



**National  
Transportation  
Safety Board**

# **NTSB Investigations and the Party Process**

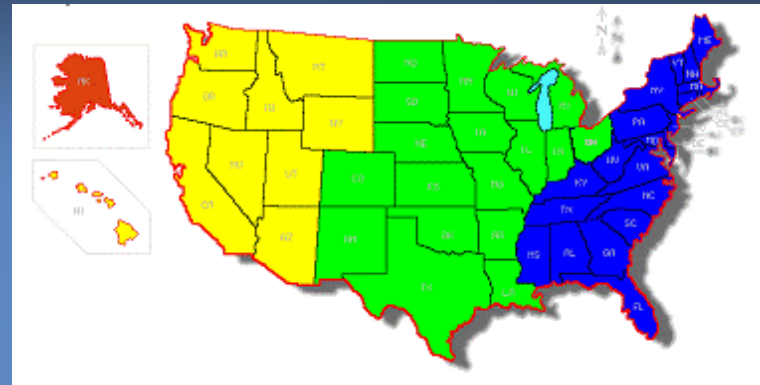
**Paul Suffern and Scott Birch**

# NTSB Governance

- Reports directly to Congress
- Independent federal agency (not part of FAA)
- **No regulatory authority**
- Composed of five Board members
- Staff of specialists in various fields of accident investigation and research.

# NTSB Modes and Personnel

- HQ in Washington, DC
- 4 regional offices
- About 400 employees total
  - ≈ 90 AS investigators



- Investigations in all modes
  - Aviation
  - Highway
  - Marine
  - Railroad
  - Pipeline/Haz Mat
  - Commercial Space

# Mission

- Investigate and determine the facts, conditions, and circumstances of aviation accidents.
- Determine the probable cause(s).
- Make recommendations to prevent similar accidents.
- Conduct special safety studies.

And...

- ...charged with fulfilling the obligations of the United States under Annex 13...

# Major Domestic Accidents



# Go Team (Similar to IMET Support)

- Goal is to assemble broad spectrum of technical expertise to begin investigation of major accident at the scene, as soon as possible
- Team members from each area of specialization on a weekly duty rotation
- Prepared to depart for scene of an accident within a few hours

# Initial Notification & Launch

- Response Operations Center
- Usually Media or FAA
- Collect/verify info
- Notify parties
- Go-Team



