

ERA23LA328

## **AIR TRAFFIC CONTROL**

Group Chairman's Factual Report - Attachment 1

Interview Transcripts

March 25, 2025

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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MISSING CESSNA NEAR ST. THOMAS,

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U.S. VIRGIN ISLANDS ON

\* Accident No.: ERA23LA328

AUGUST 4, 2023

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Interview of: MIGUEL OLIVO, Operations Supervisor  
Federal Aviation Administration

San Juan, Puerto Rico

Wednesday,  
August 23, 2023

APPEARANCES:

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

RUTH RUPNIK, Air Traffic Control Investigator  
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert  
Federal Aviation Administration

CHRIS ROSATI, Air Safety Investigator  
National Air Traffic Controllers Administration

MATT SMITH, Esq., Representative  
Office of Chief Counsel  
Federal Aviation Administration  
(On behalf of Miguel Olivo)

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I N T E R V I E W

(10:34 a.m. AST)

MR. SOPER: All right, my name is Brian Soper, Senior -- or an air traffic investigator with the NTSB, and I have here with us today, Jason Alliston from the FAA's -- and you're going to have to say it, Jason.

MR. ALLISTON: Eastern Service Area director's office.

MR. SOPER: I don't know why I can't remember that, it's a very simple office, but I can't seem to remember it. He's here representing the FAA in our group today as the FAA's group member. We also have with us Mr. Chris Rosati out of Oakland Center, he's here representing NATCA on the group, and Ruth Rupnik, one of my colleagues back at headquarters, an air traffic investigator there.

And you have with you today, this is the rep you've selected, correct?

MR. OLIVO: Yes.

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

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

MR. SOPER: Thank you. And could you state your first and last name for the record for me? And spell your last name.

MR. OLIVO: Miguel Olivo, O-l-i-v-o.

MR. SOPER: All right. Thank you very much. And so as I

1 mentioned, the FAA (sic) is an independent federal agency charged  
2 with investigating civil aviation accidents and incidents of a  
3 serious nature, finding a probable cause and hopefully developing  
4 safety recommendations to industry or some segment of industry to  
5 prevent reoccurrence. That's our whole job in a nutshell. We're  
6 not affiliated with the DOT or FAA in any way, we are independent  
7 by nature, we don't make rules, we don't enforce rules, and we're  
8 not interested in blame or fault or that type of thing.

9       So we're here just gathering facts, this is the fact-finding  
10 phase of the investigation and so we're going to ask you  
11 questions, just be forthright and be as detailed as you can  
12 without fabricating and don't fill in the blanks, just you don't  
13 know something, you don't know it; if you don't remember it, you  
14 don't remember it, okay? All right. So I got some -- that squeak  
15 just kills me, man. It's so -- all right.

16       MR. ROSATI: It's a test.

17                   INTERVIEW OF MIGUEL OLIVO

18       BY MR. SOPER:

19       Q.   What was your age on the day of the event?

20       A.   Forty-four years old.

21       Q.   Forty-four, all right. And what your operating initials  
22 here?

23       A.   M-O for my tasks (ph.).

24       Q.   And you are an OS, correct?

25       A.   Correct.

1 Q. And that day you were acting as the OMIC, correct?

2 A. Yes.

3 Q. All right. Do you have any military or pre-FAA air traffic  
4 control work experience?

5 A. No, I don't.

6 Q. Do you hold any collateral duties here or have you been on  
7 any recent details that would take you outside the facility for  
8 any length of time in the last 6 to 12 months?

9 A. Yes, I was in the command center on the NTML (ph.) course.

10 Q. How long were you out on that?

11 A. Two weeks. Well, yeah, a week and a half, 2 weeks.

12 Q. Okay, so it didn't affect currency, then, probably you were  
13 able to maintain currency --

14 (Noise interference.)

15 BY MR. SOPER:

16 Q. When did you go to that?

17 A. It was at the beginning of the month.

18 Q. Oh, okay. Recent, then.

19 A. I believe it was like -- between July and August I got here,  
20 at the beginning of the month.

21 Q. Okay.

22 A. And also, I had the manager's initial course at Oklahoma  
23 City, that was earlier, earlier in the year, as well. And that  
24 was also 2 weeks. The SIFI (ph.) and the initial FRR (ph.)  
25 course.

1 Q. Okay. How long have you been -- how long have you been on OS  
2 here?

3 A. Just coming up on a year, I was -- began as OS, my first day  
4 was actually 9/11 last year.

5 Q. Okay. All right. So if you would, for us, could you just  
6 give us kind of a 10,000-foot bio of your background aviation-  
7 wise, you know, always interested in aviation, graduated high  
8 school, went to college or went to the military, whatever it is  
9 that you did, did -- take you right through what led you here  
10 today, you know, I went and did air traffic control, I got my  
11 pilot's license, whatever it was for you, went to college and got  
12 this degree. Step us through that.

13 A. I went to college, studied, I have a bachelor's in airway  
14 science management and a minor in air traffic control, as part of  
15 the CTI program. And that's how I -- once I finished my college  
16 career, I had the FAA exam and I was picked up after the hiring  
17 freeze that happened in the early 2000s. Then I was picked up by  
18 the agency in 2005. And I started here as an en route specialist.

19 Q. So this is the only place you have been?

20 A. Yes.

21 Q. Oh, okay, cool.

22 A. Started here in 2005 as an en route specialist and I'm not  
23 sure what time frame it was, but I transferred over to the  
24 approach side and then I transferred to the offices as a support  
25 specialist, quality control training. And then it was --



1 volunteered to transfer to (indiscernible) procedures for the  
2 quality control office, and then I -- last year I made the bid for  
3 the OS, so --

4 Q. All right. So was the driving you really wanted to be an OS  
5 or you really didn't want to be in procedures and --

6 (Laughter.)

7 MR. OLIVO: Plans and procedures, it was dry sometimes.

8 MR. SOPER: Yeah, you don't have to answer that.

9 (Laughter.)

10 BY MR. SOPER:

11 Q. All right. And have you -- have you ever been fired,  
12 terminated, suspended, or asked to resign from any agency  
13 position?

14 A. No.

15 Q. All right. And -- excuse me. How would you describe your  
16 overall health in terms of excellent, good, fair, poor?

17 A. I'd say between excellent and good.

18 Q. Okay. And did you have -- you're required to hold a medical  
19 clearance still, right, as a supe, so you -- did you have a  
20 medical, a valid medical clearance on the day of the event?

21 A. Yes.

22 Q. And do you have any waivers, restrictions, or limitations to  
23 your medical clearance?

24 A. No, I do not.

25 Q. And do you have a requirement to wear corrective lenses or

1 carry corrective lenses?

2 A. No.

3 Q. Okay. And were you taking any medications, prescription,  
4 nonprescription, over-the-counter on the day of the event?

5 A. No.

6 Q. Was drug or alcohol screening performed as a result of this  
7 event?

8 A. No.

9 Q. Has there been any major changes in your health over the last  
10 year, good, bad, or indifferent, like lost 50 pound, gained 50  
11 pounds, had a surgery, had a pin put in my arm, anything big like  
12 that?

13 A. No, I just had -- I did have a surgery earlier in the year,  
14 gall bladder.

15 Q. Okay. And did it affect -- how did it affect your work?  
16 Were you able to return to work --

17 A. Yeah, I just took --

18 (Cross talk.)

19 MR. OLIVO: -- 2 weeks on medical leave of absence and  
20 then --

21 MR. SOPER: Okay.

22 MR. OLIVO: -- came to work.

23 BY MR. SOPER:

24 Q. Very good. And when was that during the year, you said?

25 A. May, I believe.

1 Q. Okay. I'm not going to put that in --

2 A. Yeah.

3 Q. -- the report. So any major changes in your personal life in  
4 the last year, good, bad, or indifferent, got married, got  
5 divorced?

6 A. No.

7 Q. Adopted a child, anything. Okay. And how about last one,  
8 similar, major changes in your financial situation last year, won  
9 the lotto, filed bankruptcy --

10 A. No.

11 Q. -- big things? Okay. This one's a little tougher,  
12 especially because some time has elapsed since the day of the  
13 incident, but I would like you to try to think back, and what I  
14 want you to do is I want to step you through the 72 hours leading  
15 up to the time of the event.

16 A. Okay.

17 Q. I'm going to work you backwards because that seems to be an  
18 easier way for some people to work, is to start with the event and  
19 go backwards, especially when there's been a gap. So I know the  
20 event happened on a Friday evening.

21 A. Um-hum.

22 Q. Do you remember what shift you were working, would that have  
23 been -- what time did you come in for work that day?

24 A. At the 2:30 shift, if I recall correctly.

25 Q. Okay. Is that -- I mean, how early did you arrive for work

1 (indiscernible) for you?

2 A. I'm not exactly sure that day, but I know at the late shift  
3 that I was scheduled, I normally try to arrive between any time,  
4 15 minutes before my shift.

5 Q. Okay. And prior to starting your shift and coming in to  
6 work, what were you doing that day, on Friday, early in the day?

7 A. On Fridays, normally, that's like Monday, I just normally do  
8 housework, whatever my wife has in store for me that morning.

9 Q. I know that, yeah. Do you remember what time you woke up in  
10 the morning, roughly?

11 A. Normally, on my first day I wake up a bit later during the  
12 day, like 9:30 to 10:00 a.m.

13 Q. Okay. And do you recall when you would've went to bed the  
14 evening before on Thursday night?

15 A. Thursday night, normally it would have been eleven-ish, you  
16 know, 11:00 at night or so.

17 Q. Okay. And on Thursday, what did you do during the day before  
18 you went to bed? Did you work that day?

19 A. No. Well, I don't believe I had overtime, I don't recall.  
20 But it's a normal Thursday, it's (indiscernible) I normally try to  
21 do some activities, either I have work at home to do or I try to  
22 go out and kayak as much as I can and stuff like that. I know I  
23 had to go out to church that night.

24 Q. Okay.

25 A. Thursday night.

1 Q. On Thursday night?

2 A. Yeah.

3 Q. Okay. And again, what time do you think you woke up that  
4 morning on Thursday, again, it was an off day?

5 A. It was kind of the same thing, like nine-ish, 9:00 a.m.

6 Q. Okay. And going back to Wednesday night now, what time do  
7 you think you made it to bed that night, do you remember, did you  
8 work that day?

9 A. I don't remember if I had overtime as soon as that, but  
10 normally, he gives a pretty decent amount of overtime on RDOs but  
11 I'm not sure of that week.

12 Q. So Wednesday and Thursday are your normal RDOs?

13 A. Those were my RDOs, yes.

14 Q. Okay.

15 A. But normally, the same, kind of the same schedule, wake up at  
16 9:00, do stuff around the house, try to go out grab kind of lunch  
17 or dinner with my wife.

18 Q. Okay. So over that -- it sounds like over that course of  
19 those 72 hours leading up to the time of the event, it was pretty  
20 much normal daily routine --

21 A. Yeah.

22 Q. -- any other week. Nothing stands out to you as anything  
23 that would've been kind of a wrench in the spokes of life, so to  
24 speak, like oh, actually, you know, my -- you know, I had a child  
25 sick or my wife was ill and, you know, I was up late at night or,

1 you know, a friend of mine had a car accident and we were -- you  
2 know, we went to see him, anything like that, that was --

3 A. Yeah --

4 (Cross-talk.)

5 BY MR. SOPER:

6 Q. -- you know, threw a wrench in things? Everything seemed to  
7 be pretty normal? You ate normally, you felt like you had good  
8 rest, all that stuff?

9 A. Yeah.

10 Q. For you, how many hours of sleep do you need to feel rested,  
11 what is your -- what is your number, basically?

12 A. I try to get anywhere between six and eight, that's kind of  
13 my sweet spot.

14 Q. Okay.

15 A. On my RDOs, I try to get a bit more.

16 Q. Okay.

17 A. Usually nine hours.

18 Q. And you feel like you were getting that --

19 A. Yeah.

20 Q. -- you know, over that time frame? Okay. Okay. And so did  
21 you file an ATSAP as a result of this incident? I know you're a  
22 supe, so I mean, sometimes it's where we get different answers,  
23 but --

24 A. No, I did not.

25 Q. Okay. And have you ever been -- have you been interviewed

1 about this event prior to now besides your in-briefs that you had  
2 with the FAA and the attorney?

3 A. No, just my upper management, the next day, just trying to,  
4 you know, kind of piece the events together --

5 Q. Right.

6 A. -- and see what was going on.

7 Q. Okay. And have you had an opportunity to review a replay of  
8 this event?

9 A. Yes, I did see it.

10 Q. Okay. Did you see audio and video, like, was it a SATORI,  
11 did you see a maintenance replay or both or --

12 A. Just the FB4 (ph.) --

13 Q. Okay.

14 A. -- replay.

15 Q. All right. And how long ago was the last time you observed a  
16 replay of it, roughly?

17 A. I think it was like 2 weeks ago.

18 Q. Okay. And so when you took the OMIC that day, did you -- I  
19 assume you relieved an OM and an OS, is that right? Is that what  
20 you were doing at that point or were you already the OS and you  
21 just slide over to OMIC with the OMIC leaves?

22 A. Yes, normally, on -- on that day, the OMIC leaves like early,  
23 early afternoon, so it was the OMIC position was combined with the  
24 OC (ph.) throughout my shift.

25 Q. Okay.

1 A. And I believe I had CICs on the operation and I was the -- I  
2 was the only supervisor that night.

3 Q. Okay. So was a relief briefing conducted with the off-going?  
4 So the off-going was a combined OMIC/OS, also? Or was it just --

5 A. I don't recall who --

6 Q. -- or was it just an OM and you had CICs?

7 A. No, I think it was a combined OS, as well.

8 Q. Okay.

9 A. On the OMIC. I don't recall exactly who it was that I  
10 relieved, but -- but typically --

11 Q. Okay.

12 A. -- it's an OS --

13 Q. All right.

14 A. -- that is doing the OMIC duties in the desk.

15 Q. And did you get -- did you do a position relief briefing when  
16 you did that or --

17 A. Yeah. Yeah, we normally do that.

18 Q. Okay. Was it recorded?

19 A. I don't recall if we recorded it that day. I can't say for  
20 sure.

21 Q. Do you normally record them as --

22 A. Yeah, normally --

23 Q. -- as an on-supe position?

24 A. Yeah, normally we do record them.

25 Q. Okay. Do you guys have a checklist you use for the supe --



1 A. Yes.

2 Q. --that's different? Where is that located at?

3 A. Well, we do have a checklist at the OMIC desk.

4 Q. Okay.

5 A. We do have one kind of underneath the keyboard.

6 Q. Okay.

7 A. And at the OS position, we have one that'll go to the  
8 speaker --

9 Q. Okay.

10 A. -- between the two ARTS monitors.

11 Q. So when you came in at 2:30, did you staff immediately from  
12 the OMIC desk or did you work down at the supe workstation at all  
13 or did you remain at the OMIC desk the whole time you were there?

14 A. Don't recall exactly what position I worked that day and  
15 during the -- the early part of my shift.

16 Q. Okay.

17 A. But it's one of those positions, either the operations  
18 supervisor or the OM, it all depends on the staffing that day  
19 and --

20 Q. Okay.

21 A. -- whatever is going on, what it was.

22 Q. All right. So based on your recollection, so I know you  
23 weren't working the event directly, you were supe-ing, so --

24 A. Yeah.

25 Q. But now that you've had an opportunity to review and replay

1 the event, I imagine you've talked to either controllers and  
2 management or both about the event and there's been some  
3 discussion. When you look at the event and what you see from it,  
4 on a scale of one to five, five being the heaviest, how would you  
5 rate the traffic volume at the time of the event for that combined  
6 sector down there?

7 A. Traffic-wise, I think it might've been three --

8 Q. Okay.

9 A. -- combining -- you're asking just approach?

10 Q. Yeah, just approach.

11 A. Yeah.

12 Q. The approach side, combined.

13 A. Combining 015 and Sector 7, about a three.

14 Q. Okay. And do you feel that was average, normal, for that  
15 time of night and that day of shift, what you expect volume-wise?

16 A. Yes, it's average.

17 Q. Okay. Similar question, on a scale of one to five, five  
18 being the most complex, how would you rate the traffic complexity  
19 at the time for the position?

20 A. Complexity, I'd have to go with four.

21 Q. Okay.

22 A. Four, four-ish, teetering to five, that complexity level.

23 Any time you have an emergency, an aircraft-declared emergency, it  
24 just adds complexity.

25 Q. Okay.

1 A. And that's what we had in that sector just prior to the -- to  
2 us getting information about what was going on with 13384.

3 Q. Okay.

4 A. At least, from my side, point of view, it was more complex at  
5 that moment, also for the supe, because now I have to call a DEN  
6 and I have to do an MOR and stuff like that.

7 Q. Okay. And that answered my next question, so that would've  
8 been more complex than average or normal --

9 A. Yes.

10 Q. -- from what you'd expect, so -- so do you recall, outside of  
11 the emergency itself, were there any other distractions at or  
12 leading up to the time of the event that you recall? These could  
13 be anything from climate in the control room to controllers not  
14 being -- rotating when they should or you were having equipment  
15 issues or there was other emergencies that you were trying to get  
16 done or an MOR that had to be filled out or anything that may have  
17 come up, lost COMM aircraft, anything that would've been a -- that  
18 could've been a distraction to the operation that you recall  
19 during that time.

20 A. Operational distractions were ongoing at the sector, but  
21 again, operational distractions meaning the emergency on the  
22 JetBlue 275 medical emergency, also there was some issue with  
23 hear-back/read-back from a flight in that sector that couldn't get  
24 the altitude correct. From my point of view, as a supervisor, my  
25 operational distraction at the time is call the DEN, head down,

1 calling, looking for the number at the -- under the Plexiglas for  
2 the DEN, calling them and then going through the motions, so I  
3 think (1) to get to the DEN and reporting to them the MOR, the  
4 medical emergency. Actually, also asking -- asking, in that case,  
5 Barry, if he had any more information on the passenger, if they  
6 had medical assistance aboard, because that's stuff that the CEDAR  
7 asks you, do they have medical assistance.

8 Q. All right.

9 A. So it was unknown, we didn't have that information, and they  
10 had -- the pilot said that they had relayed through the company  
11 that they needed, you know, assistance on the ground at their  
12 gate, so I believe I just forwarded that information that Barry  
13 give me to the DEN --

14 Q. Okay.

15 A. -- that they had and -- yeah. So then the -- after I called  
16 the DEN, then I moved into going into CEDAR, filling the MOR for  
17 the JetBlue.

18 Q. Do you guys have a -- do you guys have an emergency checklist  
19 or binder that you use when you have an emergency like that, that  
20 you need to go through where you make notifications and mark it  
21 down or --

22 A. We do have the binders next to the monitor, but normally for  
23 emergencies like that, we do have a -- like a cheat sheet --

24 Q. Okay.

25 A. -- saying, reporting on --

1 Q. Okay.

2 A. -- medical emergencies or change in destinations, stuff like  
3 that.

4 Q. Okay. Do you remember the general weather conditions in the  
5 area where the -- this would've occurred in approach over there  
6 between St. Thomas and the mainland, the main island here that  
7 night? When I say was there precip in the area, were there low  
8 ceilings, was it generally or predominantly VMC, IMC, were there  
9 any weather advisories out that you can recall, had you received  
10 any information on anything weather related that was concerning or  
11 any of that kind of stuff?

12 A. To my recollection, we didn't have any SIGMETs within that  
13 area or any significant weather advisories within that R7 area.

14 Q. Okay.

15 A. So I did not see any -- any weather phenomenon out of the  
16 ordinary or -- and I believe I didn't even see any of the weather  
17 colors that normally trigger once you do an oversight --

18 Q. Okay.

19 A. -- and you kind of look over to see the weather.

20 Q. What does trigger you on that? I think you just kind of  
21 brought up a good point, I'm kind of curious, like how do you --  
22 how do you monitor from back there, I mean, what's the main things  
23 you use to -- for weather and stuff?

24 A. Well, actually, we're supposed to, every hour, you know,  
25 whoever's in the OM position has to go through each position,

1 getting the strips for the traffic count, which I was -- I was  
2 doing that.

3 Q. Oh, you physically go to the positions and pick them up?

4 A. Yeah.

5 Q. Oh, okay.

6 A. So once I do that, I walk through, because I have to walk  
7 through every position and I kind of look at what's going on in  
8 each sector and that happens every hour.

9 Q. Okay.

10 A. And then once I go through, I normally kind of scan how's the  
11 D side doing, how's the R side doing. If there's weather in the  
12 sector, I'm like hey, we should -- if there's a CIC, which  
13 probably we're splitting that, see the weather out there, so I  
14 have to go through -- in that case, it was just R4 and R7 that  
15 were the only ones open, so I'm like getting the strips for the  
16 final count for the night.

17 Q. Um-hum.

18 A. I didn't see any significant weather out of normal or  
19 anything that went by.

20 Q. Okay. And I know you don't have requirements to do the  
21 pre-duty weather briefing as other facilities do right now based  
22 on you guys being kind of separated down here and stuff, but what  
23 do you do -- I mean, we still have the requirement to prepare  
24 ourselves for the weather and watch whatever, according to 7210,  
25 but what do you do to prepare yourself and/or your team for any

1 weather conditions that may be going to impact operation during  
2 the course of your watch, what kind of -- what kind of resources  
3 do you have, what do you look to, what's your kind of, you know,  
4 plan to see okay, do you just look at the scope, do you just go  
5 off what the last person told you, you know who you're getting a  
6 position brief from or do you access any websites or information  
7 or --

8 A. In the terminal, we have the -- those big TV monitors that  
9 display the weather all day.

10 Q. Down at the end?

11 A. We have two, we have -- at the end and one on top of the  
12 lockers, next to the brief room.

13 Q. Okay.

14 A. So that was closer to the OMIC side, but I don't really  
15 (indiscernible) that one more, and we also have that same screen  
16 that projects on the TVs, we have that next to the TML and TMS  
17 computer. So that's -- I know they update that and I go over  
18 there and select the center overlay so people can see where the  
19 weather is at, sort of display on the TVs the center overlay and  
20 how the weather's affecting and if we get any SIGMETs through the  
21 area, it will show up there as a red square --

22 Q. Yeah.

23 A. -- and it will prompt me to go and look for those SIGMETs and  
24 print it out and, you know, kind of make sure everyone gets in the  
25 sector so they can start disseminating SIGMETs.

1 Q. Okay.

2 A. So that I use, I use that as my main source of getting a feel  
3 for what the weather's going to be like because you can see it  
4 moving in from the Atlantic Ocean and you can kind of plan for  
5 that day, "oh, I think we need to split that sector when that  
6 weather moves in" and stuff like that.

7 Q. Okay. And do you recall, on that day, did you have a  
8 cellular phone or PED on you at the time when you got --

9 A. I believe -- yeah, I believe I had my phone.

10 Q. Okay. And was that -- was that on or was it -- is it off  
11 when you're in the operation or how do you --

12 A. Normally, it's -- I normally have it on or either it's in the  
13 supervisor's office or it's on me, I think I had it.

14 Q. Okay. And let's see, how were you made aware of the event,  
15 who notified you that there was a problem?

16 A. Normally at night, they have -- they have the operation on  
17 speakers --

18 Q. Um-hum.

19 A. -- they use a handset, so you can get a feel for normal  
20 operations, normal tone of voices --

21 Q. Yeah.

22 A. -- normality in the operation as to whether something that's  
23 out of the ordinary. So I remember as they're doing a -- as  
24 they're doing the positional leave briefing, Josh is standing  
25 there asking Barry for the briefing, a stuck mike, there was a



1 stuck mike situation as Barry was trying to -- and that combined  
2 with what I heard, potential stuck mike, and I was like that, you  
3 know, kind of -- I was kind of stretching stuff but I looked  
4 over.

5 Q. Okay.

6 A. And then I'm counting strips and trying to do the -- call the  
7 DEN and try to do the MOR, I'm trying to do all my duties and that  
8 kind of perked up, like stuck my -- is everything okay over there,  
9 didn't hear anything else. Barry takes a break, Josh is on, and  
10 that's when I hear Josh, Number 1, 3, and 4, et cetera, et cetera,  
11 contact lost, reset.

12 So at that point now I'm kind of like what's going on, now  
13 Barry's walking towards me and he's telling me like, yeah, we're  
14 looking for that guy, 13384, so that's -- that's when I heard, it  
15 might've been a few minutes after.

16 Q. Okay. And did you, I assume -- you were saying earlier you  
17 were doing some upward reporting, you had to call the DEN and  
18 such. Did you call the XO or the ATM, either one, did you make a  
19 notification to them or --

20 A. They called me. My first call was the Coast Guard.

21 Q. Okay.

22 A. And it was approximately about 10 minutes after, 10 to 12  
23 minutes after, they couldn't get them and I was like well, this is  
24 not normal, we're in a contact lost situation because normally we  
25 have a few flights out there. With the radar being the way it is,

1 sometimes you get a dropped, a dropped aircraft here and there,  
2 the coast status --

3 Q. Um-hum.

4 A. -- and they normally tagged up later on. After a few minutes  
5 it's like, all right, we're not picking him up, we can't see this  
6 guy, he's not responding, I'm going to call the Coast Guard. So I  
7 call the Coast Guard and -- to try to get that -- to try to get  
8 that going, the search and rescue, at that point. So that was the  
9 -- my initial reaction was just call them, get that going. And  
10 then I started doing everything else, I called the DEN first to  
11 advise of the aircraft --

12 Q. Okay.

13 A. -- and then that's when I noticed the MAZE (ph.) 1-2 flight,  
14 the U.S. Customs flight, that was going to St. Croix and I saw  
15 that on the little situation display we have at the OMIC desk,  
16 because I had scanned into -- zoomed into the approach, just to  
17 see, you know, if we could see that aircraft land or picking up  
18 the (indiscernible), trying to help assist, from my point of view,  
19 see if I could see, like a limited data block or anything out  
20 there.

21 And then I saw the MAZE, which I had seen during the night  
22 because he was kind of in the way all night for the arrival push  
23 and the controllers are asking like why is this guy here in the  
24 middle and I actually, I told them like to ask him, see if he can  
25 move because we have a big push and I remember the controller

1 asking the MAZE if they can move and they're saying no, we're over  
2 activity right now, we need to be here, so -- so he was kind of in  
3 the way the whole night and then as he's making, making the way  
4 south towards St. Croix, that's when I see him and I told Josh to  
5 turn that MAZE, turn him and he'll help us, he'll help start the  
6 search and rescue, they got equipment on board for that, and just  
7 to explain the situation, I'm sure he'll assist and that's what he  
8 did. So that was my -- you know, I was kind of focusing on trying  
9 to get that going.

10 Q. Okay.

11 A. But once I had that going, I had the MAZE on route, the Coast  
12 Guard was notified, and I started moving forward with the outbound  
13 and that's when Michael Lees called and I finished doing that. So  
14 that's kind of the way that timeline broke regarding -- regarding  
15 my upward reporting.

16 Q. Okay. I normally would ask you to kind of tell us a story,  
17 but you've kind of done that, I don't want to make you repeat a  
18 lot of that, that was good information. So I'm going to get right  
19 into some questions regarding this, but -- and I'm going to take  
20 you first, actually, just to a retrospective question, which is  
21 since the event and you had an opportunity to see the replay and  
22 actually look at things from, you know, that point of view, did  
23 you look at the maintenance replay at all, the one that was played  
24 back on the -- on the actual scopes --

25 A. No.

1 Q. -- that's being played back, so just this, just the SATORI or  
2 whatever?

3 A. No.

4 Q. Okay. Let me just ask you, the event itself, does it  
5 surprise you that this occurred? This way?

6 A. It is a surprise, I mean, having been here for almost 18  
7 years, I've never -- never been a part of like an aircraft  
8 accident. I know they've happened, but not -- they've never  
9 happened on, you know, my shift or shift I was associated working  
10 with. So to me, it's surprising, you know, normally, you know, we  
11 don't have that, you know, have stuff like -- at least happening  
12 in my shift or the time I've been here in San Juan.

13 Q. Okay.

14 A. For the most part, we've had a few accidents that I remember,  
15 but it's a little more surprising because it's out of the  
16 ordinary, almost never happens.

17 Q. All right. I want to talk to you about the weather stuff for  
18 a minute. You have a really good perspective because you've been  
19 on both sides, you're on the en route side and you've done the  
20 terminal side and this is good. So I'd like to understand a  
21 little bit better, do you know why you -- the decision was made,  
22 whenever it was made, and I don't know, it might've been before  
23 your time or whatever, that you only display heavy and extreme  
24 precip on the terminal side, why they don't display moderate as  
25 part of that display, was there a particular reasoning for that,

1 that you're aware of?

2 A. That I'm aware of, no. It's always been basically, you know,  
3 written there in the SOP, but why they came up with that decision  
4 or who came up with that, I don't -- I don't have that  
5 information.

6 Q. So do you remember, as the supe or when you were working on  
7 the terminal side as a controller, did you ever toggle on your  
8 moderate and light precip at any times or did you pretty much just  
9 stick with what was required to be, you know, monitored or  
10 required to be displayed and use that?

11 A. Personally, I depict light, from light (indiscernible).

12 Q. Why do you do that? And that's personal preference.

13 A. Yeah.

14 Q. But what is your reasoning for it?

15 A. My reason is just, I just want to know what's out there  
16 and --

17 Q. Okay.

18 A. And I'll share it and if the pilot feels he needs to deviate,  
19 well, do it. If you don't -- if they tell me no, it's  
20 (indiscernible), okay. Whatever, you know. I'll let them make  
21 the choice.

22 Q. That's good.

23 A. I just like to give them as much information as I can from my  
24 side and have them make the ultimate decision.

25 Q. Okay. So do you feel that that's -- do you even know, I

1 mean, do -- have you seen other controllers that follow that  
2 practice here, does that seem to be something that you've seen  
3 others do, not even supe-ing and see a little bit or do you not  
4 really --

5 A. No, I haven't -- I don't know if anybody else does it, that's  
6 just my -- my preference. I know I've told my few trainees I've  
7 had, you know, to me, it seems like good practice or a good  
8 technique.

9 Q. That's good.

10 A. But it's -- again, it's technique, you know, certainly we  
11 don't force anything, we just --

12 Q. No, I get that. Yeah, absolutely. So I do have some  
13 curiosity, so from the supe -- we were in there the other day and  
14 we looked, not from the supe desk, from the OMIC desk.

15 A. Yeah.

16 Q. We noticed you have the slaved radar display --

17 A. Um-hum.

18 Q. -- right? What is that slaved off of, which scope in there?  
19 Are you slaving it off the combined position at the end? What I  
20 mean by that is whose weather are you seeing there?

21 A. Well, you can select, you can toggle the weather there.

22 Q. You can, right from that station?

23 A. Yeah.

24 Q. Okay. So on that --

25 A. You can also work like ranges and zoom and move it around.

1 Q. Oh, okay. I thought it was strictly a slave from one of the  
2 other scopes, evidently. All right, so that's good. So do you  
3 remember on that night, did you -- did you keep -- did you have  
4 any other weather selected? You said you often do that. Did  
5 you --

6 A. On that -- well, I zoomed in. What actually happened, I was  
7 zooming in our weather --

8 Q. Um-hum.

9 A. -- so I get a position on the JetBlue 275, trying to see  
10 where he was at.

11 Q. Okay.

12 A. That's when I noticed he was kind of close and I needed to  
13 call, call the tower or advise him or call the DEN and that's when  
14 they said oh, they would pass the information. But I was zooming  
15 in to see where's the emergency, how much time I have before they  
16 could abort.

17 Q. Got it.

18 A. So I wasn't -- once you zoom in, you lose perspective of  
19 satellite or a setting because now you -- we don't have two -- it  
20 would be good if we had a bigger monitor, I guess --

21 Q. Okay.

22 A. -- to display, you know --

23 Q. For the supe?

24 A. Yeah, for the supe because it is kind of small, you know, you  
25 want a monitor like both sectors, like satellite and R1 and 5, so

1 a bigger display would help me, at least, in my old age.

2 (Laughter.)

3 MR. SOPER: That wasn't a very big monitor. It wasn't a very  
4 big monitor, anyway.

5 MR. OLIVO: Sometimes I zoom in, just to try to get the --  
6 you know, because of the clutter on there and stuff, so -- so a  
7 bigger monitor would definitely --

8 MR. SOPER: Okay.

9 MR. OLIVO: I mean, once they glance over there and pick up  
10 stuff, you know, the (indiscernible).

11 (Noise interference.)

12 BY MR. SOPER:

13 Q. All right. So another question regarding the terminal side,  
14 so the current setup over there, and we talked to, you know, Barry  
15 and Josh both about this flight data, that DIO (ph.) input, as  
16 well as the printer, okay. So it's not optimal, it doesn't seem  
17 like down there at the end on that night, the configuration, they  
18 actually have to leave their workstation, kind of, or you know,  
19 whatever to go back and pick up strips or to make any amendments  
20 if they're going to have to make amendments.

21 So do you know why -- we understood that they -- during  
22 COVID, you guys actually had terminal out on the -- with the  
23 scopes, as well as the printer. What was the genesis of taking it  
24 back there and not leaving any accessibility to that mid-watch  
25 configuration over there, do you know?



1 A. I believe it had to be with the ATAs, the air traffic  
2 assistants, going back to the operation and that's their  
3 workstation.

4 Q. Okay. The ones that work in that flight data cubicle?  
5 That's another question I had, actually, so have they always been  
6 -- do they -- have they always closed at night?

7 A. Yeah, I believe the -- I believe the latest, the latest area  
8 is like at 9 o'clock.

9 Q. Okay.

10 A. Not always, I believe, back before my time, I heard that they  
11 would staff through the night, as well, but they had some other  
12 duties back then, but again, that was before my time so I really  
13 can't tell you exactly what times they worked, but I know in the  
14 past, they were staffed. I guess they had more staff back then.

15 MR. SOPER: Okay. All right, very well. All right, that's  
16 all I got for right now, I'm going to pass it along.

17 Jason.

18 BY MR. ALLISTON:

19 Q. All right. So you said you took the supe job September of  
20 last year, is that correct?

21 (No audible response.)

22 BY MR. ALLISTON:

23 Q. And then before that, you were -- how long were you a staff  
24 support specialist?

25 A. Twenty fifteen. When I was picked up, I believe it was

1 December of 2015.

2 Q. Okay. And so 2015 to 2022, so roughly 7 years, and how much  
3 of that time was spent in the QC shop? I guess it's QC training.

4 A. Yeah, about 4, about 4 years.

5 (Cross-talk.)

6 BY MR. ALLISTON:

7 Q. Okay. So you got a pretty good perspective on what the QC  
8 process in the facility is?

9 A. Yeah, normally, doing -- taking care of the MORs after the  
10 fact, when they shut up and do SATORI replays and the CDR data and  
11 (indiscernible) radar, create a SATORI and sending it off to QA  
12 and the lab for further, you know, position on the event, and  
13 briefing controllers, you know, stuff like that.

14 Q. Okay. So I'm just going to go through some different QC  
15 processes and just, as far as you're experience with, you know,  
16 how you used to do it combined with now, are you -- well, I guess  
17 I'll ask this question first. Are you still involved with the QC  
18 shop at all from the supervisor's perspective, like via collateral  
19 duty or anything like that?

20 A. No.

21 Q. All right. So in your experience, the ICV process, who  
22 completes the ICV review?

23 A. That was normally done with our office (indiscernible) the QC  
24 office support specialist there with the QC manager and they would  
25 bring someone out on that, as well --

1 Q. Okay.

2 A. -- to do the OICU (ph.). Then we would go through the list  
3 and --

4 Q. Okay.

5 A. And then (indiscernible). Something I've got in the back in  
6 my mind.

7 Q. So as part of going through that list, did you guys monitor  
8 the operation to get additional perspectives or did you just use  
9 OSA data to determine whether your ICV was compliant?

10 A. We do both. Well, we used to do both. We would do -- we  
11 would do OSAs. We had -- I can't remember the exact quota we had,  
12 but I know we had a quota, like we need to get this much OSAs  
13 done. So we did a bunch of those indirectly. Even though we  
14 don't have the full powers of the Falcon (ph.), we do have the  
15 quick listen function. So normally, the DOSAs usually use the  
16 Falcon on CEDAR, but then we did a majority, not a majority, but  
17 we did some physically in the control room, sitting at those far  
18 scopes, so you're in the operation monitoring whatever position  
19 (indiscernible).

20 Q. Okay. And at the time you were in there, you guys were still  
21 allocated two support managers at that time, right?

22 A. Yes.

23 Q. Who was the support manager over the QC training portion when  
24 you were there?

25 A. Michael Lees.

1 Q. Michael Lees?

2 A. Yeah. That was the last time -- the QC training I had, but I  
3 transferred over to plans and procedures and Eddie Harris (ph.)  
4 was my support manager for plans and procedures, I think.

5 Q. Okay. Some of this stuff is kind of old, but like, as far as  
6 -- if you don't want to talk, you don't want to talk. So when you  
7 went through the ICVs back then, was it pretty routine for you  
8 guys to mark some things off as noncompliant, low, medium -- I  
9 know highs are a little abnormal for ICV, but --

10 A. Yeah, there was some things that were marked noncompliant. I  
11 really can't recall exactly which, but I remember that we did have  
12 some, some noncompliance lows in there, but I really can't recall  
13 exactly which --

14 Q. Okay.

15 A. It's a ton of stuff.

16 Q. There's a lot of stuff, right, and it's -- this is more just  
17 for like a QC health check for like --

18 A. Yeah.

19 Q. -- how the program is operating and things like that. You  
20 already talked about OSAs as far as, you know, you had a quota for  
21 the facility. Do supervisors here do OSAs at all?

22 A. Back when I was in QC, the supervisors were required to do a  
23 certain amount of OSAs. I believe that is no longer the case, I  
24 don't think they're required to do OSAs.

25 Q. Do you know why?

1 A. You know, it's before my time. I mean, I can't mandate them.  
2 I asked them, "You're not doing this? All right." But I was a  
3 plans and procedures specialist when that was taken away, I think,  
4 so more or less not privy to it.

5 Q. And it may have been a staffing thing.

6 A. Probably was.

7 Q. So you ended up --

8 A. There were two supervisors at that time, I think.

9 Q. Yeah, if you're pretty thin on supes --

10 A. Yeah.

11 Q. -- it may have been just the way to reallocate that time.

12 A. Probably.

13 Q. So there's a requirement in the facility SOP for supervisors  
14 to monitor position relief briefings. How do you do that or do  
15 you do that on the regular?

16 A. I do. Again, as far as -- as far as my duties when I'm  
17 walking around and the flight strips are still -- I don't believe  
18 there's a relief brief going on. I normally had to purposely  
19 deliver in that area, so just to make sure that it's being  
20 conducted or if I see a -- we have a bunch of, you know, trainees  
21 and ASAICs, I just don't want them to pick up bad habits and  
22 stuff, especially helping them, making sure that they're briefed  
23 properly because sometimes, you know, they might see someone else  
24 not doing it, so how do you do it, finish that briefing or did you  
25 brief him, I kind of question them on that, because it's all

1 they'll know about that. So yeah, I normally do it when I'm with  
2 my (indiscernible).

3 Q. Okay. And so is the expectation to do it kind of in that  
4 method of as you go around the room, you hear one, you stop and  
5 you listen to it or is -- has there been an expectation to like  
6 log in and listen to a position relief briefing?

7 A. Not to my knowledge, that -- to plug in and listen to it.  
8 Normally, when I -- normally, when there's like busy periods, I  
9 would have those headsets that are the wireless headsets, so I  
10 don't need to plug those in, even if I'm going to deal with this  
11 and I monitor a few sectors, just to kind of get the feel of  
12 what's going on. Some briefings going on and then what you're  
13 monitoring, but mostly, when I monitor briefings, I do it when I'm  
14 walking around, kind of get a feel for what's going on in the  
15 sector.

16 Q. Okay. Excellent. All right, let me go into do you recall  
17 the last time the facility had an ECV?

18 A. I think it's over 2 years and I'm not sure when was the last  
19 one we had.

20 Q. So from other interviews, the last one we had was 2021.

21 A. Okay.

22 Q. So do you recall that there was ever an out-brief or briefing  
23 items or anything like that that came out of the ECV as far as  
24 what the facility was lacking in?

25 A. No. Not to my knowledge. There was one I can't recall at

1 the moment. Again, I wasn't --

2 Q. You would've been in the --

3 A. I was in plans and procedures --

4 Q. Right.

5 A. -- back then and so as far as my duties back then, they were  
6 relegated to basically printing match for the control and working  
7 with military operations, stuff like that. It would've been a  
8 wash practice for the eastern area operations up in Florida and  
9 supporting Miami there, so I was kind of doing my thing in the  
10 background.

11 Q. Yeah, sounds exciting.

12 A. Yeah.

13 (Laughter.)

14 BY MR. ALLISTON:

15 Q. Do you recall if there's been any CAPs recently in the  
16 facility?

17 A. Well, actually, the last CAP, I was -- I believe I was plans  
18 and procedures, I was in the QC back then, back in 2015 or 2016,  
19 and there was extensive (indiscernible) and we had a lost  
20 separation over the ocean and that was -- so the CAP was focused  
21 mostly on that. That was the last CAP I remember, I mean, being a  
22 part of (indiscernible). I used to do multiple briefings for that  
23 and a bunch of OSAs and we needed to do (indiscernible). Yeah,  
24 but that was a while ago.

25 Q. As a supervisor, what would you say -- how often do you get

1 briefing items from the QC department that's telling you like what  
2 the health of the facility is? Do you get something like when  
3 they complete ICV on the (indiscernible), do they put out a  
4 briefing that specifies these are noncompliant, one of those  
5 things that are your focus items, do they do something like that?

6 A. Most of the briefings are done via Team, so that's how we get  
7 information from them, from the back offices, it's done via Team.

8 Q. Okay. And have you ever attended a standup briefing? Either  
9 morning or evening is typically when they're done for the  
10 operation.

11 A. Not in a while. Staffing is an issue for conducting those,  
12 for those, you know, briefings. We used to have them through  
13 radio back when I started, 1 o'clock, but the staffing, I remember  
14 that kind of whittled down to -- I know the way I conduct those  
15 briefings now are when I do my monthly (indiscernible), I kind of  
16 let them know about, you know, kind of briefing them on stuff,  
17 more stuff and things they should be worrying about or looking for  
18 different PIREPs.

19 So anyway, I think that the -- so I just try to capture that  
20 during my monthly review. Actually, I know I try to do one with  
21 each employee on my team, you know, initially, they -- when I  
22 started as a supervisor, they were like is there something, what  
23 did I do wrong, I mean, we just start talking and stuff, but -- so  
24 I use the opportunity to brief them on stuff and that's about it.

25 Q. Okay. And you just, you try to aim for that monthly with



1 each employee?

2 A. Yeah.

3 Q. And are those mostly positive or do you sandwich in like some  
4 things to work on in there?

5 A. That's what I do, try to do positives things for the ASATCs  
6 and people to work on, as well. But you know, so far I've been  
7 lucky to have good employees and it's been mostly positive.  
8 There's just things, you know, (indiscernible) here and there  
9 or --

10 Q. Yeah.

11 A. -- (indiscernible) we did some stuff like that, just  
12 little --

13 Q. All right.

14 A. -- little documents, little tidbits.

15 Q. Yeah. And that's always the most effective thing is, you  
16 know, you did all the stuff right, just make sure, you know, touch  
17 on this little thing and it keeps drift away, right?

18 A. Yeah.

19 MR. ALLISTON: So I think that's all I have for now.

20 MR. SOPER: Okay, thanks.

21 Chris.

22 BY MR. ROSATI:

23 Q. So I guess I'll start right around where Jason kind of --  
24 with PROCs. So it sounds like you do a pretty good job of doing  
25 PROCs, I would say. Do you know if the other OS's in the building

1 are consistently doing PROCs on their employees?

2 A. Well, there's been an effort to get those numbers up, so I  
3 can't speak for them, to say, you know, what they're doing on  
4 their side, but I know there's been emphasis of getting PROCs  
5 (indiscernible).

6 Q. Do you have one OM in the facility right now, is that  
7 correct?

8 A. Yes.

9 Q. And does that OM do PROCs on any of the OS's?

10 A. Yes, yes.

11 Q. So moving on to like IDS-4, where typically do controllers  
12 review the IDS-4 before they take position? Is it, you know,  
13 typically at the supe's console or on the position itself, or  
14 maybe a secondary position next to the one they're going to jump  
15 into or does it vary?

16 A. They do it at Sector 8, from that sector, that'll bring that  
17 pretty much through this off-season period, so they normally see  
18 them through the IDS on that -- and that's separate. As far as  
19 the approach, there's kind of -- R5 is kind of a standalone, kind  
20 of the offload that we open in case R1 -- so that sector's fairly  
21 closed up, so they can go in there and (indiscernible).

22 Q. So can you run me through like the process of how you go  
23 through, as the OS, and update the information in the IDS-4 and  
24 what information does get updated in there?

25 A. Yeah, so we look for NOTAMs, on the NOTAMs that they

1 (indiscernible) for all the airports in -- within our airspace and  
2 we look for NOTAM information there, you know, look at averages,  
3 (indiscernible) closures, you know, stuff pertaining to the  
4 operation, and we use a NOTAMs file, you can put it on the AIS and  
5 it will take you to that page, St. Croix or (indiscernible), St.  
6 Thomas, runway closed from this time to this time, you know, stuff  
7 like that, so that will be on that NOTAM page, so that's something  
8 we update.

