



AVIATION



HIGHWAY



MARINE



RAILROAD



PIPELINE

Aviation Investigation Final Report

Location:	Palos Verdes, California	Accident Number:	LAX07LA079
Date & Time:	February 3, 2007, 15:00 Local	Registration:	N30140 (A1); N49270 (A2)
Aircraft:	Waco UPF-7 (A1); Boeing A75N1(PT17) (A2)	Aircraft Damage:	Substantial (A1); Minor (A2)
Defining Event:		Injuries:	1 Minor (A1); 1 None (A2)
Flight Conducted Under:	Part 91: General aviation - Personal (A1); Part 91: General aviation - Personal (A2)		

Analysis

N30140 and a PT-17 departed the local airport to the south and established radio communication with each other. For approximately 15 minutes, the two airplanes flew independently of each other. During that time, the pilot of N30140 heard over the radio frequency two other pilots that were operating in the area, and the pilot did not see either of the two aircraft. One of those two aircraft was N49270. N30140 and the other PT-17 had then decided to return to the airport. N30140 began to regroup with the PT-17 at an altitude of 3,000 feet mean sea level (msl). Approximately 1,000 feet from the PT-17, the pilot of N30140 felt "a hard impact on my aircraft." The airplane rolled more than 90 degrees to the right in a steep descent. The pilot thought another aircraft struck his; however, he did not see another aircraft. The pilot regained partial control of the airplane and executed a forced landing. During the landing, the airplane stalled approximately 35 feet above the terrain, impacted the terrain, and nosed over. N49270 also departed the same local airport to the south and climbed to 3,000 feet msl. Approximately 20 minutes into the flight, he observed N30140 and another PT-17 coming toward him, and they were not in formation. The two airplanes were flying northwest (N49270 was flying south) and N30140 was a "few hundred feet lower." N49270 and the other PT-17 confirmed visual contact with each other over the radio. N49270 and the other PT-17 intended on joining in formation. With about 1/2 mile separation between the two PT-17s, N30140 crossed under N49270. N49270 then joined up with the other PT-17 and "stabilized on [other PT-17] left wing in the step-up position and headed easterly." Approximately 1 minute later, the pilot of N49270 felt a bump and noticed N30140 was slightly to the left and below his airplane. The pilot of N49270 realized that his propeller contacted the tail section of N30140. N49270 landed uneventfully at the airport.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: the failure of both pilots to maintain adequate visual lookout and clearance from each other while maneuvering in close proximity.

Findings

Occurrence #1: MIDAIR COLLISION
Phase of Operation: MANEUVERING

Findings

1. (C) VISUAL LOOKOUT - INADEQUATE - PILOTS OF BOTH AIRCRAFT
2. (C) CLEARANCE - NOT MAINTAINED - PILOTS OF BOTH AIRCRAFT
3. (C) VISUAL LOOKOUT - INADEQUATE - PILOTS OF BOTH AIRCRAFT
4. (C) CLEARANCE - NOT MAINTAINED - PILOTS OF BOTH AIRCRAFT

Occurrence #2: FORCED LANDING
Phase of Operation: DESCENT - EMERGENCY

Occurrence #3: IN FLIGHT COLLISION WITH TERRAIN/WATER
Phase of Operation: DESCENT - EMERGENCY

Findings

5. TERRAIN CONDITION - WATER

Occurrence #4: MIDAIR COLLISION
Phase of Operation: MANEUVERING

Findings

6. (C) VISUAL LOOKOUT - INADEQUATE - PILOTS OF BOTH AIRCRAFT
7. (C) CLEARANCE - NOT MAINTAINED - PILOTS OF BOTH AIRCRAFT
8. (C) VISUAL LOOKOUT - INADEQUATE - PILOTS OF BOTH AIRCRAFT
9. (C) CLEARANCE - NOT MAINTAINED - PILOTS OF BOTH AIRCRAFT

Factual Information

On February 3, 2007, approximately 1500 Pacific standard time, a Waco UPF-7 single engine airplane, N30140, and a Boeing A75N1(PT-17) single engine airplane, N49270, collided in midair while maneuvering about 1 mile offshore west of Palos Verdes, California. Both of the airplanes were being operated by their respective owner/pilot's under the provisions of 14 CFR Part 91. The airline transport pilot in N30140, the sole occupant, sustained minor injuries, and the private pilot in N49270, the sole occupant, was not injured. N30140 sustained substantial damage and N49270 sustained minor damage. Both airplanes were on a local personal flight, which departed Zamperini Field Airport (TOA) Torrance, California. Visual meteorological conditions prevailed, and no flight plan had been filed for either airplane.

According to the pilot of N30140, he and another PT-17 departed TOA to the south and established radio communication with each other. For approximately 15 minutes, the two airplanes flew independently of each other. During that time, the pilot of N30140 heard over the radio frequency two other pilots that were operating in the area, and the pilot did not see either of the two aircraft. One of those two aircraft was N49270. N30140 and the other PT-17 had then decided to return to TOA. N30140 began to regroup with the PT-17 at an altitude of 3,000 feet mean sea level (msl). Approximately 1,000 feet from the PT-17, the pilot of N30140 felt "a hard impact on my aircraft." The airplane rolled more than 90 degrees to the right in a steep descent. The pilot thought another aircraft struck his; however, he did not see another aircraft. The pilot regained partial control of the airplane and executed a forced landing to shallow water at Cabrillo Beach Park, San Pedro, California. During the landing, the airplane stalled approximately 35 feet above the terrain, impacted the terrain, and nosed over. Examination of the airplane revealed the rudder and elevator control surfaces were destroyed.

