

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CRASH OF AIRBUS HELICOPTER N94TH  
NEAR SKAGWAY, ALASKA, ON  
MAY 6, 2016

Accident No.: ANC16FA023

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Interview of: RICH PEABODY

Juneau, Alaska

Thursday,  
December 8, 2016

## APPEARANCES:

MICHAEL HODGES, Aviation Accident Investigator  
National Transportation Safety Board

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Office of Accident Investigation and Prevention  
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(Via telephone)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Rich Peabody:		
By Mr. Hodges		4
By Mr. Banning		25
By Mr. Rigsby		31

I N T E R V I E W

(10:05 a.m.)

MR. HODGES: All right. It's December 8, 2016. About 10:05 in the morning here in Juneau. This is Mike Hodges with the NTSB.

MR. BANNING: Brice Banning, NTSB.

MR. MARTIN: Howard Martin, Regional Counsel, FAA.

MR. EDWARDS: Dwayne Edwards, FAA, Juneau Flight Standards Office.

MR. PEABODY: Rich Peabody, Juneau Flight Standards Office, PIO.

MR. HODGES: Then Matt? Matt? Matt, you there?

MR. RIGSBY: Yeah, sorry.

MR. HODGES: Okay, no worries.

MR. RIGSBY: I had this on mute button. Matt Rigsby with the FAA's Office of Accident Investigation, AVP-100.

MR. HODGES: Okay, cool. Thank you.

## INTERVIEW OF RICH PEABODY

BY MR. HODGES:

Q. All right. So we'll go ahead and -- okay, we'll start down the list. Just kind of going over your background, when were you initially hired by the FAA?

A. I was hired in the Portland, Oregon FSDO in 2009.

Q. 2009. Okay. And then, prior to working at the FAA, what was your aviation background?

A. I was primarily a 135 helicopter pilot in Alaska.

1 Q. Okay.

2 A. Pretty much all of my experience was here in Juneau with --  
3 started off in Temsco in '99, flew for Era here in Alaska for  
4 about 4 years, and then Coastal for about 4 years. And then  
5 actually worked up in Evergreen and flew air ambulance up in  
6 Anchorage for about 4 years.

7 Q. Okay.

8 A. And then did a couple years in Portland, Oregon.

9 Q. Okay. What makes and models did you mostly fly with all  
10 those different companies?

11 A. I would say my primary aircraft that I had the most  
12 experience is in AStar.

13 Q. AStar. Okay. Just pretty much all the BA, B2s, B3s --

14 A. Yeah.

15 Q. -- kind of all across the spectrum then?

16 A. Yeah. I think at Coastal they had every single model --

17 Q. Okay.

18 A. -- known to mankind, so -- including one that was probably,  
19 should never have been allowed to exist, so -- and that was a  
20 powered AStar.

21 Q. So you, as a PIO, outside of the work you do at Temsco, how  
22 many other certificates do you currently work with?

23 A. Well, as of the time that the accident occurred, we had just  
24 assumed the Kenai Peninsula, Homer and Kodiak. So originally, my  
25 complexity was surrounded with Coastal, Temsco, North Star, a

1 couple of single pilot operators. And then, at -- about 6, 8  
2 months ago, we just picked up Maritime and Pathfinder, which are  
3 both fairly large companies with 10 aircraft or more, and a couple  
4 smaller single pilots up in that area in as well.

5 Q. Okay. And then, with you being the PIO for Temsco, how long  
6 have you been assigned to that --

7 A. I moved up here about 4 years ago, and have been assigned to  
8 that certificate since I moved here.

9 Q. Okay.

10 A. And it may have been more closer to 3½.

11 Q. Okay. All righty. And then, with the Temsco certificate  
12 itself, that's held here at the Juneau FSDO and not the Polaris?

13 A. That's correct.

14 Q. Okay. Juneau, okay.

15 A. Yes.

16 Q. Cool. And then, for the certificate management team for  
17 Temsco, how many inspectors make up that team, if you will?

18 A. Well, we've got three inspectors. We've got an ops;  
19 maintenance, Dave Frederick; and then we also have an avionics  
20 inspector attached to that certificate.

21 Q. Okay. All right. And then kind of -- I know you have a lot  
22 of certificates you work with, but what would say kind of I guess  
23 on an average week or month is how much time you spend working  
24 with Temsco and their certificates, would you say, just kind of a  
25 rough number?