9 Q. Okay.

10 A. When we get stuff going down on the (indiscernible) the  
11 runway closures, closure is a 15-minute trail (ph.) or stuff like  
12 that, and we take that from the (indiscernible) and we put it on  
13 the flow (ph.) page, closures, 15-minute trail requests or  
14 (indiscernible) request.

15 If we have airspeed (ph.) operations, walk and watches, stuff  
16 like that, that goes on, I guess, the flow page, date and time  
17 frame, weather that's updated by flight data. So basically, what  
18 we update most is the (indiscernible) page, full (ph.) page, the  
19 service area active, what area is active, we update that, as well.

20 Q. So when flight data is not there, who inputs the weather  
21 information?

22 A. That would be the R7. Whoever's working that later position  
23 gets everything from flight data --

24 Q. Okay.

25 A. -- the flight data duties.

1 Q. Okay.

2 A. That's kind of what I mentioned earlier, to go -- go and get  
3 the weather.

4 Q. So they go get that information and then they put that in the  
5 IDS-4 or do they just keep it as, like, a strip or --

6 A. No, they have -- they go in and look for weather, anything,  
7 and they update the IDS.

8 Q. Okay.

9 A. Yeah, they have to be (indiscernible).

10 Q. How often do you update the IDS during a shift? As an OS.

11 A. It will depend on the weather throughout the Atlantic Ocean.  
12 Now, with all this weather around, Franklin and -- so during the  
13 summer months, we get all the hurricanes and tropical storms, it's  
14 pretty often because we're getting a lot of (indiscernible)  
15 closures and stuff from (indiscernible) and Miami, full requests  
16 from them. NOTAMs are normally -- we go in there like once or  
17 twice each day and then we get the information from the NOTAM page  
18 and we trickle it down to the AIS.

19 Q. So this is a little off topic, but say, for example, a small  
20 airport, non-towered airport, its runway closed, how does that  
21 information get to the facility and then get disseminated out to  
22 the controllers? Is that just something that you're constantly  
23 checking all the airports while you're updating the IDS or are you  
24 taking phone calls from somewhere else, that facility shut down  
25 its runway or something along those lines?

1 A. So it happens via either the NOTAM page, which we have a  
2 checklist that calls (ph.) us to check the NOTAMs a few times a  
3 day and normally, also, the plans and procedures office, they  
4 would also send e-mails to supervisors with the force authority  
5 issues and information regarding the airport, you know, and every  
6 day so-and-so is going to be working from this time or there's not  
7 going to be any lights on that runway, so that would go through  
8 the plans and procedures office and then disseminated to the -- to  
9 the controllers.

10 Q. Okay. And then back to the event day, do you remember any  
11 specific outages that were happening during that time, radar or  
12 radio outages?

13 A. I can't recall any.

14 Q. Okay. Are you a part of the local safety council at all?

15 A. I used to be when I started, but long time ago.

16 Q. So how would you feel the facility's, like, relationship  
17 temperature is as far everybody getting along, or is there  
18 animosities between approach and center or management and  
19 controllers or anything along those lines?

20 A. Well, for the most part, I think we get along fine. There  
21 might be a little animosity in there, but it's, I guess, normal  
22 now.

23 Q. So, for current training, you guys do your recurrent training  
24 two sessions per year and is the facility pretty good about  
25 getting everybody to those?

1 A. Yeah, they do a good job with it.

2 Q. And for like refresher training in the lab, do you feel that  
3 the refresher training that you guys get in the lab is pertinent  
4 to your everyday job and it prepares you for emergency situations  
5 like this one, particularly, or --

6 A. Yeah, the -- our controllers, yeah, they do a good job of  
7 bringing, you know, situations that are out of the normal, you  
8 know, left engine out, aircraft hijacks, stuff like that, or radio  
9 silence, radio failure, stuff, you know, stuff like that, that  
10 will lead into (indiscernible).

11 Q. And you mentioned that you worked center and approach side,  
12 so you stay current only on the approach side now?

13 A. Actually, no, they -- now they -- now we have to stay current  
14 on the center side.

15 Q. Oh.

16 A. They don't want (indiscernible) to do approach anymore.

17 Q. Oh. So when you were -- when you were a support specialist,  
18 did you also keep current as a support specialist?

19 A. Yes, I kept current, especially for the approach side.

20 Q. Okay.

21 A. And then when I transferred to be supervisor, now they keep  
22 currency on R6 and 4.

23 Q. Okay. So going back to the event again with the stuck mike  
24 issue, is it normal to have that sort of -- you know, that sound  
25 like a stuck mike or the static or like maybe a muffled

1 transmission, kind of like what they experienced that day?

2 A. Well, it didn't sound like a normal stuck mike on a  
3 frequency. This one sounded a bit different, I'm not sure why,  
4 but it -- the normal stuck mike, you pick up kind of like squeals  
5 close in the background.

6 Q. Yeah.

7 A. This one sounded a bit different, but it did sound like  
8 someone was keyed up --

9 Q. Um-hum.

10 A. -- with the background noises.

11 Q. Okay. So when you're working the OMIC desk there, you had  
12 mentioned calling the DEN, so the DEN line at this facility, is  
13 that not active 24/7?

14 A. It's not active, no.

15 Q. Can you recall the controller saying radar contact lost?

16 A. Yes. I remember, I recall Josh saying that.

17 Q. Is it normal to lose radar and aircraft in that area,  
18 generally, at the lower altitudes?

19 A. Yeah.

20 (Cross-talk.)

21 MR. OLIVO: There are some blind spots, something like that.

22 BY MR. ROSATI:

23 Q. Um-hum. And with those blind spots, like, do you typically,  
24 like, you get -- like you lose them for a couple hits or is it for  
25 a couple minutes or do you lose just the transponder and it's the

1 primary or --

2 A. Yeah, sure, but it's just a few minutes here and there, it  
3 will pop up eventually.

4 Q. Okay.

5 A. Especially when they're departing east of St. Thomas, like  
6 the BVI, the British Virgin Islands, out of -- you kind of lose  
7 them, you get them sometimes in there, you know, (indiscernible)  
8 and lose it for a few hits and then it will be back.

9 Q. And when you're working that desk, either the OS or the OMIC  
10 desk there, do you -- is there any equipment that you feel should  
11 be there that's not there that could help you do your job better  
12 or do you feel like everything that's there, other than you said  
13 maybe a bigger monitor --

14 (Cross-talk.)

15 BY MR. ROSATI:

16 Q. -- do you think there's anything else that could be there to  
17 help you do your job better?

18 A. Nothing I can think of.

19 Q. As the OS, do you conduct crew briefings, like, with your  
20 assigned crew?

21 A. Again, due to staffing issues, we're kind of limited on  
22 getting the whole team out for a team breakout or a team brief, so  
23 then I normally just target through to the op (ph.) sessions.

24 Q. Okay. So you had mentioned today like you may have a  
25 tropical storm in the area. When maybe a special weather event



1 happens in the area, like who is kind of leading the charge as far  
2 as getting people in the facility ready to -- for that weather  
3 event, like saying like okay, hey or grabbing people when they're  
4 coming and saying hey, there's a tropical storm in the area, this  
5 is what we're seeing today, you know, we're seeing a lot of  
6 moderate turbulence or severe turbulence in this area, their order  
7 is to shut down these routes or whatever, is that -- is that a set  
8 position or is that just something that happens kind of whoever's  
9 there --

10 A. Yeah.

11 Q. -- is just kind of taking charge just because?

12 A. Whoever's there. On the personal side, I try to get my  
13 employees ready if I'm here during the day and not assigned as CSE  
14 (ph.) or OS during my -- during the briefing, I'll let them know  
15 what's going on, kind of give them that operational knowledge that  
16 they don't have because they haven't been here, just let them know  
17 hey, this is going on today, bad weather's moving in, so just as a  
18 normal briefing, I guess, but we don't have like a standalone  
19 person that pre-briefs you and tells you hey, get your weather  
20 briefing, this is going on.

21 Q. Okay. Do you think the facility would benefit from getting  
22 some sort of pre-duty weather briefing or --

23 A. I agree, I think we would benefit from that.

24 Q. Are there any other like safety issues that you see as being  
25 maybe a systemic problem in the facility that are not being

1 addressed or maybe could be addressed?

2 A. No, I can't think of anything.

3 Q. You had mentioned that the OM -- so there's only one OM, so  
4 what -- is the OMIC working like kind of on Monday through Friday  
5 7:00 to 3:00 type schedule and then it falls on the OS's to work  
6 the OM desk?

7 A. Yeah, the EOM (ph.) is normally Tuesdays, Tuesday to  
8 Saturday, normally day shifts, and the SOE (ph.) -- the OS's are  
9 expected to work the OM position throughout, yeah.

10 Q. So when you're working that are any other OS's in the  
11 building or is it just you as -- you know, are you -- do you have  
12 somebody that can relieve you or you have to rely on a CIC in  
13 order to get you out for a break if you're working that position?

14 A. Yeah, if you're the only OM, the only supervisor in the  
15 building, then you have to stay at the OMIC desk, there's no one  
16 else to give you a break, so you --

17 Q. Yeah.

18 A. -- do one with the CICs and --

19 Q. Right. The CIC can't work the OMIC desk.

20 A. Yeah. That's it.

21 MR. ROSATI: Yeah. That's all I have, thank you.

22 MR. SOPER: Thanks.

23 Ruth.

24 BY MS. RUPNIK:

25 Q. All right. Do you guys have wireless headsets, pretty much

1 like one that you can walk around and still listen to positions?

2 A. We have two of them, one at the OMIC desk, one at the -- at  
3 the supervisor's desk.

4 Q. Okay. And tell me the difference between, say, when there is  
5 an OMIC on duty, an OM on duty, and you're performing as an OS  
6 versus at the desk as the OMIC, are you more involved with the  
7 operation when you're on the OS side of things or how is that --  
8 what's that (indiscernible)?

9 A. Yes, once -- if you're on the OSIC position, the supervisor  
10 in charge, yes, you are more involved in the operation, more like  
11 planning, rotation and planning, training and identifying, you  
12 know, when you need to split sectors, when you need to  
13 (indiscernible) and stuff like that versus when you're in the OM  
14 position, you're thinking more administratively, you know, in the  
15 sense of schedules and, you know -- and kind of taking care of the  
16 flow page and the NOTAMS and taking care of the strip counting,  
17 which has to be done hourly.

18 So every hour we have to go through each sector, pick up the  
19 strips and count them, so that takes you about 10, 15 minutes just  
20 to get through, you know, manually counting strips, so that's --  
21 most of your duty is doing that, just counting -- count strips and  
22 doing paperwork, so it does take away from -- from the overall,  
23 you know, situational awareness, maybe.

24 Q. Okay. It's already been asked in a couple different forms  
25 going on here. Recurrent training, do you do that with San Juan

1 Tower, so do they come here and you go there or do you guys all do  
2 it kind of separately?

3 A. I think, over the last few years, they have been working to  
4 getting together and doing recurrent training. Sometimes they  
5 come here, sometimes some of our people go there and so giving it  
6 a try working more jointly.

7 Q. Okay. How's recurrent received within the facility?

8 A. I think it's well received. With each reported (ph.)  
9 recurrent training, I used to be one of the national recurrent  
10 training leads.

11 Q. I did, too, that's why I'm asking all the questions.

12 A. Yeah.

13 (Laughter.)

14 MR. OLIVO: So I think -- I think it's well received. I used  
15 to teach it here for a long time. You know, it's one of those  
16 things that you have to make it relatable for the employees, you  
17 know, make it -- make it good for them, make it personal for them,  
18 make it -- so a lot of it has to do with who presents it and how  
19 it's presented, but for the most part, I think it's engaging and  
20 people like it.

21 BY MS. RUPNIK:

22 Q. And I know you've had that resource, you've had somebody over  
23 there that's been on the national team, she wasn't this year, but  
24 I worked with her a couple of years ago.

25 A. Yeah.

1 Q. So now --

2 A. You must have come to the team when I left.

3 Q. What's that?

4 A. You must have come to the team when I left.

5 Q. Yeah, I only did one round.

6 A. Okay.

7 Q. But it was a good experience. So I'm going to go over to  
8 PROCs now because as an OS, PROCs, that was a huge deal for me,  
9 that was something I was really passionate about, them being  
10 applied the way they were intended. I love the idea of your  
11 monthly check-in meetings as a way to, you know, get those  
12 mandatory PROCs in. Is that something that you personally just  
13 came up with as an idea, is it guidance that you received from  
14 your management, how did that play out and does everyone do that?

15 A. Well, having gone through the QC course in Oklahoma City when  
16 I went to task force specialist, they didn't mention that, you  
17 know, about literally going to IPM (ph.), but they mentioned that  
18 you're supposed to have, you know -- to be doing PROCs with your  
19 employees and the ratio should be like for every bad one, they  
20 actually have at least three good ones, you know, not just use it  
21 to harp on, you know, the negative things but also, you know, let  
22 them know that -- let employees know when they're doing well, when  
23 they're doing correct stuff. So from that, you know, from that  
24 course, I took that in -- as soon as I became a supervisor, I  
25 started doing that with all, you know, with my employees. I

1 believe I had two teams when I started. So yeah, I was just  
2 trying to -- after -- kind of noticed it for -- kind of watched  
3 everybody for about a month, that's when I started, you know,  
4 bringing them in and doing the -- the IPM portion there.

5 Q. Okay. So along those lines and also with your -- like in  
6 performance rating meetings --

7 A. Um-hum.

8 Q. -- all those check-ins and everything, how engaged are your  
9 employees in particular? Do they provide good upward feedback, do  
10 they feel comfortable, do they appear to feel comfortable  
11 expressing concerns, things like that?

12 A. Yes, I use that check-in with them and, you know, that  
13 conversation with them, you know, not -- I don't do it like super  
14 formal, just to have them engage with me a bit more and I ask them  
15 -- I also -- I've actually given them a few times a form so they  
16 can, you know, kind of check these, all that stuff that I can do  
17 better and stuff, I could improve on, you know, they let me know  
18 and they're pretty honest about it, about, you know, the way  
19 things are and things that they wish could be better and stuff  
20 like that. Mostly, they complain about staffing, you know, but  
21 most controllers do.

22 Q. So have you had the opportunity to go OSW (ph.), yet?

23 A. Is that SIFI in --

24 Q. No, no. So OSW, all supervisors are required to take OSW  
25 once every 3 years and it's not typically something you would do

1 in your first year as a supervisor --

2 A. No, I've only been to the SIFI and the first year -- the  
3 first year and the operation supervisor --

4 Q. New manager course?

5 A. Yeah, new manager course. Yeah.

6 Q. Did you have the follow-up new manager course or just the  
7 one?

8 A. It was both in -- with the first week, SIFI, managers course  
9 next week in Oklahoma.

10 Q. Okay.

11 A. I haven't -- then I haven't taken OSW, to answer your  
12 question, yeah.

13 Q. And you did those all in person, right, you didn't do  
14 anything virtually?

15 A. No, those were in person. Yeah.

16 Q. Okay.

17 A. Beginning of the year.

18 Q. How effective do you think that those courses were  
19 individually and collectively in preparing you to take on a  
20 leadership role?

21 A. They did help me, a lot of soft skills in there, you know,  
22 how to manage -- you know, there was some good, some good examples  
23 and some good, you know, experience that was shared through those.  
24 So to me, it was -- that's mostly what I take from those, just try  
25 to get some, you know, actual, you know, experience from people

1 that have been there and done that and stuff like that. So it did  
2 help me in that regard, yeah.

3 Q. Okay. That's good, good stuff. How often do you have  
4 management team meetings here within the facility that all the  
5 OS's or as many OS's as possible get together with the OMs, ATM,  
6 XO or whoever?

7 A. I've been a part of two meetings, so far, since I've been a  
8 supervisor, it was -- last one was actually held in this same  
9 room, a few months ago. And I know they were getting ready to do  
10 one and this whole thing kind of put the brakes on that until once  
11 we're done, the lab, and I guess we'll have a lot more things to  
12 talk about. But yeah, I've been part of two of them, so far,  
13 within almost a year.

14 Q. Okay. There's one other -- just changing gears completely  
15 here, going more towards the training side. You, obviously, have  
16 been at this facility for a long time, you said you've worn  
17 several different hats during your time here. Your radar lab,  
18 DYSIM, I understand, is what you have?

19 A. Um-hum.

20 Q. How effective do you think that is as a training tool or as a  
21 refresher training tool for unusual situations?

22 A. I think it's -- it's pretty relevant, there's some relevant,  
23 you know, training that goes on there. It could always be more  
24 realistic, it could be -- it could be better. But as far as the  
25 scenarios that we run, I think they're pretty helpful and to



1 getting you to see stuff that you might not -- might not have been  
2 thinking about for the last year or so because it's not part of  
3 our daily operation, you know.

4 MS. RUPNIK: Actually, I think that's all I have for now.

5 MR. SOPER: Before we start the second round, I'd just like  
6 to see if you need to take a break or anything.

7 MR. OLIVO: Just a quick bathroom break, is that okay?

8 MR. SOPER: Sure, yeah, absolutely. Yeah. We're going to go  
9 ahead and stop the recording and I show the time at 11:48 and  
10 we'll come back as soon as you're done.

11 (Off the record at 11:48 a.m.)

12 (On the record at 11:53 a.m.)

13 MR. SOPER: Starting the recording back up. I show the time  
14 at 11:53.

15 BY MR. SOPER:

16 Q. Okay, so I just have a few piggyback questions here that I  
17 wanted to ask, going right back to type of event stuff. So I know  
18 when Jason was asking you questions about standup, I got the  
19 feeling like maybe we were on two different tracks there, so when  
20 I think of standup briefing, I'm thinking about standup briefings  
21 that you have in a traditional center, maybe, or some of the  
22 larger TRACONs do these, some of the smaller TRACONs do them,  
23 actually, I've seen them now, when we get together at the  
24 beginning of watch, maybe one in the morning, one in the evening,  
25 some of them do three for big operations, you know, where they

1 brief out certain things, usually the supe is there, traffic  
2 management is there, weather's there, if they got CWSU. Do you  
3 guys -- as we understood from our previous interview, they haven't  
4 been doing those in a while, is that true?

5 A. That is true.

6 Q. Do you recall them doing them in the past?

7 A. Yes.

8 Q. Okay. Do you know when they kind of went away?

9 A. I think after or during COVID.

10 Q. Do you think it's just something that didn't return, just  
11 inadvertently, kind of, because COVID, coming back from COVID was  
12 a lot of things trying to come back --

13 A. Yes.

14 Q. -- and this is just one of those that didn't pick back up?

15 A. I think it might've -- this is my opinion, but again, I don't  
16 -- I'm not sure why, but I think that's when it kind of stopped.

17 Q. Okay. So along those lines, then, since you're not having  
18 those standup briefings now, is there anything you do, as a  
19 supervisor, to -- I don't know, brief your watch team at all when  
20 things pop up like that or do you kind of do any ad hoc stuff like  
21 checking in when you get here, is there any place you go  
22 specifically to maybe get a flick on the weather, get the flick on  
23 what the traffic's going to be, get the flick on what to expect  
24 that day, and do any briefing or do you kind of leave that up to  
25 people to get good position relief briefings?

1 A. At my end, I do it by myself, I look at the big weather  
2 monitor we have and also look at the NTML log to see just what the  
3 traffic looks like --

4 Q. Okay.

5 A. -- where are the green boxes or, you know, we're going to get  
6 yellow, it could be in the red, and I try to brief whoever's --  
7 whoever's either the supervisor or CSE --

8 Q. Um-hum.

9 A. -- and I let them know hey, it looks like in about 2 hours  
10 we're going to be in the red in that sector, so I try to brief  
11 them on that. We don't have an STMC or a TMC position, so I kind  
12 of --

13 Q. Okay.

14 A. -- fill that gap when I'm doing the OMIC.

15 Q. Okay.

16 A. So yeah, I try to do that, give them that feedback if they  
17 haven't had it all day, just have them thinking that way.

18 Q. Okay. You mentioned that you had a checklist when you were  
19 talking about going through the NOTAMS for the day, that that's  
20 part of your checklist items of things you have to do. Is this  
21 checklist something that's electronic, is it a physical checklist,  
22 is it something that's below Plexiglas or --

23 A. This is just a physical checklist that we -- once we complete  
24 the task, we kind of put our initials next to it.

25 Q. You say that was some of the admin?

1 A. Yeah.

2 Q. Okay. And you feel like you do those pretty consistently?

3 A. Yeah.

4 Q. I mean, you guys keep track of those? Okay, good. And what  
5 other kinds of things are on there? So just, if you can kind of  
6 -- I mean, you might not be able to recite every one, but  
7 essentially, what kind of things are on that checklist?

8 A. In the morning we do the -- part of the checklist to go on  
9 the DD (ph.), so a TELCON in the morning with the -- you know, the  
10 whole region shows up and they ask, you know, what's the day going  
11 to look like and -- so that's part of one of the things on the  
12 checklist.

13 We also have the -- do the position watch checklist, have  
14 everybody go to Richter (ph.) and test the audio alarms, see if  
15 they work, like the conflict alert alarm and the -- you know, the  
16 -- I think we have three alarms in there. So we test those twice  
17 a day. We have to go to the WT (ph.) scheduler just to make sure  
18 that we've covered any requests for employees, requesting leave or  
19 requesting shift swaps or -- that's one of the things in there.  
20 Also, if there's -- yeah. Oh, check the NOTAMS.

21 Q. Okay.

22 A. So that's on there twice, at least twice a day. Check for  
23 SIGMETs, that's on there.

24 Q. Okay. So I think somebody might've mentioned this and I  
25 might not have captured it correctly, but during the night

1 configuration when flight data has gone home, somebody's got to  
2 fill in the weather and that's you? Does the supe do that?

3 A. No.

4 Q. Who does that?

5 A. The first controller.

6 Q. Okay. So that controller is also responsible to catch -- to  
7 go back and remember to pull the weather each time so that they  
8 can update the IDS and they update it for both sides --

9 A. Yes.

10 Q. -- is that what they do?

11 A. Um-hum.

12 Q. Okay. All right. And so you mentioned the big weather  
13 monitor, right, you mentioned that because I asked you a question  
14 about that. So when you were still working -- well, you are still  
15 working, right? You get ROO (ph.), en route side?

16 A. Yeah.

17 Q. Okay. All right. Well, when you were working the TRACON  
18 side, the terminal side, I noticed on there you don't have  
19 visibility of that big weather monitor from the position when  
20 you're sitting at it. How did you kind of keep track if there was  
21 weather in the area? What was your -- what was your means of  
22 being able to see that or get the weather, I mean, did you just  
23 get up and go around so that you could take a look at it  
24 occasionally or how did you --

25 A. Well, normally, once I would get -- you know, when you walk

1 into the control room and you turn right --

2 Q. Um-hum.

3 A. -- there are the controller boxes where they put their  
4 headsets --

5 Q. Yeah.

6 A. -- there's another big weather monitor there.

7 Q. Yeah.

8 A. So when I would go get my headset, I would kind of  
9 (indiscernible) to see what the weather was like --

10 Q. Okay.

11 A. -- and so that would give me, like, perspective, like oh,  
12 about to go in there, there's a lot of weather going --

13 Q. Okay.

14 A. -- going on. So I would use that one because on the approach  
15 side they like to see the aircraft that are coming inbound to them  
16 to see when they're -- they're going to get busy, that's why they  
17 have their big monitor --

18 Q. Okay.

19 A. -- on the center side, they like to see the weather side.

20 Q. Okay. Are you familiar with a product called the Oceanic  
21 Precipitation -- gosh darn, Capability? Oceanic Precipitation  
22 Capability?

23 A. Not to my knowledge.

24 Q. Okay, it's like it -- but I can't -- it would be similar to  
25 pictures, would look similar to --

1 (Background noise interference.)

2 BY MR. SOPER:

3 Q. This was actually the day of the event and the weather  
4 pictures look similar to that?

5 A. It kind of seems like the one we have, with the big screens,  
6 but not exactly the same.

7 Q. Okay. I was just curious, you probably would've known by the  
8 name. It is kind of a beta test program, Miami Center is one of  
9 the places that has that beta test, it's strictly a log-in, you  
10 guys -- you got to log in for this, to log in to this weather and  
11 see it. It's really good oceanic weather, it's a National Weather  
12 Service product, so we'll get you some information on that to see  
13 if that might be something you guys discuss as a management team  
14 or with the LSC or both and think about if that's a -- if that's  
15 something that would be useful to you guys as a tool here.

16 Our meteorologists brought that to our attention, so I give  
17 them some credit for that and, you know, they wanted us to make  
18 sure we mentioned that while we were out here. I have another  
19 question on a product I'd like to ask, do you ever have any  
20 interaction with the WFO out here, the National Weather Service's  
21 weather forecasting office in San Juan?

22 A. I've only been there once, even though they're right across  
23 from us. But Michael Lees, actually, when he was my manager, went  
24 over there --

25 Q. Okay.

1 A. -- to try to develop some sort of -- some sort of way if we  
2 could get some briefings for the controllers, stuff like that.

3 Q. Oh. What happened?

4 A. I think -- I'm not sure what happened. I wasn't involved in  
5 weather management meetings, but --

6 Q. Okay. About how long ago was that, probably? Like roughly.

7 A. About 2016 or something.

8 Q. Oh, okay, so it's been a while.

9 A. It's been a while, yeah.

10 Q. All right. Okay. So are you familiar with this product  
11 here? Did you ever see one of these come across?

12 A. Yes. Normally, we -- we've seen those. Also, the ATM does a  
13 pretty good job of sending those via e-mail when there's like --  
14 for example, now, with Franklin and stuff, he sends them to us via  
15 e-mail so we can disseminate.

16 Q. Who does?

17 A. The ATM, John --

18 Q. Oh, okay, so he's on the list somewhere for these -- and for  
19 the sake of the recording, we were looking at the decision support  
20 briefing that comes out of the San Juan weather forecasting office  
21 that talks about specific weather conditions for specific weather  
22 events. This one, for instance, was on -- what's the name of this  
23 one? Franklin. Yeah. So all right. Well, that's good, I'm glad  
24 you guys are getting those. So I hope, do you guys think you  
25 would benefit from a pre-duty weather briefing here for your



1 controllers?

2 A. Yes.

3 Q. Okay. I'm glad to hear you say that. How effective or how  
4 engaged has the LSC been here, that you're aware of?

5 A. It's been effective and furious (ph.). I guess some of the  
6 constraints on the LSC have also been due to staffing and having  
7 them been able to meet.

8 Q. Okay.

9 A. But they've -- they've had some success in some areas. But  
10 yeah, we could probably have them meet a bit more, too.

11 Q. Okay.

12 A. Yeah.

13 Q. I'll be honest with you, I -- you know, it's -- weather's  
14 kind of a near and dear to my heart thing with air traffic control  
15 and I've learned a lot about it since I've been here with my job  
16 now, but I wish I would've known when I was a controller, that  
17 I've learned from my meteorologists and from going around to these  
18 things and I think to myself man, the tools we could've had, had  
19 we known and had we understood.

20 So I hope that maybe you've -- you know, you've got a good  
21 thumb on the pulse here, you've been here a long time, I assume  
22 you have good credibility here in the facility because you've been  
23 around a while and people know you and look up to you and I mean,  
24 maybe you can get some traction with maybe the LSC or with  
25 management, even, to say hey, you know what, let's -- I know we're

1 exempt from this thing, but do we really need to write that  
2 exemption out, let's help our people out, right?

3 A. Right.

4 Q. Let's find a tool. I think you'll find if maybe you guys  
5 reached out to -- and we can help you with this, if you're  
6 interested, making that connection with the National Weather  
7 Service because our meteorologists back home are super passionate  
8 about this and they have friends in high places and they make  
9 stuff happen in the MET world where it's like wow, we never knew  
10 this product even existed and now you're getting it piped in  
11 directly, you don't have to buy new equipment or something like  
12 that, it's just something nobody knew was there, right?

13 A. Right.

14 Q. But they're willing to do that kind of stuff and our MET guys  
15 are willing to do some leg work to try to build those  
16 relationships so that you guys can talk, I mean, is that something  
17 you think --

18 A. That's sounds -- yeah.

19 Q. I know that you're a supe, you're not the manager or  
20 something, but I mean, as something, you're part of the management  
21 team, right? So --

22 A. Yeah.

23 MR. SOPER: All right, well, cool. I don't have anything  
24 else right now.

25 Jason, do you have any additional stuff?

1 (No audible response.)

2 MR. SOPER: Chris?

3 MR. ROSATI: No.

4 MR. SOPER: Ruth?

5 MS. RUPNIK: I actually do.

6 MR. SOPER: Okay.

7 BY MS. RUPNIK:

8 Q. So at the time of the incident -- I'm familiar with STARS, so  
9 I'm not familiar with --

10 A. Micro.

11 Q. -- Micro-EARTS. Do you have a keyword entry that would allow  
12 you to quickly get a lat/long when you lose radar contact with an  
13 aircraft?

14 A. We have to do a display unit function --

15 Q. Okay.

16 A. -- DU, DU function, and then spool and enter --

17 Q. Okay.

18 A. -- where you want it, which one's (indiscernible).

19 Q. Do you know if that was done in this situation?

20 A. I was given some lat logs (ph.) and obviously, that's how I  
21 got them, but I wasn't at the scope seeing how they got them, but  
22 that's probably how they did.

23 Q. Okay. Now, obviously, you got the Coast Guard involved right  
24 away, good awareness, knowing that they were in the area. Can you  
25 walk me through your facility procedures and what, as an OMIC or

1 an operations supervisor, you would do as far as upward  
2 notification, ALNOTs, contacting the ROC, any sort of timeline for  
3 any of that?

4 A. Yeah. I know that I need to contact the JSEN and then the --  
5 I think I contacted the DEN first. After that, that would've been  
6 with the Coast Guard and the MAZE, covered them, and then I  
7 started working on the ALNOT and being my first ALNOT, I missed --  
8 missed some (indiscernible) here and there and -- and after that,  
9 that's when, I believe, Michael Lees called and he advised me to  
10 call the JSEN and I called the JSEN afterwards. So yeah, my -- so  
11 the checklist, like, who to call and stuff, I have that now, I  
12 made my own, you know, make sure I keep that. Yeah, so that's --  
13 that's as far as that goes.

14 Q. You said there is a binder at the position with unusual  
15 situations. Is that typically pretty effective walking you  
16 through things like this or would you like to see some change?

17 A. Well, there could always be, you know, changes here and  
18 there, anything that can make stuff more accessible is always  
19 better. Yeah. So yeah, maybe definitely be a bit more user  
20 friendly. Yeah.

21 Q. And they're just in hard copy form, they're not in the IDS or  
22 anything?

23 A. Yeah, just hard copy.

24 Q. Okay. One more question, I promise this is the last one. So  
25 obviously, as a controller, you have to go through special

1 training to become a CIC. As an OS, is there an additional step  
2 to becoming OMIC qualified or is it just once you're qualified as  
3 a supervisor you're able to work that desk?

4 A. There's some additional over-training that -- more shadowing,  
5 shadowing someone that's been working the OMIC position longer and  
6 then asking questions, going through stuff.

7 Q. And do all the supervisors here go through that?

8 A. Yes.

9 Q. Okay.

10 A. But there is no like -- no like DYSIM scenario for like ALNOT  
11 entry, there's -- that doesn't happen, it's more like this  
12 happens, you -- this -- what you would do and -- but we don't  
13 practice it, it's just talking about it.

14 Q. All right, one more question. So in a situation like this, a  
15 relatively new supervisor, you said it was your first ALNOT, what  
16 would be your resource as far as okay, just help me make sure I  
17 checked all my boxes, would you call the ROC, would you call Miami  
18 Center, do you have that resource available to kind of walk you  
19 through something that you've not experienced?

20 A. Normally, the ROC we normally call, like just to ask for  
21 information regarding, you know, events. Yeah, but -- so that  
22 would be my answer, yeah, calling the ROC and having them, you  
23 know, help out with whatever question I have.

24 MS. RUPNIK: Okay. All right, I'm done.

25 MR. SOPER: All right. Any "by the ways" for you guys?

1 (No response.)

2 BY MR. SOPER:

3 Q. One last question for you. So in retrospect, looking back on  
4 this, you've seen the replay, you've thought about it, you've had  
5 some time to think about it, you're part of -- you said you're  
6 part of the CDR and the SSR, correct, at some point in there or  
7 were you not? QC manager was, I don't know if you said you were  
8 or not.

9 A. CDR.

10 Q. To cover that review.

11 A. No, I wasn't a part of that.

12 Q. Not part of that, okay. All right. Well, either way, you've  
13 had some time to think about this. When you look back on this and  
14 you're looking at it now, from the outside in just a little bit,  
15 and from the inside out, what are your take-aways from here  
16 regarding successes, failures, and lessons learned from this  
17 event? Was there an example of any successes that occurred  
18 throughout this evolution?

19 A. I think the search and rescue part started fairly quickly,  
20 within an hour, we had -- I knew the base could help, I didn't  
21 know to the extent that he could help. When he came out of that  
22 search area, you know, he mentioned that he -- that they did that  
23 10-mile expanding square search using infrared radar, so that was  
24 -- I was relieved that they did. I just asked them for help, I  
25 didn't know they were going to do like an actual expand and

1 search, so I was really glad that they were able to do that for us  
2 before the Coast Guard even got there. So I was really happy that  
3 we could get someone out there that was flying by that just  
4 happened to have all that equipment on board, so that was -- to  
5 me, that -- you know, they couldn't find anything, to me that was  
6 a big success in the sense that we actually had people out there  
7 with equipment looking for them, not just an aircraft over-flying  
8 and trying to see --

9 Q. Um-hum.

10 A. -- someone actually that could look for them, so that was a  
11 big, big success, from my point of view. Some of the things that,  
12 on the personal side that I can give on the administrative side is  
13 refine my upward --

14 Q. Let's not go to the improvement yet, I want to touch on  
15 something with that success thing because you're on to something  
16 and I want to know, have you shared that with anybody yet, the  
17 success of what you learned from that evolution with regard to the  
18 capability of that aircraft being able to help you in that  
19 situation?

20 A. I've talked to some controllers about it and a few  
21 supervisors, letting them know that -- you know, that these U.S.  
22 Custom flights, we have them pretty frequently in our airspace  
23 doing, you know, mostly law enforcement work and stuff, but they  
24 can help and search and stuff like this, you know.

25 Q. So this is a great example of a really super good tool that

1 you probably weren't aware of and now you have, that is imperative  
2 that you get out to your entire facility.

3 A. Um-hum.

4 Q. Whether you guys know what the appropriate vehicle is for you  
5 to do that, whether it's to toss it into an MBI, whether it's to  
6 toss it into a notice, whether it's to toss it into something or  
7 whether it's to reach out to those guys. Are they from out here?  
8 Are they in Puerto Rico somewhere?

9 A. Yeah, we have the -- use customs --

10 (Cross-talk.)

11 BY MR. SOPER:

12 Q. Have them come over, tell you all about it.

13 A. Um-hum.

14 Q. Okay. They'll be happy to and I guarantee that somebody will  
15 do it, they'll be happy to come over here and do it, give  
16 (indiscernible) in the tower at the same time, that's how we keep  
17 getting better, right?

18 A. Um-hum.

19 Q. All right, so moving on from the successes, let's talk about  
20 where you were going with maybe needs improvement or what failures  
21 that you identified.

22 A. Yeah, the personal side, you know, upward reporting, you  
23 know, refine that, make it quicker, make it --

24 Q. Okay.

25 A. -- make it better, you know, sooner rather than later, in



1 that sense. I know there was -- TAF (ph.) saturation is a devil,  
2 it was a bit overwhelming for maybe just one supervisor in the  
3 operation.

4 Q. Okay.

5 A. But overall, you know -- you know, you end up "Monday morning  
6 quarterbacking," so --

7 Q. Yeah, absolutely.

8 A. Yeah, so some internal improvements there. And what was the  
9 other part?

10 Q. Do you think there are any failures, I know that was some  
11 "needs improvement," but specifically, what -- do you think  
12 anything failed here in the process?

13 A. I don't think -- I can't recall anything, I think --

14 Q. Okay.

15 A. I think the way the guys, you know, handled that, that event,  
16 you know, with all the complexity involved in it and certainly  
17 with the search and rescue aspect of it was also, you know -- I  
18 appreciate everyone doing their part --

19 Q. Okay.

20 A. -- but that's about it.

21 Q. And the last part was the lessons learned, what are the big  
22 lessons learned, take-aways, from this one, as of right now, so  
23 far?

24 A. I think they're more in line with the "what needs  
25 improvement" area that I mentioned.

1 Q. Okay. Refining your upward notification and --

2 A. Yeah, and -- yeah.

3 Q. Okay. All right. Do you guys ever have any supe meetings?  
4 Just supes, not necessarily management, are you able to do that  
5 here or does the staffing not allow it, really?

6 A. I've never seen -- I've never been a part of, this year or  
7 I've seen just supe meetings, normally they're arranged by the OM  
8 or, you know, the XO.

9 MR. SOPER: Okay, because another perfect opportunity for you  
10 to put this stuff out to the other supes, right? If that makes it  
11 to the other supes, hopefully that makes it to the workforce that  
12 you don't necessarily see every day, right? You all get better.  
13 So all right, well, cool.

14 MS. RUPNIK: Can I do one "oh, by the way"? I'm so sorry.

15 MR. SOPER: Sure.

16 BY MS. RUPNIK:

17 Q. Because you're on the national (indiscernible) team, because  
18 of your passion about it, you obviously have a lot of experience  
19 here, very specific video that we watch in training, I believe it  
20 was the October '21 round, I think you know what I'm talking  
21 about, the controller having an aircraft that was getting close to  
22 being no fuel and seeing a tanker in the area --

23 A. Yes.

24 Q. -- and asking for help. Do you think that that kind of  
25 helped get the wheels turning for you there, do you think it was

1 just an experience thing, was it -- do you think that that might  
2 have contributed to you asking the question or, I mean, obviously  
3 you have a lot of experience, too, so that might've just been  
4 something that was --

5 A. My personal, you know, side, I do know that those aircraft  
6 have (indiscernible) on board, and I know that (indiscernible)  
7 Customs agent down here, so I was on board some of those  
8 airplanes, just "gee whiz" kind of stuff, like what do you guys  
9 have, we have radar, we have -- so once I saw them go by, some of  
10 the guys weren't sure if they were Customs, like I'm pretty sure  
11 those Customs have (indiscernible). I didn't link that, but yeah,  
12 that seemed like one of the --

13 Q. It just sounds so familiar.

14 A. Yeah, someone's like hey, that guy can --

15 Q. Right.

16 A. Yeah, he can refuel that, yeah.

17 MS. RUPNIK: All right.

18 MR. SOPER: Okay, do you have any questions for us?

19 MR. OLIVO: No.

20 MR. SOPER: All right, sorry for it taking so long today.

21 We've got 12:17 on the clock, stopping the recording.

22 (Whereupon, at 12:17 p.m. AST, the interview concluded.)  
23  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:       MISSING CESSNA NEAR ST. THOMAS  
                                  U.S. VIRGIN ISLANDS  
                                  ON AUGUST 4, 2023  
                                  Interview of Miguel Olivo

ACCIDENT NO.:           ERA23LA328

PLACE:                   San Juan, Puerto Rico

DATE:                    August 23, 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.

  
\_\_\_\_\_  
Karen D. Martini  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

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MISSING CESSNA NEAR ST. THOMAS,

\*

U.S. VIRGIN ISLANDS ON

\* Accident No.: ERA23LA328

AUGUST 4, 2023

\*

\*

\* \* \* \* \*

Interview of: JOSHUA SANCHEZ,

Sector 7 Radar Controller - on coming (R7A)

Federal Aviation Administration

San Juan, Puerto Rico

Tuesday,

August 22, 2023

APPEARANCES:

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

RUTH RUPNIK, Air Traffic Control Investigator  
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert  
Federal Aviation Administration

CHRIS ROSATI, Air Safety Investigator  
National Air Traffic Controllers Administration

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I N T E R V I E W

(1:55 p.m. AST)

MR. SOPER: All right. My name is Brian Soper. I am the lead air traffic investigator with the NTSB. And we have here with us today, Jason Alliston. And I apologize, I already forgot your office again because you moved.

MR. ALLISTON: Eastern service area director's office.

MR. SOPER: Eastern service area director's office, he is here representing the FAA as the FAA group member with our investigative team. And we have Mr. Chris Roasti out of Oakland Center here with us representing NATCA on the group and Ms. Ruth Rupnik, who is from our team back at headquarters, ATC investigator. And you have with you your representative. This is who you chose as your representative, correct?

MR. SANCHEZ: Yes, sir.

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

MR. APONTE: Jose Aponte (ph.).

MR. SOPER: Okay. And I got your spelling before so we'll deal with that and thank you. And can you state your name for the record, sir?

MR. SANCHEZ: Joshua Sanchez.

MR. SOPER: Joshua Sanchez, just like I would expect it to be spelled?

MR. SANCHEZ: Yes, sir.

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1 MR. SOPER: All right. And so -- oh, I'm sorry I do have to  
2 go over a few things here. So, the NTSB just so you understand is  
3 a nonregulatory agency. We don't make rules, we don't enforce  
4 rules. We're charged by congress to investigate civilian aviation  
5 accidents and incidents of serious nature, to find the probable  
6 cause and hopefully develop safety recommendations to industry or  
7 some segment of industry to prevent recurrence.

8 We're all about the safety related aspect of this and we're  
9 not interested in blame or fault. We -- this will be a very  
10 straightforward session. We're just going to ask questions. Just  
11 answer to the best of your ability.

12 If you don't know something, it's okay to say you don't know.  
13 If you don't recall something, it's okay to say you don't recall.  
14 If you have any questions for any of us while we're going through  
15 this process just let us know and we'll be happy to answer it.  
16 The -- we just ask that your representative doesn't answer your  
17 questions for you. Do you have any questions before we begin?

18 MR. SANCHEZ: No, sir.

19 MR. SOPER: Awesome.

20 INTERVIEW OF JOSHUA SANCHEZ

21 BY MR. SOPER:

22 Q. Okay. So, I got your name. And how old were you on the date  
23 of the event?

24 A. Thirty-five.

25 Q. And what are you operating initials here?

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1 A. Julia Echo.  
2 Q. Julia Echo?  
3 A. Yes, sir.  
4 Q. Awesome. And you are CPC here?  
5 A. Yes, sir.  
6 Q. Are you, are you CFC qualified as well?  
7 A. Yes, sir.  
8 Q. All right. And do you have any military or pre-FAA air  
9 traffic work experience -- contract, towers (ph.), DoD, overseas,  
10 et cetera.  
11 A. Yes, sir.  
12 Q. What do you got?  
13 A. Military, Air Force.  
14 Q. Okay. When were you in the Air Force, what year to year?  
15 A. 2011 to 2017.  
16 Q. And were you a controller there?  
17 A. Yes, sir.  
18 Q. Where'd you get stationed at? Where were you stationed at?  
19 A. Laughlin Air Force Base, Texas, overseas and Goldsboro Air  
20 Force Base, North Carolina.  
21 Q. I'm from North Carolina -- or that's where I live now. I  
22 live just south of Raleigh, a few clicks. Thanks for your service  
23 by the way. I'm retired Navy myself so I was controller there.  
24 Did you -- and you didn't do any contract work or anything like  
25 that between going there and going to the FAA?

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1 A. No, sir.

2 Q. When did you come to the FAA?

3 A. I believe 2019.

4 Q. Okay. And was this your first place?

5 A. This very facility, yes, sir.

6 Q. Okay. Did you go to the academy or were you a direct hire?

7 A. Direct hire.

8 Q. Okay. Do you have any collateral duties here at the facility  
9 or have you been on any recent details that have taken you outside  
10 of the facility or any length of time in the last 6 to 12 months?  
11 Training cadre, automation, anything odd?

12 A. I don't know that it's within the last six months, but I did  
13 help with the simulation restructuring.

14 Q. Oh okay.

15 A. The NISA (ph.).

16 Q. Did that affect your currency at the time?

17 A. No, sir.

18 Q. So, if you could just give us kind of a 10,000 foot bio and  
19 what I mean by that is of your aviation background. So, you know,  
20 you were in high school. You graduated high school or whatever it  
21 was and then you decided, you know, hey yeah, I knew I liked  
22 aviation or whatever. I went to the Air Force, got interested in  
23 that, did aircraft control there, whatever it was for you all the  
24 way through until you got here. If you got any other aeronautical  
25 certifications, pilot, anything like that, toss that in there,

1 degrees, whatever. Just kind of tell us that story.

2 A. Sure. Well, I decided to join the Air Force. I'm an Air  
3 Force brat. My whole family is basically in the service. So, it  
4 just seemed natural. And I got selected for air traffic control.  
5 I selected air traffic control but didn't know what it was at all.  
6 And I got certified at the academy version of tech school.

7 It was the Air Force and that station at Laughlin Air Force  
8 Case, where I got my radar certifications. And I've been radar my  
9 whole way through. So, I went overseas and then in North Carolina  
10 I got my watch sup, SCI coordinator. And I got my degree in -- or  
11 associate degree in Air Traffic Management.

12 And after my contract was down to six year, I extended one  
13 year to get back stateside and separated. And it seemed like the  
14 natural thing was to apply for the prior experience had been. So,  
15 now I'm here.

