



International  
Civil Aviation  
Organization

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Международная  
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منظمة الطيران  
المدني الدولي

国际民用  
航空组织

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27 June 2011

Ref.: AN 3/9

Mr. Robert Gifford  
Executive Director  
Parliamentary Advisory Council  
For Transport Safety  
United Kingdom

Captain Russ Williams FRAes  
Air Safety Group  
3rd Floor Clutha House  
10 Storey's Gate  
London, SW1P 3AY  
United Kingdom

Dear Mr. Gifford and Captain Williams,

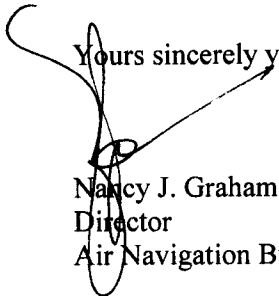
I wish to refer to the concerns raised in your letter dated 27 April 2010 addressed to the Secretary General of the International Civil Aviation Organization (ICAO) in connection with fuel tank flammability on B737 and B747 aircraft and the responsibility of the State of Design to provide mandatory continuing airworthiness information.

Please be advised that ICAO has been in consultation with the Federal Aviation Administration (FAA) over airworthiness issues of this type of aircraft, especially in cases where such aircraft is registered outside of the United States. It is my pleasure to advise you that the FAA has published SFAR 88 and issued a number of airworthiness directives (ADs) in order to correct the safety concerns over the increased risk of fuel tank explosions. You will be aware, however, that though an AD is only mandatory in the State of Design. Whereas, the State of Design issues an AD and transmits it to those Contracting States who have advised the State of Design that an aircraft is entered on their registry, it is up to State of Registry to promulgate regulations that will mandate the AD of the State of Design.

The FAA has also issued an amendment to 14 CFR parts 121 and 129 that will apply to all US-registered aeroplanes only. Concurrently, amendments to CFR 14, parts 25 and 26 were issued and would apply to US-type certificated transport category airplanes regardless of the State of Registry. In particular, CFR 14 part 26, which applies to all FAA type certificated transport category turbine-powered airplanes requires all aircraft manufacturers holding an FAA type certificate to take safety improvements actions on type design as well as on all design variations approved under the type certificate. Further information on the subject can be obtained by contacting Mr. Chris Carter, FAA Manager of International Policy Office at [Chris.Carter@faa.gov](mailto:Chris.Carter@faa.gov).

I trust that the amendments to CFR 14 parts 25 and 26, including mandated actions, address the safety concerns raised by the ASG and PACTS regarding the worldwide fleet of US type-certificated airplanes.

Yours sincerely yours,



Nancy J. Graham  
Director  
Air Navigation Bureau

cc: Representative of the United Kingdom  
on the Council of ICAO

Representative of the United States  
on the Council of ICAO