

# **Aviation Investigation Final Report**

Location:	Mylo, North Dakota	Accident Number:	CHI04LA225
Date & Time:	August 11, 2004, 20:05 Local	Registration:	N92806
Aircraft:	Cessna A188B	Aircraft Damage:	Destroyed
Defining Event:		Injuries:	1 Fatal
Flight Conducted Under:	Part 137: Agricultural		

## **Analysis**

The airplane was destroyed and the pilot fatally injured when the airplane struck a 25 foot tall windmill during an aerial application flight. No anomalies were found with respect to the airplane or its systems. The pilot was reported to have sprayed the field where the accident occurred on previous occasions.

## **Probable Cause and Findings**

The National Transportation Safety Board determines the probable cause(s) of this accident to be: The pilot's failure to maintain clearance from the windmill. The windmill was a contributing factor.

**Findings** 

Occurrence #1: IN FLIGHT COLLISION WITH OBJECT Phase of Operation: MANEUVERING - AERIAL APPLICATION

Findings 1. (F) OBJECT - OTHER 2. (C) CLEARANCE - NOT MAINTAINED - PILOT IN COMMAND

Occurrence #2: IN FLIGHT COLLISION WITH TERRAIN/WATER Phase of Operation: DESCENT - UNCONTROLLED

Findings 3. TERRAIN CONDITION - GROUND

## **Factual Information**

On August 11, 2004, about 2005 central daylight time, a Cessna A188B airplane, N92806, piloted by a commercial pilot, was destroyed when it struck a windmill and subsequently impacted the ground while conducting aerial application near Mylo, North Dakota. The 14 CFR Part 137 flight was operating in visual meteorological conditions without a flight plan. The pilot was fatally injured. The flight originated from the Rolla Municipal Airport, Rolla, North Dakota, about 15 minutes before the accident.

A postaccident examination conducted by a Federal Aviation Administration Inspector revealed no pre-impact anomalies with respect to the airplane or its systems. One of the airplanes wings was separated and came to rest near the base of a windmill. The approximately 25 foot tall windmill had damage consistent with the airplane impacting it. The inspector contacted the operator of the airplane and was informed that the accident pilot had sprayed the field where the accident occurred on previous occasions.

An autopsy was performed on the pilot at the North Dakota State Morgue on August 12, 2004. A Final Forensic Toxicology Fatal Accident Report prepared by the FAA was negative for all tests performed.

Certificate:	Commercial	Age:	50,Male
Airplane Rating(s):	Single-engine land	Seat Occupied:	Center
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 2 Valid Medicalw/ waivers/lim	Last FAA Medical Exam:	February 16, 2004
Occupational Pilot:	Yes	Last Flight Review or Equivalent:	June 30, 2004
Flight Time:	7950 hours (Total, all aircraft)		

#### **Pilot Information**

## Aircraft and Owner/Operator Information

Aircraft Make:	Cessna	Registration:	N92806
Model/Series:	A188B	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	
Airworthiness Certificate:	Restricted (Special)	Serial Number:	18802071T
Landing Gear Type:	Tailwheel	Seats:	1
Date/Type of Last Inspection:	May 7, 2004 Annual	Certified Max Gross Wt.:	4200 lbs
Time Since Last Inspection:	254 Hrs	Engines:	1 Reciprocating
Airframe Total Time:	6118 Hrs as of last inspection	Engine Manufacturer:	Continental
ELT:	Not installed	Engine Model/Series:	10-520
Registered Owner:	ROLLA FLYING SERVICE INC	Rated Power:	300 Horsepower
Operator:		Operating Certificate(s) Held:	
Operator Does Business As:		Operator Designator Code:	WFJG

## Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
<b>Observation Facility, Elevation:</b>	KDVL,1455 ft msl	Distance from Accident Site:	
Observation Time:	19:55 Local	Direction from Accident Site:	
Lowest Cloud Condition:	Unknown	Visibility	10 miles
Lowest Ceiling:	Broken / 1400 ft AGL	Visibility (RVR):	
Wind Speed/Gusts:	11 knots /	Turbulence Type Forecast/Actual:	/
Wind Direction:	50°	Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	30.1 inches Hg	Temperature/Dew Point:	13°C / 11°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	ROLLA, ND (06D )	Type of Flight Plan Filed:	None
Destination:		Type of Clearance:	None
Departure Time:	21:50 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:	48.629714,-99.610862(est)

### **Administrative Information**

Investigator In Charge (IIC):	Brannen, John	
Additional Participating Persons:	Verle Addison; FAA-Fargo FSDO; Fargo, ND	
Original Publish Date:	December 28, 2004	
Last Revision Date:		
Investigation Class:	<u>Class</u>	
Note:		
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=59931	

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 <u>here</u>.