



# National Transportation Safety Board Aviation Accident Final Report

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<b>Location:</b>	ELKO, NV	<b>Accident Number:</b>	FTW94FA165
<b>Date &amp; Time:</b>	05/18/1994, 1551 PDT	<b>Registration:</b>	N5158J
<b>Aircraft:</b>	CESSNA 340	<b>Aircraft Damage:</b>	Destroyed
<b>Defining Event:</b>		<b>Injuries:</b>	2 Fatal

**Flight Conducted Under:** Part 91: General Aviation - Personal

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## Analysis

THE NON-INSTRUMENT RATED PILOT OBTAINED AN ABBREVIATED WEATHER BRIEFING FOR A FLIGHT FROM LAS VEGAS TO ELKO, NEVADA. HE WAS ADVISED OF MOUNTAIN OBSCURATION, ICING & TURBULENCE, & WAS TOLD THAT VFR FLIGHT WAS NOT RECOMMENDED. A VFR FLIGHT PLAN WAS FILED & ACTIVATED. THE AIRPLANE DEPARTED LAS VEGAS AT 1414 PDT. THE LAST RADIO COMMUNICATIONS WITH THE PLANE WAS AT 1545 PDT, ABOUT 14 MILES SOUTH OF ELKO. SEVERAL LOCAL RESIDENTS REPORTED A THUNDERSTORM WAS PASSING THROUGH THE AREA AT THAT TIME. THE AIRPLANE WAS LOCATED THE NEXT MORNING ABOUT 10 MILES SOUTHWEST OF ELKO AIRPORT NEAR GRINDSTONE PEAK AT ABOUT 6000' MSL. AN EXAM OF THE AIRFRAME & ENGINE AT THE ACCIDENT SITE DID NOT DISCLOSE ANY MECHANICAL PROBLEMS. DURING A TOXICOLOGY TEST, 4.8 MG/KG OF DIPHENHYDRAMINE (AN ANTIHISTAMINE) WAS DETECTED IN THE PILOT'S LIVER TISSUE.

## Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: THE PILOT'S CONTINUED FLIGHT INTO INSTRUMENT METEOROLOGICAL CONDITIONS (IMC), AND HIS FAILURE TO MAINTAIN ALTITUDE (OR CLEARANCE) FROM MOUNTAINOUS TERRAIN. FACTORS RELATED TO THE ACCIDENT WERE: THE ADVERSE WEATHER CONDITIONS, HIGH (MOUNTAINOUS/HILLY) TERRAIN, AND THE PILOT'S LACK OF INSTRUMENT EXPERIENCE.

## Findings

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Occurrence #1: IN FLIGHT ENCOUNTER WITH WEATHER  
Phase of Operation: CRUISE - NORMAL

### Findings

1. (F) WEATHER CONDITION - LOW CEILING
  2. (F) WEATHER CONDITION - OBSCURATION
  3. (F) WEATHER CONDITION - THUNDERSTORM
  4. (C) VFR FLIGHT INTO IMC - PERFORMED - PILOT IN COMMAND
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Occurrence #2: IN FLIGHT COLLISION WITH TERRAIN/WATER  
Phase of Operation: APPROACH

### Findings

5. (F) TERRAIN CONDITION - MOUNTAINOUS/HILLY
6. (C) ALTITUDE - NOT MAINTAINED - PILOT IN COMMAND
7. (F) LACK OF TOTAL INSTRUMENT TIME - PILOT IN COMMAND

## Factual Information

### HISTORY OF FLIGHT

On May 18, 1994, at 1551 Pacific Daylight Time, a Cessna 340, N5158J, was destroyed following a loss of control near Elko, Nevada. The private pilot and passenger were fatally injured. Instrument meteorological conditions prevailed in the area for the personal cross country flight.

The non-instrument rated pilot received an abbreviated weather briefing at 1251 for a proposed VFR flight from Las Vegas to Elko, Nevada. The pilot was issued the requested weather for the flight and was advised that VFR flight was not recommended due to the mountain obscuration, icing, and turbulence. A departure time of 1414 was recorded by the tower at the Las Vegas McCarran Airport. A VFR flight plan was filed and activated. The last radio communications with the aircraft was at 1545, 14 miles south of Elko.

