



U.S. Department
of Transportation
**Federal Aviation
Administration**

Southwest Region
Arkansas, Louisiana,
New Mexico, Oklahoma
Texas

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March 6, 2008

CERTIFIED MAIL - RETURN RECEIPT REQUESTED and VIA FACSIMILE

Ms. Colleen Barrett
President
Southwest Airlines Co.
P.O. Box 36611
Love Field
Dallas, TX 75235-1611

Case No. 2008SW290012

Dear Ms. Barrett:

Based on a report of investigation, it appears that:

1. Southwest Airlines Co. (SWA) holds Air Carrier Operating Certificate No. SWAA304A and Operations Specifications issued under Part 121 of the Federal Aviation Regulations (FAR) authorizing it to engage in scheduled passenger carrying operations as a domestic air carrier.

2. At all times pertinent herein, SWA operated the following aircraft in its Part 121 operations:

- a. Boeing 737, civil aircraft no. N301SW
- b. Boeing 737, civil aircraft no. N302SW
- c. Boeing 737, civil aircraft no. N303SW
- d. Boeing 737, civil aircraft no. N304SW
- e. Boeing 737, civil aircraft no. N305SW
- f. Boeing 737, civil aircraft no. N306SW
- g. Boeing 737, civil aircraft no. N308SA
- h. Boeing 737, civil aircraft no. N309SW
- i. Boeing 737, civil aircraft no. N310 SW
- j. Boeing 737, civil aircraft no. N311SW
- k. Boeing 737, civil aircraft no. N312SW
- l. Boeing 737, civil aircraft no. N313SW
- m. Boeing 737, civil aircraft no. N314SW
- n. Boeing 737, civil aircraft no. N315SW
- o. Boeing 737, civil aircraft no. N316SW
- p. Boeing 737, civil aircraft no. N318SW
- q. Boeing 737, civil aircraft no. N319SW

- r. Boeing 737, civil aircraft no. N320SW
- s. Boeing 737, civil aircraft no. N321SW
- t. Boeing 737, civil aircraft no. N322SW
- u. Boeing 737, civil aircraft no. N323SW
- v. Boeing 737, civil aircraft no. N324SW
- w. Boeing 737, civil aircraft no. N325SW
- x. Boeing 737, civil aircraft no. N326SW
- y. Boeing 737, civil aircraft no. N327SW
- z. Boeing 737, civil aircraft no. N357SW
- aa. Boeing 737, civil aircraft no. N659SW
- bb. Boeing 737, civil aircraft no. N660SW
- cc. Boeing 737, civil aircraft no. N662SW
- dd. Boeing 737, civil aircraft no. N663SW
- ee. Boeing 737, civil aircraft no. N664WN
- ff. Boeing 737, civil aircraft no. N665WN
- gg. Boeing 737, civil aircraft no. N672SW
- hh. Boeing 737, civil aircraft no. N673AA
- ii. Boeing 737, civil aircraft no. N674AA
- jj. Boeing 737, civil aircraft no. N675AA
- kk. Boeing 737, civil aircraft no. N676SW
- ll. Boeing 737, civil aircraft no. N677AA
- mm. Boeing 737, civil aircraft no. N678AA
- nn. Boeing 737, civil aircraft no. N679AA
- oo. Boeing 737, civil aircraft no. N680AA
- pp. Boeing 737, civil aircraft no. N682SW
- qq. Boeing 737, civil aircraft no. N687SW
- rr. Boeing 737, civil aircraft no. N689SW
- ss. Boeing 737, civil aircraft no. N693SW
- tt. Boeing 737, civil aircraft no. N699SW

3. Airworthiness Directive (AD) 2004-18-06, requires repetitive inspections to find fatigue cracking of certain upper and lower skin panels of the fuselage, and follow-up and corrective actions, if necessary.

4. AD 2004-18-06 is applicable to the aircraft listed in paragraph 2. These aircraft are also known as Group 3 aircraft.

5. AD 2004-18-06 required inspections at locations and intervals in accordance with procedures identified in Boeing Service Bulletin 737-53A1210, revision 1, dated October 25, 2001.

