Factual Report – Attachment 1

Interview Summaries

AIR TRAFFIC CONTROL

CEN19LA074

Interviewee: James Elkins (EP)

Date / Time: February 5, 2018 / 1000 cst
Location: Federal Contract Tower, Grand Prairie, Texas
Present: Tim Sorensen (NTSB), Kevin Sturgill (FAA)
Investigator: Andy Olvis
Representative: Daniel Miller

During the interview Mr. Elkins stated the following:

Mr. James Elkins began with Robinson Aviation (RVA) in June 2017. He reported to the Grand Prairie air traffic control tower where he was qualified on all operating positions and designated a controller in charge (CIC). Mr. Elkins was not an on the job training instructor (OJTI).

Prior to RVA Mr. Elkins worked for Science Applications International Corporation (SAIC) from June 2016 until June 2017 as a contractor at the Federal Aviation Administration (FAA) training facility in Oklahoma City, Oklahoma. He taught en route air traffic control operations to FAA new hire employees. Before SAIC, Mr. Elkins was employed from May 1991 until June 2015 as an air traffic controller with the FAA at Ft. Worth Air Route Traffic Control Center (ZFW ARTCC). His prior military experience was as an air traffic controller with the United States Navy from September 1983 to September 1988. He was stationed onboard the USS INDEPENDENCE and Naval Air Station Dallas (KNBE). He held no other current aeronautical certifications and his ATC medical was current with restrictions for reading glasses which were with him on the date of the accident.

Mr. Elkins regular days off (RDOs) were Wednesday and Thursday. On Fridays and Saturdays, he would work a 1015 to 1815 shift, and on Sunday, Monday, and Tuesday he worked a 0900 to 1700. Mr. Elkins said that on the date of the accident he worked a 0900 to 1700 shift.

During the interview, Mr. Elkins stated that he worked a 0900 to 1700 shift although the Air Traffic Manager stated that Mr. Elkins worked a 0700 to 1500 shift. He remembered it was a typical day, which consisted of signing in, reading the read and initial binder, and being assigned to a control position after arriving. During a typical 0900 to 1700 shift, Mr. Elkins would normally assume the local control (LC) position from Mr. Wester who would move over to the ground control (GC) position. He said that Mr. Phillips would assume the GC after arriving about 1015.

The weather on the date of the accident was expected to remain clear with visual flight rules (VFR) conditions prevailing. Mr. Elkins said there was no haze or other obscuration. The wind had started out of the south but was expected to "flip" out of the north later in the day with a velocity of 4 to 5 knots.

Just prior to the accident, Mr. Elkins had returned from a break and assumed the LC operating position from Mr. Phillips who remained in the tower cab on break. He remembered there had been light traffic with a helicopter at the Airbus facility, an aircraft was requesting a high-speed taxi operation, a VFR departure to the south, and a VFR aircraft requesting a practice approach. He indicated his preference set for the tower display workstation (TDW) was set to a 12

nautical mile range with the history trails at 5. Mr. Elkins indicated there were no reported or observed issues with the TDW or communications systems. He stated he was utilizing a handset instead of a headset for communications.

Mr. Elkins said that N565SP checked in on the frequency first and reported "at the tip of Joe Pool" in reference to the southern tip of Joe Pool lake. He issued the pilot a beacon code of 0457 however the pilot did not immediately change to that code. N52243 reported 8 miles to the south of the airport, not ordinarily where aircraft arriving for runway 35 would contact the tower. The pilot reported an altitude, but Mr. Elkins could not recall what it was. He issued the pilot of N52243 a beacon code but could not recall the code assigned. When the airport was in a south flow, the normal reporting point was located at the "dam", referencing a dam on the lake east of the extended final for runway 17. The dam was annotated on the VFR sectional map for GPM. He said that his normal routine was to issue the beacon code and then continue working only using the TDW to visually acquire the target. He said that it was "hit or miss" how quickly the beacon code would appear on the TDW.

He recalled seeing two call signs being displayed for N52243 on the TDW. He indicated that he had an idea that N565SP was nearby but could not guarantee where the aircraft were at. He did say there were no other aircraft in the vicinity of N565SP and N52243. The first time Mr. Elkins had observed any code was when N565SP began squawking 0417 and the conflict alert (CA) activated between N52243 and N565SP. It was the first time he had seen a modes c report from the aircraft. The two aircraft tags were on top of one another and Mr. Elkins indicated he was trying to ascertain what was happening. He said that he had never seen aircraft targets so close before.

Mr. Elkins advised he was concerned about close proximity of the two aircraft, however, said that when issuing traffic, an air traffic controller should have a course of action to go with the safety alert or traffic call. After the traffic alert activated, he observed one aircraft at 2,500 feet and one aircraft at 2,900 feet, he was not aware of the proximity or the relative position to one another. Mr. Elkins instructed the pilot of N52243 to proceed northeast to the dam to achieve lateral separation from N565SP; he said he did not want to make things worse by advising the pilots of the conflict alert.

