

March 1, 2011

Catherine Lang, Acting Associate Director of Airports
Federal Aviation Administration
FAA Headquarters
800 Independence Ave, SW
Washington, D.C. 20591

Dear Ms. Lang,

I am contacting you to report multiple deficiencies made by the FAA's Whistleblower Protection Program during their investigation of my complaint WB1049. Per your instructions in your 5.27.2010 letter to Tina Amereihn (see attached), FAA Director, Office of Quality, Integration, and Executive Services to "...specifically address, at a minimum, the following allegations that are raised in the complaint:

1. Runway structural irregularities..."

Winsome A. Lenfert, Manager, FAA Airport Divisions' response letter to Ron Rifenberg, Manager of the FAA's Whistleblower Protection Plan, confirms that no inspection of the runway at Memphis International Airport nor the damaged Hurricane Creek Tunnel walls holding up the runway was ever conducted by the FAA.

With an extensive library of evidence, including videos, photography and documentation validating my complaint, I am attempting to understand the charter or mission of the FAA's Whistleblower Protection Program as well as the FAA's Hotline Program. When I submit a complaint that is an immediate threat to public safety, is it legal for the FAA to defer all runway and infrastructure inspections to the local Airport Authority? Does a local Airport Authority have the Authority to certify that a runway and the infrastructure holding up the runway are safe?

Every emergency call, letter and complaint I have made or filed concerning the tunnel and runway at Memphis International Airport have either been deferred to the FAA or by the FAA. Here is a list of agencies and government officials I have contacted:

- Memphis Shelby County Airport Authority (MSCAA)
- MSCAA Commissioner, Ruby Wharton (will not respond)
- US Attorney General's Office (no response)
- Federal Bureau of Investigation (referred me to the FAA)
- Tennessee Bureau of Investigation (no response)
- Transportation Safety Administration (stated they were the wrong agency)
- Federal Aviation Administration (referred to the MSCAA)

- Department of Labor, Federal and State OSHA (referred to MSCAA)
- Memphis Mayor's Office (referred me to the MSCAA)
- Tennessee Governor's Office (stated they contacted the FAA)
- National Transportation Safety Board
- Congressman Steve Cohen (referred me to Cong. Marsha Blackburn)
- Congresswoman Marsha Blackburn (no response)
- US Senator Bob Corker (will not respond)
- US Senator Lamar Alexander (will not respond)
- Tennessee Air National Guard (no response)
- Department of Homeland Security (no response)
- Tennessee Department of Homeland Security (referred me to the TSA)
- Tennessee Department of Safety (referred me to Congressman Steve Cohen)
- Memphis Shelby County Building Code Enforcement (referred to the Memphis City Engineer.
- Memphis City Engineer (no response)
- Department of Labor, Office of the Inspector General
- FAA Whistleblower Protection Program (referred to the MSCAA)
- FAA Office of the Inspector General (referred to the MSCAA)

As a Business Continuity and Disaster Recovery Professional I have been attempting for four *years* to tell any and everyone from government agencies to the media that there *is* a problem with the tunnel beneath Runway 9/27 at Memphis International Airport. All I have asked is for any one of these agencies or individuals to go and inspect the damage for themselves.

In 2010, the Memphis Airport Authority contracted an existing vendor (*not* an impartial engineering firm), Kimley-Horn & Associates, and paid them \$70,000 to produce a study of the tunnel. The Kimley-Horn report attempted to explain the damage to the walls of the tunnel directly beneath the runway by stating that one wall was misaligned due to a misaligned concrete form when it was poured. The report never addresses the fractures of the remaining four walls nor ever states that all five fractured walls are located *directly* beneath the runway.

I am submitting this letter to you and the FAA, once again, to warn you that *all five walls* located directly beneath Runway 9/27 are damaged and in danger of collapse from the excessive weight of the runway. The Memphis Airport Authority and the Kimley-Horn engineering firm have conspired to hide this damage from the public. When the decision was made to replace the runway three weeks after FedEx Express read my study of the issue, no provisions were made to address the tunnel issue...the Memphis Airport Authority agreed to replace the old asphalt runway in time for FedEx to begin using it again by December of 2009, the start of FedEx Express' largest volume month.

The bottom line is the structural issue that existed with the tunnel before the new runway was constructed was never addressed and now the new concrete runway is almost twice as heavy as the old asphalt runway. The simple result of this overload can be seen in any of the photographs and video of the damaged walls beneath the runway (<http://www.guycobb.com/fedex.htm>).

Please address this issue by forcing the Memphis Airport Authority to allow the FAA to inspect both the runway and the damaged tunnel walls beneath the runway. I would also ask that the media be allowed to participate in the inspection as well to further validate that this damage does in fact exist.

Sincerely,

Guy Cobb
Memphis, Tennessee



The Hurricane Creek Tunnel which passes beneath Runway 9/27 has 3 interior walls and 2 outer walls. All five are badly fractured directly beneath the runway.



Tunnel's path beneath Memphis International Airport

The Memphis Airport Authority denies any of the damage you see in the photographs below of the fractured walls beneath Runway 9/27 at Memphis International Airport exists.

These are video images of the damaged walls holding up the runway at Memphis International





The survey marker of "27" in the image below designates the location under Runway 9/27









Federal Aviation Administration

Memorandum

Date:

To: Catherine Lang, Acting Associate Administrator for Airports, ARP-1

From: Tina Amereihn, Director, Office of Quality, Integration, and Executive Services, AQS-1

Prepared by: Ron Rifenberg

Subject: Whistleblower Complaint, WB1049, Federal Express Corporation

In accordance with the Whistleblower Protection Program (WBPP), 49 U.S.C. section 42121, the attached complaint alleges a violation or noncompliance of a Federal Aviation Administration (FAA) order, regulation, or standard by Federal Express Corporation. Please investigate the air carrier related safety aspects.

Investigators must contact the complainant by most expeditious means possible (phone, e-mail, etc.) to verify allegations found in the complaint, determine if there is any additional supporting evidence, if any witnesses or other employees can corroborate the alleged violation(s), and if other employees are experiencing the same or similar problems.

This complaint has been filed with the U.S. Department of Labor and the Occupational Safety and Health Administration is conducting a separate investigation concerning the allegations of discrimination. It contains confidential information that is intended only for use on a "need-to-know" basis. Unauthorized disclosure of such information may constitute a violation of the Privacy Act (5 U.S.C. section 552a) and FAA rules of conduct. Questions concerning disclosure of some or all information contained in the whistleblower complaint should be directed to the responsible regional counsel's office.

Please specifically address, at a minimum, the following allegations that are raised in the complaint:

1. Runway structural irregularities (see complaint attachment).

Additional safety issues revealed during the investigation should also be specifically addressed in the report.

Use whistleblower complaint number WB1049 in the national use block of all PTRS activities associated with this complaint.

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DATE	5/27/10
ROUTING SYMBOL	AQS-100
INITIALS	AK
DATE	5-27-10
ROUTING SYMBOL	AQS-100
INITIALS	CRF
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