1 A. Well, you know, we split our surveillance up amongst all the  
2 operators equally, or try to. And Temsco is kind of a bit larger  
3 than all the rest of the certificates, but we kind of  
4 unfortunately treat them the same as we do all the rest of them.  
5 So we probably -- according to our old work program, we were, you  
6 know, assigned a certain amount of surveillance activities that we  
7 would do. Temsco is actually based out of Ketchikan, which they  
8 have a fairly significantly large base here in Juneau, which we  
9 ended up -- tend to spend more of our time at locally, just  
10 because it's easier to get to and whatnot. But -- and they do  
11 have a higher tour activity here in Juneau than they do in  
12 Ketchikan. But I would say that on a quarterly basis, we probably  
13 achieve four to five surveillance activities a quarter.

14 Q. Okay.

15 A. And those can kind of get moved around at times. And because  
16 we are seasonally based and we do -- the majority of the flight-  
17 seeing and the majority of the helicopter flying occurs between  
18 March and October, that's when we tend to try to get out in the  
19 streets and make our presence known, which in my personal opinion,  
20 I think helps aviation safety, having an FAA evil person in the  
21 neighborhood. Once your presence is there, they tend to, you know  
22 -- so but with that being said, I'd say four to five activities a  
23 quarter is about average.

24 Q. Okay. All right. And just kind of -- you know, I know  
25 you've got a lot of experience with helicopters up here and

1 different companies and everything like that. What's kind of like  
2 your overall perception of Temsco from a operational aspect?

3 A. Well, Temsco -- and I think they kind of fit the mold for  
4 everybody locally here, are -- is a mature company. They've been  
5 around since '72. They have established a business profile that  
6 they haven't deviated from in a long time. So from a principal  
7 perspective, it's pretty nice to have a company that's not out  
8 there doing crazy stuff and exploring new technologies and  
9 whatever. But for the most part, I think they've found what they  
10 do and they do it well. And I don't think they have -- I think  
11 they have a very strong safety culture and I think that they're a  
12 compliant operator that takes any suggestions that we have to  
13 heart.

14 As a safety inspector, one of the things that you do a lot is  
15 try to sell concepts that may not be regulatory. They are always  
16 on board with any suggestions that we have. So I think they're a  
17 mature and safe company, from my perspective.

18 Q. Okay. And then kind of adding on to that with -- I guess the  
19 FAA's relationship with Temsco, you said it's pretty positive and  
20 they're open for dialogue, you said, and --

21 A. Yes. Yeah. Yeah, it's interesting -- and I have to be very  
22 careful because I had worked for the company before.

23 Q. Sure, sure.

24 A. But it was a long time ago. But I do know all the  
25 operator -- or all the people in the company fairly well. So they



1 talk about regulatory capture and being too close to your  
2 operator. That's something I'm very aware of. And it is a very  
3 professional relationship and the operator's aware of it too.

4 I mean, we -- I'm the regulator and I'm there to hold them to  
5 a standard. And I think that we've had a good relationship. Most  
6 -- you know, the FAA and the stakeholders and the certificate and  
7 operators, our whole relationship is based on trust, and I think  
8 that we have a strong trust relationship. And any time I've ever  
9 called to ask them for information that may be hard for them to  
10 supply, they've always been up front and willing to supply it and  
11 honest. So --

12 Q. And then, just kind of with the overall management team at  
13 Temsco, with like the chief pilot, director of safety, director of  
14 maintenance, the various base managers, what's kind of your, I  
15 guess, perception of working with them, and what you've seen over  
16 the years with them?

17 A. Well, everything I just said just a second ago applies, but  
18 they have a very stable management team. The chief pilot is the  
19 grandson of the founder of the company. The director of ops has  
20 been in that position for -- since the mid-90s. I'm not so sure  
21 on the maintenance side. I don't deal with that side as much, but  
22 I think that's a stable background too. I think they've all been  
23 in place for a number of years.

24 Q. Okay.

25 A. And again, just all high moral values and are trying to do

1 the right thing, I believe.

2 Q. Okay. You mentioned before about high moral values and  
3 stuff, and kind of go into the culture and, you know, just kind of  
4 with what you've seen with their organizational culture with the  
5 various entities working together. Has it been, like you said, a  
6 pretty good culture there, what you've seen so far?

7 A. Yeah, I think they have a good safety culture. They're not  
8 involved in the Medallion program like a lot of the other  
9 operators are, but they have -- and they may be now. I'm not  
10 sure. But they have adopted several other outside entities to  
11 come in and oversee them. And that's the hardest thing, I think  
12 for outside agencies to capture is the culture, you know,  
13 because --

14 Q. Yeah.

15 A. -- it's really difficult to capture that. But I believe that  
16 the safety culture from the top down, including the owning company  
17 that owns that Temsco and the other operators around locally  
18 promote that from the top down. So --

19 Q. Okay.

20 A. And we have met with the owners several times of the parent  
21 company and I can tell you that they at least will give you that  
22 impression, and I believe it's true, that they don't want any  
23 accidents. And they totally embrace positive changes to be, you  
24 know, proactive in preventing accidents.