The pilot of N52243 declared an emergency and Mr. Elkins offered the straight-in for runway 35. As Mr. Elkins was trying to ascertain the nature of the emergency from the pilot of N52243, the pilot of N565SP stated they had possible gear issues. It did not register to Mr. Elkins at that moment that the two aircraft had collided while in fight. Later, Mr. Elkins asked the pilot of N565SP about their emergency and the pilot advised that they had been hit from behind by another aircraft. Mr. Elkins knew at that time that there were two aircraft from the south inbound to the airport, both had issues and one of the aircraft had an emergency. He said that at some point he had to ask if there had been a midair collision, and that there was a lot of confusion.

Th pilot of N52243 wanted to get on the ground immediately so Mr. Elkins cleared the pilot for the straight-in approach to runway 35. The pilot of N565SP was issued a left 360 degree turn to accommodate N52243. Mr. Elkins visually acquired the aircraft when they were over the marina south of the airport. He observed N565SP in the left turn executing the 360 degree turn.

Mr. Elkins stated that N52243 landed faster than usual and utilized the entire runway. He instructed the pilot of N565SP to execute a low approach at or above 500 feet and that he would inspect the gear. The pilot advised that the student pilot felt the gear was okay and that they would like a straight-in. The aircraft landed faster than usual and utilized the entire runway.

After the aircraft had landed Mr. Elkins asked the pilots if they needed to stop on the taxiway for an inspection from the crash crew, both declined, and one aircraft taxied to the "line" and one taxied to the maintenance hangar. He continued utilizing the runway for operations and did not consider having the runway swept for potential aircraft debris.

When asked to describe the FAA JO 7110.65 Duty Priority, Mr. Elkins was able to accurately describe "separating traffic and issuing safety alerts".

Mr. Elkins said that the air traffic controllers try to visually acquire the aircraft but can and do use the TDW to aid in sequencing. He reiterated that he had observed a "split target" on N52243 after instructing the pilot to squawk the assigned beacon codeHe said that there was always a concern about aircraft being in close proximity at KGPM because of the number of student pilots. Every two hours on the even hours the Sky Mates flight school would launch between five and fourteen aircraft one after the other. He said they would issue instructions and then watch the flight to ensure they were complying with them.

The DFW class B shelf is at 3,000 feet where the aircraft first checked in and Mr. Elkins acknowledged VFR aircraft landing at KGPM must be below that altitude.

Interview concluded at 1125.

Interviewee: Stephen Phillips (SP)

Date / Time: February 5, 2018 / 1140 cst
Location: Federal Contract Tower, Grand Prairie, Texas
Present: Tim Sorensen (NTSB), Kevin Sturgill (FAA)
Investigator: Andy Olvis
Representative: Daniel Miller

During the interview Mr. Phillips stated the following:

Mr. Phillips has been employed as a contract controller at Grand Prairie Municipal Airport (KGPM) since September 2000. He was initially hired by Midwest ATC until RVA was awarded the contract in 2010 Mr. Phillips was an air traffic controller in the United States Navy from 1981 until 1993. He was stationed at Guam, KNBE, Atlantic Fleet (San Juan, Puerto Rico), and again at KNBE before retiring from the Navy. He was not employed as a controller from 1993 until 2000. He held a current medical certificate with a restriction for corrective lenses and was wearing his glasses at the time of the accident. He did not hold any other aeronautical certification. Mr. Phillips' RDOs were Friday and Saturday. His routine work shift was from 1015-1815 Sunday

through Tuesday, and from 0900-1700 Wednesday and Thursday. On the day of the accident, he began his shift at 1015. His supervisor was Mark Wester.

Upon arriving at work on the day of the accident, Mr. Phillips checked the log and observed the tower operations for a few minutes to acclimate to the traffic before signing onto a position. He did not recall which position he was assigned initially. He recalled that the sky was clear and added that the weather was "fine." He explained that controllers would normally rotate positions about every two hours; however, he did not recall if that was the case on the day of the accident. He was at the local control position until about 1300 when he was relieved to take a break. Mr. Elkins relieved him at that time. Mr. Elkins was using a handset for communications. Mr. Phillips got some food and was sitting next to the local controller at the time of the accident.

Mr. Phillips did not recall specific communications until he heard a pilot declare an emergency. At that time, he told everyone in the tower cab to be quiet. Mr. Elkins continued to work the local control position, and Mr. Phillips began to note N-number(s) and times. He did not provide any advice or offer any suggestions to Mr. Elkins, nor did he reference the radar display during the event. Mr. Phillips subsequently became aware that two airplanes were having difficulty; although, the second airplane had not declared an emergency. There was some frequency congestion which made it difficult to understand the situation. He did not recall hearing a conflict alert before the emergency was declared. Mr. Wester notified the airport fire department of the inbound emergency. Both airplanes appeared to land normally. He observed the damage to the airplanes after they landed. He thought that Mr. Elkins remained at the local control position after the airplanes both landed, but he was not certain.

