

§ 86.094-3

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soak emissions, the hydrogen-to-carbon ratios of the equivalent hydrocarbons are 2.33:1 and 2.2:1, respectively.

Petroleum fuel means liquid fuels normally derived from crude oil, excluding liquefied petroleum gas. Gasoline and diesel fuel are petroleum fuels.

Test weight basis means the basis on which equivalent test weight is determined in accordance with § 86.129-94 of subpart B of this part.

Useful life means:

(a) For light-duty vehicles, and for model year 1994 and later light light-duty trucks not subject to the Tier 0 standards of paragraph (a) of § 86.094-9, intermediate useful life and/or full useful life. Intermediate useful life is a period of use of 5 years or 50,000 miles, whichever occurs first. Full useful life is a period of use of 10 years or 100,000 miles, whichever occurs first, except as otherwise noted in § 86.094-9.

(b) For light light-duty trucks subject to the Tier 0 standards of paragraph (a) of § 86.094-9, and for heavy light-duty truck engine families, intermediate and/or full useful life. Intermediate useful life is a period of use of 5 years or 50,000 miles, whichever occurs first. Full useful life is a period of use of 11 years or 120,000 miles, whichever occurs first.

(c) For an Otto-cycle heavy-duty engine family, a period of use of 8 years or 110,000 miles, whichever first occurs.

(d) For a diesel heavy-duty engine family:

(1) For light heavy-duty diesel engines, period of use of 8 years or 110,000 miles, whichever first occurs.

(2) For medium heavy-duty diesel engines, a period of use of 8 years or 185,000 miles, whichever first occurs.

(3) For heavy-duty diesel engines, a period of use of 8 years or 290,000 miles, whichever first occurs, except as provided in paragraph (d)(4) of this definition.

(4) for heavy heavy-duty diesel engines used in urban buses, for the particulate standard, a period of use of 10 years or 290,000 miles, whichever first occurs.

(e) As an option for both light-duty trucks under certain conditions and heavy-duty engine families, an alternative useful life period assigned by

the Administrator under the provisions of paragraph (f) of § 86.094-21.

(f) The useful-life period for purposes of the emissions defect warranty and emissions performance warranty shall be a period of 5 years/50,000 miles, whichever first occurs, for light-duty trucks, Otto-cycle heavy-duty engines and light heavy-duty diesel engines. For all other heavy-duty diesel engines the aforementioned period is 5 years/100,000 miles, whichever first occurs. However, in no case may this period be less than the manufacturer's basic mechanical warranty period for the engine family.

[56 FR 25739, June 5, 1991, as amended at 57 FR 31897, July 17, 1992; 58 FR 4002, Jan. 12, 1993; 58 FR 9485, Feb. 19, 1993; 58 FR 15799, Mar. 24, 1993; 59 FR 48494, Sept. 21, 1994; 60 FR 34335, June 30, 1995; 60 FR 40496, Aug. 9, 1995]

§ 86.094-3 Abbreviations.

(a) The abbreviations in § 86.090-3 remain effective. The abbreviations in this section apply beginning with the 1994 model year.

(b) The abbreviations in this section apply to this subpart, and also to subparts B, E, F, H, M, N and P of this part, and have the following meanings:

ALVW—Adjusted Loaded Vehicle Weight
LPG—Liquefied Petroleum Gas
NMHC—Nonmethane Hydrocarbons
NMHCE—Non-Methane Hydrocarbon Equivalent
PM—Particulate Matter
THC—Total Hydrocarbons

[56 FR 25740, June 5, 1991, as amended at 58 FR 33208, June 16, 1993; 59 FR 48494, Sept. 21, 1994; 60 FR 34335, June 30, 1995]

§ 86.094-7 Maintenance of records; submittal of information; right of entry.

Section 86.094-7 includes text that specifies requirements that differ from § 86.091-7. Where a paragraph in § 86.091-7 is identical and applicable to § 86.094-7, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.091-7.” Where a corresponding paragraph of § 86.091-7 is not applicable, this is indicated by the statement “[Reserved].”

(a) Introductory text through (a)(2) [Reserved]. For guidance see § 86.091-7.

Environmental Protection Agency

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(a)(3) All records, other than routine emission test records, required to be maintained under this subpart shall be retained by the manufacturer for a period of eight (8) years after issuance of all certificates of conformity to which they relate. Routine emission test records shall be retained by the manufacturer for a period of one (1) year after issuance of all certificates of conformity to which they relate. Records may be retained as hard copy or reduced to microfilm, punch cards, etc., depending on the record retention procedures of the manufacturer, provided, that in every case all the information contained in the hard copy shall be retained.

(b)-(c)(2) [Reserved]. For guidance see § 86.091-7.

(c)(3) The manufacturer (or contractor for the manufacturer, if applicable) shall retain all records required to be maintained under this section for a period of eight (8) years from the due date for the end-of-model year averaging, trading, and banking reports. Records may be retained as hard copy or reduced to microfilm, ADP files, etc., depending on the manufacturer's record retention procedure, provided that in every case all the information contained in the hard copy is retained.

(c)(4)-(d)(1)(v) [Reserved]. For guidance see § 86.091-7.

(d)(1)(vi) Any facility where any record or other document relating to the information specified in paragraph (h) of this section is located.