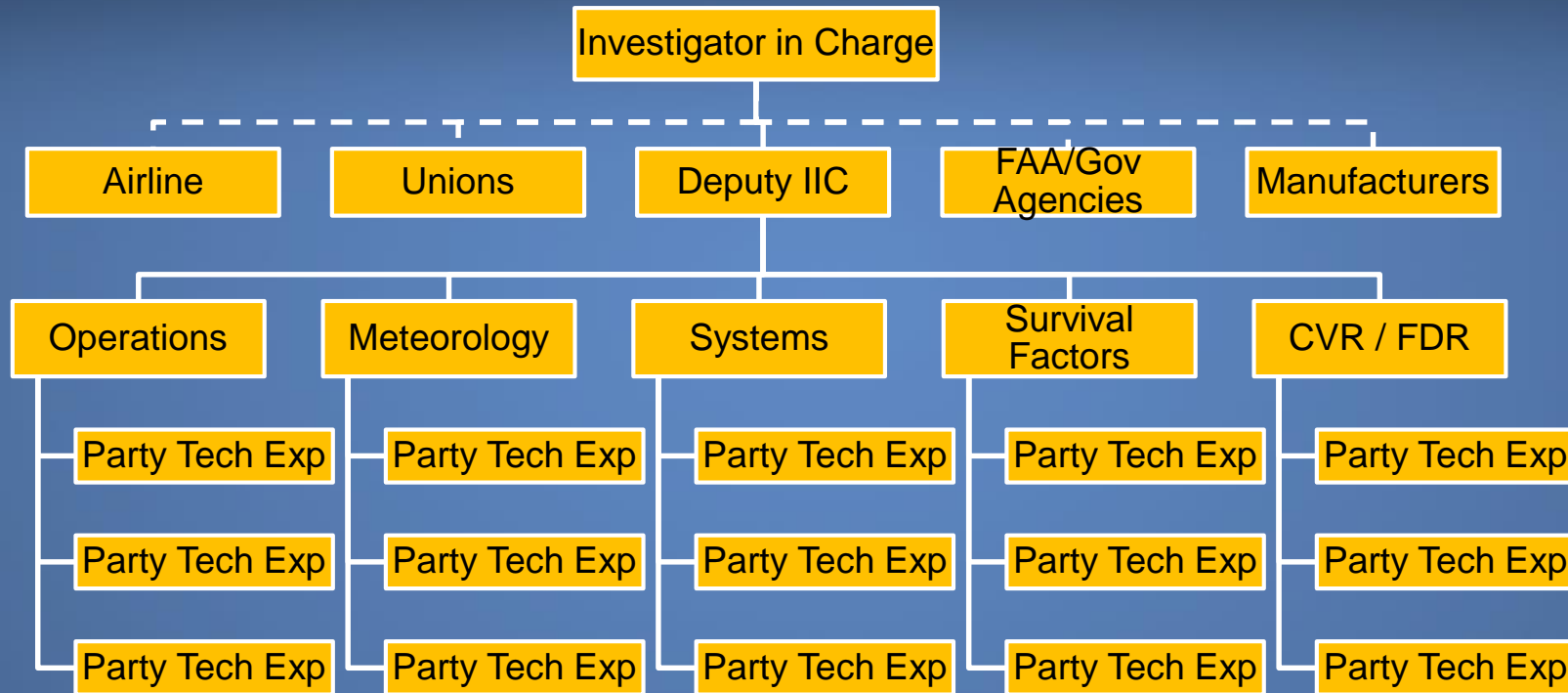
# Organizing the Investigation

- **Initial Organization Mtg**
  - Whole team present
- **No lawyers or media**
- **Share preliminary info**
  - First responders
- **Brief on rules and procedures**
- **IIC designates parties, observers, etc.**
- **Investigative groups formed**
- **Daily progress meetings – factual info only**



