

NATIONAL TRANSPORTATION SAFETY BOARD
Bureau of Aviation Safety

FACTUAL REPORT OF INVESTIGATION
MISSING AIRCRAFT

A. STATEMENT OF ACCIDENT - NYC-71-A-N085

Location : Location unknown, believed to be in Lake Champlain vicinity of Four Brothers Islands

Date : January 27, 1971

Time : Approximately 1955 EST

Aircraft : The aircraft was a Jet Commander, 1121A registration N-400CP. The aircraft was owned by Cousins Properties Incorporated, [REDACTED] Atlanta, Georgia

Crew : The crew was reported to be as follows:

Pilot : George G. Nikita [REDACTED] Atlanta, Georgia

Co-pilot : Donald E. Meyers [REDACTED] Decatur, Georgia

Passengers : The passengers were reported to be as follows:

R. R. Williams III - Randy [REDACTED] Atlanta, Georgia

Frank Wilder [REDACTED] Jacksonville, Florida

R. Kirby Windsor [REDACTED] Tucker, Georgia

All occupants are missing and presumed to be fatal.

Brief of Accident: : The aircraft is missing on a flight from Burlington, Vermont to an intended destination

Brief of Accident (con't)

of Providence, Rhode Island.

B. INVESTIGATION

approximately 1952:41 EST on January 27, 1971, aircraft N-400CP departed Burlington International Airport, runway 33 on an IFR flight plan for an intended destination of Providence, Rhode Island. The pilot had requested an IFR clearance direct to Gardner VOR direct to Providence at a cruising altitude of 15,000 feet as the assigned cruising altitude. After the aircraft became airborne, N-400CP contacted Burlington departure control and advised that they were climbing to one five 0 (15,000 feet). Departure control acknowledged this information and requested that the flight report leaving nine thousand for fifteen thousand and also advised that radar contact was established. N-400CP asked the departure controller to repeat the reporting altitude which was again given by the departure controller as "report leaving niner thousand." This was acknowledged by N-400CP as "Roger". The acknowledgement of "Roger" was the last known communication from N-400CP.

At approximately 1954 EST Departure Control advised N-400CP that either a left or right turn on course could be made and then advised "ok - I see the left turn".

The departure controller stated that he had a radar contact with the aircraft immediately after take-off on runway 33 and that the aircraft continued on the runway heading until about four miles northwest when N-400CP was advised that either a left or right turn could be made on course. The controller said that while this transmission was being made, he observed the left turn and the aircraft continued on a track of about 250° for about five miles. According to the controller, another aircraft established radio contact (Executive Airlines Flight 557 departed Burlington at approximately 1954 EST) and during that transmission he observed the track of N-400CP change to approximately 170°. The controller said:

"I received one radar paint about 170° from the last paint on the 250° track. I acknowledged the Executive 557 transmission and on the next sweep of the radar N-400CP target did not appear".

The last radar position of N-400CP was seven to eight miles from the airport on a magnetic bearing of 270°. The time of this occurrence was estimated by the controller to be approximately 1956 EST. The transcript of communications show that at 1955:28-29 the sound of an open mike was heard with no CW or voice modulation.

B. INVESTIGATION (con't)

The controller reported that further attempts were made to contact N-400CP but these were to no avail. He said that the Executive flight 557 was advised that the target on N-400CP had been lost. Subsequently the pilot of Executive 557 requested clearance back to Burlington and was vectored for a visual approach and landed at Burlington. The controller stated that approximately two hours later another Executive Airlines flight volunteered to search and was vectored over the area and flight path of N-400CP. He said the aircraft searched the area as much as possible but was unable to sight any sign of N-400CP and returned to Burlington.

The disappearance of Jet Commander N-400CP precipitated an intensive search effort that continued for eight days and was then called off due to environmental conditions. In addition to Federal and State activity, the operator engaged under water detection specialists and equipment together with the services of a commercial helicopter and pilot to implement the search.

Weather

The surface weather observation taken by the U.S. Weather Bureau at Burlington, Vermont was as follows:

Regular Report 1955 EST:

"Ceiling 1500' scattered, estimated 2,300' overcast, visibility 5 miles blowing snow, temperature -4°F, dew point -18°F, wind direction 310 degrees at 13 knots, gusting to 20, altimeter setting 29.48".

According to the transcript of communications, the following weather information was given to N-400CP at about 1945 EST when the aircraft was taxiing out for take-off:

"Four Hundred CP-Roger taxi to runway three, three, wind two nine zero variable three four zero zero at one five :gusting to two eight. The altimeter is two niner four eight. Use caution taxiways are covered with ice".

Investigation disclosed that pilot Nikita had obtained a weather briefing via telephone from the Montpelier Flight Service Station. The specialist at Montpelier stated, Pilot Nikita had called about 1800 EST for weather briefing to Atlanta, Georgia. The specialist said that he gave him the current enroute surface weather forecasts for terminal enroute and at destination, winds aloft up to 30,000 feet, a pilot report of tops in the Plattsburgh, New York area at 8,500 feet and a

Weather (con't)

Boston Sigmet advising of moderate turbulence below 9,000 feet.

