

(1) The manufacturer must select one of the following options for future applications for certification for the applicable portion of the manufacturers product-line affect by the Agency's decision:

(i) Increase future DFs calculated using the applicable durability process by the average percent-difference between certification levels and IUVP data; or

(ii) Increase the miles driven on the SRC or the aging time calculated by the BAT equation by the average percent-difference between certification levels and IUVP data, or

(iii) The manufacturer may obtain approval for a new customized durability process, as allowed in paragraph (e) of this section, that has been demonstrated to meet the durability objective.

(2) If EPA's decision to withdraw approval under the provisions of paragraph (j) of this section is based on fewer than 20 tests, the Administrator may require a smaller adjustment than specified in paragraph (k)(1)(i) or (ii) of this section.

(l) Any manufacturer may request a hearing on the Administrator's withdrawal of approval in paragraphs (j) or (k) of this section. The request must be in writing and must include a statement specifying the manufacturer's objections to the Administrator's determinations, and data in support of such objection. If, after review of the request and supporting data, the Administrator finds that the request raises a substantial factual issue, she/he must provide the manufacturer a hearing in accordance with § 86.1853-01 with respect to such issue.

[71 FR 2830, Jan. 17, 2006]

§ 86.1824-01 Durability demonstration procedures for evaporative emissions.

This section applies to gasoline-, methanol-, liquefied petroleum gas-, and natural gas-fueled LDV/Ts, MDPVs, complete heavy-duty vehicles, and heavy-duty vehicles certified under the provisions of § 86.1801-01(c). The manufacturer shall determine a durability process that will predict the expected evaporative emission deterioration of candidate in-use vehicles over

their full useful life. The manufacturer shall use good engineering judgment in determining this process.

(a) *Service accumulation method.* (1) The manufacturer shall develop a service accumulation method designed to effectively predict the deterioration of candidate in-use vehicles' evaporative emissions in actual use over its full useful life. The manufacturer shall use good engineering judgement in developing this method.

(2) The manufacturers may develop a service accumulation methods based upon whole-vehicle full-mileage accumulation, whole vehicle accelerated mileage accumulation (e.g., where 40,000 miles on a severe mileage accumulation cycle is equivalent to 100,000 miles of normal in-use driving), bench aging of individual components or systems, or other approaches approved by the Administrator.

(i) For whole vehicle mileage accumulation programs, all emission control components and systems (including both hardware and software) must be installed and operating for the entire mileage accumulation period.

(ii) Bench procedures shall simulate the aging of components or systems over the applicable useful life and shall simulate driving patterns and vehicle operational environments found in actual use. For this purpose, manufacturers may remove the emission-related components (and other components), in whole or in part, from the durability vehicle itself and deteriorate them independently. Vehicle testing for the purpose of determining deterioration factors may include the testing of durability vehicles that incorporate such bench-aged components.

(iii) For gasoline fueled vehicles certified to meet the evaporative emission standards set forth in § 86.1811-04(e)(1), any service accumulation method for evaporative emissions must employ gasoline fuel for the entire service accumulation period which contains ethanol in, at least, the highest concentration permissible in gasoline under federal law and that is commercially available in any state in the United States. Unless otherwise approved by the Administrator, the manufacturer must determine the appropriate ethanol concentration by selecting the

highest legal concentration commercially available during the calendar year before the one in which the manufacturer begins its service accumulation. The manufacturer must also provide information acceptable to the Administrator to indicate that the service accumulation method is of sufficient design, duration and severity to stabilize the permeability of all non-metallic fuel and evaporative system components to the service accumulation fuel constituents.

(iv) For flexible-fueled, dual-fueled, multi-fueled, ethanol-fueled and methanol-fueled vehicles certified to meet the evaporative emission standards set forth in § 86.1811-04(e)(1), any service accumulation method must employ fuel for the entire service accumulation period which the vehicle is designed to use and which the Administrator determines will have the greatest impact upon the permeability of evaporative and fuel system components. The manufacturer must also provide information acceptable to the Administrator to indicate that the service accumulation method is of sufficient design, duration and severity to stabilize the permeability of all non-metallic fuel and evaporative system components to service accumulation fuel constituents.

(v) A manufacturer may use other methods, based upon good engineering judgment, to meet the requirements of paragraphs (a)(2) (iii) and (iv) of this section, as applicable. These methods must be approved in advance by the Administrator and meet the objectives of paragraphs (a)(2) (iii) and (iv) of this section, as applicable: to provide assurance that the permeability of all non-metallic fuel and evaporative system components will not lead to evaporative emission standard exceedance under sustained exposure to commercially available alcohol-containing fuels for the useful life of the vehicle.

(b) *Vehicle/component selection method.* The manufacturer shall determine a vehicle and component selection procedure which results in representative test vehicles and reflects good engineering judgment.

(c) The manufacturer shall calculate a deterioration factor which is applied to the evaporative emission results of

the emission data vehicles. The deterioration factor shall be based on a linear regression, or an other regression technique approved in advance by the Administrator. The DF will be calculated to be the difference between the full life mileage evaporative level minus the stabilized mileage (e.g., 4000-mile) evaporative level from the regression analysis. The DF and the full and stabilized mileage emission levels shall be rounded to two decimal places of accuracy in accordance with the Rounding-Off Method specified in ASTM E29-93a, Standard Practice for Using Significant Digits in Test Data to Determine Conformance with Specifications (incorporated by reference, see § 86.1(b)(1)). Calculated DF values of less than zero shall be changed to zero for the purposes of this paragraph.

(d) *Emission component durability.* The manufacturer shall use good engineering judgment to determine that all emission-related components are designed to operate properly for the full useful life of the vehicles in actual use.

(e) *In-use verification.* The durability program must meet the requirements of § 86.1845-01.

(f) Information obtained under §§ 86.1845-01, 86.1846-01, 86.1847-01 or from other sources shall be used by the manufacturer in developing new durability processes and/or updating existing durability processes using good engineering judgment.

[64 FR 23925, May 4, 1999, as amended at 65 FR 6863, Feb. 10, 2000; 65 FR 59974, Oct. 6, 2000]

§ 86.1824-07 Durability demonstration procedures for evaporative emissions.

§ 86.1824-07 includes text that specifies requirements that differ from those specified in § 86.1824-01. Where a paragraph in § 86.1824-01 is identical and applicable to § 86.1824-07, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.1824-01.” This section applies to gasoline-, methanol-, natural gas- and liquefied petroleum gas-fueled LDV/TS, MDPVs, and HDVs.

(a) through (f) [Reserved]. For guidance see § 86.1824-01.

[66 FR 5192, Jan. 18, 2001]