: I think I'm good for now.

20 BY MR. SOPER:

21 Q. I did have one piggyback on what he was just talking about
22 with the validations and whether they were shared with the
23 training department. So I know where he's going with that. It's
24 not that we need to know if you were doing them back then.
25 However, is it -- would it be your expectation now as the air

1 traffic manager that they would be shared with the training
2 manager?

3 A. Yes.

4 Q. Okay. What is the feedback been, have you received any, from
5 your managers on the effectiveness and -- the attendance and the
6 effectiveness of your recurrent and refresher training here? Has
7 it been well received and well attended and meeting the
8 expectation of the facility or are they struggling with that or
9 what? Do you get any feedback from them on that?

10 A. Well, there was some delays in delivering recurrent training
11 due to the limitations placed upon us by COVID protocols.

12 Q. Okay.

13 A. However, once they were lifted, and we could do in-person
14 briefing again, we were able to catch up. Now, the training
15 department didn't do those. The operations and myself did this.
16 We collaborated and we got more cadre and we delivered both the
17 overdue recurrent and then current current and current recurrent.
18 And we are already -- and the compliance as a whole is very high.
19 We did have to submit a waiver which was approved because it was
20 delayed I believe.

21 Q. Yeah.

22 A. Most places were approved.

23 Q. Okay.

24 A. And then we already have it collaborated and scheduled for
25 May. So we have every expectation that now that we're caught up,

1 that we will remain caught up and compliant with that.

2 Q. Good.

3 A. And refresher training, I may have those months backwards.

4 Recurrent is in May. What is this month? January?

5 Q. Yeah.

6 A. And we have refresher training already, they're collaborating

7 on that, to schedule that.

8 Q. Okay.

9 A. And I can't remember which month they determined it was going

10 to be in. That may be in May.

11 Q. Okay.

12 A. Anyway, they're all scheduled.

13 Q. So you caught up and they all look good.

14 A. We're caught up and we have a calendar for moving forward.

15 Q. Awesome. Okay. Do you happen to know at all, if they have

16 had a discussion with you on the waterfall of EIDS coming out to

17 the facilities? Has that been a discussion that's been on your

18 radar through your tech ops?

19 A. What does EIDS stand for?

20 Q. Then probably not.

21 A. It may have, but --

22 Q. So it's going to -- for you guys, it will replace ERIDS, but

23 it's going to be essentially -- that system will be common across

24 all facilities, terminal and that.

25 A. Okay.

1 Q. So, yeah, I --

2 A. Maybe with plans and programs, but it's not --

3 Q. Yeah, not a problem. It's probably still out there a ways.
4 They probably are not close to being able to waterfall it out
5 then. But, I was just curious if you had run across that in any
6 meetings or anything.

7 MR. SOPER: Okay. And -- all right. That's all I have for
8 the moment. I feel like I did have a question, and I forgot what
9 it was. I got off track there for a second. But, Seth.

10 BY MR. MYERS:

11 Q. Do you know how many supervisors you have in the building,
12 OSs?

13 A. Excluding the STMCs, I have 26 supervisors in the building, 6
14 are in training and 2 are detailed to the operations manager
15 position.

16 Q. Can you say that one more time please?

17 A. I have 26 operational supervisors.

18 Q. Okay.

19 A. Six of them are in training. Two of them are detailed to the
20 operations manager position.

21 Q. Okay. Thank you. Is 26 enough for you to meet your mission?

22 A. No, it's not.

23 Q. If you could reach out to the FAA and say this is the number
24 I need, what number would that be?

25 A. It's 36.

1 Q. Thirty-six.

2 A. That is what we're allocated, 36, and I need all 36.

3 Q. Do you need more than 36?

4 A. I need 36.

5 Q. Okay. How many OMs do you have?

6 A. Let's see. Including on details --

7 Q. Right.

8 A. -- right, I have an OM in Hawaii, and I have Carter. The QC
9 manager is an OM.

10 Q. Oh.

11 A. So we have six OMs, but we have some on detail. So one is
12 detailed to QC, one is detailed in Hawaii, one as of Monday just
13 took over the airspace office, the duties of airspace, and then we
14 have two supervisors who are acting as OMs on six month details,
15 and they're overlapping while other people -- while we're waiting
16 for other people to come back.