25 Q. You mentioned before about, you know, them being looked at

1 stuff. I know they do the TOPS.

2 A. Yes. That's kind of what I was referring to.

3 Q. Do they ever, I guess, bring you into the loop on that and  
4 show you the results or discuss that with you guys at all on your  
5 end, or --

6 A. Not really. They don't tend to do that. Same with the  
7 Medallion. We are separated from them, and by design actually, in  
8 that that is a program that it's not required by us at all.

9 Q. Sure.

10 A. We totally love that they do it and it's great to have a  
11 second set of eyes. And we can't actually promote a lot of that  
12 type of stuff from just the regulatory aspect, but I'm glad that  
13 they do it and I think that they all gain stuff from those.  
14 Sorry. I didn't probably say that very well, but you kind of get  
15 what I'm saying.

16 Q. Yeah, definitely, definitely. Then kind of switching gears  
17 then. With operational control at Temsco, how would you say that  
18 whole, you know, process is performed from your perspective?

19 A. Well, they have very strong operational control program. And  
20 I say that from the perspective that when I worked there in '99,  
21 they had crashed three aircraft in 3 hours, and they were actually  
22 fined by the FAA for loss of operational control. And it was a  
23 big eye opener for the company on how that could actually happen.  
24 And the lessons they learned from that, I think, have really kind  
25 of made them an industry leader in how they control their

1 operations.

2       They have satellite bases where have management in place that  
3 can exercise certain levels of operational control, but I think  
4 the company overall has a pretty good handle on crew pairing, how  
5 they're going to put a pilot in an aircraft that's qualified, that  
6 the aircraft is qualified, and that a mission will be accepted,  
7 terminated or, you know, mitigated through, you know, different  
8 profiles.

9       And as a result of this accident, I can tell you that that  
10 has changed dramatically as well. They've made some improvements  
11 to their operational control program. And I'm speaking more  
12 specifically to their flight risk assessment program, which is not  
13 required by us, but is great that they have it. And it has been  
14 improved upon I think pretty substantially since this accident.

15 Q.   And kind of tying into that with, you know, the dynamics of  
16 operational control. You know, some of the base managers and some  
17 of those folks are kind of younger folks, and you've got some of  
18 the pilots that are a little more older, seasoned gentleman, have  
19 you ever seen dynamics before, I guess, with operational control  
20 with regards to younger base managers and having, you know, senior  
21 pilots, that whole interaction? Have you seen anything on your  
22 level at all, or --

23 A.   I have not it personally, but I can see where it can exist.  
24 But as far as FAA oversight, when we go and surveil bases, in  
25 Skagway, in particular, I met with the people that you're kind of

1 referencing and didn't see it when we were there, but I can  
2 imagine it could happen. So I don't discount something like  
3 that's possible.

4 Q. Sure. Sure. Now do -- kind of going on to the operational  
5 control thing, do you happen to know which folks in Temsco are  
6 allowed to exercise a whole Tier 1, initiate flights, operational  
7 control procedures, you know, per 8900-1? Do you know which folks  
8 those are, by any chance, or --

9 A. Yeah, well, I mean the Tier 1 operational control is  
10 obviously the 119 management. So the director of ops, chief  
11 pilot, and director of maintenance has a role in that as well.  
12 But then that responsibility is delegated out through certain  
13 mechanisms they have in place. And when we get into that level of  
14 it, I'm not as familiar with how it's delegated out. But I do  
15 know that the Tier 1 guys are fully aware of their  
16 responsibilities and operational control, how it works and how  
17 that does get divvied out in a company of that size.

18 Q. Okay. And then, you know, with FAR 119.69 requires, you  
19 know, folks who are doing the whole operational procedures to be,  
20 you know, qualified in the training, experience and expertise.

21 Do you know how the whole training and experience and  
22 expertise is done with Temsco for their operational control  
23 members?

24 A. That's -- no, I don't. They -- by virtue, the 119 people  
25 understand their roles. We, you know, have over time -- and I

1 can't say that I specifically have gone over their roles in  
2 regards to operational control, but I can tell you from my  
3 interactions with them and surveillance of them that I have no  
4 reason to believe that they don't understand their roles in  
5 regards to operational control.

6 In regards to training, the company does annual training  
7 every year with all of their airmen. And those roles are  
8 discussed at great length and described in their operations  
9 manual, which does, I believe, list each person's roles and  
10 responsibilities in the company, to include the facets of  
11 operational control in regards to accepting, mitigating, or you  
12 know, canceling flights.

