

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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FATAL GATES LEARJET CRASH *

NEAR SAN CLEMENTE ISLAND, *

CALIFORNIA ON MAY 10, 2023 *

*

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Accident No.: WPR23FA185

Interview of: IAN ROBERTSON, First Officer
Phoenix Air

Cartersville, Georgia

Thursday,
May 25, 2023

APPEARANCES:

DAN BAKER, Investigator in Charge
National Transportation Safety Board

PAUL RHO, Air Safety Investigator
National Transportation Safety Board

MIKE LEMAY, Chief Air Safety Investigator
Bombardier

SCOTT CHILDS, Principal Maintenance Inspector for
Phoenix Air Group
Federal Aviation Administration

DARRIN BENTON, Director, Operations
Phoenix Air Group
Representative for Matt Conway

RICKEY SMITH, Director, Aircraft Services
Phoenix Air Group

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I N T E R V I E W

1
2 MR. BAKER: Good afternoon, this is Dan Baker with the NTSB.
3 We're conducting an interview of Ian Robertson, I believe it is,
4 if I got the name right, and on May 25th at Phoenix Air -- or Air,
5 Phoenix Air Group, Incorporated in Cartersville, Georgia. So
6 again, Dan Baker, NTSB.

7 MR. RHO: And Paul Rho, Air Safety Investigator with NTSB.

8 MR. LEMAY: Mike Lemay, Chief Air Safety Investigator,
9 Bombardier.

10 MR. CHILDS: Scott Childs, FAA, Principal Maintenance
11 Inspector for Phoenix Air.

12 MR. BENTON: Darrin Benton, Director of Operations, Phoenix
13 Air.

14 MR. ROBERTSON: Ian Robertson, SIC on the Lear 35 and 36 with
15 Phoenix Air Group. You spell that I-a-n R-o-b-e-r-t-s-o-n.

16 MR. SMITH: Rickey Smith, Director of Aircraft Services with
17 Phoenix Air.

18 MR. BAKER: All right, thank you.

INTERVIEW OF IAN ROBERTSON

19
20 BY MR. BAKER:

21 Q. So Ian, if you would, just kind of walk through, you know,
22 kind of starting at the beginning of the mission, what the purpose
23 was, when you left, and just -- just walk us all the way up
24 through and through the accident flight --

25 A. Sure.

1 Q. -- (indiscernible) you do that, so --

2 A. Once a year. So we're all meeting downstairs at the hotel
3 lobby, eating breakfast. We decided to go out as a flight of two
4 that day and we all get to the airport just about the same time,
5 you know, we're in two separate cars going out there. And, you
6 know, everything's as normal, we did our preflight, go to the
7 restroom one last time.

8 We leave the ramp at -- it was 7:16 local and we had a 7:21
9 takeoff and we climb up to 15,000, we go out to the area. I'm
10 really not sure about all the details like if we got vectored
11 there, I can't remember that part, but I do remember when it
12 happened, we were at 15,000 feet. It was about 7:40 local, you
13 know, California time and, you know, just ballpark around that
14 time.

15 And so we saw -- we were flying in formation, we took off as
16 a flight of two -- I'm sorry, back it up a little bit. We took
17 off as a flight of two, bearing left, it was here. Eric was in
18 the left seat, as captain, and Spencer was in the right seat as
19 the FO, Shane was in the back. We're on the right, a little bit
20 behind, because, you know, they're Phoenix Air 1, we're Phoenix
21 Air 2, we're following behind them. They take off and about 10 --
22 10 seconds behind them, we take off after and I'm not sure how the
23 radar -- I'm sure you probably have that on your, you know,
24 recordings and whatnot, like how we got out there in our radar
25 vectors and whatnot or whatever. But we got out to the warning

1 area about 7:40 a.m. We noticed that -- we were following behind
2 them, you know, formation, and they started going up and then we
3 noticed holy cow, their flaps are down. Matt says something on
4 the radio like hey, man, your flaps are down, you know, yada-yada-
5 yada. Eric says something to the effect of like no, they're not.

