



Response to Petition for Reconsideration

December 29, 2020

Ms. Bettina Von Brentano

In accordance with Title 49 *Code of Federal Regulations (CFR)* Part 845, the National Transportation Safety Board has reviewed the petition for reconsideration and modification of probable cause of the aircraft accident involving a Cessna 208 in Kalaupapa, Hawaii (GAA17CA191). The petitioner has met the requirements for the NTSB's review of her petition; specifically, as the pilot of the accident airplane, she has a direct interest in the investigation and has offered claims that our report was erroneous. Based on its review of the petition filed on December 23, 2019, the Safety Board hereby grants the petition in part.

On March 11, 2017, about 0830 Hawaii-Aleutian standard time, a Cessna 208, N865MA, owned and operated by Shuman Aviation Co. LTD, doing business as Makana Kai Air, was substantially damaged when it landed hard then departed the runway at Kalaupapa Airport, Kalaupapa, Hawaii. The commercial pilot and one passenger received minor injuries. The airplane was operated as a 14 *CFR* Part 135 commercial flight. Visual meteorological conditions prevailed, and no flight plan was filed.

The probable cause of the accident, approved on May 1, 2017, was as follows: the pilot's loss of directional control during the aborted landing, which she conducted due to another airplane, whose pilot had reported being clear of the runway, still being on the runway, and resulted in a hard landing and ground loop.¹

Petitioner's Claims

In a letter dated December 23, 2019, the petitioner requested that NTSB modify its final report for seven reasons, as outlined below. In support of her claims, the petitioner included numerous documents related to the accident and to the postaccident investigation by the Federal Aviation Administration (FAA).

First, the petitioner stated that she believes the report should be revised to indicate that she noticed the other airplane when she was transitioning to land. The NTSB final report stated that the pilot noticed the other airplane on the runway when her airplane was 150 ft above ground level (agl). However, she stated on NTSB Form 6120.1, "Pilot/Operator Aircraft Accident/Incident Report," that "Approaching the transition to landing, I detected motion at the opposite end of runway five and immediately observed what appeared to be a rotating propeller pointed down the runway in our direction."

¹ Witness statements and other supporting information regarding this accident can be found in the NTSB's public docket for case number [GAA17CA191](#), which can be accessed from [the NTSB's website](#).

Second, the petitioner indicated that a reference should be made to the feathered propeller during the discussion of damages to the airplane. She stated, “photo evidence obtained via the FOIA [Freedom of Information Act], clearly show that the propeller was in a feathered position upon impact.” The FAA report provided by the petitioner stated, “markings on the runway show the prop struck multiple times in a low pitch configuration before being feathered.” The petitioner contended that the FAA investigator did not respond to the scene and based his conclusions on photographs provided by the operator. In the pilot’s postaccident statement on NTSB Form 6120.1, she stated, “A post accident view of the Caravan [accident airplane] appeared to indicate that the propeller was feathered and heavily bent.”

Third, the petitioner claimed that no examinations of the accident aircraft were conducted by FAA aviation safety inspectors; therefore, the petitioner requested removing a paragraph referring to an examination and adding a paragraph explaining that the FAA did not conduct examinations of the accident airplane, including no examinations of its beta arm reversing lever. The petitioner stated, “Results of multiple FOIA requests filed with the FAA, NTSB and NPS [National Park Service] indicate that no technical examinations of the accident aircraft were conducted, despite my documented and timely requests for such exams.” In addition, the petitioner referenced NTSB Safety Recommendation Report 17-07, “Preventing Incorrect Installation of the Beta Arm in Pratt & Whitney Canada PT6A Engines,” published about 3 months before the accident. The petitioner claimed that because the accident airplane’s engine was the same model, PT6A, the report should clarify that “no determination could be made regarding the role which an incorrect beta arm installation or an associated un-commanded prop feathering may have played in this event.”

Fourth, the petitioner stated that the probable cause should be amended to include the fact that the airplane that was on the runway was facing the accident airplane and that its propeller was turning. In the pilot’s statement in NTSB Form 6120.1, she stated that she saw “...a rotating propeller pointed down the runway in our direction.”

Fifth, the petitioner indicated that the report should state, “A review of the accident pilot’s company training records and personal logbook fail to evidence that the accident pilot was properly trained in emergency actions, particularly ‘go-arounds’ involving heavily loaded aircraft.” The petitioner described a meeting on March 21 at the FAA’s Honolulu Flight Safety District Office where FAA inspectors showed the pilot a document that they described as a portion of the pilot’s training record, but the pilot claimed that the initials on the documents were not hers.

Sixth, the petitioner claimed that toxicology was performed and that the report should be updated to indicate that it was performed. The petitioner stated that she “submitted to the legally required blood and breath screenings on the day of the accident as required by law.”

Seventh, the petitioner stated that the accident airplane was a single-engine turbine propeller while the report refers to it as a “2 Turbo Prop” and that this should be corrected in NTSB’s final report.

