

Timothy W. Monville
Sr. Air Safety Investigator
Office of Aviation Safety - Eastern Region

Date: May 22, 2024

Subject: ERA24LA224, Record of Conversation/Interview

Contact: Dr. James Donald Whalen

Dr. James D. Whalen was contacted by phone on May 21, 2024, at 1911 EDT. He was called at [REDACTED] He provided an e-mail address of [REDACTED]

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

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

He provided a home address of [REDACTED] Avon, Connecticut [REDACTED] His date of birth is [REDACTED] He has Basic Med. He holds a private pilot certificate with airplane single engine land rating issued January 8, 2021. His certificate number is [REDACTED] He is required to wear glasses and were wearing them at the time of the accident. His total flight time is 357.8 hours and he has 6.3 hours in the accident make and model airplane including the accident flight. He is a dermatology surgeon. He was not injured.

He is the owner of the new airplane and picked it up in Knoxville, TN on April 26, 2024. He was in the process of receiving transition training with a Cirrus Standardized Instructor Pilots (CSIPs)¹. He met with his CSIP instructor on May 10th for ground instruction, then flew on May 14th a couple

¹ Cirrus reports on their website having a network of 700+ CSIPs.

of hours. With respect to the accident flight on May 17, 2024, they flew from Robertson Field Airport (4B8), Plainville, Connecticut, to Sky Acres Airport (44N), Lagrangeville, NY where he performed 2 approaches and he reported the wind was shifting. On the accident approach to runway 17, the airplane began drifting left of runway centerline, and the CSIP said “lets go around.” He, (Dr. Whalen), added power raised the flaps to 50. He reported the airspeed may have “gotten slow”, and the right wingtip impacted the ground, which turned them off the runway onto a slope coming to rest. He further indicated that the CSIP at some point of the go-around said, “my aircraft” but he was not sure where that occurred during the accident sequence.

NTSB Questions –

When you added power did the engine respond?
I think so. He noted he did have trouble starting the engine.

What was the approximate time of the accident?
1030 EDT.

What time did the accident flight depart?
The flight departed from 4B8 between 0900 and 0930 and flew to 44N.

Did you hear the stall warning horn?
Yes, it is normal on landing.

On the go-around did you experience stick shaker?
He does not recall. He said the airplane was a 7th Generation SR20.

What restraint was he wearing?
The 4-point restraint, which has a shoulder harness airbag which did not deploy.

What is the name of the CSIP?
Nick Scata, phone [REDACTED]

Who was in the rear seat?
A 75-year-old certified flight instructor named Leo Leboeuf, whose phone is [REDACTED]

Do you think there was anything wrong with the engine or flight controls that caused the accident.
I don't think so. Not that I'm aware of. The avionics in the cockpit have 4 slots and he took the SD card from the Garmin G1000. The airplane has primary flight display (PFD) in front of the pilot and a multi-function display on the right front seat position. There are two (2) touch screen GCU's installed.

Was the airplane insured?
Yes, the adjuster is Hope DeLong.

The call ended at 1955 EDT.

The digest was e-mailed to him for review on June 4, 2024. He replied the same day at 1929 EDT with comments that were incorporated into the narrative. The amended digest was e-mailed to him for final review on July 8, 2024. He replied the same day at 1509 EDT with, “The changes are satisfactory” The final digest was e-mailed to him on July 8, 2024.

Timothy W. Monville
Sr. Air Safety Investigator
Office of Aviation Safety - Eastern Region

Date: June 4, 2024

Subject: ERA24LA224, Record of Conversation/Interview

Contact: Dr. James Donald Whalen

Dr. James D. Whalen contacted NTSB by phone on May 22, 2024, at 1631 EDT. He called from [REDACTED]. He provided an e-mail address of [REDACTED].

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

Dr. Whalen was advised that Mr. Scata, who was the Cirrus Standardized Instructor Pilots (CSIPs)¹ in the right front seat during the accident flight relayed to NTSB earlier that same day that Dr. Whalen said to him after the accident that he had commanded the flaps to fully retract but after realizing that in the moment, he put the flap selector back to 50 which is what he intended to do.

NTSB Question –

Explain the flap position during the go-around?

He stated that the flap system on the accident airplane has 0, 50%, and 100% positions which is controlled by a flap switch or lever. There is a visual indicator of flap position on the multi-function display (MFD). During a normal approach the flaps are extended to 50%, and then lowered on the base leg to 100%. During a go-around, the flaps are retracted to 50%, and that is accomplished by 1 click up from the 100% position. During takeoff with flaps set to 50%, they are not retracted to 0 until 85 knots (and clear of obstacles) are achieved. On a normal go-around power is applied, the airplane is pitched for climb, and the flaps are changed from 100% to 50%, and then completely retracted above the ground when the normal airspeed is attained. During the accident go-around,

¹ Cirrus reports on their website having a network of 700+ CSIPs.

he added power and when he raised the flaps he felt 2 clicks, which meant that he moved the flap selector from 100% to 0. He instantly realized that he had missed the 50% setting and moved the flap selector one click down to 50% setting. He was able to do that very quickly as he still had his hand on the flap selector.