13 I don't know if that fully answers your question, but I  
14 believe that the 119 people have adequate knowledge of their roles  
15 and responsibilities.

16 Q. Okay. And then, 135.77, you know, requires a list of the  
17 operation control delegates be maintained by the operator. Do you  
18 know where this list is normally maintained at or kept for Temsco?

19 A. I don't. I believe it's in their ops manual though.

20 Q. Okay.

21 A. And I think that there's a chapter in there -- I'd have to  
22 grab it and look at it. I get a lot of the operators mixed up on  
23 how they do it. But I believe that their ops manual spells out  
24 each, like I said, roles and responsibilities of each employee, to  
25 include the actual management and what their roles are. And I

1 believe there's a tree that shows the power of decision-making, if  
2 you will.

3 Q. Okay. When was the last time that you observed or had  
4 another inspector observe operational control procedures at  
5 Temsco?

6 A. I would say that on a quarterly basis, that's something that  
7 we look at. How deep we go into it is hard to quantify. But it's  
8 the foundation of basically our entire processes when it comes to  
9 surveillance. I mean, that's one of the most important things  
10 that we focus on as a regulatory agency is that there is the  
11 ability to initiate, terminate, and continue flights by multiple  
12 different layers of decision making, from the PIC all the way up  
13 to the company. And I think we look at that every quarter to some  
14 degree. I wouldn't say that I've actually gone out and targeted  
15 operational control as a single focus item. But I believe that  
16 it's covered pretty much every time we go out.

17 Q. And then, I know we kind of briefly touched on this before,  
18 about how many folks within the company are authorized to exercise  
19 operational control on behalf of the certificate holder?

20 A. Well, again, that's kind of complex in regards to the 119  
21 people hold the ultimate responsibility and authority; they can  
22 delegate that out. And through their different bases, they have.  
23 And so base managers, to include dispatchers -- I think their  
24 flight risk assessment profile plays a big role in that to where  
25 you have shared decision making on a flight.

1           So if a pilot is going to go out and accept a mission, there  
2 is a set level of risk that he can assume without communicating  
3 that upwards. Once that threat or risk level has been exceeded,  
4 the shared decision making needs to occur. And not knowing the  
5 complete intimacy part of that in regards to Temsco, but I believe  
6 that their -- it is very well-defined in the company. And I think  
7 if you were to interview the 119 people, they would be very  
8 confident in that they have not lost operational control of their  
9 company's flights.

10           And so without getting into the weeds too much, just because  
11 I don't know, but it is something that can be delegated out to a  
12 fairly long, you know, (indiscernible).

13 Q.       And then kind of switching gears a little bit, what are your  
14 thoughts on the overall safety program at Temsco?

15 A.       Well, it's actually interesting, because Temsco is owned by a  
16 company that owns two other helicopter operators and they share a  
17 safety oversight that oversees all three of them. They also have  
18 some internal safety mechanisms in place. But for the most part,  
19 I believe it's a robust safety culture. It's run by a non-  
20 interested party that's not hired by Temsco, that oversees them  
21 and audits them. And we have direct feedback with him and  
22 interface with him as well, not that he's in the regulatory  
23 requirement at all for us to interface with him, but he's always  
24 been made available. And it's interesting and kind of nice to see  
25 that you have a company that has a non-interested outside third



1 party that oversees their safety that makes it very transparent,  
2 and it's a strong safety program that they have there.

3 Q. Kind of going to the structure on that where, you know, Joel  
4 works as the director of safety for the larger umbrella  
5 corporation, where Temsco doesn't have an actual director of  
6 safety, they have the base managers that perform also as the  
7 safety managers. And have you ever seen, I guess, issues with  
8 that as having a base manager also act as a safety manager,  
9 instead of having a separate safety manager --

10 A. I have not.

11 Q. -- for Temsco?

12 A. I have not seen any issues with that. And then again, I  
13 haven't seen that in great detail as well. I do know the  
14 functions that are performed by the base managers, and Joel does  
15 outsource that -- his, you know, safety responsibilities that he  
16 in that company have identified, out to the base managers. But I  
17 haven't seen any issues with it or -- but I don't know that much  
18 about it either, so --

19 Q. Okay. And then, kind of switching gears, going back to May,  
20 back in that time frame, at the time that the accident happened,  
21 where you aware of the flight risk assessment program that they  
22 were using at the time, and --

23 A. No. No, I was not.

24 Q. Okay.

25 A. In fact, that was something that I identified afterwards and

1 kind of got into, but I did not -- what was not familiar with  
2 their flight risk assessment program.