NTSB's Response

Regarding the petitioner's first claim about the position of the airplane when the pilot noticed the other airplane on the runway, we concur. We note that NTSB Form 6120.1 included a statement about the point at which the pilot noticed the other airplane. Therefore, we will change the NTSB's final report to reflect that the airplane was entering the transition to land when the pilot noticed the other plane on the runway.

Regarding the petitioner's second claim about whether the accident airplane's propeller was in a feathered position, we concur with including a reference to the feathered propeller but do not concur that the propeller was in a feathered position upon impact. The FAA report noted that markings on the pavement showed evidence that the propeller blades were at low pitch then became feathered. Based upon this evidence, it is likely that the propeller was not feathered when the airplane initially contacted the runway but became feathered at some point after the propeller impacted the ground. The pilot's 6120.1 form noted that after the accident, the propeller appeared feathered, which is consistent with the evidence but does not on its own show when the feathering occurred. When the NTSB is unable to travel to an accident scene, we typically rely on FAA inspectors who are located throughout the country to provide information to the NTSB regarding their findings. In this case, the inspector indicated that the propeller did not become feathered until after it struck the ground. While the FAA inspector did not provide photographs of the pavement showing evidence for the feathering, the petitioner provides no further evidence, such as photographs, that would indicate the timing of the feathering for us to review. Thus, we must continue to rely upon the evidence presented in the inspector's statement and will add a reference to the propeller becoming feathered after impact, in line with his observation.

Regarding the petitioner's third claim about whether a postaccident examination of the accident aircraft was performed, we do not concur. As discussed above, the NTSB typically relies upon the information provided by the FAA when we do not respond to the accident scene. Normally, the NTSB would have a summary of the postaccident examination performed by the FAA inspector, but we do not. The FAA inspector who responded to the scene recalled that another inspector performed a postaccident examination and no anomalies were found that would have precluded normal operation. The petitioner has provided no further information to demonstrate that a postaccident examination was not performed. Because the FAA reported that an exam was performed, in the absence of other information, we will revise the sentence that refers to a postaccident examination to indicate that the FAA investigator is the source of the information.

In discussing the lack of a postaccident examination, the petitioner also referenced a previously published NTSB safety recommendation report about the engine model in the accident airplane. As noted above, the FAA's report indicated that the propeller was in a low pitch configuration upon initial impact and pavement markings showed that it became feathered after the hard landing rather than before the landing. Thus, it is unlikely that an incorrectly installed beta arm or uncommanded propeller feathering would have played a role in the pilot's hard landing and subsequent loss of directional control. Therefore, the potential implications of an incorrectly installed beta valve assembly on the engine model in the accident airplane are not relevant to the investigation.

Regarding the petitioner's proposed addition to the probable cause to include details about the other airplane, we concur. The position of the airplane and the fact that its propeller was turning were included in the analysis section of the report. Those details also provide a reason for why the pilot aborted the landing, as noted in the pilot's accident/incident report. Therefore, we will revise the probable cause to include the position of the other airplane and the fact that its propeller was turning.

Regarding the petitioner's fifth and sixth claims about training and toxicology testing, we partially concur. Although the petitioner did not provide evidence of either training or toxicology testing, we recognize toxicology should have been performed following the accident, and the petitioner's investigative file described toxicology testing after the accident. Therefore, we will note that toxicology was performed. However, we will not add a reference to a review of training records because no training records were provided for review.

The petitioner also asserted that the aircraft type of the accident airplane was a single-engine turbine propeller airplane while NTSB's final report describes it as having two engines. We concur that we made an error in this data field and will therefore revise the final report to note the correct number of engines.

Disposition

After review of the evidence, the petition for reconsideration and modification of the NTSB's final report in connection with the aviation accident involving a Cessna 208 in Kalaupapa, Hawaii (GAA17CA191), is granted, in part.

The following changes were made to the final report:

Page 1, paragraph 2, first sentence, was revised as follows:

As the pilot began the transition to land, she noticed that the airplane that she had communicated with was not clear of the runway.

Page 1, paragraph 2, the following was added after the last sentence:

Markings on the runway show the propeller struck the runway multiple times in a low pitch configuration before it became feathered.

Page 1, paragraph 4 was revised as follows:

According to a Federal Aviation Administration (FAA) safety inspector, the FAA's postaccident examination of the accident airplane determined that there were no preimpact mechanical anomalies with the airplane that would have prevented normal operation.

The probable cause was revised as follows:

The pilot's attempted aborted landing late in the landing sequence because she saw another airplane on the runway facing her with its propeller turning, which resulted in a hard landing, a subsequent loss of directional control, and a ground loop.

Page 3, section "Pilot Information," item "Toxicology Performed," was revised as follows:

Toxicology Performed: Yes

Page 3, section "Aircraft and Owner/Operator Information," item "Engines," was revised as follows:

Engines: 1 Turbo Prop

Chairman SUMWALT and Members HOMENDY and CHAPMAN concurred in the disposition of this petition for reconsideration. Vice Chairman LANDSBERG and Member GRAHAM did not participate.

Enclosures:

1. Original Final Report
2. Revised Final Report