

*The original of the Final Report was issued in the Slovak language.
In case of inconsistency original version in Slovak language is applicable.*



MINISTRY OF TRANSPORT, CONSTRUCTION
AND REGIONAL DEVELOPMENT
OF THE SLOVAK REPUBLIC



AVIATION AND MARITIME INVESTIGATION AUTHORITY
Námestie slobody 6, P.O.BOX 100
810 05 Bratislava 15

FINAL REPORT

on investigation of serious incident

of aircraft type **AN-12B**

Registration No. **115 29**

Reg. No.: **SKS2014002**

The investigation of occurrence has been conducted pursuant to Art. 18 of the Act No. 143/1998 on Civil Aviation (Civil Aviation Act) and on Amendment of Certain Acts and in accordance with the Regulation (EU) No. 996/2010 of the European Parliament and of the Council on investigation and prevention of civil aviation accidents and incidents, governing the investigation of civil aviation accidents and incidents.

The final report is issued in accordance with the Regulation L 13 that is the application of the provisions of ANNEX 13 Aircraft Accident and Incident Investigation to the Convention on International Civil Aviation.

The exclusive aim of investigation is to establish causes of accident, incident and to prevent their occurrence, but not to refer to any fault or liability of persons.

This final report, its individual parts or other documents related to the investigation of occurrence in question have an informative character and can only be used as recommendation for the implementation of measures to prevent occurrence of other accidents and incidents with similar causes.

A. INTRODUCTION

Operator:	Russian Aircraft Corporation "MiG"
Owner:	Russian Aircraft Corporation "MiG"
Type of operation:	freight
Type:	AN-12B
Registration No:	115 29
Take-off site :	Airport Sliac (hereinafter "LZSL")
Flight phase:	taxiing



Place of serious incident: LZSL

Date and time of serious incident: 28.10.2014, 13:25

Note: All time data in this report are stated in the UTC time.

B. INFORMATIVE SUMMARY

On 28.10.2014 the aircraft type AN-12B, call sign MIG9164 (hereinafter "MIG9164"), was taxiing to holding point runway ("RWY") 18 and the pilot requested for clearance to line-up RWY18. His request for clearance to line-up RWY was rejected by the instruction "Negative for line up". In spite of the negative answer the pilot continued taxiing RWY until further peremptory order from the controller of TWR LZSL (hereinafter "controller") to stop.

The following person was appointed for investigation of the serious incident:
Ing. Zdeno BIELIK

The report is issued by:
Aviation and Maritime Investigation Authority
of the Ministry of Transport, Construction and Regional Development
of the Slovak Republic

C. MAIN PART OF REPORT

1. FACTUAL INFORMATION
2. ANALYSES
3. CONCLUSIONS
4. SAFETY RECOMMENDATIONS

1. FACTUAL INFORMATION

1.1 History of the flight

On 28.10.2014 at 13:24 the aircraft MIG9164 was taxiing to holding point runway RWY 18 via taxiway C and the pilot requested for clearance to line-up RWY without stopping at the holding point. The controller rejected his request for clearance to line-up RWY by the instruction "Negative for line up".

At that time the aircraft L-39 with call sign SABRE 04 (hereinafter "SABRE 04") was situated on the circuit and performed the non-standard landing drill. The controller issued the said prohibition to line up RWY for MIG9164, because the aircraft SABRE 04 was in base leg position of the left-hand circuit of RWY 36. It issued to aircraft SABRE 04 landing clearance, but from the radio correspondence it is not clear when the pilot SABRE 04 requested for landing clearance.

In spite of the rejected request to line up runway ("**Negative for line up**") MIG9164 continued taxiing to RWY 18 and stopped only when the controller issued an order to immediately stop („Mike India Golf niner one six four stop! Immediately stop."). However, the aircraft was already situated in the protected area of RWY behind the sign "holding point". The controller then issued the go-around order for SABRE 04.

Subsequently, both crews were informed about the situation and followed instructions of the controller.

Daytime: day
Flight rules: VFR

1.2 Injuries to persons

None.

1.3 Damage to aircraft

None.

1.4 Other damage

No circumstances with potential claims for compensation of other damage toward a third party were notified to the Aviation and Maritime Investigation Authority.

1.5 Personnel information

Captain - instructor:

National of the Russian Federation, aged of 61 years

Holder of the transport pilot licence issued by the Federal Aviation Authority of Russia with validity until 26.06.2015.

Medical certificate of 1st class with marked validity until 26.06.2015.

Qualifications: MEPL for type IL-18 aircraft captain
MEPL for type AN-12 captain-instructor
MEPL for type JAK-40 captain-instructor
test pilot

Total number of flight hours: 19,430 hours, of which 7,721 hours with AN-12.

Captain:

National of the Russian Federation, aged of 58 years

Holder of the transport pilot licence issued by the Federal Aviation Authority of Russia with validity until 07.07.2015.

Medical certificate of 2nd class with marked validity until 07.07.2015.

Qualifications MEPL for type AN-12 captain-instructor
test pilot

Total number of flight hours: 7,448 hours, of which 1,150 hours with AN-12.

