

Environmental Protection Agency

§ 1039.107

to the FEL caps in Table 1 of this section instead of the otherwise applicable FEL caps in §1039.101(d)(1), §1039.102(e), or §1039.102(g)(2), subject to the following provisions:

(1) The provisions of this paragraph (g) apply during the model years shown in Table 1 of this section. During this period, the number of engines certified to the FEL caps in Table 1 of this section must not exceed 20 percent in any single model year in each power category. The sum of percentages over the four-year period must not exceed a total of 40 percent in each power category. If you certify an engine under an alternate FEL cap in this paragraph (g) for any pollutant, count it toward the allowed percentage of engines certified to the alternate FEL caps.

(2) If your engine is not certified to transient emission standards under the provisions of §1039.102(a)(1)(iii), you must adjust your FEL upward by a temporary compliance adjustment fac-

tor (TCAF) before calculating your negative emission credits under §1039.705, as follows:

(i) The temporary compliance adjustment factor for NO_x is 1.1.

(ii) The temporary compliance adjustment factor for PM is 1.5.

(iii) The adjusted FEL (FEL_{adj}) for calculating emission credits is determined from the steady-state FEL (FEL_{ss}) using the following equation:

$$FEL_{adj} = (FEL_{ss}) \times (TCAF)$$

(iv) The unadjusted FEL (FEL_{ss}) applies for all purposes other than credit calculation.

(3) These alternate FEL caps may not be used for phase-in engines.

(4) Do not apply TCAFs to gaseous emissions for phase-out engines that you certify to the same numerical standards (and FELs if the engines are certified using ABT) for gaseous pollutants as you certified under the Tier 3 requirements of 40 CFR part 89.

TABLE 1 OF § 1039.104—ALTERNATE FEL CAPS

Maximum engine power	PM FEL cap, g/kW-hr	Model years for the alternate PM FEL cap	NO _x FEL cap, g/kW-hr	Model years for the alternate NO _x FEL cap
19 ≤ kW < 56	0.30	¹ 2012–2015
56 ≤ kW < 130 ²	0.30	³ 2012–2015	3.8	³ 2014–2015
130 ≤ kW ≤ 560	0.20	2011–2014	3.8	2014
kW > 560 ⁴	0.10	2015–2018	3.5	2015–2018

¹ For manufacturers certifying engines under Option #1 of Table 3 of §1039.102, these alternate FEL caps apply for model years from 2013 through 2016.

² For engines below 75 kW, the FEL caps are 0.40 g/kW-hr for PM emissions and 4.4 g/kW-hr for NO_x emissions.

³ For engines certified under the provisions of § 1039.102(d)(2) or (e)(1)(ii), the alternate NO_x FEL cap in the table applies only for the 2015 model year.

⁴ For engines above 560 kW, the provision for alternate NO_x FEL caps is limited to generator-set engines. For example, if you produce 1,000 generator-set engines above 560 kW in 2015, up to 200 of them may be certified to the alternate NO_x FEL caps.

[69 FR 39213, June 29, 2004, as amended at 70 FR 40462, July 13, 2005]

§ 1039.105 What smoke standards must my engines meet?

(a) The smoke standards in this section apply to all engines subject to emission standards under this part, except for the following engines:

- (1) Single-cylinder engines.
- (2) Constant-speed engines.
- (3) Engines certified to a PM emission standard or FEL of 0.07 g/kW-hr or lower.

(b) Measure smoke as specified in §1039.501(c). Smoke from your engines may not exceed the following standards:

- (1) 20 percent during the acceleration mode.
- (2) 15 percent during the lugging mode.
- (3) 50 percent during the peaks in either the acceleration or lugging modes.

§ 1039.107 What evaporative emission standards and requirements apply?

There are no evaporative emission standards for diesel-fueled engines, or engines using other nonvolatile or non-liquid fuels (for example, natural gas). If your engine uses a volatile liquid fuel, such as methanol, you must meet the evaporative emission requirements of 40 CFR part 1048 that apply to spark-ignition engines, as follows: