

§ 1051.210

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test vehicle or engine to show your vehicles meet the emission standards we specify in subpart B of this part. Show these figures before and after applying deterioration factors for each vehicle or engine. Include test data for each type of fuel from part 1065, subpart C, of this chapter on which you intend for vehicles in the engine family to operate (for example, gasoline, liquefied petroleum gas, methanol, or natural gas). If we specify more than one grade of any fuel type (for example, a summer grade and winter grade of gasoline), you only need to submit test data for one grade, unless the regulations of this part explicitly specify otherwise for your vehicle.

(2) Present evaporative test data for HC to show your vehicles meet the evaporative emission standards we specify in subpart B of this part. Show these figures before and after applying deterioration factors for each vehicle or engine, where applicable. If you did not perform the testing, identify the source of the test data.

(3) Note that § 1051.235 and 1051.245 allows you to submit an application in certain cases without new emission data.

(l) Report all test results, including those from invalid tests or from any nonstandard tests (such as measurements based on exhaust concentrations in parts per million).

(m) Identify the engine family's deterioration factors and describe how you developed them. Present any emission test data you used for this.

(n) Describe all adjustable operating parameters and other adjustments (see § 1051.115 (c) and (d)), including the following:

(1) The nominal or recommended setting.

(2) The intended physically adjustable range, including production tolerances if they affect the range.

(3) The limits or stops used to establish adjustable ranges.

(4) The air-fuel ratios or jet chart specified in § 1051.115(d).

(o) State that you operated your test vehicles or engines according to the specified procedures and test parameters using the fuels described in the application to show you meet the requirements of this part.

(p) State unconditionally that all the vehicles (and/or engines) in the engine family comply with the requirements of this part, other referenced parts, and the Clean Air Act.

(q) Include estimates of U.S.-directed production volumes.

(r) Show us how to modify your production vehicles to measure emissions in the field (see § 1051.115).

(s) Add other information to help us evaluate your application if we ask for it.

§ 1051.210 May I get preliminary approval before I complete my application?

If you send us information before you finish the application, we will review it and make any appropriate determinations listed in § 1051.215(b)(1) through (5). Decisions made under this section are considered to be preliminary approval. We will generally not disapprove applications under § 1051.215(b)(1) through (5) where we have given you preliminary approval, unless we find new and substantial information supporting a different decision.

(a) If you request preliminary approval related to the upcoming model year or the model year after that, we will make a "best-efforts" attempt to make the appropriate determinations as soon as possible. We will generally not provide preliminary approval related to a future model year more than two years ahead of time.

(b) If we have published general guidance that serves as our determination for your situation, you may consider that to be preliminary approval.

§ 1051.215 What happens after I complete my application?

(a) If any of the information in your application changes after you submit it, amend it as described in § 1051.225.

(b) We may deny your application (that is, determine that we cannot approve it without revision) if the engine family does not meet the requirements of this part or the Act. For example:

(1) If you inappropriately use the provisions of § 1051.230(c) or (d) to define a broader or narrower engine family, we will require you to redefine your engine family.

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(2) If we determine you did not appropriately select the useful life as specified in §1051.103(c), §1051.105(c), or §1051.107(c), we will require you to lengthen it.

(3) If we determine you did not appropriately select deterioration factors under §1051.240(c), we will require you to revise them.

(4) If your proposed emission control information label is inconsistent with §1051.135, we will require you to change it (and tell you how, if possible).

(5) If you require or recommend maintenance and use instructions inconsistent with §1051.125, we will require you to change them.

(6) If we find any other problem with your application, we will tell you what the problem is, and what needs to be corrected.

(c) If we determine your application is complete and shows that the engine family meets all the requirements of this part and the Act, we will issue a certificate of conformity for your engine family for that model year. If we deny the application, we will explain why in writing. You may then ask us to hold a hearing to reconsider our decision (see §1051.820).

§ 1051.220 How do I amend the maintenance instructions in my application?

Send the Designated Officer a request to amend your application for certification for an engine family if you want to change the emission-related maintenance instructions in a way that could affect emissions. In your request, describe the proposed changes to the maintenance instructions.

(a) If you are decreasing the specified level of maintenance, you may distribute the new maintenance instructions to your customers 30 days after we receive your request, unless we disapprove your request. We may approve a shorter time or waive this requirement.

(b) If your requested change would not decrease the specified level of maintenance, you may distribute the new maintenance instructions anytime after you send your request.

(c) If you are correcting or clarifying your maintenance instructions or if you are changing instructions for

maintenance unrelated to emission controls, the requirements of this section do not apply.

§ 1051.225 How do I amend my application to include new or modified vehicles or to change an FEL?

(a) You must amend your application for certification before you take either of the following actions:

(1) Add a vehicle to a certificate of conformity.

(2) Make a design change for a certified engine family that may affect emissions or an emission-related part over the vehicle's lifetime.

(3) Modify an FEL for an engine family, as described in paragraph (f) of this section.

(b) Send the Designated Officer a request to amend the application for certification for an engine family. In your request, do all of the following:

(1) Describe the vehicle model or configuration you are adding or changing.

(2) Include engineering evaluations or reasons why the original test vehicle or engine is or is not still appropriate.

(3) If the original test vehicle or engine for the engine family is not appropriate to show compliance for the new or modified vehicle, include new test data showing that the new or modified vehicle meets the requirements of this part.

(c) You may start producing the new or modified vehicle anytime after the time at which you send us your request (for example, the day you mail your request). If we determine that the affected vehicles do not meet applicable requirements, we will require you to cease production of the vehicles and to recall and correct the vehicles at no expense to the owner. If you choose to produce vehicles under this paragraph, we will consider that to be consent to recall all vehicles that we determine do not meet applicable standards and other requirements and to remedy the nonconformity at no expense to the owner.

(d) You must give us test data within 30 days if we ask for more testing, or stop producing the vehicle if you are not able to do this. You may give us an engineering evaluation instead of test data if we agree that you can address our questions without test data.