



NATIONAL TRANSPORTATION SAFETY BOARD

Office of Aviation Safety
Washington, D.C. 20594

September 16, 2019

Attachment 2 – FAA Interview Transcripts

OPERATIONAL FACTORS/HUMAN PERFORMANCE

CEN19FA072

This attachment contains transcripts of interviews of the following personnel from the FAA's Little Rock Flight Standards District Office:

- Nicholas Cusimano (Principal Operations Inspector for Viking Aviation)
- Robert John Loomis (Front Line Manager)
- Jonathan Moss (Acting Office Manager)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

*

* * * * *

Interview of: NICHOLAS CUSIMANO

Via Telephone

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

PAUL SUFFERN, Meteorologist
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

DAVID GERLACH, Accident Investigator
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

MATT SMITH, Esq.
Federal Aviation Administration
(On behalf of Mr. Cusimano)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Nicholas Cusimano:		
By Mr. Williams		8
By Dr. Silva		22
By Mr. Suffern		30
By Mr. Gerlach		31
By Mr. Williams		33
By Dr. Silva		37
By Mr. Gerlach		44

I N T E R V I E W

(2:02 p.m.)

1
2
3 DR. SILVA: Give me one second. We are on the record at 2:02
4 Eastern.

5 MR. WILLIAMS: Nicholas, thanks for talking to us. Like I
6 said, my name is Shaun Williams. I'm the investigator in charge
7 for the NTSB. We're an independent agency. Our main focus is to
8 determine probable cause of the accident and promoting
9 transportation safety. We're not a part of the DOT or the FAA.
10 We have no regulatory or enforcement powers.

11 Like I mentioned, we have a bunch of people on the phone. So
12 I'm going to let everyone go around and introduce themselves here.
13 We will start with Paul.

14 MR. SUFFERN: Hi there. I am Paul Suffern. I'm a
15 meteorologist investigator with the NTSB.

16 MR. WILLIAMS: John.

17 MR. BRANNEN: Hi, this is John Brannen. I'm a regional
18 investigator with the NTSB. On this accident I'm working
19 operations.

20 MR. WILLIAMS: Sathya.

21 DR. SILVA: Hi there. I am Sathya Silva. I'm a human
22 performance investigator for the NTSB.

23 MR. WILLIAMS: Dave?

24 MR. GERLACH: Hi, Nick. This is David Gerlach. I work in
25 the Office of Accident Investigations for the FAA as well, and I

1 am an aircraft accident investigator.

2 MR. WILLIAMS: Tim.

3 MR. TAYLOR: Hey, Nick. Tim Taylor with Survival Flight.

4 MR. WILLIAMS: And who all is in your room there?

5 MR. CUSIMANO: I'm Nicholas Cusimano, principal operations
6 inspector for Viking Aviation, doing business as Survival Flight.

7 MR. SMITH: And Matt Smith from FAA, chief counsel's office.

8 MR. WILLIAMS: Nicholas, are you okay talking with all of us
9 here today?

10 MR. CUSIMANO: Yes.

11 MR. WILLIAMS: We utilize the group system or a party system
12 when we do our investigations, which is why there are so many
13 people here. We can't be an expert in everything, so we bring in
14 those that are going to help balance things and make sure we have
15 the most complete investigation as possible.

16 So today, like I mentioned before, we'll be using a tape
17 recorder to record the interviews which will then be sent for
18 transcription. The transcript, not the audio recording, will be
19 made part of the public docket when it is released later on in the
20 investigation.

21 The purpose is safety. We are trying to prevent this from
22 happening again. We are not here to assign fault, blame or
23 liability. The interview that we are doing is part of the fact-
24 finding phase of the investigation. You bring stuff to the table
25 that we don't know and that's what we need. We cannot, however,

1 offer any guarantee of confidentiality or immunity. Like I said,
2 the transcript will be released when the public docket is opened.

3 Each of the group members will have a chance to ask
4 questions. We will ask one at a time and then we'll move to the
5 next person. Go around the room here and each person -- usually
6 it's about two rounds, then we'll be able to wrap it up.

7 Please answer all the questions to the best of your
8 recollection. If you don't know something, "I don't know" is an
9 acceptable answer. If you don't understand a question please ask
10 to have it repeated or explained. The same token, if you realize
11 you have misstated or want to change an answer, please do so.
12 Like I said, we want the most accurate record.

13 You are entitled to have one representative of your choosing.
14 Is there someone you would like to have as your representative?

15 MR. CUSIMANO: Yes. Matt Smith.

16 MR. WILLIAMS: Okay. Matt, you may direct Nicholas not to
17 answer a question or to request a short break to confer with him.
18 You may not answer any questions for him.

19 Are there any questions before we get going?

20 (No response.)

21 MR. WILLIAMS: One more thing I meant to say here, Nicholas,
22 since it is a recorded interview and we are all on the phone and
23 not in the same room, it's hard, but try to verbalize all your
24 answers here for us. So for the record -- stand by.

25 Can you guys still hear me on the phone?

1 (No response.)

2 DR. SILVA: I think you just cut out when you said for the
3 record.

4 MR. GERLACH: Yeah, Shaun, I can't hear you right now either.

5 DR. SILVA: Yeah. Now you're silent.

6 MR. WILLIAMS: Okay. Can everybody hear me?

7 DR. SILVA: Now you're loud and clear.

8 MR. WILLIAMS: Okay. I don't know what happened.

9 DR. SILVA: Okay.

10 MR. WILLIAMS: Okay. So wherever I left off here, are there
11 any questions, Nicholas?

12 MR. CUSIMANO: (No response.)

13 MR. GERLACH: Sathya, are you still there?

14 DR. SILVA: Yes, I'm here.

15 MR. SUFFERN: Okay. And it sounds like we lost the
16 conference room.

17 DR. SILVA: Is it everyone else?

18 MR. SUFFERN: I'm -- Paul is here.

19 MR. BRANNEN: And John's here.

20 DR. SILVA: Okay.

21 MR. SUFFERN: Okay.

22 DR. SILVA: So, we lost Shaun and --

23 MR. WILLIAMS: Okay. Is this better?

24 DR. SILVA: You are back. Do we still have our interviewee
25 and Matt?

1 MR. WILLIAMS: Nicholas, are you there?

2 MR. CUSIMANO: (No response.)

3 MR. GERLACH: I'll send him a text real quick.

4 DR. SILVA: I have never had this happen before.

5 MR. GERLACH: So, Shaun, I sent Nick and Matt a text but I
6 haven't got a reply back from them yet.

7 MR. WILLIAMS: Okay. Thanks.

8 (Pause.)

9 MR. WILLIAMS: I just got a text message from Matt. They're
10 switching to an office instead of the conference room. He said it
11 might be on their end. So he said give them a couple minutes and
12 they'll chime back in.

13 (Pause.)

14 MR. SMITH: Hey, guys, can you hear us now?

15 MR. WILLIAMS: Yes.

16 MR. SMITH: Okay. Sorry, about that. I think we might have
17 had a technical issue in that conference room but I think we're
18 good to go here on this end.

19 MR. CUSIMANO: Yes. Yeah.

20 MR. WILLIAMS: Okay. So where we left off, Matt, I think I
21 told you, you can't answer any questions for Nicholas.

22 Nicholas, do you have any questions before we getting going?

23 MR. CUSIMANO: No.

24 INTERVIEW OF NICHOLAS CUSIMANO

25 BY MR. WILLIAMS:

1 Q. Okay. For the record, could you please spell your name and
2 title?

3 A. N-i-c-h-o-l-a-s, last name is C-u-s-i-m-a-n-o, and principal
4 operations inspector. Do I need to spell that?

5 Q. No, sorry, I realized that (indiscernible).

6 A. FAA.

7 Q. Do you like Nicholas or Nick?

8 A. Nick is fine.

9 Q. Nick, can you kind of give us a general overview of your
10 aviation background and qualifications, how you got here?

11 A. Okay. So I went to a -- well, I did my private pilot license
12 at Embry Riddle in Daytona Beach, Florida. Then I graduated with
13 2-year degree in aviation science, professional pilot, from
14 Jamestown Community College in Jamestown, New York. My flight
15 instruction experience was at Aviation Adventures in Manassas,
16 Virginia, and then I did fly some 135 check -- it was back when
17 check hauling was still a thing. And then I eventually ended up
18 at Pinnacle Airlines in Memphis, which is a 121 regional airline,
19 and they're now known as Endeavor Air, and I came here to the FAA
20 in 2012.

21 Q. I'm just curious, when in 2012 did you start?

22 A. My onboard date was September of 2012.

23 Q. The reason I asked is my background is FAA and I started in
24 August of '12.

25 A. Oh, okay. Probably at the academy at the same time at some

1 point.

2 Q. Yep. So you started in 2012. When did you become the POI
3 for Survival Flight?

4 A. For Viking Aviation/Survival Flight was -- I believe it might
5 have been 2014.

6 Q. I know you -- it sounds like you got (indiscernible) time.
7 What certificates do you have?

8 A. Airline transport pilot, multi-engine land. I have my single
9 engine privileges at the commercial level. And then I have the
10 flight instructor airplane, flight instructor instrument,
11 instructor airplane and multi-engine airplane instructor. And I
12 also hold remote pilot, small UAF.

13 Q. Any rotorcraft experience?

14 A. I do have some rotorcraft experience in R44, but I don't have
15 any certificates.

16 Q. How much R44 time do you have?

17 A. Not very much. The flight school had R22s and R24s, probably
18 2 to 3 hours at the most. And it was really not -- it wasn't
19 towards a rating. It was just kind of instrument experience.

20 Q. So how many inspectors make up the CMT for Viking or Survival
21 Flight?

22 A. There is myself, the principal operations inspector; and we
23 have one maintenance inspector and one avionics inspector.

24 Q. How many certificates are you responsible for?

25 A. Six others and -- there are seven total. It would be six

1 others. 135, is that what you want to know?

2 Q. Yes, yes.

3 A. Okay.

4 Q. What's the size or description of those certificates?

5 A. The other, all of them -- well, one of -- the size, what do
6 you mean by that?

7 Q. Are they single pilot, are they base -- are they full blown?

8 A. All of them are full 135s with the exception of one of them
9 is a single PIC.

10 Q. So average, about how much of your time do you dedicate to
11 Survival Flight?

12 A. I would say that they probably take up about 60 percent of my
13 time.

14 Q. So what type of oversight activities should a POI perform or
15 are performed on this type of operator in the course of a year?

16 A. So for Survival Flight, they are on what we call a 6-month
17 cycle. We use safety assurance system, or SAS. So what SAS does
18 is it will assign, depending on their amount of risk, how many
19 required inspections. So Viking has inspections every 6 months or
20 two quarters is what it boils down to.

21 Q. Are all those completed there in Batesville or are there some
22 on the bases? How does that work?

23 A. So usually what I do is, when I do the work program, I'll
24 look at the required inspections that I have and then I will do
25 some in Batesville because some of them require that they be done

1 there. But if I'm able to use some of those required inspections
2 for outstations, then I will use those for the outstations as
3 well.

4 Q. So can you give me an example of what ones would be done in
5 Batesville versus which ones will be done at outstations?

6 A. I'd have to look at SAS because they're broken down. I
7 wouldn't be able to give you a definite, I guess.

8 Q. I'm not looking for like in the last 6 months how many did
9 you do here and there. I was just wondering like do you do random
10 base inspections outside of Batesville and all operations control
11 stuff is in Batesville, just in general what can you do at the
12 main base versus what can you do at the outstations?

13 A. So the main base a lot of times will be that's where they do
14 the majority of their training, so training program inspection. A
15 lot of the obviously operational control center used to be Mesa,
16 Arizona and Batesville. Now they've just recently consolidated
17 those to Batesville, so any OCC inspections are done at
18 Batesville. Outstation is going to be more high level, like
19 operational control, paperwork, that's usually what you look at,
20 at the outstation.

21 Q. Have you been to Columbus?

22 A. Yes.

23 Q. Do you remember about the last time you were out there?

24 A. I went up there in August to conduct a new base inspection,
25 and I visited the two locations that they have up there with the

1 principal maintenance inspector.

2 Q. Were you POI of Survival prior to SAS?

3 A. Yes, I believe. I think SAS was maybe 2015. So, yeah, just
4 a little bit.

5 Q. Okay. How has the oversight changed since SAS?

6 A. Well, SAS actually was, like I said, putting them on a 6-
7 month cycle, where the previous PTRS, or they call them National
8 NPG, would have only required it be once a year inspections
9 because of just the nature of them being a 135, nine or less
10 seats. And then when SAS came out, it differentiated the type of
11 operation that they were and then it put them into that category
12 that required the 6-month as opposed to the 12-month inspection.