According to the specialist, the pilot filed three IFR flight plans:

1. Burlington, Vermont to Providence, Rhode Island
2. Providence, Rhode Island to Middletown, Pennsylvania
3. Middletown, Pennsylvania to Atlanta, Georgia

Witnesses

The Captain of Executive Airlines, Flight 557 which departed Burlington on runway 33 approximately two minutes after N-400CP stated that he observed the Jet Commander take-off and initiate the climb-out. He said the aircraft (N-400CP) rotated at about the intersection of runway 33 and 19. (About 3900 feet down the runway) He watched the gear come up and the landing lights shut off. According to the Captain the aircraft started a climbing turn at about 800 feet and when it reached about 1200 feet he was cleared to take-off position for his own aircraft which demanded his attention. The Captain said that following his own take-off he turned left toward the VOR and when in the vicinity of The University of Vermont, departure control advised "Traffic off right wing about three miles - no radio contact". The Captain reported that his altitude at the VOR was 5,500' and at that time was advised that the other aircraft was completely lost from radar. At that time the Captain of Executive 557 elected to return to Burlington. He said that ground contact was still maintained at 5,500 feet but there was no forward visibility. However, at 4,500 feet the airport was in sight and a visual approach was made back to Burlington.

Ground witnesses located along the East Shore of the lake described their aural observations. Those witnesses who were generally under the take-off and climb out profile for runway 33 said that they heard a jet aircraft pass over their houses some time around 8:00 P.M. on the evening of January 27th. Some described the sound as being low, others described the sound as louder than usual and one witness said that to him the engine sounds were indicative of low power operation i.e. reduced throttles or idling power.

Ground witnesses on the east shore of the lake but south of Burlington reported hearing unusual sounds at times variously estimated between 7:30 P.M. and 8:30 P.M. Two witnesses in the immediate vicinity of Queneska Island associated the sound that they heard with that of a falling tree. Another associated the sound he heard with that of a falling object on his roof or of his T.V. antenna having toppled.

Witnesses (con't)

One witness located in the area south of Burlington and another witness located in Shelbourne, Vermont reported seeing a blue light to the west of their respective positions toward the lake. One witness described the light as dark blue or almost purple and said that it appeared to her as a horizontal streak. The other witness described her observation as one big flash that was instantaneous and blue in color.

Crew History

FAA records together with company records disclosed that pilot George G. Nikita, age 41, possessed an Airline Transport Pilot certificate no. [REDACTED] with commercial privileges airplane single engine land. His ratings and limitations included airplane, multi-engine land and single engine land. He had type ratings in the DC-3 aircraft and Jet Commander 1121 aircraft. His total flight time computed from company records was 9,908 hours, of which approximately 692 hours had been accumulated in Jet Commander 1121 equipment. He had flown approximately 479 hours within the last 12 months and approximately 143 hours within the last 90 days. His first class physical examination with no limitations was dated October 29, 1970. His date of employment with Cousins Properties Inc. was January 6, 1969.

Copilot Donald E. Myers, age 33, possessed commercial airman certificate no. [REDACTED] and flight instructor rating. His ratings and limitations included airplane, instrument, single and multi-engine land. Copilot Myers had accumulated a total of 3,115 flying hours, of which 205 hours were in the Jet Commander 1121 type aircraft. His first class physical examination with no limitations was dated March 28, 1970. His date of employment with Cousins Properties Inc. was August 31, 1970.

Company records disclosed that both pilot Nikita and copilot Meyers attended and satisfactorily completed a refresher training program in October 1970. This training activity was Flight Safety Incorporation's Commodore Jet Ground School/Simulator Program conducted at LaGuardia Airport, New York. The curriculum consisted of Seven hours simulator time and one and one half hour briefing for each pilot. This period of training was between October 12 and October 22, 1970.

Aircraft

The aircraft was a Jet Commander serial no. 30-1121, registration N-400CP. The aircraft was owned and operated by Cousins Properties, Inc., [REDACTED] Atlanta, Georgia. The aircraft and engine log books were reported to have been aboard the aircraft. Company records including a flight log dated January 23, 1971 reflected a total aircraft flight time of 3,36:46 hours.

Aircraft (con't)

The total time shown for the left engine was 1,013:13 hours and the time for the right engine was 687:48 hours. The aircraft was equipped with General Electric, CJ-610-1 engines. Investigation disclosed that the aircraft had an annual inspection August 15, 1970. At that time the total aircraft time was reported to be 3,120:12 hours.

Prior to departure from Burlington, the aircraft had been serviced with 500 gallons of jet fuel. A lineman employed by Northern Airways stated that at about 5:45 P.M., he serviced N-400CP with 250 gallons of Shell 640 in each side for a total of 500 gallons. He also stated that other aircraft had been serviced from the same fuel truck before and after N-400CP and that water checks conducted subsequent to servicing N-400CP were negative.

