

2070266

**Mail Control Number**

2070266

**Action Office: AS-1**

**Division: AS-1**

**cc: C, GA, MD**

**Lanier, TDA, RE**

Date Received 6/12/2007  
Date of Letter: 6/7/2007  
Response Due: 7/12/2007

From: Rutecky, Rich  
Organization:  
Subject: Son of Richard M. Rutecky, who was killed in the crash of Chalk's Ocean Airways Flight 101 in Miami, Florida, on December 19, 2005, submits additional questions and concerns regarding his father's death. Would like for this letter along with MC 2070234 to be included in final report.

Notation(s):

Recs:

Notes: Exec Sec rec'd on 6/12/2007. Combine response to MC 2070234 with this letter.

Action: If you are not the correct action office, return this letter to MD-5 immediately. If you want action assigned to another office, return this letter to MD-5.

Signature: If you decide that the response to this letter should not be signed by the Chairman or that it should not be answered, coordinate your decision with the Chairman's office. If you respond to this letter with a direct reply, send a copy to MD-5 with the Mail Control Number and writer's name clearly noted. If you handle this letter by telephone or decide that no response is necessary, notify MD-5 by e-mail so the Mail Control can be closed.

*Use the space below for routing/reviewing/concurrence  
Route to Members only if their concurrence is required.*

Office/Division	Date In	Date Out/Initial
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
Office to MD-5 .....	_____	_____
MD-1 Lanier .....	_____	_____
M-SRC.....	_____	_____
M-KOLH .....	_____	_____
M-DAPH .....	_____	_____
VC-RLS .....	_____	_____
C-MVR (draft) .....	_____	_____
MD-5 to Office for Final .....	_____	_____
Office to MD-5 for Final Review .....	_____	_____
_____ .....	_____	_____
_____ .....	_____	_____
MD-5 to C for Signature .....	_____	_____
_____ .....	_____	_____
_____ .....	_____	_____
_____ .....	_____	_____

REC'D JUN 12 2007

MC 2070266

June 7, 2007

Mr. Mark Rosenker  
Chairman, National Transportation Safety Board  
490 L'Enfant Plaza, SW  
Washington, DC 20594

Dear Mr. Rosenker,

**Subject: Chalk's Flight 101 NTSB Hearing**

First, let me extend a "thank you" to the staff and board members of the NTSB throughout the hearing process. They have been courteous and informative throughout this difficult time and my family sincerely appreciates all of their/your efforts. I think the conclusions of the investigation are in line with the family's expectation.

I understand that the role of the NTSB is to determine probable cause for accidents and make safety recommendations to the FAA to prevent future accidents from occurring and is limited in any type of recommendation regarding sanction or punitive action towards the carrier and/or other parties found to be causal to the crash. But I also know that the data the NTSB staff collects as part of the investigation is vital to any subsequent actions by appropriate regulating bodies. With that in mind, I have a couple of additional questions I would like to try to get addressed before the investigation is complete (I apologize any of the below is incorporated into the final report that I have not seen yet).

1. During the hearings the NTSB staff described the effort to interview mechanics as inconsequential to the investigation as they felt they had enough supporting documentation to determine probable cause. Who investigates the allegations of impropriety including the stuffing of rags into the fuel tanks to prevent fuel leaks? I know the report includes the finding that this was a "sloppy" operation but I want to know if any of Chalk's management was involved in coercion by asking mechanics to make improper repairs to keep the planes in the air. There are serious accusations in the pilot's letter included in the preliminary report that should either be refuted or collaborated. The interviewing of the mechanics would likely have given the families of the victims a better understanding of the lack of safety culture at the airline. I have a difficult time reconciling the fact that the NTSB staff says that no one "owned up" to making that critical repair to the wing section that contained the 16" crack, but then admits that the mechanics that would have done the repair weren't directly interviewed.
2. There didn't seem to be any discussion related to the mechanics certification (or I missed it). Did the NTSB staff check the certification of the mechanics as part of the investigation? I know that at one time in the past there was criminal action taken against St. George Aviation in Central Florida for the issuing of bogus mechanic certificates and would like to know if any of those mechanics were/are employed at Chalk's.
3. I was extremely surprised to hear that the FAA Principal Maintenance Inspector (PMI) for Chalk's was given semi-retirement early in the year of the crash (2005). The NTSB staff gave information related to the work activity of the PMI for the year 2004-2005 but did not specify the level of work activity and specifically as it related to Chalk's for 2005. I am interested to know to what extent the level of work activity was reduced in 2005 (and as it relates to Chalk's) and would like to make sure this information is included in the final report.
4. What were the qualifications of the PMI and will this information be included in the final report? It is hard to understand why a veteran FAA representative would have "missed" some of the repair workmanship issues described in the hearing. Will information be included as to the amount of on-site inspections were completed by the PMI?

5. Were there any interviews conducted with the manager of the PMI to understand why semi-retirement was given, and is this commonplace in this industry and with respect to such critical position?
6. With due respect to some comments made during the hearing regarding the “triggers’ for additional scrutiny from the FAA prior to the crash, I would have to disagree. There were multiple “red flags” prior to the crash that should have created awareness within the FAA community. It certainly was not “business as usual” given the multiple in-flight engine failures and elevator cable breakage in the time before the crash among the repetitive fuel leaks (5) in the airplane that crashed.

In closing, it is inexcusable that a policy developed by Congress 16 years ago to address additional maintenance requirements for aging aircraft has an exemption for what I believe is the **OLDEST** plane utilized for commercial aviation in the world. I will be looking to better understand who should be accountable for how this exclusion came to be as it certainly is one of the primary reasons 20 people including my father are dead.

I am requesting that my initial letter as well as this one and information pertaining to the questions above be on record and included in the final NTSB report.

Respectfully,

A solid black rectangular redaction box covering the signature area.

Rich Rutecky  
Son and Co-Personal representative of the Estate of Richard M. Rutecky, Sr.