

§ 85.1909 Treatment of confidential information.

(a) Any manufacturer may assert that some or all of the information submitted pursuant to this subpart is entitled to confidential treatment as provided by 40 CFR part 2, subpart B.

(b) Any claim of confidentiality must accompany the information at the time it is submitted to EPA.

(c) To assert that information submitted pursuant to this subpart is confidential, a manufacturer must indicate clearly the items of information claimed confidential by marking, circling, bracketing, stamping, or otherwise specifying the confidential information. Furthermore, EPA requests, but does not require, that the submitter also provide a second copy of its submittal from which all confidential information has been deleted. If a need arises to publicly release nonconfidential information, EPA will assume that the submitter has accurately deleted all confidential information from this second copy.

(d) If a claim is made that some or all of the information submitted pursuant to this subpart is entitled to confidential treatment, the information covered by that confidentiality claim will be disclosed by the Administrator only to the extent and by means of the procedures set forth in part 2, subpart B, of this chapter.

(e) Information provided without a claim of confidentiality at the time of submission may be made available to the public by EPA without further notice to the submitter, in accordance with 40 CFR 2.204(c)(2)(i)(A).

[50 FR 34798, Aug. 27, 1985]

Subpart U [Reserved]

Subpart V—Emissions Control System Performance Warranty Regulations and Voluntary Aftermarket Part Certification Program

AUTHORITY: Secs. 203, 207, 208, and 301(a), Clean Air Act, as amended (42 U.S.C. 7522, 7541, 7542, and 7601(a)).

SOURCE: 45 FR 34839, May 22, 1980, unless otherwise noted.

§ 85.2101 General applicability.

(a) Sections 85.2101 through 85.2111 are applicable to all 1981 and later model year light-duty vehicles and light-duty trucks.

(b) References in this subpart to engine families and emission control systems shall be deemed to apply to durability groups and test groups as applicable for manufacturers certifying new light-duty vehicles and light-duty trucks under the provisions of 40 CFR part 86, subpart S.

[64 FR 23919, May 4, 1999]

§ 85.2102 Definitions.

(a) As used in §§ 85.2101 through 85.2111 all terms not defined herein shall have the meaning given them in the Act:

(1) *Act* means Part A of Title II of the Clean Air Act, 42 U.S.C. 7421 et seq. (formerly 42 U.S.C. 1857 et seq.), as amended.

(2) *Office Director* means the Director for the Office of Mobile Sources—Office of Air and Radiation of the Environmental Protection Agency or other authorized representative of the Office Director.

(3) *Certified Part* means a part certified in accordance with the aftermarket part certification regulations contained in this subpart.

(4) *Emission Performance Warranty* means that warranty given pursuant to this subpart and section 207(b) of the Act.

(5) *Office Director-Approved Emission Test* or *Emission Short Test* means any test prescribed under 40 CFR 85.2201 et seq., and meeting all of the requirements thereunder.

(6) *Model Year* means the manufacturer's annual production period (as determined by the Office Director) which includes January 1 of such calendar year; however, if the manufacturer has no annual production period, the term "model year" shall mean the calendar year.

(7) *Original Equipment Part* means a part present in or on a vehicle at the time the vehicle is sold to the ultimate purchaser, except for components installed by a dealer which are not manufactured by the vehicle manufacturer