13 Q. What type is category is that? Is it just HAA or --

14 A. Yes, helicopter air ambulance.

15 Q. How would you describe the relationship between the FAA and
16 Survival Flight?

17 A. Actually -- I'm sorry.

18 MR. SMITH: Shaun, I assume you're referencing the FSDO, the
19 CMT?

20 MR. WILLIAMS: Yeah. Sorry. Between the Little Rock FSDO
21 and Survival Flight.

22 MR. CUSIMANO: Yeah, if you could repeat that?

23 BY MR. WILLIAMS:

24 Q. Yeah, the relationship between the Little Rock FSDO and
25 Survival Flight, is it a cooperative type of relationship, is it

1 combative? Can you kind of describe that to me?

2 A. I would say that they would be -- not necessarily say --
3 well, it is cooperative. Generally what will happen is, you know,
4 if there's something that needs to be brought to the attention,
5 we've gone over -- the last few years, you know, there's a lot of
6 changes to the regulation. They have been pretty responsive to
7 any kind of requests that I would put through and meeting any kind
8 of deadline, you know, for the most part. I can't be more
9 specific than that. I mean, generally if I have a request, they
10 do respond in a timely manner.

11 Q. Okay. When was the last time you remember personally
12 observing Survival Flight, whether it be in Batesville, Searcy,
13 anywhere?

14 A. Can you clarify? What do you mean by personally observe
15 them?

16 Q. Instead of sending out a geographic or something like that,
17 that you did any surveillance or actually went to visit the
18 operator?

19 A. Well, I did -- well, we did the surveillance fourth quarter
20 and then I had some follow-up surveillance in FY 19, quarter one,
21 that I did before the shutdown. And then I had surveillance when
22 we were called back to get their FY quarter 2 surveillance
23 completed, and that was all done by myself other team members.
24 So, basically, I've had surveillance on them the last three
25 consecutive quarters of some sort.

1 Q. Do you remember if that was -- okay, so that was since the
2 furlough?

3 A. Yes. I have been up there since the furlough and I was there
4 prior to the furlough, and I was also there quarter 4, FY 18.

5 Q. Do you utilize geographic inspectors for surveillance outside
6 of Batesville?

7 A. Yes.

8 Q. When they go do their surveillance, do you provide or do they
9 have a way to see the manuals prior to going?

10 A. Yeah. So the way it works is, what we do, the safety
11 assurance system you have a mechanism to upload the manuals for
12 them and you attach it to what's called the DCT, data collection
13 tool.

14 Q. So, correct me if I'm wrong, but I think you mentioned that
15 they have been expanding recently?

16 A. I don't think --

17 Q. Okay.

18 A. Yeah, I didn't say they are expanding.

19 Q. Okay. I thought you said the nature of the operation had
20 grown a little bit, but I could be wrong.

21 A. No, I mean, they have consistently, you know, added bases but
22 it hasn't been rapid. It was kind of -- you know, it's been a
23 steady pace, I guess is the best way to put it.

24 Q. When they add bases, does the surveillance change? Do they
25 get more R items, or how does that work?

1 A. So generally what I've been doing is when they open a new
2 base I would go out and I do a -- I have a base checklist that I
3 do and we'll go out and do a new base inspection. And then once
4 that base is established, then, you know, on an as-needed basis is
5 when I'll send out geographics to take a look. You know, but
6 generally it's more of an ad-hoc thing, you know, if there's
7 something we need looked at. A couple of their bases are in
8 Oklahoma, so, incidentally, since we travel up there to do a lot
9 of training, we can sometimes mix training with surveillance.

10 Q. When the geographics do the surveillance do they report back
11 to you every time or just if there's a finding?

12 A. Yes. So the way it works with the safety assurance system is
13 you send them the specific questions and items you want looked at
14 with the manuals, and then they do the reporting through the
15 safety assurance system. Then once that comes back, I get a
16 notification and I review their finding.

17 Q. So it's all done through SAS? Do they ever call to discuss
18 it or do you ever check in with them to see maybe if there's a
19 little bit more than what was put into the system?

20 A. It's mostly done through SAS.

21 Q. How would you describe their pilot training program?

22 A. Which one? The fixed wing or --

23 Q. The rotorcraft, sorry.

24 A. That's okay. Their pilot training program, you know, most of
25 their training is done here in Batesville. And generally what

1 they will do is they will come through and they've got a certain
2 number of, you know, proved instructors. They have check pilots
3 that do all the checking. So they consolidate all their training
4 here in Batesville, although I believe sometimes, you know, if
5 there's got to be a reason to do some training at the outstation,
6 they may do that as well.

7 Q. Can you recall about the last time you observed their
8 training?

9 A. I'd have to look in SAS, because it would be documented. I
10 just recently, in December of 2012 [sic], I did have a resource
11 pilot come and do check pilot observations.

12 Q. In 2012?

13 A. I'm sorry, December of 2018.

14 Q. Okay. Do they have inadvertent IMC training?

15 A. Yes.

16 Q. Can you describe what that looks like for them?

17 A. I'd have to look in our manual, but generally if it follows
18 the industry, you know, if they get into an IIMC situation, you
19 know, they're required to climb. It is an emergency procedure.
20 That's kind of an overview of it. But I'd have to go back to
21 their manual and take a look to specify, you know, what exactly is
22 involved. I know it's in their training program and it's also in
23 their general operations manual.

24 Q. Okay. In their training manual I see that it's stamped with
25 an initial approval. Is it still in initial or has it received

1 final?

2 A. If it's stamped initial, then it still would probably be in
3 initial.

4 Q. How does the training program go from initial to final?

5 A. So once a certain number of observations have been made,
6 there haven't been any significant changes, then it will go from
7 an initial to a final. A big difference with the FAA with the
8 initial is what happens if they notify me, you know, 10 days prior
9 to conducting training to give me the opportunity to do an
10 observation. You know, that's basically the main difference
11 between initial and final.

12 Q. Okay. So we were there last -- we -- I believe this was last
13 week. Were you notified that training was going on?

14 A. Yes. They should've had, I believe -- and I'd have to check
15 my email, but they had a recurrent training, and then this week
16 they have operational control center training.

17 Q. Okay. So how do they do operational control?

18 MR. SMITH: Shaun, are you asking him how he -- could you
19 maybe rephrase that question for him?

20 MR. WILLIAMS: Yeah.

21 BY MR. WILLIAMS:

22 Q. How is operational control performed at Survival Flight? Do
23 you know the tier and how it works when a flight comes in and how
24 it gets dispatched?

25 MR. SMITH: Do you understand what he's asking?

1 MR. CUSIMANO: Yeah, I do.

2 I guess I'd probably have to -- I mean, I can give you a
3 general overview. Is that acceptable?

4 BY MR. WILLIAMS:

5 Q. Yeah, yeah.

6 A. Okay.

7 Q. Yeah, I don't need to get into the "on this page" in the GOM
8 this happened. Just a general overview.

9 A. So they have two -- basically you always have an operational
10 control manager, which is a person that actually has operational
11 control, either a director of operations, chief pilot and whoever
12 they've designated. Then you have a communications specialist and
13 then you have an operational control specialist at the OCC who may
14 receive a flight request. That notification goes out -- I'm not
15 sure of the exact nature, but it goes out to the operational
16 control manager, whoever is on duty at that time.

17 And then their pilot is contacted, you know, to do their risk
18 assessment, incur with the weather, do what they need to do. And
19 then the flight is either -- at that point, if the flight is a go,
20 then they launch. Then, you know, obviously the pilot in command
21 has -- is supposed to have done everything they were supposed to
22 do. But at all times they always have an operational control
23 manager, which is the person that is listed in their GOM.

24 Q. Can you recall the last time you observed their operational
25 controls?

1 A. I'd have to go back and look at SAS for that. In general, I
2 have been present at an outstation when they have launched and
3 observed that, and that's documented. So I've seen it from the,
4 you know, the base.

5 Q. Okay. What about their training for OCS, operational control
6 specialist? Have you observed any of that training that you can
7 recall?

8 A. Yes. I can recall that I did, and it would have been during
9 the approval process of their operational control training
10 program.

11 Q. Do you know about how long ago that was, just roughly?

12 A. Let me think. I don't recall right now. I do believe there
13 was an initial and then I believe I was observing a new
14 instructor, but I don't recall exactly when.

15 Q. So do they utilize a preflight risk assessment?

16 A. Yes.

17 Q. Can you kind of walk me through your understanding of how this
18 worked at Survival Flight?

19 A. My understanding of it is that, you know, they have two shift
20 changes when a base comes online. They do an initial risk
21 assessment. It's kind of like similar to a base status report.
22 And then prior to -- once the communication specialist gets a
23 flight and prior to each actual flight, they are supposed to then
24 again conduct a risk assessment verify, you know, the different
25 items that are on that. And then they're given a release number

1 from the operational control specialist. That to me -- like I
2 said, that's prior to each flight as well.

3 Q. So are those done on paper? How does that work for the
4 record?

5 A. When I go in there, the release numbers should be documented
6 on their forms, both at the OCS -- or the OCC and also at the
7 base.

8 Q. What about the worksheet? Are they required to maintain the
9 worksheet that they do or is it just green, amber, amber critical
10 and red?

11 A. I think I'd have to look back and see if they were. I know
12 the forms have to be completed and I know that the worksheets are
13 kept, I believe, on a computer, but I'm not sure.

14 Q. From your knowledge of their risk assessment, do you believe
15 it's adequate?

16 A. Yeah, as it's documented, I believe it meets the advisory
17 circular and the regulation. That's probably the best way I could
18 answer that.

19 Q. Okay. So before -- want to backtrack here just a minute.
20 You mentioned you started with the FAA in 2012, became the POI
21 roughly 2014. Was there any special training that you received to
22 be a POI?

23 A. Yes. We have basically on-the-job training tasks with a mix
24 of academy courses. And then you -- what it is, is each -- they
25 call them JTAs, job task -- I've forgot the last bit of the

1 acronym, but -- and so they will have a whole bunch of different
2 items that are tailored to each office. And depending on the
3 different tasks, as you complete those, in order for you to become
4 a principal operations inspector you have to complete the tasks
5 appropriate for that 14 CFR part that applies to that. So, you
6 know, an example, you'd have to have the 135 tasks complete to
7 have oversight of a 135 operator.

8 Q. Do you recall if there were HAA-specific tasks?

9 A. I don't recall, but I did take the air ambulance course
10 offered at the academy.

11 MR. WILLIAMS: Okay. I'm going to pass it off now.

12 So, Sathya.

13 DR. SILVA: Oh, great.

14 BY DR. SILVA:

15 Q. How are you doing, Nick? Do you need a break?

16 A. No, I'm good. Thank you.

17 Q. You mentioned that the risk assessment is adequate as it's
18 documented. Do you have any information on how it is implemented?

19 A. Other than -- I guess I'm not sure what you mean by
20 information on how it's --

21 Q. So, in your surveillance have you gotten any kind of sense of
22 how the risk assessment is actually conducted and whether that is
23 compliant with what you'd expect?

24 A. You know, I can't, again, be in both places at once. You
25 know, I can only see it kind of as a snapshot either at the

1 outstation or at Batesville. And, you know, each time I will go
2 up -- an example, for Batesville, I will go to the operational
3 control center, and usually, you know, if they're not too busy,
4 will go up there and they'll kind of run down all the bases with
5 the different risk assessments, and I'll look at the paperwork and
6 just kind of, you know, take a look at how the operation is going.
7 From the outstation what I'm doing is, when I go to do an
8 outstation inspection, no, I will start out and I will review all
9 the paperwork and the risk assessments, not only from that shift
10 but previous shifts, and, you know, just ensure that they're all
11 filled out correctly on their form at the outstation, you know,
12 what release numbers are there, that type of stuff.

13 Q. Okay. I understand. So who had the certificate before 2014;
14 do you remember?

15 A. What do you mean by who had the certificate?

16 Q. Did somebody -- did you get a handoff from somebody regarding
17 Survival Flight?

18 A. Well, Viking Aviation, prior to 2014, was a single pilot King
19 Air operator.

20 Q. Okay. So you got it when their current certificate started;
21 is that correct?

22 A. You kind of broke up a little. Can you repeat that?

23 Q. So you became POI on their certificate when the current
24 certificate essentially started?

25 A. Yeah, when the current ownership, yeah.

1 Q. Okay. I understand. Okay. How much total time do you have?

2 A. 6,500 hours, I believe, is a good estimate.

3 Q. Yeah, estimate is great. And can you run through big picture
4 what your duties and responsibilities are as POI overseeing
5 Viking?