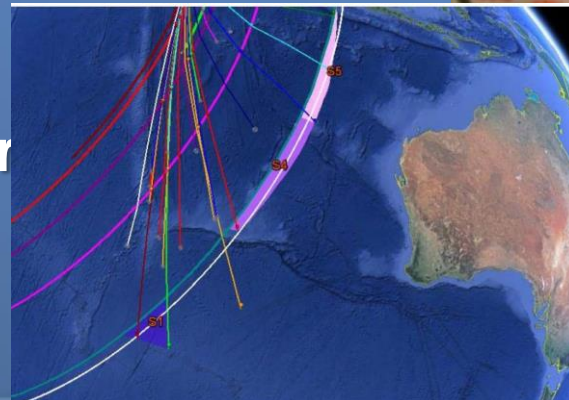


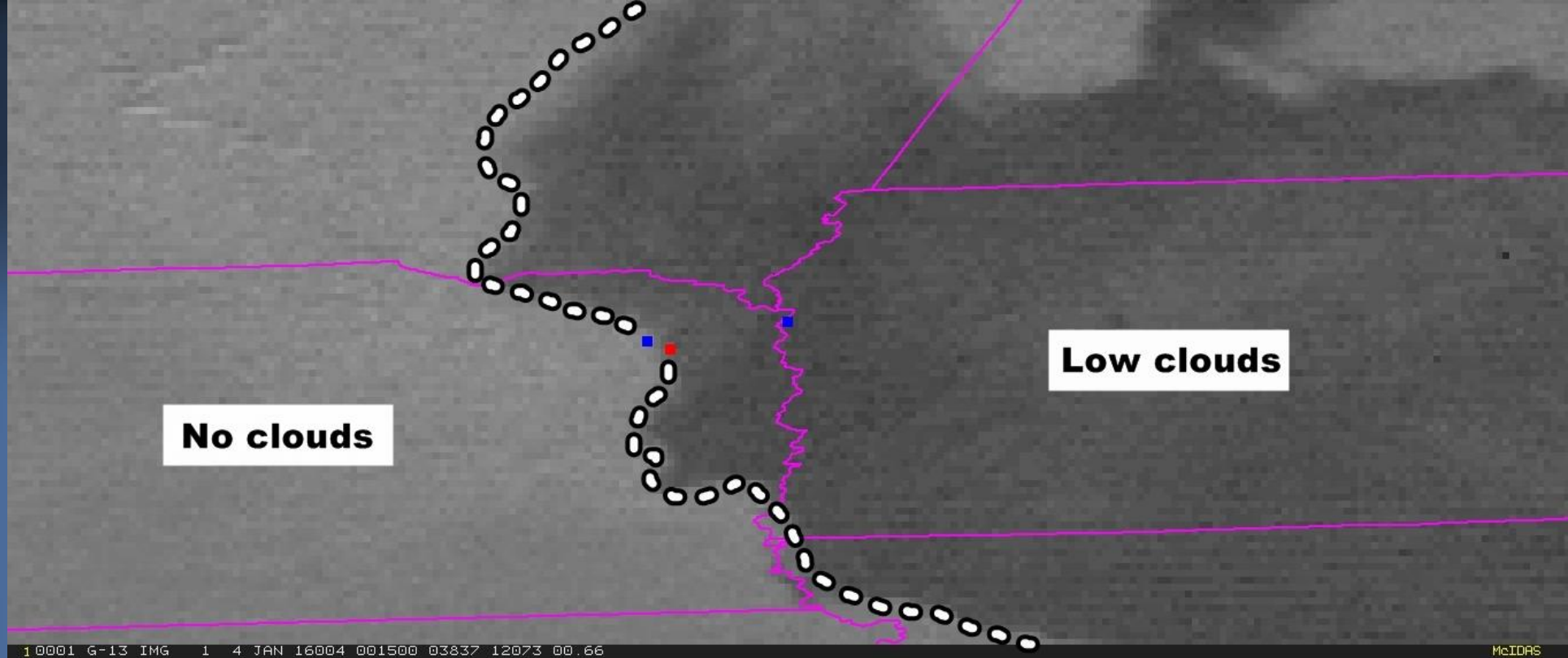
# On-Scene Organization



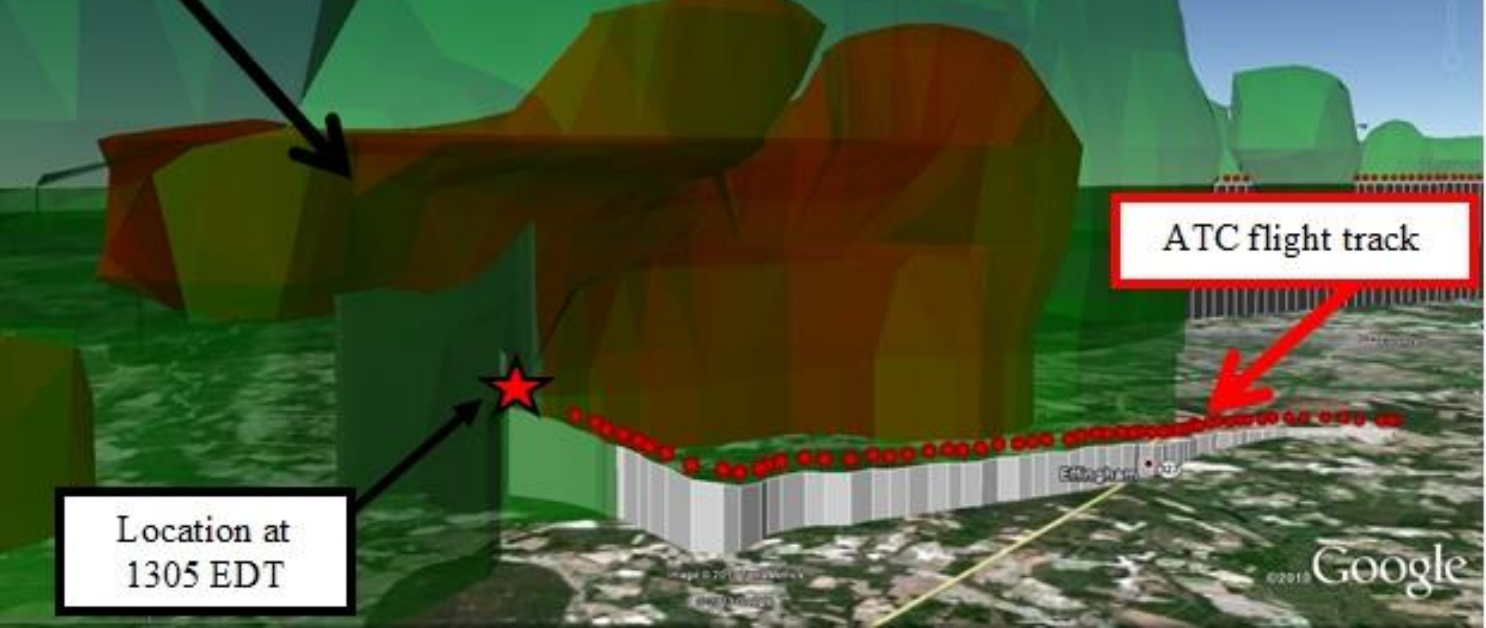
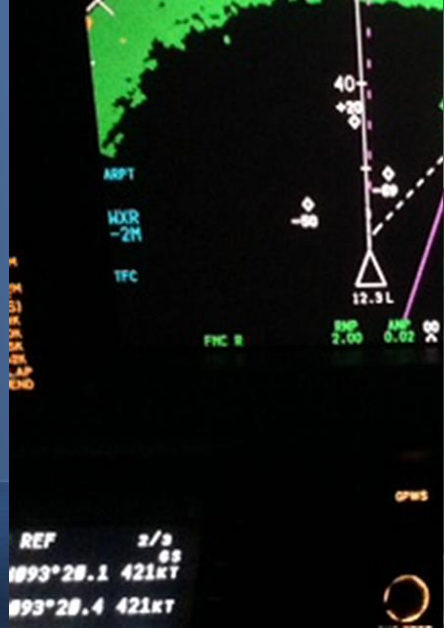
# Investigative Groups

- Each led by Group Chairman
  - ATC
    - Flight Recorders
  - Meteorology
    - A/C Performance
  - Operations
    - Materials Lab
  - Human Factors
  - Structures
  - Systems
  - Powerplants
  - Maintenance
  - Survival Factors
  - Airports





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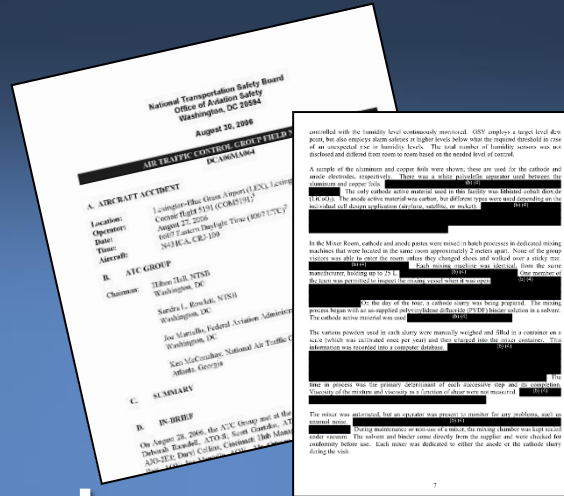


# Meteorology Group

- Two main themes to an investigation
  - Define what the environment was
  - Assess integrity, availability of all weather information supporting user decision-making and situational awareness
- Review/evaluate weather products and services
  - NWS, FAA, Operator dispatch/private weather services, etc...
  - Conduct formal interviews as necessary
  - Identify safety concerns, develop recommendations
- Regularly collaborate with ATC, OPS, HF and other NTSB groups

