## ACCIDENT LAX98FA008
## Pacific Grove, CA, Oct. 12, 1997
## N555JD, Long EZ

Discussions to establish amount of time that Mr. Deutschendorf spent in flying the Long-EZ type aircraft:

Mr. Cobb remembers flying with victim in N228VS (later renumbered as N555JD), the accident aircraft, on September 12, 1997. The victim flew in the back seat of this aircraft for approximately one hour. Discussions of aircraft handling characteristics and familiarization of this aircraft.

On this same date, the victim flew a like aircraft (Long-EZ, N526EC), which belongs to Mr. Cobb, to see the differences of the Long-EZ aircraft. Again, the victim flew in the back seat for approximately one-half hour.

Mr. Cobb stated that he advised Mr. Deutschedorf to check out other Long-EZ aircraft for different characteristics. About one week later Mr. Deutschendorf that he didn't have time to check out the characteristics of other Long-EZ aircraft.

Thursday, October 16, 1997

Eric E. Cobb
[redacted]
Solvang, CA 93463

SJC FSDO Pearson
1250 Aviation Ave. #295
San Jose, CA 95110

Dear Mr. Pearson,

Per your request from our phone conversation yesterday are the events that happened Saturday, October 11, 1997 while flying with John Denver.

12:30 PM John arrives in his Lear jet and we look over the new paint job.
1:00 PM John takes everyone that worked on plane to lunch.
2:00 PM Return to the plane and preflight inspection of plane.
John sits in cockpit and we go through systems. Needed cushions to get John in a good flying position. Twenty gallons fuel on board. Ten on each side.
3:00 PM Taxied to Runway 30 at Santa Maria and did run up. Engine was running good. Cockpit check list complete. Wind was 280 at 32.
3:10 PM John's take off was very good. I could not see the air speed gauge from the back but asked "what's your air speed?" John replies "140 mph" I pointed out the this propeller likes 120 mph for climbs, better altitude gain and best cooling for engine. We did a straight out departure. Five to eight miles west of the airport we did some 360 degree turns both right and left. We did some slow flight. John seemed very comfortable with the plane. We returned to Santa Maria Airport interred the pattern and did our first landing. Wind was still gusting around 30 mph.
John's approach speed was 100 mph. I pointed out given the wind speed that was about right but eighty to ninety mph was a better speed for approach. We taxied back to runway 30 and the next take off was just the same as his first. Again I reminded him 120 mph. The landing was very good and I asked John how he felt about it. He said he was comfortable with the plane and didn't think he would have a problem flying it. I felt good about his flying also. John took me back to the FBO let me out. I pointed out that he had ten gallons fuel in the right tank and five on the left. John switched to the ten gallon side. I asked him to call me when he got home, watched as he took off for Monterey and left the airport. John called me that night told how much he loved the way the airplane handled and he had no problem with the plane.

John departed for Monterey somewhere between 3:30 and 4:00 PM. These times may very some but are as close as I can recall.

[redacted]

Eric Cobb
[redacted]
Solvang, CA 93463

NTSB
George Petterson
1515 West 190th Suite 555
Gardena, CA 90248

Dear Mr. Petterson,

Per your request of N228VS pertaining to lubrication of the fuel valve and fuel in the aircraft. In April 1996 the fuel valve was removed by owner and I assisted him in lubricating the valve. The fuel valve was located in a nonstandard location on the aircraft, not per plans. I have heard that some builders locating fuel valves on the fire wall to eliminate running fuel lines in the cockpit. The handle of the valve was then operated by a torque tube running from the pilot area to the valve. Such is the case of N228VS except the valve was forward of the firewall. Access to this valve was through a panel on the bottom of the aircraft in the naca duck which is where the engine received air. I have seen this on other aircraft and it is not uncommon. This type of fuel valve becomes very hard to switch tanks and needs to be lubricated periodically. Because of the torque tube and location of the valve the whole mechanism must be removed to service. We replaced some of the aluminum torque tube with steel tubing because the fuel valve had become so difficult to turn the owner was concerned with the aluminum not being strong enough. I personally only saw the torque tube and valve on the bench and do not recall how the torque tube was routed in the plane.