1.6 Information about aircraft

Type: AN12B
Registration No.: 115 29
Serial No.: 6344109
Year of manufacture: 30.06.1966
Total operating hours since manufacture: Not found

Certificate of airworthiness No. 12/13-497 issued by the Ministry of Industry and Trade of the Russian Federation, with validity until 30.05.2015.

Third-party insurance: SOGAZ – Insurance group No. 14AVK0083-01/EU, valid until 11.07.2015.

1.7 Meteorological information

N/A

1.8 Aids to navigation

N/A

1.9 Communications

The aircraft was equipped by radiocommunication equipment enabling two-way radio communication with all air stations at every moment of flight.

Radio correspondence record from Sliáč TWR:

Time 13:19:41

SABRE 04: Sliáč TWR SABRE 04, good day

TWR: SABRE 04 Sliáč TWR, good day, RWY 36 wind calm QNH1025, proceed and report initial 36

SABRE 04: Sliáč TWR SABRE 04 proceeding to initial I will report

Time 13:19:59

MIG: Sliáč tower, Mike India Golf niner one six four, requesting runway one eight for take-off

TWR: Mike India Golf niner one six four, runway one eight I call you back, and I have question. Can you tell me when you cross boundary with, hmmm, Polish, Bielorussia and Russia country?

MIG: From Polish, do you(something)..... Russia country?

TWR: Say again

MIG: For this Polish, do(something)..... Russia?

TWR: Time when you cross boundary with country Polish, Bielorussia and Russia

MIG: You mean estimated time of, eeeee, I will call you in five minutes

TWR: Tower

Time 13:21:15

SABRE 04: TWR SABRE 04 initial

TWR: SABRE 04 Sliáč TWR cleared for the break, left hand circuit clear

SABRE 04: Clear for break the left hand circuit

Time 13:21:46

MIG: Sliáč tower, Mike India Golf niner one six four request taxi

TWR: Mike India Golf niner one six four Sliáč tower, runway one eight approved and **taxi to holding point** runway one eight via charlie, recleared, follow ulpis one bravo departure.

MIG: Recleared, via charlie, taxi to holding point runway one eight and eeee, good bye

TWR: Mike India Golf niner one six four, Sliáč tower, ready for eeee ATC clearance?

MIG: Go ahead madam.

TWR: Mike India Golf niner one six four, Sliáč tower, clear to uniform uniform bravo whiskey via kulin one bravo departure, climb flight level two three zero, squawk four four five five.

MIG: Mike India Golf niner one six four, cleared to destination uniform uniform bravo whiskey via kulin one bravo, flight level two three zero and squawk four four five five

TWR: Read back correct

MIG: Thank you

Time 13:23:00

MIG: **Request line up runway one eight**

TWR: Mike India Golf niner one six four, **negative for line up**, break break, Sabre zero four, runway three six, clear to land, wind calm; Negative!!

Sab 04: Sabre zero four, cleared to land. (Note: transmitted simultaneously with the order "negative" from TWR)

TWR: **Mike India Golf niner one six four stop! Immediately stop!**

TWR: Sabre zero four, go around

Sab 04: Sabre zero four going around

1.10 Aerodrome information

The Airport LZSL is a military airport with civil operation.