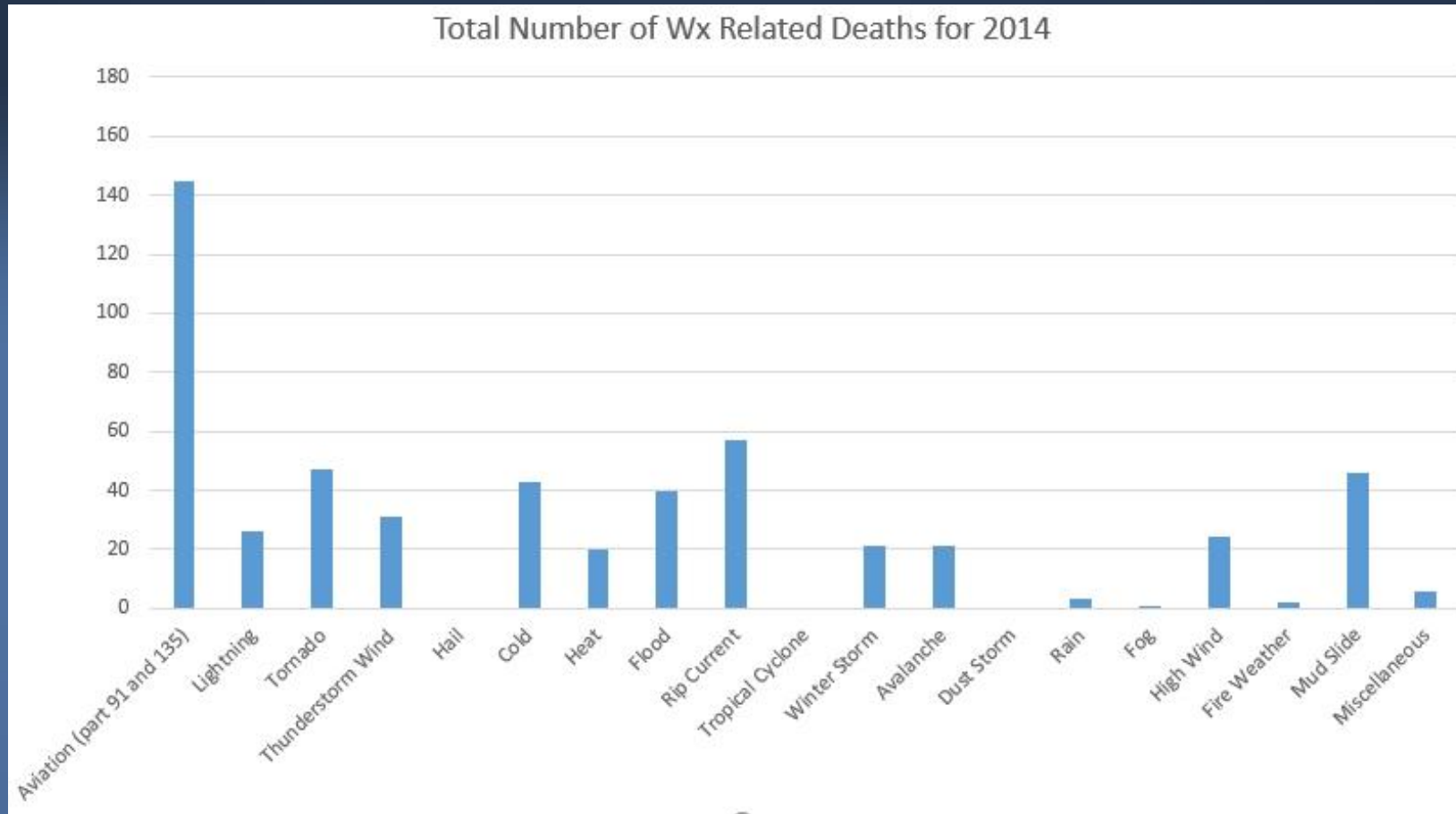
# Wrap Up & Post On-Scene

- Field notes
- Released by IIC
- Factual Report Review
- Investigative Hearing
- Party Submissions
- Final Report
- Board Meeting