I delivered the aircraft to the paint shop in Santa Maria the week before John Denver picked it up. N228VS had about five gallons of fuel. I would guess there was three gallons on one side and two gallons on the other. Unfortunately I cannot remember which tank had the greater amount. I just noted a small amount of fuel. I put twenty gallons in before I left Santa Ynez, ten gallons on each side. I flew on the left side for about ten minutes from Santa Ynez to Santa Maria. On October 11, 1997, I met John at Santa Maria to familiarize him with his airplane. After an out side walk around John sat in the cockpit. Pillows were needed to get John into the right flying position, and we went through the systems starting at his right and moving to left. The fuel valve was the last thing we talked about, while seated in the cockpit, because the handle was located to the left of his shoulder. The valve was in good working order at that time. I told John the handle was not in a good place because he would have to let go of the stick to change tanks. I showed where it was located per Rutan's plans and we made arrangements to put it as the plans call out for while he was on tour the next week. I flew with John in the back seat to see how he handled the plane and saw no problems with Johns ability. We flew West of Santa Maria turning three hundred and sixty degrees in slow flight and turning at normal speed. We did two takeoffs and landings. We did two because I wanted to see if the second landing was as good as the first. The landings were good, considering the winds that day. From engine start to stop I would say thirty minutes and still on the left tank. John took me to the FBO and when I got out I told John he had ten gallons on the right side and five on the left. I also pointed out that would give him about one hour on the right side and thirty minutes on the left. I watched as John switched to the right tank. He had to loosen the seat belt and remove his arms from the shoulder harness to get to the fuel valve handle. The cushions had moved him farther away from the fuel valve handle.

[redacted]

Eric Cobb

Chris Hadland
Salinas Ca.
93901
[redacted]
November 16,1997

National Transportation Safety Board
Office of Aviation Safety
Southwest Regional Office
1515 W. 190th Street, Suite 555
Gardena, Ca 90248

Attn: George Petterson

RE: This letter is in regard to your letter dated November 6, 1997. I'm sorry for the delay in responding.

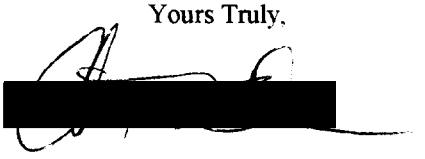
1. *What was the attitude of the airplane when you observed the sight gauges for the fuel quantity?*
   The aircraft was in a "level flight" attitude. The nose gear was extended to take-off and landing configuration.
2. *Were the sight gauges quantified or marked in anyway visible to you?*
   No.
3. *How did you determine less than ¼ and less than ½ of the fuel quantity?*
   I determined the quantity of fuel by approximating the level on the sight gauges. The right tank sight gauge level appeared to indicate less than half. The left tank sight gauge level appeared to indicate less than a quarter. This translated to approximate inches on the sight gauge (approx. 6 or7 inches) would be 3 inches on the right and 1 ½ on the left.
4. *When you gave John the fuel quantity observation, was he seated in the aircraft?*
   Yes. He was seated in the front seat and was harnessed in. At this time, I made the comment on the fact that the fuel sight gauges were on the sidewalls of the aft cockpit. He then asked the quantity in each tank. I offered to call the fuel truck over to refuel the aircraft, but he declined remarking that he would only be flying for about an hour. At this time, I noticed that the fuel selector was in what I thought was the off position. (Again, there were no placards near the fuel selector.)
5. *Did you see John look at the sight gauges himself?*
   From his position in the front seat, he could not see the sight gauges. At this time, I offered my inspection mirror so he could "look" over his shoulder to see the sight gauges. I momentarily closed the canopy to insure that he had enough room to see over his shoulder. He opened the canopy and we spent a minute talking about how he would like to modify the aircraft in this regard.
6. *At what point during the time prior to the flight did you offer fuel service to John?*
   During the time we talked about the fuel quantity, or lack of it. (approx. 1630 to 1640)
7. *Did you notice any placarding or marking on the fuel selector?*
   No. Earlier I had felt three positive detents when moving the selector.
8. *Did you yourself try the fuel selector to check for ease of movement?*
   Yes. It was difficult to move, but at the time, I did not consider it of an airworthy concern. He mentioned that this was one of the items he wanted addressed. He also said he wanted the fuel selector relocated.
9. *Whose idea was it to try the vise-grips, and was that to extend the reach or to turn the valve because of high resistance or binding?*
   He asked me for a pair of pliers to extend the reach. I returned from my toolbox with two different sizes of pliers and one pair of vise-grips. He chose to try the vise-grips. I said that I did not like the idea because of the unusual forces to the selector handle and he agreed. He then gave me back the vise-grips and I returned them to my toolbox.