16 Q. All right. Have you ever been fired, terminated, suspended  
17 or asked to resign from any ATC position?

18 A. No, sir.

19 Q. And how would you describe your overall health in the terms  
20 of excellent, good, fair, poor?

21 A. Excellent.

22 Q. Okay. And do you -- did you have a second-class medical  
23 clearance on the day of the event?

24 A. Could you elaborate about second-class?

25 Q. You had a good medical, right? Yes, medical?

1 A. Oh yes, sir.

2 Q. And do you have any waivers or restrictions to your medical  
3 claims?

4 A. No, sir.

5 Q. Requirements to wear corrective lenses?

6 A. No, sir.

7 Q. All right. And were you taking any medications of any kind  
8 -- prescription, nonprescription or over the counter on the day of  
9 the event?

10 A. No, sir.

11 Q. Was drug or alcohol screening performed as a result of this  
12 event?

13 A. No, sir.

14 Q. And have you had any major changes in your health over the  
15 last year -- surgeries, lost 50 pounds, just big things or, you  
16 know, good, bad or indifferent?

17 A. No, sir.

18 Q. Okay. And any major changes in your personal life over the  
19 last year, good, bad or indifferent -- had a child, adopted a  
20 child, got married, got divorced, big stuff?

21 A. No, sir.

22 Q. Okay. You laugh at that. Why does it -- there must be a  
23 story there. I'm sensing a story.

24 A. No changes.

25 Q. All right. So any major changes in your financial situation

1 -- won the lotto, filed bankruptcy, you know, big stuff that might  
2 impact your life?

3 A. No, sir.

4 Q. All right. All right. This one is a little bit harder  
5 because I know it's been a little bit of time since the incident  
6 occurred. But I want to kind of step you through your 72-hour  
7 history leading up to the event. We're going to capture some  
8 things in there, right? So, just kind of put on your memory cap  
9 for a second. I'm going to step you backwards through it. So,  
10 the event happened on a Friday evening, right? So what shift were  
11 you on Friday evening?

12 A. The swing shift.

13 Q. Okay. So, you had been on how long by the time the event  
14 happened somewhere around 9:15, 9:20?

15 A. What's the question?

16 Q. What time did you come on shift that day? Just when does the  
17 swing start for you?

18 A. Oh, time for swings for us it would be -- it would have been  
19 a one of -- I believe 2:30 would have been that day.

20 Q. Okay.

21 A. 2:30.

22 Q. And prior to coming in what time did you get up that morning  
23 probably, roughly?

24 A. I don't recall.

25 Q. Okay.

1 A. Morning time, before noon, sometime before noon.

2 Q. Okay. Did you do anything in between there or was it pretty  
3 much just get ready to go to work and go to work?

4 A. I just get ready and go to work.

5 Q. Okay. I know it's going to be difficult but stepping back  
6 now. So, you got up normal time. You would say it was normal for  
7 you? Whatever time you get up, it would be no different than  
8 normal?

9 A. Yes, sir.

10 Q. How did you -- so, the night before when did you go to bed  
11 probably?

12 A. Average time probably somewhere between 9:00 or 11:00 p.m.,  
13 probably.

14 Q. Okay. And what shift did you work on that Thursday?

15 A. Thursday's a RDO, usually. I don't recall if I had overtime,  
16 but I believe it was just an RDO.

17 Q. Okay. So, do you remember doing -- if you don't remember if  
18 you worked, do you remember did anything that day? Did you, you  
19 know, go out, do anything?

20 A. I don't remember.

21 Q. Don't remember? Okay. Any idea when you might have got up  
22 that morning?

23 A. On Thursday?

24 Q. Yeah.

25 A. No, sir.

1 Q. Okay. How about a Wednesday for you, is that an RDO as well  
2 or is that --

3 A. Yes, sir.

4 Q. All right. So don't know?

5 A. No, sir.

6 Q. All right. But out of those days -- let's just go through  
7 those days. From Wednesday through Friday, do you recall anything  
8 occurring during that time that was odd, out of the ordinary, took  
9 you out of your normal daily routine, or was it normal, daily  
10 routine stuff like you would any other week? Yeah, I might have  
11 went to the grocery store, I might have went out to eat, I might  
12 have --

13 A. I'd say normal. I went --

14 Q. You ate normally, you weren't sick, you didn't lose sleep or  
15 anything like that, you got normal rest for the extent you can  
16 remember?

17 A. Yes, sir.

18 Q. Okay. And then for you, how many hours of sleep do you need  
19 to feel rested?

20 A. On average, anywhere between six to eight hours, I suppose.

21 Q. Okay. And you feel you got that the night before the event  
22 probably?

23 A. Yes, sir.

24 Q. All right. Great. And did you file an ATSAP as a result of  
25 this event?



- 1 A. Yes, sir.
- 2 Q. And did you get a confirmation back from your RC (ph.)?
- 3 A. Yes, sir.
- 4 Q. Great. Have you been interviewed about this event prior to  
5 now?
- 6 A. No, sir.
- 7 Q. Okay. And you spent sometimes getting a pre-brief from the  
8 FAA and an attorney, I assume --
- 9 A. Yes, sir.
- 10 Q. Over here, right? And how long were you in with each of  
11 them probably, roughly?
- 12 A. About 30 minutes or so.
- 13 Q. Each?
- 14 A. Yes, sir.
- 15 Q. Okay. I'm out of breath. Sorry. And have you had an  
16 opportunity to review a replay of this event?
- 17 A. Satori.
- 18 Q. Satori?
- 19 A. Yes, sir.
- 20 Q. When was that?
- 21 A. Yesterday.
- 22 Q. Okay. And on the day of the event -- so you took the  
23 position, right? You were relieving Mr. Beasley, right?
- 24 A. Yes, sir.
- 25 Q. Is that right? Okay. So, you were just coming on. What were

1 you doing prior to that, were you on break or were you on another  
2 position somewhere or --

3 A. I was on break.

4 Q. On break? Okay. And on a scale of one to five, five being  
5 the heaviest, how would you rate the traffic volume at the time of  
6 the event when you took the position there?

7 A. Traffic volume?

8 Q. Yeah, just volume.

9 A. Volume one to a two.

10 Q. Okay. And do you feel that that was normal or average for  
11 that time of night, that time of the shift, that's what you would  
12 expect?

13 A. Yes, sir.

14 Q. Okay. And then a similar question, on a scale of one to  
15 five, five being the most complex, how would you rate the traffic  
16 complexity? And when you answer this everything is included. So  
17 we had emergencies, we had equipment outages, we had somebody  
18 gabbing in my ear, the Sup was bugging us to get something --  
19 whatever, I mean it can be anything that made things more complex?

20 A. I'd say a four.

21 Q. Okay. And is that more -- less or -- more complex or less  
22 complex than -- or average?

23 A. More complex than average.

24 Q. Okay. And what was making it more complex, what were some of  
25 the things that were making it more complex?

1 A. We had an emergency inbound.

2 Q. Okay. Anything else?

3 A. No. Mostly just the emergency coming in bound.

4 Q. Okay. Cool. Do you guys get a lot of emergencies here? I  
5 mean are they pretty routine like coming in?

6 A. It's difficult to say. I like I would say a normal amount.

7 Q. Okay. So, were there any distractions at -- occurring at or  
8 leading up to the time of the event? So, these also can be things  
9 like equipment outages, lost comms, equipment problems, staffing  
10 issues, emergency, anything that could take your attention away or  
11 distract you from other things throughout the process?

12 A. Not that I recall.

13 Q. Okay. And do you recall the general weather conditions in  
14 the area around the time of the event -- predominately IFR, VFR,  
15 did you have precip in the area, any weather advisories out?

16 A. Well it was VFR, no precipitation.

17 Q. Okay. And did you receive a preview weather briefing on that  
18 day? I know you guys don't do a -- I understand you guys don't  
19 actually conduct the preview weather briefing like other places  
20 that have CWSU and stuff. But did you do anything -- what did you  
21 do to prepare yourself for weather that day, if anything? I mean  
22 what do you check or what do you look at? Or do you just rely on  
23 position relief briefings or how do you, how do you do that?

24 A. So I just check on the IDS pages, and then if there's  
25 anything during the position relief duty, and then just the visual

1 tools we have around us.

2 Q. Okay. Explain to me those a little bit? Because we did get  
3 to go into the operation today. So, so sitting at that position  
4 can you kind of -- what displays do you have visibility of from  
5 there that you use?

6 A. Theres a display behind us that we can use. It's just kind  
7 of a precipitation or a model. I guess kind of like an x-red  
8 (ph.) model.

9 Q. Yeah.

10 A. It's just to give you a heads up if there's anything in the  
11 area potentially that you can look out for.

12 Q. Is that the one that's on the long countertop there --

13 A. Yes, sir.

14 Q. -- next to the flight data? So, you guys -- so you can see  
15 that from that position, you can glance over at that and it's  
16 actually visible?

17 A. Yes, sir.

18 Q. Okay. Cool. All right. And did you have a cellular phone  
19 or PED on you at the time of the event?

20 A. No, sir.

21 Q. All right. And you were just taking over the watch. So that  
22 question doesn't apply to you. And who notified the supervisor  
23 about the event? Was it you or Beasley?

24 A. Beasley.

25 Q. Beasley did? Okay. All right. So now what I'd like you to

1 do -- and I can tell you don't want to be here, bro. I get it.  
2 You know, relax a little bit, man. Like, you know, we'll get you  
3 out of here. I swear. I get it. But I'd like you to tell us the  
4 story. Right? I want you to kind of step us through. I want you  
5 to go back to when you first come in to take the watch. When you  
6 first arrive. So I don't know how long before you actually took  
7 the position.

8 I think Beasley mentioned that you were behind him for a  
9 little bit before -- because you had come in a little bit if not  
10 early but you were there. And were you kind of standing behind  
11 him getting a feel for stuff.

12 Take us from the time you approached the position, everything  
13 you can remember. Be as detailed as possible. Don't make stuff  
14 up. But if you remember things like, well, I remember this  
15 because when he said this, I looked at that. Or, I remember  
16 because I looked up at the display.

17 You know, whatever it was for you. Just tell us the story of  
18 everything you can recall going all the way through until the  
19 point that you realized there was an aircraft that was potentially  
20 -- that you had potentially lost an aircraft and you, and you  
21 notified -- or somebody notified the sup and things were just  
22 going into notification mode. Just kind of tell us, just step us  
23 through all of that.

24 A. I can't say that I recall exactly, you know, how it, how it  
25 went down but --

1 Q. No worries.

2 A. -- more or less of what I remember it was just a normal  
3 beginning of the day. I walked upstairs to take over the  
4 position. I grabbed my headset and then I just familiarize myself  
5 with the IDS pages. And then I went up to Barry, was standing  
6 kind of behind to his right, like we normally do. And then he  
7 started the briefing, I believe. And then there was some static  
8 on the radio.

9 He might have done like a stop mic check. And I think he's  
10 flipping the ATF, trying to find out which frequency the feedback  
11 was on. And then this is while the briefing was going on or  
12 somewhere in there. And then after that he told me that a JetBlue  
13 was coming in emergency I believe. I don't remember the call  
14 sign. So, I had that on my mind.

15 And there's some sequencing decisions to be made there. And  
16 an aircraft inbound further east. And aircraft departed St.  
17 Thomas. Ahat's what I remember, a departure maybe. Some --  
18 there's going back and forth maybe with like a Frontier departure,  
19 I believe on the altitude read out. That's as far as I remember.  
20 And then I just -- as I was assuming position, responsibility of  
21 the position, I noticed they were close track (ph.).

22 So I handed it off to sit on the tower which I would just  
23 refer to as myself, D-tag just to not lose the data tag, which is  
24 a technique that I use just to let several aircraft close to the  
25 airplane (indiscernible) poor radar reception depending on the

1 area in San Juan for terrain and stuff. And then I just kind of  
2 do the lost radar involve regular communication procedures.

3 Q. Okay.

4 A. And Barry never left because that happened as soon as I take  
5 over so he stayed in the reviewing position.

6 Q. Okay.

7 A. So he called St. Thomas to get more information and we  
8 notified the supervisor.

9 Q. Okay. So, he -- when you were doing the briefing you do  
10 remember him -- step me through how a briefing goes with you guys  
11 a little bit as far as -- I mean some people are visual, some  
12 people are not, some people kind of just talk it through, you  
13 know, I'll hear some relief briefings where they just come in and  
14 they go, one left, one right, whatever here, this and that, these  
15 are straights ups. This is who got. Nobody else in bound. You  
16 got it. And they're done. Right?

17 And that's how they do it. Other people are pointing stuff  
18 out. They're like, see this guy right here, he's got this. This  
19 guy over here is doing this. This guy over here is doing that.  
20 What was it for you guys? Is it more of a point out, just  
21 discussing through, is it following the checklist? I mean what  
22 things do you, do you guys kind of, that you step through?

23 A. Well I can't speak for anybody else.

24 Q. No. You guys that night. Sorry. I apologize. Not your  
25 normal -- like that night when between you and Barry, how do you

1 recall that going when he was giving you the pass down?

2 A. We were just running through the checklist.

3 Q. Okay. And do you recall that 13384 being brought up, the guy  
4 who was coming up off of St. Thomas?

5 A. I believe just direct bread at 6000 that I recall.

6 MR. SOPER: Okay. All right. And I'll tell you what. I'll  
7 let you break on me for a little bit. And I'm going to go ahead  
8 and pass it along to Jason.

9 BY MR. ALLISTON:

10 Q. All right. When you are, when you are working a position in  
11 the control room -- so you're supposed to display heavy and  
12 extreme weather on the approach side, do you ever -- I notice when  
13 we're in there a lot of controllers currently displaying moderate.  
14 Do you display moderate as well or just the heavy and extreme?

15 A. Most of the time heavy and extreme. If I am displaying  
16 moderate it's, it's the case would be that I have deviation that  
17 are happening from something I'm not predicting, but I might bring  
18 them up a technique sometimes.

19 Q. Okay. So, you do toggle on and off depending on what the  
20 situation calls for?

21 A. Yes, sir.

22 Q. Got you. All right. Can you kind of describe your scanning  
23 process when you're in that multiple script configuration?

24 A. I don't know how to describe that. I'm just scanning the  
25 scope constantly. I'm just kind of like a circular, I guess, just



1 scan the scope, or strips scan the scope for just incoming traffic  
2 scopes for incoming traffic. Just rinse and repeat.

3 Q. Okay. Just, basically, just a wider set up but the same  
4 deal?

5 A. Yes, sir.

6 MR. ALLISTON: All right. So, the -- actually I'm going to  
7 go ahead and pass it off for right now.

8 MR. SOPER: You got it.

9 MR. ALLISTON: I don't have a ton.

10 MR. SOPER: Chris, go ahead.

11 MR. ROSATI: Sure. I apologize because my questions are a  
12 little bit all over the place.

13 BY MR. ROSATI:

14 Q. So just going back to like the two separate configurations.  
15 When your working that configuration does that feel like normal to  
16 you or like it feels natural or you don't mind working a position  
17 like that or does it --

18 A. It feels good.

19 Q. Okay. And how often do you work the position that two  
20 separate configuration?

21 A. The midnight configuration typically.

22 Q. All right. So kind of like late night on a swing shift or if  
23 you're working a midshift?

24 A. Yes, sir.

25 Q. Okay. When you are working that two sector configuration and

1 you hear the strip kind of behind you like, do you feel like  
2 that's a little bit of a distraction to know that it's behind you  
3 and you got something you have to go pick up, and you're trying to  
4 time that, like how often does it feel it takes too long to get a  
5 strip picked up from flight data if they're not there, like in  
6 this case? Or, is the position normally slow enough where that  
7 doesn't seem like a big distraction?

8 A. I would prefer the printer be at a position like the center  
9 has it but I just wait it out.

10 Q. And do you know why they move those away from the position  
11 after COVID or --

12 A. No, sir.

13 Q. Okay. Let's see. So, in general -- in that general area is  
14 it normal to lose radio when working on aircraft at those  
15 altitudes in that area?

16 A. It's difficult to say exactly. But it's common I would say  
17 from the UMACO IR reporter (ph.) all the way up to Bolara (ph.) to  
18 these radar, radio, --

19 Q. At specific altitudes or pretty much just sporadically you'll  
20 lose radar?

21 A. Just sporadically.

22 Q. Okay. So you would say it's fairly normal for you to lose  
23 radar on somebody for a few minutes before it would come back?

24 A. I can't give an exact timeframe but it is fairly common to  
25 lose track on coast in that area.

1 Q. Okay. In that area specifically or pretty much anywhere  
2 within that radar range?

3 A. Anywhere from the UMACO side to the Bolara on that side  
4 (ph.).

5 Q. Okay. So, when you, when you come into leave the prior  
6 controller and your check the IDS display, you're, you're doing  
7 that over at the sup station before you go into position or do you  
8 do it on the position?

9 A. It varies. It just depends.

10 Q. It depends? Okay. In this particular case where did you  
11 review it at?

12 A. In this case it would be coming in. It was in my assignment  
13 area.

14 Q. Was there anything on the IDS that you thought was  
15 interesting or different or caught your attention?

16 A. No, sir.

17 Q. Okay. Do you know if your frontline managers monitor relief  
18 briefings at all?

19 A. I'm not sure.

20 Q. You're not sure?

21 A. I believe they do but I'm not sure.

22 Q. Okay. Do you know of any radio or radar sites that were down  
23 at the time of the incident?

24 A. I don't recall.

25 Q. Okay. So have you ever been involved -- well, we're going to

1 shift gears here. Have you ever been involved locally, within a  
2 local safety council or in any sort of safety aspect or I mean do  
3 you -- were you aware of your local safety counseling and what  
4 they do locally at all?

5 A. Yes, and not involved.

6 Q. Okay. Like so what are some things that you've seen come out  
7 from local safety council that have been maybe effective or do you  
8 -- that caught your attention?

9 A. I'm not sure. Can't say I recall.

10 Q. Do you have -- is there any like issues in the facility that  
11 are just like major safety issues or other issues that concern you  
12 that you're just like, hey, like this is a problem? We've brought  
13 it to the attention of management. It's not getting fixed? Like  
14 for example, randomly losing radio and radar on aircraft at  
15 various altitudes?

16 A. That's difficult to answer because there's just a lot of  
17 frequency issues and here in the area. And it's just like a  
18 constant battle.

19 Q. Yeah. How long were you on that position after, after you  
20 realized we had lost radar on the aircraft?

21 A. How long was I on the position after?

22 Q. Yeah, like how long were you on the position when you were  
23 working? Was it just you and Mr. Beasley that were in the area at  
24 the time?

25 A. Yes, sir.

1 Q. So, do you, do you recall how long you were on the position  
2 afterwards?

3 A. I don't remember how long I was on position afterwards.

4 Q. Okay. Overall, how would you say the facility's health is  
5 like relationship-wise between management and supervisor or, and  
6 controllers and amongst controllers in general. Would you say  
7 it's good or --

8 A. Probably about average I suppose.

9 MR. ROSATI: About average? Okay. Let's see. I'll pass it  
10 on to Ruth for now.

11 MR. SOPER: Thanks.

12 MR. ROSATI: I'll come back for some more.

13 MR. SOPER: Ruth?

14 BY MS. RUPNIK:

15 Q. I'd like to talk a little bit more about the oversight, just  
16 in that facility and what's wrong at a time. So, it's my  
17 understanding that there was an OMIC (ph.) bunch in charge and  
18 that's the only supervision in the facility at that point?

19 A. Yes, ma'am.

20 Q. Is that typical for that time of the evening?

21 A. Yes, ma'am.

22 Q. Okay. When you came in obviously the JetBlue thing was  
23 already going on. Do you recall what the OMIC was doing at that  
24 point? Were they at the desk, talking to somebody?

25 A. I don't recall.

1 Q. Okay. That's fine. And just to understand the structure a  
2 little bit better, during the day would you normally have an LS  
3 for each area and a OMIC or --

4 A. It depends on manning but typically it's the controllers  
5 covering CIC and OMIC is on average.

6 MS. RUPNIK: All right. That's all I have for him.

7 MR. SOPER: Okay.

8 BY MR. SOPER:

9 Q. So you've been here since when 2018?

10 A. 2019.

11 Q. Oh '19 -- '19. How long did it take you to check out here  
12 roughly? Do you remember?

13 A. Covid impacted so it's --

14 Q. Oh, that's right. An unfair question.

15 A. Yeah. Don't hold me --

16 Q. Well let's talk about that. How did COVID affect you guys  
17 down here? How bad was that staffing-wise, was that how it worked  
18 or what did that look like for you guys? I'm just kind of  
19 curious.

20 A. For me, for me personally it was -- I got sent home to just  
21 ride it out.

22 Q. How long were you guys off or, you know, how long did you  
23 stay home before you got called back in?

24 A. Somewhere maybe between six months, which I believe. I don't  
25 remember that.

1 MR. ROSATI: Must be nice. Must be nice.

2 BY MR. SOPER:

3 Q. I hear you. I hear you. So you -- all right. And so you've  
4 always been on the, on the approach side of things here, right,  
5 not the in-route side? You didn't in-route time?

6 A. Correct, only approach.

7 Q. Okay. And do you -- have you worked with -- do you guys kind  
8 of -- are you -- do you end up in the same crew almost with people  
9 that you, that you have similar RDOs and you guys work together  
10 pretty regularly? Or, is it really a big mix here like you -- it  
11 rotates through and you work with different people all the time?

12 A. Like as far as video processes?

13 Q. No. Like as far as just your normal daily routine.

14 A. Just anybody.

15 Q. Do you find yourself working with like Barry and a couple  
16 others --

17 A. Oh sure.

18 Q. -- like generally you guys are here a lot.

19 A. Sure, yes, it's typically the same crew.

20 Q. So you guys work with that same crew a lot?

21 A. Yes, sir.

22 Q. I'm just -- I'm kind of curious like, you know, watching --  
23 that combined evolution in the evening, did you -- do you guys  
24 ever get in a situation or did you ever think that night like,  
25 when you came up and there was that emergency in progress of maybe

1 trying to sit down and doing an assist position for a little bit  
2 until you guys got through it? Or do you think that it wouldn't  
3 really have made any difference? I mean you were there so you  
4 were, you were watching and trying to help out or how was that  
5 playing out?

6 A. No, we -- it just depends. It's situational. It's always  
7 situational.

8 Q. Sure.

9 A. But I don't know.

10 Q. Do you guys ever use assist on that position or is it  
11 usually --

12 A. We do.

13 Q. You do sometimes?

14 A. Sometimes.

15 Q. That's cool. Going back to that printer situation and the  
16 flight data behind you, I don't like that, dude. That's hard -- I  
17 would be -- I would hate that. Like having to, having to think  
18 about having to think about having to go back and get those strips  
19 all the time, I don't know. That just would bug me.

20 I was like -- has there been anything else here in the  
21 facility outside of the, maybe the location of that strip printer  
22 and stuff and how that works out -- has there been anything that  
23 you guys have -- or that you have just felt like I wish we had  
24 this here? Like, I wish we had this or I, or I wish, you know --  
25 I'm sure you wish you had like 21 people or whatever. But I'm



1 saying -- no, seriously. Is there something where you're just  
2 lacking where and you're like, man, I wish we had these here. It  
3 would make thing so much better, so much easier, or is there  
4 anything not working that should? I mean, your thoughts?

5 A. Equipment. I wish we had STARS. I wish we had --

6 Q. Yeah.

7 A. -- frequencies. That worked really well. I wish we had  
8 great radar coverage. I wish we had just in general equipment.

9 Q. So, what do you think your biggest challenge -- what is the  
10 biggest challenge for you here? Like where -- that way, that  
11 direction, things that you don't have control over like equipment?  
12 Is it, is it the frequency coverage? Is it the radar coverage?  
13 Is it the equipment itself.

14 What thing do you think provides you the biggest challenge in  
15 doing your job like you like? Because you do have good experience  
16 in other radar environments that utilize STARS and stuff and so  
17 you can make comparison.

18 A. Yeah. Compared to any other facility I've worked at this is  
19 by far the worst with equipment.

20 Q. Yeah.

21 A. Hands down.

22 Q. Yeah.

23 A. Not even close.

24 Q. Okay. But what things jump out at you from that standpoint?

25 A. Just the same stuff I mentioned.

1 Q. Okay. Let's talk about the weather thing for a minute. So  
2 the weather that you guys get on micro ERTS (ph.), I know you guys  
3 display heavy and extreme. Do you guys ever -- I mean do you ever  
4 toggle the others on when you got developing weather or do you  
5 just kind of leave it where it's at, and that's what you work off  
6 from?

7 A. I typically just leave it where it's at.

8 Q. Okay. And do you, do you find the weather here that you're  
9 getting displayed at the workstation on radarscope, do you find  
10 that better or worse than what you were used to in STARS, when you  
11 were working in the STARS environment? Or is it the same?

12 A. It just depends.

13 Q. Okay.

14 A. It depends on the equipment at the time but, I mean.

15 Q. All right. Okay. Barry mentioned to us when he received  
16 that you were talking and you mentioned it too, how you had some -  
17 - he had some static on a frequency or somebody that was keyed up,  
18 you know, that -- on a frequency and he had to find which  
19 frequency it was. He mentioned that there's something that occurs  
20 out here sometimes like aircraft checking in, oceanic coming  
21 inbound sometimes will reach out, far out because they just want  
22 to talk to a person again. Right? So they're reaching out while  
23 they're way out there. And is -- do you recall did you hear that?  
24 Were you already monitoring when that occurred or had you -- you  
25 just kind of came up when that was going on with him?

1 A. Yeah, as I like -- as I -- might just kind of as I was coming  
2 in I could hear the feedback going.

3 Q. Okay.

4 A. And I saw him messing with the ETVS.

5 Q. Do you -- have you experienced that before with aircraft  
6 doing that where it sounds like you can't really hear what they're  
7 saying?

8 A. Sure.

9 Q. And that's what it comes down to? You mentioned hearing the  
10 interference. Was he on the headset or was he on the speaker?

11 A. No. It was on the --

12 Q. Handset?

13 A. Handset? Yep.

14 Q. You were or he was?

15 A. We both were.

16 Q. Oh, okay. All right. And that's normal that time of night  
17 over there?

18 A. Yes, sir.

19 MR. SOPER: Okay. Cool. All right. That's all I have for  
20 right now. Jason, did you have anything else there?

21 BY MR. ALLISTON:

22 Q. I just had one other question on -- so it was mentioned that  
23 you got the flight date printer back behind you. You have to get  
24 up and go get the strips which is a little obnoxious, right? So  
25 Barry also mentioned that if you had to do a 6710 or reroute or

1 whatever, do you have to do all those at that terminal back there  
2 as well?

3 A. Yes, sir.

4 Q. So do you, do you have any reroute capability from the  
5 positions at all?

6 A. No, sir. We do not have that equipment.

7 Q. That is a downer.

8 A. Yes.

9 Q. So your work -- what would be your work around if you need to  
10 do a reroute and you don't necessarily have the time to get up and  
11 go to the terminal?

12 A. I yell at an A-side (ph.).

13 UNIDENTIFIED SPEAKER: Center side. He means the  
14 (indiscernible) which is center side.

15 MR. SANCHEZ: We yell at the (indiscernible).

16 UNIDENTIFIED SPEAKER: Because we have the keyboard and the  
17 (indiscernible) on the position.

18 MR. SANCHEZ: We're all --

19 MR. ALLISTON: That's kind of what I was thinking it was.

20 UNIDENTIFIED SPEAKER: Yeah.

21 MR. SANCHEZ: We base it on that kind of scenario. Yeah.

22 MR. ALLISTON: All right. I think that was really the only  
23 other thing I had. Yeah. Right.

24 MR. SOPER: You're good. Okay.

25 MR. ALLISTON: I'm good.

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1 MR. SOPER: Thanks Jason. Chris, do you have any?

2 MR. ROSATI: Yeah. So, I'm going on like some training stuff  
3 so did you do recurrent training for this year already?

4 MR. SANCHEZ: I don't recall so many trainings.

5 UNIDENTIFIED SPEAKER: With the guys in port I think.

6 MR. SANCHEZ: Oh yeah, but we were -- did the --

7 MS. RUPNIK: Recurrent or refresher?

8 MR. ROSATI: So that's refresher training.

9 MR. SANCHEZ: We didn't do any --

10 BY MR. ROSATI:

11 Q. Refresher training is that would be in the Dyson lab. Do you  
12 -- have you done that this year?

13 A. I don't recall.

14 Q. Okay. In the past -- well since you were kind of trained for  
15 COVID you may have not done very many of them. But do you recall  
16 do any refresher training in the lab at all?

17 A. Yes, sir.

18 Q. Okay. And do you recall any of those trainings being like  
19 weather related or --

20 A. I just -- I don't recall.

21 MR. ROSATI: You don't recall. Okay. There's one more  
22 thing. Oh, I guess I lost it. Let me look through here. I'll go  
23 to you, Ruth.

24 BY MS. RUPNIK:

25 Q. All right. So you said you need a revert or whatever, you

1 can call up the center. How -- what's the relationship, what's  
2 the dynamic like between the approach and the center?

3 A. It's good comradery.

4 Q. Good comradery? Help each other out, look out for each  
5 other?

6 A. Yes ma'am. Very in-house.

7 Q. Oh that's good. The ETVS, how long has that been here? Has  
8 that been here since you've been here?

9 A. Yes, ma'am.

10 Q. Okay. What kind of training did you receive on that or was  
11 it more just -

12 A. I had a lot of prior experience with ETVS -

13 Q. Okay.

14 A. -- just from the Air Force.

15 Q. So you're pretty comfortable navigating it and -

16 A. Yes, ma'am.

17 Q. All right. Going back to the Dyson stuff, you said you were  
18 in the redesign for some of those lab problems?

19 A. Yes, ma'am.

20 Q. What would you say the system as it's set up now is more  
21 geared towards developmentals and initial training? Do you think  
22 it has an effective place in refresher training?

23 A. Specifically, it seems to be more so for developmental  
24 training.

25 Q. As being someone who did the redesign of it --

1 A. Well the redesign we did was specifically for the  
2 developmental program.

3 Q. Okay. You obviously have a much more intimate knowledge of  
4 the Dyson than probably most of the people in this facility.  
5 Could you see it being useful in other -- obviously you can't pick  
6 weather. But in other aspects, could you see it being useful for  
7 unusual situations training or refresher training, et cetera?

8 A. Yeah. Absolutely.

9 Q. Okay. And you have RPOs stuff? Do you have contract or --

10 A. It's an SAIC contract.

11 MS. RUPNIK: Okay.

12 UNIDENTIFIED SPEAKER: SAIC, yeah.

13 MS. RUPNIK: Okay. All right. And then obviously during  
14 COVID that kind of all took a, took a backseat a little bit.  
15 Actually I think that's all I got for now.

16 MR. SOPER: How many SAIC guys do you guys got, Either one of  
17 you could answer that.

18 UNIDENTIFIED SPEAKER: Three?

19 MR. SOPER: Three?

20 UNIDENTIFIED SPEAKER: Three.

21 MR. SOPER: Okay. Do you -- as part of that redesign for the  
22 Dyson did you -- were you building the scenario?

23 MR. SANCHEZ: Yes.

24 MR. SOPER: Okay. I actually don't have anything else. Do  
25 you guys have anything else, any, oh, by the ways?

1 MS. RUPNIK: Your SAIC people are they full time, part time,  
2 combo?

3 UNIDENTIFIED SPEAKER: Full-time, actually there's four of  
4 them, not three. There's four of them.

5 MS. RUPNIK: Four full time.

6 UNIDENTIFIED SPEAKER: It's full time, yeah.

7 MS. RUPNIK: Okay.

8 MR. SOPER: So, when you look back on this event, hindsight  
9 is 20/20. It's retrospective now. You're listening to the event,  
10 you're thinking about stuff that happened. It's always different  
11 when you're actually in it then when you're looking it from the  
12 outside. A gentleman on one of our previous investigations, he  
13 said something to me that really kind of struck a cord with me. I  
14 like the way it's asked and I mean I'd like to ask you, you know,  
15 when you look back on this now, do you, do you identify with what  
16 was, what were the successes, what were the failures, and what  
17 were the lessons learned --

18 MS. RUPNIK: Lessons learned.

19 MR. SOPER: --from this, if anything right now. Just for  
20 you. I mean you're not --

21 MR. SANCHEZ: No, not really.

22 MR. SOPER: You're not speaking for everybody. This is just  
23 for you. I mean and if there's nothing, there's nothing. I'm  
24 not, I'm not trying to put words -- I'm just kind of when you look  
25 back on it is there anything that stands out to you as like, hey,



1 we did this good considering. Or, hey, you know, we probably  
2 could have done this better. Or, hey you know what now that I  
3 look back on this, I'm wondering if we couldn't do this and make  
4 something better, you know. I don't know, I mean --

5 MR. SANCHEZ: I don't know.

6 MR. SOPER: Don't know?

7 MR. SANCHEZ: Yeah, I'm not sure.

8 MR. SOPER: You really don't want to be here. All right.  
9 I'll tell you what, man, I'm going to let you off the hook. I'm  
10 going to go ahead and stop the recording. I show the time right  
11 now at 1434, local.

12 (Whereupon, at 2:34 p.m. AST, 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:       MISSING CESSNA NEAR ST. THOMAS  
                                  U.S. VIRGIN ISLANDS  
                                  ON AUGUST 4, 2023  
                                  Interview of Joshua Sanchez

ACCIDENT NO.:           ERA23LA328

PLACE:                   San Juan, Puerto Rico

DATE:                    August 22, 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.



---

Kellie Brannock  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

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MISSING CESSNA NEAR ST. THOMAS,

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U.S. VIRGIN ISLANDS ON

\* Accident No.: ERA23LA328

AUGUST 4, 2023

\*

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\* \* \* \* \*

Interview of: MATTHEW VENTURA,

Local Safety Council Representative

National Air Traffic Controllers Association

San Juan, Puerto Rico

Thursday,  
August 24, 2023

APPEARANCES:

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

RUTH RUPNIK, Air Traffic Control Investigator  
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert  
Federal Aviation Administration

CHRIS ROSATI, Air Safety Investigator  
National Air Traffic Controllers Administration

JOSE APONTE, Representative  
(On behalf of Matthew Ventura)

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I N T E R V I E W

(9:40 a.m. AST)

MR. SOPER: All right, my name is Brian Soper, Lead Air Traffic Investigator at the NTSB, and I have here with me today Jason Alliston out of the Eastern Service Area's district office. Did I get it right?

MR. ALLISTON: Director's office.

MR. SOPER: Director's office. What did I say? What did I say? District office. Darn it, I almost had it. I got it right one time my whole time here. All right. And we also have with us Mr. Chris Rosati out of Oakland Center, here representing NATCA on the group, and Ruth Rupnik, my colleague from back at headquarters, another air traffic investigator on our group.

And you have here with you today your representative and if you would, for me, could you state your name for the record, sir?

MR. APONTE: Jose Aponte.

MR. SOPER: Thank you very much, Jose. And could you state your first and last name for us, and spell your last name, if you would?

MR. VENTURA: Matthew Ventura, V-e-n-t-u-r-a.

MR. SOPER: Awesome, thank you very much. So as I mentioned earlier, we're an independent federal agency, not affiliated with the DoD -- DOT or FAA in any way. Our job is to investigate civil aviation accidents and incidents, find a probable cause and hopefully develop safety recommendations that can help prevent

1 reoccurrence. We're non-regulatory, we don't make rules, we do  
2 not enforce rules, and we're not interested in blame or fault, we  
3 are strictly interested in the safety aspects. So as we go  
4 through this accident investigation, it's all about reconstruction  
5 and understanding all of the different dynamics that play into the  
6 sequence of events.

7 In your case, you weren't part of the incident; however, you  
8 are part of this facility and you understand its operation, you're  
9 part of the LSC and that's something we want to understand a  
10 little more about, so that's why we have you here today, not  
11 necessarily directly related to the accident itself.

12 INTERVIEW OF MATTHEW VENTURA

13 BY MR. SOPER:

14 Q. So can you tell me, how old are you?

15 A. I am 44.

16 Q. Okay. And you are -- are you certified here throughout the  
17 facility? Are you a CPC here?

18 A. I am a CPC.

19 Q. Okay. And are you CSE (ph.) qualified, as well?

20 A. I am.

21 Q. Are you an en route or terminal side?

22 A. En route.

23 Q. I should have known that, you were talking about Oakland  
24 Center earlier.

25 (Laughter.)

1 BY MR. SOPER:

2 Q. All right. Well, if that doesn't work well for you, you guys  
3 are really not sitting great in the en route side, are you?

4 A. Yeah. No, we never have been.

5 Q. Out of curiosity, do you -- in your background, do you have  
6 any pre-FAA air traffic control experience, military, DoD,  
7 contract tower, anything like that?

8 A. No, I don't.

9 Q. Okay. And I don't need to ask you that. Well, how long have  
10 you been on the LSC?

11 A. Since April.

12 Q. April, okay.

13 A. To present.

14 Q. So since they came up with the new -- we noticed that you had  
15 a new scoping document that came out like in March, I think.  
16 March or May.

17 MR. ROSATI: March.

18 MR. SOPER: March?

19 MR. ROSATI: March 5th.

20 BY MR. SOPER:

21 Q. Yeah. So it probably coincided with that, I assume?

22 A. What had happened was that the previous person that was the  
23 LSC, the person that I replaced, they had applied for a supe job.  
24 That's removing them from the post-job LSC --

25 Q. Okay.



1 A. -- on NATCA. So after that happened is when I had training  
2 around May -- I'm sorry, around April to actually take over  
3 officially.

4 Q. That was just kind of coincidental, then, as far as the  
5 timing of the scoping document. Okay. And -- all right. And  
6 could you describe -- just give me your 10,000-foot bio aviation-  
7 wise, meaning yeah, you know, I was always interested in aviation,  
8 I graduated high school, I went to college or I did whatever and I  
9 got my pilot's license, I did this, and just take us through what  
10 that is up until, what brought you here today.

11 A. All right. I got -- well, from the very beginning I got a  
12 scholarship to go to Southern Illinois University at Carbondale  
13 for a degree in aviation management. I graduated there and then  
14 after that, 9/11 had happened so I couldn't get a job, so  
15 therefore I decided to get a master's degree.

16 I was accepted into Embry-Riddle Aeronautical University, I  
17 have a master's degree from Embry-Riddle. I was there. I went to  
18 go work for several airlines, America West, Alaska Airlines,  
19 United Express, before I got a full-time job with the FAA. When I  
20 got hired for the FAA, my first facility was to go to Chicago  
21 Center.

22 Q. Okay.

23 A. So I was a controller at Chicago Center for approximately  
24 two, two and a half years, around, and then from there --  
25 actually, do you want to ask me a question?

1 Q. No, no, go right ahead.

2 A. After there, I solicited a transfer to come to this facility  
3 because my family had left Chicago and I was left behind, so I  
4 came down here and then I've been a controller down here ever  
5 since. I've been a controller for about 17 years now, going on 17  
6 years in November.

7 Q. Okay. So step me through that real quick. So you went to --  
8 when did you go to the academy?

9 A. November 2006.

10 Q. Okay. Academy was 11/06 and you left the academy, you  
11 arrived at your first -- your first duty station at Chicago Center  
12 on what month and year?

13 A. In January of 2007.

14 Q. And when did you leave Chicago?

15 A. April of 2009.

16 Q. And you've been here ever since?

17 A. Correct.

18 MR. SOPER: Okay. And have you ever been -- you know, I  
19 don't even need that on you, I'm not going to ask you these  
20 questions, I don't need that. I'm going to kind of skip down here  
21 just a little bit. Yeah, that's all I need for background stuff  
22 on you, so -- and actually, my questioning is going to be a little  
23 bit different, I'm actually going to start out with somebody else  
24 in the group because it's just going to help us that way, he's the  
25 most familiar with this area, anyway, so I'm going to start off

1 questioning with Mr. Rosati.

2 BY MR. ROSATI:

3 Q. So you mentioned that you're fairly new to the local safety  
4 council.

5 A. Yes.

6 Q. Have you already done a partnership for safety training via  
7 the online --

8 A. Yes, I did one webinar, the initial webinar I did.

9 Q. Have you been to safety advocacy training yet?

10 A. No, I have not.

11 Q. Okay. So how often is the local safety council meeting here  
12 at this facility?

13 A. Well, we have a requirement to meet at least once a month.  
14 There's a lot of encumbrances that don't allow us to since we've  
15 been actually appointed. My counterpart is also new to the LSC,  
16 as well. So we have met probably about four -- I want to say  
17 maybe four or five times-ish, but it's always -- the meeting has  
18 always had to have been cut short. Because of staffing issues we  
19 have to cut the meeting short, we're not able to finish, go back.  
20 I've had to come in on overtime to meet with my management  
21 counterpart so that we can address ATSAPs, for example.

22 Q. Okay.

23 A. So I'd like to do more than what we're actually doing because  
24 we actually do have a lot of work on our plate, a lot of food on  
25 our plate.

1 Q. Yeah. I mean, you have a large enough facility where I would  
2 imagine you're going to need to be fairly active. So would you  
3 say that the local safety council is a priority at the facility?

4 A. Not so much as I'd like to.

5 Q. Okay.

6 A. It could be, there's room for improvement.

7 Q. Okay.

8 A. It could be more prioritized.

9 Q. So when you guys, when you do have meetings, who typically is  
10 able to attend the meetings, is it just you and your counterpart?

11 A. Yeah, for the most part, it's me being en route and  
12 management, which is Pedro. My other counterpart that represents  
13 Area 2, the approach side, he's the one that's more absent than  
14 not, or that has to get pulled away from the meeting to go back on  
15 the floor.

16 Q. Okay. And is that because of like scheduling conflicts or is  
17 that --

18 A. Staffing shortage.

19 Q. Staffing shortages.

20 A. Right. They need to run SET-C (ph.), do the rotation,  
21 whatever --

22 Q. Okay.

23 A. -- the case may be.

24 Q. So you do look at the trends and the ATSAPs and things like  
25 that, that come in from the PFS websites?

1 A. We don't have -- correction, we have, I think, about four or  
2 five items in terms of ATSAPs. We don't have that many ATSAPs  
3 current from this year, we're still trying to address things that  
4 have been going on from last year, but because of COVID and stuff  
5 like that, so we're trying to make up from all last year, that  
6 we're still addressing. As a matter of fact, one now, I  
7 personally, myself, am working on the Miami letter of agreement  
8 that we have that is an ATSAP issue, so --

9 Q. Is that an ATSAP issue that came in from the ERC?

10 A. I believe so, I believe so.

11 Q. Okay. And who's the primary contact for the ERC at the  
12 facility, is it you or your other NATCA lead or is it --

13 A. No, the way that we have the process here is whatever gets  
14 decided between the LSC, that gets forwarded to Echo Victor, which  
15 is Edgar Del Valle, which is the support manager, and then he in  
16 turn directly reports to the ERC. The LSC never reports directly  
17 to the ERC, there's always somebody in between, which is usually  
18 Echo Victor.

19 Q. And when he does that, does he at least cc you on those  
20 e-mails with the ERC?

21 A. I haven't seen an e-mail from him yet, so I'm going to have  
22 to believe that he probably hasn't submitted anything yet.

23 Q. Okay. So I would definitely push for trying to be involved  
24 with that process a little bit more, or at least at a bare  
25 minimum, seeing the e-mails going out. And we can help with that.

1 Let's see. So you said right now you have four, four ATSAPs that  
2 are outstanding currently, probably from the ERC. Would you feel  
3 or do you feel that those are safety issues that are important for  
4 the facility or is there anything else that is not being addressed  
5 in the facility that you want to work on as an LSC?

6 A. Well, yes and yes.

7 Q. Okay.

8 A. So one of them right now that we have is frequency issues  
9 that we have, it's a big one. For example, yesterday, beacon  
10 (ph.) on the radar sight, we lost 134.3, so we couldn't use the  
11 main, so we had to use the standbys, so what happens? Controller  
12 workload goes fivefold because pilots can't hear us that well on  
13 standbys. So a controller is consistently repeating myself,  
14 repeating himself, repeating himself, right, questioning our  
15 clearances back and forth. So frequencies here have been a  
16 problem since I've been here, since 2009.

17 Q. Um-hum.

18 A. So I almost had -- I was contacted years go by the ERC  
19 because I almost had a midair because of the frequency. I  
20 actually got a phone call at 8 o'clock at night concerning this  
21 ATSAP that I had submitted years ago because of our frequency  
22 problem that just completely gets ignored and is not addressed,  
23 right, it's always in the works; but here we are, you know, 14  
24 years later, in the works. So the frequency is definitely an  
25 issue.

1 Q. Is that one of the issues that the ERC currently has active  
2 with the facility or it's something that you would like to work on  
3 as the --

4 A. I think they do, from previous, I think there's a -- I think,  
5 what do they call it, a corrective action, a CAR (ph.) on it.  
6 That is still an open ticket on it, if I'm not mistaken.

7 Q. Okay.

8 A. So that's how ongoing long this has been, so --

9 Q. Does the facility have a plan in place for when you have to  
10 go on those standby frequencies to maybe slow things down or  
11 change something in any way, shape, or form to make it a little  
12 bit easier to give controllers the time to be able to repeat  
13 themselves when -- if it's a known issue?

14 A. No, not really. Plan like as such, no. As soon as we need  
15 to know that, you know, my understanding is that the outage was  
16 not anticipated.