6 A. Just for Viking?

7 Q. Yes. Let's focus on Viking.

8 A. Big picture is, as principal operations inspector, you know,
9 I'm ensuring that they're complying with the regulations, with the
10 current FAA guidance, you know, conducting surveillance to ensure
11 that, you know -- or conducting, I guess, surveillance in
12 accordance with our work program through the safety assurance
13 system. You know, if they make requests for additions of
14 aircrafts or programs, you know, I'm going to work through
15 evaluating those new programs as well.

16 Q. And you mentioned you had seven 135 certificates. How many
17 total certificates do you have?

18 A. You want an estimate again? I can't give you an exact
19 number?

20 Q. Yep, that's fine.

21 A. So the seven 135s, and if it's equal, I probably have about
22 forty 137s.

23 Q. Okay. How would you characterize your workload?

24 A. I'll try to answer that. I would say it was average with the
25 rest of the FAA.

1 Q. Okay. So do you feel like you have enough time and resources
2 to complete everything you need to?

3 A. I mean, you know, as a general aviation office, generally,
4 you know, you have a whole wide array of different duties and
5 responsibilities. Now I do pretty well at multi-tasking and I do
6 pretty well at balancing it all out. Now sometimes it gets busy.
7 That's kind of the best way to answer that.

8 Q. Uh-huh. Do you feel like your oversight of Viking is
9 appropriate? Would you do more if you could or do you think that
10 this is adequate?

11 MR. SMITH: A couple questions rolled into one there.

12 DR. SILVA: Okay. We'll start with the first one.

13 BY DR. SILVA:

14 Q. So do you feel like your surveillance of Viking is adequate?

15 A. Yes, I do.

16 Q. Okay. Do you feel like if you had the time you would do more
17 surveillance?

18 MR. SMITH: That was a leading question, but if you can
19 answer it, go for it.

20 MR. CUSIMANO: You know -- yeah, I mean, I do feel like I
21 make time for them and I kind of balance everything else out the
22 best I can.

23 BY DR. SILVA:

24 Q. Yeah. I'm just trying to get a feel for really how you feel
25 about the company, whether you feel like you have enough time to

1 do the work you need to do?

2 A. I believe I do.

3 Q. Okay. Let's see. Who do you normally work with at the
4 company?

5 A. Generally I work with the director of operations and the
6 director of training and safety.

7 Q. How is your relationship with the director of operations?

8 A. I would say we have a good working relationship?

9 Q. How about the director of safety?

10 A. The same. You know, usually they're going to be there
11 together.

12 Q. Okay. Have you encountered any challenges working with
13 either of those two?

14 A. Not really. No.

15 Q. All right. Have you monitored ground school before?

16 A. Yes.

17 Q. Do you recall what you observed?

18 A. I observed -- like I said, usually when they get a new
19 instructor, I have to and I'm required to do an observation. So
20 I've observed recurrent, initial training for the pilots both
21 fixed wing and rotorcraft. I've also observed night vision goggle
22 training. I've also observed their operational control center
23 training.

24 Q. And have you monitored flight training at all?

25 A. The only opportunity I get to monitor flight training is when

1 I do the fixed wing, just because of the way our matrix is set up.
2 And when I did the initial night vision goggles, I got
3 authorization to observe the night vision goggle training.

4 Q. Okay. Can you expand on that, when you said you wouldn't
5 have gotten the opportunity to do the rotorcraft flight training?

6 A. They have a matrix that the FAA uses about what
7 qualifications you have to hold and on your, you know,
8 qualifications. They have since though loosened that matrix up to
9 kind of give the inspectors more latitude on what we can and
10 cannot do.

11 Q. In that new matrix would you be able to?

12 A. I'd have to look at it. I wouldn't be able to --

13 Q. Okay. Have you ever received any verbal or written concerns
14 about this company's operation?

15 A. I have received hotline complaints.

16 Q. Can you describe those please?

17 A. I'd have to go back and look at the specifics.

18 Q. Okay. Do you remember kind of the general concern offhand?

19 A. It seems a couple of them came from competitors. It seems
20 they usually come in when they enter a new area of operation.

21 Q. And what are the nature of the complaints?

22 A. I'd have to go back and look at it.

23 Q. Okay.

24 A. It varies depending.

25 Q. So when you get a hotline complaint is there a process for

1 handling it?

2 A. Yes.

3 Q. Okay. Can you describe that?

4 A. Sure. So when a hotline complaint comes in, you know, I got
5 kind of a checklist that I follow. I go ahead and I contact the
6 complainant if I'm able to. Some of them, you know, some come in
7 anonymous but some don't, so it depends. I will contact the
8 complainant to kind of get a general idea. Go ahead and contact
9 Survival Flight, and I will get through them the statement from
10 the pilot. The pilots who they identify them on their training --
11 I'm sorry, on whoever was flying that day. I will get their
12 training records, their duty logs, copies of the risk assessment
13 from that day, and then I just kind of go through the process,
14 through the FAA process. And then I report my findings back to
15 whoever distributes those hotline reports.

16 Q. Okay. How are those complaints documented?

17 A. They would be documented through PTRS, and then a memo is
18 sent to -- I can't remember the alphabet group that owns it, but
19 it's sent to headquarters FAA.

20 Q. Okay. And when you follow back up with the complainant, how
21 are those conversations? Is it just reporting what you found or
22 that you received it? Can you describe that, please?

23 A. If it's through -- since it's through that -- let's see.
24 Hotline complaints are handled different than a complaint that
25 would be they called into the office. So it is assigned to me. I

1 do the investigation, I report my findings, and then that special
2 department of the FAA is the one that actually responds to the
3 complainant.

4 Q. So when you say findings, what would that look like?

5 A. Generally the findings are whether there was a -- the issue
6 substantiated or unsubstantiated.

7 Q. Okay. Do these go back to the company at all?

8 A. I don't know.

9 Q. Okay. And you mentioned that these could get called into the
10 office. Have you had any come, that you're aware of, directly to
11 the office regarding this company?

12 A. None that I'm aware of.

13 Q. And can you give me a ballpark number of the number of
14 hotline complaints that you know of for this company?

15 A. I'd have to go back and look. I wouldn't --

16 Q. Okay. Is it like zero to 10, 10 to 20? I'm just trying to
17 see order of magnitude wise.

18 A. I would -- I mean, I could go back and look.

19 Q. Okay.

20 A. I'd have to -- I would say less than 10 that I'm aware of.

21 Q. Okay. I understand. Got it.

22 DR. SILVA: All right. I'm going to pass the buck. Thank
23 you for your time.

24 MR. CUSIMANO: Okay. Thanks.

25 MR. WILLIAMS: Thanks, Sathya.

1 John.

2 MR. BRANNEN: Yeah, I think it's been pretty well covered. I
3 don't have anything right now.

4 MR. WILLIAMS: Paul.

5 BY MR. SUFFERN:

6 Q. Hi there. Yeah, could you describe how you inspect or
7 observe Survival Flight is following their weather protocol
8 minimums?

9 A. Well, the weather portion I believe is probably the -- I
10 believe it's the first part of that risk assessment that they do.
11 I know that -- I don't know the specifics, but I know that
12 depending if it's going to be green, amber or amber critical, it
13 depending on how close they are to the FAA weather minimum or red.

14 Q. So for the -- you use that risk assessment as far as your
15 procedure to inspect and observe that they are following the
16 weather protocol?

17 A. That, and if I'm in the operational control center usually I
18 do have, you know, a view of their screen and then all the
19 different bases, their statuses. And so, you know, those screens
20 have weather overlays.

21 MR. SUFFERN: Okay. Thanks. That's all the questions I have
22 for right now.

23 MR. WILLIAMS: Thanks, Paul. Did somebody just hang up?

24 DR. SILVA: That was me. I was trying to get rid of the
25 echo.

1 MR. WILLIAMS: Thanks, Paul.

2 Dave.

3 BY MR. GERLACH:

4 Q. Hey, Nick, this is David Gerlach. A couple questions for
5 you. Have you observed the crew duty and rest and scheduling
6 change at each of the bases and how they manage that?

7 A. Yes. I have -- well, I don't know that I've -- let me think.
8 Generally my surveillance would be right after the day pilot comes
9 on. I try to time it so that I can be there when that day pilot
10 first comes on. Usually it's a good time because the mechanic,
11 the base mechanic is there in the morning as well, and then I get
12 an opportunity to -- and have had the opportunity to observe, you
13 know, the call-in for the initial risk assessment.

14 Q. And do you recall what time the day pilot comes on and the
15 nighttime pilot goes off?

16 A. Generally, from everything I've seen, they run 12-hour shifts
17 that go from 7 to 7. You know, so either 7 a.m. to 7 p.m. or
18 7 p.m. to 7 a.m. So when the daytime pilot comes on it's
19 generally around that time, but I can't recall specifics. And
20 then between, I believe, 7 and 8 is when -- most of the time when
21 I've arrived at the bases.

22 Q. Have you ever observed the pilots showing up early?

23 A. Not that I recall.

24 Q. Got you. So they would duty-on at 7 a.m. and wouldn't begin
25 work prior to that?

1 A. Yeah, that's my understanding. They would not duty-on until
2 7.

3 Q. Got you.

4 A. That would be 7 to 7, unless there was something maybe that,
5 you know, extended maybe the night pilot. I'm not sure.

6 Q. Do you know what kind of time frame the company expects the
7 pilots to have a helicopter in the air after receiving a flight
8 request?

9 A. You mean like a lift time?

10 Q. Exactly, yes.

11 A. I believe they aim the lift time somewhere between maybe 8 to
12 10 minutes. But that's, you know, that's just what I've heard,
13 the stuff that I confirmed.

14 Q. Got you. So, if a pilot duty's on at 7 a.m., could they take
15 a flight at 7 a.m.?

16 A. I would reasonably expect if they dutied on at 7 a.m., it
17 would take them a little bit of time to complete the duty
18 checklist. So --

19 Q. Right. Got you. You've talked about working with the
20 company. Are there any significant challenges with working with
21 Survival Flight/Viking Air?

22 A. What do you mean by challenges?

23 Q. Is there something that takes more effort compared to other
24 companies that you use --

25 A. No, not really. I, you know, I think they deal with, you

1 know, seven different operations, the seven different operations
2 manuals, but like I said earlier, they seemed to be pretty
3 responsive generally when I make requests of them.

4 Q. And you talked about observing training.

5 A. Yes.

6 Q. Do you recall what helicopter they use for training?

7 A. Well, they do -- generally do their initial training in
8 the -- they have a trainer, a 206. And then they do differences
9 training in the 407 if the pilot is going to go to a 407.

10 Q. And have you observed ground and flight training in the 407?

11 A. I don't recall what (indiscernible). I'd have to look back
12 in SAS to tell you specifically.

13 MR. GERLACH: Got you. Nick, those are all the questions I
14 have. Thank you very much.

15 MR. CUSIMANO: Okay.

16 MR. WILLIAMS: Tim, do you have any questions?

17 MR. TAYLOR: No. I don't have any questions.

18 MR. WILLIAMS: Well, I have a few more here, Nick. Thanks
19 for hanging on here and bearing with us.

20 MR. CUSIMANO: No problem

21 MR. WILLIAMS: You doing all right?

22 MR. CUSIMANO: Yes. Yes, I am. Thank you.

23 BY MR. WILLIAMS:

24 Q. So, I want to go back to the hotline complaints. You said
25 you ask the company for a pilot statement. Do you ever go and

1 interview the pilot yourself?

2 A. Generally they're COA, usually I'll get a statement from the
3 pilot. I believe there was an occasion where I did interview the
4 pilot myself directly. I can't remember the specifics. Actually
5 I did -- yes, I have in the past interviewed the pilot directly.

6 Q. When you don't interview them directly and you just get a
7 statement, do you talk to them and ask them for a statement or do
8 you go to the company to provide a statement from the pilot?

9 A. You know, generally what the company will do is they will go
10 ahead and get their training records and also their on-duty times,
11 you know, all the requested information together, and then I
12 generally prefer a written statement because then that's something
13 that I can provide to -- you know, like I said, I'm just doing the
14 investigation and I provide all my information to the FAA, you
15 know, whatever department takes care of the hotline complaint.

16 Q. In your background, your history with the FAA, you mentioned
17 there was air ambulance courses you had.

18 A. Yes.

19 Q. Was there just one course?

20 A. Yes. Yes, I took air ambulance course. It was just the one
21 course. And then the FAA also put me into rotorcraft accident
22 investigation.