(2) Upon admission to any facility referred to in paragraph (d)(1) of this section, any EPA Enforcement Officer or any EPA authorized representative shall be allowed:

(i) To inspect and monitor any part or aspect of such procedures, activities, and testing facilities, including, but not limited to, monitoring vehicle (or engine) preconditioning, emissions tests and mileage (or service) accumulation, maintenance, and vehicle soak and storage procedures (or engine storage procedures), and to verify correlation or calibration of test equipment;

(ii) To inspect and make copies of any such records, designs, or other documents, including those records specified in § 86.091-7(c); and

(iii) To inspect and make copies of any such records, designs or other documents including those records specified in paragraph (h) of this section; and

(iv) To inspect and/or photograph any part or aspect of any such certification vehicle (or certification engine) and any components to be used in the construction thereof.

(d)(3)-(g) [Reserved]. For guidance see § 86.091-7.

(h)(1) The manufacturer (or contractor for the manufacturer, if applicable) of any model year 1994 through 1997 light-duty vehicle or light-duty truck or model year 1994 through 1998 heavy light-duty truck that is certified shall establish, maintain, and retain the following adequately organized and indexed records for each such vehicle:

- (i) EPA engine family;
- (ii) Vehicle identification number;
- (iii) Model year and production date;
- (iv) Shipment date;
- (v) Purchaser; and
- (vi) Purchase contract.

(2) In addition, the manufacturer (or contractor for the manufacturer, if applicable) of each certified engine family shall establish, maintain, and retain adequately organized records of the actual U.S. sales volume for the model year for each engine family. The manufacturer may petition the Administrator to allow actual volume produced for U.S. sale to be used in lieu of actual U.S. sales. Such petition shall be submitted within 30 days of the end of the model year to the Manufacturer Operations Division. For the petition to be granted, the manufacturer must establish to the satisfaction of the Administrator that actual production volume is functionally equivalent to actual sales volume.

(3) The manufacturer (or contractor for the manufacturer, if applicable) shall retain all records required to be maintained under this section for a period of eight (8) years from the due date for the applicable end-of-model year report. Records may be retained as hard copy or reduced to microfilm, ADP film, etc., depending on the manufacturer's record retention procedure,

provided that in every case all the information contained in the hard copy is retained.

(4) Nothing in this section limits the Administrator's discretion in requiring the manufacturer to retain additional records or submit information not specifically required by this section.

(5) Pursuant to a request made by the Administrator, the manufacturer shall submit to him the information that is required to be retained.

(6) *Voiding a certificate.* (i) EPA may void ab initio a certificate for a vehicle certified to Tier 0 certification standards for which the manufacturer fails to retain the records required in this section or to provide such information to the Administrator upon request.

(ii) EPA may void ab initio a certificate for a 1994 or 1995 model year light-duty vehicle or light-duty truck that is not certified in compliance with the cold temperature CO standard for which the manufacturer fails to retain the records required in this section or to provide such information to the Administrator upon request.

(iii) Any voiding ab initio of a certificate under § 86.094-7(c) and paragraph (h) of this section will be made only after the manufacturer concerned has been offered an opportunity for a hearing conducted in accordance with § 86.614 for light-duty vehicles or under § 86.1014 for light-duty trucks and heavy-duty engines.

(i) Any voiding ab initio of a certificate under § 86.091-7 (c) and paragraph (h) of this section will be made only after the manufacturer concerned has been offered an opportunity for a hearing conducted in accordance with § 86.614 for light-duty vehicles or under § 86.1014 for light-duty trucks and heavy-duty engines.

[56 FR 25740, June 5, 1991, as amended at 57 FR 31897, July 17, 1992]

§ 86.094-9 Emission standards for 1994 and later model year light-duty trucks.

(a)(1) *Standards*—(i) *Light light-duty trucks.* Exhaust emission from 1994 and

later model year light light-duty trucks shall meet all standards in Tables A94-8, A94-9, A94-11 and A94-12 in the rows designated with the applicable fuel type and loaded vehicle weight, according to the implementation schedule in Tables A94-7 and A94-10 as follows (optional for 1994 through 1996 model year gaseous-fueled light light-duty trucks):

(A)(I)(i) A minimum of the percentage shown in table A94-7 of a manufacturer's sales of the applicable model year's light light-duty trucks shall not exceed the applicable Tier 1 standards in table A94-8 and shall not exceed the applicable Tier 1 standards in table A94-9. The remaining vehicles shall not exceed the applicable Tier 0 standards in table A94-9.

(ii) Optionally, a minimum of the percentage shown in table A94-7 of a manufacturer's combined sales of the applicable model year's light-duty vehicles and light light-duty trucks shall not exceed the applicable Tier 1 standards. Under this option, the light-duty vehicles shall not exceed the applicable Tier 1 standards in table A94-2 of § 86.094-8 and shall not exceed the applicable Tier 1 standards in table A94-3 of § 86.094-8. Further, the light light-duty trucks shall not exceed the applicable Tier 1 standards in table A94-8 and shall not exceed the applicable Tier 1 standards of table A94-9. The remaining percentage of the manufacturer's combined sales of the applicable model year's light-duty vehicles and light light-duty trucks shall not exceed the corresponding Tier 0 standards.

(2) A minimum of the percentage shown in table A94-10 of a manufacturer's sales of the applicable model year's light light-duty trucks shall not exceed the applicable Tier 1 standards in table A94-11 and shall not exceed the applicable Tier 1 standards in table A94-12. The remaining vehicles shall not exceed the applicable Tier 0 standards in table A94-12.