17 Q. Okay.

18 A. So the generator didn't kick in or something to that effect.

19 Q. Um-hum.

20 A. So we automatically have to go to standbys, we can't get on  
21 the mains --

22 Q. Um-hum.

23 A. -- and then that's just in question of minutes that we're  
24 told and then boom, all right, everybody on the standbys and --

25 Q. Okay.

1 A. -- then we just have to adapt.

2 Q. And then whoever's working the OMIC desk at that point  
3 doesn't do anything to try and help you guys out, it just falls on  
4 the controllers.

5 A. Exactly, it just falls on the controller's lap to deal with  
6 it.

7 Q. Okay.

8 A. Yeah.

9 Q. Do you know why -- I know you're a center controller, but do  
10 you know why the approach control side only shows heavy and  
11 extreme precipitation on their scope?

12 A. From my understanding, it has to do with the SOP.

13 Q. Yeah.

14 A. It has to do with the SOP.

15 Q. Okay. So I'm going to just kind of read a little blip here,  
16 but the 7210.3, Section 3-6-5 says that facilities with ASR-8  
17 weather, which is what the --

18 A. Exactly.

19 (Cross-talk.)

20 BY MR. ROSATI:

21 Q. -- they must establish a procedure via a facility directive  
22 to ensure periodic monitoring of precipitation, all precipitation  
23 levels during weather events. Do you know if the facility has  
24 anything like that?

25 A. No, not to my knowledge. I'm sorry, you said it was 72 --



1 Q. Seventy-two ten point three and you can take notes if you  
2 need to.

3 A. Okay, point three.

4 Q. Seventy-two ten point three, Section 3-6-5.

5 A. Okay.

6 Q. Again, you're not approach side, but do you know why the  
7 flight data printers are far away from the control positions on  
8 the approach side?

9 A. That's the configuration since I've been here, it's a long  
10 time ago.

11 Q. Okay.

12 A. Yeah, it's always been that flight data has always been  
13 located in that space. Where you see it now today --

14 Q. Um-hum.

15 A. -- it's always been located there.

16 Q. Okay. And they've always had that cubicle around it, as  
17 well?

18 A. The cubicle, no, it was different. When we had remodeling in  
19 about 2014, around -- we had remodeling, when the remodeling took  
20 place to the control room, that's when that wall, as you see it,  
21 was put up at that time.

22 Q. And so we noticed, when we were in there, with that wall  
23 being there that, say, for example, from the center side, that if  
24 you're working on the middle position there in the center side --  
25 I'm sorry, I forget the --

1 A. R4?

2 Q. R4.

3 A. R4.

4 Q. If you're working that position, you -- if you wanted to see  
5 the TSD monitor on that back wall, you would -- would you be able  
6 to see that with that flight data wall being there or can you --

7 A. The wall that's projecting up on the --

8 (Cross-talk.)

9 BY MR. ROSATI:

10 Q. As soon as you walk in the control room you've got those two  
11 big TVs in the back.

12 A. Right.

13 Q. You've got the work monitor that's on your side, the center  
14 side, and then the TSD is on the other side. Can you see that  
15 from the center side at all?

16 A. I think I know which one is the --

17 (Cross-talk.)

18 MR. APONTE: Are they used for like to see what traffic that  
19 is coming? Approach?

20 MR. ROSATI: Yeah, it will show -- I assume it shows the San  
21 Juan traffic.

22 MR. APONTE: I don't think you can see it from R4.

23 MR. ROSATI: Okay.

24 MR. APONTE: That's my opinion. You know, the TV that is  
25 right next to R7. R7 --

1 MR. VENTURA: Oh, the TV that's out by R7.

2 MR. APONTE: He's saying you can see it from R4.

3 MR. VENTURA: Oh, okay.

4 MR. APONTE: I don't know if I can see it from R4.

5 MR. VENTURA: I'd probably say no. I don't even look back  
6 that often to look, so I can't even -- I wouldn't be able to tell  
7 you correctly.

8 BY MR. ROSATI:

9 Q. Do you think the facility would benefit from receiving  
10 pre-duty weather briefings?

11 A. Oh, absolutely.

12 Q. Um-hum.

13 A. Especially, we live in the Caribbean.

14 Q. Yeah.

15 MR. SOPER: I know.

16 MR. VENTURA: We live in the Caribbean.

17 MR. SOPER: We've been discussing that ever since we've been  
18 here.

19 (Laughter.)

20 MR. VENTURA: Exactly, we're in the Caribbean and this is  
21 summertime and guess what, thunderstorms, right? I mean, we have  
22 all kinds of weather phenomena, hurricane, right?

23 MR. APONTE: Tornadoes now.

24 MR. VENTURA: Yeah. So absolutely.

25 MR. ROSATI: Okay.

1 MR. VENTURA: Absolutely.

2 BY MR. ROSATI:

3 Q. And have you been made aware of any visits to the local  
4 National Weather Service or the forecasting center to try and get  
5 you guys some help or some information for some sort of weather  
6 briefs?

7 A. No, I've not been made aware.

8 Q. Okay. So you mentioned radio issues. Is there any known  
9 radar issues in the facility that have been worked on in the past  
10 or something that's planned on being investigated at all?

11 A. Radar issues, as such, I mean, we've had previously, it  
12 hasn't been too much of an issue because it's been mitigated  
13 pretty fast, where we've had ghost targets.

14 Q. Okay.

15 A. For whatever reason, that's happened before. Nothing like to  
16 the extent of like carriage (ph.) dropping, that hasn't been an  
17 issue. Sometimes we've had issues, I think it's more of a micro-  
18 EARTS thing than an actual radar thing where some kind of  
19 automation will fail between us and Miami, per se.

20 Q. Um-hum.

21 A. But as such, no.

22 Q. Okay.

23 A. Ever since we've had ADS-B FUSION, the radar has been  
24 behaving, so to speak, better than it has previously.

25 Q. Okay. Do you know if you have any, and if so, how many CAPs

1 open right now at the facility, corrective action plans?

2 A. That I do not know. That I do not know. I'm not made aware  
3 of that.

4 Q. So do you have full access to CEDAR for your facility? So  
5 like, for example, if you go into CEDAR, can you see all the MORs,  
6 access the SSRs, see all the open CAPs and run through all that  
7 data and information?

8 A. I had one major transition from CEDAR to team (ph.), access  
9 was denied, but then it was reinstated. I haven't gone into CEDAR  
10 myself, I usually just get together with QA/QC and then we go over  
11 whatever incidents that we have, whatever MORs, like I was doing  
12 this morning before I met with you guys and gals. So I imagine I  
13 do have access to CEDAR, I just do not access it.

14 Q. Okay.

15 A. Because I know that Michael Lees has told me that he would  
16 give me access back.

17 Q. Okay. So you mentioned you've been in four local safety  
18 council meetings. How many of those meetings have you guys gone  
19 through and done an SSR?

20 A. I did an SSR for the accident itself.

21 Q. Okay. What did that process look like?

22 A. It was -- and then I actually went through an SSR this  
23 morning, prior to the meeting that I had with QA/QC, I was in the  
24 middle of an SSR for an incident that had happened on Saturday, as  
25 well. I went through a review of the tapes of the accident that

1 had occurred and then I went with Michael Lees, we went over that  
2 SSR itself for each CPC and then we went through all the  
3 questioning that was -- he typed it up and then we came to an  
4 agreement what would be said on the SSR.

5 Q. Okay. So that was done with the XO and not the QC manager?

6 A. That was done with -- yes.

7 MR. APONTE: Yes.

8 MR. VENTURA: He was present, as well, he was actually  
9 filling it out, he was present, the OM was present.

10 MR. ROSATI: Okay.

11 MR. VENTURA: I was present. The staff specialist was also  
12 present from QA/QC.

13 MR. ROSATI: Okay.

14 MR. VENTURA: So the overall --

15 BY MR. ROSATI:

16 Q. And you were all working on it?

17 A. Exactly.

18 Q. Okay, that's good. Do you know if the local safety council  
19 is giving recommendations to the training department for  
20 development of recovery training each year?

21 A. I'm sorry, development of what?

22 Q. Recovery training. So with refresher training every year  
23 that you go through, you've got your recurrent training that's  
24 all, you know, in the classroom and whatnot and then we're  
25 supposed to have a refresher training which requires annual

1 recovery training in the lab, where you go through certain  
2 scenarios, you know, oddball stuff.

3 A. Oh, yeah, we do that, we do that every year, yes. I'm sorry,  
4 we just don't call it that, that's (indiscernible).

5 Q. Yeah.

6 A. Yeah.

7 Q. And so is the -- who is coming up with the ideas for those  
8 problems, is that the local safety council or is that just, you  
9 know, one of your support specialists?

10 A. Exactly, that's pretty much handled downstairs by -- well,  
11 downstairs, I mean here -- by SAIC, which, you know, QA/QC gives  
12 them, it's your usual hijacking, a bird strike, fuel dumping,  
13 trends identification, stuff like that. And it's pretty much been  
14 a lot of repetitive over the years, the same -- they cover the  
15 same topics, so nothing else has been introduced, per se. It's  
16 usually all the same, you know, unusual situations that you would  
17 see.

18 Q. Yeah. So do you think the local safety council could  
19 probably come up with a few better ideas that are a little bit  
20 more tailored to what you're seeing with trends and in the area?

21 A. Well, absolutely. If we identify trends, then we could put  
22 people in the lab and say let's focus more on this, absolutely.

23 Q. Do you remember any of those recovery sessions that you had  
24 in the past being -- involving weather at all?

25 A. Weather, let me see. My understanding is no, because since

1 weather is such a common phenomenon --

2 Q. Um-hum.

3 A. -- that it's not something, per se, that's refreshed because  
4 how often do you have weather versus how often do you have a bird  
5 strike or an iguana on the runway, right? So a lot of us here, me  
6 and Jose, the CPCs, we're very, very well versed in weather,  
7 calling weather, right, I don't need a memory. You know, I can  
8 call weather in my sleep. Can I call a bird strike in my sleep?  
9 Probably not. So --

10 Q. Good point. Who's keeping the minutes of the local safety  
11 council meetings?

12 A. We do actually not have minutes in local safety council  
13 meetings. My understanding is that we -- there was no  
14 requirement, there wasn't a scoping document. When initially they  
15 changed LSC member, it was never discussed. Now this is the first  
16 time that I'm hearing about it. I don't know if there's an actual  
17 requirement, I would like to know, if you know an actual  
18 requirement, but it might be a very good practice.

19 Since we've met so very little times, like I haven't gotten  
20 to that point yet, but I'm trying to put out as many fires as I  
21 possibly can, right, and because of the fact that "oh, the meeting  
22 was interrupted, okay, meeting's over," and when I tell you like  
23 meeting's over, we were like literally half an hour into the  
24 meeting, the meeting's over, right? Carmelo (ph.) will have to go  
25 back to work. Well, we need somebody for -- to cover CIC.



1 Q. Yeah. Okay.

2 A. But I mean, I can recall what was discussed in those  
3 meetings, but that will only take you so far.

4 MR. ROSATI: That's all I have for now.

5 MR. SOPER: Thank you. And we'll go ahead and go to you,  
6 Ruth.

7 MS. RUPNIK: Actually, Chris asked all of my questions.

8 MR. SOPER: That's okay.

9 (Laughter.)

10 MS. RUPNIK: No, no, no.

11 MR. ROSATI: Hey, that's never happened, just saying, you  
12 know, that's never happened.

13 MS. RUPNIK: I ask a lot of questions.

14 MR. ROSATI: Okay.

15 MR. SOPER: And that's amazing.

16 MR. VENTURA: I was looking forward to talking to you.

17 MS. RUPNIK: Oh, we'll talk, don't worry.

18 MR. SOPER: Jason?

19 MR. ALLISTON: To be clear, she asks most of the questions  
20 once she says she's done.

21 MR. SOPER: Yes, that's true.

22 (Laughter.)

23 MS. RUPNIK: I had a clarification question, but I mean, you  
24 can ask --

25 MR. SOPER: She does the "one more question" that's a series

1 of six. In six parts.

2 MS. RUPNIK: And I always promise it's the last one, but that  
3 answer usually leads down a different route. No, my only question  
4 was clarification on the initial -- the initial training that you  
5 said you had versus the advocacy training, because when I was on  
6 an LSC I only remember having the one. What's the difference  
7 between the two, the initial training versus the advocacy  
8 training? That was my only question.

9 MR. ROSATI: The advocacy training, it's a NATCA class that's  
10 put on by NATCA, NATCA national.

11 MS. RUPNIK: Okay.

12 MR. ROSATI: And it just gives you a way more thorough  
13 understanding of CEDAR and working with the QC manager and  
14 understanding the role of the safety meeting in the facility.

15 MS. RUPNIK: Okay. So see, I'm going to do it now. So --  
16 (Laughter.)

17 MR. SOPER: Never mind, Jason.

18 MR. VENTURA: And now that you've told me about that, now  
19 that's what I'm going to do.

20 MR. APONTE: That class should be coming out sooner because  
21 they got a lot of materials for next year, so I'm waiting for it.

22 MR. VENTURA: Chris, what is it called again? I'm sorry?

23 MR. APONTE: Safety advocacy.

24 MR. VENTURA: Safety --

25 MR. ROSATI: I think they call it safety advocacy training.

1 MR. APONTE: Yeah, advocacy training.

2 MR. VENTURA: Yeah, because, you know, forgive me, a lot of  
3 this, like I'm learning as I'm going along.

4 MR. ROSATI: Um-hum.

5 MR. VENTURA: So I'm improvising a lot, right, using what I  
6 know in my head and working with management, working with QA/QC.  
7 Okay, "no, this doesn't sound right," "no, this sounds right, I'll  
8 get back to you," stuff like that. So that will definitely help  
9 out a lot.

10 MS. RUPNIK: Okay, so sorry, this is a -- hey, you guys led  
11 me astray, that's not my fault. No, so --

12 MR. SOPER: We led you astray?

13 MS. RUPNIK: Yes.

14 MR. SOPER: How?

15 MS. RUPNIK: Because I was done, you know. I disappointed  
16 you, so keep going.

17 MR. SOPER: Okay.

18 MS. RUPNIK: So you, in the initial, you sign like the  
19 privacy, the nondisclosure, whatever, the privacy training thing,  
20 you can't talk about anything that comes up like an ATSAP or  
21 whatever, correct? Is that part of the initial training?

22 MR. ROSATI: I don't remember, it's been so many years for  
23 me, so --

24 MS. RUPNIK: Do you have access to the web portal?

25 MR. VENTURA: To the safety hub, yeah, I do. But when we get

1 the ATSAP reports, all of that is -- what's the word, Chris?

2 MR. ROSATI: It's redacted.

3 MR. VENTURA: Redacted, there you go.

4 MS. RUPNIK: Right.

5 MR. VENTURA: Everything's redacted, so I don't know.

6 MS. RUPNIK: Okay.

7 MR. VENTURA: I'd be probably playing a guessing game to see  
8 who was the guy who sent me that, right?

9 MR. ALLISTON: He doesn't necessarily have --

10 MS. RUPNIK: Oh, no, no, I --

11 MR. ALLISTON: LSCs don't have the NDAs, but the ERC does.  
12 The ERC --

13 MS. RUPNIK: Well, we still had to sign, I mean, there was  
14 still some privacy training, I can't remember if there was  
15 anything --

16 MR. ALLISTON: Yeah, there is privacy training, but it's  
17 dealing with and operated under an NDA or the ERC.

18 MS. RUPNIK: Okay, but you can go on the web portal, type in  
19 your username and password and get access, correct? You,  
20 personally.

21 MR. VENTURA: To the safety hub, yeah.

22 MS. RUPNIK: Okay, that's -- that's all I wanted.

23 MR. SOPER: Okay. Jason.

24 BY MR. ALLISTON:

25 Q. All right, I just wanted to kind of -- again, kind of new, so

1 what kind of local training, have you had any kind of local  
2 training or indoctrination as far as QC processes so far?

3 A. No. No, none whatsoever.

4 Q. Do you know what the 7210.634(a) is?

5 A. No, I do not. Would you tell me?

6 Q. It's the QC order.

7 A. That's the QC order, okay.

8 Q. Yes. And it actually speaks to a lot of what you do as an  
9 LSC member. So do you know what -- which article kind of governs  
10 your involvement in the LSC?

11 A. In the contract?

12 Q. Yeah.

13 A. Oh, I don't know off the top of my head, but I know that  
14 there is one in there.

15 Q. Yeah, so Article 51 in there, if you want to write that down,  
16 too, but Article 51 is a big one for you. It's going to basically  
17 specify what you're entitled to be involved in. At least part of  
18 it.

19 A. Right. Well, at least -- I can at least attest to management  
20 has been inclusive in this whole process and -- for the most  
21 part --

22 Q. Yeah.

23 A. -- and then, you know, bringing me on board with the SSRs and  
24 stuff like that and the MORs, so --

25 Q. Yeah. And I get that there's a ramp up, right, like as far

1 as a lot of this stuff is new, the QC order, a lot of times  
2 they're linked on CEDAR. It's actually a really easy order, it's  
3 only like, I don't know, 20 pages or something.

4 A. Yeah. The training order is way longer than that.

5 Q. Yeah, it's super short and it's actually prescriptive, so  
6 it's easy to follow. So I'll kind of go through some things that  
7 you're entitled to be involved in and just what your knowledge  
8 level is on each of those. So internal compliance verifications,  
9 are you involved in those at all or do you have any kind of  
10 discussions on that?

11 A. I have, which was interrupted again. We were in the process  
12 of beginning, so I think that's maybe something like a hundred and  
13 70-something items-ish, right, for the year that we were in total  
14 noncompliance because we were past the time limit that we were  
15 supposed to have addressed the -- that. And that was about a  
16 couple weeks ago when I was in the meeting with both my  
17 counterparts and one got pulled.

18 So after that, that is when this happened. So hopefully,  
19 after this is resolved, then we can go back and finish that audit  
20 because we were, you know, just getting -- literally, just getting  
21 started. So we were like on the first 20 items, which happened to  
22 be geared towards approach, Area 2, so --

23 Q. Okay, awesome. And then ECVs, those are external compliance  
24 verifications. The last one that occurred here was 2021, so you  
25 wouldn't really have been involved at that point. Were you aware

1 of kind of what an ECV -- what occurs in one of those?

2 A. No, not really.

3 Q. So it's basically -- it's like ICV, except QCG (ph.) comes in  
4 and does it to your facility.

5 A. Okay.

6 Q. So they apply all those same things that you're going to go  
7 through on ICV from an external standpoint to see if you've been  
8 checking your compliance well.

9 A. Right, I do --

10 Q. If that makes sense.

11 A. I do recall people from outside the building that came, that  
12 said "okay, big monitor, you guys are calling weather, you guys  
13 are compliant; oh, you guys are noncompliant in you're omitting  
14 November and saying one-two-three as opposed to November one-two-  
15 three." So yeah, I've seen that before in the past, as a  
16 controller.

17 Q. Okay. So yeah, you'll probably be getting another one of  
18 those before too terribly long, but you should be involved in  
19 that. That should actually be some duty time, it's assigned to  
20 participate in ECV. There's always should have duty time to  
21 participate in ICV, I would recommend, on a scheduled basis.

22 A. Yeah, I mean, the last time when we were doing that, I was,  
23 you know, working.

24 Q. So quality control validations, do you know what those are at  
25 all?

1 A. Probably partially, explain to me what it is.

2 Q. So that --

3 A. Since I'm horrible with acronyms, so could you tell me?

4 Q. Ask me and I'll -- yeah.

5 A. Maybe --

6 (Cross-talk.)

7 BY MR. ALLISTON:

8 Q. And that's why I'm asking like this, do you know what it is?

9 And then I'll explain now, and now does it -- does it ring a bell?

10 So the validation is if you go through and complete an OSA -- do

11 you know what an OSA is, first? Operational skills assessment?

12 It's almost like doing a training form, but you're not doing it on  
13 an individual, you're doing it on a position.

14 So you review a Falcon or whatever your version is with  
15 micro-EARTs and go through and check for compliance, it's very  
16 similar to a training form as far as the lines in the form and all  
17 that kind of thing, and you'll mark if they're, you know,  
18 compliant or they need improvement, et cetera.

19 And once that OSA is complete, now the facility has to  
20 validate the accuracy of the OSA because -- and an OSA is supposed  
21 to be like a health check for a position for a said amount of  
22 time. The validation, now, is to validate that that was done  
23 well. So say your facility has to do a hundred OSAs for an even,  
24 round number, you have to do -- don't quote me, but I think it's  
25 15 percent of your OSAs, so you would validate 15 percent of



1 those. You'd be involved as part of the LSC on those validations.

2 A. Okay.

3 Q. So there's some concurrence things in there, as well.

4 A. So I'm going to have a heart attack just like listening to  
5 you, I'm going crazy over here because --

6 (Cross-talk.)

7 MR. VENTURA: Yeah, because since I took the (indiscernible)  
8 I've just been fighting, literally, just having to schedule the  
9 thing, but like LSC is we need to be involved and at the  
10 beginning, they showed some systems, I believe, that they wanted,  
11 especially after the accident. I don't even have -- I've been  
12 asking for access to the service reviews since that. I don't have  
13 access. I actually went to see him, still don't have access. I  
14 talked to him twice.

15 MR. ALLISTON: You're the principal, you're supposed to have  
16 access --

17 (Cross-talk.)

18 MR. APONTE: I talked to him twice, I was like I don't have  
19 access to the service reviews.

20 MR. ROSATI: -- in CEDAR.

21 MR. APONTE: Yeah, I went to CEDAR, I (indiscernible) see all  
22 the covering and review. I don't have access. I don't know if  
23 that's (indiscernible), I can see them, but I cannot verify. So I  
24 don't have access, I've been asking for the access. So it's been  
25 (indiscernible) on the meetings, they're interrupting the meetings

1 for things that are no more important than the local safety  
2 council. You know, we want to do an ELMN (ph.), we want to do a  
3 training. You know, you're just captive and it's been -- it's  
4 been only a month and a half that I'm in the (indiscernible), but  
5 it's been a constant fight to actually let them know we need to be  
6 involved because what we were doing before was have the QC,  
7 Melissa, do everything, service reviews, everything, she will do  
8 everything and the local safety council will never be involved.  
9 And now I'm trying to change that, you know. So --

10 MR. VENTURA: And as a matter -- I'm sorry to interrupt you,  
11 Brian. As a matter of fact, we just had recently, in these last  
12 couple days, ATSAP specialist did put out because of the  
13 overwhelming volume of work that that department has, that cannot  
14 keep up with it. But that was completely way overdue and now,  
15 it's just -- it's out of control. It really is, it's out of  
16 control.

17 MR. ALLISTON: So it is a great opportunity to get the LSC  
18 more involved from the standpoint of a lot of this work can  
19 actually be done by the LSC.

20 MR. APONTE: Um-hum.

21 BY MR. ALLISTON:

22 Q. So just those things that need to be done. I guess I'll ask  
23 about meetings. So typically, are those ad hoc or are they  
24 scheduled meetings in advance?

25 A. They're scheduled.

1 Q. And are you pulled off the schedule like (indiscernible)  
2 schedules onto a detailed --

3 A. That's something that I've argued with management, that I  
4 told to like Echo Victor, that I told to Pedro, which is my  
5 counterpart from NATCA, to put us on detail. We could be put  
6 today, I'm on a detail, I'm on a 6 o'clock a.m. detail. Don't  
7 touch me, leave me alone, I'm not part of the rotation.

8 Many a times, when we are doing LSC stuff, we are in the  
9 rotation, not taken off the floor, per se, and so that's where the  
10 encumbrance lies and because oh, get out there (indiscernible), go  
11 call Carmelo out, we need him. CIC so-and-so, you know, needs  
12 their break or whatever the case may be. And it's happened, you  
13 know, out of the four meetings that we've had, it's happened two  
14 out of the four already, so --

15 Q. Yeah. So LSC has an obligation -- so there are some  
16 different things that, you know, we can kind of go out to the  
17 facility for, it's better. That's one of them, a lot of managers  
18 do not know that this is something that we have to do, like we're  
19 required to provide time for the LSC. If they have a meeting  
20 that's required once a month, that's an obligation, we make the  
21 meeting happen.

22 A. Yeah.

23 Q. Not we do all these other things and then we'll see if we can  
24 make the meeting happen. So --

25 A. And I've come -- I'm sorry to interrupt you, I've come on

1 overtime to audit before shift or whatever the case may be and  
2 I've even told them I'll come in on overtime to -- you know, if we  
3 have to meet, because part of the problem is with my schedule and  
4 my counterparts who are on opposing sides. So there's very little  
5 overlap, so to speak. But to compensate to that, well, I'll stay  
6 an extra 2 hours, I'll come in early an extra 2 hours, I'll come  
7 on my day off. It's like talking to the wall.

8 Q. Yeah. Are you aware of the last corrective action plan for  
9 the facility?

10 A. No, I'm not aware.

11 Q. Okay.

12 A. Do you?

13 MR. APONTE: I'd like to know.

14 MR. ALLISTON: We probably could pull that in data, but --

15 MR. VENTURA: I don't even think we had like, you know, a lot  
16 of back and forth that we've had prior to his administration  
17 (indiscernible) was, you know, Maria (ph.) is not surprised that  
18 this facility has no, or at best, a very weak contingency plan in  
19 the event of ATC zero or some other kind of catastrophic event. I  
20 think that's somewhat out there in limbo that hasn't even been  
21 addressed yet.

22 MR. ALLISTON: I see. For transparency, that's true on a lot  
23 of facilities.

24 MR. VENTURA: Okay.

25 UNIDENTIFIED SPEAKER: No, it's not so bad.

1 BY MR. ALLISTON:

2 Q. Let's see. So one last thing I want to touch on is you've  
3 mentioned the support manager a few times. What's the engagement  
4 on that side from a quality control standpoint with LSC and this  
5 -- you can answer this from an LSC standpoint or controller  
6 standpoint. What products do you see coming out that affect your  
7 day-to-day work from the quality control department?

8 A. You said products?

9 Q. Yeah.

10 A. Hopefully, possibly maybe more better guidance in terms of  
11 bringing stuff out with emphasis to things that need to be paid  
12 more attention to, like I'm noticing things that I've had  
13 discussions with people on the floor. On Sunday, I spoke with a  
14 controller because of not de-combining the sector in a timely  
15 fashion, right? I had a disagreement with the supervisor for  
16 keeping it combined with a convective SIGMET with a tropical  
17 depression -- Franklin smacked out in our airspace -- that wanted  
18 to keep it together for the sake of an AC check ride, you know.

19 So hopefully, if I can, in QA/QC, break a lot of bad habits  
20 that this facility has had by showing that, you know, we need to  
21 get out of these practices, right, change the culture, change the  
22 mindset because the things that are done here are not safe at all  
23 in any respect. So I can attest to -- you guys seen our white  
24 data blocks, you guys have white data blocks in Oakland Center.  
25 Okay, so we have a whole bunch of brand-new rookies, right, a

1 whole bunch of brand-new rookies. I've been around your center,  
2 right, or approach. You guys, you go okay, great, we're all  
3 center guys. So I've worked with green data blocks, I've worked  
4 with yellow data blocks, and now we're working with white data  
5 blocks. When I got on to the LSC, we had a great guy, Sweeney  
6 (ph.), he's now in headquarters, and one of the projects that I  
7 wanted to do, right, outside of getting help from management, was  
8 make this transition to do white data blocks because a lot of  
9 people are in agreement that white data blocks are better, right?

10 We have it in STARS, if I'm not mistaken, and a lot of first-  
11 world countries, you know, those countries are using white data  
12 blocks. So hey, for safety, we have a slack check, get feedback  
13 from the membership, I think that, you know, or having a bunch of  
14 new CPCs, a lot of rookies, anything that we can do to, you know,  
15 make it safe, make it better, make our job easier, more efficient,  
16 so we've implemented white data blocks. And that was, you know,  
17 without QA/QC, to give an example. But you know, like I said,  
18 there's a lot of work to be done.

19 Q. Yeah. Then that's kind of specific to the question is you  
20 would like to see QC put out "hey, these are the focus items on  
21 things we found through all these processes we just talked about,  
22 that we need to tighten up and to disseminate those out to the  
23 workforce." Is that kind of what I'm hearing you say?

24 A. Well, yeah, exactly. Especially with like, you know, a lot  
25 of the rookies, we've had incidents so far which, thank God it

1 hasn't happened, you know, lately where probably it's maybe a  
2 little bit of a trend taking off, but I don't want to be too  
3 premature yet where, you know, there have been some pretty awful  
4 separations due to rookies ripping (ph.) traffic. So I would like  
5 to get QA/QC more involved, especially until these younger  
6 generations that we have, that they have to be more vigilant in  
7 their job, right, they have to take their job more seriously, they  
8 have to do everything that they can to be as safe as they can.

9 So that's what I would like to do in the upcoming future,  
10 especially as I see, you know, volume, our traffic is increasing,  
11 right? The rest of the United States is pretty much saturated.  
12 Our traffic has nowhere to go but up. So with that being said,  
13 right, I'm a little cautiously optimistic about how our season is  
14 going to play out with so many rookies.

15 So I'm really, really going to be vigilant that hey, QA/QC,  
16 we have to be on top of this, you know, there has to be  
17 accountability, we have to get these people to the best that they  
18 can be so that when heavy traffic comes, like we're anticipating  
19 in December, we'll be prepared, everybody is, you know, ready to  
20 go as best as they can, because right now we're not there yet.

21 Q. How does your support manager -- like, what does his  
22 engagement look like on the QC side?

23 A. Engagement with me or how would you --

24 Q. With the facility.

25 A. A lot of telework. I mean, no pun intended, right, minimal.

1 I see him, you know, maybe two to three times a week. Probably, I  
2 would like to be -- have more of a -- more interaction with him.  
3 Right now it's just the bare minimum, it seems, or at least that's  
4 the impression that I have.

5 Q. Okay.

6 A. So can it improve? Absolutely, right?

7 Q. All right, so that's the QC side. And you mentioned a lot of  
8 rookies, what's your training program look like? Would you say  
9 it's in a good place?

10 A. Exactly. In a perfect world, when they come up from, you  
11 know, Stage 2, Stage -- I'm sorry, Stage 3 training and so forth,  
12 they're a whole lot better prepared. Most often than not, I would  
13 say that the developmentals that we have, I have a later  
14 developmental right now that I trend and so does he, and I don't  
15 feel that when they come up to the floor they're not as prepared  
16 as they probably should be. They're under-prepared, I would say.

17 MR. APONTE: There's not good communication between  
18 (indiscernible) you or the control room, QC and SAIC. So it's not  
19 like to a level of --

20 MR. VENTURA: It's not there, the LSC.

21 MR. ALLISTON: Okay, that's exactly what I was asking.

22 MR. APONTE: So they will be doing something different  
23 downstairs that we've been -- actually, I've been telling them  
24 hey, they need to get in the same place here, we need to teach the  
25 guys what we actually do. I know it's not the same, it's never



1 going to be the same as a simulation, but you got to do it  
2 (indiscernible).

3 MR. ALLISTON: Great. That takes me into a great area  
4 because I'm a little bit -- where I didn't think I was going to  
5 have much at all, now I'm kind of irritated.

6 MR. VENTURA: And now you want to talk to me?

7 (Laughter.)

8 MR. VENTURA: Thanks a lot, thanks a lot.

9 MR. ALLISTON: Let me be clear, not irritated with you, no.

10 (Cross-talk.)

11 MR. VENTURA: -- upset.

12 MR. ALLISTON: As a matter of fact, no, I'm actually very  
13 appreciative of you, of both your forthrightness in this  
14 discussion because this really opens up, you know, a point that  
15 clearly needs visibility and it sounds like you guys are  
16 experiencing frustration with not being able to get traction there  
17 yourself. So like I'm going to go -- I'm going to revert back a  
18 little bit before I even get to that part and ask you, Jose, you  
19 mentioned that you don't have access to CEDAR, that's seems absurd  
20 to me a little bit. I feel like Chris felt the same way.

21 MR. ROSATI: Yeah.

22 MR. ALLISTON: Like that's a -- that's like a -- almost like  
23 the first thing, like you become a PAC (ph.) rep, like oh, make  
24 sure he has access to this, make sure you do that, right? And it  
25 sounds like you were attempting to do that. Who's the one that

1 turns you on for that, who is the one that's responsible? You  
2 said you've asked now a couple of times, it's still not there.

3 MR. APONTE: Michael Lees, the XO.

4 MR. ALLISTON: So it is the XO, so that is the person or  
5 would it be the QC manager that would end up doing that properly?

6 MR. ROSATI: The QC manager should be able to go into CEDAR  
7 and within a minute just check some boxes, and he has access to  
8 everything.

9 MR. APONTE: So when the accident happened, a couple days  
10 after, I talked to Brian Wolfe (ph.) and he told me hey, you need  
11 access to this. So I asked may I have access to it, he said we'll  
12 handle it, and then it wasn't there, no access, so I texted him 2  
13 days later and I said hey, I don't have access. Oh, I'll check  
14 for you. Still don't have access. So --

15 MR. ALLISTON: Okay. Well, I mean, they've probably been  
16 busy a little bit, preparing here, and that we're coming and  
17 stuff, but at the same time, like he mentioned, this is not a  
18 difficult tasking.

19 MR. APONTE: No.

20 MR. ALLISTON: That's like 10 seconds, probably, if they're  
21 in there. So I don't see where that's a big roadblock.

22 MR. ROSATI: The support specialist might even be able to do  
23 it.

24 MR. ALLISTON: And I mean, frankly, I would think the -- I  
25 mean, it should be imperative to get you connected in that before

1 we even come here, like for your sake, to get things moving in the  
2 facility. So now let's move back to the training piece you guys  
3 were mentioning and -- so when you said you don't think -- you  
4 think that maybe, you know, if you were going to classify it right  
5 now, that the trainee, the developmental is generally under-  
6 prepared when they arrive on the floor, from where you would like  
7 to see them, you know, you would like to see them better prepared  
8 for the floor.

9 And you, Jose, brought up a point that you -- it sounds like  
10 they're not prepared because they're not prepared for what you  
11 really do here, the locally based stuff. So some of this is kind  
12 of commentary, I think, unfortunately, but I want to walk myself  
13 through this as I ask you questions.

14 MR. VENTURA: I mean, you can find out, you guys can find out  
15 what is our success rate.

16 MR. ALLISTON: Yeah.

17 MR. VENTURA: We have a very, very -- you have a horrible  
18 success rate, so --

19 (Laughter.)

20 MR. VENTURA: -- you're in the same boat, right, you know  
21 what I'm talking about, right? So --

22 MR. ALLISTON: For the record, he's speaking to Oakland  
23 Center.

24 MR. VENTURA: Exactly, Oakland Center.

25 (Laughter.)

1 MR. VENTURA: So given the proportion of trainees that we  
2 have, you know, I mean, we're just as bad as trying to get  
3 certified at 90, so to speak. So there might be some correlation  
4 there between okay, our success rate and if, in fact, the  
5 developmentals have been prepared, maybe they would be more  
6 successful.

7 BY MR. ALLISTON:

8 Q. So let me ask you this, stepping through that training  
9 process, so a developmental arrives here. You mentioned Stage 3,  
10 is that when they come to you on the floor?

11 A. That's when they're down here and then they finish classroom,  
12 they finished I-Sim and then they go up to the floor.

13 Q. Okay, so step me through the stages of training as per a  
14 developmental. If I'm a developmental here and I arrive through  
15 the door, what are my stages of training, what's going to happen  
16 with me?

17 A. Well, if I have ASAIC training, it will be the first one and  
18 then they'll spend some time down here, usually about 2 to 3 weeks  
19 ASAIC training.

20 Q. When you say down here, there's going to be --

21 (Cross-talk.)

22 MR. VENTURA: -- training is down the hallway.

23 BY MR. ALLISTON:

24 Q. Okay. So they're going to be working with the SAIC folks on  
25 that one --

1 A. Exactly.

2 Q. -- because when they first get here, they're kind of with  
3 them doing initial training and -- all right, so -- and that's all  
4 on ASAICs?

5 A. Exactly, ASAICs.

6 Q. Okay, all right.

7 A. So after that, they'll go up to the floor, they'll season a  
8 little bit.

9 Q. Okay.

10 A. And then they'll be assigned D side class or D side school,  
11 they'll come back down with SAIC again, spend a couple months with  
12 SAIC, go back up to the floor, train once again, get certified on  
13 all their D sides --

14 Q. Yeah.

15 A. -- come back down again, go to R side school and then come  
16 back up to the floor, R side training until they become a CPC.

17 Q. Is that where the biggest disparity seems to be is when  
18 they're coming back up for R side actual, you know, R side  
19 training or is it --

20 (Cross-talk.)

21 MR. VENTURA: It's on all of them.

22 MR. ALLISTON: So from everything.

23 MR. APONTE: D side --

24 MR. ROSATI: Everything.

25 MR. APONTE: -- and R side.

1 MR. VENTURA: All qualifications.

2 MR. ALLISTON: The guys, in the simulator stuff that they're  
3 doing down here for those, do you think they are not adequate or  
4 not really applicable to what you're really working, is that the  
5 biggest problem?

6 MR. APONTE: So basically what's happening is -- and now I'm  
7 talking for the last what, seven trainees.

8 MR. ALLISTON: Yeah.

9 MR. APONTE: They just are like brand-new people on site.

10 MR. ALLISTON: Okay.

11 MR. APONTE: So these people, they're not really familiar  
12 with the airspace, they're still also learning the airspace.

13 MR. ALLISTON: So they were not controllers here.

14 MR. APONTE: They were not controllers.

15 MR. ALLISTON: Correct, okay.

16 MR. APONTE: So that's been the problem because then they  
17 don't even know how to teach something they don't know, you know,  
18 so --

19 MR. ALLISTON: Is there any capacity for you for -- that's a  
20 difficult thing, because -- so one thing I'm just trying to pick  
21 up on here is that, you know, when you were initially talking  
22 about things and how you have a lot of, you know, developmentals  
23 here, you got a lot of rookies, as you mentioned, that are hitting  
24 the floor. As a matter of fact, I mean, I noticed that right now,  
25 in the en route side, you got more developmentals than you have

1 qualified people.

2 MR. APONTE: Um-hum.

3 MR. ALLISTON: That's a pretty challenging environment to  
4 work in. That being said, has there been a focus to -- I don't  
5 know how to say this, so how can -- what interaction do you  
6 believe has to happen between SAIC, S-A-I-C, contracted trainers  
7 and your side of the house, who has to have a relationship there  
8 to make that a better environment?

9 I feel like -- I feel like this is LSC-ish, okay, like in  
10 that realm. Am I off track on that? And that you would probably  
11 engage -- you, yourself, are an OJTI and you know the others that  
12 are OJTIs and if you're visibly noticing this is not even -- are  
13 other people coming to you with the same concerns? Obviously, he  
14 has the same concerns. I mean, do you hear the same concerns from  
15 other qualified controllers on the floor --

16 MR. VENTURA: That they're unprepared?

17 MR. ALLISTON: That they're sending us staff not prepared, we  
18 can't teach them basics up here, we --

19 MR. APONTE: Um-hum.

20 MR. VENTURA: Absolutely, absolutely.

21 MR. ALLISTON: Okay.

22 MR. VENTURA: And let me ask now what you call it, Chris, do  
23 you guys -- or back then -- I'm talking 2014, that was the last  
24 time that I was at Oakland Center. Were you guys still sending  
25 people on detail downstairs to do OJTI?

1 MR. ROSATI: We still do that to this day.

2 MR. VENTURA: Um-hum.

3 MR. ROSATI: So we -- and that was going to be my suggestion  
4 to you, is to try and find a way to bring current qualified active  
5 controllers from each area to the Article 114 or whatever, over to  
6 the training department --

7 MR. ALLISTON: Yes.

8 MR. ROSATI: -- to leave the training department for the  
9 area, and it doesn't mean they have to be there every single day  
10 doing all the training and doing all that stuff, but to at least  
11 be involved in the process of building the problems --

12 MR. ALLISTON: Yes.

13 MR. ROSATI: -- checking in occasionally to ensure that what  
14 they're being taught is relevant to -- not just to .65 and this is  
15 how to say, you know, San Juan Center, roger, but you know, how it  
16 actually works in your particular environment. The issues that  
17 you deal with regularly, you know, there are things they have to  
18 do, box checking, right, but there is a lot of leeway in there for  
19 you to be able to tailor that training to what you need in your  
20 areas. So --

21 MR. ALLISTON: That's precisely where I was going to go,  
22 okay, because it doesn't seem like -- it seems like there's --

23 MR. VENTURA: A disconnect?

24 MR. ALLISTON: -- a disconnect right there for you guys, like  
25 they're new, they're on board, we're the people, we're the



1 trainers, you guys stay over there, we'll stay over here, we're  
2 going to develop this program and you're like, okay, but --

3 MR. APONTE: So basically --

4 (Cross-talk.)

5 MR. VENTURA: He's my president, okay, so I have to call him  
6 Mr. President. I have mentioned that in the past because I got  
7 that idea from Oakland Center when I went to Oakland Center. I  
8 pitched it to management here back in the time under a different  
9 ATM and Gordy (ph.) was a backup at that time. No, it can't be  
10 done, we can't, no, no, no. No, no, no. Always is no, no, no.

11 I can tell you, and I can drag my trainee in here, I took it  
12 upon myself, my own initiative, I asked my trainee if these people  
13 from SAIC were teaching them the ATP, the .65. It's all a self-  
14 study thing, they don't go over the material at all. I,  
15 personally, on my own time came down here, talked to  
16 developmentals, chapter 5 of the .65, chapter 6, down the hallway,  
17 what SAIC was supposed to do because I had no faith whatsoever  
18 that they were going to come, because we're talking about very  
19 advanced concepts. The two hardest chapters of .65, aside from  
20 oceanic en route and stuff like that, is chapter 5 and 6, IFR and  
21 radar.

22 MR. ALLISTON: So I have a difficult question for you,  
23 probably.

24 MR. VENTURA: Please, no.

25 MR. ALLISTON: It might not be difficult to answer, difficult

1 in the manner of you might not want to answer it, I mean, because  
2 it's going to feel like you're diming people out type of deal, but  
3 I mean, in this -- in this scenario you're -- SAIC should not be  
4 -- contract trainers should not be working autonomously in a  
5 facility, meaning they -- especially if they are people that  
6 didn't come from the facility, okay, that's really bad, I mean,  
7 that's no better than if you just sent your people back to the  
8 academy and said go get training and come back so you can work the  
9 floor, like, it's not the same training, right?

10 MR. VENTURA: Right.

11 MR. ALLISTON: But my point is, is that you have a training  
12 manager who is currently -- the QC manager is currently the --

13 MR. APONTE: Um-hum.

14 MR. VENTURA: -- procedures and whatever manager.

15 MR. APONTE: Um-hum.

16 MR. ALLISTON: So --

17 (Cross-talk.)

18 MR. ALLISTON: What's that? I'm sorry.

19 MR. VENTURA: Teleworking.

20 MR. ALLISTON: Teleworking, right, exactly.

21 MR. VENTURA: I call him the part-time --

22 MR. ALLISTON: That person should be -- I'll use the word  
23 auditing.

24 MR. APONTE: Everybody call him the part-time.

25 MR. ALLISTON: I'm going to use the word auditing, but I

1 mean, it's not necessarily auditing, but that training manager  
2 should be very engaged in this SAIC contract to ensure that the  
3 content of that, of what's being taught down there, is pertinent  
4 to making your controllers successful on the floor, right?

5 MR. VENTURA: Right.

6 MR. ALLISTON: I mean, that's a job of that training manager,  
7 that is like -- that's their job-job, right?

8 MR. VENTURA: No.

9 BY MR. ALLISTON:

10 Q. No extra time somewhere else, that's what they're supposed to  
11 do. So I'm having -- I'm struggling a little bit with --

12 A. I'm sorry.

13 Q. -- what you feel. To get the question, do you feel that that  
14 person that is currently filling the training manager position is  
15 accomplishing the duties of what a training manager should here?

16 A. I would say no.

17 Q. Okay.

18 A. Based upon what I've seen, I would say no. And I would think  
19 that anybody, any reasonable controller that you pulled in, too,  
20 and asked the same question, would pretty much agree with me.

21 Q. How long do you feel, have you noticed -- how long have you  
22 been an OJTI here?

23 A. Ten, about 10 years, a long time. A long time, yes. At  
24 least 10 years.

25 Q. So how long do you feel that the training has been in this

1 state? Is this something that has developed over the last six  
2 months, one year? Has it always been this way? Has it made a  
3 rollercoaster ride, it was good for a bit, it was bad for a bit?

4 A. No, I would say probably they'd be like when right after  
5 (indiscernible), maybe. Maybe two years after (indiscernible)  
6 2016 it started going down, the standards.

7 MR. APONTE: About, about.

8 MR. ALLISTON: And does that coincide with losing somebody  
9 here or something changing in the --

10 MR. APONTE: I think the training department people that were  
11 here were actually controllers that were retired.

12 MR. ALLISTON: Okay.

13 UNIDENTIFIED SPEAKER: Exactly, right.

14 MR. APONTE: So they are gone now.

15 MR. ALLISTON: Yeah.

16 MR. APONTE: But it was really good because to just retire  
17 and doing work there and they knew everything.

18 MR. ALLISTON: Yes, that's optimal if they were good and they  
19 were qualified.

20 MR. VENTURA: Yeah.

21 MR. ALLISTON: Sometimes we see that, too, where, you know,  
22 they weren't good controllers and then go up there and then it's  
23 like yeah, worst people ever to get in there, but -- but no,  
24 you're absolutely right, but we can't always get that, right?

