

Attachment 1

**Operations Human Performance
Group Chairman's Factual Report**

DCA01MA034

Interview Summaries

Interview: Ken Seals, Director of Operations, Avjet
Represented by: Declined
Time/Date: 1349, March 30, 2001
Location: ASE Firehouse
Present: Kirchgessner, Byrne, (NTSB); Mack (FAA)

During the interview, Mr. Seals stated the following information:

The company was formed in 1977. Avjet was a management/charter company where the managers owned the airplanes. When the owners were not personally utilizing them under FAR Part 91, the airplanes would be available for on-demand charter trips that were flown under Avjet's Part 135 certificate. All cockpit crews were assigned to a specific airplane and owner and most pilots were certified for both Part 91 and Part 135 operations.

All 55 pilots and four checkairman were full-time employees. He said initial and recurrent training was conducted at Simuflite. The FAA principal operations inspector (POI) had approved the use of Simuflite's forms for required training documentation. The six-month PIC checkrides were administered in the airplane with an Avjet checkairman.

The accident airplane, N303GA, was not used extensively under Part 135 because the owner frequently traveled to Hungary about 10 days each month.

The accident captain, Bob Frisbie, had a Gulfstream type rating when he was hired in September of 2000, but he was not certified under Part 135. Bob had previous Part 121 experience as a B737 captain with Casino Express. He was sent to recurrent in December of 2000 and received a Part 135 checkride at Simuflite. This checkride was administered by a Simuflite checkairman.

He said the accident first officer, Peter Kowalczyk, was previously employed by CA Charter Company and was Part 135 SIC qualified when Avjet hired him. His total flight time was about 5000 hours. He received full initial training at Simuflite but company procedure was not to type-rate initial new-hires. He flew both Part 91 and Part 135 until February 2001 and then received a PIC check at Simuflite. Mr. Seals said that he thought he had only been assigned as an SIC at Avjet.

He stated that there would only be a few company pilots who had flown with the accident crew because each crew was assigned to one particular airplane. The accident crew had flown into Aspen (ASE) on two previous occasions. This particular crew had been paired together for the previous five months.

Avjet used the Gulfstream Flight Crew Operating Manual (FCOM) but they developed their own company operations manual. The company had a previous accident in ASE involving a Challenger that had a nose wheel steering failure.

He had been the director of operations (DO) for six years. He said there was an FAA violation in the 1990's that involved using a flight attendant and a captain before their drug screening was verbally verified.

He said there was domestic flight following for all Part 135 operations and flight plans were prefiled. Universal Aviation in Texas was contracted to provide all international flight plans. Company telephones were manned seven days a week during normal hours. After hours, the answering service passed through calls to the on-call person.

The aircraft manifest identified the flight as either Part 135 or Part 91.

A computer program named Flight Pak was used to track pilot flight times.

The company secured the fuel slips for each stop made by the accident airplane.

He said the airplane stopped at Garrett Aviation, the fixed base operator (FBO) in LAX, and picked-up passengers and fuel.

Each aircraft had a maintenance release form that was left at the maintenance base.

The company considered ASE a special airport. Regulations did not require crews to have a formal signoff for that airport. When going to a special airport, the charter manager discussed the crew's qualifications with upper management and might not assign a captain to an airport to which he was not familiar.

Interview:	Derek Mehlschau, Customer Service Rep, Aspen Aviation
Represented by:	Declined
Time/Date:	1513, March 30, 2001
Location:	ABO conference room
Present:	Kirchgessner, Byrne

During the interview, Mr. Mehlschau stated the following information:

He said that he was working at the Aspen Base Operations (ABO) front counter as a customer service representative at the time of the accident. ABO had employed him full-time for about two and one half years. He also worked as a dispatcher in the ABO charter department. He was a certificated pilot and certified flight instructor (CFI) and had a degree in aeronautical science.

He said that when N303GA was about 30 minutes from ASE, the flight crew called him using their air-phone. He thought the time of that call was sometime after 1815. The crew wanted to ensure that the rental cars for the passengers would be ready upon their arrival. He said it was a short call and stated that it was difficult to hear pilots when they used the air-phone.

He said that when N303GA was about 10 minutes from ASE, the flight crew called on the ASE local airport frequency. He said there were no other calls from the accident flight crew after this call. He said that call and the call placed on the air-phone sounded normal to him. The voice he heard on the air phone and the voice he heard on the Unicom from N303GA sounded like the same voice.

There was another airplane, possibly Learjet N37FA, which called and requested ground transportation. He said the crew of N37FA was based in ASE. There was also a Challenger inbound about the same time, possibly N898R. He could not remember which of the three airplanes was first but remembered seeing them inbound on the Flight Trax¹ program that was available at the customer service desk.

No aircraft experienced approach or landing problems prior to the accident airplane. He said that a Beechjet departed just before curfew time. He remembered that fueling of the Beechjet was completed about 1840. He said the curfew time, 30 minutes after sunset, was about 1858.

A few of the on-duty line workers might have seen the airplane. A line supervisor called him on the company radio and told him that a plane had crashed.

At the time of the accident, he said there were snow flurries but that it really started snowing when the fire trucks were rolling by after the accident. He remembered seeing snowflakes at the time of the accident and he said he could see across the airport. He said from his view, it seemed dark outside.

There were many pilots who did not like the ASE approach because of the steep descent and landing after dark. He said the policy of some companies prohibited landing after dark.

Interview: Jeff Boyd, Supervisor, ABO
Represented by: Declined
Time/Date: 1530, March 30, 2001
Location: ABO conference room
Present: Kirchgessner, Byrne

During the interview, Mr. Boyd stated the following information:

He was the night supervisor and was working when the accident occurred. His normal shift was 1300-2300 and he came on duty the afternoon of the accident about 1300. He had been with ABO for about eight years and had a degree in aeronautical engineering.

He was at the fuel farm filling a truck when he saw the accident airplane on final approach. The fuel farm was located on the north ramp. He said he watched the approaching airplanes whenever he was at the fuel farm.

¹ A computer software program used at ABO to track incoming flights.

He said he saw the landing lights and the approach started out as normal. The bank angle increased as the airplane turned towards the airport. The airplane then went out of sight and he saw a fireball.

He said the landing light he saw was one single light from the nose wheel. The landing light appeared as one solid light and did not appear to broadcast a beam.

He first saw the airplane about seven miles out from the airport over Triangle Mountain. It seemed as though the airplane was on course. He said the approach from that direction was off-center when an aircraft flew over the VOR. As the approach progressed, the airplane would get closer to the extended centerline by the river and Shale Bluffs. At about this point, the airplane appeared to be low, right of the extended centerline of the runway (from the pilot's perspective) and the bank angle started to increase. He could not estimate the bank angle because he was not a pilot. He said he saw the change in direction of the airplane. Although he did not see the impact or hear an explosion, he did see the resulting fireball.

The weather conditions at the time of the accident were light snow with three to four miles of visibility. The winds were from the north at five to ten knots. He described the wind as light and neither strong nor gusty.

A Challenger preceded the accident airplane and initiated a missed approach. He thought the Challenger diverted to another airport but was not sure. He said he was only aware of one approach made by the Challenger. After the accident, he was informed that the airplane that initiated the missed approach was Challenger 898JR.

He said that 30 or 40 minutes after the accident, four airplanes landed at the airport. He said a "Flight for Life" Turbo Commander landed, a Falcon 50, a Westwind and an Astra N28NP. It was not snowing when these four airplanes landed.

There was some controversy whether or not to close airport since the fire trucks were no longer on the field.

Mr. Boyd later amended his comments and stated that when he first saw the accident airplane, it was more to the right and lower than he originally stated. He said it appeared just about the top of the ATC tower cab from his vantage point when he originally saw it.

Interview:	Anthony Todaro, Line Service Technician, ABO
Represented by:	Declined
Time/Date:	1605, March 30, 2001
Location:	ABO conference room
Present:	Kirchgessner, Byrne

During the interview, Mr. Todaro stated the following information:

He had worked at ABO for over two years and held a private pilot certificate.

He was on a tug, standing up and looking behind him, when he saw the landing light of the accident airplane. He said the landing light on a Gulfstream was a single light located on the nose wheel.

It looked as if the airplane was almost approaching on a base leg to final and not like the straight-in approach that he normally saw. He said it appeared to be rounding out a final turn and getting ready for touchdown.

The airplane appeared a little bit west of centerline when he saw a landing light and then the landing light went from the sky to straight down really fast. He saw neither a beacon nor navigation lights. He said the landing light was not broadcasting a beam. He did not hear an explosion or any engine noise.

He had a friend who was driving home on the road adjacent to the airport and he was one of the first to reach the accident scene. He said he spoke to his friend shortly after the accident. His friend told him that the airplane was in a 60 or 90 degree bank as the airplane turned back towards the runway. His friend said that the airplane overshot the runway centerline and the left wingtip hit the mountain.

The weather had been going from sun and partial clouds to almost zero visibility throughout the day. At the time of the accident, he said the snowflakes were about the size of a dime and visibility was over one mile. He said that just after the accident, the snow was really bad for about 10 minutes and then it cleared. Before the accident, it was snowing significantly because it was hard to drive the tug as the snow was hitting him in the face.

Interview: Jeff Friday, N37FA pilot
Represented by: Declined
Time/Date: 0900, March 31, 2001
Location: via telephone
Present: Byrne

During the interview, Mr. Friday stated the following information:

He was the pilot of Learjet N37FA. His flight was inbound to ASE about the time of the accident.

He said that he was cleared for the approach by ASE approach control. He heard N303GA switch to the ASE tower frequency but did not hear any other transmissions from the accident airplane.

When N37FA was over the DBL, the control tower notified them that the airport had been closed as a result of the accident. He said they then executed the missed approach.

During the approach into ASE and the execution of the missed approach, N37FA never descended below 14,300 feet MSL and never flew into the valley. He said there were broken clouds and scattered showers around the airport environment on the west side of the airport.

He said he had flown out of ASE most of his life and stated the weather was typical.

Interview: Mike Bonamarte, Deli Owner
Represented by: Declined
Time/Date: 1408, March 31, 2001
Location: via telephone
Present: Kirchgessner, Byrne

During the interview, Mr. Bonamarte stated the following information:

He was returning to his home in Snowmass from the gym in Aspen Meadows. He said he left the gym about 1845. On a normal day, it took about eight minutes to drive to the airport.

As he drove past the airport, he said that the weather conditions were relatively poor. He described the snow as big wet snowflakes and it was snowing heavily towards the airport. Near the end of the runway towards Shale Bluffs, he saw the lights of an approaching airplane. He thought the airplane was farther left than it should have been and it appeared to be in trouble. He said the airplanes were usually on the right side at that point.

He observed one wing facing skyward and the other wing facing towards the ground. He saw one wing catch the ground and stated the fuselage smashed into the ground as he passed. He looked out his driver's side window and saw the fireball. He pulled his car off the road, jumped out and tried to render assistance.

He estimated the time of the accident to be about 1900. He said that by the time he got back in his car, it was about 1920 and he was only at the scene for about 15 minutes.

He described the lighting conditions at the time of the accident as "dark, definitely dark".

The lights he saw on the airplane seemed like two very bright lights. When he saw the silhouette of the airplane, it was at 90 degrees with a wing towards the ground. It appeared that it was going to crash. He said there was no possible way to land in that position. He said he had never seen an airplane in that position. When he first saw the airplane, his heart dropped and he realized it was not in a landing position but more in a crashing position.

He said he heard the engines as he went by. He was listening to a local music station on the car radio. It was typical winter driving with the windows closed, heater on and a

speed of about 40 mph.

He had driven that same route every day and had seen “thousands” of airplanes approach the airport from the road. His deli catered business aircraft at the airport. He described himself as very observant.

When he saw the plane, he was at the end of the airport about where the road took a gentle turn to the right. At this point, airplanes usually came into his visual field from the right but the accident airplane came into his visual field from the left. He said the time from when he saw the aircraft mispositioned to his left to the time of the crash was about 30 seconds.

The airplane appeared as two lights. When it came at him, it appeared to be a big light and he was not sure if the lights were meshed together. He said that when the plane went on its side, he was not sure if he could see any lights on the side of the airplane or any cabin windows. He was looking at the top of the airplane. He said the plane banked towards the road.

He could not determine if the gear was down. He said he believed the gear faced away from him because he saw the white top of the airplane.

He said the engine noise sounded like in the movies when fighters went into the dive position. He said it was more like an airplane landing, not the rumble you get when an airplane took off. He described the engine noise as a whining/deceleration noise.

He could not estimate the visibility because it was nighttime but said it was “not good.” He said he was able to see past the control tower and he saw the lights of the accident airplane at Shale Bluffs. At that point, he saw that the airplane was to his left and in the wrong position.

Interview: Stephen J. Sirk, Director of Training, Avjet
Represented by: Declined
Time/Date: 1447, April 1, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Mr. Sirk stated the following information:

Avjet hired him in May 1997. He was appointed to his current position on 3/1/01. His responsibilities since March 1 included coordination of all required training under Part 135 and implementation of any new training programs required by the FAA. He and the DO were responsible for adding any new training requirements to the company training manual.

He was a checkairman and performed required Part 135 flight checks. For line checks,

he sat in the pilot seat, however, he can sit in the jump seat but most of the time he did not.

He also administered written tests to the pilots. He said he was responsible for everything involved with training. He did not have an assistant and he performed the duties previously assigned to the DO.

He said that most of the training was done one on one with the pilots. His average class size never exceeded six students. He said the only time there were more pilots involved was when emergency training was conducted by a local vendor, Corporate Air Parts (CAP). Mr. Neil Loy conducted classes at CAP and he was approved to conduct the annual emergency training required under Part 135. Mr. Loy was designated as an Avjet instructor and was legal to sign-off each crewmember's emergency training.

Mr. Sirk was notified of the accident on Thursday evening. Mr. Rich Hildenbrand called him at home about 1830. Rich asked for information on where to find the procedures for responding to this type of event in the operations manual. Rich was the only one in the office at the time and he wanted to ensure the required procedures were followed.