3 Q. Okay.

4 A. And again, that's not something that we regulate, but with  
5 our new surveillance system, it's something that we can ask the  
6 questions for now.

7 Q. Sure.

8 A. Because it's an SMS-based system, but -- and a lot of the  
9 helicopter companies up here do have SMSs because of government  
10 contracts and stuff like that. And so it's nice that we're now  
11 tracking down that. But thankfully, because of the government  
12 contracts and government agencies that hire these companies,  
13 they've already been forced into that mindset.

14 Q. Yeah.

15 A. Which they have embraced and I believe they -- we don't have  
16 a single company, that I'm aware of, that has an SMS that's parked  
17 on the shelf that they bought for \$6,000 to get a government  
18 contract and they never look at. I think they actually embrace it  
19 and use it and have found the benefits of it. And I think a lot  
20 of that says a lot to the Medallion Foundation too that promoted  
21 that initially. And having worked for a company that was involved  
22 with that, I can tell you that I think the operators have gotten a  
23 lot of benefit out of it.

24 But no, I didn't -- I wasn't aware of their flight risk  
25 assessment program at the time.

1 Q. Okay. And then, kind of, I guess, after the accident, what's  
2 your kind of perception of the system now and their usage of it  
3 now?

4 A. Well, what happened since the accident is they had identified  
5 areas that they were using their flight risk assessment profile  
6 for. And it was for -- kind of broken out into the different  
7 types of missions they do. So there's a tour one. If you were  
8 doing a charter, for example, it kind of took you down a different  
9 set of questions that would be asked. If you were doing heli-ski,  
10 it would take you down a different one.

11 But I don't believe at the time they had one that talked  
12 specifically to Part 91 operations, where you're technically not  
13 flying paying passengers on a mission set that's been identified.  
14 But they have expanded their flight risk assessment program to  
15 address Part 91 missions now.

16 Q. So they are using it for 91 flights then?

17 A. Yes. Yeah.

18 Q. Okay.

19 A. In fact, when I asked the director of ops about it, I said --  
20 I actually asked him, I said, do you use your flight risk  
21 assessment program for part 91 operations? He was like, we do  
22 now. But --

23 Q. So pretty much they use it across the board now --

24 A. Yeah.

25 Q. -- for every kind of 133, whatever they're -- okay.

1 A. Yeah. Exactly. And they do have an external -- what I  
2 believe, so --

3 Q. Okay, cool.

4 A. So I haven't seen it myself, but just having conversations  
5 with them, that was what was explained to me, so --

6 Q. Okay.

7 A. And I have no reason to believe otherwise, so --

8 Q. And then just kind of going back from an admin perspective  
9 of, do you know kind of when that whole flight risk assessment  
10 program was added --

11 A. I don't.

12 Q. -- into their manuals?

13 A. No, I don't.

14 Q. Okay.

15 A. I have a suspicion it's been around for a while though, but I  
16 can't -- couldn't tell you how long.

17 Q. Okay. And then, going back to the whole flight risk  
18 assessment program, kind of what you've heard since the accident,  
19 have most of the -- or all the pilots been kind of receptive to  
20 doing it and --

21 A. I believe so.

22 Q. -- you know, younger pilots, senior pilots, everybody has  
23 been pretty much on board with --

24 A. I haven't heard of any resistance to it. And personally, as  
25 a pilot, I've always liked it because it's given me a tool to say

1 no, you know what I mean.

2 Q. Yeah.

3 A. It's awesome to tell the customer I can't do this because of  
4 this, you know.

5 Q. Yeah.

6 A. So -- but I'm not aware of any actual pilots at any of the  
7 companies that haven't been receptive to it.

8 Q. Okay.

9 A. But I have never gotten in that level of in the weeds either,  
10 so --

11 Q. Sure, sure. Okay. And switching gears, I know you've worked  
12 before with Temsco prior. What was your, I guess, prior  
13 interactions and, you know, opinions of Chris Maggio, working  
14 with, being around him?

15 A. I never met with Chris.

16 Q. Oh, okay.

17 A. So I don't know him. I, of course, knew of him --

18 Q. Sure.

19 A. -- working for the company and always -- I can tell you my  
20 impression that I have always received from Chris, that was that  
21 he was -- had been with the company for an extremely long time,  
22 had been a positive -- all I can tell you is I've only heard  
23 positive things about him. I've never heard anything negative  
24 about him, so -- and all the positive things, I can't even tell  
25 you what they were. But just that -- I just -- I never heard

1 anything negative about Chris.