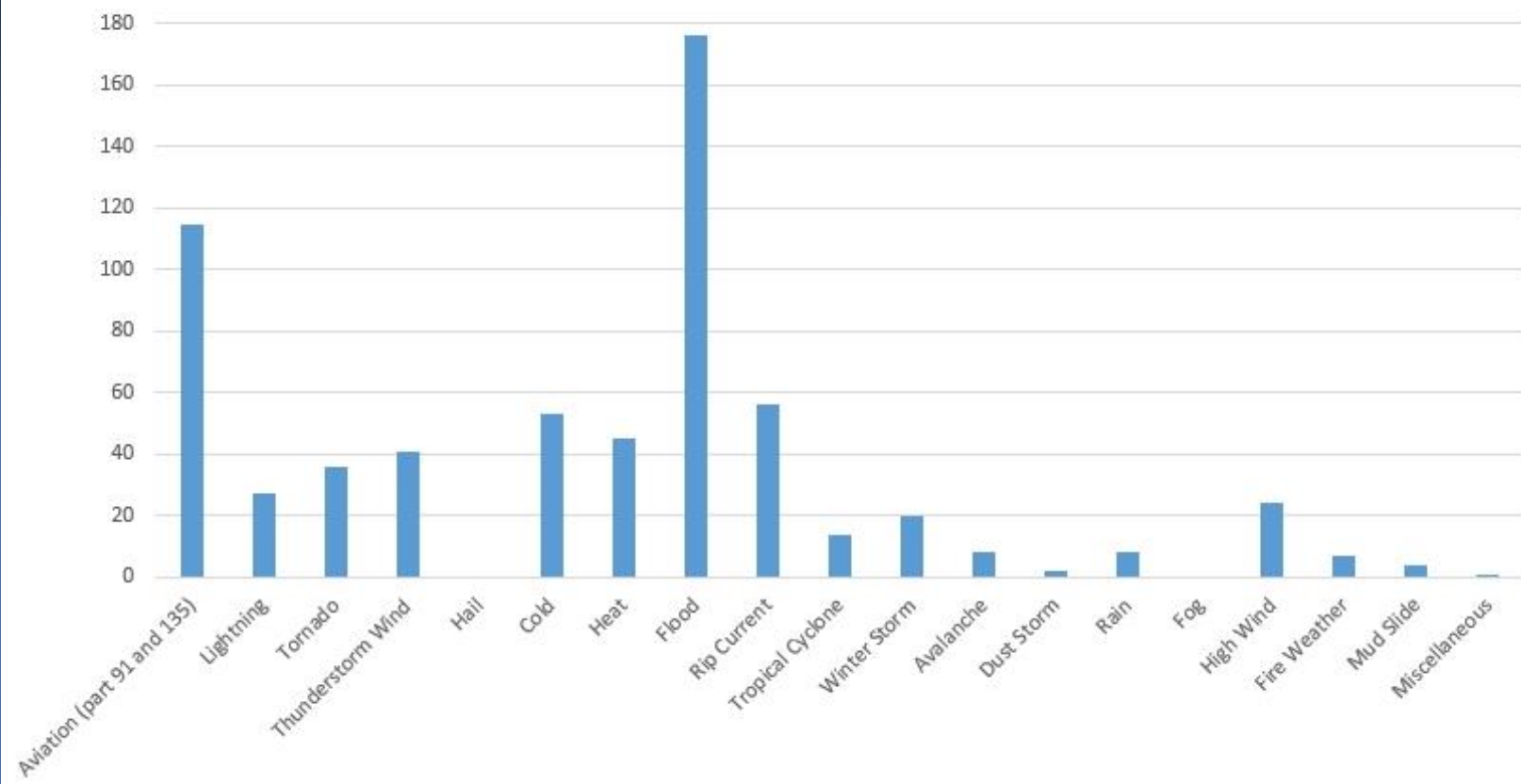
# Current/Recent General Topics

- PIREPs PIREPs PIREPs
- GA “NEXRAD onboard”
  - Time stamp and tactical use of products
  - Lack of universal wx radar color scale
- Weather information for mariners
- NWS product consistency
- Knowledge and use of weather info in ATC environment
- Weather equipment knowledge and consistency



