



Aviation Investigation Final Report

Location:	LEWISBURG, West Virginia	Accident Number:	NYC94LA083
Date & Time:	May 17, 1994, 15:30 Local	Registration:	N36236
Aircraft:	BELLANCA 7GCBC	Aircraft Damage:	Substantial
Defining Event:		Injuries:	2 Minor
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

ACCORDING TO THE PILOT, HE DECIDED TO LEAVE ON THE FLIGHT A DAY EARLIER, BECAUSE OF FORECASTED WEATHER OVER HIS INTENDED ROUTE OF FLIGHT, AND THE AIRPLANE WAS NOT EQUIPPED FOR INSTRUMENT FLIGHT. APPROXIMATELY 2 HOURS AFTER THE FLIGHT STARTED, THE PILOT SAID HE ENCOUNTERED FOG, AND ELECTED TO LAND, REFUEL, AND WAIT FOR THE WEATHER TO CLEAR. AFTER WAITING APPROXIMATELY 1 1/2 HOURS, HE TOOK OFF, AND AGAIN ENCOUNTERED FOG. HE ELECTED TO TURN BACK AND LAND AT THE SAME AIRPORT AGAIN. THIS TIME HE WAITED SEVERAL HOURS ON THE GROUND, CHECKED WEATHER AND TOOK OFF AGAIN. AFTER SEVERAL MINUTES OF FLIGHT HE AGAIN ENCOUNTERED FOG. THE PILOT WROTE IN HIS STATEMENT, '...TOLD (PASSENGER) LOOKS LIKE WEATHER IS GETTING [BAD]...[AND] WE WERE RETURNING TO [HOME AIRPORT]...I MADE A 180 DEGREE TURN, WAS SETTING MY LORAN...WHEN ENCOUNTERED FOG, NEXT THING I SAW WAS TREES...' THE AIRPLANE IMPACTED THE TREES AND CAME TO REST WITH ENGINE RESTING ON A ROCK AND THE ENGINE STILL RUNNING.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: THE PILOT'S INADEQUATE INFLIGHT DECISION, INADVERTENT VFR FLIGHT INTO IMC, AND FAILURE TO MAINTAIN ADEQUATE TERRAIN CLEARANCE WHICH RESULTED IN INFLIGHT COLLISION WITH TREES. A FACTOR WAS INADEQUATE ALTITUDE.

Findings

Occurrence #1: IN FLIGHT ENCOUNTER WITH WEATHER

Phase of Operation: CRUISE

Findings

1. (F) WEATHER CONDITION - FOG
2. (C) IN-FLIGHT PLANNING/DECISION - INADEQUATE - PILOT IN COMMAND
3. (C) VFR FLIGHT INTO IMC - INADVERTENT - PILOT IN COMMAND

Occurrence #2: IN FLIGHT COLLISION WITH OBJECT

Phase of Operation: MANEUVERING

Findings

4. (F) OBJECT - TREE(S)
5. (C) CLEARANCE - NOT MAINTAINED - PILOT IN COMMAND
6. (F) ALTITUDE - INADEQUATE - PILOT IN COMMAND

Factual Information

On May 17, 1994, about 1530 eastern daylight time, a Bellanca 7GCBC, N36236, piloted by Mr. Sydnor C. Newman Jr., collided with trees while maneuvering near Lewisburg, West Virginia. The airplane was substantially damaged. The pilot and one passenger received minor injuries. Visual meteorological conditions prevailed, and no flight plan had been filed. The flight was operated under 14 CFR 91.

According to the pilot, he decided to leave on the flight a day earlier, because of forecasted weather over his intended route of flight, and the airplane was not equipped for instrument flight. In the vicinity of Lewisburg, West Virginia, and approximately 2 hours after the flight started, the pilot said he encountered fog. He elected to land at the Lewisburg Airport, refuel, and wait for the weather to clear. The pilot wrote in his statement on the NTSB Form 6120.1/2:

...landed...at 09:00. Took off again approximately one and one half (1 1/2) hours later, encountered fog again...returned again to (Lewisburg). After checking weather we took off at 15:00, after seeing sunshine...told (passenger) looks like weather is getting [bad]...[and] we were returning to FVX [Farmville, Virginia, home airport]...I made a 180 degree turn, was setting my Loran to FVX when encountered fog, next thing I saw was trees...

The airplane struck trees, and came to rest with the engine resting against a rock with the engine still running.

Pilot Information

Certificate:	Commercial	Age:	63, Male
Airplane Rating(s):	Single-engine land	Seat Occupied:	Front
Other Aircraft Rating(s):	None	Restraint Used:	
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	No
Medical Certification:	Class 2 Valid Medical-w/ waivers/lim	Last FAA Medical Exam:	January 13, 1994
Occupational Pilot:	UNK	Last Flight Review or Equivalent:	
Flight Time:	7500 hours (Total, all aircraft), 100 hours (Total, this make and model), 7500 hours (Pilot In Command, all aircraft), 50 hours (Last 90 days, all aircraft), 15 hours (Last 30 days, all aircraft), 3 hours (Last 24 hours, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	BELLANCA	Registration:	N36236
Model/Series:	7GCBC 7GCBC	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	
Airworthiness Certificate:	Normal	Serial Number:	549-73
Landing Gear Type:	Tailwheel	Seats:	2
Date/Type of Last Inspection:	May 7, 1994 Annual	Certified Max Gross Wt.:	1650 lbs
Time Since Last Inspection:	4 Hrs	Engines:	1 Reciprocating
Airframe Total Time:	954 Hrs	Engine Manufacturer:	LYCOMING
ELT:	Installed, activated, aided in locating accident	Engine Model/Series:	O-320-A2B
Registered Owner:	SYDNOR C. NEWMAN JR.	Rated Power:	150 Horsepower
Operator:		Operating Certificate(s) Held:	None
Operator Does Business As:		Operator Designator Code:	

Meteorological Information and Flight Plan

Conditions at Accident Site:	Instrument (IMC)	Condition of Light:	Day
Observation Facility, Elevation:		Distance from Accident Site:	
Observation Time:		Direction from Accident Site:	
Lowest Cloud Condition:	Unknown	Visibility	5 miles
Lowest Ceiling:	Overcast / 1700 ft AGL	Visibility (RVR):	
Wind Speed/Gusts:	8 knots /	Turbulence Type Forecast/Actual:	/
Wind Direction:	320°	Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	30 inches Hg	Temperature/Dew Point:	4°C
Precipitation and Obscuration:	N/A - None - Fog		
Departure Point:		Type of Flight Plan Filed:	None
Destination:	CHARLESTON , WV (CRW)	Type of Clearance:	None
Departure Time:	15:00 Local	Type of Airspace:	Class G

Airport Information

Airport:		Runway Surface Type:	
Airport Elevation:		Runway Surface Condition:	
Runway Used:	0	IFR Approach:	None
Runway Length/Width:		VFR Approach/Landing:	None

Wreckage and Impact Information

Crew Injuries:	1 Minor	Aircraft Damage:	Substantial
Passenger Injuries:	1 Minor	Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	2 Minor	Latitude, Longitude:	37.800148,-80.430519(est)

Administrative Information

Investigator In Charge (IIC):	Yurman, Alan
Additional Participating Persons:	STEPHEN CHENAULT; CHARLESTON , WV
Original Publish Date:	December 2, 1994
Last Revision Date:	
Investigation Class:	Class
Note:	
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=38753

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](#).