23 Q. So do you feel like that one course adequately prepared you
24 for -- to be a POI of 135 HAA operator like this?

25 MR. SMITH: Shaun, that question's a little --

1 MR. WILLIAMS: I can reword it.

2 MR. SMITH: Yeah, thanks. I appreciate that. Thank you.

3 BY MR. WILLIAMS:

4 Q. Do you feel like there's more training you wish you had
5 gotten, Nick?

6 A. There is -- you know, actually, honestly I feel like the type
7 of operation that they do, you know, whether it be -- because they
8 do have a fixed wing, or whether it be the helicopter, you know,
9 there are certain differences with them being helicopter air
10 ambulance but usually, you know, I feel like the oversight
11 processes are similar -- you know, the type of operations are a
12 little different but the actual -- if you're just going to do a
13 general overview, you know, doing oversight, making risk-based
14 decisions is the same across 135. And the FAA does have, you
15 know, helicopter resources that I have used before, you know, who
16 are helicopter inspectors that I have been able to reach out to if
17 I needed some sort of technical clarification.

18 Q. Is Survival Flight your only 135 rotorcraft?

19 A. No. I have oversight of 7ALA. They're not helicopter air
20 ambulance but it's Survival Flight services. It's just a VFR day
21 135.

22 Q. So are they any relation to Viking Aviation and this Survival
23 Flight?

24 A. I'm not sure of the ownership structure, but yeah, they are I
25 would say related. I'm not sure of the ownership structure, but

1 they have the same, similar, you know, director of operations.

2 Q. Okay. So it's still Gary Mercer is the DO?

3 A. Yes.

4 Q. What type of rotorcraft do they operate?

5 A. 206. And that certificate was transferred to us from the
6 Scottsdale, Arizona FSDO.

7 Q. Do you know if it's just the one 206?

8 A. Yes.

9 Q. So let's talk a little bit about the 206 versus the 407.

10 A. Okay.

11 Q. The check ride, do you know which aircraft that's done in?

12 A. I'd have to go back and look at their forms.

13 Q. Can we do a check ride in the 206 and have it count to be
14 able to fly the 407?

15 A. Yeah, the way that their training program is approved right
16 now, they do have just a differences training for the 407, but it
17 does list it on the same type certificate data sheet. But right
18 now there's some interpretation above my pay grade of whether that
19 satisfies any regulatory requirement specifically with the 206 or
20 407.

21 Q. So you mentioned the same type certificate data sheet. What
22 guidance is used or where is this documented as far as the TCDS,
23 the driving factor there?

24 A. 8900.1 guidance regarding differences training approval.

25 Q. So are they considered the same make and model?

1 A. My understanding, if it's on the same type certificate data
2 sheet then -- no more make and model.

3 Q. Is that found in the 8900? I'm just trying to --

4 A. Yes. The 8900.1 guidance when it comes to differences
5 training only allows us to approve a differences as opposed to a
6 specific, if it is listed on the same type certificate data sheet.

7 MR. WILLIAMS: Okay. I think that's what I have.

8 Sathya?

9 DR. SILVA: Yes. Just some follow-ups here.

10 BY DR. SILVA:

11 Q. Going back to the hotline complaints, do you recall if any of
12 those complaints you had were substantiated?

13 A. I'd have to look. Like I said, I'd have to go back and take
14 a look at those.

15 Q. And can you walk me through what would happen if you did get
16 a complaint that was substantiated?

17 A. Well, the way the safety assurance system is set up, we are
18 constantly doing certificate holder assessments based on a whole
19 list -- I can't list them all specifically, but there's a list of
20 items that you would choose either through surveillance,
21 complaints, you know, an accident is a good example. And then
22 what ends up happening is, you go ahead and you assess all the
23 data that you have and then determine if you need to, you know,
24 either move surveillance up, create additional surveillance, maybe
25 even -- I mean, you and me could sit here for 2 hours, I could

1 teach you all about SAS and you still wouldn't cover everything.
2 But there's a lot of different options that we can use SAS for to
3 make the determination what we need to do, you know, whether it be
4 change their manuals or whatnot. So --

5 If there was something substantiated, you know, then that's
6 when I would go back into the safety assurance system, plug that
7 in, and use that as a tool to help me determine what the
8 appropriate course of action is going to be.

9 Q. Okay. And you mentioned that you had interviewed a pilot
10 once. Do you recall what the nature of that complaint was?

11 A. The complaint actually was about -- if I recall correctly,
12 what it was about is more of an interpersonal thing. They had --
13 I think it was an interpersonal reason between the pilot and the
14 complainant as opposed to actually any kind of safety issues. But
15 I cannot recall the specifics of it.

16 Q. Okay. From your perspective, can you describe what the
17 safety culture looks like at Viking?

18 A. I don't think any operator goes out to have an accident or
19 not have a good safety culture. From my observations, you know,
20 they have the procedures in place and some policies in place to
21 operate safely.

22 Q. Okay. How were you informed about the accident?

23 A. Actually the director of operations contacted me that Tuesday
24 when the flight first went missing, you know, that they had a
25 missing helicopter and that he would get me more information as

1 soon as he could. Then a short time after when they located the
2 aircraft, the director of operations contacted me to let me know
3 that they did have a fatal accident.

4 Q. Since the accident have there been any changes in
5 surveillance of the company?

6 A. Well, see, that's going to be part of the safety assurance
7 system. We did do a follow-up records inspection last week. So,
8 you know, what we have to do is we have to -- or what we're
9 waiting for is as a team we're going to get together and, you
10 know, depending on the finding, the preliminary findings, you
11 know, take in all the information we can and then we'll go through
12 and use that tool to assess what our surveillance going forward is
13 going to entail, you know, what we need to focus on, you know,
14 increase. Obviously one of the main factors, when an operator
15 does have an accident, that is going to require us to increase our
16 surveillance of them.

17 Q. And you mentioned you did a records check. Were there any
18 other activities done since the accident?

19 A. No. Just the surveillance last week.

20 Q. Okay. I understand. Since you have been POI of the
21 certificate have you ever discovered any violations by the
22 company?

23 A. Yes.

24 Q. Can you describe those please?

25 A. We had an enforcement action that was fixed and turned in to

1 what the FAA calls a letter of correction. That had to do with
2 maintenance records and failure to properly complete them.

3 Q. Okay. What was the outcome of that?

4 A. What happens is, you know, we open up an enforcement
5 investigation, and at that point they had updated their general
6 operations manuals and they proposed a comprehensive fix. We
7 either accept or reject the comprehensive fix. In this case we
8 accepted it. And then what we do is we conduct follow-up
9 surveillance to ensure that the comprehensive fix is working. And
10 that surveillance was conducted in December of 2018.

11 Q. Okay.

12 A. And then instead of the FAA going for violations, you know,
13 to -- they are given what's called a letter of correction.

14 Q. Uh-huh. Got it. Okay. Were there any other violations?

15 A. No. Well, let me correct that.

16 Q. Go ahead.

17 A. Documented through an enforcement, no. I can't -- you know,
18 you can't say for sure that they've never violated anything.

19 Q. Okay. Has the company ever self-disclosed any issues they've
20 had?

21 A. Yes.

22 Q. Can you describe those?

23 A. They had a situation where an airman had failed to maintain a
24 second class medical, and as soon as it was discovered they took
25 that airman off of flight status and, you know, self-disclosed.

1 And then we did a -- you know, went through the process of doing a
2 comprehensive fix, and then -- you go through self-disclosure,
3 then you get a letter of correction.

4 Q. Were there any other self-disclosures?

5 A. There may be others but none that I recall. That was one
6 that stood out.

7 Q. Okay. And did you have any concerns about the company prior
8 to the accident?

9 A. The only concerns, obviously, were documentation and the --
10 just kind of the standardization of, you know, how to complete the
11 forms, you know, how to document things, were really the only
12 concerns I had.

13 Q. And what forms specifically?

14 A. Well, we had the maintenance issues, and then we also had
15 issues with like -- well, the training records.

16 Q. Okay. Can you describe what the issues were with the
17 training records?

18 A. It's just the use of their forms. Certain instructors would
19 document the training one place and then certain other instructors
20 would document the training in another place. You know, it was
21 more of just a missing checkmark or whatnot than, you know, them
22 actually not conducting the training. It was just difficult
23 sometimes to say -- you know, I see where your forms says you're
24 going to document it here but, you know, the instructor is putting
25 it here. It's just the standardization.

1 Q. Uh-huh. I see. So you came in with just a few hours of
2 rotorcraft experience. Did you have any other resources to kind
3 of help you work this company, a HAA?

4 A. Yes. The current manager was rotorcraft qualified, not in
5 HAA, but like I told you, the FAA has, you know, has it written
6 and we do have access to rotorcraft inspectors. You know, so if
7 we need technical assistance, and a lot of times the resource
8 pilots, which are rotorcraft qualified inspectors, will travel
9 here to Arkansas and then I will work with them, you know, ahead
10 of time, give them the training program. And then generally I'll
11 get feedback from them on how the check pilots did or how the
12 pilots were doing.

13 Q. I see. Was there a specific inspector in particular or is
14 this -- can you just go to anyone?

15 A. No, the way that the system is set up is, if I need a
16 helicopter qualified inspector to conduct in-aircraft checks, we
17 have a system to put that into place and then they reach out and,
18 depending on, you know, everyone's schedule, to make sure it's
19 getting done as soon as it can. But a separate of the FAA will
20 make the assignment for the inspector to come here.

21 Q. Okay. So have you worked with different inspectors in your
22 experience?

23 A. Yes.

24 Q. Okay. Give me one second.

25 A. And then on top of that, I did review, you know, the

1 helicopter flying handbook. There's a lot of FAA publications.
2 You know, so there's plenty of resources for us if we need to get
3 technical expertise on the actual operation of the aircraft.

4 Q. Okay. Were you given a mentor or anyone that you could kind
5 of ask informal questions to or anything along those lines?

6 A. Yes. I have a -- well, it's not really a mentor, but we do
7 have helicopter air ambulance specialists at the FAA that I am in
8 contact with, you know. So, yes, there is a focal point here.

9 Q. Okay. What are those interactions?

10 A. And they specialize in helicopter air ambulance.

11 Q. I see. What are those interactions like?

12 A. Generally it will be email or accessible by telephone. You
13 know, they're very responsive. So if I have a question or -- or
14 it goes both ways, if they have a question, you know, we will work
15 together.

16 Q. Can you give me an example of something you have reached out
17 to them on?

18 A. When I was setting up the operational control, you know, they
19 made sure I had the most recent guidance and the advisory
20 circulators. There's a required report that's due every year, you
21 know, for their operations. Just things of that nature.

22 Q. Okay. And is this something -- this a resource that you have
23 used from when you got the certificate or is it --

24 A. Yes. Well -- yeah, it's a resource that I believe that's
25 been available.

1 Q. Okay. Did you use it from the beginning from when you got
2 the certificate?

3 A. I don't recall when I started using it.

4 Q. Okay. I understand.

5 DR. SILVA: All right. That's all for me. Thank you.

6 MR. CUSIMANO: You're welcome.

7 MR. WILLIAMS: Thanks a lot.

8 John?

9 MR. BRANNEN: Nothing from me.

10 MR. WILLIAMS: Paul?

11 MR. SUFFERN: No questions.

12 MR. WILLIAMS: Dave?

13 MR. GERLACH: Hi. Thanks, Shaun. I sure hope you guys don't
14 have the same kind of echo I have.

15 MR. WILLIAMS: Yeah, we do.

16 MR. GERLACH: So, if I pause for a minute, it's just to
17 listen to myself talk in the feedback.

18 BY MR. GERLACH:

19 Q. Nick, I'd like to go back to the duty and rest question I had
20 for you. Would it be your expectation that if a pilot came in 30
21 minutes early that that would be part of their duty time?

22 A. It would, because, you know, if you read the regulation,
23 their duty time is basically -- generally it's written out in
24 their GOM, but if you're required to be there 30 minutes prior,
25 you know, to your actual flight time or whatnot, you know, the

1 regulation says the difference between duty and being off duty is
2 that you have no -- I believe it says it you have no expectation
3 or no requirement for the company. So, if a pilot showed up at
4 6:30 and they had to be there, you know, to accomplish company
5 tasks, then I would expect that would be considered duty time.

6 Q. Even if the company said, hey, your duty-on or your shift
7 begins at one time, but they come in 30 minutes early, would that
8 still be duty time?

9 A. That one is hard to answer because the company didn't direct
10 them to come in early. Then, no, I don't think that would be duty
11 time.

12 Q. Got you.

13 MR. GERLACH: Okay. That's all the questions I have, Shaun,
14 thank you. Thank you, Nick.

15 MR. WILLIAMS: Thanks, Dave.

16 Tim?

17 MR. TAYLOR: I don't have any questions. Thank you.

18 MR. WILLIAMS: Nick, is there anything you can think of to
19 help guide us in this investigation? Is there anything that we
20 didn't ask you that maybe we should talk about?