The wreckage of the airplane was located by units of the Civil Air Patrol 10 nautical miles southwest of Elko Airport near Grindstone Peak at an approximate elevation of 6100 feet, at 0655 on May 19, 1994. There were no reported witnesses to the accident.

### PERSONNEL INFORMATION

The non-instrument rated pilot's log books had not been kept up to date as to instrument, single engine or multi engine time flown. His last biennial flight review was on July 7, 1991.

### AIRCRAFT INFORMATION

A review of the airframe and engine records did not reveal any anomalies or uncorrected maintenance defects prior to the flight. The pilot had owned the airplane since 1987.

### METEOROLOGICAL INFORMATION

Instrument meteorological conditions prevailed throughout the area. The following in-flight advisories (AIRMETs) had been issued for Nevada: Salt Lake City, Significant Weather, AIRMET, May 18, 1994, 1945Z (SLCS WA 181945) for mountain obscuration; Salt Lake City, Turbulence, AIRMET, May 18, 1994, 1945Z (SLCT WA 181945) for turbulence and low level wind shears; and Salt Lake City, Freezing Level, AIRMET, May 18, 1994, 1945Z (SLCZ WA 181945) for light to moderate icing between 9,000 and 18,000 feet. (See enclosure.) Several residents of Elko reported a thunderstorm was passing through the area of the crash site at the time the airplane impacted the ground.

### COMMUNICATIONS

Federal Aviation Administration (FAA) records revealed the pilot called Reno Automated Flight Service Station (AFSS) on the telephone at 1251 for an abbreviated preflight weather briefing from Las Vegas to Elko, Nevada. At 1401 the pilot contacted Reno AFSS on the In-Flight frequency, while on the ground at Las Vegas McCarran Airport to file and activate a flight plan from Las Vegas to Elko. The pilot was issued a takeoff clearance at 1414.

After takeoff, Las Vegas Departure Control told the pilot to contact Nellis Approach Control. Nellis advised the pilot that radar would not be able to pick him up below 10,500, and to contact Salt Lake City (SLZ) Air Route Traffic Control Center (ARTCC), 30 miles north of Ely. At 1523, the pilot contacted SLZ ARTCC, 80 miles southeast of Elko to request the weather at Elko and also to confirm negative radar coverage. At 1544, the pilot contacted SLZ ARTCC 15

miles south of Elko, asking if the controller could pick him up. He was advised that a radar outage precluded seeing low altitude traffic and was issued the Elko altimeter. There was no further communication with the pilot.

#### WRECKAGE AND IMPACT INFORMATION

The initial ground scar was on a downslope in mountainous terrain. The aircraft came to rest inverted 93 feet downhill from the initial scar. The upper cabin skin separated from the main structure and traveled downhill another 135 feet.

A small tree on the right side of the initial scar had some broken limbs approximately five feet off the ground, which formed a 50 degree angle. The right wing tank was found at the right side of the initial scar.

All propeller blades were broken out of their respective hubs in the direction opposite of rotation and exhibited chordwise striations and leading edge damage. Both hubs were shattered. Two of the blades, one from each propeller were buried in their respective impact craters at the initial scar.

Both engines received substantial damage; however, they remained with the airframe. All of the accessories were broken off of both engines. There was no external evidence of any pre-impact malfunction. All of the fuel cells were destroyed, and there was a post impact fire which destroyed some of the wreckage.

All of the seats were separated from the seat rails. The pilot and copilot seat belts were separated from their attachment points, but they were in the latched position. It is unknown if the shoulder harnesses were used.

All flight controls were accounted for and were attached to their respective input devices. Due to the extent of damage, flight control continuity could not be established. See enclosed wreckage diagram for wreckage distribution details.

#### MEDICAL AND PATHOLOGICAL INFORMATION

An autopsy and toxicological tests were requested; however, the Elko Deputy Coroner stated an autopsy was not possible. Toxicological tests were positive for diphenhydramine in the liver. The liver contained 4.8 mg/kg of diphenhydramine. According to Dr. Canfield, Civil Aeromedical Institute, the level of Diphenhydramine (Antihistamine) detected in the liver is at the high therapeutic level, which could cause drowsiness. Antihistamine also masks underlying conditions and may induce vertigo. According to Dr. Salazar, Fort Worth Regional Flight Surgeon Office, it is inadvisable to fly while under its influence.

#### ADDITIONAL DATA

The airplane was released to the owner's representative on May 20, 1994.

## Pilot Information

<b>Certificate:</b>	Private	<b>Age:</b>	67, Male
<b>Airplane Rating(s):</b>	Multi-engine Land; Single-engine Land	<b>Seat Occupied:</b>	Left
<b>Other Aircraft Rating(s):</b>	None	<b>Restraint Used:</b>	Seatbelt
<b>Instrument Rating(s):</b>	None	<b>Second Pilot Present:</b>	No
<b>Instructor Rating(s):</b>	None	<b>Toxicology Performed:</b>	Yes
<b>Medical Certification:</b>	Class 3 Valid Medical--no waivers/lim.	<b>Last FAA Medical Exam:</b>	04/16/1993
<b>Occupational Pilot:</b>		<b>Last Flight Review or Equivalent:</b>	
<b>Flight Time:</b>	2864 hours (Total, all aircraft), 2 hours (Last 24 hours, all aircraft)		

## Aircraft and Owner/Operator Information

<b>Aircraft Make:</b>	CESSNA	<b>Registration:</b>	N5158J
<b>Model/Series:</b>	340 340	<b>Aircraft Category:</b>	Airplane
<b>Year of Manufacture:</b>		<b>Amateur Built:</b>	No
<b>Airworthiness Certificate:</b>	Normal	<b>Serial Number:</b>	340-0548
<b>Landing Gear Type:</b>	Retractable - Tricycle	<b>Seats:</b>	6
<b>Date/Type of Last Inspection:</b>	10/05/1993, Annual	<b>Certified Max Gross Wt.:</b>	5975 lbs
<b>Time Since Last Inspection:</b>	46 Hours	<b>Engines:</b>	2 Reciprocating
<b>Airframe Total Time:</b>	1769 Hours	<b>Engine Manufacturer:</b>	CONTINENTAL
<b>ELT:</b>	Installed, not activated	<b>Engine Model/Series:</b>	TSIO-520-J
<b>Registered Owner:</b>	BEN A. & CONSTANCE LESBO	<b>Rated Power:</b>	310 hp
<b>Operator:</b>	BEN A. & CONSTANCE LESBO	<b>Operating Certificate(s) Held:</b>	None

## Meteorological Information and Flight Plan

Conditions at Accident Site:	Instrument Conditions	Condition of Light:	Day
Observation Facility, Elevation:	, 0 ft msl	Distance from Accident Site:	0 Nautical Miles
Observation Time:	0000	Direction from Accident Site:	0°
Lowest Cloud Condition:	Unknown / 0 ft agl	Visibility	0 Miles
Lowest Ceiling:	Obscured / 0 ft agl	Visibility (RVR):	0 ft
Wind Speed/Gusts:	/	Turbulence Type Forecast/Actual:	/
Wind Direction:		Turbulence Severity Forecast/Actual:	/
Altimeter Setting:		Temperature/Dew Point:	
Precipitation and Obscuration:			
Departure Point:	LAS VEGAS, NV (LAS)	Type of Flight Plan Filed:	VFR
Destination:	, NV (EKO)	Type of Clearance:	None
Departure Time:	1414 PDT	Type of Airspace:	Class G

## Wreckage and Impact Information

Crew Injuries:	1 Fatal	Aircraft Damage:	Destroyed
Passenger Injuries:	1 Fatal	Aircraft Fire:	On-Ground
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	2 Fatal	Latitude, Longitude:	

## Administrative Information

Investigator In Charge (IIC):	DOUGLAS D WIGINGTON,	Report Date:	04/07/1995
Additional Participating Persons:	TERRY L VAN NATTA; RENO, NV		
Publish Date:			
Investigation Docket:	NTSB accident and incident dockets serve as permanent archival information for the NTSB's investigations. Dockets released prior to June 1, 2009 are publicly available from the NTSB's Record Management Division at <a href="mailto:pubinquiry@ntsb.gov">pubinquiry@ntsb.gov</a> , or at 800-877-6799. Dockets released after this date are available at <a href="http://dms.nts.gov/pubdms/">http://dms.nts.gov/pubdms/</a> .		

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The Independent Safety Board Act, as codified at 49 U.S.C. Section 1154(b), precludes the admission into evidence or use of any part of an NTSB report related to an incident or accident in a civil action for damages resulting from a matter mentioned in the report. A factual report that may be admissible under 49 U.S.C. § 1154(b) is available [here](#).