Mr. Phillips noted that they had worked emergencies in the past, but never a midair collision. Everyone in the tower remained calm and worked the emergency.

Mr. Phillips stated that when working the local control position, he would advise pilots of known or observed traffic. He would not issue a traffic advisory unless he was certain of the identities or the relative positions of the conflicting aircraft.

Interview concluded at 1200.

Interviewee: Mark Wester (WR)
Date / Time: February 5, 2019/ 1305 cst
Location: Federal Contract Tower, Grand Prairie, Texas
Present: Tim Sorensen (NTSB), Kevin Sturgill (FAA)
Investigator: Andy Olvis
Representative: Not Represented

During the interview Mr. Wester stated the following:

Mr. Wester began working for RVA as the ATM at Grand Prairie, Texas (GPM) Federal Contract Tower (FCT), in October 2010. He previously worked for RVA at Harlingen, Texas (HRL FCT), Brownsville, Texas (BRO FCT) as the ATM, Conroe, Texas (CXO FCT) then Tyler, Texas (TYR FCT) at the ATM. He has been certified on all positions in the facility.

Prior to RVA, Mr. Wester served in the United States Army from November 1991 until November 2000 and was stationed at Fort Rucker, Alabama, Fairbanks, Alaska and Seoul, South Korea.

Mr. Wester was qualified for and retained a private pilot license. His last bi-annual was in May 2017 with Aviator Air. He held a current medical certificate with a restriction to wear glasses. Mr. Wester stated he was wearing his glasses during the time of the event.

Mr. Wester's RDOs were Saturday and Sunday. His normal shifts were 0745 to 1545 Monday through Friday. On the day of the accident Mr. Wester was working a shift of 0900 to 1700. Mr. Wester had swapped shifts with Mr. Elkins. Mr. Wester showed up to work, signed in then took responsibility for the GC position from Steve Phillips who moved over near LC to take a break. The CIC position was combined with LC. Break rotation was normal at two hours apiece and both GC and LC were working their respective positions using a handset.

Mr. Wester was working GC when he became aware of two aircraft south of KGPM. When the conflict alert (CA) activated, he initially believed the CA was due to a south bound aircraft and one that was north bound and the two were in close proximity. Mr. Wester heard the pilot of N52243 declare an emergency, so he picked up the "crash" phone to alert Airport Rescue and Fire Fighting (ARFF) of the inbound emergency with an unknown cause. When the pilot of N565SP called for a "gear check", Mr. Wester believed there were two emergencies and advised ARFF via the crash phone.

He stated there was a lot of confusion on the frequency. Mr. Wester pulled the notification check list and forms to fill out concerning the emergency to include the dash three and the dash nine. After both aircraft landed runway 35 safely, Mr. Wester informed the local controller the phone notification check list was complete. He then completed the Mandatory Occurrence Report (MOR) and marked the report as "potentially" significant.

The FAA service area called at about 1730 and advised there would be a services rendered telcon (SRT) at 1900. As part of the SRT, he continued to pull the data together of the accident to include communications recordings and other data. There was no toxicology testing requested for any controller involved in the accident.

Mr. Wester noticed during a replay of the accident that standard phraseology was not maintained. He characterized the controller's performance post-accident (working the emergency aircraft) as excellent. He said that he still did not know what he would have said had he been in the situation. He acknowledged that no traffic advisories nor safety alerts were issued.

Mr. Wester stated he did not know if an air traffic controller should issue a safety alert when two aircraft were in such close proximity to each other. Especially when they were unsure if one aircraft was above or below, right or left, in front of or behind the other aircraft. He admitted that Mr. Elkins should have issued a safety alert to each of the aircraft. After Mr. Elkins had reviewed the Falcon replay of the accident, he had seen the aircraft at 2,500 feet and 2,900feet and that in

hindsight felt he should have said something to the pilots. Mr. Wester felt the turn to the northeast toward the dam should have been secondary to a safety alert to the pilots.

Mr. Wester prepared for and participated in the SRT and said the results of the SRT were well received. The district office notified him the status of the event was classified "yellow" although he did not know what that meant. No one had requested a system service review (SSR) but he would complete one in the next week.

After the accident aircraft had landed, they continued to utilize the runway for departures and arrivals. They did not request a sweep of the runway for any potential foreign object debris (FOD). Mr. Wester indicated that it had just escaped him.

Mr. Wester said that he had spoken to each pilot, and that each indicated that they had been the one who was hit.

The interview concluded at 1340.