25 MR. APONTE: Um-hum.

1 MR. ALLISTON: It's good that you have contract trainers,  
2 that's positive, right?

3 MR. APONTE: Um-hum.

4 MR. ALLISTON: But they have to be -- you know, obviously --  
5 (Cross-talk.)

6 Q. Yes, they have to be helpful but, I mean, they have to be --  
7 there has to be a -- there has to be a relationship, there has to  
8 be a relationship between them and your facility here, your  
9 facility people, both the training program as well as those that  
10 are conducting OJTI and stuff. So what is the feedback from the  
11 developmentals, are you getting --

12 A. They're in agreement, I asked my developmentals how --

13 Q. So that's what I was going to ask, how are they feeling when  
14 they come to the floor, do they share with you, okay --

15 A. "They didn't show me that, they never taught me that," that's  
16 all I consistently hear. "Oh, that's new to me" or "Downstairs we  
17 didn't do it that way."

18 Q. Do you provide feedback somewhere in the facility, like  
19 either to the ATM, the XO, the training manager, QC manager?

20 A. No, because, I mean, some pertinent questions fall on deaf  
21 ears.

22 Q. I got you.

23 A. I can tell them, but I mean --

24 Q. I understand.

25 MR. APONTE: Basically, we've been going up talking to

1    them --

2           MR. ALLISTON:   Yes.

3           MR. APONTE:   -- since like maybe last month, since I started.

4           MR. VENTURA:   It's like telling a child to do their homework.

5           MR. ALLISTON:   Right.

6           MR. APONTE:   Basically, going back to what I just said,  
7   having the controllers to be in the class, I forced the first  
8   class on approach side, we got two CPCs, they actually made me --  
9   I wanted them for 3 weeks and the only one, because they're  
10   (indiscernible) one of them for 2 months.  So what we did is we  
11   split the class, so we got one CPC running 3 weeks in that class  
12   on the lab side, and then another CPC running for three.

13           So for the center, I want to do it, I already talked to them  
14   about it, but they don't want to do it because we're short  
15   staffed, so it's going to be hard.  So I talked to them about  
16   sending a CPC on main, as he wants to do it.

17           MR. VENTURA:   You told me you were going to send me.

18           MR. APONTE:   Yeah, you don't have time for that.

19           (Laughter.)

20           MR. APONTE:   It's going to be you in a minute, I guess, now.  
21   But sending them, you know, sometimes to a classroom, like you  
22   said, put them in the class, but this is another thing.  One of  
23   the SAIC instructor, he was a CPC here and he's not really  
24   (indiscernible).  So every time a CPC goes there and say hey,  
25   you're doing this wrong, this is what we do, he doesn't like it.

1 And that's another problem we have. So it's more like the  
2 communication between -- if I send a controller there, he's  
3 listening to the controller because he's the one working traffic  
4 and that's not happening, they're not.

5 BY MR. ALLISTON:

6 Q. And so another question that goes along with that, then, from  
7 what you're seeing right now, how long have you been in the case  
8 of having this many developmentals?

9 A. This is the first time. Since COVID, I mean, we've never had  
10 such a swarm of developmentals.

11 Q. Did you just get a big influx of them all together --

12 A. Yes, we did. Um-hum.

13 Q. -- over a short period of time?

14 A. Yeah, we had like two big waves.

15 Q. Okay, all right. And --

16 A. Which we were completely unprepared --

17 Q. Yeah. So you --

18 A. -- in every capacity to handle.

19 Q. So, so far you don't have really -- there's no way to look  
20 at, you know, what the success rate of that is because they're all  
21 too new yet to really see how that's going to play out, you know,  
22 like --

23 A. Right.

24 Q. -- I mean, are they --

25 A. To some extent, I mean, the ones that have remained --

1 Q. Yeah.

2 A. -- to some extent, but I can tell you that it's probably  
3 nothing -- you know, it probably leans more towards unsuccessful  
4 than successful.

5 Q. Okay.

6 A. Without actually looking at hard data, that's an educated  
7 guess.

8 MR. ALLISTON: All right. All right, that's all I have.  
9 That gave me what I needed out of all that for right now, I'm  
10 pretty clear on where that sits.

11 MS. RUPNIK: I actually have questions now.

12 MR. VENTURA: Please.

13 MR. SOPER: Go ahead, Ruth.

14 MS. RUPNIK: Oh, well, it's not my turn, is it?

15 MR. SOPER: Yeah. No, that's fine.

16 MS. RUPNIK: Okay.

17 BY MS. RUPNIK:

18 Q. All right. Who is the training administrator in the  
19 facility?

20 A. Edgar Del Valle.

21 Q. Okay.

22 A. He wears many hats.

23 MR. ALLISTON: Yeah, remember, he told us that.

24 MS. RUPNIK: Well, I just wanted to verify. Okay.

25 BY MS. RUPNIK:



1 Q. What's the hierarchy with the SAIC guys, do they have a  
2 manager within their department? Does the training administrator  
3 -- is the training administrator supposed to be overseeing them  
4 and communicating with them?

5 A. That's my understanding, but I don't think that's actually  
6 happening. And if it is happening, it's not showing.

7 Q. Okay. No, I appreciate your candor, thank you. This is good  
8 information. Do those guys, particularly the guys  
9 (indiscernible), particularly if they're not familiar with the  
10 airspace, do they (a) have a requirement to come over and sit on  
11 the foreign monitor or (b) if that's not a requirement, do they  
12 ever take the initiative to do that? Are they even allowed to do  
13 that?

14 A. My understanding is I do believe that they're allowed to do  
15 it. I can speak from personal experience that I have seen one. I  
16 don't know because I didn't ask her, but she took it upon herself,  
17 her own initiative or she was instructed to by her superiors to  
18 actually come up and monitor, but she does come up and monitor and  
19 she does come up and ask questions because of the simple fact that  
20 she receives a lot of conflicting information.

21 So she came to me, as a matter of fact, within the last two  
22 weeks for a clarification on something as important as non-radar  
23 separation, so -- which is we're still a non-radar facility, so to  
24 some extent, well, we have to provide non-radar separation even  
25 though that we have radar capability with adjacent facilities.

1 So --

2 Q. Okay, so it sounds like you've got one that is taking the  
3 initiative to familiarize themselves with --

4 A. Yeah. The others, not so much.

5 Q. Okay, I'm going to switch gears slightly here. Let's talk  
6 about the MTI (ph.). Obviously, you have more developmentals than  
7 CPCs, so obviously you can't have everybody training at once in  
8 the MTI.

9 A. Correct.

10 Q. What's a typical time frame -- how do you select who gets to  
11 train first? What are the other trainees doing while you've got  
12 people training? Just talk to me about the MTI and how it's  
13 applied in this facility.

14 A. Okay, so -- and correct me if I'm wrong, but the NTI was  
15 initially brought out, but it wasn't very receptive from the  
16 controllers because the perception was at the time -- and I think  
17 Jose would agree with me that it was, given our resources, given  
18 our capabilities, what the agency wanted did not coincide with  
19 reality. So they wanted, what was it, like four or five hours.

20 MR. APONTE: It came out as a mandate --

21 MR. VENTURA: As a mandate.

22 MR. APONTE: -- and it was certain hours.

23 MR. VENTURA: And it was certain hours that was set, but we  
24 only have Sector 4 and 6 that, for the most part, is kept  
25 combined. Sector 2 and 8, for the most part, is combined. So at

1 any given time you could only have, you know, two trainees  
2 training on this side and two trainees on this side, so therefore  
3 there's only an eight-hour shift, you'd be lucky if you got maybe  
4 one to two sessions a day, maximum. So mathematically, it was not  
5 possible to have developmental to meet the NTI. It was just  
6 inconsistent that it cannot be accomplished. I think they finally  
7 succumbed to the realization that the controllers are right, we  
8 can't do this, let's bring down the threshold and which they did.

9 So as far as I know, when I'm CIC, the application of, right,  
10 I try to share the wealth. I can go upstairs right now, on the  
11 clipboard, I have 10 developmentals and all of them need training.  
12 So what I try to do, right, share the load. At least one  
13 developmental gets one session a day, right? If once all of those  
14 developmentals have gotten the session, then I start all over  
15 again, see if I can get somebody a second session. Usually,  
16 that's not rules or anything, that's just trying to apply, you  
17 know, good judgment there.

18 BY MS. RUPNIK:

19 Q. Okay. So along those lines, obviously all CPCs and even  
20 developmentals who are certified on a position have privacy  
21 requirements.

22 A. Yes.

23 Q. We all know there's a difference between currency and  
24 proficiency.

25 A. Absolutely.

1 Q. Has there been any concern expressed over people not being --  
2 getting pro time during periods of moderate or greater traffic or  
3 getting to work like by themselves and staying proficient on an  
4 area?

5 A. Controllers as such, no, that hasn't been an issue.

6 Q. Okay.

7 A. What has been an issue has been supervisors trying to get  
8 currency at inappropriate times where I flat out told a  
9 supervisor, they're wanting to be jumping onto a radar at 1  
10 o'clock in the afternoon and I look at them and say no, go away.  
11 You can go on a D side, no, you're not getting (indiscernible)  
12 right now and they have the serious intent to try to go to work  
13 traffic at 1 o'clock in the afternoon, like I was really going to  
14 be that stupid to let you work traffic. And no.

15 We have had OMs working traffic unnecessarily and have  
16 separation errors on position that could have been totally  
17 avoided. So that is something that has bothered me, as well. So  
18 in terms of that, with respect to your question, there's been a  
19 misapplication of currency for the proficiency versus the --

20 Q. Now what about newly checked-out controllers that say you're  
21 certified on R2 and 8 and now you'll never see it again because  
22 you're certified, or do they get good pro time?

23 A. No, we have a requirement where it's in a training order, the  
24 local training order, where they have to season at least, I  
25 believe it is four weeks.

1 MR. APONTE: Month.

2 MR. VENTURA: A month. And then per with the agreement in  
3 conjunction with management, we can request an additional two  
4 weeks for them to season more on the position.

5 BY MS. RUPNIK:

6 Q. Is there an hour requirement to that?

7 A. I'm sorry?

8 Q. Obviously, it's obvious that they have to maintain currency,  
9 but is there --

10 A. Right.

11 Q. -- okay, you have to season so many hours a day or so many  
12 hours a week?

13 A. No, it's not like categorized, it's not broken down that  
14 specific. All that is stipulated in the training order is that  
15 they have to work that position for four weeks and an additional  
16 two weeks if needed. So I suppose if a supervisor, hypothetically  
17 speaking, saw so-and-so recently checked and they were on their  
18 third week and they say hey, I think, you know what, we're going  
19 to let you season for a couple weeks more, something like that.

20 Q. Okay. So switching gears back, talking about the SAIC  
21 contract, they're tasked with classroom Stage 3 training for both  
22 sides, right?

23 A. Yes, approach and center.

24 Q. But you have CPCs on the approach side teaching the classes.

25 MR. APONTE: Because they're better staffed.

1 (Cross-talk.)

2 MR. VENTURA: They're better staffed, way staffed.

3 BY MS. RUPNIK:

4 Q. But that's a good -- like, I love the idea of CPCs teaching  
5 classes, but if CPCs are teaching classes, what are the contract  
6 guys doing?

7 A. Obviously, I can't answer to that. They're on --

8 (Cross-talk.)

9 MR. VENTURA: They're on Facebook.

10 MR. APONTE: I know they're doing RDO, at least.

11 MS. RUPNIK: Okay.

12 MR. APONTE: I don't know exactly --

13 (Cross-talk.)

14 MR. APONTE: I know the guys on approach side are teaching  
15 the lab part, they teach the -- SAIC teach the classroom portion.  
16 The controllers are teaching the lab portion.

17 MS. RUPNIK: Okay, all right. So I had that backwards, so  
18 they're doing the classroom portion --

19 MR. APONTE: Um-hum.

20 MS. RUPNIK: -- and then the controllers --

21 MR. APONTE: And then the controllers are doing the --

22 MS. RUPNIK: Okay, all right. Okay.

23 MR. APONTE: -- simulation, yes.

24 MR. VENTURA: For approach.

25 MR. APONTE: For approach.

1 MR. VENTURA: For approach.

2 MS. RUPNIK: So you don't have a CPC that goes into the lab  
3 during that training parameter.

4 MR. VENTURA: No. For en route, nobody, no.

5 MR. APONTE: No.

6 MS. RUPNIK: You look like you wanted to say something. Or  
7 do you have a question or something?

8 MR. ALLISTON: No, no.

9 MS. RUPNIK: Okay.

10 MR. ALLISTON: Our next one's at 11:00.

11 MS. RUPNIK: Okay, I apologize.

12 MR. VENTURA: That was always -- so Pedro can wait.

13 MR. SOPER: They can wait, I don't care about times.

14 MR. VENTURA: That was so ideal, I mean, it just revved me up  
15 so much to have one of us down here telling them how it's done to  
16 avoid that problem of when they get up, so they have so spool  
17 (ph.) up from what they didn't know and what they should have  
18 known when they were done here to when they actually get up to the  
19 floor, so -- and because it's just the learning curve is just so  
20 much, it's way more different. It's just not the same, the level  
21 of fidelity is not the same.

22 MR. APONTE: And I think the most important thing to letting  
23 them know that our input actually counts, like they don't -- they  
24 don't think when we say hey, I think this is -- this is not what  
25 we do upstairs and you guys are teaching this wrong, they don't

1 think they have to listen to us, for some reason.

2 MS. RUPNIK: But the training manager should be that conduit.

3 MR. APONTE: Um-hum.

4 MS. RUPNIK: And --

5 MR. APONTE: Yeah.

6 MS. RUPNIK: -- it sounds like that might not be the case.

7 MR. VENTURA: Not when you're teleworking.

8 MR. ALLISTON: Yeah, we established that already.

9 MS. RUPNIK: Correct.

10 MR. ALLISTON: That's correct.

11 MR. APONTE: Okay.

12 MR. VENTURA: But another issue that I wanted to raise, since  
13 we're talking about training, and this is one that really, really  
14 sticks with me, is something that I'm seeing now that I'm  
15 anticipating that can be a problem in the future, I would imagine  
16 that I'm not the only one in the facility that is being affected  
17 by this, but I'm not sure if, you know, the training that they're  
18 receiving, because it is, to some extent, inadequate if they're  
19 truly prepared to be actually working up on the floor, live  
20 traffic, right?

21 So FAA has a staffing crisis, we're really, really short  
22 staffed, the FAA needs bodies, you know, the oversight and  
23 accountability and pencil-whipping, all of that can really, really  
24 happen. So I'm a little bit uneasy on that because of, you know,  
25 some of them have the ability to do the job, some of them don't



1 have the ability to do the job no matter how much training you  
2 throw at them, so that's a cause for concern. And I don't know,  
3 do you see that at Oakland Center?

4 MR. ROSATI: Yes.

5 MR. VENTURA: Okay, so then I'm not losing my mind.

6 MR. ALLISTON: No.

7 MS. RUPNIK: You might be, but --

8 MR. SOPER: Well, you know, you need a training manager to be  
9 engaged with that process and they need to be -- they need to be  
10 the one that's, you know, really paying close attention to what is  
11 occurring down there so that they can ensure that what is needed  
12 on the floor is being done by the SAIC contract, okay. They don't  
13 get to be autonomous in the operation, you know, they're here,  
14 they're contracted, an aide to do work for you, okay, at this  
15 facility.

16 So that's just problematic, but -- and I've seen a program  
17 work well and I've seen programs work poorly, right, so I can see  
18 where there's been soulies, that their SAIC in their training,  
19 they're together all the time, they work together constantly  
20 throughout the whole day. Now, he does hold multiple hats here,  
21 so maybe that isn't the answer, but it's clear, it seems clear  
22 that there is a lot of missed opportunity that they could interact  
23 and that they could, you know, have some interaction.

24 So do you guys have any additional questions right now?

25 MR. ROSATI: I don't think so.

1 MR. SOPER: Do you?

2 MR. ALLISTON: I do not.

3 MR. SOPER: Do you? All right. That's all we have for now.

4 I'm going to stop the recorder right now. Do you have any  
5 questions, any more questions for us, though, before we stop?

6 MR. VENTURA: No.

7 MR. APONTE: No.

8 MR. SOPER: Okay, I'm going to stop the recorder. I show the  
9 time at 10:53.

10 (Whereupon, at 10:53 a.m. AST, the interview concluded.)

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CERTIFICATE

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

IN THE MATTER OF:       MISSING CESSNA NEAR ST. THOMAS  
                              U.S. VIRGIN ISLANDS  
                              ON AUGUST 4, 2023  
                              Interview of Matthew Ventura

ACCIDENT NO.:           ERA23LA328

PLACE:                   San Juan, Puerto Rico

DATE:                    August 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.

A black rectangular redaction box covering the signature of David A. Martini.

---

David A. Martini  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

\*

\*

MISSING CESSNA NEAR ST. THOMAS,

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U.S. VIRGIN ISLANDS ON

\* Accident No.: ERA23LA328

AUGUST 4, 2023

\*

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Interview of: PEDRO ROURA, Local Safety Council Management  
Representative  
Federal Aviation Administration

San Juan, Puerto Rico

Thursday,  
August 24, 2023

APPEARANCES:

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

RUTH RUPNIK, Air Traffic Control Investigator  
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert  
Federal Aviation Administration

CHRIS ROSATI, Air Safety Investigator  
National Air Traffic Controllers Association

REBECCA LIPE, Esq., Representative  
Office of Chief Counsel  
Federal Aviation Administration  
(On behalf of Pedro Roura)

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I N T E R V I E W

(11:10 a.m. AST)

MR. SOPER: All right, my name is Brian Soper, Lead Air Traffic Investigator with the NTSB, and I have here with me today our air traffic control group consisting of Jason Alliston out of the Eastern Service Area director's office, okay. That's twice I got it right, barely, I don't know why I can't remember it, it's the easiest one almost, you know. So he's here with us representing FAA in our group. Chris Rosati out of Oakland Center here representing NATCA on our group, and Ruth Rupnik here with our team back at headquarters, air traffic investigator on our group.

And you have chosen this person as your representative, could you state your name for the record for me?

MS. LIPE: Rebecca Lipe, FAA Office of Chief Counsel.

MR. SOPER: And could you spell your last name for me again?

MS. LIPE: L-i-p as in Papa-e.

MR. SOPER: Thank you very much.

And sir, could you give me your name for the record?

MR. ROURA: My name is Pedro Roura.

MR. SOPER: And could you spell your last name?

MR. ROURA: R-o-u-r-a.

MR. SOPER: Okay. Thank you very much. As I mentioned earlier, we're an independent federal agency charged with investigating civil aviation accidents and incidents of a serious

1 nature, and developing a probable cause and hopefully safety  
2 recommendations to prevent reoccurrence. We're not affiliated  
3 with the FAA or DOT in any way, we're non-regulatory, we don't  
4 make rules, we don't enforce rules. We're going to ask questions  
5 here today, we just ask that you answer to the best of your  
6 ability. If you don't know something, it's okay to say you don't  
7 know; if you don't recall something, it's okay to say you don't  
8 recall.

9 For your sake, we're -- we know you weren't involved in the  
10 incident, so we're talking about things that are kind of  
11 collateral to the facility and specific to the LSE and the  
12 training program, that type of thing, but there may be a couple  
13 questions that kind of lead over into -- you understand the  
14 operation, so we might ask you questions as it relates to that.  
15 Do you have any questions before we begin?

16 MR. ROURA: No, sir.

17 MR. SOPER: Awesome.

18 INTERVIEW OF PEDRO ROURA

19 BY MR. SOPER:

20 Q. Okay, so how old were you or how old are you now?

21 A. Forty-six.

22 Q. Okay. And your operating initials here at the facility?

23 A. Papa Romeo.

24 Q. Papa Romeo?

25 A. Yes.



1 Q. Okay. And you are -- are you an OM here specifically, are  
2 you --

3 A. OS.

4 Q. You're an OS, okay. You're an OS and you -- how long have  
5 you been an OS here?

6 A. Since 2017, I want to say. I'm not sure.

7 Q. Okay. And do you have any pre-FAA air traffic experience,  
8 military, DoD, contract tower?

9 A. No, sir.

10 Q. Okay. And so if you could, step me through your career, when  
11 did you enter into the FAA?

12 A. January 6, 2006. Sent to the academy there. I was sent to  
13 ZDC, Washington Center. Was there for two or three years and then  
14 I came here.

15 Q. Okay, so you got there in probably what, March or -- like  
16 March of '06, is that when you arrived there?

17 A. I think three or four months after.

18 Q. And you don't -- do you remember when you got here, month and  
19 year, at all?

20 A. Late 2008.

21 Q. Okay.

22 A. Month (indiscernible).

23 Q. And you've been here ever since?

24 A. Yes, sir.

25 Q. And you came here as a CPC, I assume, right?

1 A. No, I actually didn't. After that.

2 Q. Okay. And you were a developmental when you got here?

3 A. Um-hum.

4 Q. Oh, okay. Cool. So you've been all through the process. So  
5 have you been -- are you en route or terminal or have you done  
6 both here?

7 A. Just en route.

8 Q. Just en route, okay. And if you would for us, just kind of  
9 give us your 10,000-foot aviation-centric bio. What I mean by  
10 that is, you know, I finished school, I was always interested in  
11 aviation and I went to college, I got a degree in this, whatever,  
12 I decided to do air traffic control, and then just kind of step us  
13 through what you did and where you are today.

14 A. Okay. My dad was a pilot, they wanted me to join the  
15 (indiscernible) and started out with something else originally.

16 Q. Okay.

17 A. I got a (indiscernible) loan and I switched majors and joined  
18 the CTI school here, the American University and found out about a  
19 year and a half later.

20 (Laughter.)

21 MR. ROURA: So I finished the program, that's when 9/11  
22 happened, so it was a long waiting list after that, the hiring  
23 freeze, got involved with (indiscernible) when I was 30, you know,  
24 approaching that, that (indiscernible). In Washington, I had a  
25 hardship out with one R side and (indiscernible) and a CPC here.

1 MR. SOPER: All right. Okay. I'm going to skip over some of  
2 these questions, they don't really apply to you, and just kind of  
3 go down here and -- so for you, I'm going to -- I'm not going to  
4 lead off the questioning because we have somebody familiar with  
5 LSEs and stuff like that and I'd like him to go ahead and kick off  
6 our questioning, it makes more sense, so Chris.

7 BY MR. ROSATI:

8 Q. So how long have you been on the local safety council?

9 A. I got assigned January or February of this year.

10 Q. January or February of this year. And at the time that you  
11 were assigned to the local safety council, was there a scoping  
12 document?

13 A. Not that I recall. I know for sure that we signed one on --  
14 in March.

15 Q. Okay.

16 A. In March, yeah.

17 Q. How often is the local safety council meeting?

18 A. We try to meet once a month. I know the last -- I don't  
19 think we met last month, I had medical issues, but the month  
20 before that I think we met twice that month, but at least once we  
21 try to meet.

22 Q. Do you feel like the local safety council is a priority in  
23 the facility?

24 A. I believe they're trying to make it a priority.

25 Q. Okay. But prior to maybe March when the scoping document was

1 redone, if it was a priority then?

2 A. I wasn't part of it before, so I can't answer that.

3 Q. So can you walk me through like what a typical local safety  
4 council meeting looks like for you guys, how is that typically  
5 organized?

6 A. So I can tell you what we're working on now, when we got our  
7 (indiscernible), which we had a lot of ATSAPs that were pending  
8 over the year, past year, so that's what we're focusing on right  
9 now, at those.

10 Q. And were those ATSAPs, did they come in from the ERC as a --  
11 as like a response item or were those things that you, the  
12 facility, pulled from the PFS websites?

13 A. No, they came in as ERC responses.

14 Q. So it means, essentially, you're just looking at those items  
15 and trying to work through those specific issues?

16 A. Correct.

17 Q. So are you pulling data from the PFS website? Are you  
18 looking at those redacted ATSAPs, as well, to see if there's maybe  
19 any other trends or using the forum that's on that website at all?

20 A. We have not -- well, right now, we have not gone to the  
21 website a whole lot.

22 Q. Do you have, you personally, do you have access to like full  
23 access to CEDAR to see all the QC information like SSRs, CERs, all  
24 the MORs being put in, significant events?

25 A. I think it is (indiscernible) allowed the access.

1 Q. Okay. And so when you're running the LSEs, do you -- do you  
2 go through those MORs sometimes or look at those for -- to figure  
3 out if there needs to be an SSR done, then, or anything along  
4 those lines?

5 A. No, I have not done -- we're still concentrating on figuring  
6 out (indiscernible).

7 Q. How many SSRs have you guys done since you've been on the  
8 local safety council?

9 A. None.

10 Q. None, okay. Are there any safety issues other than what's in  
11 -- what you guys are working on right now from the ERC that you  
12 see, as an OS, that you feel need to be worked on, that maybe some  
13 of that you want to work on, as the local safety council, or maybe  
14 some of you are working on separately?

15 A. LOAs (ph.), mainly LOA and produce a plan (indiscernible)  
16 that we'd like to get to.

17 Q. Okay. And so are you kind of like keeping a list of those as  
18 like a "hey, these are like our backburner items that we really  
19 want to work on when the time comes?"

20 A. Yes, sir.

21 Q. Okay. And your local safety council, do you keep minutes?

22 A. No, I was not aware if we keep those, I don't -- no, I don't  
23 (indiscernible).

24 Q. Okay. Let's see. Do you know -- I know you're a center  
25 controller, but since you're an OS and you've been an OS for a

1 while, you work both sides, basically, right? You kind of manage  
2 both side?

3 A. (Indiscernible) of Area 2 --

4 Q. Um-hum.

5 A. -- I know what approach.

6 Q. Yeah, um-hum. Okay, so -- and I don't expect you to know the  
7 answer, but do you happen to know why the approach side does not  
8 depict moderate precipitation on their scopes?

9 A. I do not know.

10 Q. Okay. Have any of the controllers ever mentioned that when  
11 they're working that combined position where the incident that  
12 we're here for happened, that they had an issue seeing the weather  
13 monitors, the supplemental weather monitors, not the weather on  
14 the scope, obviously, but you know -- so you have like the work  
15 monitor kind of over --

16 A. The overhead one?

17 Q. -- in the area, the overhead one, and then all the ones that  
18 are kind of in that row, or the next two, flight data, I should  
19 say?

20 A. None of the controllers ever approached me --

21 Q. Okay.

22 A. -- with a concern.

23 Q. Do you think the facility would benefit from receiving  
24 pre-duty weather briefings?

25 A. Absolutely.

1 Q. And are you aware of any meetings with the local weather  
2 forecasting office that's pretty close to the facility to try and  
3 maybe get some sort of supplemental information for the  
4 controllers at all?

5 A. I'm not aware.

6 Q. Okay. Have you been -- have the controllers ever complained  
7 about radio or radar issues on the approach side?

8 A. Frequencies.

9 Q. Frequencies?

10 A. Yeah.

11 Q. Okay. And I know you weren't there the night of the  
12 incident, so -- but did you get a chance to review the incident  
13 with 13384?

14 A. I have not.

15 Q. You have not, okay. I won't ask the question, then. Do you  
16 know if the facility has any open corrective action plans right  
17 now?

18 A. Not that I'm aware of.

19 Q. Okay. Do you know if the LSE does or has plans to or has in  
20 the past given recommendations to the training department to  
21 develop recovery training, the recovery training scenarios that  
22 all the controllers use here?

23 A. I am not aware of one in the past, for (indiscernible) we  
24 have not yet.

25 MR. ROSATI: All right. For now, that's all I have.

1 MR. SOPER: Okay. Ruth.

2 MS. RUPNIK: This didn't work out for me last time. As of  
3 right now, I have no questions.

4 MR. SOPER: Great. Jason. She'll be back, don't worry.

5 MR. ROURA: Sure.

6 (Laughter.)

7 MR. SOPER: She doesn't (indiscernible) a bit with you guys  
8 working down here.

9 (Laughter.)

10 MR. SOPER: All right, Jason.

11 BY MR. ALLISTON:

12 Q. So I'm just going to kind of expand a little bit on QC  
13 background and questions like that.

14 A. Okay.

15 Q. So how much training have you had maybe from the QC support  
16 manager as far as what your duties and responsibilities are on the  
17 LSE?

18 A. We have the initial briefing we got when we got assigned to  
19 it and the -- the one he referenced at the very beginning --

20 Q. Scoping.

21 A. The scoping document. We have, at least I have, done the  
22 webinar and (indiscernible).

23 Q. Okay. Have you guys discussed the requirements in the  
24 7210.634, which the -- that's the QC order.

25 A. We have not discussed it, no.



1 Q. All right. And then what has been -- have you -- have you  
2 had any involvement in any SSRs or CERs so far?

3 A. No, sir.

4 Q. Okay. Have you had any involvement or discussions  
5 surrounding ICV?

6 A. Yes, we have.

7 Q. Okay. Have you been involved in those, even as a supervisor,  
8 in the past?

9 A. Not as supervisor, no, (indiscernible).

10 Q. Okay. What have those discussions entailed?

11 A. We have gone through a list of several of the items in the  
12 ICV.

13 Q. Okay. And then ECV, do you -- do you recall when you last  
14 had an ECV here?

15 A. No, I don't, sir.

16 Q. Okay. So the last one that we've got a record of was in  
17 2021, when a team came in, do you recall if there were any action  
18 items or anything that came out of that?

19 A. I do not recall.

20 Q. Okay. Yeah, it's been a little while. For the LSE meetings,  
21 are those typically ad hoc or are they scheduled?

22 A. Scheduled.

23 Q. And when they're scheduled, do you -- and this is for both of  
24 you, you and Matt.

25 A. Um-hum.

1 Q. Do you guys typically remove yourselves from the schedule and  
2 put it on a detail shift or is it something that you just pull out  
3 of the area?

4 A. I try to assign a couple hours for like from -- for example,  
5 from noon to 2:00. Me, myself, and the other parts come.

6 Q. So staffing permitting, do you think it would be beneficial  
7 to be able to have a detailed shift for yourself and Matt to be  
8 able to do some of these items?

9 A. Yeah, it would.

10 Q. Have you ever done any OSAs before?

11 A. I'm sorry, sir, do you want to say it again?

12 Q. OSA is operational skills assessment. It's kind of like a  
13 training form, but you're doing it from like a (indiscernible).

14 A. I'm going to say we -- I don't know.

15 Q. Okay. So the next one was have you ever done any quality  
16 control validations, which would be validating the data in the  
17 OSA, so --

18 A. Yeah. No, I don't.

19 Q. Those are all -- all these are things that you'll eventually  
20 start doing as members of the LSE, all those are in the quality  
21 control order, so I know you guys are both new, so I'm kind of  
22 just walking through all the things. Do you recall the last time  
23 that the facility had a corrective action plan active?

24 A. I know we had one a few years ago, but I don't know  
25 (indiscernible).

1 Q. Okay. So it's been a while.

2 A. Yeah.

3 Q. What's your engagement with the support manager?

4 A. I see him at least once a week in the control room, like once  
5 a week.

6 Q. Okay. And do you have -- you know, do you have discussions  
7 about LSE type things, quality control items, any of that?

8 A. No, sir.

9 MR. ALLISTON: And then -- just lost my train of thought.  
10 It's gone. Brian?

11 MR. SOPER: Okay.

12 (Laughter.)

13 MR. SOPER: It will back, too.

14 BY MR. SOPER:

15 Q. How is the work interaction with you and the NATCA lead on  
16 the LSE, do you guys talk a lot or do you -- I mean, are you guys  
17 -- you know, do you guys have good discussion or we only talk when  
18 we have to have a meeting?

19 A. In reference to local safety council only or in general?

20 Q. No, just in general, even, I mean, do you --

21 A. It's very minimal (ph.).

22 Q. Oh, okay. Good.

23 A. When I was working on the boards --

24 Q. Yeah.

25 A. -- we were team mates for a long time.

1 Q. Okay.

2 A. So (indiscernible).

3 Q. All right, cool. And so how -- what's been your observation  
4 of -- I know that en route right now is -- you got more  
5 developmentals than you have qualified controllers --

6 A. Yes.

7 Q. -- it's a challenging environment, so very difficult to meet  
8 the training requirements, very difficult to monitor, probably,  
9 and as a supe, it's probably not all that much fun, really, trying  
10 to deal with all that. But that being said, what's been your  
11 observation with the trainees and the effectiveness of your SAIC  
12 contract as it currently sits?

13 Do you feel like it needs improvement, do you feel like  
14 controllers are coming prepared to hit the floor or they under-  
15 prepared to hit the floor or anything, what are your thoughts on  
16 that, if you have any thoughts on that?

17 A. I think they come up with a bare minimum of --

18 Q. Okay.

19 A. -- information, something up to like a (indiscernible). And  
20 also, there's a generational gap there, that's from the  
21 developmental side, like interest in developing yourself and in  
22 the airport monitoring and stuff like that. I think when they're  
23 coming in from the SAIC, they have a general idea of --

24 Q. Okay.

25 A. -- what to do. I know the phones (ph.) were recently redone,

1 they were -- actually, we left those because it's really bad or  
2 (indiscernible).

3 Q. Yeah.

4 A. Steve Schwick (ph.).

5 Q. He was a contractor or --

6 A. No, he was a NATCA guy and he was really good with the whole  
7 tech side and developing problems.

8 Q. Got you.

9 A. So I know (indiscernible) were revamped by him --

10 Q. Okay.

11 A. -- personally, so --

12 Q. All right, very good. All right. And how's your interaction  
13 with the -- actually, a different question. How would you --  
14 what's your overall view or viewpoint or observation of the  
15 training climate as a whole here, at the facility?

16 Is it a healthy training climate, is it a disjointed training  
17 climate, is it a bad training climate right now? Does it work --  
18 effectiveness, I guess, is what I'm really looking for. How do  
19 you feel the effectiveness is of the training program?

20 A. I think the training program works, I think -- however, we  
21 are being, I guess, under pressure to get some of the people going  
22 and maybe we're --

23 Q. Yeah.

24 A. Maybe we could seek out better ways to train them or to put  
25 them in training (indiscernible).

1 Q. Okay. Since you've been on the LSE, do you have -- have you  
2 had -- are you the conduit, are you the point of contact for  
3 controllers if they have safety concerns or things that they think  
4 are, you know, problematic, would they come to you guys directly,  
5 would they submit something via e-mail or would they talk to  
6 somebody else? I don't know, what's your role as an LSE person?

7 A. They can come to us directly or to any of the supervisors and  
8 they would channel it to us.

9 Q. Have you had anything come to you guys from the controller  
10 course at all, that you recall?

11 A. No, sir.

12 MR. SOPER: Okay. All right. Did you think of what your --

13 MR. ROSATI: No.

14 MR. SOPER: Okay. Ruth, has any bubbled to the top yet? I  
15 know they're going to.

16 BY MS. RUPNIK:

17 Q. So when they come to the floor --

18 A. Um-hum.

19 Q. -- any sort of -- I heard you -- I'm just going to ask the  
20 question, it might not quite make sense. If they come to the  
21 floor and they don't seem prepared, do you believe it is because  
22 they haven't been given the tools that they need to be prepared,  
23 do you think it's more of, as you said, a newer generation,  
24 different approach towards self-study? Where do you believe that  
25 that may be falling short as far as them maybe --

1 A. I think it's a generational gap and I think down here, I  
2 haven't gone through the process in a long time down here, but it  
3 is my understanding that at least they give them the basic tools,  
4 (indiscernible), maps and all that stuff, and I honestly think  
5 it's more generational than where they have the time to do a lot  
6 more legwork and book work before they actually sit down in the  
7 position and, to be honest, I see them a lot of times on the cell  
8 phones in the break room when they could've been monitoring and  
9 listening, just watching somebody else train.

10 MS. RUPNIK: Okay. I feel like there's a road I want to go  
11 down there yet, but I haven't quite formulated the question yet,  
12 so I pass it along.

13 MR. SOPER: Chris.

14 BY MR. ROSATI:

15 Q. So could you -- could you walk me through like how each side,  
16 en route and center -- or sorry, en route and approach, and I know  
17 that you're the en route side, but how the training program works.  
18 Do you send CPCs to the training of the Part 92 to train the  
19 developmentals in the lab portion or is it all handled by SAIC,  
20 they're doing all the training and then sending them up to the  
21 control room?

22 A. They do all the training and then send them up to the control  
23 room.

24 Q. They do all training, okay. Is there anyone other than the  
25 training manager that has input or -- I guess, yeah, input with

1 the training department and SAIC, does anyone other than the  
2 training manager have interactions with them and see what the  
3 training program is looking like and how it's being implemented?

4 A. Like sometimes, before we had Steve Schwick, and I believe  
5 he's training somebody else to go about making the problems and  
6 all that stuff, I don't know who he -- who would be best to  
7 volunteer (indiscernible).

8 Q. So Steve, this -- he was -- was he just a controller that was  
9 maybe given some duty time to do that stuff or was he a support  
10 specialist or is he --

11 A. He was a controller.

12 Q. He was a controller, okay.

13 A. Yes.

14 Q. Okay. So that position that the facility -- the facility was  
15 giving him duty time to go down there and do that, that work?

16 A. Yes.

17 Q. And so he was -- do you know if he was replaced with somebody  
18 else that's supposed to be doing the same sort of thing or --

19 A. Because management and he was -- he trained somebody else to  
20 develop problems (indiscernible).

21 MR. ROSATI: Okay. I think that's all I have for now.

22 MR. SOPER: Okay, thank you. Jason, did you have any  
23 additional stuff here?

24 MR. ALLISTON: Just a couple.

25 BY MR. ALLISTON:



1 Q. Do you guys ever have like all-managers meetings, for the  
2 management team?

3 A. Yes, we have.

4 Q. And how often do those occur?

5 A. Well, I know we tried to set up one for the last few months.  
6 The last one, I want to say last year, was last year, but I can't  
7 -- don't recall exactly when it happened.

8 Q. Okay. And so in a normal day for you, that you're assigned  
9 to work the OS desk, how much time do you spend at the OS desk  
10 versus being assigned to the OMIC?

11 A. Repeat that question because I don't understand -- because I  
12 am medically disqualified, so I'm at the OMIC desk all the time.

13 (Crosstalk)

14 BY MS. ALLISTON: All right. Well --

15 (Laughter.)

16 BY MR. ALLISTON:

17 Q. So assuming you weren't, how -- like what does that time  
18 split normally look like? Do you guys cover the OMIC desk a lot,  
19 is kind of what I'm getting at.

20 A. Yes.

21 Q. And does that stress the resources on the floor as far as  
22 having to assign a CIC now to cover OS or -- I don't feel like I'm  
23 framing this question very well, but does having to cover the OMIC  
24 desk frequently interfere with the oversight that you can provide  
25 on the floor?

1 A. I think the CICs do a good job at (indiscernible) when  
2 they're assigned to it and I think it trickles down being that  
3 there's only one right now, so there's a few supervisors now, so  
4 I'm covering the OMIC, so that kind of trickles down.

5 Q. Right.

6 A. So, because I used -- did not used to be as -- we didn't  
7 spend as much time before (indiscernible) and I know we're only  
8 down to one (indiscernible).

9 MR. ALLISTON: Got you. I don't think I have anything else.

10 MR. SOPER: All right. Ruth.

11 MS. RUPNIK: (Indiscernible) to say this, but I don't have  
12 anything now.

13 MR. SOPER: Chris?

14 MR. ROSATI: I don't have no more.

15 MR. SOPER: I don't, either. Do you have any questions for  
16 us?

17 MR. ROURA: No, sir.

18 MR. SOPER: All right, I'm going to go ahead and stop the  
19 recording now. We're at 11:37.

20 (Whereupon, at 11:37 a.m. AST, the interview concluded.)  
21  
22  
23  
24  
25

CERTIFICATE

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

IN THE MATTER OF:       MISSING CESSNA NEAR ST. THOMAS  
                              U.S. VIRGIN ISLANDS  
                              ON AUGUST 4, 2023  
                              Interview of Pedro Roura

ACCIDENT NO.:           ERA23LA328

PLACE:                   San Juan, Puerto Rico

DATE:                    August 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.



\_\_\_\_\_  
Karen D. Martini  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

\*

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MISSING CESSNA NEAR ST. THOMAS,

\*

U.S. VIRGIN ISLANDS ON

\* Accident No.: ERA23LA328

AUGUST 4, 2023

\*

\*

\* \* \* \* \*

Interview of: BARRY BEASLEY,

Sector 7 Radar Controller - off going (R7A)

Federal Aviation Administration

San Juan, Puerto Rico

Tuesday,

August 22, 2023

APPEARANCES:

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

RUTH RUPNIK, Air Traffic Control Investigator  
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert  
Federal Aviation Administration

CHRIS ROSATI, Air Safety Investigator  
National Air Traffic Controllers Association

JOSE APONTE, Representative  
(On behalf of Barry Beasley)

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I N T E R V I E W

(11:00 a.m. AST)

MR. SOPER: All right. So my name is Brian Soper, a lead air traffic investigator with the NTSB, and we have here with us as part of the air traffic control group on this event, Jason Alliston, who's with us out of -- and I apologize, your new office now, where are you at?

MR. ALLISTON: ESA director's office.

MR. SOPER: The ESA director's office. And he's representing FAA as their subject matter expert to our group. And we have Mr. Chris Rosati out of Oakland Center representing NATCA on our group. And we have Ruth Rupnik, air traffic investigator at the NTSB and works in the office with me.

And you have with you your rep, this is the rep you chose, correct?

MR. BEASLEY: Yes, correct.

MR. SOPER: And can you say your name for me for the record?

MR. APONTE: My name is Jose Aponte.

MR. SOPER: And can you spell your last name for me?

MR. APONTE: A-p-o-n-t-e.

MR. SOPER: Thank you very much. And could you state your name for the record?

MR. BEASLEY: My name is Barry Beasley.

MR. SOPER: Barry Beasley, all right. Thank you very much. Okay, so as I mentioned earlier, and I'll repeat now for the sake

1 of the record here, we are an independent federal agency, we're  
2 not affiliated with the DOT or the FAA in any way, we're  
3 independent by nature and by design. Our job is strictly safety  
4 and we are non-regulatory, we don't make rules, we don't enforce  
5 rules, we're charged to investigate civil aviation accidents and  
6 incidents of a serious nature, find the probable cause and  
7 hopefully develop safety recommendations to prevent reoccurrence,  
8 and that's what we do.

9 So as we go through stuff here today, it's just going to be  
10 very factual in nature. If you have any questions as we move  
11 along, please feel free to ask and if you don't know something,  
12 you don't know it and if you don't remember, you don't remember,  
13 that's okay. All right, do you have any questions for us before  
14 we begin?

15 MR. BEASLEY: Negative.

16 MR. SOPER: Awesome.

17 INTERVIEW OF BARRY BEASLEY

18 BY MR. SOPER:

19 Q. Okay, so if I -- and you said it's Barry, B-a-r-r-y, right?

20 A. Correct.

21 Q. Just like I would expect. B-e-a-s-l-e-y?

22 A. Correct.

23 Q. And how old were you on the day of the accident or incident?

24 A. Forty-two.

25 Q. What are your operating initials here?



1 A. Bravo Bravo.

2 Q. And you are a CPC here?

3 A. Correct.

4 Q. And do you guys run CSCs (ph.) in this facility?

5 A. Yes, we do. And --

6 Q. Are you --

7 (Crosstalk)

8 BY MR. SOPER:

9 Q. Okay. And do you have any prior military or pre-FAA air  
10 traffic work experience, contract towers, DoD, military, anything?

11 A. Affirmative.

12 Q. What is it?

13 A. I was in the United States Air Force from 2002 to 2006. I  
14 had an honorable discharge, went to a contract company, ITT  
15 Defense Industries, working in Afghanistan. I was an air traffic  
16 controller for a contract period of 1 year.

17 Q. That was '06 to '07 or --

18 A. That would be -- I think that the -- yes, '06 to '07. Yeah,  
19 that's correct.

20 Q. Okay. All right.

21 A. And I joined the FAA in 2008, my first facility being San  
22 Juan Tower. In 2012, if I remember properly, I signed a bid to  
23 come over here and I have been an approach controller since then.

24 Q. And you guys don't work combined, you don't work enroute side  
25 and approach side here or do you?

1 A. No, they're --

2 (Crosstalk)

3 BY MR. SOPER:

4 Q. Okay. Okay. And even though we are recording, you will  
5 notice we take notes along the way for our own sake here, so I  
6 don't want you to think we're sitting on a computer chatting on  
7 the Internet or something, we're actually just trying to capture  
8 what you provide to us.

9 So do you hold any collateral duties here at this facility or  
10 have you had any details that have taken you outside of the  
11 facility for a length of time over the last 6 to 12 months?

12 A. Not for the last 6 to 12 months, negative.

13 Q. Okay. And if you could, for us, just give us kind of a  
14 10,000-foot view of your aviation background. So you mentioned  
15 you were in the air force, so something along the lines if you  
16 were just giving somebody your general bio, you know, like I was  
17 always interested in aviation, I graduated high school, went to  
18 the air force, I got a degree in this, I was doing air traffic  
19 there, whatever it was, and take us right through to what led you  
20 until you're here today.