6 Then they go back and they're starting to lose altitude and a
7 little bit of, you know, left and right control and they go back
8 to normal, we noticed smoke coming out, we also noticed grease on
9 the back belly, like over near the -- the aft baggage or the aft
10 -- I'm sorry, what is that term? I know the hell hole is what we
11 refer to it as.

12 (Crosstalk)

13 UNIDENTIFIED SPEAKER: Aft equipment bay?

14 MR. ROBERTSON: Aft equipment bay, yes. So we noticed a
15 bunch of, you know, what we agree would probably be hydraulic
16 fluid back there. We noticed a bunch of smoke coming from the
17 back left, did not appear to be an engine, it appeared to be
18 coming from that back area behind the engine, you know, the aft
19 equipment bay area, and then noticed -- we noticed a little bit of
20 fire coming out of -- let's say the front of the aircraft is where
21 you're at and -- and on to the rear and here's the aft equipment
22 baggage area, the fire came out like right here, right where that
23 opening is, just "pyooo (ph.)" and Matt and I kind of look at it
24 and we're like what was that? Then it kept coming, "pyoo-pit-pyoo
25 (ph.)" --

1 BY MR. BAKER:

2 Q. So you're indicating the right side of the fuselage?

3 A. Yeah, well -- and that's where we were, so of course, we're
4 going to see that.

5 Q. Okay.

6 A. But we noticed the smoke from the left side. And, you know,
7 it just started off as a little "pyoo," we saw it and we were like
8 what was that and then it started, "pyoo-pyoo-pyoo," and we said
9 -- or Matt went over the radios and said hey, man, you've got a
10 fire, you need to get down as soon as possible. We make a left
11 turn towards San Clemente and they were quick about saying we're
12 going to go to San Clemente, and I'm so thankful they were, you
13 know, at least they were, you know, they were definitely on their
14 game about that. So we turn.

15 Something that I believe that I had seen was little droplets
16 of kind of looked like clear fluid coming out, I don't know what
17 it could've been, but I'm pretty sure I saw clear fluid coming
18 out, as well, of that same area. It wasn't a whole ton of it, but
19 it was a pretty good bit, kind of a little bit bigger than rain
20 droplets, you know, if you could kind of imagine that. So there
21 was smoke, rain droplets, you know, kind of looked like raindrops
22 of clear fluid. We're turning in towards San Clemente, we declare
23 an emergency, and at some point they're not able to talk to Beaver
24 anymore, but we still have plane-to-plane communications with
25 them. They get us on a vector, they give us 350 on the heading,

1 and I think they also gave us 360 at some point, but there was
2 definitely 350 there. They get us down and we're chugging along
3 and they ask us to please take the lead, so we take the lead, we
4 overpass them, we get in the front and they're behind us. And so
5 we're taking the lead and at some point, John noticed them going
6 underneath us. That -- sorry. Before that, they asked us hey,
7 please keep the speed up and we're going as fast as we possibly
8 can, you know, without over-speeding, and we keep our speed up and
9 at some point John noticed that they had gone underneath us and
10 overtook us and say roughly about a minute passes.

11 After that, we ask Beaver control hey, we need to turn around
12 and go look for our, you know, other aircraft. So we do that, we
13 tell them we need to go lower, so we go below the cloud base and
14 they give us radar vectors, looking for their aircraft. I'm also
15 turning on the Stratus, trying to look to see like, hey, like, you
16 know, where are they, can we find them on the Stratus, you know,
17 on our iPads and whatnot, trying to figure out where they are.

