



**Federal Aviation  
Administration**

## **Press Release – FAA Proposes \$3.9 Million Civil Penalty Against The Boeing Co.**

### **For Immediate Release**

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**WASHINGTON** — The Federal Aviation Administration (FAA) has proposed a civil penalty of more than \$3.9 million against The Boeing Co. for installing nonconforming components on approximately 133 aircraft, which Boeing subsequently presented as ready for airworthiness certification.

The FAA alleges that Boeing failed to adequately oversee its suppliers to ensure they complied with the company's quality assurance system. The agency contends that this failure resulted in the installation of slat tracks that were weakened by a condition known as hydrogen embrittlement that occurred during cadmium-titanium plating.

Slat tracks are located on the leading edge of the wings of a Boeing 737 and are used to guide the movement of panels known as slats. These panels provide additional lift during takeoff and landing. The FAA further alleges that Boeing knowingly submitted aircraft for final FAA airworthiness certification after determining that the parts could not be used due to a failed strength test.

The agency alleges that the affected slat tracks were processed by Southwest United Industries (SUI), a third-tier supplier to Boeing, on June 29, 2018. SUI subsequently shipped the parts to Spirit AeroSystems, Inc. (Spirit), which then delivered the parts to Boeing.

The FAA also alleges that SUI notified Kencoa Aerospace, LLC, on July 6, 2018, that a batch of the slat tracks had failed a quality test indicating the presence of hydrogen embrittlement. Kencoa passed that information to Spirit on or about Aug. 3, 2018.

The FAA alleges that Spirit informed Boeing of the situation on or about Sept. 11, 2018, and subsequently proposed that Boeing accept the parts as delivered. On Oct. 9, 2018, Boeing rejected that proposal and instructed Spirit to submit a Notice of Escapement. Spirit filed that notice on Feb. 14, 2019, according to documents.

The FAA further alleges that from Aug. 16, 2018, through Oct. 9, 2018, Boeing certified approximately 48 aircraft potentially equipped with those slat tracks as airworthy. Between Oct. 10, 2018, and May 2, 2019, Boeing knowingly certified an additional 85 potentially affected aircraft as airworthy.

The FAA issued an Airworthiness Directive (AD) on June 10, 2019, mandating inspections proposed in a Boeing service bulletin dated June 4, 2019, of the affected aircraft. The AD specified various actions based on the ability to identify the slat tracks.

The FAA alleges that identification of the defective parts was hindered because SUI did not apply a protective coating over the part identification mark that is required to be displayed on the slat tracks. As a result, those part identification marks became either obscured or invisible, making it difficult to identify the affected parts.

The FAA alleges that Boeing failed in this instance to maintain its quality assurance system to ensure suppliers adhered to Federal Aviation Regulations.

Boeing has 30 days to respond to the FAA's letter proposing this civil penalty in the total amount of \$3,916,871.

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