6. If there was previous compliance with AD 2002-07-08, then compliance with certain inspections required by AD 2004-18-06 was eliminated.

7. All of the aircraft listed in paragraph 2 complied with AD 2002-07-08.

8. SWA created Special Items 11485-53 and 11486-53 specifically to ensure accomplishment of the inspections required by AD 2004-18-06 that were not eliminated by compliance with AD 2002-07-08.

9. Special Items are part of SWA's Continuous Airworthiness Maintenance Program (CAMP).

10. SWA failed to incorporate all of the inspections AD 2004-18-06 required when Special Items 11485-53 and 11486-53 were incorporated into its Continuous Airworthiness Maintenance Program (CAMP).

11. SWA failed to incorporate the repetitive external detailed and eddy current inspections of Stringers 10 Left and 10 Right at Body Stations 540-597 and 663-727 at intervals not to exceed four thousand five hundred (4,500) flight cycles.

12. SWA notified the Federal Aviation Administration on March 15, 2007, that it may not have been in compliance with AD 2004-18-06 and the requirements of the AD may have been overflowed by some aircraft.

13. SWA accomplished the required inspections to bring all forty-six (46) aircraft into compliance with the requirements of AD 2004-18-06 from March 15, 2007, until March 23, 2007. Six (6) aircraft inspected were found to have fatigue cracks present.

14. SWA overflowed AD 2004-18-06 as follows:

SEE THE CHART BEGINNING ON THE NEXT PAGE

Aircraft Tail Number	Cycles AD Last Accomplished	Cycles AD Due	Cycles AD Accomplished	Cycles AD Overflown	Cycles at time FAA notified of self disclosure	Number of Cycles flown after self disclosure
N301SW	62,999	67,499	69,320	1821	69,284	36
N302SW	63,483	67,983	69,606	1623	69,565	41
N303SW	62,526	67,026	68,684	1658	68,641	43
N304SW	60,977	65,477	67,038	1561	67,019	19
N305SW	60,385	64,885	66,264	1379	66,264	0
N306SW	60,757	65,257	67,022	1765	66,987	35
N308SA	37,778	42,278	44,156	1878	44,156	0
N309SW	60,617	65,117	66,570	1453	66,553	17
N310SW	59,743	64,243	65,430	1187	65,395	35
N311SW	59,725	64,225	65,572	1347	65,542	30
N312SW	59,492	63,992	65,486	1494	65,416	70
N313SW	59,193	63,693	64,941	1248	64,903	38
N314SW	60,433	64,933	65,053	120	65,035	18
N315SW	57,701	62,201	63,636	1435	63,596	40
N316SW	58,111	62,611	64,131	1520	64,094	37
N318SW	57,370	61,870	63,387	1517	63,387	0
N319SW	55,240	59,740	61,184	1444	61,153	31
N320SW	55,763	60,263	61,864	1601	61,849	15
N321SW	55,377	59,877	61,192	1315	61,164	28
N322SW	54,709	59,209	60,794	1585	60,767	27
N323SW	54,972	59,472	60,192	720	60,153	39
N324SW	55,735	60,325	61,316	1081	61,268	48
N325SW	54,157	58,657	60,410	1753	60,410	0
N326SW	54,437	58,937	60,619	1682	60,619	0
N327SW	54,234	58,734	60,235	1501	60,213	22
N657SW	36,781	41,281	41,570	289	41,533	37
N659SW	44,588	49,088	49,219	131	49,219	0
N660SW	45,375	49,875	50,104	229	50,032	72
N662SW	49,981	54,481	55,426	945	55,378	48
N663SW	48,520	53,020	53,746	726	53,729	17
N664WN	45,109	49,609	51,141	1532	51,141	0
N665WN	43,349	47,849	49,614	1765	49,534	80
N672SW	50,726	55,226	56,994	1768	56,977	17
N673AA	53,086	57,586	59,382	1796	59,361	21
N674AA	48,355	52,855	54,543	1706	54,517	44
N675AA	53,938	58,438	58,483	45	58,453	30
N676SW	49,443	53,943	55,787	1844	55,756	31
N677AA	48,241	52,741	54,572	1831	54,511	61
N678AA	51,257	55,757	57,499	1742	57,447	52
N679AA	51,136	55,636	57,070	1431	57,004	66
N680AA	49,613	54,113	54,831	718	54,793	38
N682SW	44,516	49,016	50,471	1455	50,430	41
N687SW	45,004	49,504	51,170	1666	51,124	46
N689SW	50,960	55,460	57,012	1552	57,012	0
N693SW	49,018	53,518	54,152	634	54,100	52
N699SW	46,427	50,927	52,673	1746	52,644	29

