

Environmental Protection Agency

§ 86.004-21

(1) The engine family certifies with a certification level of 1.9 g/bhp-hr NO_x plus NMHC or lower for all diesel-cycle engine families.

(2) All of the following must apply to the engine family:

- (i) Diesel-cycle engines only;
- (ii) 2004, 2005, and 2006 model years only;
- (iii) Must be an engine family using carry-over certification data from prior to model year 2004 where the NO_x plus the HC certification level prior to model year 2004 is below the NO_x plus NMHC or NO_x plus NMHCE standard set forth in §86.004-11. Under this option, the NO_x credits generated from this engine family prior to model year 2004 may be used as NO_x plus NMHC credits.

(1) *Additional flexibility for Otto-cycle engines.* If an Otto-cycle engine family meets the conditions of paragraph (1)(1) or (2) of this section, a discount of 1.0 may be used in the trading and banking credits calculation for NO_x plus NMHC described in paragraph (c)(1) of this section, as follows:

(1) The engine family has a FEL of 0.5 g/bhp-hr NO_x plus NMHC or lower;

(2) All of the following conditions are met:

(i) For first three consecutive model years that the engine family is certified to a NO_x plus NMHC standard contained in §86.005-10;

(ii) The engine family is certified using carry-over data from an engine family which was used to generate early NO_x credits per §86.000-15(k) where the sum of the NO_x FEL plus the HC (or hydrocarbon equivalent where applicable) certification level is below 1.0 g/bhp-hr.

[62 FR 54722, Oct. 21, 1997, as amended at 65 FR 59946, Oct. 6, 2000]

§ 86.004-16 Prohibition of defeat devices.

(a) No new heavy-duty vehicle or heavy-duty engine shall be equipped with a defeat device.

(b) The Administrator may test or require testing on any vehicle or engine at a designated location, using driving cycles and conditions which may reasonably be expected to be encountered in normal operation and use, for the

purpose of investigating a potential defeat device.

(c) [Reserved]

(d) For vehicle and engine designs designated by the Administrator to be investigated for possible defeat devices:

(1) *General.* The manufacturer must show to the satisfaction of the Administrator that the vehicle or engine design does not incorporate strategies that reduce emission control effectiveness exhibited during the Federal emissions test procedures, described in subpart N of this part, when the vehicle or engine is operated under conditions which may reasonably be expected to be encountered in normal operation and use, unless one of the specific exceptions set forth in the definition of "defeat device" in §86.004-2 has been met.

(2) *Information submissions required.* The manufacturer will provide an explanation containing detailed information (including information which the Administrator may request to be submitted) regarding test programs, engineering evaluations, design specifications, calibrations, on-board computer algorithms, and design strategies incorporated for operation both during and outside of the Federal emission test procedure described in subpart N of this part.

[65 FR 59947, Oct. 6, 2000]

§ 86.004-21 Application for certification.

Section 86.004-21 includes text that specifies requirements that differ from §86.094-21 or §86.096-21. Where a paragraph in §86.094-21 or §86.096-21 is identical and applicable to §86.004-21, this may be indicated by specifying the corresponding paragraph and the statement "[Reserved]. For guidance see §86.094-21." or "[Reserved]. For guidance see §86.096-21."

(a) through (b)(3) [Reserved]. For guidance see §86.094-21.

(b)(4)(i) For light-duty vehicles and light-duty trucks, a description of the test procedures to be used to establish the evaporative emission and/or refueling emission deterioration factors, as appropriate, required to be determined and supplied in §86.001-23(b)(2).

(b)(4)(ii) through (b)(5)(iv) [Reserved]. For guidance see §86.094-21.