He said someone called an Avjet dispatcher about the accident and then the dispatcher notified Rich. He did not know who called the dispatcher. At Avjet, a dispatcher meant a scheduler and he emphasized that scheduler was the proper terminology for the position.

When he arrived at the office, he helped out wherever he could. He said the director of training had no stated responsibilities in the accident plan, however, he notified the NTSB and FAA. He said the procedures worked very well that night.

He estimated the average age of the pilot group to be in the middle 40's. He described them as one of the most professional group of guys he had ever worked with. He said you had to be professional flying the Gulfstream. He said "very professional" was the best way to describe the pilots at Avjet.

If the operational or safety information Avjet wanted to communicate to its pilots were urgent, it would be placed in the pilots' mailboxes at Burbank (BUR). If the information was not urgent, he collected it for use in recurrent training. He said the instrument quiz in Pro Pilot magazine was something he used during recurrent training. He said that this quiz fulfilled the written/oral requirement on a 297-instrument check and it was good because everyone received the same test.

He said a 297 check was the six-month instrument check and a 293 check was the yearly check. Both of those checks involved an oral and flight test. He said the 299 check was the yearly line checkride. Those were the three checks he was authorized to administer in the Gulfstream 1159 series aircraft.

Checkairmen were permitted to conduct training during a checkride if someone did not

perform satisfactorily. He said they temporarily removed their check airman hat and put on their instructor hat. Following appropriate instruction, they resumed check airman duties and continued the checkride. He has had no 297 checkride failures in the Gulfstream II or III. He said that if a check event was failed, the pilot may or may not ride with the same check airman again. One option was to have the pilot ride with the FAA. He said in reality, they knew whether or not to put the pilot up for another check.

He only administered six-month checks. All other required checks were done in the simulator. If a pilot failed a check, he was disqualified and removed from flight status. The next step was ground school retraining on basic issues and the specifics that the pilot had failed. The actual requalification process required the pilot to be retrained to the recurrent level, i.e., ground training, aircraft training and another flight check. Another failure required a review by the chief pilot.

Many pilots had come and gone at Avjet but he was unsure of the reasons for their departure.

A consortium randomly conducted Avjet's drug and alcohol program. When a pilot received a testing notice, he had a finite time period to get to the lab for the test.

He said training was essential and it was supported 100 percent by the company. It was very demanding to ensure that everyone was trained properly.

He was very pro simulator because there were many things that could only be performed in the simulator. He also believed that riding with a company instructor was very important for standardization. He said that Simuflite did a great job but Avjet had the final responsibility. Avjet made sure the pilots understood the callouts, the SOPs, etc.

He had not observed any company training at Simuflite. However, the DO had done an audit of that training. The new training manual and the company's operations specifications (ops specs) allowed Simuflite to conduct pilot training. He said that he used the checkride forms and the training records to ensure that Simuflite had complied with Part 135 requirements.

Simuflite provided Avjet with a copy of the initial and recurrent training records. Their instructors used the five to one performance numbering system. The Part 135 initial checkride maneuvers were the same as those given during recurrent checks. Simuflite did not use the progressive method of administering checkrides, i. e., a portion of the checkride administered on each successive day of training.

He said that there had never been a checkride failure in the Gulfstream 1159 series airplanes.

The use of airplane automation was left to the discretion of the captain. Most of the pilots would hand-fly the airplane to 10,000 feet MSL and then the autopilot would be engaged. That procedure was reversed during descent. There was not a company

requirement regarding use of the autopilot. The only constraints were the manufacturer's minimum altitudes for engaging and disengaging the autopilot.

The pilots knew when they were going to have a checkride because the airplanes had to be scheduled. In the future, new captains would receive surprise observation checks.

He stated that Avjet had a sufficient number of checkairmen. Four checkairmen was adequate for their fleet size. A checkairman served in no more than two different types of airplanes.

Checkrides were given in the month prior to the due month whenever possible. Many times that was tough but this goal had been set and they were working on it.

He used blue in-house training files to track required training. He reviewed the files on the first of the month and backed them up on the computer. He said that the POI had not approved a computerized training records program.

Hazmat training was tracked as well as recurrent training. He said he was a hazmat instructor but that Avjet was not authorized to carry hazmat. Avjet's hazmat instruction taught the pilots what not to carry aboard the airplanes.

He last saw the POI in February for his checkairman renewal. He said the POI was very busy and had more operators than he would like. He said the POI just received assistance from individuals who were rated in Avjet's airplanes.

He said the POI had never ridden in an airplane with him. Blaze Winters, the former POI, gave him his initial checkairman qualification. The first time he saw the current POI was during his observation for checkairman renewal. He said he did not know the last time that the POI performed a records check.

He had flown into ASE many times. He was assigned to ride with new pilots and passed along pointers to help them smoothly get into and out of the ASE airport.

Telluride was pretty much off limits to Avjet pilots. They flew trips out of there but were very selective about the loading, temperature, etc. He said that John Messina made the final decision after he had coordinated with the schedulers regarding airplane performance. He said that ASE was tougher where Telluride was cut and dry. This meant that their category prohibited them from initiating an approach at Telluride, so if it was not severe clear, you were unable to land.

The G3 was a Category D airplane for a "real circling approach" where you had to maneuver on the downwind and then come around to land. He said that at ASE, if you flew it properly and everything was good, you basically made a straight in, slowed down and made it a Category C. He said the approach category was a gray area as far as where the numbers come from. He said it was based on the speed of the approach at the time you made it. He said that airplane categories applied differently once you were in VFR

conditions.

He had not made the approach to ASE at night. If he had the visibility, he would shoot the approach to minimums but if he did not see the airport, he would get out of there. He would be very spring loaded to get out of there and go missed if he did not see it. He had missed the approach many times in hard IFR and he said you wanted to be ready for it because it was a little bit tricky.

The procedure “most of us” used during the day was to shoot the missed approach at the final approach fix (ALLIX) if there was no good ground contact, i. e., good contact with the ground, mountains, etc. It was not good enough to have patchy contact. He said it was a hard thing to describe and was one of those things where you looked out the window and made the call. This procedure was spread by word of mouth but there was no commitment to do it because it was not a company procedure.

He said the visual approach to ASE “had set off more GPWS warnings than anything on the planet.”

If a pilot had to divert for weather, he would be supported 100 percent by the company. He said it was very common to divert to Rifle when going to ASE. Eagle was usually not an option because it had similar weather.

The NOTAM issued for ASE before the accident brought up the question “what does circling really mean?” At first blush, it means no circle. It did not tie in that the procedure was not authorized.

He said by the FAA’s own admission on 5/31/01, the NOTAM was clarified and said the approach was not authorized. He said that he would have called someone to get additional information about the NOTAM had he received it before a flight. He would first call flight service and ask who issued it. He said if they could not spell it out, he would call the issuing source. He described doing this in the past for a runway closure that was confusing and a seemingly erroneous braking action report. By calling, he learned that the latter event was in fact a topographical error.

In visual conditions, he said you wanted to be configured when you crossed the VOR, i. e., speed 140 knots, flaps 20 degrees and gear down because that gave you a real nice descent. When the runway was in sight, you faded a bit to the west, kept the runway in sight and brought the airplane in on the extended centerline.

He had not received any complaints from pilots about training. He also had not heard any complaints about maintenance. He said most of the employees were very happy. The company was growing and the operations end of the business was staying up with the growth.

Avjet’s pilots were salaried employees. They would receive extra pay if the airplane was down for maintenance and they flew another airplane. Compliance with FAR mandatory

rest days was followed to the letter of the law. He said they received medical, dental, and additional benefits consistent with most other companies. Pilot turnover had slowed down recently and Avjet was known as a company that paid its pilots well.

Avjet did not have a formal safety reporting system. He said safety information was received directly or by word of mouth. Pertinent safety issues were plugged into the recurrent training class immediately.

He had started surprise observation checks as another way to look at standardization. He said the FAA was not involved with this decision. He felt that this was better than a checkride because it was done by surprise.

The passengers were responsible for ground transportation payment whenever the airplane diverted. He said they told the passengers up front whenever there was a possibility of a diversion.

He stated that he had flown with both of the accident pilots.

He said that he first came to know First Officer Peter Kowalczyk in December of 2000. They flew multiple trips together back and forth to LAS. Peter was signed off as an SIC and he was very impressed with his abilities. He described him as a young man who was sharp, happy to have the job, knowledgeable about the airplane, motivated and someone who handled the airplane well. Peter had learned the cockpit flow and there was no area that he could improve upon. He said that Peter's greatest strength was his willingness to do things and give 100 percent. He added that he was a great first officer.

When asked about the Peter's assertiveness, he said that the accident captain, Bob Frisbie, always said he did a great job and responded well. He believed that Peter would not have been hesitant to speak-up and tell Bob if he had concerns. Bob would have been receptive to that kind of feedback because he was the type of guy who did not think he had all of the answers.

He said that he had only given Bob one a line check. He had no problems during the check and the check was satisfactory. Bob was very professional, proficient in the use of checklists and conducted thorough briefings. He said he did not know if either of the accident pilots smoked or had any unusual habits.

Avjet did not have a list of airports considered hazardous or specific limitations at certain airports. That was left up to the captain, his experience, the type of airplane and its performance. He said most of the guys who were captains on airplanes had been to those airports before. In the case of a new captain or a new SIC, they made sure an experienced captain flew with them, normally on one of the empty legs going to or from ASE. That helped the guys out and familiarized them with the approach.

If the SIC was rated, it was the captain's discretion as to what seat he would occupy. He said the captains received training from both seats. The pilot flying (PF) normally flew

from the left seat because the steering was located on that side.

Interview: John A. Messina, Chief Pilot, Avjet
Represented by: Declined
Time/Date: 1754, April 1, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview Mr. Messina stated the following information:

Avjet hired him in June of 1979.

He had about 11,000 hours total flight time of which 10,000 hours was as PIC. He had about 6,000 Gulfstream hours including 5,500 as PIC.

He was both the chief pilot (CP) and an owner. He became the CP in the mid 1980's. His chief pilot activities occupied most of his time and included screening applicants, reviewing resumes, evaluating pilots and administering checkrides. He was also a checkairman on the GIII and GV and a relief crewmember on GIII, GIV and GV. He had taken advantage of all opportunities to fly with the various crews to see how it was all going.

He met on a daily basis with Avjet's president Mr. Mark Foulkrod. Mark was also his business partner. Mark was an aeronautical engineer and the main reason for Avjet's success.

On Thursday, March 29, Mark called him at home about 2000 and told him that N303GA was down in ASE with 15 passengers. They met and went together to the office. When they arrived, two or three of the dispatchers were fielding phone calls. They dug out the accident response plan, reviewed the list of tasks and sorted out the duties. Karen from accounting took an active role, as did Jill. Contact was initiated with the family members of the passengers and crew and they dispatched individuals to be with them. The Red Cross also arrived about that time. Dave Volker and another person from the FAA arrived and started to copy the maintenance and pilot records. They were still copying the maintenance records when he left the office about 0200. The FAA took the originals and Avjet retained the copies.

He said they had some very experienced people, many of whom had been here for a long time. A captain's average time was probably close to what the accident captain had accumulated. Other captains had about 6,000 to 8,000 total flight hours. Avjet has had Gulfstreams since 1987 so the pilots had accumulated a lot of time.

Pilots reported incidents verbally since there was not a written incident form. He said there was a chain of command that had been established. The director of operations and chief pilot were to be contacted for operations problems and the director of maintenance

for any maintenance problems. He usually received a call at least once a month. He said he was not always available but the DO was.

He had fired pilots in the past for violating company procedures and standards. One event occurred under Part 91 and involved a pilot violation of the alcohol rules. The pilot was fired after an investigation. He said if he were told about a pilot busting approach minimums, he would probably ground the pilot and immediately confront him. Avjet did not tolerate that kind of thing and he emphasized that it had never happened.

The process used to hire and evaluate new pilots was pretty thorough and it worked. He said resumes arrived and if they had a position available, Ken and he usually started the process of resume review to see if the pilot was qualified. For example, they liked to see time in the specific type or something bigger. They might call the pilot in to talk about the resume and his availability before they forwarded the resume to the rest of the team. If they liked the resume, they would show it to Mark Foulkrod, Mark Lefever and Steve Sirk. They all then agreed on the interview schedule.

The interview was usually conducted with a team of three or four people. Each person used his own interview method. Some asked questions and others engaged in conversation to reveal the pilot's personality. If they thought the applicant was good material, they administered an evaluation checkride when an airplane was available. The team then discussed the training flight and whether they were willing to make an offer. They requested three letters of recommendations and a copy of the applicant's license and medical. The applicant would then be sent to a clinic for pre-employment drug testing. A letter was sent to the previous employer to obtain training records. A psychological profile was also conducted. That little test was remarkably accurate and simple. He also said that Avjet hired pilots directly as captain if they were qualified.

There had been a few positive pre-employment drug screenings for various positions but he did not think there was ever one for a pilot. The past random positives involved mechanics and a male FA. He believed they terminated the individuals who tested positive.

The minimum hours required in the Gulfstream for a pilot to be hired could be as little as 400-500 or much greater. It would depend on other airplanes the applicant had flown. They would rather hire an applicant who had flown the Gulfstream and a larger airplane.

At one time, Avjet had a 90-day probation policy and an SIC training course. However, the FAA had tightened the requirements and all new pilots were sent to initial training rather than recurrent, even if they had Gulfstream experience. All pilots received a type rating after they were hired.

An employment agreement stated that pilots were responsible for training cost reimbursement if they left the company before a predetermined amount of time.

The captain decided which cockpit seat he would occupy during a flight. He said that

when the FO occupied the left seat, the captain was still the captain. However, either pilot could make a decision with regard to the safety of flight, such as, initiating a go-around.