18 The last transmission that we got, Matt had said over the
19 radio, Eric, on our plane-to-plane frequency, "Hey, Eric, are you
20 still with me?" and he said, "Barely," and we kept getting radar
21 vectors to the last known location. We get below the cloud base,
22 we're looking for them, and there is an area over to the -- to the
23 side of San Clemente that was discolored, and I asked Matt, hey,
24 is that a reef or is that what I think it is? We get closer to it
25 and it's obviously what it was. It was a bunch of fuel and oil

1 and debris, I mean, it was very small debris, but we kept looking
2 and we kept looking for survivors. We were the on-scene
3 commanders until the Coast Guard showed up. Prior to the Coast
4 Guard showing up, there was a -- I can't remember if it was a
5 little Piper, some little aircraft that was out there, coming out
6 there to look. There was also a King Air, I believe it was a King
7 Air, out there helping until the Coast Guard came out to do, you
8 know, a search and rescue. And we stayed out there for, I don't
9 know, a good hour and a half to 2 hours, ballpark, just looking
10 for, you know, looking for our friends, that --

11 (Pause.)

12 MR. BAKER: We'll stop for a minute.

13 (Off the record.)

14 (On the record.)

15 BY MR. BAKER:

16 Q. So I'm going to back up a little bit, you talked about
17 meeting up with the crew the night before. Well, actually, I'm
18 not sure you said meeting up with the crew the night before,
19 before the flight.

20 A. Yes, we did. We all -- they got settled in and we all ate
21 pizza at -- I can't remember the pizza place's name -- the night
22 before, it -- yeah.

23 Q. Yeah. Do you recall about what time that was that you guys
24 had dinner and what time you got back to the hotel?

25 A. I don't. Definitely wasn't a late night, you know, we had a

1 good adequate amount of rest, for sure. I don't -- I don't know
2 the time.

3 Q. Okay.

4 A. I'm sorry, yeah.

5 Q. That's all right, that's all right. Then do you know what
6 time you woke up or what time you met for breakfast?

7 A. I'm sure I could probably recall in my texts, if you wanted
8 me to look through my texts. We usually send a number of texts
9 like hey, meet in the lobby at this time, is that what you want me
10 to --

11 Q. We can get that information later.

12 A. Okay.

13 Q. Yeah, it's not --

14 A. Yeah.

15 Q. You don't have to do that right now. So I'm just trying to
16 build an idea of, you know, what the timeline was leading up to
17 that --

18 A. Yeah.

19 Q. -- and everything. So I don't know if you can recall doing
20 -- if I showed you a track of the flight path, would you be able
21 to like maybe mark down kind of when you saw things --

22 A. Sure.

23 Q. -- and what you recall? There's a flight track and then you
24 can just -- you know, anything you think of or whatever, you know,
25 from, you know, walking through any of the key points that you can

1 recall, especially, you know, as it gets close to, you know, when
2 the events started happening, you know, if you can recall when any
3 of those happened along that flight path.

4 A. Is there a way to know like, when we start -- because we were
5 at 15,000, if you can tell when we started. Obviously, our turn
6 right here was at 15,000, we made that turn. This is somewhere in
7 between here and there is when the emergency got -- it had to have
8 been there when the emergency got declared because that's the only
9 thing that makes sense because we were going out to the warning
10 area.

11 Q. There's no wrong answers, so --

12 A. Okay.

13 Q. -- just --

14 A. Yeah. So you want me to point out where it happened?

15 Q. Yeah, where -- you know, when you started, you know, seeing
16 the anomalies, when you --

17 A. Okay.

18 Q. -- believe they declared.

19 A. Yeah, because we were definitely -- we were going out to the
20 warning areas, we saw fire, Matt told Eric hey, you need to land
21 as soon as possible, there's fire on board. They started to turn
22 towards San Clemente, we were still following them. And then at
23 some point around this area is where we took the lead, we were
24 getting radar vectors from Beaver. Do I need to annotate --

25 Q. Just something brief on there, whatever --

1 A. Okay, okay.

2 Q. -- so we kind of reconstruct it.

3 A. Okay. I'm just going to put emergency. I definitely know
4 they were still with us and behind us when we got the 350 heading.
5 That would be useful to figure out, you know, ballpark where that
6 happened without knowing which, you know --