2 Q. Okay. And then kind of switching gears, going over to the  
3 AStar 350 series. Have you ever seen any issues before with  
4 Temsco having issues with securing of internal cargo, like, you  
5 know, dog boxes, and --

6 A. No.

7 Q. -- using certain straps or mooring points or anything of that  
8 nature?

9 A. I've never observed any issues with that.

10 Q. Okay. Have you ever seen them actually do the whole dog box  
11 installation and de-installation at all, or --

12 A. No, I have not. Not at Temsco.

13 Q. Okay. And then, with the -- you know, the rear cabin area  
14 back there has got that 682-pound limit. Have you ever seen  
15 issues in the past with Temsco going above that limit with dog  
16 boxes or people or whatever, cargo?

17 A. I never looked for it, so I've never seen anything like that.

18 Q. Okay.

19 A. But I've never actively thought about it or tried to look for  
20 something like that. But no, and I don't believe it's ever been  
21 abused before, or --

22 Q. Okay.

23 A. That I'm aware of.

24 Q. Okay. And then, you probably know more about this topic than  
25 I do. With the particle separators, is that -- that's a

1 requirement then with the POH then to have that installed with  
2 blowing snow conditions or potential whiteout conditions, having  
3 those particle separators installed? Is that --

4 A. It depends on the model, and I don't know the particulars  
5 about that actually.

6 Q. Okay.

7 A. There's several manufacturers of particle separators. Each  
8 of those have different limitations placed on the aircraft.

9 Q. Okay.

10 A. But without actually pulling out the POH and --

11 Q. Sure.

12 A. -- reading it, I can't tell you about that.

13 Q. Sure. Okay, okay. Now, going back, I know you said you work  
14 other certificates. Did -- I apologize if we asked this before.  
15 Do you work in any other certificates with North Star or Coastal?

16 A. In regards to like 133, 137?

17 Q. Yes. Yeah.

18 A. Yeah.

19 Q. You do? Okay.

20 A. Yeah, all of them have multiple certificates.

21 Q. Okay, okay. All right. And then I guess just with the  
22 overall culture between, you know, those other entities, even  
23 though they're under the same umbrella, just working with pilots  
24 and operational control aspect, is it similar culture with the way  
25 things are done and the way things are received and executed,

1 and --

2 A. Yeah, it's a really interesting question, because the three  
3 companies locally here actually do share decision making amongst  
4 themselves when it comes to missions. So if the weather is  
5 marginal, you'll have situations where Coastal will call Temsco  
6 and ask them if they had someone out there, or if they just  
7 canceled a flight, why, or -- so it's really kind of awesome that  
8 they do that level of communication amongst themselves.

9 And they all know that -- or I believe they -- they believe  
10 that an accident for one hurts everybody, so there's no -- I came  
11 from Portland where there was a lot of competition and a lot of  
12 holding information back. And so it's nice to see a place here  
13 where you have all mature operators who aren't trying to prove  
14 anything or expand out of their area of -- and all of their  
15 boundaries are defined. So I think they -- there is no fear of  
16 reaching out and talking to each other. I think they do that.

17 Q. I did have one more question for you. With the  
18 qualifications for -- you know, if I wanted to get a job working  
19 at Temsco tomorrow, minimum of a commercial license, and then is  
20 instrument also required on top of that?

21 A. I believe it is now.

22 Q. It is now? Okay.

23 A. Yeah. I've actually talked to the company about that. And  
24 it's not a requirement on our side, but -- I don't know when they  
25 adopted that policy. And the conversation I had was with the



1 chief pilot. And the two factors that have played into that is,  
2 one, you can actually find instrument-rated pilots now, as where  
3 20 years ago, unless you were flying the Gulf of Mexico, why waste  
4 the money on getting an instrument rating?

5 Q. Sure.

6 A. But everyone has them now, and so it's much easier to make  
7 that a requirement. And they have. So I believe pretty much  
8 anyone they hire now does have an instrument rating.

9 Q. And then as far as you know, like with some guys that may  
10 have been there for a while, were they also -- like if they're  
11 working there prior to that policy came out and they didn't have  
12 one, were they required to get one then or --

13 A. No.

14 Q. They were just kind of grandfathered in without an instrument  
15 rating then? Okay.

16 A. I think they still have a couple people like that. I'm not  
17 sure about Chris, if he was instrument rated or not. But I do  
18 know that some of the senior management guys still don't have  
19 theirs.

20 Q. Don't, okay.

21 A. I don't think that it would apply either, but --

22 MR. HODGES: Okay. Brice, did you have any questions?

23 BY MR. BANNING:

24 Q. Yeah. Just for clarification, and forgive me if you already  
25 mentioned it, but you talked about how many certificates you held.