Avjet had about 55 pilots for about 17 or 18 airplanes (some airplanes had two pilots, others three pilots, and others had four pilots). Most of the 55 pilots were type-rated.

Avjet had more than ten flight attendants. Shannon was the chief flight attendant and had been there for about five years. She located candidates and performed the interviews. Part of the interview was a practical demonstration of the ability to serve a meal. They also performed a resume review. If considered for potential employment, the flight attendant applicant would be sent to various training courses, including emergency training. He said flight attendant turnover was substantial.

The company wanted their flight attendants trained as crewmembers. They were listed as crewmembers and we have taken that seriously.

He said the director of safety position had been a topic discussed by Ken and himself. However, he said that the company had quite a few management people and between the chief pilot, checkairmen and training agencies, they felt fairly confident that they had safety under control.

Avjet used training agencies, such as, Simuflite and Flight Safety, as their standardization monitor and they did a good job. He participated in this agency training and he attended recurrent every year on two on three airplanes. He had never observed any pilot training at those vendors. When he was at a vendor, the instructors asked his opinion of the training and he told them. He said unusual attitude recovery training was conducted at Simuflite and Avjet was very committed to that type of training. He said the American Airlines DC-10 incident in DFW was programmed into the simulator.

He was usually the first one to review the pilot training records. He then turned the records over to the DO. He stated that, unfortunately, the records said little. The squares were filled with no elaboration. He said putting more information into the training records would be effective but he felt that the vendors would resist because they were afraid of being sued. They should do what they were paid to do and that was to judge.

If there was a problem with a pilot's training, the vendor called and informed him. He said the instructors at Flight Safety and Simuflite called and told him when a pilot was not ready or required additional training. If the pilot was worth keeping, they worked with the vendors and provided the necessary training.

He gave about 15 or 20 six-month checks a year in the airplane. He also said that the pilots went to flight and ground school once a year.

With regards to standard operating procedures and checklists, he said that he hated to see things done differently. He said he could tolerate an approved variation in a checklist

because the flow in that particular airplane might be different. He said that Avjet worked pretty hard with the Gulfstreams because they had people like himself and floaters who moved from airplane to airplane. The procedures on the Gulfstreams had evolved and were pretty standard. He said Avjet was not necessarily using Gulfstream's exact checklist because sometimes it was not operationally practical.

Pilots were expected to have a plan, know how much fuel was on the airplane and what the weather was for the flight. He said they flew to some places on a regular basis, such as, ASE. He did not dictate alternates because the requirements were in the regulations.

He said that if a crew had to divert to an alternate, they communicated with the office using the flight phone or satellite phone. When they were notified of a diversion, they made arrangements for transportation and notified the appropriate parties. It was entirely possible they would not know of a diversion until the airplane had already landed at the alternate. He said there was always one scheduler on-call during off-hours.

Crew Resource Management (CRM) training was part of ground school and every recurrent training session at both Simuflite and Flight Safety. It was often taught as part of an advanced airmanship session. CRM was also stressed in the simulator, graded and discussed in the briefings.

He said he has had less contact than he used to with the POI. He flew the GV proving runs and the POI was in attendance for each flight. The current POI was very attentive, demanding, and caused them to refine systems and procedures. The POI made things difficult but better and what started as a rocky relationship had turned into a good one.

He stated that whenever Ken had a problem communicating with the FAA, he asked for his insight because he had years of experience dealing with the FAA.

He stated that you cannot circle at reference speed but needed something over and above that. The Gulfstream was category C at 139 knots. However, he always considered the next category because he could not hold the speed to one knot. He said you just had to be prepared at ASE even in the daytime when everything was good.

He had a discussion with Ken about the NOTAM issued for ASE before the accident. He said, "Did that mean the approach was not authorized or did it mean that circling was not authorized?" He said Captain Frisbie should not have gone there based on the NOTAM. The NOTAM issued after the accident showed that somebody finally did something sensible.

A stage two airplane was not authorized after dark at ASE and the Captain Frisbie was aware of that. He stated that if he could not finish the approach by the curfew, he would not have gone. He expected to be fined if he had landed in ASE after the curfew. Thirty minutes after sunset meant thirty minutes after sunset.

He said that he was not aware that the curfew at ASE was not strictly enforced.

If he flew the approach at ASE, he would start configuring eight to ten miles from DBL VOR with 20 degrees of flaps. At the VOR, he would be gear down with full flaps. He said it was hard to fly slowly at this place because you were so high and the airplane felt like a big marshmallow in the turbulence. He said if you did it right, you made a rather continuous descent. He said he personally did not take it all the way to the missed approach point (MAP). At ALLIX, he still had distance and altitude on his side and made his decision at that point. You cannot land straight in from the MAP at ASE, you must circle. He said you could land straight in from further out.

The approach at ASE was either real easy or impossible. Ninety percent of the time, the approach was just an aid to navigation. The other times, you had a ceiling that you were just not willing to wrestle with. He said you would lengthen your path over the valley, make a few turns, maneuver to get your picture right and then make a long stable final. He said it was uncomfortable to be high, unstable and diving because you could not judge your ability to bleed airspeed at the end.

He believed ASE should be a VFR airport only. He said he hated that place at night and in the weather. He said “we don’t go in there at night.”

Pro Pilot magazine asked him what the three most dangerous airports in the country were and he listed Telluride, Aspen at night, and Teterboro in the winter.

He said flying into ASE was at the captain’s discretion. He said they had discussed it with many of the captains and they shared their experiences about the airport. He said this method of communication was not as good as a written procedure. However, the decision point for the missed approach was at ALLIX and, in light of the accident, the company would consider making it a written policy.

He said he flew the evaluation ride with the accident captain. He was 90 percent sure that Peter Kowalczyk was present on this ride and he gave Peter a landing. He said the company had been talking about putting those two pilots together.

He evaluated the pilots whenever he flew with them although it was not considered a formal checkride.

The DO was responsible for tracking crewmembers’ flight and duty times. He said the schedulers were trained and knew the flight and duty requirements in the regulations.

He said captains did not provide any reports or evaluations when the SIC flew from the left seat.

There had not been much pilot turnover in the last year because they had added airplanes. They had maybe gained six or eight pilots and lost two. The pilots were salaried employees and Avjet had a contract with the owner of each airplane to provide Avjet employees.

He said Bob came to Avjet after being out of Gulfstreams for three or four years. He had previously flown a Boeing. He did not know him at all before his evaluation flight but was impressed and said he did very well and was comfortable in the aircraft. He said you can tell when a pilot was falling right back into a comfort level with an airplane. He also said that the Gulfstream was not an easy airplane for an uneasy pilot. You needed a certain level of aggression and could not be timid. He said Bob was not timid. Bob's greatest strength was in his techniques for handling the airplane as it transitioned from the air to the ground. There were lots of tasks to accomplish on the ground and it required a disciplined pattern and sequence. Bob was good in this regard and in his general smoothness of flying the airplane. He said Bob had no deficiencies. He said you had to assume a pilot with 10,000 hours had instrument skills.

Bob gave a feeling of confidence in the cockpit. He said international flying was the most demanding type of flying that Avjet performed and he was willing to put him on the international trips. He said he ranked Bob in the top 15 of Avjet's 55 pilots.

He said his memory was less strong about the accident first officer. He said he remembered talking to Bob about him. Peter had basic skills and demonstrated a little less aggression in his handling of the airplane, mostly during the transition from flight to ground. He said that he decided all Peter needed was practice.

He said he was upset with the checkrides at Simuflite. Years ago, the program turned into progressive checkrides where a pilot would be given a final grade on various maneuvers each simulator period. He decided that was too easy and told Simuflite that he thought a final checkride at the end of training was a good idea because it put pressure on the pilots to perform in a quick, acceptable and organized manner. He said now we had final checkrides, but all we did was train to the checkride. He said he told the vendors that he wanted to go back to progressives.

He said they did receive feedback from owners about the pilots. He said the owner of N303GA did not have anything to say about Bob's flying skills but he knew that the owner liked him. He said the owner asked Bob to fly him to Budapest and that Bob was capable and willing to do it. Bob was not a whiner or complainer.

Interview: Curtis D. Holland, Contract Pilot, Avjet
Represented by: Rich Hildenbrand
Time/Date: 1906, April 1, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Mr. Holland stated the following:

Avjet hired him on 1-24-01. He said he was a floater and filled in when necessary.

He stated Avjet's hiring process was highly professional and not like others. The pilots were highly professional and maintenance personnel were highly supportive and thorough.

He attended initial Gulfstream training at Simuflite for Jet West on 5-29-00 and Avjet accepted that training. He received training on the GIIB and differences training on the GIII.

The NOTAM issued for ASE before the accident meant losing altitude in a circle. He said you could not do an overhead 360 with a jet. It was a visual approach.

The approach at ASE was never the same. His missed approach point was ALLIX. If he did not see the runway from that point, he would not shoot the approach and was going around. He thought the NOTAM meant the entire approach procedure was unauthorized.

He said if conditions were VFR, he would configure at the VOR. He would watch the step-down altitudes but he would be just below them. The Gulfstream was a Category C airplane all the time. They said that if you changed configuration, you had to use higher category minimums. Category C was based on 1.3 times the stall speed at maximum landing weight. He said the margin of error decreased with the descent.

He once flew a celebrity who wanted a guarantee they would be able to land at Aspen. The weather was marginal and he did not make that promise. He told the celebrity there was a 50-50 chance that they would get in and his former employer backed him in his decision. Avjet would support a position like this also and that was why he liked Avjet.

He characterized the accident captain, Bob Frisbie, as very knowledgeable and very much in command of the situation. He flew with Bob on a Part 91 trip to Europe. It was a long flight and when they arrived, the client wanted to go to Nice and Bob said no. The client said ok, fine. Later, when Bob was sent a flight plan for the return leg that had marginal fuel and marginal weather conditions at the alternate, he turned it down. He was very impressed with Bob and described him as very safe with his head on right. He said he would trust his wife and family on an airplane with him.

Whenever he and Bob swapped seats, they always talked things over even though only one person was in charge. He said Bob had good checklist protocol.

On the accident flight, he understood that the client might have pushed Bob. He was told Bob asked a fellow captain in LAX what to do and was told that Avjet would back up his decision. He understood that a passenger called Avjet and complained. He said Bob was under no pressure from AVJET.

In LAX, the van was on the ramp and occupied by Dave Weir, Danny Domingus and flight attendant Carrie Curtis. Garrett employed the van driver. Bob was not eating or drinking and he was happy. Bob asked, "If I can't get in, what was Avjet going to say?" Dave said take him to Rifle and Avjet will back you up.

He knew Peter Kowalczyk and he was a very capable pilot and did his job well. He had flown Learjets with Peter at another company.

He said he never flew the missed approach at ASE. It was always obvious to him when not to go. He never circled and landed on runway 33. He said he flew a Lear at another company with a captain that made the circling approach. He was very uncomfortable during that approach.

He said GPWS warnings were commonplace during the visual approach to ASE.

He said neither Bob nor Peter had any annoying habits; both were very professional.

Interview: George F. DeMartini, FAA Principal Operations Inspector (POI), Avjet
Represented by: Declined
Time/Date: 0920, April 2, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Mr. DeMartini stated the following information:

The FAA hired him in September of 1989. He had about 8,800 hours total time and had flown everything from J3 cubs to 20 series Learjets. He was current in the Hawker series aircraft.

He became the POI for Avjet about December of 1999 and was assigned to the office in Van Nuys (VNY). He was currently the POI for seven operators. He said that his office periodically shuffled complexities and he was assigned to Avjet during one of those shuffles. His seven operators had 85 airplanes, 270 pilots and 19 checkairmen. He said he had the biggest complexity in his office. He had an assistant until six or seven months ago. His assistant was reassigned and assumed duties for a retiring inspector. No POI's in his office were currently assigned an assistant.

He had sent email requests to his supervisor and office manager requesting another assistant and that he needed help. He said that email was sent last October and he also talked to them concerning the matter. He said the response was that there was a hiring freeze and they could not give him another assistant. He did not know when the hiring freeze came into effect. He lost his assistant in September or October of 2000.

When he was assigned to the Avjet certificate, he reviewed office files, manuals, pilot training programs, training records and the operations specifications (ops specs). He then prioritized some changes that he thought were needed. He said he performed surveillance on the checkairmen much more often than required.

Ken Seals was his primary contact at Avjet. His initial meetings with the company went well. One of his first projects was to add a GIV to the certificate and complete proving runs initiated by the former POI. The effort was somewhat intense and it required him to be aware of the time pressure. The GIV was added to the certificate fairly quickly and on schedule. He said some procedures observed during the proving runs required changes, such as, fueling and deicing procedures.

Weight and balance procedures also needed clarification. For example, there was a lot of misunderstanding in the Part 135 industry over who could use average weights versus a loading schedule. Advisory Circular (AC) 127-21C authorized the FAA to approve procedures where you could have an average weights program in a turbine-powered airplane. Then the AC was revised and said you needed actual weights. The industry did not like this and a committee was formed to revise the AC. The outcome was that airplanes with nine passenger seats or less could not use average weights. Airplanes with more than nine passenger seats could use an average weight program.

FAA inspector Tom Mangum was type-rated in the GIV and V and helped during the proving runs. He said he thought they flew more than 12.5 hours during the proving runs but was not sure. Inspector Mangum gave the flight crew a favorable report.

He did not put restrictions on Avjet's approach operations or establish any special airports. He said there was "no decent guidance" for that. He said none of his operators currently had ops specs for special instrument approaches.

He said that Avjet had been authorized by the previous POI to use whatever Part 142 training program that they felt like using. He felt that was not appropriate and they should have had their own training program. Putting that together required quite a bit of coordination with the DO.

The ops specs also needed quite a bit of work. He had to reconstruct their ops specs and there were cases where they had authorizations they should not have had and vice versa.

