

Aviation Investigation Final Report

Location: Hadley, Nevada Accident Number: WPR09CA240

Date & Time: May 12, 2009, 13:05 Local Registration: N232PF

Aircraft: Fagan BearHawk Aircraft Damage: Substantial

Defining Event: Loss of control on ground **Injuries:** 1 None

Flight Conducted Under: Part 91: General aviation - Personal

Analysis

The pilot reported that prior to departure in his tailwheel-equipped airplane, the windsock was indicating strong winds perpendicular to the runway with variable gusts. He stated that he waited until he saw a favorable (headwind) gust and then applied takeoff power. During the takeoff roll, the airplane encountered a strong gust of wind from the right, which lifted the right wing and the left wing struck the runway. The airplane pivoted to the left, veered off the runway surface, and impacted a dirt berm. The airplane sustained structural damage to the wings. The pilot reported no mechanical malfunctions or failures with the airframe or engine. The nearest weather reporting station is located 38 nautical miles south of the accident airport, and was reporting winds at the time of the accident at 3.3 miles per hour (mph) gusting to 14.3 mph.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: The pilot's inadequate compensation for the gusting crosswinds during takeoff.

Findings

Environmental issues Crosswind - Response/compensation

Environmental issues Gusts - Response/compensation

Personnel issues Aircraft control - Pilot

Aircraft Crosswind correction - Not attained/maintained

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Factual Information

History of Flight

Takeoff	Loss of control on ground (Defining event)
Takeoff	Runway excursion
Takeoff	Collision with terr/obj (non-CFIT)

Pilot Information

Certificate:	Commercial	Age:	52,Male
Airplane Rating(s):	Single-engine land; Multi-engine land	Seat Occupied:	Left
Other Aircraft Rating(s):	Glider	Restraint Used:	
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	No
Medical Certification:	Class 3 With waivers/limitations	Last FAA Medical Exam:	April 16, 2009
Occupational Pilot:	No	Last Flight Review or Equivalent:	January 22, 2009
Flight Time:	4180 hours (Total, all aircraft), 760 hours (Total, this make and model), 3552 hours (Pilot In Command, all aircraft), 83 hours (Last 90 days, all aircraft), 24 hours (Last 30 days, all aircraft), 4 hours (Last 24 hours, all aircraft)		

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Aircraft and Owner/Operator Information

Aircraft Make:	Fagan	Registration:	N232PF
Model/Series:	BearHawk	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	Yes
Airworthiness Certificate:	Experimental (Special)	Serial Number:	BH232-7
Landing Gear Type:	Tailwheel	Seats:	4
Date/Type of Last Inspection:	July 1, 2008 Condition	Certified Max Gross Wt.:	2500 lbs
Time Since Last Inspection:	75 Hrs	Engines:	1 Reciprocating
Airframe Total Time:	760 Hrs at time of accident	Engine Manufacturer:	Lycoming
ELT:	Installed, not activated	Engine Model/Series:	O-540-B2B5
Registered Owner:	Patrick J. Fagan	Rated Power:	245 Horsepower
Operator:	Patrick J. Fagan	Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	TPH,5426 ft msl	Distance from Accident Site:	38 Nautical Miles
Observation Time:	13:00 Local	Direction from Accident Site:	180°
Lowest Cloud Condition:	Clear	Visibility	10 miles
Lowest Ceiling:	None	Visibility (RVR):	
Wind Speed/Gusts:	3 knots / 14 knots	Turbulence Type Forecast/Actual:	/
Wind Direction:		Turbulence Severity Forecast/Actual:	/
Altimeter Setting:		Temperature/Dew Point:	27°C / -3°C
Precipitation and Obscuration:	No Obscuration; No Precipit	ation	
Departure Point:	Hadley, NV (A36)	Type of Flight Plan Filed:	None
Destination:	Hadley, NV (A36)	Type of Clearance:	None
Departure Time:	13:05 Local	Type of Airspace:	

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Airport Information

Airport:	Round Mountain A36	Runway Surface Type:	Asphalt
Airport Elevation:	5744 ft msl	Runway Surface Condition:	Dry
Runway Used:	17	IFR Approach:	None
Runway Length/Width:	6776 ft / 60 ft	VFR Approach/Landing:	None

Wreckage and Impact Information

Crew Injuries:	1 None	Aircraft Damage:	Substantial
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	1 None	Latitude, Longitude:	38.694168,-117.146942

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Administrative Information

Investigator In Charge (IIC):	Keliher, Zoe
Additional Participating Persons:	Tony Roacha; Federal Aviation Administration; Reno, NV
Original Publish Date:	August 13, 2009
Last Revision Date:	
Investigation Class:	<u>Class</u>
Note:	This accident report documents the factual circumstances of this accident as described to the NTSB.
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=73821

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.

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