

## Environmental Protection Agency

## § 203.3

203.6 Contracts for low-noise-emission products.

203.7 Post-certification testing.

203.8 Recertification.

AUTHORITY: Sec. 15, Noise Control Act, 1972, Pub. L. 92-574, 86 Stat. 1234.

SOURCE: 39 FR 6670, Feb. 21, 1974, unless otherwise noted.

### § 203.1 Definitions.

(a) As used in this part, any term not defined herein shall have the meaning given it in the Noise Control Act of 1972 (Pub. L. 92-574).

(1) *Act* means the Noise Control Act of 1972 (Pub. L. 92-574).

(2) *Federal Government* includes the legislative, executive, and judicial branches of the Government of the United States, and the government of the District of Columbia.

(3) *Administrator* means the Administrator of the Environmental Protection Agency.

(4) *Product* means any manufactured article or goods or component thereof; except that such term does not include—

(i) Any aircraft, aircraft engine, propeller or appliance, as such terms are defined in section 101 of the Federal Aviation Act of 1958; or

(ii)(a) Any military weapons or equipment which are designed for combat use; (b) any rockets or equipment which are designed for research, experimental or developmental work to be performed by the National Aeronautics and Space Administration; or (c) to the extent provided by regulations of the Administrator, any other machinery or equipment designed for use in experimental work done by or for the Federal Government.

(5) *Low-Noise-Emission Product Determination* means the Administrator's determination whether or not a product, for which a properly filed application has been received, meets the low-noise-emission product criterion.

(6) *Suitable Substitute Decision* means the Administrator's decision whether a product which the Administrator has determined to be a low-noise-emission product is a suitable substitute for a product or products presently being purchased by the Federal Government.

### § 203.2 Application for certification.

(a) Any person desiring certification of a class or model of product under section 15 of the act shall submit to the Administrator an application for certification. The application shall be completed upon such forms as the Administrator may deem appropriate and shall contain:

(1) A description of the product, including its power source, if any;

(2) Information pertaining to the test facility for the product establishing that the test facility meets all requirements which EPA may prescribe;

(3) All noise emission data from the test of the product;

(4) Data required by the Administrator relative, but not limited to, the following characteristics;

(i) Safety;

(ii) Performance Characteristics;

(iii) Reliability of product and reliability of low-noise-emission features;

(iv) Maintenance;

(v) Operating Costs;

(vi) Conformance with Federal Agency Purchase Specifications; and

(5) Such other information as the Administrator may request.

(b) Specific data requirements relative to paragraph (a)(4) of this section will be published separately from the low-noise-emission criterion for that product or class of products.

(c) The Administrator will, immediately upon receipt of the application for certification, publish in the FEDERAL REGISTER a notice of the receipt of the application. The notice will request written comments and documents from interested parties in support of, or in opposition to, certification of the class or model of product under consideration.

### § 203.3 Test procedures.

(a) The applicant shall test or cause his product to be tested in accordance with procedures contained in the regulations issued pursuant to section 6 of the act unless otherwise specified.

(b) The Administrator may conduct whatever investigation is necessary, including actual inspection of the product at a place designated by him.