Avjet had not audited their Part 142 vendors as required by an FAA handbook bulletin issued to all Part 135 operators. The purpose of the audit was to determine that the vendor was providing training in accordance with the syllabus. He believed that unexpected events in Ken Seals' personal schedule prevented him from getting those audits completed on time. Ken was the only one that did those audits. He said he would accept an audit done by any qualified individual. However, he said he was satisfied that the Part 142 providers were adequate.

He said that Avjet was not in noncompliance with their ops specs because those vendor audits had not been performed. You had to start a lengthy process under Part 119 to initiate violation action and "the rule had cut our legs off." He said he was going to start the violation process very soon. It was on his schedule to start this month.

He later stated that he was going to take action against Avjet this month concerning the failure to do the audits. He said it had gone on long enough. It had been about three

months since the beginning of the year. He said his first action would be a letter to company informing them that the FAA intended to remove their ops specs.

He could not revoke Avjet's certificate if they did not comply with the regulations. He said he had to go through very difficult legal action to do that. You often did not want the certificate back but rather good procedures. He said whether noncompliance reflected cause for emergency action depended on what the regulation was and that he was not an attorney.

He said he had four or five operators who did not have their training vendor audits completed by January 1. Those operators told him it was coming. If he initiated violation action under Part 119, the process would be still going on today. Instead of starting that process, he believed what the operators told him and he did not take a week of his time to issue violations. He said he was correct in all of his decisions as the operators did provide the required information.

All of his other operators were in compliance with their ops specs. However, the entire industry was a little late getting those vendor audits completed. He said the audits that arrived late from the other operators were done late and it was not an FAA administrative delay. The operators were just late performing the audits.

Avjet used Simuflite and Flight Safety for pilot training and he said they were probably acceptable. In his opinion, there were a lot of shortcomings with these vendors in regard to several Part 135 issues. They did a horrible job with differences training, especially with the navigation units. He thought there should be training for each different navigation unit.

Another problem was providing training on the general subjects required under Part 135. Some of the Part 142 vendors did it and some did not. He said Flight Safety's training on weight and balance was soft. CRM was not included under general aircraft-specific training. Companies needed to know what they were getting from a training vendor and should be prepared to provide any omitted training.

Individual instructors were not assigned for training at Flight Safety even though they were required to. He said that "apart from those things, I'm generally satisfied that they're doing their damndest to do good training and by and large they do."

He said the real shortcoming was the difficulty for an operator to design a training program, go to a vendor and receive all the required training. He felt it was important for each operator to design their own training program that permitted use of vendors. He initially approved Avjet's training program about 10/1/00.

He stated that the company was very responsive and had a constructive attitude about the training program. About a week after his initial proposal, the DO initiated action to act in accordance with his suggestions.

It took a lot of effort to ride herd on a complicated Part 135 operator. He said to sell them new training programs was very difficult, especially if the company did not want to do it. Handbook guidance was nonexistent and the regulatory guidance was not clear on this topic.

No one liked to have their POI changed because each was different and required different things. That caused apprehension on the part of operator. He said he had a reputation for doing his work.

He said he thought Avjet was doing their best to stay within the rules and provide safe operations. He said he felt that the management of the company had a moral obligation to do that.

He inspected training records every time he looked at a checkairman. The last inspection was accomplished on February 14, 2001. He typically looked at the checkairman records and the record of the pilot he was flying with that day.

He had not observed Avjet's pilot training at either Flight Safety or Simuflite and had not been to Flight Safety since about 1998 when he received Hawker training. He said he went to Simuflite every three months for Hawker training.

He was not sure if the company kept flight attendant records or even if they were required to since flight attendants were not mandatory until the airplane had 19 passenger seats.

He had observed the emergency training given by CAP. Pilots from several different carriers were in each class. He said that training was very good, very realistic and exceeded the rule.

His assigned work program required checkairman, manual and crewmember training records inspections. In the last year, he had personally done two of three required checkairman inspections. He had other inspections done by inspectors who were type-rated in various airplanes. He said he had probably done a couple manual inspections. He had been at Avjet about six or seven times in the last year and said that was about the same for his other certificates. He said he probably visited other operators more because he was rated in the Hawker.

He had not received any pilot reports that the company or the customer had put undue pressure on them and added "not with this company."

He said he was not familiar with the accident pilots.

Line check inspections were difficult to perform because the flights were unscheduled and lengthy.

He said he had shown up once or twice at Avjet to review records

He had not been to any Avjet training conducted locally. He was “not sure if they were doing any local training here.” He was supposed to be notified in advance whenever an operator conducted training. He said that, generally, operators were not very good at doing that.

His number one priority right now was getting the minimum equipment list (MEL) cleaned up at his operators. He said it took him a day and a half to do that for the Hawker. He said he also had a flight attendant program to discuss, proving runs at another operator and a proposed Part 121 application from another operator.

His number one priority at Avjet was probably getting the training center audit completed.

All checkairmen required a letter from him to give checkrides. He did not give oral authorization.

Interview: Gordon A. Isachsen, GIV Captain, Avjet
Represented by: Declined
Time/Date: 1128, April 2, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview Mr. Isachsen stated the following information:

Avjet hired him on 2/22/99. He had about 11,400 hours of total time that included about 8,000 hours as PIC. He had about 2,200 hours in the GIV, 2000 of which were as PIC. He was previously employed by ARCO for 20 years. He had been flying the GIV exclusively since 1993.

He became an Avjet checkairman in August of 2000. He had given about 19 six-month checks and several line checks.

He gave his first six-month check to a senior GIV captain. He said coming from a structured company like Arco with definitive SOPs and, as someone who had been involved with the standardization of safety there, he was pleasantly surprised when he found the same level of professionalism, callouts, discipline, etc. at Avjet.

He usually tried to give checkrides from the jumpseat to observe the big picture and crew coordination. He had given about 60-65 percent of his checkrides from the jumpseat. He said they usually flew to Bakersfield for checkrides and he tried to do two checkrides in one day.

He had only given two SIC line checks. He said most of the captains swapped seats enough to maintain seat position currency. Most crews swapped legs whenever possible.

He said that during his checks, he looked at FMS integration and crew performance. He did not like both pilots with their heads down in the cockpit. He looked for the left seat pilot to call and delegate and the right seat pilot to perform the tasks.

He had no failures in the 19 checkrides that he has administered, although he had given some counseling for improvement in areas such as no flap approaches and unusual attitudes. He said all the checkride performance he had observed was very professional.

If he conducted a trip from BUR-LAX-ASE, he would first pull-up the weather and file a flight plan from his home. Upon arrival at the airport, he checked the weather again. If it were down to a point at which it was a factor, he would call the FAA to receive a briefing, although he said he usually called anyway. At LAX, he would again look at the weather and call the FAA to double-check. He said the GIV had the capability to display current weather enroute.

He said he would carry the standard requirements for fuel. He usually picked Denver (DEN) for an alternate or an airport that was not in the local regional weather area. A full load of passengers affected how much fuel to take. He wanted enough fuel to get to Rifle with another 75 minutes remaining. As a rough estimate, he would look for 7,000 pounds minimum at the start of the approach at ASE. He liked to land with 3,000 pounds of fuel as a ballpark figure. He said there was no company minimum fuel requirement; it was the captain's discretion. At Arco, it was 3,000 pounds per company requirement.

Due to the ASE curfew, he would depart LAX no later than 1545 PST and planned to be over DBL by at least 1845. He said there was not a nighttime restriction on stage 3 airplanes until the NOTAM was issued after the accident.

Prior to arrival at DBL, he would have gear down and 39 degrees of flaps with a speed of about 140 knots. Flaps in the GIV were very effective for descent. If he got to ALLIX and did not see the runway, he executed a missed approach. He said he could not get down safely with enough room for his personal standards after Allix. This was his personal limit and he did not pass on this information when doing checkrides. From his own experience, he felt the GIV was a little slicker and faster than the GII or GIII.

He said there were a few airports at ARCO where they were required to visually see the field from the MEA in order to land. ASE and Telluride were two of those airports.

If you saw the airport over ALLIX, you would go right to line up with the runway but the descent rate was sometimes about 1,100 feet per minute. By moving to the right, you could get on the extended centerline earlier. The airport was usually visual and the tower asked you to offset to the west so they could depart an airplane to the east.

He said he would not be looking for the road during the approach because it was not a factor. If he encountered a snow shower or lost sight of the airport, he executed the missed approach. He had never landed at ASE at night or past 1700.

If he received the NOTAM that was issued before the accident, he would not have departed for ASE because the NOTAM meant that the approach was not authorized at night. He said that night to him meant one hour after sunset. The NOTAM could have been confusing but he acknowledged it was a tough question. However he also acknowledged that it had generated quite a bit of discussion since the accident.

He said he had never received pressure from an airplane owner, Avjet, or a customer. His owner only wanted to go to ASE in day VFR conditions. He said the company would back him up 100 percent for any weather-related operational decision. He told the customer ahead of time if the weather was marginal. He said the schedulers also informed the customers whenever there was a potential for delays or diversions. He was not aware of any Avjet pilots who had been put under pressure.

Avjet accepted his previous training and sent him to recurrent. Dee Simons at Simuflite conducted his CRM training. The instructor commented that he and his partner worked well together for pilots from two dissimilar backgrounds. He said training at Simuflite was excellent.

He said during his basic indoctrination training, several pilots at Avjet got together with Ken Seals and they realized that they were much more standardized than they thought.

He said pilots were supposed to call the company with their off and on times.

There was not a list of reportable events that required pilots to prepare reports. He said he was not aware of any report that had to be filed with the company for a diversion. Many times the schedulers made phone calls to coordinate the logistics associated with a diversion.

He was a full-time employee at Avjet. He thought that outside employment was permitted as long as it did not interfere with flight schedules and duty times.

He said when the seats were filled with passengers, the flight attendant sat on the jumpseat and plugged in a headset during takeoff and landing. He had a flight attendant ride the jumpseat on two occasions and sterile cockpit was observed. The sterile cockpit requirement was noted in the company operations manual. He said company rules dictated sterile cockpit for all critical phases of flight and checkairmen were asked to watch that area on checkrides.

He did not know the crew and did not see them on the day of the accident.

Interview: David S. Weir, Captain, Avjet
Represented by: Declined
Time/Date: 1227, April 2, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview Captain Weir stated the following information:

Avjet hired him on 12/21/95.

He said he started in the right seat at Avjet. When Avjet was comfortable with you as a pilot and as an individual, they moved you to the left seat. Once in the left seat, you flew for a while with an experienced captain in the right seat. However, they allowed you to make the decisions in order to gain experience.

He said his previous decisions to divert were always backed by the company. He diverted two or three times and had no problems from the company about his decision.

He said if he were going to ASE from LAX, he would love to get off the ground by 1530 because of the curfew.

On the approach into ASE, he would definitely dirty the airplane before the VOR and have all but full flaps. He would make his decision to land about 10 miles from the VOR. When he had the airport in sight, he would step to the side, line up with the runway and do a visual. If the weather was marginal, he would make his decision before the MAP but he would take it to the MAP. He said the ASE approach needed to be briefed before executing it. ASE had traps that included potential tailwinds, up sloping runway, and "lots of gotchas."

He said his minimum fuel from LAX to ASE depended on his alternate. He liked to have 5000 pounds over DBL.

He said the flight attendant sat on the jumpseat when the passenger seats were full. It had been his experience that they were familiar with the sterile cockpit procedures.

He saw the pilots of N303GA on the day of the accident in BUR about 1330 as they preflighted their airplane. He exchanged introductions with Peter as he performed the exterior preflight of the airplane. He appeared to be normal. Neither of the accident pilots had any food or drink with them.

He also saw Bob on the ramp at BUR. He said they had previously flown to West Hampton together. During that flight, Bob talked about his house, grading the driveway, and buying an arc welder. He said there was very little to say about the flight except that it was uneventful and Bob was very good as a support pilot. He was very professional and knowledgeable. When they landed that night, they ate dinner and went to bed. He said Bob was a nonsmoker and had no unusual habits of note. He said they talked mostly

about their houses when they were together. He appeared to be in good health and he did not know if Bob exercised. He said Bob was very talkative and his demeanor on the day of the accident was consistent with what he had observed on other occasions.

He saw Bob again that same day in LAX as he came over to the crew van. He asked about the curfew and asked whether the company allowed flights to land at ASE at night. He specifically asked if these flights were restricted in the ops specs. He told Bob it was not in the ops specs and Avjet left it up to the pilot. He suggested that Bob call the company and discuss the issue with the dispatcher. Bob said, "What you would do?" He told him he would go and take a look and would land if it was light enough and the weather was good. If not, he would divert to Rifle or another alternate.

He said he confirmed with Bob that the curfew was one half hour after sunset. Bob thanked him and turned back to go to the airplane. He said Bob appeared a little concerned. He said Bob did not give him any indication of what he would do or wanted to do with regard to going into ASE. He said neither the NOTAM for ASE nor the customer were discussed.

Bob did not have any food or drink with him at that time. He said that discussion took place about 1530-1540. He said the other crewmembers in the van were Curtis, Carrie and Daniel Dominguez, all of who heard the conversation.

He did not see Peter at all in LAX.

He stated that John Messina had personally told him in 1996 not to go into ASE at night. He did not remember if there was a memo on that subject.

He had not been to a pilot meeting recently and did not know if it was because there had not been any or that he had not been scheduled to attend one.

He thought that going faster between ASE and LAX would only burn about a couple hundred pounds more fuel an hour, probably about 500 pounds total.

During a normal approach to ASE, you often got a GPWS terrain warning. He was not sure if you could silence a GPWS warning.

He said a NOTAM that said do not circle at ASE really meant you could not shoot the approach.

He said if he landed after a curfew that he would pay the fine. When he got back to the office, John, Richard, and Ken would tell him not to do it again.

CRM was discussed in ground school at Simuflite but he did not remember for how long. He said he did unusual attitude training in the simulator.

He said that the PIC completed all the flight log numbers.

