Aviation Investigation Final Report

Location:	Pinson, Alabama	**Accident Number:**	MIA01LA113
Date & Time:	March 31, 2001, 09:40 Local	**Registration:**	N49LK
Aircraft:	Larry R. Kinsey Variez O-235	**Aircraft Damage:**	Destroyed
Defining Event:		**Injuries:**	1 Fatal
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The flight departed Tuscaloosa, Alabama, enroute to Gadsden, Alabama. When the flight did not arrive, search and rescue operations were initiated. The airplane wreckage was located on April 6, 2001, at about the 1,000 foot msl level, on the west side of Village Mountain, near Pinson, Alabama. Examination of the crash site showed the airplane had flown from a valley, easterly, into rising terrain. The airplane crashed into trees while in cruise flight and came to rest about 100 feet from the top of the mountain. All components of the airplane were located at the crash site. Post crash examination of the aircraft structure, flight controls, engine, and propeller, showed no evidence of precrash failure or malfunction. The Birmingham International Airport surface observation taken about 13 minutes after the accident was clouds 500 feet overcast with visibility 3 miles in drizzle. Birmingham is located 15 statute miles south-southeast of the accident site, at an elevation of 636 feet msl. The person who lives in the residence adjacent to the accident site reported that on the day of the accident the clouds obscured the mountain and visibility was low all day. The FAA had no record that the pilot had received a weather briefing from an FAA facility.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: The pilot's continued visual flight rules flight into instrument meteorological conditions resulting in the airplane colliding with mountainous terrain.

Findings

Occurrence #1: IN FLIGHT COLLISION WITH TERRAIN/WATER
Phase of Operation: CRUISE

Findings
1. WEATHER CONDITION - LOW CEILING
2. WEATHER CONDITION - DRIZZLE/MIST
3. (C) VFR FLIGHT INTO IMC - CONTINUED - PILOT IN COMMAND
4. TERRAIN CONDITION - MOUNTAINOUS/HILLY

Factual Information

HISTORY OF FLIGHT

On March 31, 2001, about 0940 central standard time, a Larry R. Kinsey Variez O-235, N49LK, registered to an individual, collided with terrain near Pinson, Alabama, while on a Title 14 CFR Part 91 personal flight. Instrument meteorological conditions prevailed at the time, and no flight plan was filed. The airplane was destroyed and the private-rated pilot received fatal injuries. The flight originated from Tuscaloosa, Alabama, on March 31, 2001, at 0910.

According to members of the pilot's family, the pilot was flying from Tuscaloosa, Alabama, to Gadsden, Alabama, to visit a friend. The pilot had called the friend about 0900, and stated he would be in Gadsden in about 1 hour. When the flight did not arrive, search operations were initiated. The airplane wreckage was located on April 6, 2001, about 1600.

PERSONNEL INFORMATION

The pilot held an FAA private pilot certificate with airplane single engine land and instrument airplane ratings, last issued on May 11, 1994. The pilot additionally held an FAA repairman certificate for the accident airplane. The pilot held a FAA third class medical certificate issued on September 5, 2000, with limitations that the holder wear correcting lenses for distant vision and posses correcting lenses for near vision while exercising the privileges of the certificate. Pilot logbook records show the pilot received a biennial flight review on September 13, 2000, in a Cessna 172, and that at the time of the accident the pilot had accumulated 832 total flight hours and 606 flight hours in the accident airplane. (See logbook records).

AIRCRAFT INFORMATION

The airplane was Larry R. Kinsey Variez O-235, experimental homebuilt aircraft, built by and registered to the pilot. At the time of the accident the airplane had accumulated about 606 total flight hours. No logbook records for the airplane were obtained by FAA or NTSB after the accident. It was not determined when the last condition inspection of the airplane was performed. The airplane was not equipped with an emergency locator transmitter.

METEOROLOGICAL INFORMATION

The Birmingham International Airport 0922 surface weather observation was: wind 250 degrees at 10 knots, visibility 2 1/2 statute miles in mist, clouds 500 feet agl overcast, temperature 11 degrees C, dew point temperature 10 degrees C, altimeter setting 29.93 inches Hg.

The Birmingham International Airport 0953 surface weather observation was: wind 260 degrees at 8 knots, visibility 3 statute miles in mist, clouds 500 feet agl overcast, temperature 11 degrees C, dew point temperature 10 degrees C, altimeter setting 29.94 inches Hg.

Birmingham International Airport is located about 15 statute miles south-southwest of the accident site, at an altitude of 636 feet msl.

A witness who lives in the residence adjacent to the accident site, at 5995 Miles Spring Road, Pinson, Alabama,, stated to FAA inspectors that on the day of the accident the weather was overcast and rainy all day, with clouds obscuring the top of the mountain.

Personnel from the FAA Flight Service Station at Anniston, Alabama reported they had no record that the pilot of N49LK had received a weathering briefing from an FAA Flight Service Station.

WRECKAGE AND IMPACT INFORMATION

The airplane wreckage was located at about the 1,000-foot msl level on Village Mountain, behind a residence located at 5995 Miles Spring Road, Pinson, Alabama. The top of the mountain to the east of the crash site is about 1,100 feet msl. The accident site was located at latitude 33 degrees, 44 minutes, 48 seconds North, and longitude 086 degrees, 37 minutes, 40 seconds West.