Postaccident, the left flap was damaged, while the right flap also had damage but was less damaged than the left flap. The right flap appeared to be at 50% extension.

He also reported that on full throttle he previously saw the rpm at 2,710 rpm.

The call ended at 1650 EDT.

The digest was e-mailed to him for review on June 4, 2024. He replied on July 3, 2024 at 0813 EDT with comments that were incorporated into the narrative. The FINAL digest was e-mailed to him on July 8, 2024.



Timothy W. Monville
Sr. Air Safety Investigator
Office of Aviation Safety - Eastern Region

Date: June 4, 2024

Subject: ERA24LA224, Record of Conversation/Interview

Contact: Nicholas S. Scata

Mr. Nicholas Scata contacted NTSB by phone on May 22, 2024, 1034 EDT. He called from [REDACTED]
[REDACTED] He provided an e-mail address of [REDACTED]

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

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

He provided an address of [REDACTED] Avon, Connecticut [REDACTED] His date of birth is [REDACTED] His pilot certificate number is [REDACTED] He holds an airline transport pilot certificate with airplane multi-engine land rating, a commercial pilot certificate with airplane single engine land rating, and a flight instructor certificate with airplane single engine and instrument airplane with an expiration of June 2024. He has about 3,200 hours total flight time, and about 250 hours in make and model. In the Generation 3 and 6 SR22 he has about 1,800 hours. He is a Cirrus Standardized Instructor Pilots (CSIPs). He got his initial CSIP designator in October 2020, and his latest annual renewal was in April 2024 where he performed differences training in the Generation 7 aircraft.

NTSB Questions –

Explain how the pilot (Dr. Whalen) came to him for training?

When a new Cirrus aircraft is sold to a non-Cirrus pilot transition training is required. Dr. Whalen was a private pilot and a student at Interstate Aviation with his flight instructor Leo Leboeuf, who is Interstate Aviation SR20 Training Center Instructor and trained in the Cirrus SR20, but not in a SR20 with the avionics as the accident airplane. Mr. Scata received differences training at the Cirrus Knoxville facility at the McGhee Tyson Airport (TYS), Knoxville, Tennessee.

With respect to Mr. Scata performing transition training, he uses a syllabus and logs flight and ground school training given. He and Dr. Whalen flew the accident airplane from TYS together performing 2 landings, one of which was at night. They flew the airplane on May 14th flying to Robertson Field Airport (4B8), where they flew to 4B8.

For the accident flight who was the pilot-in-command (PIC)?

He assumed the left seat pilot (airplane owner) was the PIC.

Did you have a conversation as to who was PIC before the accident flight?

He did not have that conversation before the flight on May 17, 2024. But he did have that conversation for the previous flight that Dr. Whalen was assumed to be PIC.

Explain the accident flight?

They did ground discussion, and a training event. While at 4B8 before the flight he briefed Dr. Whalen what they perform. They had previously discussed the environment at 44N, and planned to have Dr. Whalen perform a few landings, would take a break, and then planned to return to 4B8. He intended to also perform steep turns, stalls, short field and no flap landings.

Prior to departure a preflight inspection of the airplane was performed and they verified they had adequate supply of fuel for the intended flight. Weight and balance was performed using the on-board avionics and they were within limits. They verified the runway lengths in the avionics which showed they were not outside any parameters for the flight.

The departed from 4B8 and climbed out and actuated the autopilot and performed all electronic checklists. While en route for the approximate 20 minutes long flight to Sky Acres Airport (44N), Lagrangeville, NY which had a long runway, he explained the details about the destination airport, entered the airport traffic pattern, and noted the wind was calm. There was 1 other aircraft in the traffic pattern for runway 35, but that aircraft changed to runway 17. They overflew 44N and entered the airport traffic pattern for runway 17. The pilot made the 1st full stop, taxi back landing, which was “not the best” and after exiting the runway they talked and briefed a go-around maneuver. They discussed during a go-around procedure to hit the takeoff go-around (TOGO) button, apply full power, and retract the flaps to 50%. There was an aircraft in the airport traffic pattern landing runway 35, and one landing on runway 17. They looked at the windsocks which gave conflicting information about the wind. They elected to depart from runway 17, climbed out to traffic pattern altitude (TPA), and he noted the flight was a little fast on the downwind leg, which he told Dr. Whalen to slow. Mr. Scata thought Dr. Whalen

was fixated on nearby topography , but he did slow down, then when the flight was abeam the numbers for runway 17, Dr. Whalen lowered the flaps to 50% and turned onto the base leg of the airport traffic pattern where the flight was high and Dr. Whalen lowered the flaps to 100%, or full. He noted on final approach to runway 17 that did not have any visual approach slope indicator or precision approach path indicator the flight was stabilized, but was “a little high” and the pilot rounded out high, but the airplane was “really slow.” He (Mr. Scata) called for a go-around but the airplane touched down on the runway, bounced, and he saw Dr. Whalen apply full power. He saw Dr. Whalen do something with the flap selector and noted stick shaker occurred while the airplane drifted off the left side of the runway over grass. He (Mr. Scata) called to take the controls and while stick shaker was occurring he was not sure why the airplane was not climbing with full power. He saw the grass below and noted the flight was not too high. The right wing of the airplane impacted on the runway and the airplane impacted a berm and slid.

