

(c) For any model year, to receive a certificate of conformity as a “Blue Sky Series” engine family must meet all the requirements in this part, while certifying to the following exhaust emission standards:

(1) 0.8 g/kW-hr HC+NO_x and 4.4 g/kW-hr CO using steady-state and transient test procedures, as described in subpart F of this part.

(2) 1.1 g/kW-hr HC+NO_x and 6.6 g/kW-hr CO using field-testing procedures, as described in subpart F of this part.

(d) If you certify an engine family under this section, it is subject to all the requirements of this part as if these voluntary standards were mandatory.

§ 1048.145 What provisions apply only for a limited time?

The provisions in this section apply instead of other provisions in this part. This section describes when these interim provisions expire.

(a) *Family banking.* You may certify an engine family to comply with Tier 1 or Tier 2 standards earlier than necessary. For each model year of early compliance for an engine family, you may delay compliance with the same standards for an equal number of engines from another engine family (or families) for one model year. If you certify engines under the voluntary standards of § 1048.140, you may not use them in your calculation under this paragraph (a). Base your calculation on actual power-weighted nationwide sales for each family. You may delay compliance for up to three model years. For example, if you sell 1,000 engines with an average power rating of 60 kW certified a year early, you may delay certification to that tier of standards for up to 60,000 kW-engine-years in any of the following ways:

(1) Delay certification of another engine family with an average power rating of 100 kW of up to 600 engines for one model year.

(2) Delay certification of another engine family with an average power rating of 100 kW of up to 200 engines for three model years.

(3) Delay certification of one engine family with an average power rating of 100 kW of up to 400 engines for one model year and a second engine family

with an average power rating of 200 kW of up to 50 engines for two model years.

(b) *Hydrocarbon standards.* For 2004 through 2006 model years, engine manufacturers may use nonmethane hydrocarbon measurements to demonstrate compliance with applicable emission standards.

(c) *Transient emission testing.* Engines rated over 560 kW are exempt from the transient emission standards in § 1048.101(a).

(d) *Tier 1 deterioration factors.* For Tier 1 engines, base the deterioration factor from § 1048.240 on 3500 hours of operation. We may assign a deterioration factor for a Tier 1 engine family, but this would not affect your need to meet all emission standards that apply.

(e) [Reserved]

(f) *Optional early field testing.* You may optionally use the field-testing procedures in subpart F of this part for any in-use testing required under subpart E of this part to show that you meet Tier 1 standards. In this case, the same Tier 1 in-use emission standards apply to both steady-state testing in the laboratory and field testing.

(g) *Small-volume provisions.* If you qualify for the hardship provisions in § 1068.250 of this chapter, we may approve extensions of up to four years total.

(h) *2004 certification.* For the 2004 model year, you may choose to have the emission standards and other requirements that apply to these engines in California serve as the emission standards and other requirements applicable under this part, instead of those in subpart A of this part. To ask for a certificate under this paragraph (h), send us the application for certification that you prepare for the California Air Resources Board instead of the information we otherwise require in § 1048.205.

(i) *Recreational vehicles.* Engines or vehicles identified in the scope of 40 CFR part 1051 that are not yet regulated under that part are excluded from the requirements of this part. For example, snowmobiles produced in 2004

are not subject to the emission standards in this part. Once emission standards apply to these engines and vehicles, they are excluded from the requirements of this part under § 1048.5(a)(1).

Subpart C—Certifying Engine Families

§ 1048.201 What are the general requirements for submitting a certification application?

(a) Send us an application for a certificate of conformity for each engine family. Each application is valid for only one model year.

(b) The application must not include false or incomplete statements or information (see § 1048.255).

(c) We may choose to ask you to send us less information than we specify in this subpart, but this would not change your recordkeeping requirements.

(d) Use good engineering judgment for all decisions related to your application (see 40 CFR 1068.5).

(e) An authorized representative of your company must approve and sign the application.

§ 1048.205 What must I include in my application?

In your application, do all the following things unless we ask you to send us less information:

(a) Describe the engine family's specifications and other basic parameters of the engine's design. List the types of fuel you intend to use to certify the engine family (for example, gasoline, liquefied petroleum gas, methanol, or natural gas).

(b) Explain how the emission-control systems operate.

(1) Describe in detail all the system components for controlling exhaust emissions, including auxiliary emission-control devices and all fuel-system components you will install on any production or test engine. Explain why any auxiliary emission-control devices are not defeat devices (see § 1048.115(g)). Do not include detailed calibrations for components unless we ask for them.

(2) Describe the evaporative emission controls.

(c) Explain how the engine diagnostic system works, describing especially the engine conditions (with the corresponding diagnostic trouble codes) that cause the malfunction-indicator light to go on. Propose what you consider to be extreme conditions under which the diagnostic system should disregard trouble codes, as described in § 1048.110.

(d) Describe the engines you selected for testing and the reasons for selecting them.

(e) Describe any special or alternate test procedures you used (see § 1048.501).

(f) Describe how you operated the engine or vehicle prior to testing, including the duty cycle and the number of engine operating hours used to stabilize emission levels. Describe any scheduled maintenance you did.

(g) List the specifications of the test fuel to show that it falls within the required ranges we specify in 40 CFR part 1065, subpart C.

(h) Identify the engine family's useful life.

(i) Propose maintenance and use instructions for the ultimate buyer of each new nonroad engine (see § 1048.125).

(j) Propose emission-related installation instructions if you sell engines for someone else to install in a piece of nonroad equipment (see § 1048.130).

(k) Identify each high-cost warranted part and show us how you calculated its replacement cost, including the estimated retail cost of the part, labor rates, and labor hours to diagnose and replace defective parts.

(l) Propose an emission control information label.

(m) Present emission data to show that you meet emission standards.

(1) Present exhaust emission data for HC, NO_x, and CO on a test engine to show your engines meet the duty-cycle emission standards we specify in § 1048.101(a) and (b). Show these figures before and after applying deterioration factors for each engine. Starting in the 2007 model year, identify the duty-cycle emission standards to which you are certifying engines in the engine family. Include test data for each type of fuel from 40 CFR part 1065, subpart C, on which you intend for engines in