Postcrash examination of the crash site was performed by FAA inspectors and a representative of Lycoming Engines, the manufacturer of the airplanes engine. The airplane had approached the mountain from the valley to the west and impacted the west side of the mountain in level flight, while on a 060 degree heading. After initial collision with 7-8 inch diameter trees the airplane continued easterly, up the mountain slope, where the main wreckage came to rest about 100 feet past the initial tree impact point. The pilot was ejected from the airplane and located about 50 feet further up the mountain from the main wreckage of the airplane. All components of the airplane which are necessary for flight were located on or around the main wreckage of the airplane. Examination of the aircraft structure and flight control system showed no evidence of precrash failure or malfunction. All separation points were consistent with overstress separation.

Examination of the engine and propeller showed the wooden propeller blades were splintered and separated from the propeller hub at the blade roots. The engine assembly was rotated by hand and continuity of the crankshaft, camshaft, valve train, and accessory drives was established. Each cylinder produced compression when the engine was rotated. The engine oil screens were free of contamination and metal deposits. The color of the deposits on the spark plugs was consistent with normal engine operation. Spark plugs from the No. 1 and 3 cylinders, bottom position, had oil contamination from the angle the engine was positioned after the accident. Both magnetos fired at all posts when rotated by hand. Examination of the carburetor showed no evidence of failure or malfunction. The float was found partially

collapsed from hydraulic pressure. All passages were clear of contamination. (See Lycoming Report).

The altimeter from the pilot's instrument panel separated during the accident and received impact damage. When found after the accident, the altimeter was reading 43,400 feet and the setting was 30.12 inches Hg. Teardown examination of the altimeter was performed at an instrument overhaul facility, under FAA supervision. No evidence of precrash failure or malfunction was found.

MEDICAL AND PATHOLOGICAL INFORMATION

Postmortem examination of the pilot was performed by C. Bruce Alexander, M.D., Medical Examiner Office, Birmingham, Alabama. The cause of death was determined to be severe blunt force trauma secondary to an aircraft crash. No findings which could be considered causal to the accident were reported. Postmortem toxicology studies on specimens obtained from the pilot was performed by Dennis V. Canfield, Ph.D., Manager, FAA Toxicology Laboratory, Oklahoma City, Oklahoma, and C. A. Robinson, Ph.D., Director Forensic Toxicology, The University of Alabama at Birmingham. The studies were negative for ethanol and drugs of abuse. (See Toxicology Reports).

Pilot Information

Certificate:	Private	**Age:**	51,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:**	Yes
Medical Certification:	Class 3 Valid Medical--w/ waivers/lim	**Last FAA Medical Exam:**	September 5, 2000
Occupational Pilot:	UNK	**Last Flight Review or Equivalent:**	September 13, 2000
Flight Time:	832 hours (Total, all aircraft), 606 hours (Total, this make and model), 731 hours (Pilot In Command, all aircraft), 21 hours (Last 90 days, all aircraft), 12 hours (Last 30 days, all aircraft), 1 hours (Last 24 hours, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	Larry R. Kinsey	**Registration:**	N49LK
Model/Series:	Variez O-235	**Aircraft Category:**	Airplane
Year of Manufacture:		**Amateur Built:**	Yes
Airworthiness Certificate:	Experimental (Special)	**Serial Number:**	376
Landing Gear Type:	Retractable - Tricycle	**Seats:**	2
Date/Type of Last Inspection:	Condition	**Certified Max Gross Wt.:**	1050 lbs
Time Since Last Inspection:		**Engines:**	1 Reciprocating
Airframe Total Time:	606 Hrs at time of accident	**Engine Manufacturer:**	Lycoming
ELT:	Not installed	**Engine Model/Series:**	O-235-C1B
Registered Owner:	Larry R. Kinsey	**Rated Power:**	125 Horsepower
Operator:		**Operating Certificate(s) Held:**	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Instrument (IMC)	**Condition of Light:**	Day
Observation Facility, Elevation:	BHM,636 ft msl	**Distance from Accident Site:**	15 Nautical Miles
Observation Time:	09:53 Local	**Direction from Accident Site:**	210°
Lowest Cloud Condition:		**Visibility**	3 miles
Lowest Ceiling:	Overcast / 500 ft AGL	**Visibility (RVR):**	
Wind Speed/Gusts:	8 knots /	**Turbulence Type Forecast/Actual:**	/
Wind Direction:	260°	**Turbulence Severity Forecast/Actual:**	/
Altimeter Setting:	29.94 inches Hg	**Temperature/Dew Point:**	11°C / 10°C
Precipitation and Obscuration:	N/A - None - Fog		
Departure Point:	Tuscaloosa, AL (TCL)	**Type of Flight Plan Filed:**	None
Destination:	Gadsden, AL (GAD)	**Type of Clearance:**	None
Departure Time:	09:10 Local	**Type of Airspace:**	Class G

Wreckage and Impact Information

Crew Injuries:	1 Fatal	**Aircraft Damage:**	Destroyed
Passenger Injuries:		**Aircraft Fire:**	None
Ground Injuries:	N/A	**Aircraft Explosion:**	None
Total Injuries:	1 Fatal	**Latitude, Longitude:**	33.746665,-86.627777

Administrative Information

Investigator In Charge (IIC):	Kennedy, Jeffrey
Additional Participating Persons:	Harold Wayman; FAA FSDO; Birmingham, AL Edward Rogalski; Lycoming Engines; Williamsport, PA
Original Publish Date:	October 17, 2001
Last Revision Date:	
Investigation Class:	Class
Note:	
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=53361

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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.