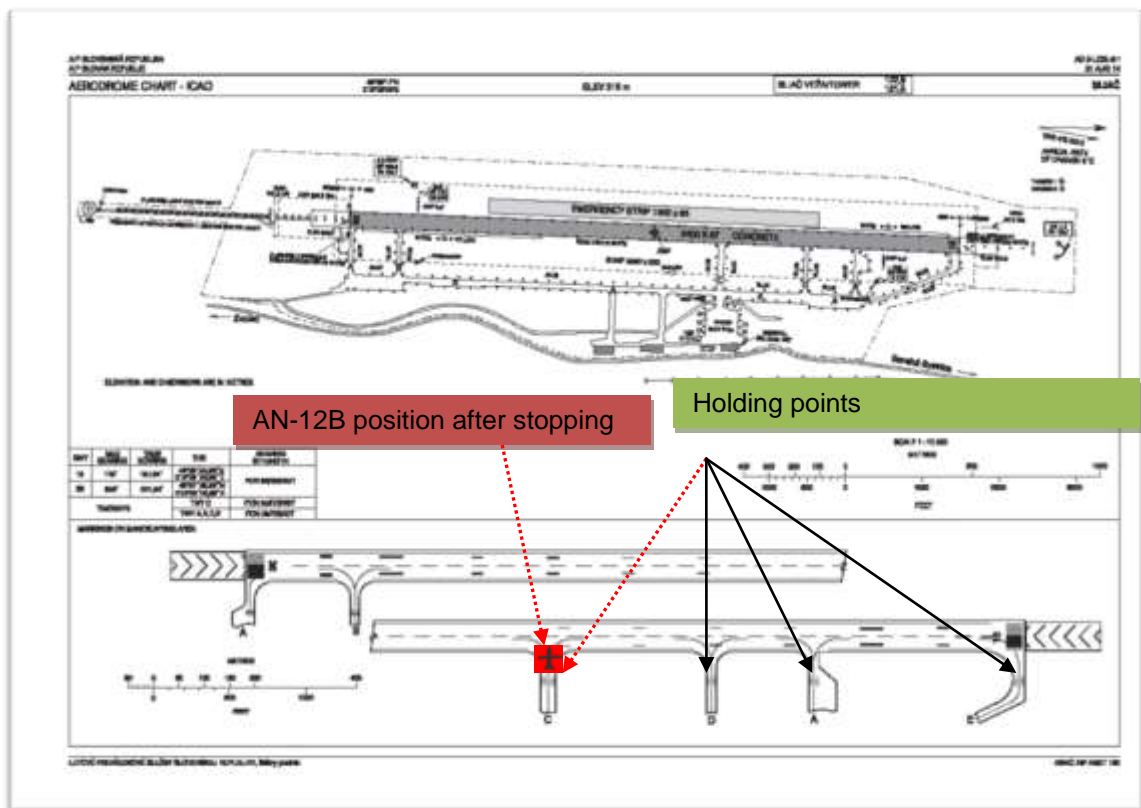


Figure No. 1

1.11 Flight recorders

N/A

1.12 Wreckage and impact information

N/A

1.13 Medical and pathological information

N/A

1.14 Fire

No fire broke out.

1.15 Survival aspects

The search and rescue operations by SAR means were not required.

1.16 Tests and research

N/A

1.17 Organizational and management information

N/A

1.18 Additional information

N/A

1.19 Useful or effective investigation techniques

Standard investigation techniques were used. The investigators heard the communication records on frequency Sliač tower 122,900MHz, as well as record of the telephone conversation between the Sliač tower, Sliač APP, the Central Air traffic services reporting office and the Department of Commercial Handling Sliač. ATC of the Airport Sliač, the crew of aircraft MIG9164 and the pilot of aircraft SABRE 04 made a written statement to the description of the incident.

2. ANALYSIS

Activity of pilot and ATC

The controller issued the taxiing order in accordance with L9432/Doc.9432, Title 4, Section 4.4.1 that provides: **“taxiing orders issued by the controller must always contain a clearance limit**, where the aircraft is obliged to stop before obtaining further clearance”. The last but one order from the controller was **“taxi to holding point RWY 18”** , by which the clearance limit was unambiguously determined, but when giving take-off clearance the controller incorrectly indicated the departure route ULPIS 1 B, which probably confused the pilot of MIG9164. At 13:23:00 the pilot of MIG9164 requested for clearance to line up RWY 18 using the phrase **“request line-up RWY 18”** , to which the controller responded by the non-standard phrase **“negative for line-up”**. Then the controller incorrectly continued by the phrase **“break break”** , making it possible for the pilot of MIG9164 to confirm the received order (it get rid of the option to Read back). Afterwards, the controller continued issuing landing clearance for SABRE 04. As the commission did not have at its disposal the voice record of radio correspondence from the aircraft it cannot be excluded that the captain of the aircraft might have overheard the first word “negative” and evaluated the order as “LINE UP”, which would correspond to the standard phraseology. However, the statements of the crew as to what order they received are ambiguous as well, and for this reason the commission relied on the communication record received from TWR. According to L4444, Section 4.5.7.5.1 (b), the pilot was obliged to repeat for the controller the RWY line up clearance, but the controller made it impossible for him when they used the phrase “break break”.

The pilot continued taxiing to RWY18 until he the controller gave him a peremptory order to immediately stop (“Mike India Golf niner one six four stop! Immediately stop!”). At that time the aircraft MIG9164 already crossed the line marking the holding point before lining up RWY (Figure No. 1). The controller of TWR correctly reacted to the situation by issuing the go-around order for SABRE 04 “Sabre zero four, go around”.

The thorough examination of the radio communication record between the crew of MIG9164 and the controller of TWR Sliač did not confirm the information from the crew members’ statements that the controlled had issued the order “Line up and wait”.

3. CONCLUSIONS / CAUSE OF SERIOUS INCIDENT

3.1 Findings

- According to submitted documentation the pilot had valid qualifications for flights with aircraft of this category
- The pilot had sufficient flying experiences for the critical flight
- The aircraft had valid documentation
- A weakness was the late delivery of the incident report to AMIA (07.11.2014).

3.2 Causes of serious incident

Non-observance of the clearance limit by the pilot of aircraft MIG9164.

Contributing factors:

- Use of non-standard phraseology by the controller of TWR
- Failure to report landing by the pilot of the aircraft (SABRE 04), which made it impossible for the pilot of MIG9164 to become aware of the situation
- Performance of a special landing manoeuvre by military operation at unsuitable moment when a civil aircraft was performing the take-off on a standard departure route.

4. SAFETY RECOMMENDATIONS

For ATC LZSL:

- To strictly use the standard phraseology in accordance with L4444
- To limit or eliminate non-standard manoeuvres of military operation in the area of responsibility of ATC at simultaneous control of a civil aircraft.

Bratislava, 02.04.2015