Interview: Shane Kloss, BE40 pilot, Flight Options
Represented by: Declined
Time/Date: 1402, April 2, 2001
Location: via telephone
Present: Operations/Human Performance Group

During the interview, Mr. Kloss stated the following information:

Flight Options hired him in November of 1999. His total flight time was about 3,100 hours, of which 2,000 hours was as PIC. He had been flying a BE40 and had about 800 hours in that airplane, 200 as PIC. He departed ASE just before the accident occurred. He said that he left the gate at 1845 and logged a wheels up time of 1855.

As he taxied for take-off, there was light snow falling until he reached the threshold of runway 33. He waited there about five to eight minutes for an ATC flight release. He said the snow stopped during their take-off run about halfway down the runway.

Visibility was eight to ten miles after take-off and the clouds were evenly distributed. He made an early turn after takeoff and made room for a Challenger that was on the approach. He said he encountered broken clouds about 12,500 feet and then popped out of the clouds completely at about 15,000-16,000 feet. No turbulence, icing or windshear were encountered during the takeoff or climb. The winds were about six knots from about 200 degrees. He encountered no up or down drafts. He said he had fairly good contact with the ground during the climb but that would be lost within about five to ten minutes because of darkness.

During the climb, he was in and out of the clouds for about 30 seconds and the icing indicator light did not come on. That light illuminated whenever there was even a light trace of ice. He said he was in the best position to observe the weather conditions because he was not flying the airplane.

He did not see the accident airplane or hear any of their radio transmissions. He turned his airplane to 270 degrees at about 1856. He was through 8,000 feet when the Challenger called ATC to report on the approach and the field in sight. He said he later heard the Challenger call missed approach.

The approach at ASE brought you in awfully high and it was hard for a BE40 to get down and land. During his last approach at ASE, he made a right downwind entry and landed on runway 33. He had never flown into ASE at night.

Interview: Alan S. Guenther, Captain, Avjet
Represented by: Declined
Time/Date: 1431, April 2, 2001
Location: Avjet Corporation, Burbank, CA

During the interview, Mr. Guenther stated the following information:

Avjet hired him on 12/28/00. He had about 6,000 hours of total flight time that included about 4,500 hours as PIC. He had only flown about 150 hours at Avjet. He said that he was a floater and filled in whenever needed. He had not flown as PIC for Avjet.

His impression of the company was that it was very good across the board.

He said that on a flight from LAX to ASE, he liked to depart with about 16,000 pounds of fuel but that depended on the weather. He wanted to be over DBL with about 7,000-8,000 pounds. He said that if the weather were good in ASE and Rifle or Montrose, he would go with that load.

He had only flown the instrument procedure at ASE twice in the last two years.

When flying the approach at ASE, he briefed quite carefully before DBL. He was slowed and dirty over DBL with the gear down, flaps 20 degrees, radios set and the entire approach briefed. He said that he would be fully configured at the VOR. On the two approaches that he previously did at ASE, he came straight in and there were high ceilings on both occasions. He said that he personally followed the instrument approach. He had flown with others who had done otherwise but he stayed on the approach and followed the profile even if it was severe clear. He continued his descent visually from ALLIX and at this point dropped below the profile. He shallowed the descent so that he did not have a tremendous sink rate in the last mile and one half.

He said that he never had a flight attendant sit in the cockpit because the flight was full but had them there on other occasions. He did not remember ever having to turn around and remind them of the sterile cockpit. He thought they were all aware of this requirement. He used the cockpit speakers so the flight attendant did not have to use a headset.

The stabilized approach criteria were found in the operations manual. He said it consisted of being fully configured by the final approach fix and standard callouts. There were additional callouts after the airplane had landed.

He said he never met the accident first officer but knew the accident captain from a two-day trip they had previously flown together.

He flew with Bob Frisbie on January 20-21 on a trip from LAX-FLL-LAX. Bob was the PF to FLL and the PNF on the return leg. They met in flight ops prior to the flight and Bob briefed him that since they had not flown together, he did not want him to be bashful about anything. He said the briefing he received from Bob was as thorough as any one he has had. He did not know if Bob was a smoker. He thought that Bob was very nice and easy going. He said he handled the airplane very well and did a good job, especially on landing.

He stated that altitude callouts for the approach were based on the reading from the barometric altimeter.

He did not know who was responsible to initiate a go-around but said he thought it was the PIC. He said he thought the PIC would be inside the cockpit and the FO would be outside during the approach.

Interview: Daniel A. Froistad, Charter Coordinator, Avjet
Represented by: Declined
Time/Date: 1550, April 2, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Mr. Froistad stated the following information:

Avjet hired him on 4/27/98. He had been a charter coordinator since he was hired. His duties included preparing quotes for potential charter flights, developing itineraries and estimating flight times and fees. He was responsible for booking ground transportation for both the crew and passengers. He also did the billing when the flight was completed. Two Avjet aircraft were under his primary scheduling supervision.

Any scheduler could quote fees but once a flight was booked, the scheduler who had primary responsibility for that airplane handled it. A confirmation to the customer was generated that confirmed the flight times, itinerary, passenger load and catering. A trip sheet was prepared for the pilots that included the itinerary and information on hotels, rental cars etc.

N303GA was not assigned to him. However, he said there was a lot of overlap in the office with respect to responsibilities.

He knew weather was a factor if a charter was a long flight. He would inform the customer if a fuel stop were necessary due to weather or winds. However, the captain made the flight decisions. If the captain notified him of a delay or possible diversion, he would relay that information to the customer.

On the day of the accident, he had multiple conversations with Bob Frisbie.

His involvement with the accident airplane began on Thursday afternoon. Juanita was handling N303GA and was out of the office when he received a 1430 call from David, Mr. New's assistant. David said that he had been informed of the possibility that the aircraft required landing at an airport other than ASE because of weather conditions. He told David that he would contact the captain to see if there was any update.

He said he called Bob at Garrett Aviation in LAX. He told him that David wanted updated weather and information. Bob told him that he would check the weather again as

soon as their conversation ended. Bob called him back about 10 minutes later and advised him that the weather had not changed but it looked as if they could proceed to ASE.

A short while later at about 1515, Bob called and told him that the passengers had not arrived. Bob said that if the passengers did not show up soon, there was a possibility they would not be able to land at ASE because of the curfew and the taxi time at LAX.

Bob wondered what he should tell the passengers when they arrived. He wanted to be prepared and did not know what had been communicated to the passengers. He said Bob was a little eager to get an answer to his question but was straightforward and professional. He said Bob gave no indication that he had spoken with anyone else for advice on that matter.

He said he was not aware of what the passengers had previously been told. He put Bob on hold and looked at the confirmation and it indicated a scheduled departure time of 1530. Below that time was a note that said the absolute latest time for departure was 1545. His supervisor confirmed the 1545 departure time and said it should be upheld.

He then told Bob that the passengers had been informed of the limitations and if they arrived late, tell them they would have to land at another airport. Bob reiterated that he was concerned that if the passengers arrived at 1545, there would be insufficient time to taxi and land at ASE. The expected time enroute was one hour and 35 minutes.

He called Bob back about 1535 and told him to inform the passengers that they would be responsible for a 1,300 dollar overnight fee if the airplane could not depart ASE before the curfew. He told him to give the passengers two options: land at ASE and cover the cost to overnight the crew or land at Rifle with no additional charges. He said the original plan was to deadhead the airplane and flight crew from ASE back to BUR and then return to ASE a few days later to pick-up the same passengers.

The passengers had still not arrived by 1535. He said he soon realized that the 1545 time assumed not only landing at ASE, but also drop off and departure from ASE.

Juanita had returned to the office and she received calls from the passengers while he continued talking with Bob.

He said that as he told Bob about the two options, he heard Juanita talking to David and she told him that the passengers had not arrived. That came as a surprise to David who then called frantically to find out where they were.

David told Juanita that he had spoken with Mr. New who said that the pilot had told a passenger that they might not be able to land at ASE because they were running late. At that time, all the passengers had arrived with the exception of Mr. New. David informed Juanita that Mr. New wanted a message passed to the pilots requesting that they not speak to the passengers about the flight. Mr. New wanted to personally discuss the flight with

them when he arrived. He stated that he then relayed this information to Bob who said “well gosh, I hope I didn’t say anything wrong and tell Mark (LeFever) I didn’t mean to say anything wrong.” He said he tried to assure Bob that he had done nothing wrong and he could afford to be blunt and do whatever was necessary.

He said that there was at least one phone call after 1545 and there may have been two. The majority of his conversation with Bob had taken place between 1515 and 1540.

He said there was a possibly of one additional phone call about 1600. During that call, Bob told him he had not seen Mr. New. He told Bob that based on their current information, Mr. New should be arriving at the gate about now. The time now was about 1600-1605 and that was his last conversation with Bob. He said he thought Mr. New arrived at the airplane about 1605

He said Flight Explorer² indicated that N303GA was wheels up about 1611. He presumed they would land at ASE about eight minutes before the curfew. He based his presumption on the flight time from take-off to landing.

The 1545 departure time presumed one half hour for the airplane to turn around and depart from ASE. However, if the plan were to overnight the crew in ASE, the latest departure time from LAX would be 1615.

He stated that Mr. New was a first time customer at Avjet.

He said Juanita would know exactly what David said and how he said it. However, whatever he said, it annoyed us. The passengers were running one half hour late and they seemed annoyed at Avjet.

He said Bob never made the statement that he was canceling the flight.

He had not made any written statement about a flight cancellation before today’s interview and stated that Avjet did not record telephone calls.

Juanita received a call from the crew after the flight was airborne. They stated that they were going to ASE but would not make it out before the curfew. She then booked hotel reservations for the crew. She also commented that she asked Bob how Mr. New was and he said he wasn’t too bad.

A trip confirmation was normally sent to the charter passenger and a trip sheet was given to the pilots. Avjet’s policy was to have the airplane ready one hour before scheduled departure time.

He said the passengers paid the cost of the ground transportation whenever an airplane diverted.

² A computer program used to track flights. The program displays times, altitudes and groundspeeds.

He saw the flight attendant arrive and nothing stood out. She was a stand-up individual and there was nothing unusual about her.

Interview: Juanita E. Contreras, Charter Coordinator, Avjet
Represented by: Declined
Time/Date: 0857, April 3, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Ms. Contreras stated the following information:

Avjet hired her on 01/21/01. She was a charter coordinator and had been doing that task the entire time she had been with the company. She was responsible for booking and scheduling trips. She had the same responsibilities as a dispatcher with the exception of flight planning. She was currently assigned two airplanes. She said she was assigned N303GA on the day of the accident because Kamille Bayless, another Avjet scheduler, was leaving town for vacation.

The accident airplane was turned over to her about noon and Ms. Bayless informed her of the weather in ASE and that the customer had been notified there might be a problem with the weather.

About 1530, Dan received notification from Bob that the passengers had not arrived and if they did not arrive by 1545 at the latest, the flight might not be able to land at ASE. The customer had received written confirmation that the passengers must arrive by 1545 at the latest.

Dan told her what Bob had said. She called David to tell him that the passengers had not arrived. He said he would call and check and that he was surprised the passengers were not at the airport. David called back and said the majority of passengers were outside in the parking lot but they were still missing a couple of passengers, including Mr. New. She advised David the flight would have to go to Rifle if all of the passengers were not there shortly.

She called David for the first time about 1535. He said that Mr. New was running late and they had always planned on a 1600 departure. She said the "1600 departure" were David's words. She said he had a bit of a condescending attitude and made the comment that this was harder than discount travel. She did not know whether or not he was happy.

As Dan talked with Bob, she received another call from David. He said that Mr. New had called him and said that Bob commented to one of the passengers that they were going to land at Rifle. David told her that Mr. New asked for the pilot to keep remarks to himself and if there was anything he needed to say, have him wait until his arrival and they would talk it over. She said David's words were "have him keep his mouth shut and keep remarks to himself." David seemed a bit agitated.

She said that as far as she knew, Mr. New was a first time customer.

She told David again that if Mr. New was not there, they were not going to go. He replied that Mr. New was pulling up to the gate and he would be right there. She did not recall the time of that call.

She said there was one last phone call to David in which she informed his voice mail service that there would be an additional charge of 1,500 dollars for the airplane and crew to overnight in ASE.

She went on a quick break and then received a message from David that the additional charge was not a problem. David also wanted the crew to call for ground transportation when they were about 15 minutes from landing in ASE.

She received a call about 1730 from the airplane and Bob said that they would arrive in ASE about 50-55 after the hour and they would spend the night. She said that she would book hotel rooms for them. She asked if the passengers were upset and Bob said they were not and that they had talked it over on the airplane. However, it was important to land in ASE because the customer spent a substantial amount of money on dinner. After that call, she heard nothing further from the crew or David.

She said that the Flight Explorer screen displayed altitude and groundspeed and that was how they tracked each flight. It also displayed the scheduled departure time and if it did not appear, they called the airplane or the FBO to determine the departure situation. Avjet did not make a written record of the times displayed by Flight Explorer.

The board in the scheduling department only reflected the scheduled departure and arrival times. These times were not revised unless they differed by more than five or ten minutes. She said there was only one monitor that displayed Flight Explorer information.

She used to work with Peter Kowalczyk at Jet West but did not know him very well. She said he flew Gulfstreams as a contract pilot and he was a nice guy. He popped into the scheduling area for a couple of minutes about noon and checked the status of the weather.

She stated that she had not met Bob until the day before the accident when he came into the office. She did not see him in the scheduling area the day of the accident.

There was never any pressure at all from her supervisor. She said, "We put safety first and it's the captain's call. We don't tell him what to do, he tells us what he can do."

Interview: Peter A. Firth, Chief Pilot & Assistant Director of Operations,
Casino Airlines
James D. Salmons, Director of Training, Casino Airlines

Represented by: Declined

Time/Date: 1009, April 3, 2001

Location: via telephone

Present: Operations/Human Performance Group

(A joint interview of these two individuals was conducted.)

