

Chalks 101, December 19, 2005 – 20 fatal souls on board
Rich Rutecky, who lost his father Richard M. Rutecky, Sr.

• **A lost opportunity?** Rich Rutecky's father, who was a passenger on the Chalk's seaplane that crashed in 2005, was killed and the son is disappointed with the National Transportation Safety Board's (NTSB) inquiry into the crash (see Air Accident Digest, June 18, 2007, p. 1, "Inadequate Oversight and Faulty Maintenance Cited in Miami Seaplane Crash"). Even after the public hearing on May 30, 2007, which he attended, a number of troubling questions remain, as far as he is concerned:

"I was at the NTSB hearings along with my wife and sisters ... and was very surprised to hear the '5 minute' rule being used by [NTSB Chairman Mark] Rosenker [to limit questions from Board members, see Air Accident Digest, June 18, 2007, p. 25, "New Rule"]. Not only does the public deserve to hear all the details, but the families of the victims should have the opportunity to hear as well. A full year and a half of 'investigator' work by the NTSB staff should have its full day in court; they owe us that much.

"Several questions remain unanswered to me:

"How in the world do all of the maintenance issues exist, but there are no interviews with any of Chalk's maintenance personnel?

"Accusations of stuffing rags in fuselages to prevent leaks but they take the word of the DO [Director of Operations]?"

"Nobody at Chalk's will 'own up' to the repair of that 16-inch crack in the wing but they do not interview any of the mechanics?"

"It was evident watching the meeting who was a Republican appointee and who was a Democratic appointee by the discourse and the voting.

"I was amazed that [Member Steven] Chealander stated there will always be 'disgruntled' employees when discussing the pilots concerns considering all of the events leading up to the crash. To me, it seemed as though Chalk's management heard what they wanted to hear and were aided by local FAA representatives who cared much more about keeping the legacy of Chalk's alive rather than the actual airworthiness of the planes.

"There are some big inconsistencies in the NTSB report and I'm left thinking that they just didn't want to 'waste' any time as they felt they had the probable cause. This is a copy of ... a letter I wrote to all of the NTSB board members after the hearing outlining at least my perception of the deficiencies of the report ([see below](#)).

"It will be interesting to see what comes of this from an FAA perspective and what action, if any, they take.

"I'll continue to look for ways to hold those I feel are accountable for my father's death."

Rich Rutecky's Letter to NTSB Chairman Mark Rosenker

This **June 7, 2007** letter, sent after the May 30 hearing, was a follow-up to an earlier letter of May 23; as of this writing, Mr. Rutecky has not received a reply to either letter:

“Dear Mr. Rosenker:

“First, let me extend a ‘thank you’ to the staff and board members of the NTSB throughout the hearing process. They have been courteous and informative throughout this difficult time and my family sincerely appreciates all of their/your efforts. ...

“I understand that the role of the NTSB is to determine the probable cause for accidents and make safety recommendations to the FAA to prevent future accidents from occurring [and thus the NTSB] is limited in any type of recommendation regarding sanctions or punitive actions toward the carrier and/or other parties found to be causal to the crash. But I also know that the data the NTSB staff collects as part of the investigation is vital to any subsequent actions by appropriate regulatory bodies. With that in mind, I have a couple of questions I would like to try to get addressed before the investigation is complete (I apologize if any of the below is incorporated into the final report that I have not yet seen):

1. During the hearing the NTSB staff described the effort to interview mechanics as inconsequential to the investigation, as they felt they had enough supporting documentation to determine probable cause. Who investigates the allegations of improperly ... stuffing of rags into the fuel tanks to prevent fuel leaks? I know the report includes the finding that this was a ‘sloppy’ operation, but I want to know if any of Chalk’s management was involved in coercion by asking mechanics to make improper repairs to keep the planes in the air.

“There are serious accusations in the pilot’s letter [Capt. Grady Washatka’s letter of 13 Jan. 2005 to the Chalk’s Director of Operations, Roger Nair, see Air Accident Digest, June 18, 2007, p. 3, ‘Pilot Concerns at Chalk’s’] ... that should either be refuted or collaborated [*sic*]. The interviewing of the mechanics likely would have given the families of the victims a better understanding of the lack of safety culture at the airline. I have a difficult time reconciling the fact that the NTSB staff says that no one ‘owned up’ to making that critical repair to the wing section that contained the 16” crack, but then admits the mechanics that would have done the repair weren’t directly interviewed.

2. Did the NTSB staff check the certification of the mechanics as part of the investigation? I know that at one time in the past there was criminal action taken against St. George Aviation in central Florida for the issuing of bogus mechanic certificates and I would like to know if any of those mechanics were/are employed at Chalk’s.

3. I was extremely surprised to hear that the FAA Principal Maintenance Inspector (PMI) for Chalk’s was given semi-retirement early in the year of the crash (2005). ... I am interested to know to what extent the level of work activity was reduced in 2005 (and as it relates to Chalk’s) ...

4. What were the qualifications of the PMI and will this information be included in the final report? It is hard to understand why a veteran FAA representative would have 'missed' some of the repair workmanship issues described in the hearing. Will information be included as to the amount of on-site inspections completed by the PMI?

5. Were there any interviews conducted with the manager of the PMI to understand why semi-retirement was given, and is this commonplace in this industry and with respect to such a critical position?

6. With due respect to some comments made during the hearing regarding the 'triggers' for additional scrutiny from the FAA prior to the crash, I would have to disagree. There were multiple 'red flags' prior to the crash that should have created awareness within the FAA community. It certainly was not 'business as usual' given the multiple in-flight engine failures and elevator cable breakage in the time before the crash, [and] the repetitive fuel leaks (5) in the airplane that crashed.

"In closing, it is inexcusable that a policy developed by Congress 16 years ago [the Aging Airplane Safety Act of 1991] to address additional maintenance requirements for aging aircraft has an exemption for what I believe is the OLDEST plane utilized for commercial aviation in the world. I will be looking to better understand who should be accountable for how this exclusion came to be, as it certainly is one of the primary reasons 20 people, including my father, are dead. ...

"Respectfully"

Rich Rutecky

"Son and Co-Personal representative of the Estate of Richard M. Rutecky, Sr."