NTSB Questions Continued–

Did Dr. Whalen say your aircraft?

No, he froze. He just became silent. After the accident he (Mr. Scata) talked with the rear seat flight instructor and that person said Dr. Whalen froze.

What did Dr. Whalen say about the flaps?

After coming to rest and exiting the airplane they talked and he said he thinks he retracted the flaps to 0, then recognized and put them to 50%. The takeoff configuration is flaps 50%. Post accident he downloaded data from the avionics which included speed, pitch, and roll. He reported that the flaps were ok previously so he did not expect an issue with them.

Did the engine respond to power input?

From the downloaded data, the engine rpm during the go-around was 2,663¹.

Did you hear the stall warning horn during the go-around?

Yes it beeped and the stick shaker went off. He told Dr. Whalen to push the control yoke, which stopped the stall warning horn and stick shaker. When the airplane went right the stall warning horn and stick shaker were going off. He (Mr. Scata) pushed the control yoke but the airplane impacted the grass. Post accident the flaps visually appeared to be at 50% position. He did not take a picture of the flap selector.

Was there any problem with the flight controls that caused the accident?

No, it was their 4th training session. On final the intent is to maintain 80 to 85 knots with full or 100% flaps extended.

¹ During a record of conversation with Dr. Whalen he noted at one point during the flight that the maximum engine rpm attained was 2,710 rpm. Refer to NTSB Record of Conversation in the public docket for this investigation.

NTSB Questions Continued–

What was the approach speed over the threshold?

82 knots indicated airspeed (KIAS), slowing to 72 KIAS, then from the recorded data the slowest he sees is 56 KIAS.

What was the stall speed at their weight?

According to the POH, in full flaps extended it is 62 KIAS.

Do you recall or see Dr. Whalen in flight moving the flap selector the flaps retracted position?

No I don't. Before the airplane impacted the ground he (Mr. Scata) said go-around. He saw Dr. Whalen's hand move to the flap selector and later said after getting out of the airplane after the accident that he went to flaps fully retracted position inadvertently.

What was the time of the last data point?

1427:10 UTC.

What time did they depart 4B8?

1334 from recorded data.

When you say Dr. Whalen froze, did he prevent you from controlling the airplane?

He felt some resistance, but he doesn't think it would have mattered.

How high did the airplane bounce?

About 5 to 10 ft. It hit hard. The instructor in the rear seat said they bounced.

Did you say go-around before or after the bounced landing?

Before the bounce. By the time Dr. Whalen executed the go-around the airplane impacted the ground.

How did the airplane impact on the bounce, on the nose or mains?

Flat, if I had to recall. He had a little nose-up attitude. I can't say with certainty what the attitude at touchdown was.

When did you see Dr. Whalen's hand on the flap selector before or after touchdown?

After. He saw Dr. Whalen reach for the flap selector. The flap indicator is on the G7 multi-function display.

How much time between the bounce and 1427:10?

He can check the recorded data later. He has a G6 SR290 in his hangar, which is about 1 year old. He was asked during the conversation to video a test in that airplane to see how long it takes for the flaps to go from flaps 100% or full down to flaps retracted.

Where is the airplane?

He thinks it is where it came to rest which was outside of the airport safety area, or about 25 ft off the side of the runway.

NTSB Questions Continued—

Was he injured?

No, but he is sore.

What restraint was he wearing?

The four-point lap belt and shoulder harness. The restraint air bags did not deploy.

Is there anything I have not asked?

No, you covered it completely.

Do you have any questions for NTSB?

Yes, with the NTSB is the incident definition the same as the FAA?

The NTSB has the regulations describing damage classification².

The call ended at 1149 EDT.

The digest was e-mailed to him for review on June 4, 2024. He replied on June 20, 2024 at 1331 EDT with comments that were incorporated into the narrative. The FINAL digest was e-mailed to him on October 17, 2024.

² An aircraft accident means an occurrence associated with the operation of an aircraft that takes place between the time any person boards the aircraft with the intention of flight and all such persons have disembarked, and in which any person suffers death, or serious injury, or in which the aircraft receives substantial damage. For purposes of this form, the definition of "aircraft accident" includes "unmanned aircraft accident," as defined at 49 C.F.R. 830.2. "Substantial Damage" means 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. NOTE: Engine failure or damage limited to an engine if only one engine fails or is damaged, bent fairing or cowling, dented skin, small puncture holes in the skin or fabric, ground damage to rotor or propeller blades, and damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wing tips are not considered "substantial damage" for purposes of this report.