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Date: February 24, 2023

Subject: ERA23LA128, Record of Conversation/Interview

Contact: James R. Eakle, Pilot Who Flew N6597X

Mr. James Eakle was contacted by phone on February 23, 2023 at 1130 EST. He was called at [REDACTED] to determine his availability for a phone interview either the same day or February 24, 2023. He indicated that he was available all day on the 24th and a time was set for 1000 EST, for him to contact NTSB.

He was advised that I would be providing the same dialog below tomorrow, but he was advised that the NTSB is a federal agency mandated by Congress to investigate aircraft accidents, and NTSB has no authority to take any action against any individual. He was also informed that the purpose of an NTSB investigation is for safety only, and any person NTSB talks with has the right to representation. He was advised to consider that for the phone call scheduled for the next day. He was also advised that I would be taking handwritten notes and for transparency would provide them to him for his review.

He indicated that he owned the airplane from 2017 to 2019¹. He provided an e-mail address of [REDACTED]

On February 24, 2023, at 1000 EST, Mr. Eakle contacted NTSB by phone, calling from [REDACTED]

At the beginning of the phone call he was advised that the NTSB is a federal agency mandated by Congress to investigate aircraft accidents, and NTSB has no authority to take any action against any individual. He was also informed that the purpose of an NTSB investigation is for safety only, and any person NTSB talks with has the right to representation; he agreed to the interview without representation.

¹ According to the Federal Aviation Administration (FAA) registration file, he bought the airplane on October 14, 2017, and sold the airplane on August 31, 2020.

He was advised by e-mail when sending this document for review that it will not be released to the public until the investigation is finished and when published, any personal identifiable information (PII) such as cell phone number, e-mail address, address, pilot certificate number, etc., will be redacted and not viewable in the released document.

At the beginning of the call he advised that the submitted NTSB Pilot/Operator Aircraft Accident/Incident Report had an error. On Page 9 of the report, last paragraph of the narrative, 5th sentence, change “20 [minutes] to 20 nautical miles.”

Since the NTSB Pilot/Operator Aircraft Accident/Incident Report which included a detailed narrative had been submitted, he was asked the following clarifying questions:

What was the purpose of the accident flight?

The airplane owner moved out west and could not timely fly the airplane from where it had the annual inspection performed, which was Pittsburgh/Butler Regional Airport (BTP), Butler, Pennsylvania, to its home base airport. Since he was the only one qualified and had previously owned it, he offered the current owner to fly it from BTP to its home base airport and he agreed.

What was the airplane's home base airport?

Upshur County Regional Airport (W22), Buckhannon, West Virginia.

Did you fly the airplane to BTP for its annual inspection?

I did not.

Describe the left and right fuel gauge readings at the start of the flight?

Both gauges matched up pretty good, and both were reading between 1/2 and 3/4 capacity.

As part of your preflight inspection did you visually inspect the fuel level in each fuel tank?

No I did not. Typically he would “stick” the fuel tanks but there was no dipstick available.

Why did you determine that 4 gallons per side was sufficient?

He knew what the fuel gauges were reading. And adding 4 gallons to each brought each displayed capacity to 3/4. He knew with that amount on-board there would be ample fuel to fly to his destination and for visual flight rules (VFR) reserves.

What fuel burn did he plan for?

14 to 15 gallons-per-hour.

Did you perform formal fuel consumption calculations for the accident flight?

I did not. Knowing the airplane, he knew the fuel burn and the displayed amount of fuel on-board would have been adequate for the intended flight plus VFR reserves.

NTSB Questions Continued –

Did you lean the fuel to air ratio during takeoff, climb, or cruise?

I leaned a little at 3,000 ft mean sea level (msl), which is where he was held for between 10 and 12 minutes by air traffic control to remain clear of Class B airspace. Then when clear of the Class B airspace ATC cleared the flight to climb. He advanced the mixture control to full rich and applied power to climb to 6,500 ft msl, where he leaned the fuel to air ratio.

Explain how you leaned at cruise?

He typically leans the fuel to air ratio to lean of peak, but in this flight he leaned until the engine began to run rough then enriched it about 1/4 turn until the engine began to run smooth.

What engine power setting did you use while in cruise flight?

24 inches of Manifold Pressure and 2,400 RPM.

Explain the situation about the fuel selector handle?