15. SWA operated the aircraft listed in paragraph 2 at a time when AD 2004-18-06 had not been complied with for a total of sixty one thousand two hundred forty two (61,242) flight cycles.

Count I.

16. Fifty nine thousand seven hundred ninety one (59,791) of the flight cycles addressed in paragraph 16 were operated at a time when SWA was unaware of its failure to incorporate the repetitive external detailed and eddy current inspections of Stringer 10 Left and Right at Body Stations 540-597 and 663-727 at intervals not to exceed four thousand five hundred (4,500) flight cycles into Special Items 11485-53 and 11486-53.

17. The aircraft addressed in paragraph 2 were unairworthy when they were operated on the flights above because required AD inspections had not been accomplished.

18. By reason of the foregoing, SWA violated the following sections of the Federal Aviation Regulations (Title 14, Code of Federal Regulations):

- a. Section 39.7 in that SWA operated forty six (46) aircraft on fifty nine thousand seven hundred ninety one (59,791) flight cycles at a time when the aircraft did not meet the requirements of an applicable airworthiness directive.
- b. Section 121.153(a)(2), in that SWA operated forty six (46) aircraft on fifty nine thousand seven hundred ninety one (59,791) flight cycles when the aircraft were not in an airworthy condition.

Under 49 U.S.C. §46301, SWA is subject to a civil penalty not to exceed \$25,000 for each of the violations noted. After careful consideration of all available information, we are willing to accept \$200,000.00 in settlement for Count I of this matter.

Count II

19. Fourteen hundred fifty one (1451) of the flight cycles addressed in paragraph 16 were for operations after SWA became aware of its failure to incorporate the repetitive external detailed and eddy current inspections of Stringer 10 Left and Right at Body Stations 540-597 and 663-727 at intervals not to exceed four thousand five hundred (4,500) flight cycles into Special Items 11485-53 and 11486-53.

20. The aircraft addressed in paragraph in paragraph 2 were unairworthy when they were operated on the flights above because required AD inspections had not been accomplished.

By reason of the foregoing, SWA violated the following sections of the Federal Aviation Regulations (Title 14, Code of Federal Regulations):

- a. Section 39.7 in that SWA operated forty six (46) aircraft on fourteen hundred fifty one (1451) flight cycles at a time when the aircraft did not meet the requirements of an applicable airworthiness directive.

b. Section 121.153(a)(2), in that SWA operated forty six (46) aircraft on fourteen hundred fifty one (1451) flight cycles when the aircraft were not in an airworthy condition.


21. Under 49 U.S.C. §46301, SWA is subject to a civil penalty not to exceed \$25,000 for each of the violations noted. After careful consideration of all available information, we are willing to accept \$10,000,000.00 in settlement for Count 2 of this matter.

The Federal Aviation Administration is willing to accept a total of \$10,200,000.00 in settlement of Counts 1 and 2.

We will take no further action for a period of 30 days after your receipt of this letter to afford you an opportunity to submit a reply in accordance with the attached information sheet.

LYNETTE WORD
Regional Counsel
Southwest Region

By:



Yolanda Ayala Bernal
Attorney
817-222-5070

Enclosures
Information Sheet
Reply Form
List of Regional Office Locations
Request for Visit to DOT/FAA Facility