

(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 covered by that confidentiality claim will be disclosed by the Administrator 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 § 2.204(c)(2)(i)(A) of this chapter.

**Subpart B—Emission Standards and Certification Provisions**

**§ 91.101 Applicability.**

The requirements of this subpart B are applicable to all new marine spark-ignition engines subject to the provisions of subpart A of this part 91.

**§ 91.102 Definitions.**

The definitions in subpart A of this part 91 apply to this subpart. All terms not defined herein or in subpart A of this part have the meaning given them in the Act.

**§ 91.103 Averaging, banking, and trading of exhaust emission credits.**

Regulations regarding averaging, banking, and trading provisions along with applicable recordkeeping requirements are found in subpart C of this part.

**§ 91.104 Exhaust emission standards for outboard and personal watercraft engines.**

(a) New marine spark-ignition outboard and personal watercraft engines for use in the U.S. must meet the following exhaust emission standards for HC+NO<sub>x</sub>. The exhaust emission standard for each model year is provided below. It is also used as input to the calculation procedure in § 91.207 to determine compliance with the corporate average HC+NO<sub>x</sub> exhaust emission standard.

HYDROCARBON PLUS OXIDES OF NITROGEN EXHAUST EMISSION STANDARDS  
[grams per kilowatt-hour]

| Model year           | P < 4.3 kW HC+NO <sub>x</sub> emission standard by model year | P > 4.3 kW HC+NO <sub>x</sub> emission standard by model year |
|----------------------|---|---|
| 1998 .....           | 278.00  | (0.917 × (151 + 557/P <sup>0.9</sup> )) + 2.44                |
| 1999 .....           | 253.00  | (0.833 × (151 + 557/P <sup>0.9</sup> )) + 2.89                |
| 2000 .....           | 228.00  | (0.750 × (151 + 557/P <sup>0.9</sup> )) + 3.33                |
| 2001 .....           | 204.00  | (0.667 × (151 + 557/P <sup>0.9</sup> )) + 3.78                |
| 2002 .....           | 179.00  | (0.583 × (151 + 557/P <sup>0.9</sup> )) + 4.22                |
| 2003 .....           | 155.00  | (0.500 × (151 + 557/P <sup>0.9</sup> )) + 4.67                |
| 2004 .....           | 130.00  | (0.417 × (151 + 557/P <sup>0.9</sup> )) + 5.11                |
| 2005 .....           | 105.00  | (0.333 × (151 + 557/P <sup>0.9</sup> )) + 5.56                |
| 2006 and later ..... | 81.00   | (0.250 × (151 + 557/P <sup>0.9</sup> )) + 6.00                |

where:

P = the average power of an engine family in kW (sales weighted). The power of each configuration is the rated output in kilowatts as determined by SAE J1228. This

procedure has been incorporated by reference. See § 91.6.