



Aviation Investigation Final Report

Location:	Prospect, Oregon	Accident Number:	WPR19LA076
Date & Time:	January 28, 2019, 17:50 Local	Registration:	N12037
Aircraft:	Whittman 8-W Modified	Aircraft Damage:	Substantial
Defining Event:	Fuel exhaustion	Injuries:	1 Serious
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The non-certificated pilot was observed by airport personnel as he assembled the airplane over a three-day period. On the day of the accident, during the takeoff, the airplane collided with a runway light then departed the airport area. A search was initiated when the pilot did not return in a reasonable amount of time. The wreckage and the pilot were located the next morning about 1.8 nautical miles southwest of the departure airport in an area of thick trees and brush covered terrain. The pilot related to the airport caretaker that; the engine lost power due to “magneto problems.” The airplane was substantially damaged during landing.

A postaccident examination of the magnetos revealed no anomalies with either magneto that would have precluded normal operation. Additionally, the fuel tank was found undamaged and empty at the accident site and there was no odor of fuel or evidence of pooling fuel from possible fuel leaks. The pilot’s reported loss of engine power was attributed to fuel exhaustion due to his failure to ensure that sufficient fuel was available for the flight prior to departure.

Probable Cause and Findings

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

The non-certificated pilot’s failure to ensure adequate fuel onboard prior to flight, which resulted in a loss of engine power due to fuel exhaustion.

Findings

Aircraft	Fuel - Fluid level
Personnel issues	Fuel planning - Pilot
Environmental issues	Tree(s) - Effect on operation

Factual Information

History of Flight

Initial climb	Fuel exhaustion (Defining event)
Landing	Off-field or emergency landing
Landing	Collision with terr/obj (non-CFIT)

On January 28, 2019, about 1750 Pacific standard time, an experimental, amateur-built Whittman Tailwind 8-Wairplane, N12037, was substantially damaged when it was involved in an accident near Prospect, Oregon. The pilot was seriously injured. The airplane was operated as a Title 14 *Code of Federal Regulations (CFR)* Part 91 personal flight.

The airport caretaker reported that the pilot arrived at the airport three days before the accident with the airplane on a trailer. The pilot assembled the wings on the fuselage and worked on the engine in the days leading up to the accident.

On the evening of the accident, the airport caretaker watched the pilot start the engine and taxi the airplane onto runway 20 at Prospect Airport (64S). This was at 1745 and it was nearly dark, as sunset had occurred at 1720. The caretaker observed the pilot add power, accelerate, and depart from runway 20, during which he collided with a runway light. He did not see the direction in which the pilot departed after becoming airborne. When the airplane had not returned after about 20 minutes, the caretaker's assistant inspected the runway to see if the airplane was on airport property, which it was not. However, the assistant did report that the pilot's truck was on the ramp and running, with one door open. The assistant further reported that tools were scattered over the ramp's surface. With this information, the caretaker stated that he called 911 to report that he suspected the pilot was overdue.

A search was initiated, and the pilot and the wreckage were located the following morning in dense brush and trees about 1.8 nautical miles southwest of the departure end of runway 20. The wings and fuselage were substantially damaged.

The pilot reported to the caretaker that he thought the magnetos had failed.

Both magnetos were removed and tested under the supervision of a Federal Aviation Administration inspector. Both magnetos functioned properly, and no anomalies were noted.

According to the wreckage recovery company, the fuel tank was examined prior to moving the wreckage. The tank was found undamaged, and it contained no fuel. They noted that there was no smell of fuel or visible signs of pooling fuel at the scene.

Multiple attempts by the NTSB IIC to contact the non-rated pilot to discuss the accident and to secure the airframe and engine logbooks for inspection were unsuccessful.

The pilot did not submit the National Transportation Safety Board Pilot/Operator Aircraft Accident/Incident Report Form 6120.1 .

Pilot Information

Certificate:	None	Age:	34, Male
Airplane Rating(s):	None	Seat Occupied:	Left
Other Aircraft Rating(s):	None	Restraint Used:	Unknown
Instrument Rating(s):	None	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	No
Medical Certification:	None None	Last FAA Medical Exam:	
Occupational Pilot:	No	Last Flight Review or Equivalent:	
Flight Time:			

Aircraft and Owner/Operator Information

Aircraft Make:	Whittman	Registration:	N12037
Model/Series:	8-W Modified	Aircraft Category:	Airplane
Year of Manufacture:	1964	Amateur Built:	Yes
Airworthiness Certificate:	Experimental light sport (Special)	Serial Number:	1001
Landing Gear Type:	Tailwheel	Seats:	2
Date/Type of Last Inspection:	Unknown	Certified Max Gross Wt.:	1323 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:		Engine Manufacturer:	Continental Motors
ELT:	C91 installed, activated, did not aid in locating accident	Engine Model/Series:	C90
Registered Owner:	On file	Rated Power:	
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:	MFR,1335 ft msl	Distance from Accident Site:	28 Nautical Miles
Observation Time:	17:53 Local	Direction from Accident Site:	217°
Lowest Cloud Condition:	Clear	Visibility	10 miles
Lowest Ceiling:	None	Visibility (RVR):	
Wind Speed/Gusts:	/	Turbulence Type Forecast/Actual:	None / None
Wind Direction:		Turbulence Severity Forecast/Actual:	N/A / N/A
Altimeter Setting:	30.05 inches Hg	Temperature/Dew Point:	8°C / 4°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	Prospect, OR (64S)	Type of Flight Plan Filed:	None
Destination:	Prospect, OR (64S)	Type of Clearance:	None
Departure Time:	17:45 Local	Type of Airspace:	Class E

Airport Information

Airport:	Prospect State Airport 64S	Runway Surface Type:	Asphalt
Airport Elevation:	2578 ft msl	Runway Surface Condition:	Dry;Vegetation
Runway Used:	20	IFR Approach:	None
Runway Length/Width:	4000 ft / 50 ft	VFR Approach/Landing:	Forced landing

Wreckage and Impact Information

Crew Injuries:	1 Serious	Aircraft Damage:	Substantial
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:		Aircraft Explosion:	None
Total Injuries:	1 Serious	Latitude, Longitude:	42.717224,-122.51721(est)

Administrative Information

Investigator In Charge (IIC):	Little, Thomas
Additional Participating Persons:	Marty Conroy; Federal Aviation Administration; Hillsboro, OR
Original Publish Date:	December 14, 2021
Last Revision Date:	
Investigation Class:	Class 3
Note:	The NTSB did not travel to the scene of this accident.
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=98910

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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](#).