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Office of Aviation Safety, Eastern Region

**Date:** 4/13/2023, 4/18/2023, 4/19/2023

**Subject:** NTSB# ERA23FA188

**Contact:** Glenn Miller (Owner of Accident Airplane)

Mr. Miller provided the below account of what he recalled regarding the relevant circumstances in the accident. He spoke via telephone to the National Transportation Safety Board Investigator-in-Charge on April 13, 18, and 19, 2023. The following are a summary of the details he recalled:

He recalled that he had flown about 5 hours in the airplane in the test phase in 2021. He did not fly the airplane in 2022 or 2023. He currently resides in Arizona.

He stated that the right seat pilot (Jimmy Foecking) involved in the accident wanted to help fly off the 40 hours required to get the airplane out of the flight test regime. These flight hours would allow Mr. Miller to sell the airplane. Mr. Miller allowed the right seat pilot to help with this hour building.

He recalled that the right seat pilot in late March 2023, found oil on the hangar floor where the accident airplane was stored. Mr. Miller was informed by this investigator, that the right seat pilot had completed a flight on March 29, 2023, per his pilot logbook. Within the remarks, "oil" was denoted, along with "8,000 ft."

Mr. Miller reported that the right seat pilot told him that he experienced "high engine temperatures" on this March 29 flight. Mr. Miller had no other details to offer about this event.

Following this flight, the right seat pilot explained that an oil fitting needed to be replaced. They discussed whether it was a manufactured fitting, or a custom fitting that Mr. Miller designed. Mr. Miller informed him that it was a standard manufactured

fitting. The right seat pilot told him he would replace the fitting and complete the work himself. The right seat pilot was a mechanic.

Mr. Miller received a picture from the right seat pilot of oil on the hangar floor following the high engine temperature event. Mr. Miller sent \$250 to the right seat pilot for the fitting and repairs and the repair was completed to his knowledge.

Mr. Miller was informed that the right seat pilot's logbook showed that the first flight in the accident airplane was March 26, 2023. He stated that this sounds accurate for a first flight for the right seat pilot, given the recent timeline of when he authorized the right seat pilot to begin flying the airplane.

Mr. Miller reported that no other parts on the engine, with exception to an air filter, had been replaced on the engine based upon his memory. He said it was a brand new engine. He was specifically asked whether the spark plugs had been replaced, since the engine was delivered new. It was his recollection; the spark plugs would not have been replaced since the engine was delivered.

It was his estimation that the airplane likely had around 10 hours of total time at the time of the accident. Mr. Miller stated that he did not know the fatally injured pilot and had never heard of his name until after the accident.

Mr. Miller was asked about what type of fuel was used with the airplane. He reported that he used automotive gasoline. He was asked what octane level, to which he responded that he used 87 grade. He stated that it's a small car engine, a Honda Fit engine, and he "felt comfortable" using the "lower grade" 87. He never used 100LL with the airplane.

He estimated that total time on the engine, including ground run-ups and ground testing, and taxi tests, was likely around 20 hours.

Mr. Miller reported that he recalled there being about 1/2 of a tank of fuel onboard the airplane through the more than a year that it did not fly. He recalled that he added an additive to the tank to help preserve the auto fuel. In October 2022, he recalled performing a run-up and did not experience any issues. Mr. Miller reported that he never had any discussions with either accident pilots on what type of fuel they should use for the test flights.

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