

National Transportation Safety Board

Office of Aviation Safety

Washington, DC 20594



March 28, 2024

Mr. Josh Palacios

Indianapolis, Indiana

Dear Mr. Palacios:

Thank you for your January 29, 2024, letter concerning N977SM, a Cessna 421B, which was involved in an aborted takeoff event on November 11, 2023 (ERA24LA041). Because, as you noted, no loss of life or injury resulted and airport property wasn't damaged, you requested that the National Transportation Safety Board (NTSB) change our determination that the occurrence was an accident.

The NTSB classified this event as an accident because the airplane sustained substantial damage following the aborted takeoff and landing on the same runway when the landing gear collapsed. This classification is consistent with the criteria outlined in Title 49 *Code of Federal Regulations (CFR)* 830.2, which defines "substantial damage" as "damage or failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component."

Photographs provided to us of the damage to the airplane's fuselage clearly documented damage consistent with the above definition. Specifically, the photographs showed abrasion damage to the lower fuselage and both wings. The lower fuselage skin had numerous areas of abrasion and was abraded through in some localized areas, including in the wing carry-through area, with additional abrasion damage to the underlying structure. Many of the rivets fastening the lower fuselage skin to the airframe also suffered abrasion damage. Both the lower right and lower left wing skins were abraded through inboard of the retractable main landing gear, and at least three underlying wing ribs were damaged (at least two of the right wing and one of the left wing).

The damage noted to the fuselage and wings would adversely affect the structural strength of the airplane and would require replacement of the affected components. Therefore, this is considered substantial damage under NTSB regulations.

In closing, the damage and event classifications remain as originally determined for this occurrence.

I hope this information is helpful.

Sincerely,

A black rectangular box redacting the signature of Timothy J. LeBaron.

Timothy J. LeBaron
Director