21 MR. CUSIMANO: No. I mean, you guys are pretty thorough, so
22 I think we kind of covered everything.

23 MR. WILLIAMS: All right. Well, thank you very much for
24 talking to us today. We really do appreciate it. And Matt,
25 definitely has our contact information and so does Dave, so if

1 anything else comes up please don't hesitate to reach out.

2 MR. CUSIMANO: Okay. Thank you.

3 MR. WILLIAMS: All right. Thanks, everyone.

4 DR. SILVA: Off the record at 3:25 p.m. Eastern.

5 (Whereupon, at 3:25 p.m., the interview was concluded.)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Nicholas Cusimano

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE: February 19, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Letha J. Wheeler
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO *

Accident No.: CEN19FA072

JANUARY 29, 2019 *

*

* * * * *

Interview of: ROBERT JOHN LOOMIS

Via Telephone

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

MATT SMITH, Esq.
Federal Aviation Administration
(On behalf of Mr. Loomis)

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Robert John Loomis:	
By Mr. Williams	6
By Dr. Silva	13

I N T E R V I E W

(10:05 p.m.)

1 DR. SILVA: Okay. We're on the record at 10:05 Eastern.

2 I'm Sathya Silva. I'm a human performance investigator with
3 the NTSB out of headquarters. Thanks for talking to us today.

4 MR. WILLIAMS: Okay. So, John, my name is Shaun Williams.
5 I'm the investigator in charge of the NTSB. As you know, we're an
6 independent agency. We determine the probable cause of the
7 accident, try to promote safety. We're not a part of the DOT or
8 FAA, no regulatory or enforcement powers at all.

9 So I want to go around the room here and let everyone
10 introduce themselves. And you heard from Sathya, so John.

11 MR. BRANNEN: If I can get my phone off mute here. Yeah,
12 this is Jack Brannen. I'm a regional investigator for the NTSB.
13 On this accident I'm working operations.

14 MR. WILLIAMS: Okay. Paul?

15 MR. SUFFERN: Hi. Good morning. My name is Paul Suffern.
16 I'm a meteorologist investigator with the NTSB.

17 MR. WILLIAMS: Dave.

18 MR. GERLACH: Hey, good morning, John. This is David
19 Gerlach. I work for the FAA, as well, in the Office of Accident
20 Investigation and Prevention. I am an accident investigator.

21 MR. WILLIAMS: And Tim.

22 MR. TAYLOR: Hi. I'm Tim Taylor. I'm a check airman for
23 Survival Flight. I'm on the board just to assist them with
24
25

1 anything that they might need.

2 MR. WILLIAMS: All right. Thanks, everyone.

3 John, are you good talking with us, with everybody on the
4 phone here today?

5 MR. LOOMIS: Oh, yes, sir.

6 MR. WILLIAMS: Okay. Perfect.

7 Like I mentioned before, we'll be using a tape recorder to
8 record the interviews, which will then be sent off for
9 transcription. The transcript, not the audio recording, will be
10 part of the public docket that will be released later on during
11 the course of the investigation.

12 Like I said, the purpose of the investigation is safety. We
13 just want to determine what happened, why it happened, and prevent
14 this from happening again. We're not here to assign fault, blame
15 or liability. It's all part of the fact-finding phase of the
16 investigation. With that said, however, we cannot offer any
17 guarantee of confidentiality or immunity. Like I said, the
18 transcript will be part of the public docket later on.

19 The way we run these interviews, each group member will have
20 a chance to ask questions. We'll go one at a time and we'll go
21 around the room. Usually it's about two rounds, so it's not too
22 terrible for you. Please answer all questions to the best of your
23 recollection. If you don't know something, that's fine. "I don't
24 know" is a valid answer. If you don't understand it, ask to have
25 it repeated or explained. The same token, if you realize that you

1 misspoke or want to change an answer, please do so. We want the
2 most accurate record as possible. We want the most accurate
3 information. That's only way we're going to figure this thing out
4 in the end.

5 You are entitled to have on representative of your choosing.
6 Is there someone you would like to have as your representative?

7 MR. LOOMIS: Yes, sir. I have Matt -- Smith. I couldn't
8 remember his Smith. Sorry.

9 MR. SMITH: I think the last name (indiscernible) --

10 MR. LOOMIS: I got the first name though.

11 MR. WILLIAMS: Well, there you go. That's always a plus.

12 So, Matt, as always, you may direct John not to answer a
13 question or request a short break to confer with him; however, you
14 may not answer any questions for him.

15 MR. SMITH: Understood.

16 MR. WILLIAMS: Do you guys have any questions before we get
17 going?

18 MR. LOOMIS: I'm good.

19 MR. SMITH: No questions here.

20 MR. WILLIAMS: All right. Sounds great.

21 INTERVIEW OF ROBERT JOHN LOOMIS

22 BY MR. WILLIAMS:

23 Q. So, John, if you could, please, for the record, spell your
24 name and tell us your title.

25 A. Okay. My full name is Robert John Loomis, L-o-o-m-i-s, Jr.

1 I'm a frontline manager at the Little Rock Flight Standards, and
2 my specialty is avionics.

3 Q. Okay. Give us a little bit of an overview of your aviation
4 background, qualifications, kind of how you got to where you are
5 now.

6 A. Well, I started in 1972 as a crop duster loading the plane
7 and learning to fly. I've been an A&P mechanic since 19-- --
8 around '78, '77; it's so long I forgot. I've worked my own
9 businesses. I've worked for Falcon Jet. I've worked for Learjet.
10 I've worked for a couple airlines, TWA. I've had my own 135, my
11 own 145.

12 I've been in the agency 22 years. I've held positions, both
13 principal maintenance inspector and principal avionics inspector
14 in GA and air carrier. I did a stint, region headquarters 230
15 division as a regional specialist. And also 3 years with the
16 special investigations group out of Southwest Region when it first
17 started. I've been a frontline manager now for almost 3 years.

18 Q. All right. So when did you get hired at the FAA?

19 A. July 1997.

20 Q. Okay. And you said you've been a frontline about 3 years?

21 A. Yes, sir.

22 Q. Okay. Do you have any pilot experience?

23 A. I've got a little bit of pilot time, mostly bootleg. But
24 I've been flying -- '73, I think, is when I soloed.

25 Q. Okay.

1 A. I lost my medical about 10 years ago, so --

2 Q. Okay. When you became a frontline what kind of training did
3 you go through? What did that look like?

4 A. Oh, there was a whole string of training. Probably 90
5 percent of my first year was either OJT or formal training. And
6 I've got a whole list. They covered as much as they could.

7 Q. Okay. Is there any ongoing training? Do you still --

8 A. Oh, yeah. We'll do ongoing training in most of the HR,
9 financial, management based courses.

10 Q. So what are your duties and responsibilities? What is a
11 normal day in John Loomis look like?

12 A. Well, I assign work, answer phone calls, work with inspectors
13 that have questions or issues, whether they're technical,
14 personal, or whatever. Mostly dealing with people and people
15 issues, and assigning whatever work comes through the door.

16 Q. How many inspectors do you oversee?

17 A. Well, right now with the manager out, I'm kind of doing both
18 frontline -- Jonathan takes all the ops issues in hand as an ops
19 inspector. But we have, I think, 15 inspectors, maybe, people in
20 the office.

21 Q. So when the office manager is there, how many are assigned to
22 you?

23 A. I think I have seven assigned to me.

24 Q. Are they all PMI, PAI, or are they -- consist of ops as well?

25 A. I've got all three disciplines plus admin.

1 Q. Okay. What does that breakdown kind of look like? Is it
2 two, two, and two, and then an admin? Or is it --

3 A. I'd have to look at it, because since I've been here, in 3
4 years, I don't think we've had two supervisors at one time the
5 whole time. So I've never really kept up with who is on my team
6 because it's usually pretty much everybody.

7 Q. Okay. So how many certificates are assigned to your group?
8 Do you know off the top of your head?

9 A. Of the office, I think we have like 20 135 operators,
10 somewhere around 45 or 50 145 operators. Then we have the 137s,
11 I'm not sure, I would guess 125 to 150. IAs, I'm not going to
12 even venture a guess, there's so many of them. Plus 91 operators,
13 you know, LOAs. We have four 141, three 147. Don't quote me on
14 the numbers because I know I'm wrong. I'd have to get
15 (indiscernible) --

16 Q. Okay. And so the 135 operators, what does the CMT look like
17 on those? Is it one of each? Do you have some with assistants?

18 A. No, it's --

19 Q. What's kind of the typical look?

20 A. They're all basically pretty small operators. Viking's
21 probably our largest. But they're all a PAI, PMI, and a POI.

22 Q. Okay.

23 A. Right now in the office we've got two ops trainees and one
24 maintenance trainee. So they help out.

25 Q. Okay. So as far as oversight activities, you mentioned

1 Viking here as one of your larger 135s; is that correct --

2 A. Yes.

3 Q. -- that you guys have?

4 A. Yes, sir.

5 Q. So what kind of oversight does an operator like that
6 typically get?

7 A. Well, they get probably more than anybody in our office. The
8 inspectors do everything through risk management and SA, but --
9 yeah, SAS tells us to put inspections, we add an inspection. It's
10 kind of a dynamic thing.

11 But I know Viking itself doesn't go probably 2 weeks without
12 a visit, and I don't think go very many days without a phone call.
13 Actually, all that's really up to the principals. They just give
14 me the high view of what they're doing and they're down in
15 (indiscernible) plot and risk assessment.

16 Q. Okay. So you mentioned that SAS gives inspections but then
17 you guys can add inspections.

18 A. Um-hum.

19 Q. How do you guys add inspections?

20 A. Well, the principals do that using their -- I'm going to have
21 to kind of use what -- the words they use. Doing a risk
22 management and seeing what's happening, the problems they're
23 having. They'll add special inspections to cover any problems,
24 any trends, anything that isn't what the norm. And they add on as
25 they decide they're needed.

1 Q. Okay. So it's up to the POIs or PMIs, whoever's wanting to
2 add those inspections as far as what they add. There's no
3 guidance that says you must add in 15 additional inspections of
4 your choosing, or anything like that?

5 A. I don't know if that's the right word. The guidance tells
6 you to analyze the issues, find the risk, and surveillance as
7 appropriate.

8 Q. Okay. So would you say, then, that they did -- how would you
9 classify their oversight? Would it be more than most 135s that
10 you guys have in your office? Are they one of the ones that are
11 looked at more; is it kind of average?

12 A. My brain says average. Of course, they can get looked at
13 more because they have more aircraft. So every time they add an
14 aircraft, they get looked at. Every time they change a manual,
15 they get looked at. So, you know, if you look at 2 airplane
16 operators compared to 15 airplane operators, you're going to see
17 the 15 aircraft operator more often. It's just, you know,
18 numbers. But if you average, you know, what happens to what
19 happens, they probably get their proportional share.

20 Q. Okay. So from your position as the frontline, how do you see
21 the relationship between the Little Rock FSDO and Survival Flight?
22 Is it -- would you classify it as a good working relationship,
23 kind of confrontational? From your position there, what would it
24 look like?

25 A. I don't see it as -- I haven't been told anything or been led

1 to believe that there's any kind of real conflict. You know,
2 they're always -- the FAA, it's like when a policeman walks up to
3 your car, there's no conflict but you get a little nervous. But I
4 haven't heard of any confrontational, and I've heard they -- from
5 what I get from my inspectors, they have a good working
6 relationship.

7 Q. Okay. So you haven't had to get involved with any particular
8 issues that you can recall?

9 A. No, sir.

10 Q. Okay. Have you personally visited Survival Flight or Viking?

11 A. No, sir, I have not personally.

12 Q. Let's go back just a second. In your 3 years as a frontline
13 has Survival Flight -- I'm sorry. I keep calling it Survival
14 Flight. Has Viking --

15 A. Doesn't matter. Either way.

16 Q. Have they been under your purview or assigned to your group
17 that entire time?

18 A. Well, part of them. Nick is actually assigned to the other
19 unit.

20 Q. Okay. So how does that work? Is it kind of split up where
21 you're overseeing more the maintenance/airworthiness side and then
22 Nick's frontline with more the operations aspect of it?

23 A. Yes, sir.

24 Q. Okay. So then you don't do much with the pilot training or
25 training manuals or anything like that? You're more on the

1 airworthiness side of the house; is that a correct understanding?

2 A. That's correct, sir.

3 Q. Okay. So with that in mind, let's talk about the
4 airworthiness side of the house a little bit over there. Through
5 interviews, we've been aware of some concerns on the maintenance
6 aspect, write-ups and pressures and that sort of thing. Are you
7 aware of any specific maintenance issues that have been brought up
8 to your guys' attention from pilots or mechanics?

9 A. Well, my inspectors tell me they've had a few issues they've
10 worked through and made them do some changes in their system, and
11 they're continuing to monitor a few issues.