21 A. Sure thing. I joined the air force, first just interested in  
22 traveling, went through basic training, then tech school in  
23 Biloxi, Mississippi. I was assigned my first duty base, Cannon  
24 Air Force Base in New Mexico, I was an air traffic tower  
25 controller. Then I did a 6-month deployment after two and a half

1 years there to Andersen Air Force Base in Guam after the tsunamis,  
2 there were five, I believe it was. Returned back to Cannon Air  
3 Force Base where I was granted a 1-year assignment in Kunsan Air  
4 Base, Korea, as an air traffic tower controller, in which I had to  
5 extend my enlistment to take, which I did. Upon completion of the  
6 one year, I decided to not reenlist and instead, I followed the  
7 contract jobs that were available in Afghanistan. I worked in  
8 Afghanistan in FOB Salerno, which is a remote army base about an  
9 hour away from Bagram. Fulfilled the contract, came home.

10 I had been in talks with the FAA, they assigned me a PEPC  
11 (ph.) appointment and one-day processing. Did it in Los Angeles,  
12 got off with a tower job over here, moved over to the San Juan  
13 Tower and I was fully certified in the tower within, I believe, a  
14 year and a half. Came over here in 2012-2013 time period and  
15 became fully certified, I believe, in maybe the first year, first  
16 year and a half-ish.

17 Q. Was this your first radar experience when you came over here?

18 A. Correct.

19 Q. Okay. Have you ever been fired, terminated, suspended or  
20 asked to resign from an air traffic position since you've been  
21 with the FAA?

22 A. Negative.

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

25 A. Excellent.

1 Q. Okay. And did you have a current second class medical  
2 certificate on the day of the event?

3 A. Affirmative.

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

6 A. Negative.

7 Q. Okay. Any requirement to wear corrective lenses?

8 A. Negative.

9 Q. Okay. And were you taking any medications, prescription,  
10 non-prescription, over-the-counter, on the day of the event?

11 A. Negative.

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

14 A. Negative.

15 Q. Okay. And have there been any major changes in your health  
16 over the last year, lost 50 pounds, gained 50 pounds, I mean  
17 anything weird, a pin in -- a pin put in your elbow, major  
18 surgery, things like that?

19 A. Negative.

20 Q. Okay. All right. And any major changes in your personal  
21 life over the last year, good, bad, or indifferent? These are  
22 things like got married, adopted a child, had a child, you know,  
23 those kind of things.

24 A. Negative.

25 Q. Okay. And last question. but similar in that respect, is

1 there any major change in your financial situation, won the lotto,  
2 filed bankruptcy, you know, those big things?

3 A. Negative.

4 Q. Okay. All right. Can you kind of step me through -- what  
5 we'd kind of like to understand here is the 72 hours leading up to  
6 the time of the accident. This is a little bit tougher because I  
7 know we've had some time elapse, obviously, so I'll have to --  
8 hold on a second. Yes?

9 (Crosstalk)

10 UNIDENTIFIED SPEAKER: No?

11 MR. SOPER: It's must have been the other --

12 UNIDENTIFIED SPEAKER: Okay.

13 BY MR. SOPER:

14 Q. Sorry. Sorry about that. Okay, so working back from the day  
15 of the accident, so the day of the accident was on -- what day of  
16 the week was that? I know it was --

17 A. Friday.

18 Q. -- on the 4th, so that was a Friday, and so that -- what  
19 shift were you working on Friday?

20 A. I was assigned a 14:30 shift, so 2:30 p.m.

21 Q. Okay.

22 A. In the morning, I talked to the facility because I put in my  
23 morning errands to see if I could come in for credit for a  
24 briefing that was --

25 Q. Okay.

1 A. -- being offered at 1 o'clock and at 7:30, but based on the  
2 way my rotation of my shift works, it's very difficult to catch  
3 me, so I figured I would try and assist in here, anyway.

4 Q. Okay.

5 A. Briefing completed, came in 13:00, briefing didn't happen and  
6 I ended up working a position at 14:00.

7 Q. Okay. And I know this is working backwards, sometimes that's  
8 easier for some people and harder for some people, but do you  
9 remember what time you got up that morning?

10 A. Yeah, around 8 o'clock.

11 Q. Okay. And do you remember what time you went to bed the  
12 night before?

13 A. Probably 8:30, 9 o'clock.

14 Q. And did you get good sleep that night? Did you have  
15 normal --

16 A. Affirmative.

17 Q. -- rest and no problems there? So on that Thursday, did you  
18 work on that day or was that an off day for you?

19 A. That was an off day.

20 Q. Okay. Was it off as an RDO or did you take leave?

21 A. RDO.

22 Q. Okay. And do you remember what time you got up that morning?  
23 I know it was a leave day, but --

24 A. It would've probably been around the same time.

25 Q. Okay.

1 A. Eight o'clock.

2 Q. Do you remember, in general, what kind of things you did that  
3 day? Was it general daily routine or did you do something  
4 specific like no, I went sailing or diving or --

5 A. General daily routine.

6 Q. Okay.

7 A. It usually consists of the gym.

8 Q. Okay.

9 A. Maybe some swimming in the ocean.

10 Q. Okay. And do you remember what time you went to bed, then,  
11 Wednesday night?

12 A. It would've been -- I captured it in my notes, it would've  
13 been probably around 8 o'clock p.m.

14 Q. Okay. And you had good rest that night, then, the Thursday?

15 A. Affirmative.

16 Q. So on Wednesday, did you work on that day?

17 A. No, I didn't.

18 Q. And was that also an RDO?

19 A. That was probably the -- that would be the Thursday.

20 Q. Okay.

21 A. Exercise.

22 Q. The same thing?

23 A. Went back to my house.

24 Q. All right. And so then taking us back to Tuesday being the  
25 last day, Tuesday, what time did you go to bed, probably?

1 A. I probably took a nap in the daytime because I had worked the  
2 mid the night prior.

3 Q. Okay.

4 A. And I would've been tired, so 8 o'clock-ish.

5 Q. Okay.

6 A. Maybe 9:00 at the latest.

7 Q. Okay. During that overall time span of that 72 hours, do you  
8 recall anything that was a wrench in the life, so to speak, things  
9 that took you out of your normal daily routine, it sounded like it  
10 was pretty routine for you, but did anything occur during that  
11 time that was things like yeah, I had a family member sick, I was  
12 sick, I didn't feel good or I was -- a friend of mine was in a car  
13 accident and I went to pick him up, any of those kind of things  
14 happen over that 72 hours?

15 A. Negative.

16 Q. Okay, good. And so for you, how many hours of sleep do you  
17 need to feel rested? Just personally.

18 A. At least seven.

19 Q. Okay. And you were getting that over these 72 hours.

20 A. Correct.

21 Q. Okay, outstanding. And your work schedule here, are you guys  
22 -- it sounds like you had two RDOs there, which is good. Are you  
23 guys on the mandatory sixes or anything here, or do you do much  
24 overtime here?

25 A. There is overtime, but negative, not mandatory sixes.



1 Q. Okay.

2 A. It's more so on the center side based on some staffing issues  
3 that they have. Approach has a little bit more staffing.

4 Q. Good, okay. And did you file an ATSAP as a result of this  
5 event?

6 A. Affirmative.

7 Q. And did you receive a confirmation back from the ERC (ph.)?

8 A. Affirmative.

9 Q. Yeah, great. Awesome. And have you been interviewed about  
10 this event prior to now?

11 A. Negative.

12 Q. Okay. And you did a pre-brief with the FAA, do you remember  
13 how long you were in there, probably? And did you do it  
14 separately? Did you do a legal one with a lawyer and a separate  
15 one --

16 A. Affirmative.

17 Q. Okay. Do you remember how long you were in each of those,  
18 roughly? I mean, it's not --

19 A. If maybe 10 minutes --

20 Q. Okay.

21 A. (Indiscernible).

22 Q. Okay.

23 A. And maybe 25 minutes at the most with the (indiscernible).

24 Q. Okay. And have you had an opportunity to review a replay of  
25 this event?

1 A. Affirmative.

2 Q. Okay. Was that like a SATORI or --

3 A. Yeah, it was a SATORI and then a MEARTS playback without  
4 sound --

5 Q. Okay.

6 A. -- and without a specific setting.

7 Q. Okay. And when was the last time you probably reviewed that?  
8 Was it all at the same time?

9 A. It was yesterday --

10 Q. Okay.

11 A. -- and this morning.

12 Q. All right. And on the day of the event, do you remember when  
13 you came in, you were working -- the position you were working at  
14 the time, when you took that position, was a relief briefing  
15 conducted with the off-going person?

16 A. So when I was coming in at 2 o'clock, is that what you're  
17 asking?

18 Q. Yeah. Well, whenever you took the position that you were on  
19 at the time. And actually let me differentiate here, let me  
20 understand, because I know there was a changeover during this  
21 event, correct?

22 A. Um-hum.

23 Q. Or during the sequence of events. Are you the controller  
24 that was talking to the aircraft at the time or it would've  
25 been --

1 A. I was the first one, yes.

2 Q. You were the first.

3 A. Yes.

4 Q. Okay, you got him when you went in at the same time.

5 A. Yes.

6 Q. Okay, so when you took the position that evening, did you

7 conduct a relief briefing with an off-going person?

8 A. Affirmative. That would've been at --

9 Q. Okay.

10 A. -- 8:30 p.m.

11 Q. Okay.

12 A. Yeah.

13 Q. And that was recorded?

14 A. Affirmative.

15 Q. And do you guys use a checklist here?

16 A. Affirmative.

17 Q. Is it electronic or is --

18 (Noise interference.)

19 BY MR. SOPER:

20 Q. Do you remember which one you used that day?

21 A. I do not recall.

22 Q. Okay. And so on a scale of one to five, five being the

23 heaviest, how would you rate the traffic volume at the time of the

24 event?

25 A. Volume or tasks?

1 Q. Volume. Volume only.

2 A. One to two.

3 Q. Okay. And was that -- would that be normal for that time of  
4 the evening or that day of the week --

5 A. Affirmative.

6 Q. -- and what you would expect? Okay. Now, along the lines of  
7 where you were going, on a scale of one to five, five being the  
8 most complex, how would you rate the traffic complexity at the  
9 time? And this is where you would think about things like we had  
10 emergencies or we had lost COMM or we had anything like that that  
11 increases the complexity.

12 A. A four ranging to moments of fives --

13 Q. Okay.

14 A. -- within specific moments.

15 Q. And so was that normal or above average for that time, what  
16 you would normally expect on an average work shift?

17 A. Above average.

18 Q. Okay.

19 A. At least some of the irregularities at the --

20 (Crosstalk)

21 BY MR. SOPER:

22 Q. Okay. All right. And now this one, kind of along the same  
23 line of thought, were there any distractions at or leading up to  
24 the time of the event that you can recall that could have, you  
25 know, played into the way things are? When I talk about this, it

1 can be everything, like we had an emergency going on at the same  
2 time, we had a guy we were trying to get lost COMM in and the supe  
3 was trying to talk to me about something, we were having equipment  
4 issues, anything that made it -- I mean, it could be just the  
5 radar room was cold that night, you know, the air conditioning was  
6 kicking, whatever it is, anything that would have, could have been  
7 a distraction to the operation over the course of the time you  
8 were working there.

9 A. Are we talking specifically at around the time of the event?

10 Q. Mainly or even leading up to the time of the event.

11 A. Okay.

12 Q. So you know, leading up to, throughout it --

13 A. Okay.

14 Q. -- anything that may have been just --

15 A. Not necessarily would be considered distraction, but there  
16 was a possibility to go behind me to go to the flight deck  
17 terminal --

18 Q. Okay.

19 A. -- to grab the strips that come out --

20 Q. I've seen that.

21 A. -- that pack up and they come out with strips that are  
22 relevant to approach and then a lot of just general information  
23 messages and whatnot, it's a process to go through them. Let's  
24 see, what else? We have a -- that's also where our ATIS  
25 information will come out, too. When the towers send them, they

1 send them via a GI (ph.) message.

2 Q. And so you didn't have a flight data person working in there  
3 at this time.

4 A. Negative.

5 Q. Okay.

6 A. Other distractions for operational duties that were there  
7 were the medical emergency --

8 Q. Yeah.

9 A. -- was the arrival of sequencing airplanes, the dissemination  
10 of information about the medical emergency to the supervisor, as  
11 well as the arrival of the relief controller within that time  
12 period behind me, and then an airplane that departed while this  
13 was going on and having a read back/hear back error twice that  
14 Colin (ph.) corrected himself on the third time. Aside from  
15 that --

16 Q. Okay.

17 A. -- nothing that I recall.

18 Q. Okay. You mentioned you didn't have flight data that night,  
19 is that normal? I mean, do you guys combine up at night where you  
20 were kind of -- so who's handling the flight data, is that  
21 officially combined where you were working?

22 A. Affirmative.

23 Q. Okay.

24 A. Typically, at 8:30 the R7 combo will be R1/R5/R7 flight data  
25 of all the responsibilities.

1 Q. Okay. And do you recall -- well, actually, before I go on to  
2 that, so we talked about you did do a pass-down relief briefing  
3 with the controller that was leaving. Do you actually conduct any  
4 with the flight data person that leaves, since you combined up or  
5 do they just let you know if there's something like specific that  
6 you should know, you know, like a before they leave type of thing?

7 A. I believe at that time -- I believe the R7 controller was  
8 actually working flight data.

9 Q. Okay.

10 A. So there was no flight data person there at that time.

11 Q. Okay.

12 A. So that night they might have gone home at 8 o'clock, if I  
13 recall properly, because I only recall being briefed by one  
14 person.

15 Q. Okay, that makes sense. All right. So do you recall the  
16 general weather conditions in your area of jurisdiction, which, as  
17 I understand, is a pretty large area at that time of night. So  
18 the general weather conditions, were you predominantly VFR, IFR?  
19 Did you have a lot of weather in the airspace, a little weather,  
20 some weather, was it just precip, did you have any storm activity,  
21 convection or anything like that? Anything you can recall about  
22 what you recall about that night.

23 A. All VFR.

24 Q. Okay.

25 A. Ninety-eight percent clear weather.

1 Q. Yeah.

2 A. Or more.

3 Q. You don't recall any weather advisories being out that night,  
4 AIRMET, SIGMET, CWAs, anything like that?

5 A. Negative.

6 Q. Do you guys get CWAs down here from Miami Center at all, like  
7 do you see those --

8 A. Center --

9 Q. -- center weather advisories?

10 MR. APONTE: No.

11 MR. SOPER: No.

12 MR. APONTE: We rarely get them. We sometimes get them over  
13 here.

14 BY MR. SOPER:

15 Q. Okay. So this was something that was different, you did not  
16 do a pre-duty weather briefing, correct? You guys don't do those  
17 here, is that right?

18 A. The only pre-duty stuff would really be in the IDS pages and  
19 they'll usually show a scenario up at the top, but it will just be  
20 forecasted things and rain, whatever, in the morning forecast, but  
21 it's not a detailed -- detailed, detailed weather briefing --

22 Q. Okay.

23 A. -- that you might expect. It's very vague, it's either going  
24 to be terrible or it's not.

25 Q. Where does that come from, do you know who does -- who



1 populates that?

2 A. Supervisors put that in.

3 Q. They do.

4 A. They handle everything in the pages prior.

5 Q. So they pull it from something, National Weather Service or  
6 something?

7 A. Probably the National Weather Service, yeah.

8 Q. Okay. And did you have a cellular phone or a PED on you at  
9 the time of the event?

10 A. Negative.

11 Q. Okay. And had you -- so actually, I don't even need to ask  
12 this question because you were getting the relief during the  
13 sequence of events, and that was your normal rotation with the  
14 person that came in to relieve you, that was the -- that was your  
15 normal scheduled --

16 A. Correct.

17 Q. -- rotation to roll out, right? Okay. And so when did you  
18 become aware that you had an aircraft gone, were you still at the  
19 position or had you already left when that occurred or --

20 A. I had pushed back and was moving to -- I'm moving to the left  
21 to stand up behind the controller that grabbed one of the strips  
22 to ensure that the information with the medical emergency was  
23 accurate, when the controller -- yeah, when the controller asked  
24 me --

25 Q. Okay.

1 A. -- basically what's going on with this.

2 Q. By that time was he already in a coast track?

3 A. Affirmative.

4 Q. Okay. All right. All right, so if you could, I'd like you  
5 to just kind of tell us the story, right, as if you had to tell it  
6 to somebody from the start and you can pick up from about when you  
7 remember picking that guy up to take him in to St. Thomas,  
8 whatever, when he checks in with you inbound to St. Thomas,  
9 anything you recall about that guy checking in, tell us the story,  
10 how it all transpired from the time he went there until the time  
11 you just mentioned where you've actually left position and the  
12 on-coming controller, the one that just relieved you, asked you  
13 about the aircraft --

14 A. Okay.

15 Q. -- and you just go into notifications. And during this, try  
16 to be as detailed as possible, you know, even the smallest things  
17 like I remember because I turned this way or I remember because  
18 somebody said or I remember because I was looking at this, any of  
19 those kind of details will be very helpful to us as we go through,  
20 so just be as detailed as you can recall --

21 A. Okay.

22 Q. -- without making anything up. Just tell us that story.

23 A. I remember taking responsibility of the position. At this  
24 time the airplane had just passed through the San Juan Tower  
25 airspace and was now in my control going eastbound. Upon passing

1 the northeast coast of Puerto Rico, it was changed to a frequency  
2 of 128.65 for range issues.

3 Q. Okay.

4 A. I had observed the airplane just flying, I had got the links  
5 (ph.) on him so I could see just to make sure that he's flying  
6 correctly. I was aware that it was probably some sort of  
7 instruction going on. I could see small changes in the vector  
8 just as they're flying, and I would contribute that to some sort  
9 of instruction going on in the cockpit. When I saw it, I  
10 continued to monitor the airplane all the way in.

11 At one point, I cleared him when he was northeast of Puerto  
12 Rico, direct to Cuto (ph.), which is the -- about a 12-mile fix on  
13 the ILS-10, and at that time I saw him adjusting accordingly and  
14 at one point made more of a 30- to 45-degree turn instead of going  
15 direct and then correcting and coming back. What I was looking  
16 for, basically, was for that direct line to Cuto to ensure that  
17 everything was fine. Had I seen something abnormal like a  
18 southbound turn, then I would've said something, but I was aware  
19 that there was -- there was some sort of instruction going on in  
20 the cockpit.

21 I believe I called out to the aircraft a few times and it  
22 would be a while to get a response. At one point someone else  
23 keyed up to -- because the other one was probably busy. I was  
24 quite confident there was instruction going on. Gave the aircraft  
25 the weather, everything was smooth from about 25 miles out all the

1 way to the Cuto fix, cleared them for the approach, gave him the  
2 climb-out instructions and asked his intentions, which would've  
3 been 2-5-0, 3,000, his intentions were to go back to  
4 (indiscernible) afterwards. Gave that information to the  
5 St. Thomas Tower controller, put the target on a (indiscernible)  
6 ATAC (ph.) so that it doesn't drop on the go, switched him to the  
7 tower around an 18-mile (indiscernible) or so. During this time  
8 period there was, I believe, a few departures going out of San  
9 Juan. Traffic generally light.

10 At this time I would be somewhat aware that the relief would  
11 be coming probably within the next 10 minutes or so. So there was  
12 some preparation as far as making sure that the next controller  
13 coming up was going to have everything provided to them. I  
14 remember I had to go to the computer behind me, put in a 6-7-10  
15 amendment, which would have gave that aircraft proper timing for  
16 the center, when they return back to the center's airspace, and  
17 also for the proper altitude. I believe I grabbed the flight  
18 progress strips and brought them over.

19 Right around this time I recollect a few JetBlue airplanes  
20 approaching the airspace, being aware of what's coming within the  
21 next 5 to 10 minutes. Also seeing on a big traffic monitor that  
22 we have off to our right, what was going to be coming. I remember  
23 at one time also checking through the IDS pages to see if the  
24 St. Thomas or St. Croix runway would be -- none of them were  
25 closed that night, which would be valuable information to tell the

1 next controller. Also aware that the towers are sending their  
2 ATIS information via the GI messages, so there's a general  
3 awareness of understanding what kind of complexity is to come. So  
4 at this time the aircraft came out on a 2-5-0 heading out of  
5 St. Thomas. I remember he said San Juan Center and on San Juan  
6 approach, I wanted to give him a second to correct that, one of  
7 those actions, we just might let them figure it out instead of  
8 correcting them. I responded to him on the second time, I figured  
9 I'd give him a break. He climbed to 6,000 feet, well, I cleared  
10 him to 6,000 feet and cleared him to --

11 (Noise interference.)

12 MR. BEASLEY: -- as they requested prior. I observed him  
13 climbing and making the turn and once I ensured that the turn was  
14 heading that direction, my eyes went over to the JetBlue 275,  
15 which was inbound from the north. I know that there was aircraft  
16 in the departure list going outbound out of San Juan, which would  
17 usually means that I was analyzing the aircraft arrival.

18 If you take -- you know, accept that handoff when they're at  
19 17,000 feet, that someone might switch them because they don't  
20 have any more responsibility with them. In that case now, when a  
21 cleared aircraft climbs out on to 10,000 feet, you might have to  
22 ask for higher and bother the controller. So typically, I tend to  
23 wait until they're at about 13,000 feet and I'm watching it, take  
24 the handoff, probably looked at the radar, saw the JetBlue 2932  
25 inbound also and analyzing the fact that they were wired for -- or

1 I'm sorry, they were both tied for Tanner (ph.) at the same time.  
2 At this time JetBlue began to call me, I cleared them to Tanner to  
3 send them to three, I would've looked over at the strip, marked it  
4 over here and I think, in my mind I was thinking to myself he's  
5 going to be number two, this one's a straight in, he's coming in  
6 from the north and I filled the strips. I remember at that time  
7 taking a couple strips down and the other strips that I had from  
8 before, just organizing a couple things.

9 JetBlue 2932 then calls me. I believe it was JetBlue 2932  
10 after the medical emergency, if I -- yeah, I think so. Almost 10  
11 seconds later, I remember that JetBlue 275 calls and gives me  
12 medical emergency information, it was a passenger that had gone  
13 unconscious and now was conscious. I talked to the pilot and he  
14 did say that he had declared it to the company. From prior  
15 experience working at a tower, I know that sometimes that doesn't  
16 work a hundred percent of the time and that ATC would be the  
17 direct line to ensure that whatever ambulance or operation that we  
18 have through our lines would get that aircraft -- would get all  
19 that equipment to that gate for that aircraft.

20 Passing information to the tower, cut back to the JetBlue,  
21 the JetBlue 2932, sometime in this time period cleared him to  
22 Tanner and gave him 5,000. They were still wired before the fix  
23 at the same time. Generally, we'll -- for efficiency reasons, we  
24 won't vector when they're that far out and wait until they get in  
25 a little bit closer. I then turned to my supervisor and -- to

1 relay all the information, and I remember this process taking a  
2 little bit of time as far as being able to type up the report and  
3 ask just a couple general questions. My attention was in my area,  
4 there was someone (indiscernible) whether or not I would need to  
5 get the gender of the patient and exactly what the cause was and  
6 use (indiscernible) for the logs, so I was -- even though they had  
7 filed with the company or some kind of a -- some kind of awareness  
8 on I think we still have some work to do here.

9 At this time my relief had been standing behind me for a  
10 while and I began to just let him know verbally, before hitting  
11 the button, hey, you're walking into a medical emergency here and  
12 it's mainly because I don't know a hundred percent sure and that  
13 just brings down their adrenaline levels to know how significant  
14 what they're walking into.

15 So I began the briefing and during this time period, I  
16 remember a Frontier flight coming out in the middle of that  
17 briefing. I gave him -- I gave Frontier one-zero-thousand leading  
18 5,000, proceed direct to (indiscernible), which would have put him  
19 up above the JetBlue 275 medical emergency inbound, would have  
20 ensured that separation to climb above him, and the Frontier  
21 flight went back one-two thousand.

22 At that time, a stuck mike somewhat jammed the frequency and  
23 my initial reaction was the Frontier flight that had called  
24 outbound was now not only giving me the wrong altitude, it was  
25 jamming the frequency and my response is going to have to be

1 prompt because I have two JetBlues heading to the same fix around  
2 the same time and my solutions to that would be the emergency  
3 radio, push to talk and try and get one of those JetBlue aircraft  
4 on a different frequency, either one-two-zero-point-niner or call  
5 the tower and let them know that these aircraft inbound, if I  
6 can't get them on the right frequency, might intercept over Tanner  
7 and if that's the case, ask him if they can (indiscernible)  
8 approach. That's where my thoughts were going as to what I needed  
9 to do.

10 I looked up to the ETVS and I had to scroll through, there's  
11 three different index pages, I think it's G1, G2, and G3. I think  
12 I started off with the wrong one looking for the -- to see what  
13 frequency it was actually on, maybe 71 and on the 2 and then the 3  
14 and then when I saw that it was on 128.65, I believed it to be a  
15 common incident that we have with airliners that check in on the  
16 center frequency, over the center fixes -- I'm sorry, not over the  
17 center frequency, over the center fixes, and they jam 128.65  
18 sometimes and the reason you can't hear them is because they're at  
19 such a distance away, they're just lost and searching for  
20 frequencies to come over to.

21 So I remained looking at the ETVS and I said use caution  
22 (ph.) for a hot mike. I went to 128.65, 128.65, use caution for  
23 hot mike. At this time came back over to the JetBlues. I then --  
24 oh, I'm sorry, I had a pending task on my brain this whole time,  
25 knowing that the Frontier had climbed to one-two thousand or had



1 went back one-two thousand and typically correct mistakes  
2 immediately, you don't let them go down the road and build up  
3 later if you do that, so I immediately returned back to the  
4 Frontier flight. I once again said climb and maintain one-zero-  
5 thousand meeting the 5,000 procedure at (indiscernible). The  
6 Frontier flight read it back incorrectly again.

7 I then looked over the incoming relief with kind of a  
8 question, I'm speaking clearly, correct? Went back to the  
9 Frontier flight, climbing to one-zero-thousand, leaving out the  
10 5,000 this time, just because I need to get this part of this  
11 transmission correct. He read back one-zero-thousand. I didn't  
12 want to push it too much. I knew I needed to watch that airplane  
13 just because he hadn't got that second portion, even though it was  
14 correct in the earlier calls. So as I'm watching that and I start  
15 to see that he's not making that turn into the JetBlue airplane  
16 and that he's obviously going to do it at 4 or 5,000 -- or  
17 actually at 5,000.

18 I then continued with the briefing. I think I was trying to  
19 pick up to where I was in the briefing and I looked at the  
20 briefing relief sheet, which would have been over near the strip  
21 bay, quickly caught up to where I was and I briefed -- I remember  
22 scrolling out of the R7 radar to talk about a windward which was  
23 coming into (indiscernible) airport with an estimated arrival time  
24 which I had coordinated prior, those coordinations need to be done  
25 10 minutes prior but they need to match within 3 minutes, so I

1 talked about that on the briefing. I went over to the strip, I  
2 talked about specifically the altitudes that were put into the  
3 computer and I believe I was going there and from there, turned to  
4 my left. As the relief controller was coming in, I would've  
5 probably been offset to the left, more towards the R1 radar the  
6 whole time I'm giving the briefing, to give them room to come into  
7 this area so that they're not looking from an extreme distance.

8 And then at that time the relief sat down and upon putting in  
9 their settings, asking what was going on with the aircraft on the  
10 coast suspend and I remember immediately looking over at the radar  
11 and tried to figure out what had happened. And then I was -- I  
12 was also initially thinking that the -- the JetBlues needed to be  
13 vectored and I was telling him that you need to vector these  
14 airplanes, you need to vector them or something, because I think  
15 you slowed one of them down.

16 At that point we just went through like an investigation  
17 process of trying to determine what had happened with one, two,  
18 three, and four. It was a little bit of analyzing and a couple  
19 things went through our mind, maybe this is happening in the past  
20 where an airplane decides that they don't want to do something and  
21 they don't tell ATC and instead they just either SWAP 1200 and go  
22 off to a different airport or there's always the potential for the  
23 transponder issues, which seem to be quite common here in the  
24 Caribbean where a transponder will just go off for a small period  
25 of time and we'll have to have them reset. It's more maintenance

1 issue related. I remember my relief, Josh, pulled out the E-rick  
2 (ph.) portable radio to try and call him up on 122.7, which I  
3 believe is a regular common advisory frequency, to see if the  
4 airplane had potentially gone over to that area. I tried calling  
5 the St. Thomas Tower knowing that they were going to be closing at  
6 8:30 (ph.), to make sure that they stuck around just in case an  
7 aircraft would appear or to see if the aircraft (indiscernible)  
8 down there and we just didn't see it on the radar.

9 And then around our investigation, after a while I walked  
10 over to the supe desk, where he was busy and on the phone or doing  
11 something or another with the JetBlue airplane, he might have been  
12 typing it in and I told him there's an airplane missing  
13 (indiscernible) and we need to look into it. And that would  
14 conclude it, conclude my response.

15 Q. Okay, excellent. So let me take you back a little bit in  
16 that. First of all, I'm just trying to get the ergonomics of  
17 where you were at. So you're sitting at that position, are you  
18 generally sitting kind of, I mean, squared away -- I know that  
19 there's two scopes there, right?

20 A. Um-hum.

21 Q. And they kind of --

22 A. Yeah.

23 Q. -- look towards each other. There's one scope on the left.  
24 So the (indiscernible) mentioned that he wasn't sure if they --  
25 like, during normal operations, they kind of push that scope back

1 and work off the one or -- but it's always up. Do you remember  
2 how it was for you that night, did you have them both up, you  
3 know, relatively --

4 A. I had two separate configurations, I had the R1/R-5 on one  
5 scope over here --

6 Q. Okay.

7 A. -- and then I had the R7 on the other scope, both would be  
8 back and the keyboard's in front of them.

9 Q. Um-hum.

10 A. I would be, for the most part, sitting like I am right now.  
11 Just because I'm really tall, I'm putting my knees underneath the  
12 counter, it's --

13 Q. Yeah.

14 A. -- virtually impossible, so go outside a little bit and do  
15 this. And then when the briefing was in progress, I tend to  
16 usually try to give the person coming in a break. I know from  
17 experience, when I'm trying to (indiscernible) whatever may be  
18 going on (indiscernible), it's difficult, so I consciously try to  
19 move off a little bit to the side to allow the person to come in.

20 Q. Okay. So if you had to estimate a distance, roughly, from  
21 your eyes, from your face to the screens while you're sitting in a  
22 normal configuration of working, what was that, probably, roughly?

23 A. Maybe three and a half feet.

24 Q. Okay, all right.

25 A. No, I'm sorry. Like here to here.

1 Q. Okay, 4 feet, probably. All right, very good. So how was  
2 the lighting at that time of night? Do you guys turn the lights  
3 up or do you keep them down low the whole time or do you remember  
4 on that evening what they were?

5 A. Yeah, they're plugged in.

6 Q. Okay. And step me through what you can see from your  
7 position with regard to your various situation displays. So as a  
8 matter of fact, take me a 360 tour of right there, what you can  
9 see and have visibility to and how you might use them in your  
10 normal course of work.

11 A. Okay, so we have the big screen TV off to our right, which  
12 would be basically a TMU, a traffic management type of screen  
13 where we have what's coming into the sector.

14 Q. Okay.

15 A. We have our strips off to our right here. Lights up inside  
16 the little areas up here. We have our R7 scope kind of right  
17 here, the R1 offset to the left, the two keyboards, the front data  
18 terminal behind us, which is directly behind us, and on  
19 (indiscernible) the flight progress strips, which we have to take  
20 frequent trips to, in order to -- you know, we'll work them by  
21 ourselves, basically. I think at one point during COVID they were  
22 next to us --

23 Q. Yeah.

24 A. -- because we didn't have those flight data specialists  
25 coming in because I don't believe they were mission essential or

1 things that are mission essential, so they would've been over here  
2 and now they're all the way back there. Supervisor's desk would  
3 be maybe 20 feet off to the left.

4 Q. Um-hum.

5 A. And we're kind of tucked away in a corner (indiscernible).

6 Q. Okay. When you're sitting in your position, we did go down  
7 and take a look at the thing or at the -- I'm sorry, at the  
8 control room and tried to get a feel for where that position was  
9 and where you would've been set up that evening.

10 Do you have any visibility to the -- they had a -- aside from  
11 the traffic situations you spoke of, that it was up and to your  
12 right, further to the right there's another display, is that  
13 visible from that position or is that blocked out by the cubicle  
14 there normally when you're sitting on position?

15 A. Oh, way behind.

16 Q. Yeah, there's like a weather --

17 A. Yeah, I never see that.

18 Q. Yeah, you never see that one.

19 A. Yeah.

20 Q. How about to the left, to your left and behind you, to the  
21 right of flight data there's some displays set up there, you can  
22 see those from your --

23 (Crosstalk)

24 MR. BEASLEY: Those actually have the wind shear recording  
25 system which would shoot out winds and stuff and it's almost

1 impossible to see. So when that does happen, you have to walk  
2 over there and you have to look at it and there's some other  
3 weather equipment which --

4 BY MR. SOPER:

5 Q. Is that for San Juan Airport?

6 A. Yeah, that's --

7 Q. Is that the low-level wind shear? Okay, okay. And the other  
8 displays that are there, do you utilize those for anything in your  
9 normal course of work or are they for something else?

10 A. When I'm working R1, which is the San Juan area --

11 Q. Right.

12 A. -- I will go over there sometimes to try and see the accuracy  
13 of maybe the weather, so it will show a little bit more  
14 specifically --

15 Q. Okay.

16 A. -- in the San Juan area, when it's on the finals, but not  
17 extremely often.

18 Q. Okay. All right, going back to the event now, itself, as you  
19 were stepping us through it, and you mentioned at one point that  
20 when JetBlue 275 had called in with the medical emergency or  
21 whatever, you had turned to the supe to coordinate some  
22 information with him about that. Was the supervisor at the OMIC  
23 desk at that time, was he at the supe desk, which I see is kind of  
24 forward of that, where was he at, at the time?

25 A. He was where he should be, sitting in his seat, which would

1 be facing the --

2 Q. At the OMIC, okay. All right. Do you ever recall seeing  
3 weather displayed on your display where the aircraft was, where  
4 the aircraft in question was, 13384 --

5 A. Negative.

6 Q. -- during your work? Okay. Did you notice it during the  
7 replay?

8 A. I saw the replay earlier today and --

9 Q. Yeah.

10 A. -- right around 14 minutes, yes, (indiscernible).

11 Q. All right. For your guys' weather here, has that been pretty  
12 reliable weather that you're getting on the approach side but you  
13 go to your radar-derived weather? It's coming off --

14 (Crosstalk)

15 MR. BEASLEY: My understanding is that the MEARTS weather  
16 we're using, usually it is late in its development. You might  
17 have -- you might observe an area of weather and it doesn't look  
18 significant and maybe about 4 or 5 minutes later it was to  
19 develop, whereas the weather equipment that comes off of the  
20 computers over, now up to the left, San Juan TDWR weather, I think  
21 that's more accurate comparing the two.

22 BY MR. SOPER:

23 Q. Okay, all right. And do you know -- as I understand it, your  
24 SOP here has this, so you may not display -- you only display  
25 heavy and extreme precip.



1 A. Correct.

2 Q. Do you know why that is? First of all, I mean, do you have  
3 any idea why they do that here?

4 A. I believe it's been like that since I showed up here, which  
5 I'm at --

6 Q. Okay.

7 A. -- 10 years. I believe that passed the test of time.

8 Q. Okay.

9 A. And it's there for obvious reasons.

10 Q. Good enough. And do you ever toggle that and when you're  
11 working the sector, if you've got weather, do you ever toggle to  
12 take a look at moderate or light areas to get an idea of buildups  
13 or anything like that?

14 A. In rare circumstances.

15 Q. Okay. So staying on the weather line of things just in  
16 general here, how do you prepare yourself for weather that may or  
17 may not be impacting your watch? Like, where do you get your  
18 weather information from?

19 A. There's some awareness of weather just in the National  
20 Weather Service and whatnot, it's (indiscernible) pages, but aside  
21 from that, it's briefings of kind what has gone on prior with  
22 their experiences --

23 Q. Right, the position lead briefing?

24 A. Yeah.

25 Q. Okay.

1 A. Yeah, when you assume position, what you see and then of  
2 course, PIREPs and stuff (indiscernible).

3 MR. SOPER: Okay. All right, very well. All right, I'm  
4 going to go ahead and pause for now, I've had a lot of your time  
5 and I'll probably have more questions for you, but I'm going to go  
6 ahead and pass this along and we'll start with Jason.

7 BY MR. ALLISTON:

8 Q. All right. And you just touched on it a little bit, but when  
9 we went through the control room, it looked like about 50 percent  
10 of the controllers in there were showing a moderate intensity --

11 A. Um-hum.

12 Q. -- and you said you'd only do it in a rare occasion --

13 A. Yeah.

14 Q. -- that you would toggle those on. What would be like an  
15 example of an occasion where you'd do that?

16 A. Okay. Like if there was some weather on an initial approach  
17 fix, on a final approach fix and it was really going to affect a  
18 sensitive area coming in and there would want to be an  
19 understanding of is that weather moving north up the final, south  
20 up the final, really more specifically final related.

21 Q. Got you. Okay, that makes sense. What would you -- can you  
22 kind of walk me through your scanning processes, specifically when  
23 you're in that multi-scope configuration?

24 A. Okay. Yeah, usually standard will just be somewhat to the  
25 left corner, to the right corner, the strips, look back here -- to

1 look back here is a feeling that you feel incrementally because  
2 you know you have to stay on top of those strips that are coming  
3 out and stuff. That's about it. Yeah.

4 Q. But you're basically touching like -- so you'd be looking at  
5 San Juan or then you'll be looking maybe over at St. Thomas or  
6 whatever and the other islands.

7 A. Well, it's like kind of watching all the --

8 Q. Because it seems like, just based on the configuration of the  
9 islands, it's kind of a linear scan and then you've got --

10 A. Um-hum.

11 Q. -- kind of a little bit of a north-south --

12 A. Yeah.

13 Q. -- for your feeders (ph.), is that fairly accurate?

14 A. Affirmative.

15 Q. Okay. And then there's no pre-duty weather briefing but,  
16 like you said, there is some very basic weather in the IDS, so as  
17 just part of your coming on to duty for the day, is -- well, I  
18 guess when you come on to duty, what are the things that you're  
19 required to check?

20 A. The IDS pages. You used to be able to read an initial book,  
21 I haven't seen it for a while, that's out there. Look at the IDS  
22 pages and then we're supposed to be checking teams.

23 Q. Okay.

24 A. A lot of times, too, if there is anything that's missing in  
25 there --

1 Q. Okay, so that was going to be my next question, if you were  
2 using CEDAR for those briefing items or teams.

3 A. Yeah, exactly, (indiscernible).

4 Q. So you mentioned that when you guys started looking through  
5 to find what happened to the aircraft when it went to coast track,  
6 you said that it took a little while to notify the supervisor.  
7 How long would you say elapsed between the time that you guys  
8 started going through the different frequency checks and whatnot  
9 before you notified the supe?

10 A. I don't recall the specifics because I wasn't looking at my  
11 clock because my brain was thinking a million things at once. I  
12 believe it took me a period where we were trying to determine if  
13 this was a false flag or a real flag (indiscernible) maybe 8  
14 minutes.

15 Q. Okay.

16 A. Potentially longer. It might've been just a general feeling  
17 that there was an awareness of what was going on, we weren't so  
18 focused, I mean, (indiscernible) problems and how I can solve it.  
19 It was we know what we're doing, we can --

20 Q. Right.

21 A. -- look for it, yeah.

22 Q. Yeah, I was trying to get a little bit more solid awareness  
23 of what the timeline looked like --

24 A. Um-hum.

25 Q. -- because some of those questions as far as ALL-NOST (ph.)

1 and whatnot will kind of hinge on a little bit of that, as well.

2 A. Yeah, I believe it was probably a little while, 10, 10  
3 minutes.

4 Q. And then how often would you say the flight data position is  
5 staffed standalone?

6 A. Staffed standalone. Usually from 7 o'clock in the morning to  
7 8:00, 8:30.

8 MR. ALLISTON: I think that's all I've got for the moment.

9 MR. SOPER: Great. And I will go and pass it on to Chris.

10 BY MR. ROSATI:

11 Q. Hi.

12 A. How are you doing?

13 Q. So when you review the IDS 4 prior to assuming your position,  
14 is that something that you're doing on the scope that you're  
15 working at or do you do that in a separate IDS to go through each  
16 one of the pages?

17 A. Yeah.

18 Q. Or is that done on a specific position?

19 A. It really depends. When you first arrive at the facility,  
20 it's right next to the sign-in, so you'll review it so you know  
21 what to expect. Throughout the course of the day, coming back  
22 from breaks and stuff, there's a more quicker perusal of it just  
23 to make sure that nothing has changed from earlier.

24 Q. Okay.

25 A. And that's usually done in the position and then you're

1 checking it multiple times throughout the course of your sitting  
2 there.

3 Q. Okay. So you guys just typically do like a thorough review  
4 over by the supe station and then kind of periodically throughout  
5 the day, checking each page and stuff like that before you go into  
6 the position. Okay. Do you know if your supes, if they monitor  
7 any of your position lead briefings at all?

8 A. I mean, that could be (indiscernible).

9 Q. Well, just generally, do they -- do you know of them --

10 A. Yeah.

11 Q. -- attending them at all?

12 A. Of course, they're usually aware of what's going on in the  
13 operation. If they might be attending to something at the desk  
14 where they're sitting, they might not be watching something going  
15 off in the corner of the room, but yeah, I believe there's a  
16 general awareness to make sure that we're doing what we need to be  
17 doing.

18 Q. Okay. Were you aware of any radio or radar issues at the  
19 time or were there any outages at all?

20 A. Negative.

21 Q. Okay.

22 A. I mean, frequency issues, there's always frequency issues.  
23 If you want me to go into specifics, a lot of them usually have to  
24 do with the center and with the (indiscernible) lines, but things  
25 that wouldn't apply to the scenario here.

1 Q. Okay. How long were you on that position before -- I would  
2 say before the aircraft came off on the missed approach?

3 A. Within 45 minutes.

4 Q. Okay.

5 A. Yeah, about 45 minutes.

6 Q. Okay. So he was already airborne and inbound to the airport  
7 when you took --

8 A. Exactly. He had just passed through the San Juan Tower  
9 airspace and was now eastbound 5 miles east of San Juan Tower.

10 Q. Okay. Let's see. So overall, in the facility, like how well  
11 do your controllers all get along, the controllers and supes and  
12 everybody? Like, what's the overall temperature of the facility,  
13 does everybody get along?

14 A. I would say positive.

15 Q. Are there any issues? You'd say positive?

16 A. Yeah, positive. Everybody knows it's kind of a unique  
17 scenario being multicultural and --

18 Q. Yeah.

19 A. -- being in the Caribbean and stuff and I feel like there's a  
20 positive --

21 Q. Okay.

22 A. -- environment.

23 Q. I know we talked about staffing a little bit, that the  
24 staffing over on the approach side is generally pretty good?

25 A. (Indiscernible).

1 (Laughter.)

2 MR. BEASLEY: You always have the other issues.

3 MR. ROSATI: Um-hum.

4 MR. BEASLEY: The sick kids and the duty of additional duties  
5 and stuff like that. So it's not -- I believe the center is  
6 critical.

7 MR. ROSATI: Okay.

8 MR. BEASLEY: We are a little bit more relaxed.

9 BY MR. ROSATI:

10 Q. Okay. And so you mentioned that the checklist for your  
11 relief briefing is typically over by the strip bay, is that  
12 something most controllers will pick up and put in front of them  
13 or do they just kind of like --

14 A. It's in the Plexiglas, so it's really one of those things.  
15 You know, I think it's right next to the -- where the strips are.  
16 It's in that general area.

17 Q. Okay.

18 A. And I believe that to be because of the lights, you get  
19 excess --

20 Q. Oh.

21 A. If they had it over here, you could turn on the lights and  
22 you still might have a hard time reading.

23 Q. Okay. And then you had mentioned that the radio static that  
24 you heard, that you felt it was fairly normal.

25 A. Um-hum.



1 Q. Can you explain that again, exactly why --  
2 A. Sure.  
3 Q. -- that happens? Is it because -- I think you said the --  
4 because the airplanes come from the center --  
5 A. Yeah.  
6 Q. -- frequencies to your frequency, is that --  
7 A. So when I say normal, I don't mean it's happening every day,  
8 but it's something that I am familiar with and what will usually  
9 be happening is you'll be working busy traffic and an aircraft  
10 will be coming from Europe --  
11 Q. Um-hum.  
12 A. -- most of the time to the east --  
13 Q. Okay.  
14 A. -- and I think they're just -- everything's new to them. As  
15 they're coming into the airspace, they're searching for who to  
16 call and somehow they find 128.65 and you hear them checking in  
17 and it'll be like (indiscernible) so-and-so, over (indiscernible)  
18 or whatever and a lot of the times if they're real distant, you'll  
19 get that shush-shush sound.  
20 Q. Okay. And as far as like the weather that did eventually  
21 build from here, is that a normal thing for that to happen, a  
22 small little cell could build up in those areas? That's not --  
23 A. Absolutely.  
24 Q. Okay.  
25 A. And you know, the inbound journey, very aware of that he was

1 going to need to deviate at a point going into Cuto, watching that  
2 vector link solid on the thing.

3 Q. Um-hum.

4 A. There was never any concerns on the frequency, no mention if  
5 there was a -- it was basically an absolute surprise here.

6 Q. Okay. And so on a normal basis you wouldn't have small cells  
7 like that build, maybe not in that area, but anywhere --

8 A. There would be some sort of indication, obviously.

9 Q. Okay, okay. Did you do recurrent training this year?

10 A. Yes, I have.

11 Q. Okay. And have you ever been like a member of the local  
12 safety council, have you worked in the local safety council at  
13 all?

14 A. Technically, yes.

15 Q. Okay.

16 A. That was right before COVID or something like that, so our  
17 names are on the list but don't do anything because everything got  
18 (indiscernible).

19 Q. Do you know like how the health of the local safety council  
20 is here, how involved they are with the facility trends and --

21 A. Not necessarily.

22 Q. Let's see, what else did I have.

23 A. A lot of that could also have to do with my days, I always  
24 pick the same days every year, so I come in Friday and usually on  
25 Monday night I'm gone for a portion of the week. So I believe a

1 lot of these things go on while I'm not here.

2 Q. Okay. And are there any like safety issues in your facility  
3 that you're generally aware of or concerned about on a regular  
4 basis, whether involving weather or not?

5 A. Negative.

6 Q. And we were in there and I'm just trying to figure it out,  
7 when you're sitting on position and you have to pull strips from  
8 flight data, are you having to physically actually get up out of  
9 your chair, walk over there and pull that strip? And so like how  
10 long does that take you to do it?

11 A. Affirmative. A lot of the time there's a glancing period.  
12 When you do have planes, you want to make sure that if something  
13 pops out it could be as simple as you think the aircraft might be  
14 going to San Juan and he's going to Rio Grande (ph.) instead. So  
15 you're constantly looking to see what -- every time you hear that,  
16 it's like it's an automatic kind of reaction of effect there.

17 Q. I see.

18 A. When you actually have to physically get up out of your thing  
19 and turn over and around, walk over there and once you're in, you  
20 have to pull it out of one bay, two bays. Usually if you're  
21 there, you'll glance at the -- we have a little weather screen,  
22 too, that pops out the weather for the airports. Sometimes that  
23 weather will arrive before the tower has actually sent the  
24 weather, too.

25 Q. Okay.

1 A. So it's a little process. It is time consuming.

2 Q. Okay. So you can hear the printer behind you.

3 A. Um-hum.

4 Q. Can you see the printers behind you as well, so you can see  
5 if they're starting to print out? I know you can hear it, but --

6 A. Yeah, we have a general sense, too, you can see like they're  
7 a little solid.

8 Q. Okay.

9 A. (Indiscernible).

10 MR. ROSATI: I think that's all I have, at least for now.

11 MR. SOPER: Okay. Ruth.

12 BY MS. RUPNIK:

13 Q. I actually want to continue down this path a little bit. So  
14 the strip printer there, is that the only place that you get sent  
15 weather advisories, PIREPs, things like -- things of that nature?

16 A. So if there is something that -- that is significant, the  
17 supervisor will print it off on a piece of paper and they'll bring  
18 it over physically to the positions, too, usually for us to sign.

19 Q. Okay, so they can see that in real time, sort of, and give  
20 you a heads up?

21 A. Exactly. When something pops up, it's usually near the  
22 center, hey, there's a -- there's a weather advisory for something  
23 and then almost within a few minutes you'll hear the printers  
24 printing out the piece of paper.

25 Q. Okay. You mentioned the vector lines, like the PTLs (ph.),

1 is that what you're using?

2 A. Vector lines, you button click into one, two, three and you  
3 can see it.

4 Q. Okay. And you said you typically do that for a specific  
5 aircraft, like if --

6 A. The vector links are something -- they're like headlights, so  
7 to speak, on the airplane. A lot of times they're just there to  
8 -- for a timing issue --

9 Q. Okay.

10 A. -- to see if two planes, where they're estimated based on  
11 that speed at a certain time. You may see it in other situations  
12 just to kind of get a general idea if the aircraft is going in a  
13 certain direction.

14 Q. Okay. So walk me through when you became aware of the  
15 JetBlue emergency.

16 A. Um-hum.

17 Q. Was the supervisor monitoring the frequency at the time? Do  
18 they come over proactively? When it comes time to relay something  
19 to them, do you use a line, do you just call out?

20 A. So the problem with using a line sometimes is it will take a  
21 while to call, a while for them to pick up and then a lot of  
22 times, too, if you're working traffic and it's over here, it's  
23 difficult mixing the two. So most of the time we'll say medical  
24 emergency or something like that kind of thing to get their  
25 attention.

1 Q. Okay. And in that situation, did the supervisor come over at  
2 that point to gather information?

3 A. Well, there's a little bit of a time period where we have to  
4 gather the information, too, so I think they'll give us time so  
5 that they're not right into our business while we're trying to  
6 compile that information, but they know we're going to get a tone  
7 so they're kind of by the computer.

8 MS. RUPNIK: Okay. That's all I have for now.

9 MR. SOPER: Okay, great.

10 BY MR. SOPER:

11 Q. So I'm going to go back to the weather thing and I don't mean  
12 to beat it up, but just to understand here, do you ever -- do you  
13 have a resource available to you that you can call for when you  
14 have weather situations, when you have weather in the area or  
15 you're wondering about weather, whether it's going to keep  
16 developing or whether it's going away or how soon it's going to be  
17 here, do you guys have any weather resource that you guys either  
18 have a direct line to or anybody that you can --

19 A. No.

20 Q. -- reach out to, whether it's Miami, CWSU at the Miami  
21 Center, nothing like that?

22 A. No.

23 Q. Okay. Does the supe generally -- outside of what you get in  
24 your position relief briefing and from PIREPs on the air, anything  
25 else that's generally weather related, you're relying on the supe

1 probably, generally, to get that information from somewhere,  
2 maybe, or they might receive it or --

3 A. So just the way that it's a Caribbean island --

4 Q. Um-hum.

5 A. -- with small islands all over the place, it's really, I  
6 believe, difficult to compile information on such a micro scale.  
7 On a more center macro scale, that's when it's easier for them to  
8 get that information with the amount of traffic that they have  
9 transiting through and reports from Miami and PIREPs. With ours,  
10 there's a lot of downtimes where islands won't get flown to for a  
11 while and so --

12 Q. Are you guys aware, have you ever had any interaction with  
13 the San Juan weather forecast office from the National Weather  
14 Service --

15 A. No.

16 Q. -- out here?

17 A. Negative.

18 Q. Okay, all right. So now I'm shifting a little bit and now my  
19 questions might bounce around from topic to topic. So you  
20 mentioned the flight strip printer, I'm kind of curious, is that  
21 the only flight strip printer in that facility? That you're aware  
22 of.

23 A. Flight strip printer.

24 Q. The one you have in flight data where the strips print out.

25 A. Yeah, the center has a bunch of them. On our side, it's just

1 in the terminal.

2 Q. Okay. And just that one there?

3 A. As of recent. When I say recently, COVID, they were at the  
4 positions.

5 Q. Okay.

6 A. After COVID, they went to the window (ph.).

7 Q. I mean, I'm curious, is that something you guys -- well, let  
8 me ask this question first, I'll prelude it. So how often is the  
9 facility in that combined R1/R7 configuration?

10 A. Probably from 8:00, 8:00 or 8:30 p.m. until morning time.  
11 Depending on the time of the season, this is a seasonal traffic  
12 type place --

13 Q. Sure.

14 A. -- it could be 9 o'clock, could be earlier if it's heavy time  
15 periods. Maybe Sundays and days where it's like really, really  
16 dead, they could go as far as like maybe 10 o'clock.

17 Q. So there's a 10- to 14-hour period daily --

18 A. Correct.

19 Q. -- that you end up in that configuration, so it is routine  
20 for you to combine up to that --

21 A. Correct.

22 Q. How often do you work that combined, do you work it  
23 relatively routinely?

24 A. Yeah, daytime shifts, on the evenings, and then when you show  
25 up at 6:45, there will be a small time period before it, usually



1 to provide this when the (indiscernible).

2 Q. So every set, you would see it at some point during every one  
3 of your sets --

4 A. Um-hum.

5 Q. -- likely? All right. So now understanding that compared to  
6 what you had while you were in COVID, has anybody brought up or  
7 has it been an issue for you at all that hey, can't we bring a  
8 strip printer back here so we don't have to go back to data to get  
9 that crap? I mean, has that been a discussion or is not really a  
10 factor?

11 MR. APONTE: It's been asked.

12 MR. SOPER: It has been.

13 MR. APONTE: Yes.

14 MR. BEASLEY: We have three flight data specialists, that's  
15 their primary job. I think that might be something, that they'd  
16 want it back there for them.

17 BY MR. SOPER:

18 Q. Well, I can understand why they would want it while they're  
19 there, for sure, obviously, but --

20 A. We have it in all the positions.

21 Q. And if you have got to have people there, I can understand  
22 why you would be like yeah, you guys do that and then likely  
23 that's what we need or whatever, but --

24 A. Um-hum.

25 Q. -- I'm just kind of -- you know, with regard to the

1 operation, it seems like not great ergonomics to have to turn  
2 around to go get those, because if you do have -- I mean, if  
3 you've got that little wall, I mean, it's not -- I'm not going  
4 crazy about that, you know, it's like okay, I got nothing right  
5 now, I'm just going to grab it; okay, yeah, there's something on  
6 there, I'll grab it, but there's times when you do have traffic  
7 that gets consistent or at least steady and you don't want to pull  
8 away to go do that.

9 I'm just kind of curious how that plays out. So -- all  
10 right. And so, now flipping again to training, so you mentioned  
11 that you did recurrent training this year. Did your recurrent  
12 training include simulator? Recurrent is when you do simulator,  
13 right? I get these backwards all the time, so a vector is what  
14 you do simulator work --

15 A. I have not on the simulator, yet.

16 Q. Okay.

17 A. I think that's coming soon.

18 MR. APONTE: Um-hum.

19 MR. BEASLEY: A sticker (ph.) for it, if I'm not mistaken.

20 MR. SOPER: Okay.

21 MR. BEASLEY: And the training that I did, which was a few  
22 months ago, would have been the conference room, maybe four 30-  
23 minute slides that -- you know, then he puts out 8-hour classes.

24 BY MR. SOPER:

25 Q. Do you have -- your simulator here, what kind of simulator do

1 you have with this micro-EARTS and stuff? Is it separate, is  
2 it --

3 A. It's kind of the same thing as in the (indiscernible) --

4 Q. Okay.

5 A. -- so it's pretty much the same thing, they just run  
6 scenarios.

7 Q. Do you guys utilize it a lot here? Is it -- oh, let me ask  
8 this, let me split it up. So you guys have developmentals right  
9 now, right?

10 A. Yes.

11 Q. So you have people in training. Is that primarily where the  
12 simulator is used, for developmentals?

13 A. Um-hum, yes.

14 Q. Are you using it for pro time at all? Does anybody do any  
15 pro work on that, you know, proficiency training or anything like  
16 that? No?

17 A. No.

18 MR. APONTE: Some of the developmentals do.

19 MR. SOPER: The developmentals do, right.

20 MR. APONTE: They will need to (indiscernible).

21 BY MR. SOPER:

22 Q. Okay. And then for you, the only time you'll see simulator  
23 work, that is refresher and that's an annual requirement?

24 A. Yeah.

25 Q. Okay. All right, very good. How good is the simulator here?

1 How realistic is it, roughly?

2 A. It's difficult to simulate the reality of it.

3 Q. Traffic-wise, weather-wise, what? Or, you know, being able  
4 to do the transmissions and stuff, I mean, I'm not sure how you do  
5 this.

6 A. Explaining it in person to somebody, sometimes, is almost  
7 even more valuable than trying to do (indiscernible).

8 Q. Yeah, I got you.

9 A. It's beneficial in general terms, maybe for somebody to get  
10 their feet wet, understanding about airplanes coming in and  
11 vectoring and stuff like that, but --

12 Q. Okay, no worries. And like I said, I'm bouncing a bit, but  
13 now going to your own equipment settings. When you sign on, your  
14 general settings, are they -- would you consider them -- your  
15 intensity settings, are they dimmer than -- you know, would you  
16 tend to be kind of dimmer on your settings, kind of moderate or  
17 kind of bright? You know, everybody kind of has their preference.

18 A. Moderate.

19 Q. Moderate?

20 A. Yeah.

21 Q. Okay. And are you able to differentiate between different  
22 portions, like can you have weather at one intensity and traffic  
23 at another intensity or things like that?

24 A. Correct, yeah.

25 Q. Do you alter that a lot between yourself for like sectors or

1 is there anything that you vary dramatically or is it generally --

2 A. No, I keep it the same throughout.

3 MR. SOPER: Okay. All right, very good. That's all I have  
4 for right now, so I'm going to pass it back to Jason.

5 MR. ALLISTON: I think you actually hit them all, so I  
6 actually don't have anything else at the moment.

7 MR. SOPER: That's awesome. Chris.

8 BY MR. ROSATI:

9 Q. I'm glad you mentioned refresher training. So your refresher  
10 training, you said you haven't done that this year and that's the  
11 simulator training. In general, does that -- how pertinent to  
12 your daily work is your refresher training?

13 A. Can you rephrase this question for me?

14 Q. So when you go back in the refresher training --

15 A. Uh-huh.

16 Q. -- and you go through whatever scenario they're going through  
17 that year, do you come out of that saying wow, I'm glad that I  
18 went through that because, you know, I had a similar situation  
19 last year or, you know, is it -- maybe a better way to say it  
20 would be is the refresher training different every year?

21 A. Yeah, it's different. I would say it's more daring, but I  
22 wouldn't say it's revolutionary --

23 Q. Okay.

24 A. -- where you come out mind-blown about it. I think maybe  
25 there could be a little bit more creativity.

1 Q. Do you feel like it's more of like just box checking and  
2 there's not a whole lot of thought put into it or do you feel like  
3 thought was put into it, but it's just difficult to --

4 A. It might be more beneficial for younger controllers.

5 Q. And so going back to the flight data machine, so if you had  
6 to do an amendment or put in a flight plan or something like  
7 that --

8 A. Um-hum.

9 Q. -- would you also have to get up and walk over there to that  
10 machine specifically, and was it the same as COVID, was the  
11 machine still there or --

12 A. The machine was still there, but --

13 Q. But the printer was --

14 A. Yeah, the strips, the strips were in the position, the  
15 computer is always back there.

16 Q. Okay.

17 A. And if I have a reroute that's a lot of typing and with  
18 traffic, I'm usually asking the center if they can help me out.

19 Q. Okay.

20 A. If it's just a weird time or an issue.

21 MR. ALLISTON: Okay. I think that's all I have.

22 MR. SOPER: Okay. Ruth.

23 BY MS. RUPNIK:

24 Q. I just have one more. The weather, are you able to filter on  
25 the terminal side the altitudes for your weather or do you view

1 everything?

2 A. There is an altitude filter, I believe there's three of them.  
3 Ours covers -- okay, what is it? It's NEXRAD

4 MR. APONTE: It is NEXRAD.

5 MR. BEASLEY: So the center uses the NEXRAD weather and I  
6 believe they use the filters more for the rest of -- yeah.

7 MR. APONTE: Um-hum. Using it.

8 MR. BEASLEY: Yeah, ours don't have any.

9 MS. RUPNIK: Okay.

10 BY MR. SOPER:

11 Q. Okay. I just have -- I have a question about when the  
12 relieving controller was coming in and you were talking about he  
13 had been there for a little bit, kind of, you know, watching what  
14 was going on as you were working stuff and when you got ready to  
15 start handing stuff off, was there ever a thought or do you guys  
16 ever do this here, would you -- would there ever be a thought to  
17 be like hey, man, do you run assist there, ever?

18 Like I know that wouldn't be the normal configuration when  
19 you're combined up, but now you have this medical emergency and  
20 some other stuff going on, I mean, was there -- did you think  
21 about that or was there thought to it or did you feel like, well,  
22 he's watching, I mean, he's going to help me out anyway, I mean --

23 A. Yeah, I think the circumstances felt like there wasn't a need  
24 for that.

25 Q. Okay.

1 A. It was one of those things where we can get this done and we  
2 can do it now.

3 Q. Okay.

4 A. Had it been a dire feeling of this is absolutely necessary,  
5 yeah, I would have done it.

6 MR. SOPER: Okay, all right. Jason?

7 MR. ALLISTON: No.

8 MR. SOPER: Chris?

9 BY MR. ROSATI:

10 Q. Yeah, one more. Sorry to keep harping on refresher training.  
11 In the refresher training you did last year or in years past, did  
12 it cover unusual weather situations at all?

13 A. Our lab's downstairs, I think they'll take the weather. If  
14 I'm not mistaken, they have a put a piece of tape, a little piece  
15 of tape over the take.

16 Q. Okay.

17 A. So they might go up there.

18 Q. Okay.

19 MR. APONTE: That's true.

20 MR. BEASLEY: So if the weather's -- the weather's not  
21 moving, it's a piece of paper with a little bit of tape.

22 MR. ROSATI: Might mean something.

23 MR. BEASLEY: Yeah.

24 (Crosstalk)

25 MR. ROSATI: Okay, that's all I have, thank you.



1 MR. SOPER: Ruth?

2 BY MS. RUPNIK:

3 Q. During a typical shift, you said the OMIC was sitting at the  
4 desk at the time. During a typical shift, how often do your  
5 supervisors get up and rove the room, walk around, or do they  
6 typically stay at the desk?

7 A. They would have to do it every hour for the traffic pick up.  
8 Yeah, I mean, that's pretty standard. You see them coming through  
9 constantly to pick up strips.

10 Q. Okay. So they're constantly moving around and --

11 A. Yeah, they're not --

12 Q. Okay.

13 A. -- bothering us or nothing, but --

14 MS. RUPNIK: Okay. I think I'm good now.

15 BY MR. SOPER:

16 Q. Okay. So this is just kind of retrospect type questions.  
17 Are you lacking anything at this facility that stands out to you,  
18 it's like man, you know what, we really need this here, this is  
19 something we need, either we need or we need fixed or we need a  
20 different -- is there something that just stands out? I mean,  
21 everybody always needs stuff, but I mean, is there something that  
22 stands out to you and it's like this is something we're really  
23 lacking? Whether it's equipment, whether it's functionality,  
24 whether it's training, whether it's anything, is there anything  
25 like that for you that stands out?

1 A. To be honest, I probably could think of something down the  
2 road, but right now, no, physically with something needed.

3 Q. Okay.

4 A. Probably have some e-mails about it.

5 Q. All right. And my last question is essentially -- it's a  
6 two-part question. First question is, is there anything we  
7 haven't asked you here today that you think you're surprised that  
8 we didn't ask you?

9 A. Negative.

10 Q. Not that you'd tell me, probably.

11 (Laughter.)

12 BY MR. SOPER:

13 Q. I get that. No. So the very last question then is hindsight  
14 being 20/20, now we're on the other side and you're back looking  
15 in, is there anything you feel that could have been done  
16 differently in this, that may have -- that would have even  
17 potentially changed the outcome?

18 Is there anything, looking back, like I wish we would have  
19 done this or I wish we could have done that or I wish we would  
20 have had this or do you think this was just one of those  
21 situations that just the holes in the Swiss cheese lined up?

22 A. No, (indiscernible).

23 MR. SOPER: Okay, you (indiscernible). All right, good deal.  
24 All right, does anybody have any "oh, by the way," same grounds,  
25 questions, do you have any questions for us?

1 (No response.)

2 MR. SOPER: I'm going to stop the recording right now. I  
3 show the time at 12:19 local.

4 (Whereupon, at 12:19 p.m. AST, the interview concluded.)

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CERTIFICATE

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

IN THE MATTER OF:       MISSING CESSNA NEAR ST. THOMAS  
                              U.S. VIRGIN ISLANDS  
                              ON AUGUST 4, 2023  
                              Interview of Barry Beasley

ACCIDENT NO.:           ERA23LA328

PLACE:                   San Juan, Puerto Rico

DATE:                    August 22, 2023

was held according to the record, and that this is the original,  
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A black rectangular redaction box covering the signature of David A. Martini.

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David A. Martini  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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MISSING CESSNA NEAR ST. THOMAS,

\*

U.S. VIRGIN ISLANDS ON

\* Accident No.: ERA23LA328

AUGUST 4, 2023

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Interview of: EDGAR DEL VALLE, Quality Control Manager  
Federal Aviation Administration

San Juan, Puerto Rico

Wednesday,  
August 23, 2023

APPEARANCES:

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

RUTH RUPNIK, Air Traffic Control Investigator  
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert  
Federal Aviation Administration

CHRIS ROSATI, Air Safety Investigator  
National Air Traffic Controllers Association

MATT SMITH, Esq.  
Office of the Chief Counsel  
Federal Aviation Administration  
(On behalf of Edgar Del Valle)

REBECCA LIPE, Esq.  
Office of the Chief Counsel  
Federal Aviation Administration  
(On behalf of Edgar Del Valle)

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I N T E R V I E W

(9:10 a.m. AST)

MR. SOPER: All right, my name is Brian Soper, I'm a lead air traffic investigator with the NTSB, and I have here with us today Jason Alliston, who is with the -- every time I forget his office name, please tell me.

MR. ALLISTON: Eastern Service Area director's office.

MR. SOPER: You changed on me. All right, thank you very much. And he's representing the FAA on our group today, as the FAA's group member. We also have with us Mr. Chris Rosati out of Oakland Center, representing NATCA on our group. And we have Ruth Rupnik here with us from our team back at headquarters, an air traffic investigator, and myself.

And you have here with you as your representative today, could you please state your name for the record?

MR. SMITH: Yes, Matt Smith, I'm with the FAA's Office of the Chief Counsel, and with me in a non-participating observer role is Rebecca Lipe from the same office.

MR. SOPER: Thank you. And actually, could you spell your last name for me for the record?

MS. LIPE: L-i-p as in Papa-e.

MR. SOPER: Okay, thank you very much. And you have selected this rep, is that correct?

MR. DEL VALLE: Correct.

MR. SOPER: Okay, thank you. And could you do me a favor and



1 spell your last name, give me your first and last name for the  
2 record and spell your last name for me.

3 MR. DEL VALLE: Edgar Del Valle. It's D-e-l V-as in  
4 Victor-a-l-l-e.

5 MR. SOPER: Okay, thank you. So as I mentioned earlier, just  
6 to reiterate our scope and authority, the FAA (sic) is an  
7 independent federal agency, we're not affiliated with the DOT or  
8 the FAA in any way. Our job is strictly to investigate civil  
9 aviation accidents of a serious nature, accidents and incidents of  
10 a serious nature, find a probable cause and hopefully develop  
11 safety recommendations to prevent reoccurrence. We don't look for  
12 blame or point fingers at who's at fault, we're on the safety  
13 aspect of this.

14 So as we do ask questions, we just ask that you be forthright  
15 and if you don't recall something, it's okay to say you don't  
16 recall. If you don't know something, it's okay to say you don't  
17 know. It's not a knowledge test, we don't ask any trick  
18 questions, we don't try to paint you into a corner or any of that  
19 kind of stuff. You have no light swinging over your head, this is  
20 not an interrogation, it is literally an interview and we call it  
21 that because it's very conversational. We have to talk with the  
22 experts of this facility to understand and piece together all  
23 those pieces and you're an expert at this facility, this is your  
24 house. So as we go through things, as I mentioned, we'll go  
25 through in kind of a round robin fashion, we'll all have several

1 questions for you and we'll go around the room until everybody's  
2 satisfied and then we'll get you out of here so you can get on  
3 your way. Do you have any questions before we begin?

4 MR. DEL VALLE: No, I don't.

5 MR. SOPER: Awesome.

6 INTERVIEW OF EDGAR DEL VALLE

7 BY MR. SOPER:

8 Q. All right, so I'm going to ask some abbreviated background  
9 questions of you, I don't need everything that I get on every  
10 controller that we interview or anything, but I would like to get  
11 a little bit of background. So how old are you?

12 A. Forty-nine years old.

13 Q. Okay. Are you an active controller here at all, anymore? Do  
14 you do active controlling or maintain your --

15 (Crosstalk)

16 MR. DEL VALLE: No, (indiscernible).

17 BY MR. SOPER:

18 Q. All right, good deal. So your actual title here is the  
19 quality control manager?

20 A. Quality control training and airways and procedures before  
21 that.

22 Q. Quality control training in what?

23 A. Airspace and procedures.

24 Q. Airspace and procedures. Wearing a couple hats there. All  
25 right. That's a lot in one place. You guys own a chunk of

1   airspace.

2   A.    Um-hum.

3   Q.    All right.  So do you have any prior military or FAA --  
4   non-FAA air traffic control experience prior to coming to the FAA?

5   A.    Military.

6   Q.    Military, you did the air traffic on that, okay.  And if you  
7   would kind of just give us your kind of 10,000-foot bio aviation-  
8   wise, like, you know, I went to school, I ended up going to  
9   college for this or I just went in off the street to controlling  
10   and whatever it is for you, anything that you did aviation-wise,  
11   pilot's license, degrees that you might have obtained, to what led  
12   you here today, just very summarized.

13   A.    Well, my bachelor's degree is in aviation, with science (ph.)  
14   management.  I started in the (indiscernible) a little bit before  
15   that.  Then I moved back to Puerto Rico so I could finish my  
16   bachelor's degree at the American University, and they had the  
17   co-op program at that time, that was back in 1998, so I took the  
18   tests, I passed the tests and that's how I started in the FAA.  
19   Oh, I said co-op student and then went to the academy and I passed  
20   the (indiscernible).

21   Q.    So when did you enter the co-op program, do you remember the  
22   year?

23   A.    Nineteen ninety-eight.

24   Q.    That was '98.  And then when did you go to the academy?

25   A.    Ninety-nine.

1 Q. Ninety-nine.  
2 A. Yeah.  
3 Q. And from there, what was your first facility?  
4 A. San Juan. I've been here --  
5 Q. Oh, you've been here the whole time?  
6 A. The whole time.  
7 Q. You are the expert, you're "the" expert. All right.  
8 A. Satisfied, though.  
9 Q. Okay.  
10 A. Yeah.  
11 Q. So you've seen this place through all of the transitions and  
12 changes, man, that's been a while. All right. So you went all  
13 the way through here and you started out as a trainee and went  
14 through CPC.  
15 A. Um-hum.  
16 Q. Did you do supe time here before you did that?  
17 A. Yes, a couple years of supe time.  
18 Q. Okay, all right. And I know that here now you guys are  
19 split, right, and I don't know how long that's been, you've been  
20 here a really long time. Were you qualified both in approach  
21 control and en route at any time over your time or were you just  
22 one?  
23 A. No, just en route.  
24 Q. Just en route the whole time?  
25 A. Yes.

1 Q. Okay.

2 A. I just had familiarization on the other side --

3 Q. Okay.

4 A. -- because I was a supe for both sides at that time.

5 Q. That's actually a question we have for you. Since we're  
6 right there, we'll just ask it. So in this facility now today,  
7 the supervisor, when they stay on at night, they're in charge of  
8 both sides, right, and you combine down, so whoever fills the OMIC  
9 job, which is an OS fills that OMIC job, they're now in charge of  
10 both lines of work, both en route and -- so they are somebody  
11 that's qualified on one or the other or are supes always coming  
12 from the en route side or have they always come from the TRACON  
13 side or they can come from either side, but then they have a  
14 familiarization on whatever side they're not on, how does that  
15 work?

16 A. Well, actually, we have supervisors for centers and approach.

17 Q. Okay.

18 A. Before, we used to have a familiarization of -- I mean, we  
19 would be checked out, certified on one area and we will have  
20 familiarization on the other area.

21 Q. Okay.

22 A. Now it's just you will get certified in this area and this is  
23 the area that you've got oversight.

24 Q. So on the mid watch, you only have one supe on, though, at  
25 night, right?

1 A. Correct.

2 Q. And so it could be an en route supe, but they don't have any  
3 real knowledge of the TRACON environment, correct? I mean, like  
4 they don't -- they could be not qualified there --

5 A. Correct.

6 Q. -- and not have any training on it.

7 A. Correct.

8 Q. All right. Okay. And let me see, what were some of these  
9 questions that really don't apply here? We don't need to keep you  
10 here for those. You've had an opportunity to observe replays of  
11 this event, is that correct?

12 A. Correct.

13 Q. Okay. And as you observed it and -- sorry. And then like I  
14 said, if you need a break, feel free, you know, that's fine. As  
15 you looked at this, having a lot of experience here, really  
16 knowing what happens here on a daily basis and what your routine  
17 and stuff was like here, based on what you could observe at the  
18 time, just the replay, which I know is limited, what do you feel  
19 -- how would you classify the traffic volume at the time of the  
20 event, on a scale of one to five, five being the heaviest?

21 A. One.

22 Q. Okay. Do you feel that's pretty normal for that time of day  
23 of the shift, that that's what you could kind of expect as  
24 average?

25 A. Yes, that's average.

1 Q. Okay. And now this question you may or may not be able to  
2 answer and if you can't, that's fine, just say so. So based on  
3 the same criteria, from what you can see and what you know about  
4 the event, and that's all I'm asking you to speak to, is an  
5 external viewpoint of this, how do you feel -- how would you rate  
6 the traffic complexity around that time of everything you know  
7 that was going on, just as you look at it from a QC manager's  
8 standpoint reviewing that? The same thing, scale of one to five,  
9 five being the most complex.

10 A. I would say three.

11 Q. Okay. And do you feel that was above average or below  
12 average or average? For that time, you know, for --

13 A. Specifically, they were handling a medical emergency, that's  
14 why I said three.

15 Q. Okay, okay. So that would not be average because that's not  
16 something that's happening every single -- okay. All right. And  
17 -- all right, I'm going to skip those, I'm going to skip those.  
18 Okay. So those are all the background questions, I don't need to  
19 get into any of the others, so we'll get right into some of the  
20 stuff surrounding that. So your review of the replay, was that --  
21 were you part of the CER (ph.) or a part of the SSR that was  
22 conducted on this one, so you were -- that would be your role,  
23 right?

24 A. I was part of it, yeah.

25 Q. What came out of that? You guys finished up, right?

1 A. Yes.

2 Q. Yeah, so what came out of that? Can you tell me a little bit  
3 about how that went? Or what your findings were from that  
4 standpoint?

5 A. From the CER or --

6 Q. So which was the -- you did both, though, right?

7 A. Correct.

8 Q. I think I see it in there, so which one --

9 A. Yes.

10 Q. -- was done first?

11 A. I don't recall.

12 Q. Okay. That's not a problem. If you can recall the basic  
13 findings of each, if you were involved in both. That's okay.

14 I'll tell you what, those are documented and you guys wrote it up.

15 I'm not going to --

16 A. Yeah.

17 MR. SOPER: I'm not going to drive you down that road, I just  
18 thought maybe it might be -- you might be able to recollect. It's  
19 been a little bit now because we got out here kind of late from  
20 normal, so -- I'll tell you what, for right now I'm going to take  
21 a break, so I'm going to move my line of questioning, I am going  
22 to have a few more questions for you, but I'm going to go ahead  
23 and move along to Jason.

24 BY MR. ALLISTON:

25 Q. All right, I just wanted to get into some of the QC processes



1 in the facility. So as far as your -- let's start with ICV, so as  
2 far as your ICV process, what's your current ICV completion for  
3 this year?

4 A. Twenty-six percent.

5 Q. Twenty-six percent, okay. How long have you been the QC  
6 manager?

7 A. Almost 3 years.

8 Q. Almost 3 years. How many items would you say, in the last  
9 couple years, that you've marked as noncompliant via ICV  
10 processes?

11 A. The ICV, I would say -- oh. Noncompliant. I think it was  
12 around 11 items at that point.

13 Q. Okay. Do you recall what any of those were?

14 A. I don't recall.

15 Q. Okay. And you know, typically, when you do ICV, there's --  
16 lows are the common thing to be marked noncompliant. Did you have  
17 any that you marked medium or high or were they all just lows?

18 A. Lows.

19 Q. All right. And then mitigations for ICV, do you recall any  
20 of the mitigations that you guys did for those? Were they all via  
21 CV tool or did you have a more formal CAP that you put in through  
22 CEDAR for any of those?

23 A. For some of them, I think we had CAPs in the CEDAR, but I  
24 don't recall exactly.

25 Q. You don't recall the specifics?

1 A. No.

2 Q. Okay. All right, we'll move over to OSAs. What's the quota  
3 for this facility, as far as how many OSAs you're supposed to do  
4 per quarter?

5 A. Per quarter, 45.

6 Q. Forty-five, all right. And are you guys on track for a  
7 completion for those 45?

8 A. We are.

9 Q. And who completes your OSAs?

10 A. All the staff specialists and we, as a team, together.

11 Q. Okay. So you kind of split it up between the staff  
12 specialists --

13 A. Correct.

14 Q. -- and QC manager. Do the supervisors do any of those?

15 A. No. Well, sometimes they do OSAs.

16 Q. Okay.

17 A. They would have to go through my office.

18 Q. Right. And then did your local safety council have any -- do  
19 they do OSAs at all?

20 A. No, they don't.

21 Q. Okay. And then are your OSAs completed live or remote?

22 A. Both.

23 Q. Both. Kind of an even split or --

24 A. No, I would say we have more remote than -- yeah.

25 Q. Okay. And then as far as findings on those OSAs, do you

1 commonly see items that are marked as needs improvement?

2 A. Yes.

3 Q. And then do you know kind of what the most common would be?

4 A. The most common. I don't recall.

5 Q. Yeah. There can be a wide gamut, but -- so I guess more  
6 specific to this conversation, have you recently seen needs  
7 improvement marked for weather dissemination?

8 A. No.

9 Q. Okay. And then on the ICV side, have you -- do you recall if  
10 you've marked noncompliant, low, medium, high, for weather  
11 dissemination? In recent memory.

12 A. Yes, PIREPs.

13 Q. PIREPs specifically?

14 A. Um-hum.

15 Q. Okay. So when we were looking through the SOP, we noticed  
16 there's a requirement in there for supervisors to monitor position  
17 relief briefings. Is this something that occurs often or is it  
18 something that you've marked as noncompliant recently?

19 A. I don't recall.

20 Q. Okay. All right, so moving on to the ECV process, when was  
21 the last time you guys had an ECV?

22 A. Twenty twenty-one.

23 Q. Twenty twenty-one, okay. And what were -- do you recall what  
24 the findings were for the ECV? And you can just go for the  
25 noncompliant items.

1 A. The noncompliance, so yeah, I remember we had a strip-marking  
2 order was one of the items. I think the SOP was, but I'm not a  
3 hundred percent sure about it, so --

4 Q. Yes.

5 A. There were some others.

6 Q. We can get away from the specifics. And do you have kind of  
7 a number of how many noncomplaints you had from that?

8 A. I think it was 17. Yeah.

9 Q. For a facility this size, it sounds about right.

10 A. Yeah.

11 Q. Yeah, you typically end up around 10, 12 noncompliant lows.

12 A. Yeah.

13 Q. Everybody has stuff to work on. Did you have any mediums or  
14 highs in there?

15 A. No.

16 Q. Okay, so just a bunch of lows.

17 A. Um-hum. And some other information.

18 Q. Okay. All right. So also, since you're kind of the  
19 everything manager -- that is your new title -- have you guys ever  
20 looked at putting together a weather action plan, as far as what  
21 to do when you have convective weather in the -- in the airspace?

22 A. Can you be more specific, like --

23 Q. So I'll say most en route facilities have a weather action  
24 plan that occurs when they enter SWAP, which is -- some call it  
25 SWAP, some call it a weather action plan, the SWAP would be severe

1 weather action plan, it's the same thing. But basically, do you  
2 have any enhanced requirements when there's convective or  
3 dangerous activity in the airspace?

4 A. We do have one.

5 Q. Okay. And what would that entail?

6 A. For example, when we have SIGMETs in the area, we will print  
7 out the form with the SIGMET and we look at the initials of the  
8 controllers when they broadcast the SIGMET on frequency. Their  
9 initials on the time when they broadcast it.

10 Q. Okay, all right. Is there anything else that you guys do?  
11 Do you have a like an enhanced supervisor presence, do you have  
12 the supervisors monitor sectors?

13 A. Yes, the supervisors, they have a form that they fill it out  
14 when they hear the controllers issuing weather.

15 Q. Okay.

16 A. And if it was issued correctly or incorrectly.

17 Q. And say it was issued incorrectly, what would be the  
18 expectation?

19 A. To use the first correct facility.

20 Q. So is it just an on-the-spot correction, hey, make sure --

21 A. Correct.

22 Q. -- you're following the weather, that type of situation?

23 Okay. All right. And is that -- I'm just going to call it an  
24 action plan for ease, but is that --

25 A. Correct.

1 Q. -- written in your facility SOP or is it in another document,  
2 a memo, anything like that?

3 A. I don't recall specifically where it's written, but it's  
4 somewhere.

5 Q. Written somewhere, all right.

6 A. Yes.

7 MR. ALLISTON: All right, I think I will pass it on for the  
8 moment.

9 MR. SOPER: Chris, over to you.

10 BY MR. ROSATI:

11 Q. Okay. Are you aware of where the controllers -- what  
12 position the controllers typically will review the IDS-4 before  
13 they take their position? Are they doing that over by like the  
14 supe station or are they doing that on the position or is there  
15 some other place that they're looking at that?

16 A. We have IDS-4 on every position, so some of them would do it  
17 in that position, the kind of relief or they can do it at some  
18 other position.

19 Q. Okay. Do you know, since you've been here for a while, do  
20 you know why the SOP says that it's mandatory for OSs to monitor  
21 position lead briefings?

22 A. I don't recall.

23 Q. Okay. How do we or how do you at the facility verify that  
24 the supervisors are updating the IDS-4, do they mark that down on  
25 a piece of paper somewhere, saying that they updated it at the

1 time? And what information are they typically taking -- where are  
2 they getting the information from that they put into the IDS-4?

3 A. Well, the IDS-4 is 10 pages, so they will have weather there,  
4 they will have outages. So typically, they will -- like if they  
5 had a call from IOCC (ph.) with an outage, they will put it on the  
6 IDS --

7 Q. Okay.

8 A. -- for example, and then the weather, they will update it  
9 every hour.

10 Q. Okay. So they update the weather every hour.

11 A. Yes.

12 Q. Okay. And so none of that gets, like, logged anywhere on  
13 what got changed and where or is it -- or does the IDS-4 record  
14 that somewhere separately?

15 A. I don't recall.

16 Q. Are you aware of any outages, radar or radio outages, during  
17 the time of the event?

18 A. No.

19 Q. Okay. Let's see, I'm going to go over to like some LSE  
20 stuff. So are you a member of the local safety council?

21 A. Yes, I am.

22 Q. You are. Are you the management lead?

23 A. Yes.

24 Q. Okay. How often does --

25 A. That's one of the things I'm trying to delegate, but still

1 I'm -- yeah.

2 Q. Yeah. Yeah, you're the manager at everything, I would  
3 definitely delegate that, that's for sure. How often does the  
4 local safety council meet?

5 A. It's been very challenging for us to meet.

6 Q. Can you expound on that, like what are the challenges?

7 A. Because of staffing.

8 Q. Staffing?

9 A. Yes.

10 Q. Okay. So like how is the staffing? I kind of got a general  
11 glimpse of it, but like how -- what exactly is the staffing issue,  
12 is it an OS staffing issue or is it a controller staffing issue or  
13 is it both?

14 A. Both. Both.

15 Q. There's obviously a management staffing issue, as well.

16 A. Yeah.

17 Q. So --

18 A. Yeah.

19 Q. Okay. So it's not very often it sounds like, so are we  
20 talking like once or twice a year the local safety council meets  
21 or --

22 A. Well, this new local safety council, I would say it's brand  
23 new.

24 Q. Okay.

25 A. So just to give an example, last month we tried to meet



1 twice, but for staffing, we had to -- we were planning on having a  
2 meeting for 2 hours and we only met for a half an hour, just to  
3 give an example.

4 Q. Okay.

5 A. Because of staffing.

6 Q. So do you feel that it's not -- the local safety council is  
7 not made a priority, then?

8 A. I don't have an opinion for that.

9 Q. Okay. So how many -- how many SSRs has the local safety  
10 council finished this year?

11 A. Well, this is how we work with the SSRs.

12 Q. Okay.

13 A. We've got the union involved.

14 Q. Okay.

15 A. Not necessarily local safety council because -- because of  
16 COVID --

17 Q. Um-hum.

18 A. -- we made a decision that, you know, we will have someone  
19 from the union instead of having the local safety council.

20 Q. Okay.

21 A. So that's how we're still getting the union input.

22 Q. Okay. So an SSR -- so you're saying essentially that you or  
23 maybe one of your specialists would kind of run through and do  
24 most of the SSR, run it by the union rep and then they would say  
25 that they concur or not, essentially?

1 A. Correct.

2 Q. Okay. Have any of the SSRs that you have completed resulted  
3 in CAPs?

4 A. I think one of them, but I don't remember --

5 Q. Okay.

6 A. -- that, specifically.

7 Q. Do you know how many CAPs are currently in progress right now  
8 at the facility?

9 A. None.

10 Q. There's none, okay. When was the last time you closed out a  
11 CAP, was it recent or --

12 A. I don't recall.

13 Q. Okay. So how many members are on the local safety council  
14 and is it just you and the PAC (ph.) rep or do you have other  
15 specialists or --

16 A. No, we have one en route rep and one terminal rep and one  
17 supervisor.

18 Q. How often are you in the operation walking around, just in  
19 general?

20 A. Every day.

21 Q. Every day, okay. And when you're in there, you can say like  
22 -- how is the relationship between controllers, management,  
23 supervision and all that, does everybody get along or is there --  
24 is there any outstanding issues going on or --

25 A. A little, yes.

1 Q. And I know you were en route but you've been here for a  
2 while, do you know why, in the SOP, the approach side does not  
3 require the use of moderate precipitation to be displayed on the  
4 scopes?

5 A. I don't know.

6 Q. Are you involved at all in -- well, I guess you probably are  
7 since you are the training manager -- in recurrent refresher  
8 training?

9 A. Yes.

10 Q. When was the last time recurrent training was finished? And  
11 you already finished the first session for this year?

12 A. Yes, we did.

13 Q. Okay. And you got a hundred percent of the controllers  
14 through it?

15 A. Ninety-nine percent.

16 Q. Okay. Refresher training, how often is your refresher  
17 training done and updated, as far as the lab portion goes?

18 A. Every year.

19 Q. Every year. So you have a specialist that goes through and  
20 builds a new problem every year, essentially?

21 A. Um-hum.

22 Q. Does any of your refresher training typically encompass  
23 weather being added into it? I know I was told that you can't  
24 display weather in the lab, but is there any way that you could  
25 show weather on a scope or build those skills up for the

1 controllers?

2 A. That's something that I will have to find out.

3 Q. Okay. Another question you may or may not know the answer  
4 to, do you know why flight data is not staffed 24/7?

5 A. No.

6 MR. ROSATI: No. I think that's all I have for now. I'll  
7 pass it on to Ruth.

8 MR. SOPER: Great. Ruth.

9 BY MS. RUPNIK:

10 Q. Going back to the ECV, you said that was in 2020, right?

11 A. Um-hum.

12 Q. You mentioned something about the SOP, do you recall  
13 specifically what about the SOP that they planned on?

14 A. I think it was not updated.

15 Q. Okay, because that was going to be my next question, as I saw  
16 the last update was 2018.

17 A. Correct.

18 Q. And do you have any plans to update?

19 A. Well, at the moment, we have a CWG working on --

20 Q. Okay.

21 A. -- the SOP, yeah.

22 Q. And who's on that CWG, is it the local safety council or --

23 A. No, we have NATCA, one rep from the terminal, we always have  
24 someone from the terminal and --

25 Q. Okay.

1 A. -- one from en route and a supervisor.

2 MS. RUPNIK: Okay. So that's all I have now.

3 BY MR. SOPER:

4 Q. Okay. So just kind of -- I know we're bouncing around a  
5 little bit now, but when we look at the radar room configuration,  
6 is there a reason -- on the mid watch, what's the main reason for  
7 staffing the OS, the supervisory position, back at the OMIC desk  
8 rather than the OS desk?

9 Is it something they can choose to do, either one, if they so  
10 desire, or is there a reason that they need to be back at the OMIC  
11 desk because there's something they have to have access to that  
12 they don't have down at the supe desk?

13 A. Yes, I will say yes, from the OMIC, they have access to  
14 everything.

15 Q. Okay. And I didn't get a good look at the supe workstation,  
16 so what do they not have at the supe workstation that would be  
17 integral to that supe, you know, being an OMIC at night?

18 A. They won't have access to -- I'm just trying to think  
19 specifically what.

20 Q. No, that's okay. I know you haven't been supe here in a  
21 while, obviously, so I just didn't know if you might know that.

22 A. I don't.

23 Q. That's okay, that's okay. Do you know if they have -- do  
24 they have the radar sleeve (ph.) display down at the supe station?  
25 They do have that.

1 A. Yes, they do.

2 Q. And what about COMMs as far as they do have an ETVS down  
3 there, right, that they can monitor whatever, I assume?

