



Aviation Investigation Final Report

Location: Oliver Springs, Tennessee **Accident Number:** GAA17CA236

Date & Time: April 15, 2017, 15:25 Local Registration: N122BD

Aircraft: ZEILER BAKENG DUCE 1976 CZ Aircraft Damage: Substantial

Defining Event: Loss of control in flight **Injuries:** 1 Minor

Flight Conducted Under: Part 91: General aviation - Personal

Analysis

The pilot reported that, during approach, while flying from the rear seat of the tandem-seat, high-wing airplane, he "needed to lose speed and altitude." He placed the airplane in a right-wing-low, forward slip, and he added that the airplane had poor forward visibility at slower speeds. He aligned the airplane with the center of the runway and "pulled the nose up slightly to slow [down]," and a "wind gust" came from the right and "pushed" the airplane over the trees. He "saw [the] tree tops coming up fast under [his] left wing," and "out of shear instinct, [he] banked slightly right to avoid going in nose first." The airplane collided with the tree tops.

The airplane sustained substantial damage to both wings and the empennage.

The pilot reported that there were no preaccident mechanical failures or malfunctions with the airplane that would have precluded normal operation.

The automated weather observation system about 3 nautical miles from the accident site, about the time of the accident, reported that the wind was variable at 3 knots. The pilot landed to the southwest.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be:

The pilot's unstabilized approach and failure to go around, which resulted in impact with trees.

Findings

Aircraft Descent/approach/glide path - Not attained/maintained

Personnel issues Aircraft control - Pilot
Personnel issues Lack of action - Pilot

Environmental issues Tree(s) - Contributed to outcome

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Factual Information

History of Flight

Landing	Miscellaneous/other
Landing	Loss of control in flight (Defining event)
Landing	Collision with terr/obj (non-CFIT)

Pilot Information

Certificate:	Commercial	Age:	40,Male
Airplane Rating(s):	Single-engine land	Seat Occupied:	Rear
Other Aircraft Rating(s):	None	Restraint Used:	4-point
Instrument Rating(s):	None	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	No
Medical Certification:	Class 2 Without waivers/limitations	Last FAA Medical Exam:	October 28, 2016
Occupational Pilot:	No	Last Flight Review or Equivalent:	April 22, 2016
Flight Time:	(Estimated) 277 hours (Total, all aircraft), 27 hours (Total, this make and model), 245 hours (Pilot In Command, all aircraft), 3 hours (Last 90 days, all aircraft), 3 hours (Last 30 days, all aircraft), 3 hours (Last 24 hours, all aircraft)		

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Aircraft and Owner/Operator Information

Aircraft Make:	ZEILER	Registration:	N122BD
Model/Series:	BAKENG DUCE 1976 CZ NO SERIES	Aircraft Category:	Airplane
Year of Manufacture:	1982	Amateur Built:	Yes
Airworthiness Certificate:	Experimental (Special)	Serial Number:	1776-CZ
Landing Gear Type:	Tailwheel	Seats:	2
Date/Type of Last Inspection:	August 9, 2016 Condition	Certified Max Gross Wt.:	1600 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:	787.5 Hrs at time of accident	Engine Manufacturer:	Lycoming
ELT:	C91 installed, not activated	Engine Model/Series:	0-290
Registered Owner:	On file	Rated Power:	125 Horsepower
Operator:	On file	Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	KOQT,910 ft msl	Distance from Accident Site:	3 Nautical Miles
Observation Time:	18:53 Local	Direction from Accident Site:	89°
Lowest Cloud Condition:	Few / 6000 ft AGL	Visibility	10 miles
Lowest Ceiling:	Broken / 9500 ft AGL	Visibility (RVR):	
Wind Speed/Gusts:	3 knots /	Turbulence Type Forecast/Actual:	/ None
Wind Direction:		Turbulence Severity Forecast/Actual:	/ N/A
Altimeter Setting:	30.25 inches Hg	Temperature/Dew Point:	26°C / 11°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	WILLIAMSBURG, KY (BYL)	Type of Flight Plan Filed:	None
Destination:	Oliver Springs, TN	Type of Clearance:	None
Departure Time:	14:45 Local	Type of Airspace:	Class G

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Wreckage and Impact Information

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:	36.023334,-84.300277(est)

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Administrative Information

Investigator In Charge (IIC):	Swenson, Eric
Additional Participating Persons:	Neal R Thorne; FAA; Nashville, TN
Original Publish Date:	June 20, 2017
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=95017

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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