10. *After the engine quit, just after the first start, you said he changed the selector position. Do you recall or did you see where it was moved from or to. Did he have to loosen his shoulder straps or twist his body?*
At the time of the attempted engine start, I had returned to the hanger to close the hanger doors. I heard the engine run for about 10 seconds, then quit. I started to go back outside at this time to suggest that he may have left the fuel selector in the off position. I saw him turn away from me and waved. I stayed outside near the aircraft until he taxied away.

11. *During his preflight, did he in any way try to check his fuel quantity that you are aware of?*
No. He borrowed my fuel sump cup to check the fuel for contaminates but I never saw him check quantity in any way.

12. *What were his comments regarding the fuel selector location and the selectors high resistance to turn?*
He wanted the fuel selector relocated and the moderate resistance of the selector corrected some time in the indefinite future.

Yours Truly,



Chris Hadland

# ACCIDENT LAX98FA008
## Pacific Grove, CA, Oct. 12, 1997
## N555JD, Long EZ

WITNESS STATEMENT SYNOPSIS:

BILL OERTEL
[redacted]
Norco, CA 91760-1817
[redacted]

Mr. Oertel's involvement in this accident is that he is the certificated mechanic that performed the "condition inspection" on this aircraft. Certificate # [redacted]

Interviewed by phone on October 15, 1997 at 0850L.

**Synopsis of conversation:**

Mr. Oertel's has six (6) years experience with this aircraft (Long-EZ, N228VS) and has done three (3) condition inspections including the last condition inspection on September 21, 1997. Mr. Oertel stated that this aircraft was in excellent condition. He reviewed area's that he inspected and stated that the engine compression was good, flight controls checked satisfactorily with no binding of surfaces or controls, wing attach fittings were good, control surfaces were secure and tight, throttle quadrant moved freely and to it's full range, and that the engine run-up checked satisfactorily.

Interview by phone on October 16, 1997 at 0830L:

Question centered around fuel selector. Mr. Oertel said there was an indicator that indicated Left/Right/Off on the selector, but it was not a placard. He believed it to be written in with a felt pen.

Inspector comments:

Mr. Oertel provided a copy of his checklist he uses for condition inspections on canard type composite aircraft. Mr. Oertel stated that he did not keep a record or checklist of condition inspection of accident aircraft.

*Equine Veterinary Associates*
*V.E. Snow, D.V.M.* *Diego Uson, D.V.M.*
*Equine Medicine & Surgery*

May 6, 1998

George Petterson
National Traffic & Safety Board
1515 W. 190th St. Suite #5555
Gardena, California 90248

RE: 228 VS A Long EZ Serial #54

Dear George:

I removed the fuel valve on the above-mentioned airplane last spring so that it could be evaluated. It was somewhat sticky and was therefore lubricated. The connecting rod was made of aluminum and was showing signs of wear. It was replaced with a new material and the unit was re-installed. It subsequently worked quite well.

Sincerely,

[redacted]

Van E. Snow

VES/cad

*Office: 3669 Sagunto Street #106, Santa Ynez, California 93460* *Mailing: P.O. Box 442, Solvang, California 93464*
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