4 A. Um-hum.

5 Q. Frequency-wise. But what about communications external to  
6 the facility, are there any special COMM lines that are only  
7 available at the OMIC desk, like hotlines to anywhere or to center  
8 or to somewhere that you have to have access to and you actually  
9 have to be back there to get to them?

10 A. Well, they have the sat phone --

11 Q. Oh, okay.

12 A. -- in the watch desk, so --

13 Q. Okay.

14 A. And they have the TMU monitors.

15 Q. Okay. All right. I'm going to shift on just a little bit  
16 now to weather stuff, availability of weather information to  
17 controllers. So it doesn't look like you guys have a lot here,  
18 you know, available for them to get to for the purpose of  
19 preparing themselves for weather.

20 From your knowledge, what's the -- what's the main resources  
21 you have to ready yourself for what weather is going to be there,  
22 or the controllers have available to them to ready themselves for  
23 the weather that they're going to encounter on the watch, is it  
24 strictly -- I seen you had a NEXRAD display up high --

25 A. Uh-huh.

1 Q. -- on the one wall and there's some stuff available, but on  
2 separate monitors on the terminal side, do you know what those all  
3 are? They're right next to flight data, to the right of flight  
4 data. If you were looking at the flight data cubicle, to the  
5 right there's like five monitors or something set up there, one  
6 had NEXRAD, one had TMU stuff, maybe.

7 A. Uh-huh.

8 Q. Is that just informational stuff that people can --

9 A. That's --

10 (Crosstalk)

11 BY MR. SOPER:

12 Q. Okay. What all do they have available to prepare for  
13 weather? So what's the main sources they have available to them?  
14 I mean, do they use it -- does somebody print out a TAF, does  
15 somebody go get something, do they load that into IDS or is  
16 something automatically loaded into there?

17 A. Yeah, the supervisor will load that in the mornings and I  
18 think in the evenings.

19 Q. Okay.

20 A. Yes.

21 Q. And that's what they put in there, the TAF, essentially, or  
22 is it the --

23 A. It's something from National Weather Service, I'm not sure --

24 Q. Okay.

25 A. -- if it's a TAF.

1 Q. All right. And then as a QC manager, have you ever gotten  
2 any feedback from controllers that -- like, for instance, we were  
3 looking at the position of the -- that combined position that  
4 night, R1/R7 on the corner, they can't see the weather display at  
5 all, it's blocked by the cubicle of the flight data. I mean, has  
6 anybody ever brought that up, like dude, we need to be able to see  
7 that weather, or is it not really a -- not really been a factor?

8 A. I haven't heard any complaints.

9 Q. Okay. So the pre-duty weather briefing, we've seen that you  
10 guys had a memo when they first came out with that back in 2017,  
11 that you were -- yourself and a couple other places were exempt  
12 from participating in that and I assume, because you don't have an  
13 embedded CWSU here that would perform that function, you know,  
14 like the other centers have an actual weather unit on board that  
15 does it. You guys are a little bit different.

16 Have you tried, has there been any attempt to develop  
17 something here that could at least be utilized in a similar  
18 fashion? Has there been any discussion with Miami to say hey, can  
19 you guys do this, can you cover us for this or have they already  
20 said like no, we're not, we're not messing with you guys or --

21 A. I don't remember.

22 Q. Okay. Do you know if there's ever been any conversations  
23 with the local National Weather Service forecasting office that's  
24 out here in San Juan for weather support?

25 A. I think the air traffic manager was, at some point.



1 Q. Okay.

2 A. He reached out to the National Weather Service.

3 MR. SOPER: Okay. Okay. All right, that's all I have for  
4 right now.

5 Jason.

6 BY MR. ALLISTON:

7 Q. Just to continue on that same kind of line as far as, you  
8 know, discussion of maybe leaning on the CWSU in Miami, most ARTCs  
9 (ph.) are allocated a weather coordinator position that is  
10 typically combined up through TMU or through the OMIC, something  
11 like that. Because of your limitations with weather, have there  
12 been any kind of discussions of, even though you're not required,  
13 to develop a weather coordinator position for the facility?

14 A. Not that I'm aware.

15 Q. Okay. You guys do have a traffic management unit, correct?

16 A. We do have the position.

17 Q. That's what I was getting at, you have the allocation, but  
18 you don't have bodies in those allocations, right? And correct me  
19 if I'm wrong, but you get one STMC and two TMCs, is that correct?  
20 Or is it just one TMC?

21 A. I think it's one STMC.

22 Q. Okay. But you haven't be able to fill any of those positions  
23 so far.

24 A. No.

25 Q. So who does the work of the traffic management unit,

1 currently?

2 A. I would say the helpers (indiscernible).

3 Q. Okay. And is that predominantly just coordinating with the  
4 foreign facilities, New York, Miami? I guess, what does that  
5 additional tasking entail?

6 A. Well, I know that they have -- I think it's every Thursday  
7 they have a TELCON, which covers foreign facilities and adjacent  
8 facilities, so -- but that's something that I can usually  
9 participate in, if I want to, or the supervisor working the watch  
10 desk.

11 Q. Okay. All right. And then like we've said, you wear a lot  
12 of hats. I guess, walk me through kind of what a typical day  
13 would look like for you, as far as how much time you spend in the  
14 QC realm versus the training realm versus the procedures realm.

15 A. Yes. Well --

16 Q. Yes.

17 (Laughter.)

18 MR. DEL VALLE: Yeah, it was -- when I started, because this  
19 -- they used to have two different persons running quality control  
20 training and airspace and procedures. Now there's only one.

21 MR. ALLISTON: Right.

22 MR. DEL VALLE: And that was -- I think it was right before  
23 COVID and then I started, so -- yeah. So now we have someone from  
24 the floor that is helping me out with the airspace and procedures.

25 MR. ALLISTON: Okay.

1 MR. DEL VALLE: Because I don't remember when was the last  
2 time that we had so many trainees in this facility, so that's  
3 another thing that we're working on. And of course, the  
4 priorities for the agency, so we're working on that. So it's  
5 hard, it's challenging, but -- yeah.

6 BY MR. ALLISTON:

7 Q. So do you have a staff support specialist for each shop?

8 A. I do.

9 Q. Okay, so you have three staff support specialists, one -- and  
10 you just kind of give them direction on what they need to do in  
11 they're kind of avenue?

12 A. Yes. I have one support specialist for training, another one  
13 for QC, and there's two for airspace and procedures. And they  
14 just opened a bid for a new staff specialist.

15 Q. Okay. All right. So jumping back into ICV for a moment, who  
16 completes the ICV monitoring?

17 A. The ICV monitoring?

18 Q. Yeah. So typically, you monitor for a number of hours or  
19 whatever.

20 A. Oh, yeah, OSAs and --

21 Q. Yeah, it can be --

22 A. That would be my staff specialist.

23 Q. Okay. So do you predominantly use OSAs as you're driving  
24 back --

25 A. Correct.

1 Q. -- behind ICV?

2 A. To see the trends and if there was any trends or -- yeah.

3 Q. Does the LSE do any kind of monitoring or anything like that  
4 on the floor --

5 A. No.

6 Q. -- for trending? Okay. Sorry. And then Ruth raised a good  
7 question on the CWGs, so you're working the SOP, right, that -- I  
8 guess for an update on the SOP through a CWG. Do you know if that  
9 scoping agreement is binding or if it's a recommendation? Do you  
10 know the difference?

11 A. No.

12 Q. So you can scope a collaborative work group to be binding to  
13 where you put them in a room and whatever they come out with is  
14 what you get, okay. Or you can put them in a room and it can be  
15 recommendational, they give their recommendations and you can  
16 accept or reject the recommendations that come out of the CWG.

17 A. I don't have the answer.

18 MR. ALLISTON: Okay. I think that's all I've got.

19 Chris. Thanks.

20 BY MR. ROSATI:

21 Q. Okay. I have a few more questions that will be a little bit  
22 all over the place, sorry, so back to like how we see stuff a  
23 little bit. Does the facility have a local safety council scoping  
24 document?

25 A. We do.

1 MR. ROSATI: Okay. We should ask for that.

2 MR. SMITH: Okay.

3 BY MR. ROSATI:

4 Q. And do you and the PAC rep have access to the PFS website,  
5 Partnership for Safety website, and get in there and look at the  
6 ATSAPs regularly that the facility gets?

7 A. I do have access and I'm in the process to get access for all  
8 of them.

9 Q. Okay. And do the other members, do they have like full  
10 access to CEDAR to look at MORs and corrective action plans and --

11 A. They do have -- well, I have to confirm that because I'm not  
12 sure.

13 Q. Okay. So changing gears a bit -- well, I guess -- sorry  
14 about that. So PROCs, how often is the facility doing PROCs or  
15 are the supervisors doing PROCs on controllers? And of them, are  
16 they generally positive, generally negative, or a little bit in  
17 between?

18 A. That's something that we have made (indiscernible). Yes.

19 Q. Okay. So do the supervisors monitor frequencies randomly or  
20 during busy sessions?

21 A. They do.

22 Q. They do. Do you know if they have wireless headsets and like  
23 kind of monitor remotely at all?

24 A. Not wireless.

25 Q. They don't have wireless headsets at the facility?

1 A. Not that I'm aware.

2 Q. Is there anyone at the -- like if there's a significant  
3 weather event that comes in the area, say yesterday, for example,  
4 a tropical storm was in the area.

5 A. Uh-huh.

6 Q. Is there anyone that just takes the lead on that and says  
7 hey, you know, we're having a special weather event day, you know,  
8 let's make sure that we grab everybody when they come in the  
9 facility, give them a little bit more information than they would  
10 otherwise get from the IDS-4, and update them on what's going on  
11 and what the plan is, or if there's any flow time, is there  
12 anything like that?

13 A. That's something that we work as a team, you know.

14 Q. Um-hum.

15 A. But they will start from the ATM.

16 Q. Okay.

17 A. Like, you know, they will send all the chats that we have,  
18 this is the forecast and this what we can expect --

19 Q. Um-hum.

20 A. -- so be aware. And from there we will, you know, work with  
21 -- with that weather.

22 Q. Okay. So does the facility, do you know if they have a bid  
23 out for the STMC position now?

24 A. I don't know.

25 Q. Okay. So who's coordinating if there needs to be like a

1 major flow change to one of the major airports like San Juan or  
2 something like that if it's IMC and San Juan needs more space or  
3 whatever? Like, so who's doing that coordination?

4 A. I will say the OMIC.

5 Q. The OMIC?

6 A. Yes.

7 Q. How many support manager positions are -- are set for this  
8 facility?

9 A. One.

10 Q. So it's only one anymore, so you're it.

11 A. Um-hum. Correct.

12 MR. ROSATI: I think that's all I have.

13 MR. SOPER: Okay, Ruth.

14 BY MS. RUPNIK:

15 Q. All right. So going back to the TMU piece, is there someone  
16 in the facility that you're aware of that participates in the  
17 TELCONs? I believe they're every 2 hours with the command center  
18 and the other traffic management units.

19 A. I don't have that information.

20 Q. Okay. Your staff support specialists, were any of them  
21 certified here prior to becoming a support specialist?

22 A. They were all certified.

23 Q. Okay.

24 A. But right now there's only one of them maintaining currency.

25 Q. Okay, so you do have one that maintains currency. On which

1 side?

2 A. Quality control.

3 Q. Or I mean en route or terminal.

4 A. Oh, terminal.

5 Q. Okay.

6 A. I'm sorry, yeah.

7 Q. Okay. How is your relationship with the air traffic manager,  
8 do you kind of like go back and forth, share certain  
9 responsibilities, bounce things off of each other?

10 A. Mostly with, I will say with -- yeah, because now we have an  
11 XO.

12 Q. Oh, okay.

13 A. I report directly to him, so --

14 Q. Okay. So if someone comes up from the floor, either a  
15 controller comes to someone that brings a safety concern up, an  
16 ATSAP comes down the pike, do you all -- and now that you  
17 mentioned there's an XO, would it be their responsibility to  
18 determine course of action like okay, we've -- you know, we're  
19 having an issue with this frequency over here, we're having an  
20 issue with something to do with training and so -- or we don't get  
21 pre-duty weather briefings, you know, who's responsible for that?  
22 Whose responsibility would that be to pursue that?

23 A. The XO.

24 Q. Okay. And how long has the XO been here?

25 A. I think a year and a half.



1 Q. Okay. And did you have someone in that role before or was it  
2 a new position?

3 A. Well, we used to have the position, but it was like maybe 7  
4 years ago.

5 Q. And then you have -- do you have an OM for each side,  
6 terminal and en route?

7 A. Correct. But right now we only have one, en route.

8 MS. RUPNIK: Okay. That's all I have for now.

9 BY MR. SOPER:

10 Q. Okay. Do you guys hold standup briefings here in this  
11 facility at all? Like either in the morning or in the evening,  
12 anything similar to what some of the RTs (ph.) and stuff will  
13 often do?

14 A. No, we're not a TRACON.

15 Q. Okay. Have you ever done that in the past, since you've been  
16 here --

17 A. Yes.

18 Q. -- a really long time?

19 A. Yes.

20 Q. Do you know what the catalyst was, maybe, for them going  
21 away? I mean --

22 A. I would say it was after COVID hit.

23 Q. Were you doing them up until COVID?

24 A. Yes.

25 Q. Okay. Do you feel like they were -- who normally attended

1 those? On average, you know, usually.

2 A. It was -- around that time, I think there -- it was support  
3 managers. I was a support manager, so --

4 Q. Okay.

5 A. -- I'm trying to think. I think there was support managers,  
6 at that time we had two. Air traffic managers, the XO, and the  
7 OMIC.

8 Q. Okay.

9 A. And the supervisors that were running the areas.

10 Q. Okay.

11 A. Or CICs.

12 Q. Just in your professional opinion, because you've been here a  
13 very long time, do you feel like that would add value here to you  
14 guys' operation? Do you feel like that would be a good thing to  
15 get back to, I mean, just out of your own thought or do you  
16 think --

17 A. Yes.

18 Q. -- it was -- okay. All right. Do you hold any regular -- do  
19 you have any regular management team meetings that would be --  
20 like you, the ATM, the XO, or you, the XO, support managers,  
21 something like that, support specialists?

22 A. We do.

23 Q. Like, what kind of periodicity and what are the normal  
24 content of those type of meetings, what are the things that you  
25 guys discuss and work through?

1 A. The oversight, yes, for the things that we discuss. You mean  
2 with supervisors or --

3 Q. I don't know. I mean, do you have separate ones that you do  
4 kind of with supervisors for on the floor stuff and then separate  
5 ones you might have with upper management where you and the ATM  
6 and the XO or you and the XO get together --

7 A. Yeah.

8 Q. -- and talk about stuff? So what does it look like when  
9 you're having one with the supes?

10 A. Well, they will discuss the oversight, you know, how to be  
11 proactive and to provide the OJTI and -- I already mentioned the  
12 oversight, so --

13 Q. Yeah. About how often do you think those are probably done,  
14 like roughly? I know you said lately it's probably been  
15 challenging to get these kind of separate meetings.

16 A. Well, actually, we had one scheduled for this week that we've  
17 canceled.

18 Q. And we're in your way.

19 (Laughter.)

20 MR. DEL VALLE: I will say every 2 months.

21 BY MR. SOPER:

22 Q. Okay. And how about with upper management, then, when you're  
23 talking about facility stuff and operations?

24 A. With my XO and operations manager, I will say on a daily  
25 basis.

1 Q. That's good, that's good to hear. So kind of a generic  
2 question, what do you feel, from your perspective right now, is  
3 the biggest challenge for three areas? So what do you perceive  
4 right now is the biggest challenge to the workforce, the control  
5 workforce, what's the biggest challenge for frontline management  
6 supervision, and what's the biggest challenge for you that you're  
7 seeing? If you had to --

8 A. For controllers?

9 Q. Yeah.

10 A. I don't have an answer.

11 Q. Okay, that's all right. How about with -- how about with the  
12 supervisory staff, do you see more of them, maybe, you know, do  
13 they have a particular challenge that seems to be recurring for  
14 them right now?

15 A. I think it's always their habits, there's a bunch of new  
16 brand controllers.

17 Q. The number of developmentals and stuff here?

18 A. No, the supervisors. The supervisors.

19 Q. Oh, okay, okay.

20 A. Yes.

21 Q. All right. And lastly, for you in management, besides having  
22 to wear six titles, what's your biggest challenge to be able to  
23 accomplish your taskings and your duties that you run into right  
24 now? Is it just the sheer volume of jobs that you're currently  
25 covering or is there one thing in particular that seems to really

1 be a resource drain for you?

2 A. No, I will say like you mentioned, yes, that's the biggest  
3 challenge.

4 MR. SOPER: Okay. All right, very well. Does anybody else  
5 have any additionals or did you still have more, Jason? No?

6 MR. ALLISTON: No.

7 MR. SOPER: Chris?

8 MR. ROSATI: Just a couple more.

9 MR. SOPER: Go ahead, Chris.

10 BY MR. ROSATI:

11 Q. How many trainees do you have at the facility now? I know  
12 you said that you have a lot.

13 A. At some point we have up to 31, yes.

14 Q. And how many --

15 A. And now --

16 Q. -- CPCs?

17 A. CPCs? I don't recall.

18 Q. Okay. Overall, since you're the QC manager and you've been  
19 here so long, would you say -- what would you say, if any, are the  
20 safety concerns at this facility? Like, what pops out as like  
21 hey, this is the thing that's burning in my mind that we really  
22 need to fix and I'm having an issue getting it fixed, or I haven't  
23 had a chance to work on it yet because I have so many hats to  
24 wear, or something that you would like to see change?

25 A. I don't have an answer right now.

1 MR. ROSATI: Okay. That's all I have.

2 MR. SOPER: Ruth, do you have anything else?

3 MS. RUPNIK: No.

4 BY MR. SOPER:

5 Q. Okay. So I have one last question. Looking back on this,  
6 hindsight's 20/20 and you're able to look at this from that  
7 outside-in view we were talking about, and being a veteran at this  
8 facility, knowing how this operation goes, when you look at this  
9 event in particular, what do you see, do you note any successes,  
10 failures, and any lessons learned? Can you step me through those  
11 three things, could you identify any of those three? Just go  
12 through them one at a time.

13 A. I will say lessons learned.

14 Q. Okay, lessons learned, what were the lessons learned right  
15 now, that you think are there?

16 A. I think this is a time for us, as a facility, to go over our  
17 weather procedures and SOPs and -- and do the changes that we have  
18 to do in order to improve.

19 Q. Okay. In looking at this event -- again, I know these  
20 questions are a little bit difficult because you're looking  
21 outside-in, it's always easy to go look at another event and pick  
22 out things that could have been done better, right, when you  
23 weren't actually there at the time, which can be very different.  
24 However, based on what you've been able to see and observe, does  
25 it surprise you that this event occurred?

1 A. I don't have an opinion.

2 MR. SOPER: Okay, not a problem. All right, very well.

3 Does anybody else, "oh, by the way," "just in case," any  
4 last-minute -- no? Okay. I don't have anything else. Do you  
5 have any questions for us?

6 MR. DEL VALLE: No, sir.

7 MR. SOPER: All right, I'm going to turn off the recorder. I  
8 show the time at 10:05.

9 (Whereupon, at 10:05 a.m. AST, the interview concluded.)  
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CERTIFICATE

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

IN THE MATTER OF:       MISSING CESSNA NEAR ST. THOMAS,  
                                  U.S. VIRGIN ISLANDS  
                                  ON AUGUST 4, 2023  
                                  Interview of Edgar Del Valle

ACCIDENT NO.:           ERA23LA328

PLACE:                   San Juan, Puerto Rico

DATE:                    August 23, 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 black rectangular redaction box covering the signature of David A. Martini.

---

David A. Martini  
Transcriber



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

\*

\*

MISSING CESSNA NEAR ST. THOMAS,

\*

U.S. VIRGIN ISLANDS ON

\* Accident No.: ERA23LA328

AUGUST 4, 2023

\*

\*

\* \* \* \* \*

Interview of: JOHN MELECIO, Air Traffic Manager  
Federal Aviation Administration

San Juan, Puerto Rico

Wednesday,  
August 23, 2023

APPEARANCES:

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

RUTH RUPNIK, Air Traffic Control Investigator  
National Transportation Safety Board

JASON ALLISTON, ATC Subject Matter Expert  
Federal Aviation Administration

CHRIS ROSATI, NATCA Air Safety Investigator  
National Air Traffic Controllers Association

MATT SMITH, Esq., Representative  
Office of Chief Counsel  
Federal Aviation Administration  
(On behalf of John Melecio)

I N D E X

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I N T E R V I E W

(1:10 p.m. AST)

MR. SOPER: All right, my name is Brian Soper, Lead Air Traffic Control Investigator with the NTSB. We have here with us Jason Alliston from the Eastern Service Area director's office. He is representing the FAA on our air traffic control group. Chris Rosati is here with us from Oakland Center, he is representing NATCA on our group today. Ruth Rupnik here from our air traffic control office back at headquarters, she's an FA -- or an air traffic investigator. And then myself.

And you have with you here today your representative. For the record, could you state your name, sir?

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

MR. SOPER: Thank you. And could you state your name for the record, sir, and spell your last name for us?

MR. MELECIO: John Melecio, M-e-l-e-c like in Charlie-i-o.

MR. SOPER: Awesome, thank you. So as I mentioned earlier, the NTSB is not affiliated with the DOT or the FAA in any way, we're an independent federal agency charged by Congress to investigate civil aviation accidents and incidents of a serious nature, find the probable cause, and hopefully develop safety recommendations to prevent reoccurrence. We don't make rules, we don't enforce rules, and we're here today just doing fact finding, all factual information, so when we ask you questions, please just

1 answer to the best of your ability. If you don't know something,  
2 you don't know; if you don't recall something, you don't recall,  
3 that's okay. Do you have any questions for us before we start?

4 MR. MELECIO: No, sir.

5 MR. SOPER: Awesome.

6 INTERVIEW OF JOHN MELECIO

7 BY MR. SOPER:

8 Q. Okay. So I'm going to go through -- I do use something to  
9 make sure I capture things for everybody, but on you, there's a  
10 lot of this I don't need, so I'm going to -- just bear with me  
11 while --

12 A. Yeah.

13 Q. -- I skip through some of this stuff. And if you could tell  
14 me here, so you are the actual ATM, not an acting ATM, not a  
15 detail ATM --

16 A. Correct, air traffic --

17 Q. -- the actual ATM.

18 A. Yeah.

19 Q. And how long have you been the ATM here?

20 A. Since June of 2018.

21 Q. Okay. And where were you at prior to that?

22 A. I was the air traffic manager at the San Juan Tower.

23 Q. Okay. And how long were you doing that for?

24 A. Since March of 2012.

25 Q. So that's like six years. Okay. And how about before that?

1 A. Before that I was an operational supervisor at Boston Tower.

2 Q. Wow, you move around.

3 A. Yes.

4 Q. Boston. I deal with Boston guys a lot, I used to work out of  
5 Brunswick TRACON in the Navy.

6 A. Okay. Oh, yeah.

7 Q. And I dealt with Boston Center a lot and we knew guys down at  
8 Boston Tower. So when you were in Boston Tower, from when to  
9 when?

10 A. Oh, I was in Boston Tower for like 14, 15 years. I would  
11 have to review, I'm not good at math, I have to -- you know, so it  
12 was like 14 years in Boston Tower.

13 Q. Early 2000s you were probably there and --

14 A. Yes, yes. Yes.

15 Q. Did you know John Covino?

16 A. Oh, yes. Yes.

17 Q. Good friend?

18 A. I go flying, yeah, I go flying with him. We go up to  
19 (indiscernible), you know.

20 Q. Yeah.

21 A. We used to go up there together.

22 Q. Excellent.

23 A. Oh, yeah.

24 Q. Yeah. I haven't talked to him in a while, but he was a good  
25 friend of mine when I was stationed in the Navy with him for a

1 while and now he is out of Boston Center. Matt McCluskey.

2 A. Matt, oh, yeah. He was the PAC rep when I was --

3 Q. Yeah.

4 A. -- last in Boston. He is a good guy, though.

5 Q. Good stuff. Gosh, and then back (indiscernible) I was just  
6 telling them I had an AT (ph.) rep that -- Doug Bruce (ph.) out of  
7 Burlington, Vermont.

8 A. Oh, Doug. Yes, yes.

9 Q. Loved Doug.

10 A. Yes.

11 Q. He was one of my favorite --

12 (Crosstalk)

13 MR. MELECIO: -- but this is recorded, so --

14 (Laughter.)

15 MR. SOPER: Yeah, we'll have to chat off line. It's good to  
16 hear.

17 (Crosstalk)

18 MR. SOPER: And that's true. You know, we will, actually.  
19 Funny how that works, it's a small world out there.

20 MR. MELECIO: Yes, yes. It's a small community.

21 BY MR. SOPER:

22 Q. All right. And so when you were -- were you an ops supe the  
23 whole time at the tower over there or were you working --

24 A. No, no, I was -- I started as an air traffic controller.

25 Q. Okay. And were you anywhere before that or was that your

1 first facility?

2 A. Before that, I was at Beverly Tower right in Mass. As a  
3 controller, too.

4 Q. And that's an FAA tower, right?

5 A. Correct.

6 Q. Yeah.

7 A. Well, at the time it was, I'm not sure right now. I think  
8 right now it's a contract tower, but at the time it was an FAA  
9 tower.

10 Q. Okay. So when did you come in to the FAA?

11 A. I came in to the FAA academy in December of 1989.

12 Q. So was Beverly your first?

13 A. No, Craig Tower in Jacksonville, Florida, that was my first  
14 facility.

15 Q. Oh, executive, huh? All right. All right. And so prior to  
16 coming on board with the FAA, did you have any other pre-FAA air  
17 traffic work experience, military, DoD, contract tower?

18 A. Nothing like that.

19 Q. Okay. Awesome. So you kind of stepped through it, do you --  
20 I don't need your full aviation kind of background, but do you  
21 have any other aeronautical certifications? Are you a pilot, do  
22 you fly?

23 A. No, sir.

24 Q. No.

25 A. With John Covino.



1 Q. Yeah, as a passenger, same here. Not as pilot, as a  
2 passenger. Okay, good. And so all of your aeronautical  
3 certifications are air traffic related?

4 A. Correct, sir.

5 Q. Awesome, okay. And did you -- out of curiosity, were you an  
6 off-the-street hire, did they have CTI back -- they didn't have  
7 CTI in the --

8 A. No, I was an off-the-street hire.

9 Q. Okay, good deal. And skipping down here, no medical for  
10 ATMs. Yeah, let's just kind of skip down, we'll go right into --  
11 when did you first become aware of this instance, that there was  
12 an event or something that had occurred or potentially occurred  
13 and how did you become aware of it?

14 A. That Friday night on the 4th --

15 Q. Um-hum.

16 A. -- at 10:15 at night, I received a call from my executive  
17 officer, Dr. Lees, Dr. Michael Lees.

18 Q. Okay. And did you end up coming in to the facility that  
19 night or did you --

20 A. No, I was actually on leave Thursday, Friday, outside of  
21 town, so yeah, in conversation with Dr. Lees, he -- you know, he  
22 said -- he was in charge of the facility and he said that he  
23 would, you know, he would take care of it, so --

24 Q. Okay. And so since then, since you've been back and  
25 everything, have you had the opportunity, have you taken a look at

1 the -- did you watch the replay of the event and that type of  
2 thing?

3 A. Yes, sir.

4 Q. Okay. And from -- just from your standpoint, I mean, as a  
5 manager, were you -- were you surprised at the -- that the event  
6 occurred here or were you -- you know, what were your thoughts  
7 about, once you were able to view it and give kind of a pass down  
8 or a rundown from your XO and other management team, what were  
9 your thoughts that immediately came to mind? Good, bad, or  
10 indifferent, I mean, it can be positive, negative, whatever about  
11 the event.

12 A. I don't understand the question.

13 Q. Like, did you -- I'm trying to think of a better way to state  
14 this. Did anything jump out to you as being "we missed something  
15 here" or "this was good there," "we did good with this" or "we  
16 need to look at this or what are we" -- I mean, did anything stand  
17 out to you as being problematic or positive, you know, things are  
18 like well, sounds like we did good right there, that's good. I  
19 mean, just as a manager, what were your thoughts?

20 A. You know, I can tell you what stuck into my mind was that  
21 there was an unfortunate situation, an unfortunate accident, that  
22 -- you know, it's unfortunate that we all, you know, had to, you  
23 know, go through that and it's unfortunate for -- not only for the  
24 -- for the two pilots, you know, but also for the families of  
25 those two pilots.

1 Q. Okay. I'm going to shift modes a little bit, so you --  
2 you've never been an operational controller here, correct?

3 A. Correct.

4 Q. You came right here --

5 A. Correct.

6 Q. Okay. But you came here, did you say it was 2018?

7 A. Yes, sir.

8 Q. So it was like right after they came out with that pre-duty  
9 weather briefing requirement and I know you guys don't have a CWSU  
10 and so you were in that memo as not being required to do that, it  
11 didn't apply to you because you didn't have a center weather  
12 service unit that would provide that like the others do.

13 A. Correct. According to the memo, CERAPs were not required to,  
14 correct.

15 Q. Okay. Do you know, have you -- has there been any work or  
16 attempts to find an alternative for here just on your own, just as  
17 a facility, is that something that's ever been discussed or has  
18 anybody reached out to maybe the local weather forecasting officer  
19 or something to see if they could provide something?

20 A. Actually, yes. I went and spoke to NOAA, right, right here  
21 to --

22 Q. Yeah, okay. Good.

23 A. -- the national weather office and asked them about the  
24 possibility of, you know, what products do they have --

25 Q. Um-hum.

1 A. -- that, you know, would provide us.

2 Q. I got you.

3 A. So there was a conversation, we had a conversation about  
4 that.

5 Q. Okay. How did that go, I mean, was that a long time ago or  
6 was that --

7 A. It was -- yeah, it was -- I would say probably about a year  
8 ago, maybe, you know. It went well.

9 Q. Okay.

10 A. It's nothing that they have off the shelf to say yeah, we can  
11 do this, you know.

12 Q. Got you.

13 A. But they definitely were willing to work with us, they had  
14 that willingness to work with us.

15 Q. Good. Do you know if anybody maybe picked up the baton of  
16 that? I mean, I wouldn't expect you would have to do that, but I  
17 mean, it would be probably a great thing for your LSC to get  
18 engaged with maybe and work with them or --

19 A. It was discussed amongst the management team and -- and the  
20 staff, but not -- I can't recall right now, selective.

21 Q. Okay.

22 A. Yeah.

23 MR. SOPER: No worries. All right. And let's see. You know  
24 what, that's all I have for the moment. I think there will  
25 probably be a couple other things, but I'm going to pass it along

1 to you, Jason.

2 BY MR. ALLISTON:

3 Q. All right. What's the current distribution of duties between  
4 like yourself and the XO?

5 A. So the XO, he handles -- so as a facility, we have the  
6 operation and we have the staff, so the XO, actually, he's -- he  
7 handles both staff and operations, so they report directly to the  
8 executive officers and then the executive officer reports to me.

9 Q. Okay. And then the -- you already answered that just a  
10 moment ago. So equipment-wise, this facility has the most limited  
11 version of MEARTS that's available, right? Have you purchased at  
12 all in the past to have that capability expanded, maybe something  
13 similar to what Hawaii's version is that has a host backbone for  
14 flight plan processing, have you looked into any of that type of  
15 thing?

16 A. I know that we have discussed it with the district. What  
17 happened with those conversations, I don't know.

18 Q. Okay. It all comes down to money.

19 A. It always does.

20 Q. That's the reality of it. So in some of the other  
21 conversations we've had, we've had a couple of the supervisors and  
22 support manager mention there's a push right now for performance  
23 records at conference. Can you speak to that a little bit about  
24 like, they said it's relatively recent that there's been an  
25 increased focus on that, can you speak to how that came about and

1 what the expectations are?

2 A. Yeah, district wide, one of the requirements of the district  
3 was to increase the number of our PROCs. So to that end, we  
4 actually had a meeting, probably a couple months ago, with all of  
5 our supervisors, maybe a little bit more, but anyways -- and  
6 discussed the district requirement and the need to increase the  
7 number of PROCs that we do.

8 Q. Okay. And I hear you've been happy with what you've seen so  
9 far.

10 A. So far, yes.

11 Q. All right. So supervisor and/or operations meetings, how  
12 often do you kind of round up your management team to get together  
13 and meet?

14 A. So when -- the senior staff meeting, mainly the XO and the  
15 support manager, we talk on a daily basis, sometimes even  
16 weekends, we -- I feel we have very, very good communication. So  
17 as far as the supervisors, we also talk with them when they're  
18 here, we talk to them regularly. As far as a meeting is  
19 concerned, about every other month we try to meet with them.

20 Q. Okay. And let's see, we touched on that and that. So the  
21 support -- I keep wanting to say support managers, but you have --

22 A. One.

23 Q. -- one. Yeah. So he reports directly to the XO --

24 A. Correct.

25 Q. -- and the XO kind of reports to you.

1 A. Correct.

2 Q. How involved are you in the QC process as far as oversight,  
3 et cetera, with your ICVs, ECVs, as those come about?

4 A. Not that much. Now that I have an executive officer, I let  
5 him take care of that.

6 Q. Okay. And then as far as LSE involvement, are you involved  
7 with the LSE much?

8 A. No, I let the supe or manager or the XO take care of that.

9 Q. Okay. And how is your relationship with the PAC rep?

10 A. Perfect.

11 Q. Okay. And does he deal with you with most things or does he  
12 deal with --

13 A. Yeah. You know, most stuff, he will come over to deal with  
14 me, yes. But we have -- we have a tremendous facility, we have a  
15 really good facility and I'm very proud of the staff that we have  
16 here and all of us. So, you know, the communication is such that,  
17 for the most part, you know, the -- the PAC rep will come talk to  
18 me, but he also goes down to, you know, other people, too, so  
19 depending on the situation.

20 Q. Okay. But good give and take, good relationships --

21 A. Correct.

22 Q. -- generally, all that kind of thing.

23 A. Correct.

24 MR. ALLISTON: Okay. I think I will leave it at that and  
25 hand it off to Chris for now.

1 MR. SOPER: Chris.

2 BY MR. ROSATI:

3 Q. So let's see. So I noticed that the LSE scoping data was  
4 fairly new, we're talking about earlier this year, in March. Do  
5 you know how consistent the LSE has been meeting since that  
6 document was signed?

7 A. Very irregularly.

8 Q. Okay. And is that due to staffing or --

9 A. Staffing, yes.

10 Q. Do you feel like the LSE is given like the priority that it  
11 deserves?

12 A. We definitely try to give the LSE the time that it requires  
13 and deserves. But we had 19 out of 41 in the controllers with 28  
14 developmentals. Out of those 28 developmentals, 23 are being  
15 reviewed with the -- as you know, the push on the NTI and, you  
16 know, the constant pressure to do the numbers of the NTI, it  
17 becomes extremely difficult to get all the stuff in we need to do,  
18 you know.

19 BY MR. ROSATI:

20 Q. I had a question in that space, we'll come back to it. You  
21 just answered that other question. So do you have a background on  
22 why the -- the SOP says that the approach controllers only have to  
23 depict 20 -- heavy and extreme precipitation?

24 A. When you say background, what do you mean?

25 Q. Do you just know the reason why that was put in the SOP that



1 way or if there was any conversations as to --

2 A. No.

3 Q. No. Do you know why flight data is not staffed 24/7? Was  
4 that already in place before you took over as ATM here or --

5 A. Yes, that was -- yeah, you're talking about 2154?

6 Q. Yes.

7 A. We only allotted for it.

8 Q. Okay.

9 A. It can't be 24 hours with that, yes, and that's just been  
10 here all the time.

11 Q. Okay. That's (indiscernible).

12 A. Yeah.

13 Q. Do you currently have a bid out for the STMC position  
14 that's --

15 A. We are working with the district to get an STMC bid out and  
16 to get two STMCs bid out and to get a supervisor, yeah.

17 Q. Okay. And you're only allotted one support manager now at  
18 this facility, as well, or are you --

19 A. Correct.

20 Q. Are you aware of any safety concerns from within the  
21 facility? Do you have like an open door policy, people come to  
22 you and say hey, we're really lacking in this, specifically, or  
23 any (indiscernible) at all?

24 A. So two questions, there. Yes, I do have an open door policy.  
25 Yes, employees come over to talk to me about whatever is on their

1 mind. No, you know, no safety concerns have been brought up to --

2 MR. ROSATI: That's all I have.

3 MR. SOPER: Thanks, Chris.

4 Ruth?

5 MS. RUPNIK: They pretty much asked every question I had, so  
6 I'm good.

7 MR. SOPER: Amazing.

8 (Laughter.)

9 MR. SOPER: That is amazing.

10 BY MR. SOPER:

11 Q. Okay. So I'm just kind of curious, so you've been doing the  
12 ATM down here for a minute, so what do you -- what's your biggest  
13 challenge right now from a management standpoint, I mean, is it  
14 staffing, is it resources, is it equipment, all the above, but I  
15 mean, what seems to be the one that hits home the most, like if we  
16 could get that one knocked out we might be able to do some stuff  
17 with the other things?

18 A. Really, staffing is our biggest concern, not only, you know,  
19 getting people certified, but also being able to fill these very  
20 important positions like an STMC, two TMCs, operational  
21 supervisors getting ready to retire, an OM that has just retired.  
22 These are positions that I need to help the facility in the daily  
23 operation. Having only one support manager for this kind of  
24 facility where we deal not only with quality assurance and  
25 training, which in our facility that is huge, but also, this

1 facility is an international facility, you deal with a lot of  
2 other international facilities. We need somebody just on that  
3 side of the house to be able to, on a regular basis, communicate  
4 with all of the facilities and help us, you know, when it comes to  
5 SOP and assuring that we are maintaining our daily communication.  
6 Those are the -- those are huge challenges.

7 When I arrived in this facility, again, in June 2018, before  
8 me arriving, the facility was allotted 12 supervisors, five MPAs,  
9 management assistants, two support managers, five support  
10 specialists. At that time there was some shuffling and a new  
11 district came on board, we changed that from 12 to eight  
12 supervisors, they took all but one of the MPAs. And they took one  
13 support manager staff position. So we actually, for over a year,  
14 we had to fight to get up to 10 supervisors.

15 Q. Yeah.

16 A. So -- which we are at right now. But again, you know,  
17 getting those positions filled is difficult.

18 Q. Yeah, I mean, I'm looking at your numbers and I think, you  
19 know, I think I see the struggle here where your numbers of people  
20 assigned are okay, they kind of meet your document, but what is  
21 it, 28 of them you said, are developmentals?

22 A. Correct. We have 28 developmentals right now, yes.

23 Q. Yeah. How do you really keep up with that kind of training  
24 and staff the facility and get performance management done and  
25 get, you know, all these things? So I can understand that and

1 that's why -- I think that -- I want to be able to articulate this  
2 well in our report because, you know, immediately, you know,  
3 whenever you say staffing, people will go oh, yeah, we're all  
4 staffing, we get it, you know, but -- and they'll go "No, it's  
5 bull crap, they got -- you know, they're allotted 41 people and it  
6 looks like they got 40, what's the problem?"

7 Well, yeah, they got 40, but 28 of them you can't do anything  
8 except train, so that's problematic, right. So I think I'm  
9 understanding where that comes from and I just want to be able to  
10 articulate that well. Just so that I get the numbers right, 41 is  
11 your allotment or 41 is what you have on board all together?

12 A. So for en route, we have en route and approach.

13 Q. Okay, yeah.

14 A. Four en route. We have allotted 41.

15 Q. Okay.

16 A. Out of 41, we have 19. On the approach side, we are allotted  
17 21. We have 19. So on the approach side, we are -- we're  
18 healthy.

19 Q. Okay.

20 A. We're getting 90 percent right now. So for the whole  
21 facility, we're allotted 41 plus 21, that's 62 all together.

22 Q. All right, I got you. And so you have these 38 people,  
23 essentially, you've got 19 out of 41 and 19 out of 21, you've got  
24 38 people there, and then you've got -- and then that's not  
25 counting the developmentals?

1 A. That is not counting the developmentals, so --

2 Q. Okay.

3 A. So on en route, we have 19 FTLs --

4 Q. Okay.

5 A. -- and 23 developmentals. On the approach side, we have 19

6 FTLs and five developmentals.

7 Q. Okay. And supes, you said you're sitting at 10 now, is that

8 right?

9 A. Right now we have 10 supervisors.

10 Q. And one's going to retire?

11 A. One, yes.

12 Q. Everybody always wants more, but for you, what is the number

13 you need to function healthily in the supervisory realm?

14 A. Twelve.

15 Q. Twelve is the number?

16 A. Yes.

17 Q. So when they took that back, when you kind of lost that

18 battle with the district and they started swiping things back,

19 what was the reason? I mean, did they give you any reason or it's

20 just kind of like we just don't think you need them anymore, we

21 need them elsewhere, so --

22 A. My understanding was that the district, as a whole, numbers

23 went down --

24 Q. Okay.

25 A. -- so they had to reshuffle those numbers around the district

1 and the district make a decision where they wanted these folks.

2 Q. Okay. A touchy question, probably. What's the relationship  
3 like with the district for you guys from here, I mean --

4 A. It's good.

5 Q. It is good. Okay, good.

6 A. Actually, my report went down to Dade City, it's very good.

7 Q. Okay good. And it's Miami District, actually.

8 A. Miami District, correct.

9 Q. Any light at the end of the tunnel on that? I mean, do they  
10 give you any indication that it could happen or is it strictly  
11 like yeah, that's a pipe dream, not happening?

12 A. They're looking.

13 Q. Okay.

14 A. I mean, right now, a couple of days ago, we've been asking  
15 for a support specialist and we just had the bid for a support  
16 specialist.

17 Q. Good. How long have you had the XO, the XO position?

18 A. About a year now.

19 Q. About a year. Has that helped with things from a management  
20 standpoint?

21 A. Yes.

22 Q. That's a big help, okay.

23 A. Yes.

24 MR. SOPER: Yeah, I can see, it seems like -- okay, good.

25 All right, I don't have anything else right at the moment.

1 Jason.

2 BY MR. ALLISTON:

3 Q. I just have one go-back. So it was mentioned that the  
4 facility SOP is currently under review by a collaborative work  
5 group. Do you know what the status on that is, currently?

6 A. No.

7 Q. And do you know if there is a scoping document for that?

8 A. I'm going to have to say no, I don't know.

9 MR. ALLISTON: Okay. And the next question was going to be  
10 if there is one, whether it was binding or whether it was  
11 recommendational, so that's all I have.

12 MR. SOPER: Okay, Chris.

13 BY MR. ROSATI:

14 Q. Do any of your -- the local safety council reps, does your  
15 facility -- do you give them Article 114 time to be able to  
16 prepare for meetings and run their meetings, you know, maybe like  
17 once a week or once a month? I think your SOP or the scoping  
18 document says once every month, at least?

19 A. Once, yes. Yes, absolutely.

20 Q. So you get one portion of time for that?

21 A. Yes, yes.

22 Q. And do you feel like, with all the changes going on, that  
23 you're able to get your new supervisors enough training to make  
24 them -- to give them the knowledge they need to go on the floor,  
25 especially like on the day shift and stuff like that?

1 A. We try. I think as a facility, with our numbers, we  
2 definitely go above and beyond to ensure that everybody gets the  
3 training they need and deserves.

4 MR. ROSATI: That's all I have.

5 MR. SOPER: Thanks. Ruth.

6 BY MS. RUPNIK:

7 Q. Being quite familiar with the Miami District, when you have  
8 something that you need, as a facility, and you send that upward  
9 to Dave or Juan, do you feel like you, as a facility, are being  
10 heard or maybe that other facilities are getting more priority or  
11 what's that relationship? I know you said you have a good  
12 relationship, but do you feel like albeit slow, that you're  
13 getting the tools that you need?

14 A. I don't know what the district's pressures are and I don't  
15 know the other facilities' needs in comparison to our facility,  
16 so --

17 MS. RUPNIK: That's a good answer. Okay, I actually don't  
18 have anything else.

19 MR. SOPER: That's it? Okay. I feel like there's something  
20 I'm forgetting to ask you, but I can't remember, it must not be  
21 that important.

22 MR. ROSATI: I'll jump in with a quick question.

23 MR. SOPER: Go ahead, Chris.

24 BY MR. ROSATI:

25 Q. Who is on the work group for the SOP?



1 A. I believe it's Ricardo Jimenez. You know what, I'm not sure.  
2 Let me just (indiscernible).

3 MR. SOPER: Okay. I don't have anything else, sir, I  
4 appreciate you taking the time out. I knew that we weren't going  
5 to spend a long time here. Do you have any questions for us  
6 before we wrap up?

7 MR. MELECIO: No, sir.

8 MR. SOPER: I'm going to go ahead and end the recording and I  
9 show the time at 1:42.

10 (Whereupon, at 1:42 p.m. AST, the interview concluded.)  
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CERTIFICATE

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

IN THE MATTER OF:       MISSING CESSNA NEAR ST. THOMAS  
                                  U.S. VIRGIN ISLANDS  
                                  ON AUGUST 4, 2023  
                                  Interview of John Melecio

ACCIDENT NO.:           ERA23LA328

PLACE:                   San Juan, Puerto Rico

DATE:                    August 23, 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.

  
\_\_\_\_\_  
Karen D. Martini  
Transcriber