General

The operator has indicated that when the ice thaws in Lake Champlain search efforts will be renewed to locate the missing aircraft. With the advent of favorable conditions sonar can be utilized to search the likely area from Four Brothers Islands easterly to Shelburne point.

At the present time, the aircraft and occupants are missing. The occupants are presumed to be fatal.

George A. Van Epp
FOR

Arnold E. Holstine
Air Safety Investigator
New York Field Office

TAB 2

Air Traffic Control Tower
Burlington International Airport
Burlington, Vermont 05401

BURLINGTON APPROACH CONTROL, TOWER
AIRCRAFT ACCIDENT - N400CP

TRANSCRIPTION COVERAGE: 1/28/71 0045Z to 1/28/71 0057Z

Burlington Tower/TRACON.....BTW
Burlington Ground Control/Flight Data.....GC
Burlington Tower Local Control.....LC
Burlington TRACON Departure Radar.....DR
N400CP.....N400CP
Executive 557.....EX 557

I HEREBY CERTIFY that the following is a true transcription of the recorded conversation pertaining to the subject accident.


WARREN J. BUNTON
Supervisory Air Traffic Control Specialist

Track #3 BTW/GC

0045Z N400CP - Ah, Burlington Ground Jet Commander Four Hundred Charlie Pop.
GC - Jet Commander Four Hundred Charlie Pop go ahead.
N400CP - Ah, Roger Four Hundred CP is taxiing out IF an X to a...
Providence.
GC - Four Hundred CP Roger taxi to Runway three three, wind two nine
zero variable three four zero at one five gusting two eight.
The altimeter is two nine four eight. Use caution taxiways
are covered with ice (unintelligible).
N400CP - Roger.

Ground Control

N400CP - You say two nine four eight on the altimeter?
GC - Two nine four eight.
N400CP - Roger twenty nine forty eight.

0046Z
0047Z

N400CP - Is this about where we turn in?
GC - That'll be a right turn at the blue lights.

0048Z
0049Z

15

00501 GC - Four hundred Charlie Pop I have your clearance.

M400CP - Four Hundred CP go ahead.

GC - Roger Four Hundred CP is cleared as filed to maintain one five thousand squawk zero two zero zero taking the active. Departure when assigned one one nine point two.

M400CP - O.K. Four Hundred CP cleared as filed maintain one five thousand squawk 0 two hundred and nineteen two on the departure.

GC - Roger.

00511

Track #3 BIV/LC

M400CP - Burlington Tower Jet Commander Four Hundred Charlie Pop ready to go.

LC - Exec...hold short.. Charlie Pop position and hold.

M400CP - Roger.

00522 LC - Four hundred Charlie Pop your winds are three three zero ten to twenty gusts twenty-five cleared for take-off.

M400CP - (Unintelligible).
0052:412 Interphone - (LC advised DR that M400CP is rolling down the runway for take-off.)

00532 LC - Five five seven position and hold.
EX 557 - Five five seven.

LC - Charlie Pop departure one nineteen two. Good night.

Track #6 BIV/DR

M400CP - Ah, Departure Control Jet Commander four hundred Charlie Pop with you climbing to one five 0.

DR - Roger report leaving nine thousand a...for one five 0 and have you in radar contact.

B400CF - What was it again the altitude you want us to report out of
sir? *

DR - Report leaving nine thousand.

B400CF - Roger.

0056Z DR - You can make either a left or right turn on course your choice.

DR - O.K. I see the left turn.

0057Z

EX 557 - Burlington Departure five (five seven one nineteen two.)

NOTE: During that portion of the above transmission enclosed
in parenthesis, an audible three second carrier was heard
at time 0055:14-15-16. 7

DR - Roger five five seven have you in radar contact report teaching
seven.

EX 557 - Five five seven out of two for seven.

DR - Roger.

0055:28-29Z

(Open mike with no (C) or voice modulation)

DR - Four hundred Charlie Pop, Burlington over.

DR - Commander four hundred Charlie Pop Burlington Approach over....
correction....Departure over.

0056Z

DR - Four hundred Charlie Pop Burlington over.

DR - Five five seven we had an Aero Commander off just ahead of you
and we lost both radio and radar contact. His last observed
position was off to your right about three miles.

EX 557 - What's his destination?

DR - Going to Providence.

KX 557 - Cleared along on airways?

DR - He's going direct at one five 8.

DR - Four hundred Charlie Pop Burlington.

00572

KX 557 - You don't have a primary target on him?

DR - I've lost everything on him...e...five seven.

KX 557 - Do you normally pick up primary targets if they are in this area on that caliber of an aircraft?

00582

DR - Ah, we should, yes.

DR - Four hundred Charlie Pop Burlington Departure over.

KX 557 - A Departure five five seven ah, we'd like to head back to the airfield if you have no....I'd hate to be up with that guy... and I'd like to head back to the airport if that's available.

DR - Yeah, a left turn, say your altitude now, left turn heading zero three zero for vectors to the airport and say your altitude.

KX 557 - Ah, we're fifty five hundred. Left turn to zero three zero.

DR - Ah Roger.

00592