During the interview, both individuals stated the following information:

Casino hired Pete on 8/5/91. He had about 16,000 total flight hours, including about 13,000 as PIC. He was current and qualified in the B737 in which he had about 6,000 hours, including about 5,200 as PIC.

The company had a training department and their primary training facility was at Sim Training Inc. in Seattle.

Casino hired based on internal recommendations from other pilots. They wanted the recommendations to be from company pilots who had actually flown with the recommended pilot. They have had pretty good luck with that system.

Bill Nash, a Casino captain, made the recommendation to look at Bob Frisbie.

Before hiring a pilot, they first asked for a resume. The applicant was then called for an interview conducted by at least two management personnel and one line pilot. From there, an offer was made and if accepted, the applicant was sent to training. Decisions to hire were normally made at the end of the week of interviews. He said that he was involved with Bob's interview.

Following the interview, he thought Bob was really motivated and really wanted to come to Casino. He said that Bob had heard a lot from Bill Nash about the company. Bob's previous experience was corporate and he wanted to try the airline side of the business, change his lifestyle and get on a regular schedule. He said he thought that Bob was motivated and well qualified and felt fortunate to get him. Others at the interview felt the same. He said Bob was highly motivated and impressed everyone.

Casino hired Jim on 4/15/99. He had about 4,500 of total flight time, including 2,500 as PIC. He had 1,000 hours in the B737 of which 250 was as PIC. He became the DOT on April 20th and started his ground school in March of 1999 with Bob.

Jim said Bob was very motivated. He learned the airplane and all the systems and used to talk to him about it because he had taught systems for a long time. Bob was a good guy to get along with and they had remained friends.

Bob's simulator performance was good or better than average. He flew both in the simulator and airplane with Bob. He was Bob's simulator partner during initial training and he also gave him upgrade training.

Bob began captain training in August of 1999 and completed it in November. Jim taught the ground school and 3/4 of Bob's simulator sessions. There was a time when the pilots had to know all procedures and limits verbatim and Bob without fail knew every one. Bob knew his procedures in the simulator and the airplane.

Pete said that Bob got along with almost everyone and was a congenial individual. He knew his limits and the limits of his equipment. He had a good respect for the equipment and he gained the respect of the other pilots. Bob also had a lot of mechanical knowledge and was one of Casino's best troubleshooters.

Jim talked about an hour and a half to Bob about two weeks ago. It was just a general conversation. They talked about every two months. Peter was not mentioned during that conversation. Jim said Bob was enjoying Avjet and having a good time.

Pete said that Bob's departure from Casino was a hiccup. Bob resigned, sort of under pressure, because he had refused to take a flight that would extend his duty day. The additional flight also involved a tail-end ferry back to Las Vegas. Bob apparently had plans with his girlfriend and refused the trip. That was not acceptable to the CP and he said I guess that means that you are resigning. Bob said I guess it does. Jim learned about this situation the next day.

Pete said he was not the CP at the time of Bob's resignation. He thought there might have been some type of friction between him and the CP at the time, so Bob just resigned. The CP back then was Dan Govatos.

Jim said he was the DOT when Bob resigned. Bob did not talk to anyone in management regarding the incident because Captain Nash advised him that it would do no good. Both Pete and Jim thought that was bad advice and it was not the philosophy of the company today. Jim became aware of the incident about six to eight weeks after it occurred.

Dan approached Jim after Bob resigned. He explained that Bob refused to fly and he had given Bob the option of resigning. It was actually a termination but with the option to resign. He could not change Dan's position on the matter.

The DO at that time was Ron Burke. He asked to Jim later why Bob had not come and talked to him personally. Jim told him that Bob was given advice from another pilot that it would do no good.

Bob had no other incidents or reprimands at Casino.

Jim said Bob was in good health and occasionally had a backache. He did not know if Bob exercised but he was not heavy or overweight. He said he was happy and in a good

financial situation.

Jim said that he would forward a copy of Bob's training records to the NTSB.

Pete said that Bob was a competent and knowledgeable pilot and had a practical sense about him. All of Bob's time at Casino was characterized as above average in terms of performance, competence and achievement.

Jim said that Bob would never push a limit that he felt he could not make. Bob told Jim that he would never let a junior pilot take on too much.

Interview: Shannon L. Vandahlen, Chief Flight Attendant, Avjet
Represented by: Declined
Time/Date: 1314, April 3, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Ms. Vandahlen stated the following information:

Avjet hired her on 2/1/96.

She was hired as a flight attendant and was assigned a position on a GIIB. She was promoted to the position of chief flight attendant in August of 1996. Before the accident, she was supervising 20 flight attendants

She said the company was family oriented and Mark Foulkrod was one of her role models. She said that company management had honesty and integrity.

She reported to Mark Lefever for charters but her immediate supervisor was Rich Hildenbrand. She said she worked as liaison for airplane owners when they were purchasing new aircraft and she also recruited flight attendants.

She said that she was tasked to ramp inspect every flight that returned to BUR to ensure that the emergency equipment was not hidden. Mark Lefever and her were responsible for the assignment of flight attendants to specific aircraft. They also met once a month to evaluate flight attendant operations.

Generally, Avjet did not hire inexperienced flight attendants. If inexperienced, they were sent to CAP for a one-day training course.

She said that FACTS was the leading corporate training company. Avjet's flight attendants attended a five-day course at FACTS. FACTS had cabin simulators for the Falcon, Challenger, and Gulfstream. They also trained on the use of emergency equipment, fire extinguishers, portable oxygen, etc.

She said that flight attendants hired with previous Part 121 experience would be sent to CAP for training. There was a three-month probationary period for evaluation. She said that she flew with new flight attendants for both evaluation and training purposes.

Steve Sirk was in charge of flight attendant ground instruction regarding operational procedures. She said she taught various subjects, including jumpseat familiarization, sterile cockpit, human factors of crew interaction, briefings, passenger service and proper procedures for opening the cabin door.

She said she covered the sterile cockpit concept on the first day of training.

She said it was the captain's preference as to whether or not to permit the flight attendant to ride the jumpseat.

She stated that pilots had asked her in the past whether the critical phases of flight were covered during training. She encouraged each crew to meet and discuss flight coordination and procedures.

She did not know why the POI was unaware of Avjet's flight attendant training records. She had met the POI and said that he was active and involved during the certification of the GV. To her knowledge, he had never observed flight attendant training but thought he was impressed with the GV flight attendants.

She said that the PIC was the ultimate authority on the airplane and that was always emphasized.

She knew Cathy, the accident flight attendant, on a professional level and as a coworker. She said that Cathy was professional and a hard worker. Cathy was happy that she was assigned to an airplane with a newly refurbished cabin. However, she wanted to be reassigned because the owner of her assigned airplane did not grant her requested vacation times. Cathy told her on Wednesday that she did not want to miss any more vacations and wanted to be reassigned.

She said Cathy was strong, sharp, athletic and pretty. Cathy liked the accident pilots and seemed to get along well with them.

She said she had never received any complaints from the pilots regarding Cathy. Cathy had been at Avjet for about 12 years.

Interview: Michael McCormick, pilot N898R, Victory Aviation
Represented by: Declined
Time/Date: 1359, April 3, 2001
Location: via telephone
Present: Operations/Human Performance Group

During the interview, Mr. McCormick stated the following information:

Victory hired him on 3/1/90. He had about 6,000 hours of total flight time that included about 5,000 hours as PIC. He said he had about 4,000 hours in the Challenger.

The weather at ASE was reported as 2,000 scattered, 5,500 broken, 9,000 broken and 10 miles of visibility. He was on top of the weather and it was still somewhat light. The ATIS at the time was Hotel and the tower never updated that information. He was concerned that he never received updated weather from the tower or approach control.

His flight was vectored for the VOR DME C approach. He said the approach was initiated about 1845 and flown as published. All of the airplane's anti-ice systems were on and there was no turbulence, icing or windshear. He entered a snow shower during the approach but there was no accumulation on the wings. He never saw the road, highway lights or any lights on the ground. It was solid IFR during the entire approach. He saw a strobe that was probably a REIL but he could not be sure.

He did not recall the actual winds on final approach but the ATIS was reporting the winds from 030 degrees at four knots. He was surprised to see the actual weather as compared to ATIS information Hotel. He said it appeared that something had moved over the area.

There seemed to be a light snow shower during the approach but it was smooth all the way down. As he reached the MAP, he could see one strobe flashing. He executed the missed approach, climbed to 14,000 feet and diverted to Rifle where the weather was clear. He did not make another approach because his company prohibits landings at ASE after dark. He had previously discussed that with the first officer.

The two airplanes in front of him landed at ASE. The tower had them in sight at 10,400 feet and they told him to expect to see airport at 10,400 feet.

He said night was defined in FAR 1 as evening civil twilight and that occurred at 1855 on the day of the accident. He checked sunset time and civil twilight time with FSS before takeoff.

He had flown into ASE about four or five times. He viewed the VOR DME C approach as a circling approach even when you were able to see the airport early and land straight in.

Scott Marsch was the PF and he may have seen two strobes flashing at 10,400 feet. Scott also talked to FSS before the flight and was advised there were no current NOTAMs that would affect their operation.

On a VFR day, he could land from the MAP altitude but it would not be pretty or stabilized. If he saw the runway early in the approach, he jogged over to the right to line up with the runway.

Interview: Rich Hildenbrand, Vice President and General Manager, Avjet
Represented by: Declined
Time/Date: 1449, April 3, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Mr. Hildenbrand stated the following information:

Avjet hired him on 9/22/95. He was hired as the director of aircraft management and sales. He was later promoted to director of management programs and in June 2000, he was promoted to his current position. He was part of the mix of managers involved in the hiring process.

He was not directly involved with the accident charter and that was normal. Mark Lefever would normally have been involved with the charters. Mark advised the schedulers if there were any unusual requests or circumstances.

He saw Captain Frisbie in the hall the day of the accident about 1200. He said hello and asked him where he was going. Bob replied he was going to ASE and that he was not sure of the weather there. Rich told Bob that you know how it is in ASE, it's either beautiful or you don't bother.

He saw First Officer Kowalczyk in the hall maybe 10 or 15 minutes later. They simply exchanged greetings.

He reported directly to President Mark Foulkrod and assisted him with day-to-day operations. The vice president of maintenance, chief financial officer and the director of operations also reported to the president. He said he was not directly responsible for scheduling.

He said that Avjet tried to foster good relationships with the pilots and there was quite a bit of esprit de corps within the pilot group.

He had a conversation in his office with Bob about two weeks before the accident. He had previously asked him to stop by the office so that they could formulate a plan for establishing a new departure time for the trips returning from Budapest. There had been discussions on how best to schedule the trips so that everybody was on the right clock. He wanted to ask Bob what would be the best for him. They were trying to work out a plan that would improve the crew's quality of life. Avjet then worked with the owner in an attempt to implement that plan. He said the meeting lasted about 15 minutes and Bob was enthusiastic about the plan. Bob obviously knew that anytime he returned with the airplane's owner, regardless of the time, he had the authority to stop the flight for crew rest.

He described Bob as very low key and not one to be agitated. He said that on return flights from Budapest, he always picked a conservative alternate, such as, International

Falls. This differed from other pilots who picked alternates that were acceptable but left fewer options to the pilot if something unforeseen occurred.

He did not know whether Mr. New was a first time client of Avjet. Mr. New was not the first charter customer to make statements to Avjet with respect to the pilots talking to passengers. He said it sounded like he wanted to control the flow of information.

He had never overridden a pilot's decision and he was not involved in the discipline of pilots. That was Ken Seals' responsibility.

He said normally ground transportation was the customer's responsibility.

He said years ago when he was flying into ASE, he flew directly over the top of the airport and if they saw it, they landed. At that time, there was no instrument approach at ASE. When an approach was published, he viewed it in a negative manner.

Interview: Scott A. Marsch, pilot N898R, Victory Aviation
Represented by: Declined
Time/Date: 1530, April 3, 2001
Location: via telephone
Present: Operations/Human Performance Group

During the interview, Mr. Marsch stated the following information:

Victory Aviation hired him in March of 1990. He had 9,700 total flight hours that included 5,000 as PIC. He had 3,000 hours in the Challenger that included 1,500 as PIC. He was a rated captain in the Challenger and he was the PF. He said that Victory Aviation was a Part 91 operation.

There were scattered clouds and the visibility was great over DBL the night of the accident. They started the approach with about 10 miles visibility and well within safety parameters. All of the airplane's anti-icing systems were turned on. The approach was smooth and at the missed approach point, he saw a couple of flashes from both REILS. He was not comfortable and made the missed approach.

He did not see the runway or REILS from DBL because he was flying and had his eyes on the instruments. He did see lights from houses on the ground while being vectored for the approach. They passed through a couple of clouds on the approach that seemed like snow showers. Out of 10,400 feet, the PNF said he had the REILS but there was no hard and fast runway environment. At the missed approach point, he saw both REILS but not the PAPI or the runway. They were not comfortable with what they saw and executed the missed approach.

There was no windshear on the approach and he may have heard both of the accident pilots transmitting on the radio to the tower. Neither appeared confused and he did not

remember if the accident crew queried the tower about the weather. He did not hear the tower clear the accident airplane to land.

He said that he did not receive a weather update from the tower. During the missed approach, he did not hear any transmissions from the accident airplane. He saw scattered lights on the ground. He said they had already made up their minds to divert to Rifle when they were notified that ASE was closed to further traffic.

He used the FAR definition of civil twilight to determine when night occurred. He knew he had to land and be on the ground before this time.

He had flown into ASE two or three times in the last six months. He said he did not have any special ground cues when he made a visual approach at ASE.

No NOTAMS were issued that applied to their operation. He said his company did not permit night operations at ASE.

