

## Environmental Protection Agency

## §91.110

(iv) Production tolerances of the limits or stops used to establish each physically adjustable range; and

(v) Information relating to why the physical limits or stops used to establish the physically adjustable range of each parameter, or any other means used to inhibit adjustment, are effective in preventing adjustment of parameters to settings outside the manufacturer's intended physically adjustable ranges on in-use engines;

(7) Regarding the averaging, banking, and trading provisions, the information specified in §91.208;

(8) The proposed maintenance and use instructions the manufacturer will furnish to the ultimate purchaser of each new engine and the proposed emission control label;

(9) All test data, for HC, CO and NO<sub>x</sub>, obtained by the manufacturer on each test engine;

(10) A statement that the test engine(s), as described in the manufacturer's application for certification, has been tested in accordance with the applicable test procedures, utilizing the fuels and equipment described in the application, and that on the basis of such tests the engine(s) conforms to the requirements of this part; and

(11) An unconditional statement certifying that all engines in the engine family comply with all requirements of this part and the Clean Air Act.

(e) At the Administrator's request, the manufacturer must supply such additional information as may be required to evaluate the application including, but not limited to, projected marine SI engine production.

(f) (1) The Administrator may modify the information submission requirements of paragraph (d) of this section, provided the information specified therein is maintained by the engine manufacturer as required by §91.121, and amended, updated, or corrected as necessary.

(2) For the purposes of this paragraph, §91.121(a)(1) includes all information specified in paragraph (d) of this section whether or not such information is actually submitted to the Administrator for any particular model year.

(3) The Administrator may review an engine manufacturer's records at any time.

### §91.108 Certification.

(a) If, after a review of the manufacturer's submitted application, or with respect to an existing technology OB/PWC engine manufacturer's summary information submitted pursuant to §91.107(a), information obtained from any inspection, and such other information as the Administrator may require, the Administrator determines that the application or summary information is complete and that the engine family meets the requirements of this part and the Clean Air Act, the Administrator shall issue a certificate of conformity for the engine family.

(b) The Administrator shall give a written explanation when certification is denied. The manufacturer may request a hearing on a denial. (See §91.124 for procedure.)

### §91.109 Requirement of certification—closed crankcase.

(a) An engine's crankcase must be closed.

(b) For purposes of this section, *crankcase* means the housing for the crankshaft and other related internal parts.

### §91.110 Requirement of certification—prohibited controls.

(a) An engine may not be equipped with an emission control device, system, or element of design for the purpose of complying with emission standards if such device, system, or element of design will cause or contribute to an unreasonable risk to public health, welfare, or safety in its operation or function.

(b) You may not design your engines with emission-control devices, systems, or elements of design that cause or contribute to an unreasonable risk to public health, welfare, or safety while operating. For example, this would apply if the engine emits a noxious or toxic substance it would otherwise not emit that contributes to such an unreasonable risk.

[61 FR 52102, Oct. 4, 1996, as amended at 67 FR 68340, Nov. 8, 2002]