7 Q. Yeah.

8 A. -- which direction that is, but I'd have to say it would be
9 somewhere around here.

10 Q. Okay.

11 A. Yeah. Do you want me to just segment it or do you want me --

12 Q. Yeah.

13 A. -- to just put an X wherever or just --

14 Q. Yeah, just where you think --

15 A. Okay.

16 Q. -- where you think things happened.

17 A. Okay.

18 Q. I mean, like it doesn't -- it's not --

19 A. Okay.

20 Q. It doesn't have to be perfect or anything like that, we're
21 just trying to be able to piece it together with everybody else's
22 testimony and just get an idea of what was happening.

23 A. I'm just putting two lines there because it happened
24 somewhere in between that area right there.

25 Q. This is the air flight map, so --

1 A. Yes, yeah. And we never saw this happen.

2 Q. Okay.

3 A. Yeah. We were above the cloud layer and they had gone below
4 at some point right in here. What else do you need to know
5 besides, you know, the emergency and the -- you know, getting
6 assigned a 350 heading?

7 Q. That's all right.

8 A. Okay.

9 Q. So -- sorry, my nametag keeps falling off. So backing up a
10 little bit to the time kind of leading up to the emergency, on --
11 on that, what was the first thing that you saw that was unusual?

12 A. We noticed that, you know, we were following in formation and
13 had an increase in altitude and their heading was slightly off.
14 Then we looked over and saw the flaps were down. So I mean, you
15 could say that was kind of simultaneously or, you know, it was
16 back to back, but yes, we noticed like holy cow, they're going up
17 in altitude and because their flaps were down. Yeah.

18 Q. And how far down would you say the flaps were extended?

19 A. It's a great question.

20 Q. A quarter, half, three-quarters?

21 A. If I had to guess I'd say anywhere from like 15 to 30
22 percent. It's a great question and I couldn't tell you off the
23 top of my head.

24 Q. Okay.

25 A. They were definitely down and they were pretty obvious down.

1 Q. Okay. Did you see them extend at all?

2 A. No, no.

3 Q. Okay. And then did you see them retract?

4 A. You know, it's not like -- not like I saw them retract. No,
5 there was just a point where we looked back -- I looked back over,
6 I'm speaking for myself, I looked back over and they were back up.
7 I really didn't see them getting retracted like a normal
8 retraction or anything like that. Unfortunately, I didn't see
9 that part.

10 Q. Okay. And you described fluid coming out of the --

11 A. Yeah.

12 Q. What color fluid did you see, did you -- I know you --

13 A. What I recall was, it was clear. It was clear, it was a
14 clear fluid coming out. Something I forgot to mention was in
15 between the time of -- we saw fire, in between the fire and us
16 turning on the heading, we saw the drag chute come out. If I had
17 to guess, it would be because of the fire because, you know, I
18 highly doubt they would've, you know, pulled the drag chute
19 handle, but they just flung right out.

20 Q. Okay. When you saw the flames, did you see smoke associated
21 with the flames at all?

22 A. We saw smoke first.

23 Q. Smoke?

24 A. Yeah.

25 Q. And what color smoke did you see?

1 A. It was white smoke.

2 Q. White smoke.

3 A. Yeah.

4 Q. Okay. Did you see any dark smoke at any time?

5 A. I did not. Yeah, I did not. I saw white smoke. Yeah, I saw
6 white smoke.

7 MR. BAKER: Okay. I think that's all that I have at this
8 point.

9 Mike, do you want to follow up?

10 BY MR. LEMAY:

11 Q. Yeah, just going back to the night before -- so the dinner
12 was the six of you that went out together?

13 A. We all went out together, yeah.

14 Q. Was that the first time you met up with the other crew, was
15 it when after they arrived?

16 A. Yes, they had arrived -- so, on the 9th they had arrived, I
17 really don't know what time they arrived, but we all got together
18 later that night and we all ate dinner together. Yeah. Is there
19 anything more you want to --

