



# Aviation Investigation Final Report

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<b>Location:</b>	Elko, Nevada	<b>Accident Number:</b>	WPR21LA092
<b>Date &amp; Time:</b>	January 16, 2021, 14:00 Local	<b>Registration:</b>	N2828M
<b>Aircraft:</b>	CREEK MICHEL W BEARHAWK	<b>Aircraft Damage:</b>	Substantial
<b>Defining Event:</b>	Loss of control on ground	<b>Injuries:</b>	1 Minor
<b>Flight Conducted Under:</b>	Part 91: General aviation - Personal		

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## Analysis

The pilot of the tailwheel equipped airplane reported that he was on an approach to land on a ridge with the sun partially blocking his vision. The pilot continued the approach and the airplane touched down on a slope, away from his intended landing point, and the left wingtip impacted the ground. The pilot added power, but the airplane continued down the slope, nosed over, and came to rest inverted in a ravine. Both wings were substantially damaged. The pilot reported that there were no preaccident mechanical failures or malfunctions with the airplane that would have precluded normal operation.

## Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be:

The pilot's unstable approach to land, which resulted in a loss of directional control and subsequent nose over. Contributing to the accident was the pilot's decision to continue an approach in sun glare conditions.

## Findings

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<b>Aircraft</b>	Descent/approach/glide path - Not attained/maintained
<b>Personnel issues</b>	Decision making/judgment - Pilot
<b>Personnel issues</b>	Aircraft control - Pilot
<b>Aircraft</b>	Directional control - Not attained/maintained
<b>Environmental issues</b>	Glare - Effect on personnel

## Factual Information

### History of Flight

<b>Landing-flare/touchdown</b>	Collision with terr/obj (non-CFIT)
<b>Landing-flare/touchdown</b>	Loss of control on ground (Defining event)

### Pilot Information

<b>Certificate:</b>	Private	<b>Age:</b>	61, Male
<b>Airplane Rating(s):</b>	Single-engine land	<b>Seat Occupied:</b>	Left
<b>Other Aircraft Rating(s):</b>	None	<b>Restraint Used:</b>	3-point
<b>Instrument Rating(s):</b>	None	<b>Second Pilot Present:</b>	
<b>Instructor Rating(s):</b>	None	<b>Toxicology Performed:</b>	
<b>Medical Certification:</b>	Class 3 With waivers/limitations	<b>Last FAA Medical Exam:</b>	January 17, 2019
<b>Occupational Pilot:</b>	No	<b>Last Flight Review or Equivalent:</b>	April 18, 2019
<b>Flight Time:</b>	(Estimated) 2500 hours (Total, all aircraft), 1430 hours (Total, this make and model), 2500 hours (Pilot In Command, all aircraft), 5 hours (Last 90 days, all aircraft), 3 hours (Last 30 days, all aircraft), 2 hours (Last 24 hours, all aircraft)		

### Aircraft and Owner/Operator Information

<b>Aircraft Make:</b>	CREEK MICHEL W	<b>Registration:</b>	N2828M
<b>Model/Series:</b>	BEARHAWK	<b>Aircraft Category:</b>	Airplane
<b>Year of Manufacture:</b>	2008	<b>Amateur Built:</b>	Yes
<b>Airworthiness Certificate:</b>	Utility; Experimental (Special)	<b>Serial Number:</b>	056-107/108-854
<b>Landing Gear Type:</b>	Tailwheel	<b>Seats:</b>	4
<b>Date/Type of Last Inspection:</b>	June 1, 2020 Condition	<b>Certified Max Gross Wt.:</b>	2500 lbs
<b>Time Since Last Inspection:</b>	55 Hrs	<b>Engines:</b>	1
<b>Airframe Total Time:</b>	1480 Hrs at time of accident	<b>Engine Manufacturer:</b>	
<b>ELT:</b>	C126 installed, activated, did not aid in locating accident	<b>Engine Model/Series:</b>	
<b>Registered Owner:</b>	On file	<b>Rated Power:</b>	
<b>Operator:</b>	On file	<b>Operating Certificate(s) Held:</b>	None

## Meteorological Information and Flight Plan

<b>Conditions at Accident Site:</b>	Visual (VMC)	<b>Condition of Light:</b>	Day
<b>Observation Facility, Elevation:</b>	KEKO,5074 ft msl	<b>Distance from Accident Site:</b>	11 Nautical Miles
<b>Observation Time:</b>	13:56 Local	<b>Direction from Accident Site:</b>	234°
<b>Lowest Cloud Condition:</b>		<b>Visibility</b>	10 miles
<b>Lowest Ceiling:</b>		<b>Visibility (RVR):</b>	
<b>Wind Speed/Gusts:</b>	3 knots /	<b>Turbulence Type Forecast/Actual:</b>	None / None
<b>Wind Direction:</b>	170°	<b>Turbulence Severity Forecast/Actual:</b>	N/A / N/A
<b>Altimeter Setting:</b>	30.34 inches Hg	<b>Temperature/Dew Point:</b>	9°C / -2°C
<b>Precipitation and Obscuration:</b>	No Obscuration; No Precipitation		
<b>Departure Point:</b>	Elko, NV (KEKO)	<b>Type of Flight Plan Filed:</b>	None
<b>Destination:</b>	Elko, NV (KEKO)	<b>Type of Clearance:</b>	None
<b>Departure Time:</b>	12:45 Local	<b>Type of Airspace:</b>	Class G

## Wreckage and Impact Information

<b>Crew Injuries:</b>	1 Minor	<b>Aircraft Damage:</b>	Substantial
<b>Passenger Injuries:</b>		<b>Aircraft Fire:</b>	None
<b>Ground Injuries:</b>		<b>Aircraft Explosion:</b>	None
<b>Total Injuries:</b>	1 Minor	<b>Latitude, Longitude:</b>	40.934666,-115.60009(est)

## Administrative Information

<b>Investigator In Charge (IIC):</b>	Nepomuceno, Eleazar
<b>Additional Participating Persons:</b>	Donald Morgan; FAA; Reno, NV
<b>Original Publish Date:</b>	September 20, 2021
<b>Last Revision Date:</b>	
<b>Investigation Class:</b>	<a href="#">Class 4</a>
<b>Note:</b>	The NTSB did not travel to the scene of this accident.
<b>Investigation Docket:</b>	<a href="https://data.ntsb.gov/Docket?ProjectID=102542">https://data.ntsb.gov/Docket?ProjectID=102542</a>

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable causes of the accidents and events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for each accident or event we investigate. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

The NTSB does not assign fault or blame for an accident or incident; rather, as specified by NTSB regulation, “accident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties ... and are not conducted for the purpose of determining the rights or liabilities of any person” (Title 49 *Code of Federal Regulations* section 831.4). Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by investigating accidents and incidents and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report (Title 49 *United States Code* section 1154(b)). A factual report that may be admissible under 49 *United States Code* section 1154(b) is available [here](#).