12 Q. Okay. Do you recall any specifics about those?

13 A. Mostly it's been training of the maintenance personnel.
14 They've had a lot of problems with forms, paperwork and not
15 sending in (indiscernible) what, where. And then there were some
16 night vision goggle issues, things not getting written up that
17 should have, and things fixed not quite the way they should have.
18 They worked through all those, and there's been changes made in
19 the GOM. I'm pretty sure -- they told me that they started a
20 training program and added training in their GOM.

21 MR. WILLIAMS: Okay. All right. Well, I think I'm going to
22 pass it off and let Sathya ask some questions here.

23 BY DR. SILVA:

24 Q. All right. So I don't know if you've mentioned this, but who
25 is Nick's official frontline manager?

1 A. Actually, Jonathan would be his frontline manager. While
2 Jonathan is acting manager. I'm sort of being both frontline
3 managers.

4 Q. So Jonathan's the one with ops experience.

5 A. Yes, ma'am.

6 Q. Okay. I understand. And you mentioned kind of an analogy
7 regarding a policeman walking up to a car and getting nervous.
8 Can you explain what you meant by that in this context?

9 A. Pretty much anytime an authority figure walks up to you, or
10 to me, anyhow, any authority figure, you know, I get a little
11 nervous. It's probably the way I was raised, but any type of
12 authority figure walking to me makes me stand at attention and say
13 yes, sir.

14 Q. Okay. So that's essentially from the operator's perspective;
15 am I understanding that properly?

16 A. Yes, ma'am.

17 Q. Okay.

18 A. And I've been an operator.

19 Q. Okay. And --

20 MR. SMITH: To clarify -- this is Matt. I just want to
21 clarify that John understands your question. Is it -- is Nick or
22 the operator or, you know, if you could just clarify that area a
23 little bit just because it looked like there might have been
24 confusion on this end.

25 DR. SILVA: My question was just regarding that analogy and

1 whether that perspective would come from the operator side
2 compared to the POI side, of being nervous of an authority figure.

3 MR. SMITH: Do you understand --

4 MR. LOOMIS: Yeah.

5 MR. SMITH: -- what she's asking?

6 MR. LOOMIS: Yeah, and I think from either side, if you have
7 an authority figure showing up, the way I was brought up, I do get
8 a little -- nervous may not be the best word, but we give them the
9 respect they deserve and I'm a little bit more polite than I would
10 be to somebody that wasn't.

11 DR. SILVA: Okay.

12 MR. SMITH: I think -- and, again, this is Matt. I just want
13 to make sure that we're understanding. He's describing how --
14 actually, I don't want to answer for him but --

15 MR. LOOMIS: Well, in general, anybody, either side, anybody.

16 MR. SMITH: Are you speaking how you --

17 MR. LOOMIS: Me.

18 MR. SMITH: -- would feel or how the operator would --

19 MR. LOOMIS: How I would feel.

20 DR. SILVA: Okay.

21 MR. SMITH: Okay. Sorry for the interruption.

22 DR. SILVA: That's okay. I understand.

23 BY DR. SILVA:

24 Q. And it sounds like you're the frontline for all of the
25 inspectors in the FSDO right now in terms of doing your job. Can

1 you run through the breakdown as best as you know it between POIs,
2 PMIs, and avionics?

3 A. I've got five POIs, two avionics, five -- six airworthy.

4 Q. Okay.

5 A. And I may be off one (indiscernible) or another.

6 Q. Okay. That's fine. And then regarding the POIs, since
7 that's not your area of specialty, what kind of interaction or
8 oversight do you do with the POIs?

9 A. Mostly I assign work that comes in. Whatever comes in the
10 door, I assign their (indiscernible) significant, I make sure it
11 gets to the right POI. Time and attendance, all the
12 administrative kind of things. It gets down to a technical issue,
13 I refer that back to Jonathan.

14 Q. Okay. And can you describe how you assign work, essentially,
15 if -- when it comes to specifically -- actually, let me start
16 over.

17 Were you involved with assigning Viking to Nick?

18 A. No, I think Jonathan actually did those one time when we
19 reshuffled all the operators to all the inspectors. I'm pretty
20 sure Jonathan's the one that set that up.

21 Q. Okay. Were you involved -- was this around -- sorry -- 2015
22 time frame?

23 A. I couldn't answer that. I know when Nathan -- no, I think
24 2017 -- when Nathan became a principal, got off his training, we
25 moved operators around. I think Nick was already the POI for

1 Viking when I got here.

2 Q. Okay. I understand.

3 A. I may be wrong. That's the best I can remember.

4 Q. Okay. Do you know if any of the inspectors at the -- or the
5 POIs at the FSDO have any helicopter or air ambulance experience?

6 A. Nick's been working them for a long time. But, no, I really
7 couldn't tell you.

8 Q. Okay. And Shaun kind of asked you this in multiple
9 questions, but can you run through just your overall experience
10 with Viking or Survival Flight?

11 A. Do you want my opinions or what I've done with it?

12 Q. So what -- essentially what interactions have you had with
13 the company and what interactions have you had with your personnel
14 regarding the company?

15 A. I don't -- can't recall any real interactions with the
16 company. That would be (indiscernible) job place and what they
17 should -- I shouldn't interact with the company very often. The
18 principals, I check with them to see if they -- what resources
19 they need, if I can do anything to help them out, pretty much
20 every time I talk to them. I'm not sure if that answers your
21 question or not.

22 Q. Okay. That's fine. How would you characterize your
23 workload?

24 A. Mine?

25 Q. Yes.

1 A. Some days it's Lazy Oaks Farms and some days we're off to the
2 races.

3 Q. Okay.

4 A. It just depends on the day.

5 Q. What's typically occurring on those busy days?

6 A. Oh, if we have an accident, especially a fatal accident in
7 the office and we have a bunch of people needing an appointment.
8 We have, you know, just -- some days get really crazy and some
9 days don't. Usually it's not that bad here. This is a pretty
10 laid back office.

11 Q. Do you feel like you have the time and resources to complete
12 all the tasks that you need to?

13 A. Yes.

14 Q. And regarding the accident, how did you find out about the
15 Viking accident?

16 A. I think it was the next day, somebody brought -- told me it
17 had happened, and then got on the news and listened to the news.

18 Q. Were there any actions that you know of taken by the FSDO in
19 response to the accident?

20 A. I'm not sure what you're looking for. Usually what we do
21 when we know we have an accident is, we make sure everybody that's
22 involved knows it happened. And on this type accidents where it's
23 out of district and out of our hand, we kind of just wait to see
24 who's going to take charge and offer our assistance, make sure
25 they got our phone number so we can do whatever is asked of us.

1 Q. Okay. I understand.

2 DR. SILVA: All right. That's all I had for now. Thanks for
3 your time.

4 MR. WILLIAMS: Thanks. John.

5 MR. LOOMIS: John?

6 MR. WILLIAMS: Yeah.

7 MR. LOOMIS: Oh, another John.

8 MR. BRANNEN: Nothing from this John. Thank you.

9 MR. WILLIAMS: And Paul?

10 MR. SUFFERN: No questions from me. Thank you.

11 MR. WILLIAMS: Okay. Dave?

12 MR. GERLACH: John, I have no questions either. Thank you
13 very much.

14 MR. WILLIAMS: Tim?

15 MR. TAYLOR: I have no questions. Thank you.

16 MR. WILLIAMS: I don't have anything else. John, thank you
17 for your time. We do appreciate you talking to us and helping us
18 out here, answer a few questions and put the picture from the
19 office together as far as workload and assignment type of
20 information. We do appreciate it.

21 Is there anything else you think we should know or you'd like
22 to add?

23 MR. LOOMIS: No. I think I'm -- don't have a whole lot to do
24 with much of this, so I'm right here and ready for you.

25 MR. WILLIAMS: All right. Well, thank you very much. I do

1 appreciate it and --

2 MR. SMITH: Hey --

3 MR. WILLIAMS: Yes, sir?

4 MR. SMITH: I'm sorry. I'll wait till we're off the record.

5 MR. WILLIAMS: Okay. All right. So I think that does it.

6 Sathya, do you want to stop the recording?

7 DR. SILVA: We are off the record at 10:34 Eastern.

8 (Whereupon, at 10:34 a.m., the interview was concluded.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of John Loomis

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE: February 20, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Kay Maurer/
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

*

* * * * *

Interview of: JONATHAN MOSS

Via Telephone

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

MATT SMITH, Esq.
Federal Aviation Administration
(On behalf of Mr. Moss)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Jonathan Moss:		
By Mr. Williams		6
By Dr. Silva		12
By Mr. Williams		26

I N T E R V I E W

(11:02 a.m.)

1 DR. SILVA: We're on the record at 11:02 Eastern.

2
3 MR. WILLIAMS: Jonathan, thanks again for talking with us
4 today. My name is Shaun Williams. I'm the investigator in charge
5 with the NTSB.
6

7 As you know, we're an independent agency. Our job is
8 determine the probable cause of the accident, promote safety.
9 Trying to find out what happened and why it happened and what we
10 can do to prevent it from happening again. We're not a part of
11 the DOT or the FAA. We have no regulatory or enforcement powers.

12 We utilize the group system, so I'm going to let everyone go
13 around the room and introduce themselves to you and let you know
14 their role in the investigation.

15 MR. MOSS: Okay, thank you.

16 MR. WILLIAMS: Sathya?

17 DR. SILVA: Hi, Jonathan. I'm Sathya Silva. I'm a human
18 performance investigator with the NTSB.

19 MR. WILLIAMS: John?

20 MR. BRANNEN: This is a John Brannen. I'm a regional
21 investigator for the NTSB. On this accident I'm working ops.

22 MR. WILLIAMS: Paul?

23 MR. SUFFERN: Hi. My name is Paul Suffern. I'm a
24 meteorologist investigator with the NTSB.

25 MR. WILLIAMS: David?

1 MR. GERLACH: Good morning. This is David Gerlach. I'm with
2 the FAA Office of Accident Investigation and Prevention. I am an
3 accident investigator.

4 MR. WILLIAMS: And Tim?

5 MR. TAYLOR: I'm Tim Taylor. I work for Survival Flight.

6 MR. WILLIAMS: Okay. Jonathan, are you okay talking to us
7 today with everybody on the phone?

8 MR. MOSS: Yes, every -- I'm here. I just didn't want to
9 interrupt during the introductions there. Hello, everybody.

10 MR. WILLIAMS: So, like I mentioned before, we'll be using a
11 tape recorder to record the interviews. We'll send that recording
12 off for transcription. The transcript, and not the audio
13 recording, will be made a part of the public docket. That
14 normally comes out as we get towards the completion of the
15 investigation.

16 MR. MOSS: Okay.

17 MR. WILLIAMS: Like I said, our purpose here is safety and
18 just to try to figure out what happened and to prevent it from
19 happening again. We're not here to assign fault, blame, or
20 liability, and the interview today is just part of the fact-
21 finding phase of the investigation. With that said, however, we
22 cannot offer any guarantee of confidentiality or immunity.

23 MR. MOSS: I understand.

24 MR. WILLIAMS: So the way we do the interview is we have --
25 we utilize a party system, so we have all these folks on the line.

1 Everyone has their own specialty that, put together, helps us
2 figure things out, come to conclusions. We'll ask questions one
3 at a time. We'll go around the room. Usually it's about two
4 rounds, so it shouldn't be too bad then.

5 Please answer all questions to the best of your recollection.
6 If you don't understand something or want it repeated, please ask.
7 "I don't know" is an acceptable answer as well. In that same
8 token, if you realize you misstated or you want to correct an
9 answer or change an answer, please do so. We want the most
10 accurate record as possible.

11 So you are entitled to have one representative of your
12 choosing. Is there someone you'd like to have with you?

13 MR. MOSS: Yeah, I've got Matt Smith with me.

14 MR. WILLIAMS: Okay.

15 Matt, you may direct Jonathan not to answer a question or to
16 request a short break to confer with him. You may not answer any
17 questions for him.

18 MR. SMITH: Understood.

19 MR. WILLIAMS: So, Jonathan, do you have any questions before
20 we get going?

21 MR. MOSS: No questions.

22 MR. WILLIAMS: Great.

23 INTERVIEW OF JONATHAN MOSS

24 BY MR. WILLIAMS:

25 Q. So to begin with, can you spell your name for us and tell us

1 your title?

2 A. Yes. Jonathan Moss, J-o-n-a-t-h-a-n, M-o-s-s, and I'm acting
3 manager for the Little Rock Flight Standards District Office.