According to the pilot of N49270, he departed TOA to the south and climbed to 3,000 feet msl. Approximately 20 minutes into the flight, he observed N30140 and another PT-17 coming toward him, and they were not in formation. The two airplanes were flying northwest (N49270 was flying south) and N30140 was a "few hundred feet lower." N49270 and the other PT-17 confirmed visual with each other over the radio. N49270 and the other PT-17 intended on joining in formation. About 1/2 mile separation between the two PT-17s, N30140 crossed under N49270. N49270 then joined up with the other PT-17 and "stabilized on [other PT-17] left wing in the step-up position and headed easterly." Approximately 1 minute later, N49270 felt a bump and noticed N30140 was slightly to the left and below his airplane. N49270 pulled up and the propeller struck the tail section of N30140. N49270 reported the event to air traffic control and landed uneventfully at TOA. Examination of N49270 revealed damage to the propeller blade tips and a small dent in the lower left wing.

Pilot Information (A1)

Certificate:	Airline transport	Age:	82, Male
Airplane Rating(s):	Single-engine land; Multi-engine land; Multi-engine sea	Seat Occupied:	Rear
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 3 Without waivers/limitations	Last FAA Medical Exam:	March 1, 2006
Occupational Pilot:	UNK	Last Flight Review or Equivalent:	July 1, 2006
Flight Time:	25000 hours (Total, all aircraft), 1200 hours (Total, this make and model), 21000 hours (Pilot In Command, all aircraft)		

Pilot Information (A2)

Certificate:	Private	Age:	76, Male
Airplane Rating(s):	Single-engine land	Seat Occupied:	Rear
Other Aircraft Rating(s):	None	Restraint Used:	
Instrument Rating(s):	None	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	No
Medical Certification:	Class 3 With waivers/limitations	Last FAA Medical Exam:	June 1, 2005
Occupational Pilot:	UNK	Last Flight Review or Equivalent:	May 1, 2005
Flight Time:	1615 hours (Total, all aircraft), 1339 hours (Total, this make and model), 1556 hours (Pilot In Command, all aircraft), 7 hours (Last 90 days, all aircraft), 4 hours (Last 30 days, all aircraft), 1 hours (Last 24 hours, all aircraft)		

Aircraft and Owner/Operator Information (A1)

Aircraft Make:	Waco	Registration:	N30140
Model/Series:	UPF-7	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	
Airworthiness Certificate:	Normal	Serial Number:	5537
Landing Gear Type:	Tailwheel	Seats:	3
Date/Type of Last Inspection:	December 1, 2006 Annual	Certified Max Gross Wt.:	2600 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:	6130.5 Hrs as of last inspection	Engine Manufacturer:	Continental
ELT:	Installed, activated, did not aid in locating accident	Engine Model/Series:	W670-6A
Registered Owner:	Ralph A. Baxter	Rated Power:	220 Horsepower
Operator:		Operating Certificate(s) Held:	None

Aircraft and Owner/Operator Information (A2)

Aircraft Make:	Boeing	Registration:	N49270
Model/Series:	A75N1(PT17)	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	
Airworthiness Certificate:	Normal	Serial Number:	75-336
Landing Gear Type:	Tailwheel	Seats:	2
Date/Type of Last Inspection:	January 1, 2007 Annual	Certified Max Gross Wt.:	2950 lbs
Time Since Last Inspection:	2 Hrs	Engines:	1 Reciprocating
Airframe Total Time:	4000 Hrs at time of accident	Engine Manufacturer:	Continental
ELT:	Not installed	Engine Model/Series:	W-670-6N
Registered Owner:	Harrison H. Haggard	Rated Power:	220 Horsepower
Operator:		Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:		Distance from Accident Site:	
Observation Time:		Direction from Accident Site:	
Lowest Cloud Condition:	Clear	Visibility	
Lowest Ceiling:	None	Visibility (RVR):	
Wind Speed/Gusts:	10 knots / None	Turbulence Type Forecast/Actual:	/
Wind Direction:	290°	Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	30.22 inches Hg	Temperature/Dew Point:	18°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	TORRANCE, CA (TOA) (A1); TORRANCE, CA (TOA) (A2)	Type of Flight Plan Filed:	None (A1); None (A2)
Destination:		Type of Clearance:	None (A1); None (A2)
Departure Time:	14:45 Local (A1); 14:45 Local (A2)	Type of Airspace:	Class E (A1); Class E (A2)

Wreckage and Impact Information (A1)

Crew Injuries:	1 Minor	Aircraft Damage:	Substantial
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	1 Minor	Latitude, Longitude:	

Wreckage and Impact Information (A2)

Crew Injuries:	1 None	Aircraft Damage:	Minor
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	1 None	Latitude, Longitude:	

Administrative Information

Investigator In Charge (IIC): Jones, Patrick

Additional Participating Persons: Thomas Merquez; Federal Aviation Administration; Long Beach, CA

Original Publish Date: June 30, 2008

Last Revision Date:

Investigation Class: [Class](#)

Note:

Investigation Docket: <https://data.nts.gov/Docket?ProjectID=65240>

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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](#).