



Aviation Investigation Final Report

Location:	Albuquerque, New Mexico	Accident Number:	CEN23LA006
Date & Time:	October 7, 2022, 10:21 Local	Registration:	N9140F
Aircraft:	Aerostar International S53A	Aircraft Damage:	Minor
Defining Event:	Collision during takeoff/land	Injuries:	1 Serious, 2 None
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The pilot reported that he was descending to land following a normal balloon flight. About 1,000 ft agl, the wind shifted direction, and the balloon began drifting over areas unsuitable for landing. The balloon had been airborne for an hour and a half, and fuel in the two tanks were about 20 and 35.9 percent respectively. With low fuel becoming critical and few options for a suitable landing site, the pilot elected to land the balloon on a highway. During the landing, the balloon struck a bridge railing and came down in a wooded area next to a river. One of the passengers on board sustained serious injuries. The pilot reported that there were no mechanical failures or malfunctions with the balloon that would have precluded normal operations. The pilot reported that he should have landed sooner.

Probable Cause and Findings

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

The pilot's inability to find a suitable landing area in a critical fuel situation and his decision to land on a highway, which resulted in the balloon impacting a bridge railing and terrain.

Findings

Personnel issues	Use of equip/system - Pilot
Aircraft	Fuel - Fluid level
Environmental issues	(general) - Contributed to outcome
Environmental issues	Sudden wind shift - Contributed to outcome

Factual Information

History of Flight

Approach	Fuel related
Approach	Miscellaneous/other
Landing	Collision during takeoff/land (Defining event)

Pilot Information

Certificate:	Airline transport; Commercial; Flight engineer	Age:	70, Male
Airplane Rating(s):	Single-engine land; Multi-engine land	Seat Occupied:	None
Other Aircraft Rating(s):	Balloon	Restraint Used:	
Instrument Rating(s):	Airplane	Second Pilot Present:	
Instructor Rating(s):	None	Toxicology Performed:	
Medical Certification:	Sport pilot	Last FAA Medical Exam:	
Occupational Pilot:	No	Last Flight Review or Equivalent:	October 2, 2020
Flight Time:	(Estimated) 26787 hours (Total, all aircraft), 200 hours (Total, this make and model), 26500 hours (Pilot In Command, all aircraft), 10 hours (Last 90 days, all aircraft), 10 hours (Last 30 days, all aircraft), 2 hours (Last 24 hours, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	Aerostar International	Registration:	N9140F
Model/Series:	S53A	Aircraft Category:	Balloon
Year of Manufacture:		Amateur Built:	
Airworthiness Certificate:	Balloon	Serial Number:	S53A-3052
Landing Gear Type:	Skid	Seats:	
Date/Type of Last Inspection:		Certified Max Gross Wt.:	
Time Since Last Inspection:		Engines:	
Airframe Total Time:		Engine Manufacturer:	
ELT:		Engine Model/Series:	
Registered Owner:	Steven C. Derebey	Rated Power:	
Operator:	On file	Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	ABQ	Distance from Accident Site:	5 Nautical Miles
Observation Time:	06:00 Local	Direction from Accident Site:	190°
Lowest Cloud Condition:		Visibility	50 miles
Lowest Ceiling:		Visibility (RVR):	
Wind Speed/Gusts:	5 knots /	Turbulence Type Forecast/Actual:	/
Wind Direction:		Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	30.2 inches Hg	Temperature/Dew Point:	15.6°C / 10°C
Precipitation and Obscuration:			
Departure Point:	Albuquerque, NM	Type of Flight Plan Filed:	None
Destination:	Albuquerque, NM	Type of Clearance:	None
Departure Time:	07:30 Local	Type of Airspace:	Class C

Wreckage and Impact Information

Crew Injuries:	1 None	Aircraft Damage:	Minor
Passenger Injuries:	1 Serious, 1 None	Aircraft Fire:	None
Ground Injuries:		Aircraft Explosion:	None
Total Injuries:	1 Serious, 2 None	Latitude, Longitude:	35.181582,-106.65216

Administrative Information

Investigator In Charge (IIC):	Bowling, David
Additional Participating Persons:	Eric Vietje; FAA FSDO; NM
Original Publish Date:	January 26, 2023
Last Revision Date:	
Investigation Class:	Class 4
Note:	The NTSB did not travel to the scene of this accident.
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=106086

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](#).