Interview: **Derrick A. Sera, Charter Coordinator, Avjet**
Represented by: **Declined**
Time/Date: **1601, April 3, 2001**
Location: **Avjet Corporation, Burbank, CA**
Present: **Operations/Human Performance Group**

During the interview, Mr. Sera stated the following information:

Avjet hired him on 01/10/00. He was hired for his current position as charter coordinator. He distributed pertinent information regarding each charter to the flight crew and maintenance personnel. He also made all the arrangements for flight crew and passenger accommodations and transportation. He was not assigned the accident airplane.

He did not speak with Mr. New or his assistant the day of the accident. However, he did speak with Captain Frisbie. He was at his desk when Bob reviewed the weather at ASE and noted that there was a possibility they would have to divert. He said that was an issue because of the logistics of accommodations and transportation for all 15 passengers if there was a diversion. Bob wanted to make sure that someone addressed these logistics if he had to divert and he wanted to make sure he had personally spoken with someone about his concern. The time of this exchange was sometime between noon and one o'clock.

This was the first opportunity he had to talk with Bob face to face. He did not observe anything out of the ordinary and he seemed in good spirits. They discussed the weather for about five minutes. He remembered the current weather at ASE as being scattered and broken clouds at 2,500 feet with three miles visibility. The forecast called for conditions to improve.

He never talked with the accident first officer or flight attendant.

The clients were notified whenever there was a need to change the ground transportation. He said the client paid for ground transportation 80 percent of the time, even if the flight had to divert.

Interview: Kamille J. Bayless, Charter Coordinator, Avjet
Represented by: Declined
Time/Date: 1627, April 3, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Ms. Bayless stated the following information:

Avjet hired her on 7/1/00 for her current position as charter coordinator. The accident airplane had been assigned to her since her first day at Avjet.

She spoke with Captain Frisbie about 1100, First Officer Kowalczyk about 1200 and Flight Attendant Cathy Naranjo about 1245. Cathy was happy, as usual, and she noticed nothing extraordinary. She asked Cathy if she looked forward to the charter and she answered yes.

She gave Bob the trip sheet and pointed out that 1545 was shown as the latest departure from LAX. She wanted him to be familiar with the information that was given to the customer. He mentioned that he looked over the weather and it was pretty good but he would keep checking it during the day and keep in touch with the charter department. He then went over to Mr. Sera's position and again looked at the weather and came to the conclusion that it looked good.

She called David, Mr. New's assistant, and left a voice mail message that said the weather had been checked and it looked pretty good but there was a slight chance the flight would have to divert. She asked him to call when he received that message.

She originally booked and quoted the trip to David. They discussed schedule changes, catering and the passenger count. She said she had spoken to him twice a day since Monday. David was easy to deal with and they had a good working relationship.

Her assigned flight crews normally came in about one hour and a half before scheduled departure time but Bob often came in earlier. She said it was not unusual to see him arrive early just as he did on the day of the accident.

The charter to ASE did not stipulate who paid for ground transportation in the event of a diversion. That was never discussed with David. She said David arranged the ground transportation in ASE.

All the paperwork for the charter was kept together. The first day she spoke to David concerning the charter was Monday the 26th.

The first time she spoke with Bob, he asked her to ensure that the trip was scheduled to arrive before dark. She said that was Avjet's policy. He thought a departure time from LAX of 1530 was fine and would allow them to land at ASE, turn around and return to BUR empty.

David had asked why the flight could not land after dark. She told him it was Avjet's safety policy. She said David originally suggested a 1530 departure time when he was first told the airplane could not land after dark. She said she did not suggest show times to any of Avjet's customers. David understood 1530 was the departure time and not the show time. A 1530 departure time had the passengers in ASE by 1810.

She used the grid of night times for ASE from her book. Based on her calculation, dusk began at 1828. She also spoke with ASE base operations and confirmed that time. She never had a trip that was scheduled to land so close to the curfew. She had previously scheduled two other trips to land in the afternoon or late morning with the same crew and airplane.

Late arriving passengers had prevented departures before but she could not remember any specific examples. She said it never happened with 303GA.

She said that Avjet had set a safety standard and some airports had their own standards, but if it was close, the captain decided.

Interview: Kindra Schwalm, Charter Coordinator, Avjet
Represented by: Declined
Time/Date: 1710, April 3, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Ms. Schwalm stated the following information:

Avjet hired her on 3/3/9. She contacted Mr. New's assistant, David, following the crash.

David called about 1840 and said he had been on the phone with Robert New and they had been disconnected but Robert had mentioned that it sounded like there was a problem with the runway in ASE and they might have to divert. David then called Avjet through their answering service. He was concerned and wanted to know if the airplane had landed and what was the alternate plan if the flight could not land at ASE.

She was talking to David on one cell phone line as she called ABO on another. She spoke with Derek at ABO and asked if the aircraft had landed. Derek said it had not. She then asked if there was a problem with the runway and if the runway was closed.

Derek said the runway was closed and was pretty evasive when she asked him for the reason. He just said that N303GA had not taxied in to the ramp.

Following her conversation with Derek, she again called ABO and spoke with Mary, one of her contacts at the airport. Mary said the runway was closed and she was also evasive.

She became uneasy and called the tower at ASE but there was no answer. She then called Denver ARTCC and asked about N303GA. Denver ARTCC center informed her that the aircraft had been involved in an accident and the airplane was down.

She called Mark Lefever to let him know of the accident. She then called David and told him that the airplane was involved in an accident. She said David never was irate but was concerned and asked her to let him know whenever she had additional information. She had additional conversations with him throughout the night.

When she arrived back at the office, David called again and asked if there were any additional details. She told him there were not.

She and Mr. Hildenbrand called the tower at ASE and attempted to obtain a briefing. The tower said the pilot had reported the airport in sight and they saw him veer west.

Interview: Robert N. Heck, Chief Pilot, Jet West
Represented by: Declined
Time/Date: 1009, April 4, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Mr. Heck stated the following information:

Jet West hired him in November of 1996. He said he was the only Gulfstream checkairman for standardization. He had more than 10,000 hours of total flight time that included about 8,000 hours as PIC. He had 4,000 hours in the Gulfstream that included 3,900 hours as PIC.

He said First Officer Peter Kowalczyk applied for a job at Jet West in July 1999. Peter was current and qualified in the Gulfstream when he was hired. Captain Frisbie was directly responsible for hiring Peter. At that time, Jet West required the SIC to have an annual simulator check.

Peter was subsequently trained as an SIC on the Learjet. He said that Peter accomplished all training programs to standards. Jet West conducted their training at Simuflite, Flight Safety and in-house.

He had flown with Peter and described him as an adequate SIC. He said Bob described Peter as an average pilot. He did not remember the first time or the last time that he had

flown with Peter. He said Peter was obviously a little smarter and better at the end of his time at Jet West.

He was not aware of any reprimands, disciplinary actions, or training failures while Peter was at Jet West or at any of his previous employers.

He said that Peter knew the Gulfstream better than the in-house trained SICs. He said his systems knowledge was adequate for the SIC level and he needed more time in the airplane to improve to the PIC level. He said that Peter's procedures, handling and knowledge skills of the airplane were also average. He defined average pilots as those who were always learning and struggling as compared to those who had a natural gift for flying.

He described Peter's CRM skills as adequate. He said communication was his biggest problem since he was a non-native English language speaker. He said that sometimes resulted in him talking too fast which made him difficult to understand. At times, the words did not come out adequately. He stressed that Peter did not have a problem understanding English or reading it. He only had some difficulty expressing himself clearly at times.

He said Peter's assertiveness in the cockpit was adequate.

He said that he could not remember or make a hypothetical determination on whether Peter ever spoke up or would speak up to point out cockpit errors.

He said other pilots who had flown with Peter would have nothing different to say than what he had said. He said Peter's only downfall was communication and that his speaking too fast would upset the other captains. He said, however, it was a mutual problem because those captains who were getting upset were not telling Peter to slow down.

He said he advised other Jet West pilots not to talk to the NTSB over the telephone and he also spoke with his supervisors regarding his interview. They said it was okay for him to be interviewed.

Interview: Kristin L. Pruitt, Learjet & Gulfstream CA, Jet West
Represented by: Declined
Time/Date: 1233, April 4, 2001
Location: via telephone
Present: Operations/Human Performance Group

During the interview, Ms. Pruitt stated the following information:

She had 5,900 hours of total flight time that included 3,500 as PIC. She had 300 hours in the Gulfstream, all of which were as PIC. She had been with Jet West for about three

years. She flew with Peter six months ago for about 200 hours in the Learjet and Gulfstream. She said other pilots were happy with his performance.

When she was a new captain in the Gulfstream, she was not that familiar with the GPS navigation system. Peter helped her learn that system and he was very knowledgeable about all the systems in the airplane. He had given her many pointers.

She said he was always on time and prepared for the flights. He was a diligent pilot who was always trying to improve his skills. Experiences she had with him were good and she knew everything would be prepared for their flights.

One of her first trips with Peter in the Gulfstream was a flight to Finland. Peter performed the international procedures well and he was very knowledgeable. Her last flight with him was on 9/27/00. He told her he was going to another company for better pay and asked her for a letter of recommendation, which she gave him. She said he seemed happy at Avjet.

She said she never experienced any emergency situation while flying with him. However, one abnormal situation occurred when they were flying together and two of the three GPS units became inoperative. She said they worked well as a team to get through the situation.

She said his CRM skills were very good, clear and concise whether he was the PF or PNF. When asked about his assertiveness, she remembered an occasion when she misread the arrival crossing restriction and he corrected her. She said he was not a passive PNF. He was very sure of himself and made sure the captain stayed out of trouble. She said Peter would have been assertive enough to call for a go around during an approach that was not working out.

Peter had a definite accent. If she misunderstood him, she would ask again. The accent did not affect his ability to communicate.

Knowledge of the aircraft was his greatest strength. She could not think of any area in which he could have improved. She thought he was capable of upgrading to captain at the time he left Jet West.

Overall, Peter was a good pilot and an easy and nice person to get along with. He always made the cockpit very comfortable.

Interview: David P. Valliere, assistant to Robert New
Represented by: Declined
Time/Date: 1420, April 4, 2001
Location: Avjet Corporation, Burbank, CA
Present: Operations/Human Performance Group

During the interview, Mr. Valliere stated the following:

He said Robert had a few businesses that included a leasing company, a rental car company and a business for financing movie releases.

He was hired as Mr. New's assistant at the end of February, 2001.

He found Avjet through the yellow pages. He said when he mentioned Avjet to Mr. New, there was no acknowledgement that he recognized the name. David was pricing Gulfstreams for a private party that Robert was giving in ASE. David said the number of the party fluctuated between 14-16 people. Locating aircraft charters was new to him and he was not familiar with the various airplanes and layouts. He said that some companies could only give him a 14-passenger airplane. He contacted companies other than Avjet for prices and airplane availability.

He said the first person he spoke to at Avjet was Kamille. He said he was very satisfied with his interactions with her during the coordination of the charter.

He said he talked to Camille about the departure time from LAX. He was told the very absolute latest time for departure was 1555. He said he shaved about one half hour off that and suggested leaving at 1530. He told Mr. New that everyone should arrive at the airport by 1515.

He said he tried to learn about ASE and the limitations about flying there at night. He said charter flights and smaller airports were not his specialty. He was told the latest the flight could depart from LAX was 1555. The itinerary noted that the flight must depart by 1545.

Avjet called about 1530 and informed him that the passengers were not at the airport and the airplane had to depart in five minutes. He immediately called the airport to find out the whereabouts of the passengers. The person he spoke with at Garrett aviation said that nobody was in the building but there was a group of people in the parking lot. He spoke with one of the passengers to determine who had arrived. He told the passenger that Mr. New and Mario were on the way and to have the rest of the passengers board the airplane. He then called Mr. New and told him the situation and to hurry.

David called Robert at 1530 and said they had to takeoff at 1555. David called Avjet back and used strong language to reinforce the point that they had all agreed upon. It was after that phone call that I realized that they were in the parking lot.

Robert called him and was irate that one of the pilots had talked to a member of the party and said they would not land in ASE. He had planned the party in great detail and didn't like anyone telling him there had been a change in plans. He had David call Avjet to tell them that he wanted the pilot to stop discussing where they were going to land and they would talk about the destination when he arrived. Juanita said ok and that she would make the call.

He said he did not remember when Robert arrived at the airport but thought it was about 1550. Robert often said that he was on his way when he was a bit further away than he acknowledged. At about 1610, he called Mr. New and informed him to board the airplane and go. He stated he knew that time because he looked at his watch. When Mr. New answered, he said he could not talk because they were taking off.

Contact was made with Mr. New about the mid-point of the flight. They discussed last minute preparations. The two of them briefly spoke several more times while the airplane was airborne.

David said Robert was aware of the hard out time of 1555. Robert never mentioned that he talked to the pilot after his arrival in any of the subsequent phone calls.

The last time he spoke with Robert was regarding the arrangement of cars, dinner, and a few other minor details. Robert told him they were landing and he had to go. He said they never spoke about the weather at ASE or the condition of the runway.

He had booked charters for Mr. New on previous occasions. He did not know his habits on an airplane. Robert was pretty good about being able to shed his frustration or anger once he got the solution and was satisfied. He didn't harp on the problems that led up to his anger.

He was waiting for the airplane to land before calling the chef to start the food. Robert called him from the airplane to check on the arrangements.

David spoke to a few people that day about Eagle and Rifle as diversion airports. Initially when he told Robert of the possibility of a diversion, he became irate. He told David that was not right because he had previously landed at ASE at night. David told him it was a safety factor and airplanes were not to land after dark. Robert cursed and said I can fly at night. Robert told him to call Avjet and tell them they were not going to redirect us. We are flying into ASE. I've done it and done it on this kind of plane. It was not a problem. Tell them I've done it before and we're going to do it.

He passed on the information he was asked to give Avjet about Robert's displeasure with the possibility of not going to ASE. He said he communicated that he was extremely displeased and used firm language when talking to Avjet. He said he tried to be clear about Robert's dissatisfaction. The time of that call was about 1530.