17 MR. MYERS: Okay. That's all the questions I have.

18 BY MR. SOPER:

19 Q. I have some before we move on from that subject. So this has
20 always been one of those things that I have not understood well,
21 and I get frustrated a little bit. And, maybe you can help
22 explain it to me because you have the experience in this area, and
23 you're dealing with it. But, does an ATM, does an air traffic
24 manager have -- how do details work? Meaning if you, if you have
25 OMs that you need your OMs to be OMs, are you the authority that

1 releases them to details and says, yeah, I can lose him to a
2 detail? Or does somebody tell you, he bid for a detail and we're
3 taking him? Or, how does that really work? I don't, I don't
4 really know.

5 A. Well, it's a mix of --

6 Q. Okay.

7 A. -- it's a mix of things. So Mark Winter --

8 Q. Um-hum.

9 A. -- is detailed to the QC office because I am detailed to the
10 ATM's office.

11 Q. Okay.

12 A. All right.

13 Q. Yeah. I've got --

14 A. Yeah, so that had to be done.

15 Q. Right. That's a requirement.

16 A. The OM that I just sent to take over the duties of the
17 airspace office, he's not on detail. He's an OM, like Mark has
18 been detailed to SM, support manager.

19 Q. Right.

20 A. So Mr. Watcher who is the acting ATM while I was gone, he's
21 been assigned airspace duties because we have numerous airspace
22 projects that we're -- we were getting very behind on, and there's
23 a lot of pressure to get them completed.

24 Q. Okay.

25 A. So I needed someone to take over those duties because there

1 was nobody in it. There was one person running two offices.

2 Q. And that's good. I mean so that's coming from your need. So
3 you're requiring that.

4 A. So that, that -- I made that determination.

5 Q. Okay.

6 A. And when that occurred, then I took two operational
7 supervisors and I put them at the OM desk but I staggered them
8 overlapping by three months to try to minimize the removal of them
9 from the floor, from the area.

10 Q. I understand.

11 A. And then the OM that is in Hawaii, as soon as I became ATM, I
12 made an attempt to cancel his detail.

13 Q. Okay.

14 A. And then --

15 Q. All right.

16 A. -- it wasn't. It turned out he is coming back in August.

17 Q. Okay. Okay.

18 A. So.

19 Q. Good. No, and that's good. I mean I'm glad -- it definitely
20 makes me understand where this one sits and that's good. So for
21 the most part, these have all been based on your needs. So you've
22 had clear decision making on all of them like that's -- I have a
23 higher need here now, and this is where I have to bring them from.

24 A. Yeah.

25 Q. So I get it. That's good. Okay.

1 MR. SOPER: Okay. That's all I have for right now. Anthony?

2 BY MR. BUNCH:

3 Q. Do you work with the fac rep to help I guess fix ICV and ECV
4 issues? Do you bring them on board to help them maybe identify
5 and get that pushed out to the workers on how to address it? Or,
6 is it something that you have your QC people do and they work on
7 it?

8 A. Okay. Well, you can't do it that way. You must collaborate
9 on any mitigation --

10 Q. Yeah.

11 A. -- or corrective active plan per order and per contract. So
12 in the past, a handful of years, four or five years, that's
13 traditionally done between the quality control manager and
14 whomever the FACREP designates, yeah, and that's just been his
15 preference, but one, two, three, the last three -- the current
16 FACREP and then before that, that's been their preference to
17 designate someone.

18 MR. BUNCH: Okay. That's all I have for now.

19 MR. SOPER: Jason?

20 BY MR. ALLISTON:

21 Q. What would you say your primary focus item for the facility
22 is or do you have one? If you could just pick one thing.