1 At the time of the accident how many certificates were you  
2 responsible for?

3 A. If you're including the 133, 137s, I think it was probably in  
4 the neighborhood of 20.

5 Q. Okay.

6 A. But I can get you an exact number. In fact, I can go find  
7 that now, but --

8 Q. Okay. And then today it sounded like there are more on top  
9 of that --

10 A. No, that was --

11 Q. -- due to the merge or --

12 A. The merge happened prior to the accident.

13 Q. Oh, okay.

14 A. So it kind of came in phases. The way they made the merge  
15 happen was that they brought the fixed wing certificates over  
16 first. And then the helicopter certificates followed a couple --  
17 6 months later or so.

18 Q. Okay.

19 A. But it was, I believe, a month or two prior to the accident  
20 when -- we may have actually been at the first of the year when we  
21 got the rest of the certificates, so --

22 Q. Okay. And so currently, you're -- and at the time of the  
23 accident, you were -- you're responsible for about 20  
24 certificates?

25 A. Yeah. And I'll get you the exact number when we get out of

1 here. So --

2 Q. Okay. Yeah. And then, do you have an assistant, an ops  
3 assistant or --

4 A. We do have geographically sited inspectors that assist with  
5 us, and I do use them a lot. So at the time we had an ops  
6 inspector in Ketchikan who did primarily all my surveillance on  
7 Temsco down there at the time. So --

8 Q. Okay. And do you mind explaining to me how that worked?  
9 Would you assign him a work item and --

10 A. Yep. Yep, exactly. The way it works is as a principal you  
11 oversee the certificate, and then if you have assets that you can  
12 use -- and we do it a lot, and we're moving more in that direction  
13 to where we outsource our work to other folks and get outsourced  
14 work to us as well. So I do work for other -- or other offices a  
15 lot. But yeah, you'll just assign the work to them. There's  
16 always a briefing that goes ahead of it with, this is what I'm  
17 looking for, these are areas that are I want you to focus on.  
18 Because we do risk-based decision making now. That's our big  
19 thing. And we've always done it. It's just now we've actually  
20 put it in writing, but --

21 Q. Right.

22 A. -- it's something that I believe we've always done. And we  
23 put our resources to where we think they're going to be the most  
24 effective. And so yeah, at the time we were using remotely sited  
25 inspectors to do surveillance.

1 Q. Okay. And then when he went out and did the work program,  
2 did he report back to you via a phone call? Was it all just in  
3 the --

4 A. Yeah, it was via phone call.

5 Q. Okay.

6 A. That's not always the case. But in that inspector, in my  
7 relationship, phone is an easier means of communicating. So it  
8 usually it was by phone.

9 Q. Okay.

10 A. But it does always have to be. But I think there is always,  
11 for the most part, an effective exchange of information after  
12 surveillance has been done. So I don't think it's kind of  
13 happening in the dark and then the principal is not aware of  
14 what's going on. But yeah, so --

15 Q. So there's an avenue of communication where you found out  
16 what he --

17 A. And sometimes that may just be in regards to -- in the case  
18 now with our automated surveillance system, you know, you have to  
19 as a principal review that it was completed and that there was any  
20 negative findings and address them.

21 Q. Okay.

22 A. So I don't think you'll find that the way we've set up our  
23 surveillance now, that the primary oversight of a certificate is  
24 going to be unaware of negative findings. We don't obviously do a  
25 lot of positive findings, but there is a mechanism for that as

1 well.

2 Q. Okay. There -- and I know Mike already touched on this, but  
3 I had a couple more questions just for my clarification. With  
4 regard to the risk assessment, prior or at the time of the  
5 accident, that risk assessment, my understanding, was not part of  
6 the GOM. Is that an accurate statement?

7 A. That is, I believe. It's not required by regulation, so it's  
8 not going to be in the GOM. And the way most companies address  
9 non-regulatory elements that they incorporate is through either a  
10 policy manual or a safety manual or something that we won't have  
11 oversight of.

12 And with that being said, that's actually kind of by design.  
13 If -- they're never going to show us anything that they don't have  
14 to. So anything that's not required by our regs is usually kept  
15 outside of our purview. And we'll -- you know, with our new  
16 oversight system, we do ask SMS questions now, even though it's  
17 not regulatory. We have a lot of inspectors that have issues with  
18 it because we're asking questions that they don't have to answer.  
19 But I'm glad we're moving in that direction. And so now -- and I  
20 can't say this is a case with Temsco, but I can ask if they have a  
21 risk-based -- or I mean, a flight risk assessment program, and ask  
22 to see it. Not that they have to show it to me, but they would.