He was not sure whether he faxed the statement to Robert that showed that they must depart LAX no later than 1545. He said he had no sense of any discussions between Robert and the crew during any of the calls he had with Robert.

He said he thought about the phone calls, the urgings that Robert had him do on his behalf and the strength of Robert's personality. He still came to the same conclusion that Robert was not flying the airplane. If it was not safe, they were not going to land no matter what Robert wanted.

He could have seen Robert coaxing the pilots to land. He said Robert was a born salesman. He had the charm of a very gifted salesman. Anger and frustration were very rarely things he communicated without being in control of himself and knowing what he was doing. He would direct his language to a third party in an effort to communicate how strongly he wanted something. He did not direct it to the person involved.

He said that on a scale of one to ten, with 10 being the greatest urgency, he rated Robert's desire to land at ASE that night as a 10.

Interview: Donna Smith, Fiancé of Accident Captain
Time/Date: 1300 EDT, April 11, 2001
Location: via telephone³
Present: Evan Byrne

During the interview, Ms. Smith stated the following information:

She had known Bob Frisbie since October 1996. They were engaged to be married and shared ownership of property. Her 20-year-old daughter lived with them until about three months before the accident.

On Monday, March 26, Bob went with her to purchase supplies for the fireplace and then he puttered around the house working on the fireplace. That evening, they went to dinner in Fallbrook. She described it as a casual day and said Bob went to bed about 2100-2200.

On Tuesday, March 27, he awoke about 0700 and it was another routine day around the house. Wednesday, March 28, they burned trees and stumps on the property and walked with a neighbor.

On Thursday, March 29, he awoke about 0700 and watched TV and had coffee. Then he worked with flight plans on the computer for a while. She said he routinely would use the computer at home to obtain flight planning and weather information. Bob routinely discussed every flight with her. He mentioned to her that the trip to ASE involved 15 passengers and the passengers were to show at 1300. He also told her that they had a 50-50 chance of getting into ASE because of the weather and if there were any problems, they would go to Rifle, just like last time. She said that the last time he flew the owner, he had to divert to Rifle because of the weather at ASE. Bob would re-route to Rifle routinely, if necessary.

She described a situation where Bob and the owner waited at ASE for two or three hours for the weather to clear before they departed. She said the owner was impatient during the wait but eventually the weather cleared and they were able to depart.

³ A copy of the draft interview summary was provided to Donna Smith. The version presented here was revised in accordance with written comments Ms. Smith provided.

Later that morning Bob got ready for work and left about 1000. She said that everything was normal in the days before the accident and things were great.

Bob called her about 1240 from the cockpit when they were waiting for the passengers. She based that time from a phone bill she had received. She said that Bob again told her that he would divert to Rifle if they could not get into ASE and not to worry.

She said that Bob told her they were waiting for the last two passengers to show before 3:00 p.m. She thought that the majority of passengers had been picked up in Burbank and the last two were to be picked up in Los Angeles.

She reviewed the papers that Bob had printed out preparing for his flight that morning. She did not see a NOTAM about ASE.

She described Bob as being in good health. He had no health problems in the year before the accident. He had no sleeping difficulties, no diagnosed sleep apnea and would routinely have coffee in the morning. She said he was a light smoker who smoked infrequently, no more than a pack a week. He was in the process of quitting. He occasionally consumed a glass of wine at dinner. She said he did not take medications at all. In a follow-up call on 4/30/01, she stated that Bob did not have any diagnosed medical conditions associated with low blood sugar, hypoglycemia or diabetes.

Bob started flying about 17 years ago because he liked the idea of being a pilot. He started flying about 10 years after high school when he was working as a mechanic. She said he always scored high on his tests. There were many occasions when his instructors wanted him to teach the class. Bob knew how the plane worked and how to fly it. He was mechanically inclined and he also was a car mechanic.

She said he really liked working for Avjet because of the professionalism of the people there. He was also able to spend more time at home.

Bob was doing very well both personally and financially and he had no problems. She said that his father died from a terminal illness February 13, 2001. Everyone had expected Bob's father to die and he had dealt with it well. Bob's sister called the day of the accident and asked him to come by her house and give her a check for funeral expenses. He stopped by and dropped off the check on his way to Burbank.

Bob liked his copilot, Peter, and got along with him. Bob described him as quite a pilot. His only critique was Peter's "foreign thing" which was not a problem in Peter's English but more of a defensive interaction with his cultural background when in social situations. Bob had no difficulties with him in the cockpit.

The normal commute from Bob's house to Avjet took about two hours.

Bob was terminated from Casino Airlines for refusing to fly a trip that he felt was illegal with respect to duty time. She also said he had been terminated from EAL when that company found out that he had asked for time off to do the interview with Casino.

Interview: Captain David Nay, Captain, Air Wisconsin
Time/Date: 1045, April 25, 2001
Location: Telephone interview
Present: Dave Tew (NTSB)

During the interview, Captain Nay stated the following information:

He had been a pilot with Air Wisconsin Airlines for 28 years and was presently flying the BA-146.

When he first saw the accident airplane, he was taxiing for takeoff at ASE and had just left the main ramp for the parallel taxiway. His flight was departing to Denver.

It was just after dark when he first saw the landing lights of the accident airplane. He saw the airplane lights were very quickly going through the extended centerline of the runway. The airplane was pretty close to the airport when he first saw it. He did not see him break out of the clouds; he just looked up and the lights were there. When he first saw the airplane, it was in about a 45-degree bank at an altitude of about 100 feet. He first thought it was a helicopter because it was extremely low. He could tell that the airplane had overshot the runway centerline and was in a steep turn to try and get back to the runway. The bank increased until it reached about 90 degrees and then decreased to about 60 degrees. He said he could not see how the pilot was going to be able to land from that position.

He did not see any evidence of a go-around. There did not appear to be any pitch-up and he was unable to hear the engine noise. He saw the lights of the airplane disappear then saw a fireball.

He thought that if the airplane had not hit the ground, it probably would have hit a tower that was located beside the runway.

He had flown into ASE several hundred times over an 11-year period, usually several times a week. He had flown the same approach many times but was rarely able to land straight in. He usually had to maneuver to land from that approach.

When he landed about 45 minutes before the crash, the visibility had been good and he saw the airport early in the approach. When he saw the accident airplane, the visibility looked good but he could not give an estimate.

He said the runway had a 2-degree slope and gave a pilot the perception that you were extremely high on an approach when you were not.

Interview: Vernon Austin, Captain, Diamond Rich Jet
Time/Date: 1045, April 15, 2001
Location: Telephone interview
Represented by: Declined
Present: Dave Kirchgessner

During the interview, Captain Austin stated the following information:

He was the pilot (PF) of Challenger N927JA. His aircraft directly preceded the accident airplane on the approach into ASE. He said he had never flown a night approach into ASE.

On the first approach, he saw the REILS and lights from quite far out. He looked down at the MAP and saw the airport but was uncomfortable to attempt a landing. All de-icing equipment was on and there was a ragged ceiling.

On the second approach over the VOR, he said he was in a snow shower with visibility of about six miles. The descent from the VOR was normal. At 10.4 DME, he picked up the REILS and started down. He did not see the PAPPi or the airport. He described the snow as more than light. The visibility decreased during the approach and the tower visibility went to two miles. He executed the missed approach and went to Rifle.

During the second approach, he heard the following transmission from the accident airplane: "I can see down the valley and if I knew the terrain a bit better, I could go from here." He said he was just past the VOR at the time and it was dark.

He said the NOTAM meant that you could not circle but you could fly the procedure.

He stated that night meant 20 minutes after sundown but that did not work at ASE. He said the airplane must be on the ground prior to official night.

He said ASE was dangerous. There were snow showers all the time that restricted visibility and there was no way to get out.

Customers pressured him occasionally. It was always an irritation but most did not push to hard to land. That pressure would usually come during the flight.

Interview: Robert Wagner, Pilot, Diamond Rich Jet
Time/Date: 1300, April 15, 2001
Represented by: Declined
Location: Telephone interview
Present: Dave Kirchgessner

During the interview, Mr. Wagner stated the following information:

He was the pilot (PNF) of Challenger N927JA. His aircraft directly preceded the accident airplane on the approach into ASE.

During their first approach, they were being vectored to the VOR at 16,000 feet and they could still see the sun. ATIS Hotel was current and it reported four miles of visibility.

At about 11.0 DME, they were in a snow shower but could see straight down. The visibility ahead was vague and he thought he saw the REILS. They were in and out of the clouds and there was no turbulence. He described the snow shower as light but with big flakes, enough to distort the lights. He did not see the PAPI or enough runway lights to continue the approach. They executed the missed approach.

During the second approach, he heard transmissions from the accident airplane. That person on the radio had an accent. He said his airplane was cleared to land and the accident crew acknowledged that clearance. The tower cleared that discrepancy up immediately.

At the FAF, visibility to the north was less than two miles. They saw less outside the airplane this time than during their first approach. They were in the clouds and the snow had intensified. He did not see the REILS on the second approach but maybe the PF did. There was no turbulence or windshear and the winds were pretty calm. He said he did not notice a tailwind.

The NOTAM meant that you could not use the approach procedure.

He said his company did not have a written procedure regarding ASE but all had agreed that they would not land there after dark.

He was pressured once by a customer but said it was no big deal.

Interview	Ewa Kowalczyk, Wife of Accident First Officer
Time/Date:	1500, May 17, 2001
Represented by:	Declined
Location:	Telephone interview
Present:	Evan Byrne, Bart Elias

During the interview, Mrs. Kowalczyk stated the following information:

Peter's flying schedule consisted of trips that lasted about 10 days. He made some trips to Hungary that lasted about two weeks and the longest one she could recall was almost three weeks. She noted that he sometimes made shorter trips to locations such as ASE. She stated that he was home often and had been home for 20 days prior to the accident flight.

Peter worked full time as a pilot for Avjet and did not have any other jobs. During his spare time at home, he did home computing, walked the dog and cared for a six-year-old daughter. She and Peter went on outings when she did not have to work. The commute from her home to Avjet was about 25 minutes by car.

She had known Peter for about 11 years. He was not a pilot when they first met. He had friends in aviation and through them became interested in flying. He attended a flying school in Oklahoma.

Peter and Bob Frisbie were good friends and Peter had no reservations about flying with him. He thought that Bob was an experienced and knowledgeable pilot.

Peter enjoyed his job at Avjet very much. He was not pursuing employment as a pilot anywhere else because he was satisfied with Avjet. He did not fly for anyone outside of his work with Avjet.

Peter was in good health. He was not sick and he was not taking any vitamins or medications. His last illness was in January when he had an infection. There was no history of illness or medical conditions in his family. His parents were still living in Poland and both were healthy. She could not recall the name of Peter's regular doctor but she noted that he typically just went to an urgent care facility whenever he was sick.

Peter did not smoke and he drank coffee infrequently. He had, on average, about one alcoholic beverage every two or three weeks. He exercised when he felt like it but not on a regular basis. He preferred outdoor exercise. On the day before the accident, he played basketball, volleyball and went for a bicycle ride.

She said Peter was financially stable. He had not been involved in any previous aviation accidents. She did not recall if he was involved in any emergency situations as a pilot. She noted that he had received a letter from his supervisor at a previous employer, Jet West, thanking him for his hard work and good performance.

Peter usually went to bed about 10:00 p.m., woke up about 7:30 a.m. and normally ate breakfast. On Monday, March 26, 2001, and on Tuesday March 27, 2001, he stayed at home. On Wednesday March 28, 2001, he went to a sports club around 11:00 a.m. and participated in volleyball and basketball for about four hours. He later had lunch at home before going on a bicycle ride for about one hour. That evening, he did household chores, read magazines and watched a movie before retiring to bed about 11:30 p.m.

On Thursday March 29, 2001, he woke up about 7:45 a.m. and took their daughter to school. He then took the dog for a walk at a park for about one hour. He worked on flight plans on the computer and had noted that it was snowing in ASE. He then showered and ate breakfast and departed for the airport about 12:00 p.m. When he departed, he was in a good mood and was happy that he had a short trip and would be able to be home for the weekend. He was not aware who the passengers were for the trip.

He knew that someone had chartered the airplane and it was not the airplane owner. He had told her that he expected to be back about 6:00 to 7:00 p.m. that night.

Peter was very happy with his job and loved to fly. When not flying, he often used flight simulator programs on the computer to practice his instrument flying skills. He also studied instrument approach charts.

He told her that flying into ASE was difficult and, on one previous occasion, they had to wait over one hour for conditions to improve before departing. She did not recall any specific comments made by Peter regarding the approach or landing at ASE.

Interview: Warren Levine, Chief Pilot, Aspen Aviation
Time/Date: 1300, May 24, 2001
Represented by Declined
Location: Telephone interview
Present: Dave Kirchgessner

During the interview, Mr. Levine stated the following information:

He had been the chief pilot and a checkairman on the Lear Jet for the past five years. He said he thought a previous Avjet dispatcher, Jeff Louis, had a conversation with someone at Avjet concerning his relationship with Mr. Robert New.

He described Mr. New as a good customer, nice fellow, friendly and easygoing. He said neither Mr. New nor any other customer ever pressured him concerning a flight.

He was aware of a trip that Mr. New had with a pilot named Rocky, who flew for another company. The trip was scheduled from ASE to Teterboro (TET), New Jersey. The weather was not good in TET and the flight had to divert to Morristown, New Jersey. Mr. New became quite upset about the diversion, but only from the standpoint that he was not informed about the diversion until the plane landed in Morristown. Mr. New said he could have made other business arrangements from the airplane had he been informed of the diversion. One piece of Mr. New's luggage was also lost on that trip. Mr. New was not a happy camper.

He said he had flown him three or four times, the most recent being just one week ago. He said Mr. New seemed happy and the trip went very well, as did all of his experiences with Mr. New.

He said that none of the other pilots at Aspen Aviation had complained about the demeanor of Mr. New.

He stated Mr. New never offered him money in an attempt to ensure a landing at a particular airport.