The airplane had just come out of maintenance, and he visually noted the fuel selector was in the left tank position. He grabbed the handle to verify that it was in the detent and when applying enough pressure to the handle to verify it was in the detent, the handle broke in half.

Do you have any pictures of the handle at that time?

I do not.

What did the airplane owner Mr. Miller say when you told him about the handle before the flight departed?

He said OK, what are you going to do. He informed Mr. Miller that he would add 4.0 gallons of fuel to each wing fuel tank and after that the amount in the left tank would be adequate for the intended flight.

Did you discuss with maintenance personnel at BTP what happened with the fuel selector handle or valve?

No. There was only a fueler/lineman there but no maintenance personnel were present. When he was scheduled to fly the airplane from BTP to W22, he called the fixed base operator (FBO) the same day as the accident and asked if anyone from maintenance would be present when he picked the airplane up. They said no maintenance personnel would be present because it was a holiday.

On the ground at BTP, did you move the fuel selector to the right tank position?

I did not.

Who has the broken fuel selector handle?

It is in the airplane. It was sitting on the right front seat when he started the flight.

NTSB Questions Continued –

When over North Central West Virginia Airport (KCKB), Clarksburg, West Virginia what altitude were you at?

6,500 ft msl.

Explain what happened in-flight when he attempted to move the fuel selector to the right tank position?

It was “rock solid” in the left tank position and it would not “budge at all.”

What did you use to attempt to move the fuel selector to the right tank position?

Crescent Wrench.

Do you think the crescent wrench was tight on the shaft of the fuel selector valve when you attempted to move it?

The part of the shaft where the handle attached is square. He could not move it at all. He never had issues with the fuel selector valve when he owned the airplane.

When you owned the airplane did you use the maintenance facility at BTP for your annual inspections?

They did not do the annual inspections while he owned the airplane.

What were both fuel gauges reading when the engine lost power?

The left fuel gauge was not bouncing much and was favoring the empty position, while the right fuel gauge was nearly full. He could not access the fuel in the right fuel tank.

Did the engine quit completely?

When turning final for the forced landing in the field, he jammed the throttle full in but the engine did not respond. He then pulled the throttle out in advance of the forced landing. He had no response from the throttle at all.

Did the propeller stop rotating?

No it did not stop the whole way in.

What were his injuries?

Thank goodness none.

When the fuel selector handle broke, why did he not refuse to fly the airplane and have maintenance inspect it?

He knew the airplane never had a similar issue, it was a short flight, and he was excited to fly the airplane. He knew the plastic handle was attached by a cotter pin. He “should have done an operational check of the fuel selector valve” before departure to make sure he could have moved it to the right tank position. Also, night was approaching, he had no maintenance help, and the

person who had flown him to BTP had already departed. He thought the broken handle was “no big deal”, and he wanted to “get out of there.” He knew better. He did not seek any maintenance assistance adding that he maintains a Citabria that he owns.

NTSB Questions Continued –

Are you and airframe and powerplant (A&P) mechanic?

No. He owns a Citabria and he does owner assisted annual inspections of his airplane. He has been working hours to get his A&P mechanic certificate.

Is there anything else I should know?

He has been thinking about the accident since it happened.

Do you have any questions for NTSB?

No not at this time.

He was advised that as part of the investigation since the accident flight was the first flight since the airplane had just come out of annual inspection and he could not move the fuel selector valve, that I would be contacting the maintenance facility. He was also informed that the recovery of the airplane would take place this weekend and it was critical for the investigation to know how much fuel was in each fuel tank.

The interview end time was 1040 EST.

Mr. Eakle was called the same day at 1325 EST to the same phone number and left a voice mail message advising that I had failed to ask him if he used the airplane’s checklist from the Pilot’s Operating Handbook (POH) for preflight, engine start, or during the flight including in-flight. He was also sent a text message the same day at 1341 EST, asking for the same information. Mr. Eakle responded the same day at 1353 EST by text message stating, “Good Afternoon Mr Monville, in response to your questionI did not use the POH for any literature pertaining this flight.”

The digest was e-mailed to him for review on February 24, 2023. He replied on February 26, 2023, at 2159 EST with, “No changes are needed. Best, James R Eakle.” The FINAL digest was e-mailed to him on February 27, 2023.