23 A. Safety, operational oversight.

24 Q. Nailed it. Great. Operational oversight. And can you
25 expand on the operational oversight piece for us? Like what does

1 that mean in terms of if you could just effect the change you
2 wanted to now?

3 A. If I could do everything that I wanted to.

4 Q. Wild and crazy, I know.

5 A. I would have 36 supervisors. I would have limited use of
6 controllers in charge, so they could be doing both, you know,
7 primary job function which is to safety and expeditiously move
8 aircraft. And I would have supervisors on the day, eve, and I'd
9 have a middle shift supervisor and they could be actively engaged
10 in not only overseeing the operation, but coaching and mentoring
11 and providing feedback to the controller workforce on their
12 performance to improve where they're doing a great job, because a
13 lot of them are 99.9 percent or whatever it is, you know, are
14 doing a great job, but that's what I would have.

15 I would have more supervisors on the floor so that they can
16 get engaged. Right now, I have supervisors that have 25
17 employees, which is higher than many for a level 7 facility. And
18 I have an expectation that that supervisor who has one mid shift
19 and four, you know, where they don't see anybody, and then four,
20 you know, evening shifts. I have an expectation that that
21 supervisor's going to provide documented coaching and mentoring
22 and maintaining operational oversight and, you know, get no breaks
23 most of the time unless it's to relieve themselves of a bodily
24 function. So, yeah, that's what I would do.

25 Q. Perfect. That's what it would take.

1 MR. SOPER: Okay. Have you got anything, Seth?

2 MR. MYERS: No.

3 MR. SOPER: Anthony?

4 BY MR. BUNCH:

5 Q. Just, do you have in your requirements for CICs or
6 supervisors to use wireless headsets in any special time periods
7 of --

8 A. They do go to headsets, and that is a determination that's
9 made during like really -- like with SWAP nights. They will make
10 a determination, the OM and like -- talks with the STMC. They'll
11 say, okay, we're going to go to headsets, and that is just to, you
12 know, get that line of communication faster, better, where they
13 can all hear each other. But they don't always do it. They're
14 not required to do it. It is at their discretion. But they'll
15 brief it at the standup --

16 Q. Okay.

17 A. -- and normally that's an evening shift, right, because
18 that's when the significant weather --

19 Q. So based on the weather predictions at briefing?

20 A. Yeah, or in SWAP which is --

21 Q. Okay.

22 A. -- significant weather avoidance plan, right. That's --

23 Q. Yeah.

24 A. -- not a shift SWAP but --

25 Q. Yeah, I understand.

1 A. All right. Then they'll say, hey, we're -- this looks like a
2 headset night. We're going to go to headsets. But it's at their
3 discretion.

4 MR. BUNCH: I had something else. I don't know what it is
5 now.

6 MR. SOPER: It must not have been important.

7 MR. BUNCH: Yeah.

8 MR. SOPER: Jason?

9 MR. ALLISTON: Nothing.

10 MR. SOPER: All right. You didn't have any, oh, by the ways,
11 did you?

12 MR. MYERS: No.

13 MR. SOPER: I don't have anything either. I've captured
14 everything I need for right now. I appreciate you taking the
15 time. Do you have any questions for us before I stop the
16 recording?

17 MS. MERLIN: I don't.

18 MR. SOPER: Okay. Great. I show the time of 1314.

19 (Whereupon, at 1:14 p.m. EST, the interview was concluded.)
20
21
22
23
24

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: PIPER PA-32R-31 FATAL ACCIDENT
 NEAR DAYTON, VIRGINIA
 ON JANUARY 11, 2023
 Interview of Carrie Merlin

ACCIDENT NO.: ERA23FA108

PLACE: Leesburg, Virginia

DATE: January 26, 2023

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.

A handwritten signature in blue ink, appearing to read 'Kathryn A. Mirfin', is written over a black rectangular redaction box. The signature is fluid and cursive.

Kathryn A. Mirfin
Transcriber