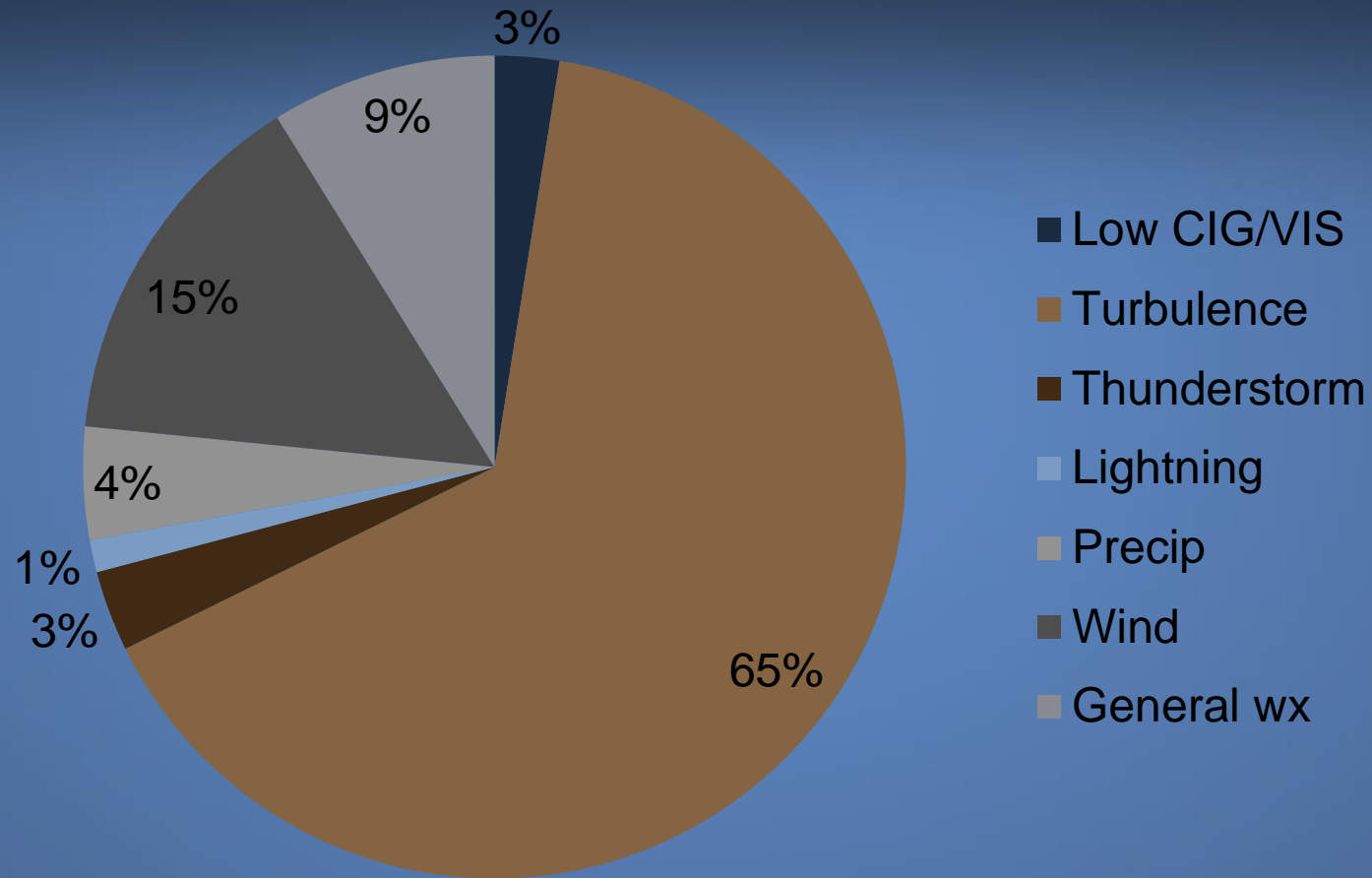
- Highest weather related fatalities occurred in Aviation - Part 91 and 135