20 Q. Do you recall what you guys talked about?

21 A. We talked about -- so Eric had asked me how's it going, I'm
22 doing a big renovation on my house, we talked about that. Wasn't
23 very much aviation related stuff, it was just kind of, you know,
24 just -- you know, stories and whatnot, it wasn't really related to
25 -- at least from what, you know, the people outside, if you're all

1 sitting next to -- Eric was on my left and Spencer was on my
2 right. Spencer and I tried to get his stupid propane heater to
3 work because it was pretty cold that night and he helped me out
4 with that and we, you know, helped each other out with that,
5 getting that going. We were sitting outside in a patio area and I
6 don't know, we spent a good bit of time talking about like hey,
7 man, you want to like split some pizza or something like that
8 because they're pretty big pizzas and it's funny, because we ended
9 up eating an entire pizza ourselves, anyway, so -- but yeah, you
10 know, just normal -- just chitchat, small talk. I remember
11 talking to him about, you know, his time at Flight Safety with
12 Graham (ph.). Well, not talking about Spencer, just normal
13 chitchat, we're just -- you know, just talking about stuff like
14 that.

15 Q. Okay.

16 A. Yeah.

17 Q. And the next day, you mentioned earlier that, for the
18 takeoff, Phoenix 1 took off first --

19 A. Affirmative, yeah.

20 Q. -- and you followed 10 seconds later?

21 A. Yes.

22 Q. I think that's what you said, 10 seconds.

23 A. Yes.

24 Q. Anything that you recall from the takeoff that might've
25 seemed --

1 A. No. No, perfect takeoff.

2 Q. Nothing off, perfect takeoff. Okay.

3 A. Yeah.

4 BY MR. BAKER:

5 Q. As a follow up to one of the conversations, was there any
6 discussions, was there any write-ups or squawks or anything with
7 the airplane that they discussed for the trip out there? No
8 mention?

9 A. No, no mention of that.

10 Q. All right. On the -- at Point Mugu, who handles maintenance
11 and fueling the aircraft and that sort of thing?

12 A. Fueling the aircraft, I couldn't tell you about maintenance.
13 I'm not sure. Maybe Darrin can answer that one.

14 MR. SMITH: I can answer that.

15 MR. ROBERTSON: As far as fueling, they require us to fuel it
16 ourselves, that's how we do things. They'll bring the truck
17 around and you have to personally fill it up yourselves. I'm not
18 sure who filled it up on their aircraft but, you know, on our
19 aircraft, I, you know, fueled it up with the help of Matt,
20 obviously, you know, inside, you know, saying like hey, like you
21 get it outside, yada-yada-yada. Yeah.

22 BY MR. BAKER:

23 Q. And that's all military operations there at Point Mugu,
24 right? Is that correct?

25 A. Yeah, um-hum.

1 Q. Sorry. And did you guys file at their base operations or do
2 you -- and get weather through them or do you use your own
3 facilities, how did that work?

4 A. So --

5 MR. SMITH: We use our own facilities.

6 MR. ROBERTSON: Yeah.

7 BY MR. BAKER:

8 Q. Okay. Okay, so Matt took care of that?

9 A. Yes, Matt filed, yeah.

10 Q. Okay.

11 A. You're talking about filing a flight plan?

12 Q. Yeah, filing a flight plan --

13 A. Yes.

14 Q. -- getting weather briefs --

15 A. Yes.

16 Q. -- that sort of thing, what you guys did while you were
17 there.

18 A. Yeah.

19 Q. Okay. Was there anything unusual with the weather or
20 anything --

21 A. No, no. The ceilings were -- they were a little -- they were
22 scattered about like 2,000 something, yeah, it wasn't unusual at
23 all. No.

24 Q. Okay. And what was the weather that you recall in the area
25 that -- where the accident occurred?

1 A. In San Clemente?

2 Q. Yes.

3 A. Around San Clemente? I couldn't -- I can't remember the base
4 of the clouds, but it was right -- there was a very little
5 clearing above the mountain, very, very small, but a clearing
6 above the mountain, so whatever the height of San Clemente plus
7 maybe a hundred, 250 feet above the top, I couldn't tell you. But
8 yeah.