4 Q. So can we start off getting a general overview of your
5 background, how you got where you are?

6 A. Sure. My background is primarily in flight training. Prior
7 to coming to the FAA, I was a professor at a 4-year university at
8 -- in an aviation department and chief instructor of a 141 flight
9 school. I did that for about 10 years. And then entered the FAA
10 as an aviation safety inspector on the operations side of things,
11 did that for 3 years, and was hired as frontline manager at the
12 Little Rock office on the operations side. I've done that -- I
13 did that for about a year and was asked to move into this acting
14 manager role because our Little Rock manager did receive a detail
15 as division manager, and that happened in September of last year.
16 And since that time, she has received a permanent appointment, so
17 we're currently in the process of hiring a full-time permanent
18 manager for the office. So that does give you an idea where I've
19 come from and where I am now.

20 Q. So are you pulling double duty then as the frontline and
21 acting office manager?

22 A. Yes, I guess you could call it double duty. A majority of
23 the frontline manager duties and responsibilities are held with
24 John Loomis as far as assignment of work and workflow and
25 reporting duties and that sort of thing, but I do still handle

1 some of the frontline duties that deal with operation-specific
2 type occurrences and that sort of thing.

3 Q. So just to clarify for me, when did you become a frontline?

4 A. In September of 2017?

5 Q. And then was it September of '18 that you became acting
6 office manager?

7 A. That's correct.

8 Q. So a little bit more about your background. Are you more
9 fixed wing, rotorcraft?

10 A. I am -- I have a fixed wing background.

11 Q. So you became office -- or frontline manager -- sorry -- back
12 in 2017. Can you kind of describe the training that you went
13 through to become a frontline?

14 A. Sure. Whenever the appointment is made, then I have a
15 curriculum of courses that I have to take within the first -- it
16 varies based on time periods. You have courses that you take
17 within the first 30 days; you have courses that you take within
18 the first 3 months, 6 months, 5 months, year. Then there's also a
19 mentor that I am assigned, and also a coach is assigned that I
20 meet with regularly for additional support. And then there's also
21 mentorship from the office manager as well just in the other
22 (indiscernible), a little bit of on-the-job stuff that happens
23 within the office, but the formal stuff is the curriculum and the
24 coach and mentor.

25 Q. Okay. So, right now, how would you describe your duties and

1 responsibilities?

2 A. Could you be more specific with that? Because there's a lot
3 of duties and responsibilities.

4 Q. Well, as an office manager, what are your primary duties?
5 What is -- describe to me your job, a day in the life of Jonathan
6 Moss.

7 A. Well, it may not be too exciting, but I'll try. I'm
8 responsible for personnel in this office, ensuring that we have
9 the resources that we need to complete our job. I'm responsible
10 for the building itself and ensuring that it's in a position that
11 is appropriate for the job to be done. I deal with just
12 processing of assignments and that sort of thing that come into
13 the office. The majority of those go to John, but I go through
14 some on occasion as well. I'm responsible for ensuring that the
15 work that we do is at the standard that it should be done as well.

16 Q. So when there are operations questions, do you still get
17 consulted on those, just the same way you would if you were still
18 a frontline?

19 A. That is correct.

20 Q. So about how many inspectors do you guys have there at Little
21 Rock?

22 A. Total, we have 12. We have five operations inspectors, two,
23 avionics inspectors, and five airworthiness inspectors -- excuse
24 me -- six airworthiness inspectors.

25 Q. So I'd like to discuss a little bit about the oversight of

1 Viking Aviation or Survival Flight. And I apologize now, but I'm
2 going to be switching back and forth calling them just because of
3 not thinking clearly.

4 A. I understand.

5 Q. How is the oversight plan developed for Viking Aviation?

6 A. For Viking, the plan is -- we're going to do it the same way
7 we would do all Part 135 operators that we have in the office.
8 And there is a planning period; we plan prior to the beginning of
9 our fiscal year, but that plan goes -- ongoing and continuing.

10 But surveillance is put on what's called a cap in SAS, and
11 that plan is monitored throughout the year based on findings,
12 changes, or anything like that, that takes place with the company,
13 with the air operator, and that sort of -- that plan is then --
14 then goes through phases of approval to the frontline and then
15 myself to ensure that it is what we need to be doing.

16 Now, the principals will get together -- the principal
17 inspectors will get together on every operator and make that plan
18 at the beginning of the fiscal year or prior to, and then monitor
19 it as the year goes on. If any significant changes are made to
20 that plan, then it would have to go through the approval process
21 again.

22 Q. So the POIs or the CMT actually has input into the
23 inspections and stuff that SAS kicks out?

24 A. Say that one more time?

25 Q. Does the CMT help develop the inspections that SAS comes up

1 and says these are the ones you're going to do quarterly or
2 annually?

3 A. Yes, the CMT does have the primary role in establishing that
4 plan. They will look at risk indicators, look at different things
5 that go with it and determine where -- when and where that
6 surveillance is going to take place. Now, there are certain
7 predetermined lengths of time that certain data collection tools
8 and surveillance has to take place. The helicopter air ambulance
9 is ramped up because of the inherent risk involved with the
10 operation, and it's twice a year. So every 6 months, certain data
11 collection tools have to be completed.

12 Q. So from your view as the acting office manager and from when
13 you were a frontline manager, can you talk to me about the
14 relationship between the FSDO and Viking Aviation? And --

15 A. Go ahead.

16 Q. To be more specific, like, how would you classify that? Like
17 confrontational? Would you classify it as cooperative agreement?
18 How would you describe that relationship?

19 A. I understand the question. I think that -- I'll try to find
20 the right way to describe it, but the relationship is
21 professional. The principal inspectors take their jobs seriously
22 when it comes to the surveillance and the oversight of Viking. I
23 believe with the discrepancies or different things that have been
24 found in the past, there's been a collaborative working
25 relationship between the principal inspectors in our office and

1 the company in finding ways to remedy or correct the issues that
2 were found. I have not seen any reason to believe that Viking has
3 an adversary relationship with the FAA, or Survival Flight.

4 Q. Have you personally visited their headquarters?

5 A. I have not.

6 Q. What kind of contact might the frontline or office manager
7 have with operators?

8 A. The contact is limited most of the time. Most of the time
9 the contact goes directly between the principal inspectors and the
10 operator. The only time, normally, a frontline manager or office
11 manager would get involved are if there are issues. And, mainly,
12 that would normally come from if there are issues with the
13 companies with our inspectors, not necessarily the other way
14 around.

15 Q. Before becoming frontline, when you were still an ops
16 inspector, were you there at Little Rock as an ops inspector?

17 A. Yes.

18 Q. Did you have any oversight responsibilities on Viking?

19 A. No.

20 MR. WILLIAMS: All right, I'm going to pause there. I'm
21 going to let Sathya ask you a few questions.

22 BY DR. SILVA:

23 Q. All right. When did you start at the FAA?

24 A. I started in September of 2014.

25 Q. Did you have any experience or any part in assigning Viking

1 to Nick?

2 A. No. I believe he was assigned to Viking prior to me being
3 any part of -- having any part of management.

4 Q. So in your role both as an FLM and an OM, can you describe
5 how you would choose -- how you would assign inspectors to
6 certificates?

7 A. Sure. There are several things, really, that go into that
8 decision. Number one, I would look for the best person for
9 oversight of that certificate. So I would look at -- and, really,
10 I would look at the certificates that we have, look at the risk
11 that's involved with each one of those certificates, and then
12 prioritize the assignment of those certificates based on that
13 risk. Then I would look at the principal inspectors that I have
14 available for assignment and determine which inspector has the
15 most experience to deal with the risk associated with the operator
16 that I would assign. After that, then it comes down to other
17 decisions as far as just how much complexity each inspector has
18 and ensuring that we don't overwork one inspector versus another.

19 Q. I understand. At any point is there a process for
20 reconsidering assignments?

21 A. Absolutely. We can reconsider at any time for, really, any
22 reason. Those -- that assignment of certificates is our
23 responsibility as management and we can really assign that with de
24 minimis effect on the employees, so -- as far as their being
25 bargaining unit employees. That assignment and change of

1 complexity would be considered de minimis.

2 Q. So when you have had to change assignments, what's usually
3 prompted that?

4 A. For the most part, it's either the addition or subtraction
5 of an inspector that would cause a rearrangement of assignment, to
6 even out loads to give certain certificates to different
7 inspectors. The less likely would be if something is -- if there
8 is an issue with the oversight of that certificate. But, if there
9 were, we could definitely make changes based on that as well.

10 Q. Give me a second to gather my thoughts here. And Shaun asked
11 a couple of questions --

12 MR. SMITH: Okay. This is Matt. Can I put you on mute for a
13 second? I just need to ask Jonathan something off line.

14 DR. SILVA: Okay. That's fine.

15 MR. SMITH: Okay. Just one minute. Thanks.

16 (Pause.)

17 MR. SMITH: Okay. Thank you, Sathya.

18 DR. SILVA: Yep. No problem.

19 I was just going to follow up --

20 MR. SMITH: And, Sathya, just for the record, I'll let you
21 know we were clarifying his start date with the FAA and there's no
22 changes to be made.

23 DR. SILVA. Okay. Thanks for that.

24 BY DR. SILVA:

25 Q. So you mentioned that there were discrepancies brought up

1 with Viking. Can you go into more detail about what your
2 understanding of those issues were?

3 A. I can do that to the best of my ability --

4 Q. Yep.

5 A. -- because we deal with lots of different operators and
6 different things. But I will do my best to summarize what I know
7 and what I can remember.

8 Q. Okay. That's perfect.

9 A. The main things that have happened lately have been really on
10 the airworthiness side as far as discrepancies with a lot of
11 maintenance paperwork, with certain endorsements not being done or
12 certain work not being documented appropriately, that sort of
13 thing. Now, there have been some other investigations on the
14 operations side based on hotline complaints and that sort of
15 thing. But that's been the most recent that I can remember.

16 Q. Okay. Regarding the airworthiness, do you recall how those
17 discrepancies were uncovered?

18 A. They were uncovered during normal surveillance. And then
19 because they were uncovered during normal surveillance, additional
20 surveillance was scheduled based on the same process that I
21 discussed earlier, and the same types of problems were found and
22 then further action was taken at that point.

23 Q. I understand. Regarding the hotline complaints, what's your
24 understanding of the nature of those concerns?

25 A. There were two that I remember prior to the accident. One

1 had to do with a -- what was perceived to be a reckless departure
2 from a hospital in Oklahoma City. The other one had to do with --
3 I remember it was in Columbus, and had to do with departures or
4 activities that looked to be outside of the regulations as far as
5 low weather departures and that sort of thing.

6 Q. I see. Okay. Do you know what the outcomes of those
7 complaints were?

8 A. I know the outcome of the first complaint as far as the
9 reckless operation in Oklahoma City could not be substantiated.
10 The second complaint in Columbus also could not be substantiated.

11 Q. When you say it couldn't be substantiated, what does that
12 mean?

13 A. That means that an investigation was conducted into the
14 complaint and the complainant's issues could not be substantiated
15 in some type of proof that that actually took place.

16 Q. So can you walk me through what an investigation would look
17 like if a complaint came in?

18 A. Sure. Once a hotline complaint or any complaint or any
19 investigation begins, that investigation is assigned by management
20 to an inspector, and then that inspector begins the investigation
21 with first collecting any background information needed to make
22 himself aware of the operation that's taking place. He collects
23 pilot airman information, operator information. And then an
24 investigation takes place with making contact with the parties
25 involved, asking questions, requesting documentation, anything

1 that's needed to either prove or disapprove the claim.

2 Q. Are pilots usually contacted in this process?

3 A. Yes. If an airman is involved in the complaint, they are,
4 yeah.

5 Q. Does that happen through the company or are they directly
6 contacted?

7 A. They would be directly contacted. Or they would be contacted
8 in some manner that there would be direct conversation, I guess,
9 with the inspector.

10 Q. Okay. So is that written typically or telephone?

11 A. It depends. Or it could be either one, I guess, would be the
12 right or the correct answer there. Most of the time it would
13 begin with a telephone conversation unless the airman or the
14 person we were trying to speak with was either not contactable or
15 they were dodging us in some way. Then we'd do it in a formal
16 letter.

17 Q. Okay. I understand. Let's see. Do you know of any
18 challenges that Nick has encountered working with Survival Flight?

19 A. Challenges in what manner?

20 Q. Really with their interaction?

21 A. I do not know of any challenges that Nick has experienced as
22 far as interaction communication with Viking.

23 Q. As an FLM -- both as an FLM and an officer manager -- and
24 feel free to split that up if these responsibilities differ, but
25 how do you conduct oversight of your POIs?