Total Number of Wx Related Deaths for 2015





# Part 121 Weather Related Accidents 2000-2013



**30% of all part 121 accidents from 2000 to 2013 had weather as cause or factor**

# Why the Party Process


- Suitable and needed technical expertise for group participation
- Ability to initiate corrective actions to address safety issues

# Party Process



# Party Process

- Certification of Party Representative
- Role and responsibilities
- Dissemination of information
- Restrictions on release of information



NTSB Investigation No. \_\_\_\_\_  
Date of Accident: \_\_\_\_\_  
Accident Location: \_\_\_\_\_

**CERTIFICATION OF PARTY REPRESENTATIVE<sup>1</sup>**

I acknowledge that I am participating in the above-referenced accident or incident investigation, on behalf of my employer who has been named a party to the National Transportation Safety Board (NTSB) safety investigation, for the purpose of providing technical assistance to the NTSB's evidence documentation and fact-finding activities. I understand that as a party participant, I and my organization shall be responsive to the direction of NTSB personnel and may be expelled from the investigation for conduct that is prejudicial to the investigation or inconsistent with NTSB policies or instructions. No information pertaining to the accident, or in any manner relevant to the investigation, may be withheld from the NTSB by any party or party participant.

I further acknowledge that I have familiarized myself with the attached copies of the NTSB Accident/Incident Investigation Procedures (49 C.F.R. Part 831) and "Information and Guidance for Parties to NTSB Accident and Incident Investigations," and will comply, and ensure all employees and representatives of my organization will comply, with these requirements. This includes, but is not limited to, the provisions of 49 C.F.R. §§ 831.11 and 831.13, which, respectively, specify certain criteria for participation in NTSB investigations and limitations on the dissemination of investigation information.

No party representative may occupy a legal position or be a person who also represents claimants or insurers. I certify that my participation is not on behalf of either claimants or insurers, and that, although factual information obtained as a result of participating in the NTSB investigation may ultimately be used in litigation (at the appropriate time, and in a manner that is not inconsistent with the provisions of 49 C.F.R. § 831.13 and 49 U.S.C. § 1154), my participation is to assist the NTSB safety investigation and not for the purposes of preparing for litigation. I also certify that, after the NTSB ITC releases the parties and party participants from the restrictions on dissemination of investigative information specified in 49 C.F.R. § 831.13, neither I nor any party organization will in any way assert in civil litigation arising out of the accident any claim of privilege for information or records received as a result of my participation in the NTSB investigation.

I further acknowledge my responsibility to ensure that the NTSB is informed in writing, immediately and with specificity, when information or records provided to the NTSB, in any format, or other investigative activities, are subject to United States export controls, classification or licensing requirements, or sanctions restrictions. Similarly, commercially sensitive and/or proprietary material provided to the NTSB investigation should be clearly marked in accordance with the provisions of 49 C.F.R. Part 831.6.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Name & Title \_\_\_\_\_  
Party Organization/Employer \_\_\_\_\_

<sup>1</sup> In aviation investigations this form may also be referred to as "Statement of Party Representative to NTSB Investigation."

# Party Participants

- Coordinator
  - Oversees all participants of organization
  - High enough to address safety issues
  - Not too high or financial/legal
- Group Members
  - “...suitable qualified technical personnel to actively assist...”



# National Weather Service and NTSB Investigations

- Forensics Services: Lora Wilson is the lead
- NWSI 10-20
  - 10-2006: The accident investigation/litigation process
  - High Impact Event Reports and OAVs are not part of Forensic Services process

# National Weather Service and NTSB Investigations

- National Weather Service Representative/Spokesperson
  - Deposition: more serious (NWSI 10-2006)
  - Interviews: SME discussion in person or conference call
  - Party Process – national and regional approval

# National Weather Service and NTSB Investigations

- Party Process
  - NWS SME





# National Weather Service and NTSB Investigations

- If notified by Regional HQ and Forensics Services of an NTSB investigation, WFO/CWSU products and services must be saved (NWSI 10-2003)
  - Emails
  - Chats
  - Logs
  - Social media and weather stories – anything sent to public and partners **and is archived**