

(10) 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 nonroad engine production.

(f)(1) The Administrator may modify the information submission requirements of paragraph (d) of this section, provided that all of the information specified therein is maintained by the engine manufacturer as required by § 89.124, and amended, updated, or corrected as necessary.

(2) For the purposes of this paragraph, § 89.124(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. At the Administrator's discretion, this review may take place either at the manufacturer's facility or at another facility designated by the Administrator.

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§ 89.116 Engine families.

(a) A manufacturer's product line is divided into engine families that are comprised of engines expected to have similar emission characteristics throughout their useful life periods.

(b) The following characteristics distinguish engine families:

- (1) Fuel;
- (2) Cooling medium;
- (3) Method of air aspiration;
- (4) Method of exhaust aftertreatment (for example, catalytic converter or particulate trap);
- (5) Combustion chamber design;
- (6) Bore;
- (7) Stroke;
- (8) Number of cylinders, (engines with aftertreatment devices only); and
- (9) Cylinder arrangement (engines with aftertreatment devices only).

(c) Upon a showing by the manufacturer that the useful life period emis-

sion characteristics are expected to be similar, engines differing in one or more of the characteristics in paragraph (b) of this section may be grouped in the same engine family.

(d) Upon a showing by the manufacturer that the expected useful life period emission characteristics will be different, engines identical in all the characteristics of paragraph (b) of this section may be divided into separate engine families.

(e)(1) This paragraph (e) applies only to the placement of Tier 1 engines with power ratings under 37 kW into engine families. The provisions of paragraphs (a) through (d) of this section also apply to these engines. The power categories referred to in this paragraph (e) are those for which separate standards or implementation dates are described in § 89.112.

(2) A manufacturer may place engines with power ratings in one power category into an engine family comprised of engines with power ratings in another power category, and consider all engines in the engine family as being in the latter power category for the purpose of determining compliance with the standards and other requirements of this part, subject to approval in advance by the Administrator and the following restrictions:

(i) The engines that have power ratings outside the engine family's power category must constitute less than half of the engine family's sales in each model year for which the engine family grouping is made; and

(ii) The engines that have power ratings outside the engine family's power category must have power ratings that are within ten percent of either of the two power levels that define the engine family's power category.

(3) The restrictions described in paragraphs (e)(2)(i) and (e)(2)(ii) of this section do not apply if the emissions standards and other requirements of this part are at least as stringent for the engine family's power category as those of the other power categories containing engines in the engine family.

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