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review the decision of the Presiding Officer pursuant to paragraph (v) of this section, the hearing will be deemed to have ended upon rendering of a final decision by the Environmental Appeals Board.

(aa) *Judicial review.* (1) The Administrator hereby designates the General Counsel, Environmental Protection Agency as the officer upon whom copy of any petition for judicial review shall be served. Such officer shall be responsible for filing in the court the record on which the order of the Environmental Appeals Board is based.

(2) Before forwarding the record to the court, the Agency shall advise the petitioner of costs of preparing it and as soon as payment to cover fees is made, shall forward the record to the court.

[41 FR 31483, July 28, 1976, as amended at 43 FR 4553, Feb. 2, 1978; 44 FR 61962, Oct. 29, 1979. Redesignated and amended at 49 FR 48484, Dec. 12, 1984, and further redesignated at 54 FR 2123, Jan. 19, 1989; 57 FR 5330, Feb. 13, 1992]

§ 86.615–84 Treatment of confidential information.

(a) Any manufacturer may assert that some or all of the information submitted pursuant to this subpart is entitled to confidential treatment as provided by 40 CFR part 2, subpart B.

(b) Any claim of confidentiality must accompany the information at the time it is submitted to EPA.

(c) To assert that information submitted pursuant to this subpart is confidential, a manufacturer must indicate clearly the items of information claimed confidential by marking, circling, bracketing, stamping, or otherwise specifying the confidential information. Furthermore, EPA requests, but does not require, that the submitter also provide a second copy of its submittal from which all confidential information has been deleted. If a need arises to publicly release nonconfidential information, EPA will assume that the submitter has accurately deleted the confidential information from this second copy.

(d) If a claim is made that some or all of the information submitted pursuant to this subpart is entitled to confidential treatment, the information cov-

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ered by that confidentiality claim will be disclosed by the Environmental Appeals Board only to the extent and by means of the procedures set forth in part 2, subpart B, of this chapter.

(e) Information provided without a claim of confidentiality at the time of submission may be made available to the public by EPA without further notice to the submitter, in accordance with 40 CFR 2.204(c)(2)(i)(A).

[50 FR 34798, Aug. 27, 1985. Redesignated at 54 FR 2123, Jan. 19, 1989, and amended at 57 FR 5332, Feb. 13, 1992]

Subpart H—General Provisions for In-Use Emission Regulations for 1994 and Later Model Year Light-Duty Vehicles and Light-Duty Trucks

SOURCE: 56 FR 25781, June 5, 1991, unless otherwise noted.

§ 86.701–94 General applicability.

(a) The provisions of this subpart apply to: 1994 and later model year Otto-cycle and diesel light-duty vehicles; 1994 and later model year Otto-cycle and diesel light-duty trucks; and 1994 and later model year Otto-cycle and diesel heavy-duty engines; and 2001 and later model year Otto-cycle heavy-duty vehicles and engines certified under the provisions of subpart S of this part. The provisions of subpart B of this part apply to this subpart.

(b) References in this subpart to engine families and emission control systems shall be deemed to apply to durability groups and test groups as applicable for manufacturers certifying new light-duty vehicles, light-duty trucks, and Otto-cycle heavy-duty vehicles and engines under the provisions of subpart S of this part.

[65 FR 59957, Oct. 6, 2000]

§ 86.702–94 Definitions.

The definitions in subparts A and B of this part apply to this subpart.

§ 86.703–94 Abbreviations.

The abbreviations in subparts A and B of this part apply to this subpart.