9 Q. Okay.

10 A. You could literally see the clouds like right above, there
11 was a little gap between the top of San Clemente and the cloud
12 base.

13 Q. Okay.

14 A. Yeah.

15 BY MR. RHO:

16 Q. When you communicated with the Phoenix plane -- Phoenix 1
17 plane to plane, Eric said kind of barely he can communicate,
18 right?

19 A. Yes.

20 Q. And did he say anything about the characteristic of the fire
21 inside --

22 A. Unfortunately, no. Oh, I do recall him saying something
23 smelled a little funny, I'm not sure at what point in the flight.
24 I mean, it was obviously after the emergency was called, it was at
25 some point around here, but yeah, I'm pretty sure I remember him

1 saying something smelled funny but, yeah.

2 Q. Smelled funny?

3 A. I'm pretty sure, yeah.

4 MR. ROBERTSON: Are you all able to pull the -- air-to-air
5 radios or COMMs?

6 MR. BAKER: I don't believe they were recording --

7 MR. ROBERTSON: Okay.

8 MR. BAKER: -- a recorded frequency.

9 MR. ROBERTSON: Yeah.

10 MR. BAKER: Anything else, Paul?

11 BY MR. RHO:

12 Q. Do you have anything else you think is important for our
13 investigation?

14 A. No, I don't, unfortunately. I just -- you know, I really
15 would, you know -- obviously, we want to find out what happened,
16 you know. Yeah, I don't, unfortunately, that's it. Yeah.

17 MR. RHO: Okay.

18 MR. BAKER: Rickey, do you have any questions?

19 BY MR. SMITH:

20 Q. If we would've put the flaps down on one of the other
21 Learjets over there, could you recognize the basic flap angle
22 setting --

23 A. Just to get an idea of what it looked like?

24 Q. Yeah.

25 A. That would be a good idea, if you all want me to do that, we

1 can go do that real quick, yeah.

2 Q. Okay.

3 A. Or I'm -- were you saying that we're going to do that or --

4 Q. No, I was asking --

5 A. Oh.

6 Q. -- if you thought you might be able to and if you thought you
7 could identify it, then it might be worth the effort to do it.

8 A. Yes, yeah. I'm saying it would be worth the effort to do it.

9 Do I think I'm totally accurate on what degrees the flaps were
10 down? No. I think I've got a good ballpark but, you know --
11 yeah, if you all wanted to go look at a Lear, put the flaps down,
12 I'm definitely willing to do that.

13 MR. LEMAY: You could tell us probably it's not far enough
14 and oh, that's too far?

15 MR. ROBERTSON: Yeah, exactly. Yeah.

16 MR. BAKER: That might be worth it.

17 MR. LEMAY: That might be worth it.

18 MR. BENTON: I'm texting Matt Conway just in case he hasn't
19 left yet, I think he was going downstairs, just to say it may be
20 something he could offer, too.

21 MR. ROBERTSON: Sure, absolutely.

22 MR. BENTON: If that's okay with you guys.

23 MR. BAKER: Yeah. Yeah, we'll probably -- you guys look
24 separately, but no harm to do that, that would be good.

25 MR. ROBERTSON: Okay.

1 MR. BENTON: That's a good idea, Rickey.

2 MR. BAKER: Scott, do you have any more questions?

3 MR. CHILDS: No, sir.

4 MR. ROBERTSON: That's a good idea.

5 MR. BAKER: Okay. All right, I'm going to terminate this.

6 (Whereupon, 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: FATAL GATES LEARJET CRASH
NEAR SAN CLEMENTE ISLAND,
CALIFORNIA ON MAY 10, 2023
Interview of Ian Robertson

ACCIDENT NO.: WPR23FA185

PLACE: Cartersville, Georgia

DATE: May 25, 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