23 Q. Right.

24 A. So --

25 Q. And do you know if Temsco currently -- the risk assessment,

1 it sounds like is more robust since the accident, they've made  
2 some changes. Is that flight risk assessment now a requirement  
3 per the GOM or is it referenced in a procedures manual, or how  
4 does Temsco handle that, do you know?

5 A. I don't.

6 Q. Okay.

7 A. I really don't know that. And I would be curious to know  
8 that as well. But yeah, I wish I could talk more about it. I  
9 just don't know where they keep that document and how it's -- but  
10 like I said, I can ask the question now. And I'm glad that we are  
11 moving down that rabbit hole.

12 Q. And have you seen it since it's been made more robust, or --

13 A. No.

14 Q. -- you've just been made aware of it?

15 A. I've been made aware of it and --

16 Q. Okay.

17 A. That's actually my fault. I meant to go out and physically  
18 put my hands on it, which I was offered to do that. I just never  
19 got a chance to do it.

20 Q. Sure.

21 A. I've been moved into a detail right now that I'm not the  
22 principal of the company anymore, so --

23 Q. Okay.

24 A. It's kind of even not my -- I don't think I even really am  
25 supposed to surveil them at this point, but --

1 Q. Okay.

2 A. But yeah, they've been -- I would love to see it. And we've  
3 been made available to do that, so --

4 Q. Okay. And current -- so currently, you're not the principal  
5 of Temsco?

6 A. No.

7 Q. But you were at the time of the accident?

8 A. Yes.

9 Q. And how long -- when did your detail start?

10 A. Just a month ago or so.

11 Q. Oh, okay.

12 A. So just a 6-month front-line manager, so --

13 Q. Oh, nice. Good for you.

14 A. Yeah, yeah.

15 Q. Nice.

16 A. Get to try the manager side for a little side. See if they  
17 kick me out of there.

18 MR. HODGES: Cool.

19 MR. BANNING: Good for you. I don't think I have any more  
20 questions, Mike.

21 MR. HODGES: Okay. Howard, do you have any?

22 MR. MARTIN: No, I'm --

23 MR. HODGES: Matt, did you have any additional questions?

24 BY MR. RIGSBY:

25 Q. I don't think so. Well, Rich, just one quick one. For

1 Temsco, are you current in older aircraft models that they fly?

2 A. Yes, I am.

3 Q. Okay, good. What about -- is there a requirement for Temsco  
4 to do any flat light or whiteout conditions training or anything  
5 like that in their operations manual?

6 A. Yes. Their training manual actually addresses that topic.  
7 And they do multiple different levels of that training. There's  
8 ground-based training that the company performs every year with  
9 all of their pilots in initial and recurrent training. And then  
10 they actually do flight training as part of their recurrent and  
11 initial training, as well as they'll do base-specific training.

12 So when a pilot gets assigned to a base, before they're  
13 allowed to work at that base, they're required to go out and do an  
14 area-specific training module that is not regulatory in nature,  
15 and we don't have oversight over it but I do know that they do it.  
16 And they'll take the pilots out and actually put them in the flat  
17 light, and obviously not whiteout, with the exception of rotor  
18 induced whiteout.

19 But yeah, it is something the company has a strong history  
20 of. They're very aware of it and they do train their pilots at  
21 multiple levels of degrees in flat light and whiteout.

22 Q. Okay. How many pilots does Temsco have, do you know, off the  
23 top of your head?

24 A. Well, it's a seasonal company, so they've got anywhere from  
25 probably 20 in the wintertime to 100 in the summertime.



1 Q. Okay.

2 A. And I'm just kind of guessing, but I --

3 Can you back me up on that, Dwayne?

4 MR. EDWARDS: You're probably close. It's -- yeah, I'd say  
5 you're close.

6 MR. PEABODY: Yeah.

7 MR. EDWARDS: It varies though regionally, you know, for the  
8 summer.

9 MR. PEABODY: Right.

10 MR. RIGSBY: Okay. I think that's it for me. I appreciate  
11 it. Thank you.

12 MR. HODGES: Did you have any questions for any of us at all  
13 or --

14 MR. PEABODY: No, no.

15 MR. HODGES: All righty. It's about 10:50 on the 8th, and  
16 we'll go ahead and stop recording at this point.

17 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            CRASH OF AIRBUS HELICOPTER N94TH  
                                      NEAR SKAGWAY, ALASKA ON  
                                      MAY 6, 2016  
                                      Interview of Rich Peabody

DOCKET NUMBER:                ANC16FA023

PLACE:                            Juneau, Alaska

DATE:                             December 8, 2016

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.

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Katie Leach  
Transcriber