1 A. Actually, that's kind of a vague question too, but I'm going
2 to answer it the way I can. The principal inspectors are given
3 the responsibility for the oversight of certificates in which
4 they're -- that they've been assigned. When work is conducted or
5 surveillance is conducted, then -- and just for Viking -- I'll
6 just use Viking specifically since it's a 135 operation. The
7 documentation for that would go into safety assurance system, or
8 SAS. Once that documentation -- or once that surveillance is
9 conducted and the documentation is put in there, then it would be
10 reviewed by a data quality reviewer, which would be John or
11 myself. And if we have any questions to what was put in there,
12 then we would follow up with the principal inspector.

13 Now, most of the time, if there are findings or anything
14 negative discovered during surveillance, then that's going to be
15 discussed prior to any -- that documentation even being made. So
16 they'll come back -- the principal inspectors will come back and
17 discuss their findings, and we'll discuss their involvement and
18 how to move forward with the finding.

19 Q. Do you ever go out, I want to say, on scene, but to conduct
20 surveillance with your POIs?

21 A. No, not at this time, or --

22 Q. Okay. And just to back up back to the hotline for a second,
23 you mentioned that an inspector is assigned to a hotline
24 complaint. How are they chosen?

25 A. It would depend on the circumstances. For hotline complaints

1 associated with a certain certificate -- it would depend on the
2 type or what was really in the hotline complaint. But, for the
3 most part, I would want the principal inspector to work that
4 complaint because they know the most about that operation. If
5 there was anything in that hotline complaint that would hint or
6 have any type of information in there that would lead me to
7 believe that a principal inspector would not be the best person
8 for an inspection, then it will be assigned to another competent
9 inspector.

10 Q. Are there any ways that you essentially do quality assurance
11 on your inspectors, like different inspectors working different
12 certificates, at any point?

13 A. Could you rephrase the last part of the question? I didn't
14 -- or repeat it?

15 Q. That was just an example. So what I'm asking is if -- is
16 there a way to assure essentially the quality of work of your
17 inspectors? Is there a process for that?

18 A. Yeah. That's all done through review of their work and the
19 questions and the conversations with those inspectors. So
20 whenever surveillance is conducted or an assignment is completed,
21 it's always reviewed by management to determine the quality of
22 their work. When there are questions associated with that, those
23 are asked and a determination is made whether or not the quality
24 is up to the standards that our guidance calls for.

25 Q. Okay. How did you find out about the accident?

1 A. We were actually having an all-hands meeting and -- because
2 it was a couple of days after the first government shutdown ended.
3 So all employees of the office were there. I was explaining
4 different things coming off of the shutdown, and Nick received a
5 telephone call during that meeting and stepped out. At the
6 conclusion of the meeting, he and another principal let me know
7 what happened.

8 Q. Were your POIs furloughed as well?

9 A. Were the POIs furloughed?

10 Q. Yeah.

11 A. They were furloughed for the first 21 days or so. They were
12 recalled during the process when all principal inspectors were
13 recalled. It was about 2 weeks prior to the shutdown ending.

14 Q. Okay. Were their -- was their tasking normal at that point
15 when they got recalled or is there a backlog?

16 A. The tasking was not normal. Under the recall, we had to
17 comply with the Antideficiency Act, and so certain work could not
18 be done. Certain work was accepted and some -- certain work was
19 not accepted. The work that was accepted would be considered
20 continued operation of safety or COS work, in which surveillance
21 activities under current certificate holders was included in that
22 accepted work. And so the first day they were recalled, all
23 inspectors that were recalled had a risk assessment day, and then,
24 after that, they went out and started surveillance on their past
25 risk operators.

1 Q. Okay. I understand. Has the FSDO made any changes after the
2 accident regarding surveillance of Viking?

3 A. The accident is definitely a factor that goes into
4 determining risk associated with that operator, and so
5 surveillance would definitely be for that -- yes, it would be --
6 it would be definitely changed based on that.

7 Q. So what's the time frame on those changes?

8 A. As far as when the changes were made or as far as when the
9 changes will be implemented?

10 Q. When they will be implemented.

11 A. They've already started to be implemented.

12 Q. Okay. So has surveillance gone up since the accident for
13 that operator?

14 A. I didn't hear part of that question.

15 Q. Just has the surveillance for that operator increased since
16 the accident?

17 A. Yes.

18 Q. Do you know what kind of tasks they're -- surveillance tasks
19 they're completing?

20 MR. SMITH: Hey, Sathya, sorry interrupt again. We're going
21 to stop and be back in just one second.

22 DR. SILVA: Okay.

23 MR. SMITH: All right. Thank you.

24 DR. SILVA. Yep.

25 MR. MOSS: Go ahead, Sathya. Could you repeat that question,

1 please?

2 DR. SILVA. Yes.

3 BY DR. SILVA:

4 Q. It is: What surveillance tasks have been completed so far in
5 terms of this additional surveillance that's been implemented
6 after the accident?

7 A. Surveillance was conducted last week and in Batesville
8 particularly looking into training records. Then there will be
9 additional surveillance scheduled for the following week, or next
10 week.

11 Q. I see. And are you kept apprised of all of this as office
12 manager?

13 A. Yes.

14 Q. Is that expected or is this kind of like a courtesy?

15 A. No, it's expected. It's expected for at least the frontline
16 manager to be involved in those discussions, and it's also
17 expected for the frontline manager to brief up the office manager.

18 Q. So in this case, would John count as the frontline manager?

19 A. John is -- would be his direct report, or who he would
20 directly report to. Yes.

21 Q. Okay. So when he's briefing the surveillance activity, does
22 that go to John and then to you, or are you communicating directly
23 with Nick?

24 A. Sometimes those communications go directly between Nick and
25 I; sometimes they come from John. We have a fairly small office,

1 so I tend to try to communicate with all of the inspectors and see
2 what's going on, on a daily basis anyway. So it may just be for
3 me asking or it may come from John.

4 Q. How is your working relationship with Nick?

5 A. Very good.

6 Q. Any challenges working with him?

7 A. I don't mean to pause, but I'm just trying to really conjure
8 up any type of challenges that I've had in the past --

9 Q. Take your time.

10 A. -- and I can't think of any.

11 Q. Okay. Are you -- do you know if there's anyone in your
12 office, I mean, POIs in your office, that have helicopter or air
13 ambulance experience?

14 A. We've hired an aviation safety inspector that is currently
15 being trained that has rotorcraft experience.

16 Q. But outside of that person, anyone current that has
17 rotorcraft experience?

18 A. No one else current on the operations side, no. On
19 airworthiness we do.

20 Q. I understand. So can you explain how the assignments would
21 work given that you don't necessarily have an inspector that has
22 rotorcraft experience? Do you get aids or do you get resources
23 from headquarters or anything along those lines?

24 A. If assistance is needed, we would reach out for that
25 assistance from other field offices that would have those

1 resources available.

2 Q. So would that mean essentially putting a different POI from a
3 different field office on the certificate?

4 A. As far as being the principal inspector?

5 Q. Yes.

6 A. We haven't had to do that in this office yet. I know that it
7 is being looked at as possibilities. But normally it's done when
8 offices don't have the current staffing level, not necessarily
9 because they don't have an rotorcraft-specific.

10 Q. Okay. So then given that Nick doesn't necessarily have
11 rotorcraft experience, do you know what kind of training or
12 additional resources he was given to be POI of Viking?

13 A. Well, when it comes to the oversight of that certificate, as
14 far as our current guidance states, there's really not a
15 requirement for Nick to have rotorcraft background. He just has
16 to be able to oversee that certificate in the operations that they
17 conduct and be able to ensure that they -- the operations and
18 processes and procedures that they do have are safe and meet
19 regulation and guidance. As far as reaching out to any additional
20 resources, that normally comes into what -- where flight checks
21 are needed and we have to bring in a qualified inspector to do
22 those checks.

23 MR. SMITH: Sathya, you might want to ask your question
24 again. I think he gave you a lot of good information, but I'm not
25 sure that he answered your question.

1 DR. SILVA: Actually, I think he did.

2 MR. SMITH: Okay, good deal.

3 BY DR. SILVA:

4 Q. Have you run into any -- or from your perspective, has Nick
5 run into any challenges conducting his duties without having
6 rotorcraft experience?

7 A. I think the only challenges that Nick has had is that he has
8 to prepare even more, or even to a greater amount, and I believe
9 he's done that. I don't have any -- and I'll just insert this. I
10 don't have any reservation with Nick being principal operations
11 inspector of that certificate. Even without his rotorcraft
12 record, I believe he's conducted and performed the oversight
13 necessary to ensure that that operator has the best chance of
14 having a safe operation.

15 Q. Okay. And you mentioned that you have other inspectors that
16 come in and conduct the surveillance that he can't necessarily do.
17 Do you know if he's using any other resources in terms of
18 mentorship or anything along those lines when it comes to air
19 ambulance or EMS?

20 A. I know he reaches out to -- I believe it's AFS-250, Tom
21 Luipersbeck there, as a subject matter expert, when he does have
22 questions. And other than that, as far as any type of guidance,
23 that would be the main person that I can think of.

24 Q. Okay. I understand. How would you characterize your
25 workload?

1 A. My workload or the office's workload?

2 Q. Let's start with your workload.

3 A. I am steady when I come to the office. I'm not overworked.
4 I'm able to take my normal workload and work in the things that
5 come in during the day without extensive delay.

6 Q. And how would you characterize the workload of the office?

7 A. I would characterize the workload as normal for our size
8 office. I believe we're staffed pretty well appropriately at this
9 point in time, especially when our trainees get through their
10 training. And as far as the system that is set in place for us to
11 work, I believe we're handling that appropriately.

12 DR. SILVA: Okay. All right, that's all the questions that I
13 had. Thank you.

14 MR. WILLIAMS: Thanks, Sathya.

15 John?

16 MR. BRANNEN: I have no questions.

17 MR. WILLIAMS: Paul?

18 MR. SUFFERN: I have no questions as well. Thank you.

19 MR. WILLIAMS: David?

20 MR. GERLACH: Shaun, I don't have any questions either.

21 Thanks.

22 MR. WILLIAMS: Tim?

23 MR. TAYLOR: Shaun, I don't have any questions.

24 BY MR. WILLIAMS:

25 Q. Jonathan, I have -- I want to go back to your days as a POI

1 or a frontline here. I know it's been a little while, but think
2 back for me. Viking Aviation currently utilizes two different
3 training manuals: they have a general training manual and -- let
4 me find the title of this other one -- a 206 training program.
5 Are you aware of other operators that have multiple training
6 programs for flight crews?

7 A. It has been a while, but I have seen other operators with --
8 I mean, I would call it one training program, but then they would
9 have different ways in which they separated their curriculum.

10 Q. Okay. What I understand is that there's two different
11 initial approval dates, two different stamps, two different
12 manuals, and they were running different forms and everything.
13 Some are being used from this manual and some are being used from
14 another manual. I'm just curious if you've ever seen kind of a
15 mismatch like this before or if this something normal, to just
16 kind of educate me a little bit on that.

17 A. During my time as an operations inspector, that would not
18 necessarily be normal.

19 Q. Okay, thanks.

20 MR. WILLIAMS: I believe that's all I have. Does anybody
21 else have any questions? I guess not.

22 BY MR. WILLIAMS:

23 Q. Well, Jonathan, thank you very much for your time. We really
24 do appreciate it. We're moving up in the day to kind of free up
25 everybody's afternoon here. Is there anything that you could add

1 that could kind of help us out or point us in the right direction
2 and help us understand how this accident came to be?

3 A. Without knowing all of the details of the accident, it would
4 be tough for me to comment on that. I would -- I know just that
5 we'll do everything that we can do, just like before, to prevent
6 anything from happening in the future.

7 Q. Okay. Actually, another question popped up in my head. I
8 want to ask you about flight duty time.

9 A. Okay.

10 Q. At Viking, they're assigned 12-hours shifts, usually 7 to 7.
11 If the pilot would come in, say, a half hour early, at 6:30,
12 they're not mandated by the company, so to speak. They're told,
13 at 7, you must be ready to go. They have all this extra stuff
14 that they have to do preflight, risk assessment, check the
15 weather, that sort of thing, so they're all coming in at 6:30 to
16 do it. Would you expect that to be counted as duty?

17 A. If they're doing work when they arrive, then yes.

18 Q. Okay, thanks.

19 MR. WILLIAMS: All right, Jonathan, thank you. I'll stop
20 having questions pop up in my head and we'll let you get back to
21 your days.

22 MR. MOSS: Okay. Thanks, guys.

23 MR. WILLIAMS: Thank you, everyone.

24 DR. SILVA: We're off the record at 11:51 Eastern.

25 (Whereupon, at 11:51 a.m., the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Jonathan Moss

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE: February 20, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

A black rectangular redaction box covers the signature of Karen M. Galvez. There are some faint blue scribbles above and to the left of the box.

Karen M. Galvez
Transcriber