authority for France, recently notified the FAA that an unsafe condition may exist on certain Airbus Model A340–211 and -311 series airplanes. The DGAC advises that there has been a report indicating that a low pressure (LP) fuel valve, part number HTE 900212, has been found on one test airplane with the internal thermal relief valve assembled in the wrong position. Additionally, an internal seal associated with this valve assembly was found to be installed in the wrong position.

The LP fuel valve is installed in the LP fuel supply line for each engine. Each LP fuel valve isolates its respective engine from the fuel supply at the front spar. The internal thermal relief valve is installed in the LP fuel valve to give protection against overpressurization of the supply line. This relief valve is set to release fuel from the engine side of the fuel supply line whenever overpressurization occurs and the LP fuel valve is in the closed position.

If the thermal relief valve and/or the internal seal is not installed in the correct position, overpressurization can occur when the engine is shut down. In the worst case, an overpressurization condition can lead to separation of a fuel pipe coupling and a subsequent leakage of fuel in the engine pylon. This situation would pose a fire hazard.

Investigation has revealed that the incorrect installation of the thermal relief valve and associate sealant occurred during production of certain airplanes. Production procedures have now been changed to ensure that all future LP valve assemblies are correctly installed.

Airbus Industrie has issued Service Bulletin A340-28-4029, Revision 1, dated September 14, 1994, which describes procedures for a one-time inspection to determine if the internal thermal relief valve is installed correctly. The inspection consists of a detailed visual inspection of the flow of fuel from the main fuel supply hose/ tube assembly. If the flow of fuel is continuous, the LP fuel valve and/or the internal seal must be replaced, and additional repairs performed if fuel pipes have been damaged. The DGAC classified this service bulletin as mandatory and issued French Airworthiness Directive (CN) 94-210-011(B), dated September 14, 1994, in order to assure the continued airworthiness of these airplanes in France.

This airplane model is manufactured in France and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.19) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, this AD is being issued to prevent overpressurization of the fuel supply line due to the incorrect positioning of the internal thermal relief valve. Such overpressurization could cause the fuel pipe coupling to separate and allow fuel to leak into the engine pylon, thus posing a fire hazard.

This AD requires a detailed visual inspection of the flow of fuel from the main fuel supply hose/tube assembly and, if necessary, replacement of the LP fuel valve and/or the internal seal and additional repairs. The actions are required to be accomplished in accordance with the service bulletin described previously.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been included in this AD to clarify this long-standing requirement.

There currently are no Model A340 series airplanes on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 6 work hours to accomplish the required inspection, at an average labor charge of \$60 per work hour. Based on these figures, the total cost impact of this AD would be \$360 per airplane.

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption ADDRESSES. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95–NM–65–AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism