

TABLE 2: USEFUL LIFE CATEGORIES FOR HANDHELD ENGINES (HOURS)—Continued

Class IV	50	125	300
Class V	50	125	300

(5) Data to support a manufacturer's choice of useful life category, for a given engine family, may include but are not limited to:

- (i) Surveys of the life spans of the equipment in which the subject engines are installed;
 - (ii) Engineering evaluations of field aged engines to ascertain when engine performance deteriorates to the point where usefulness and/or reliability is impacted to a degree sufficient to necessitate overhaul or replacement;
 - (iii) Warranty statements and warranty periods;
 - (iv) Marketing materials regarding engine life;
 - (v) Failure reports from engine customers; and
 - (vi) Engineering evaluations of the durability, in hours, of specific engine technologies, engine materials or engine designs.
- (b) [Reserved]

[64 FR 15238, Mar. 30, 1999, as amended at 65 FR 24307, Apr. 25, 2000]

§ 90.106 Certificate of conformity.

(a)(1) Except as provided in § 90.2(b), every manufacturer of new engines produced during or after model year 1997 must obtain a certificate of conformity covering such engines; however, engines manufactured during an annual production period beginning prior to September 1, 1996 are not required to be certified.

(2) Except as required in paragraph (b)(3) of this section, Class II engines manufactured during an annual production period beginning prior to September 1, 2000 are not required to meet Phase 2 requirements.

(b)(1) The annual production period begins either when an engine family is first produced or on January 2 of the calendar year preceding the year for which the model year is designated, whichever date is later. The annual production period ends either when the last engine is produced or on December 31 of the calendar year for which the

model year is named, whichever date is sooner.

(2) Notwithstanding paragraph (b)(1) of this section, annual production periods beginning prior to September 1, 1996 may not exceed 12 months in length.

(3) Manufacturers who commence an annual production period for a Class II engine family between January 1, 2000 and September 1, 2000 must meet Phase 2 requirements for that family only if that production period will exceed 12 months in length.

(c) Except as provided in paragraph (d) of this section, a certificate of conformity is deemed to cover the engines named in such certificate and produced during the annual production period, as defined in paragraph (b) of this section.

(d) Except as provided in paragraph (e) of this section, the certificate of conformity must be obtained from the Administrator prior to selling, offering for sale, introducing into commerce, or importing into the United States the new engine. Engines produced prior to the effective date of a certificate of conformity may also be covered by the certificate, once it is effective, if the following conditions are met:

(1) The engines conform in all respects to the engines described in the application for the certificate of conformity.

(2) The engines are not sold, offered for sale, introduced into commerce, or delivered for introduction into commerce prior to the effective date of the certificate of conformity.

(3) EPA is notified prior to the beginning of production when such production will start, and EPA is provided a full opportunity to inspect and/or test the engines during and after their production. EPA must have the opportunity to conduct SEA production line testing as if the vehicles had been produced after the effective date of the certificate.

(e) Engines that are certified by EPA prior to January 2, 1996 for model year 1997 may be delivered for introduction into commerce prior to January 2, 1996 once a certificate of conformity has been issued.

(f) Engines imported by an original equipment manufacturer after December 31 of the calendar year for which

Environmental Protection Agency

§ 90.107

the model year is named are still covered by the certificate of conformity as long as the production of the engine was completed before December 31 of that year.

[60 FR 34598, July 3, 1995, as amended at 64 FR 15238, Mar. 30, 1999]

§ 90.107 Application for certification.

(a) For each engine family, the engine manufacturer must submit to the Administrator a completed application for a certificate of conformity.

(b) The application must be approved and signed by the authorized representative of the manufacturer.

(c) The application must be updated and corrected by amendment as provided in § 90.122 to accurately reflect the manufacturer's production.

(d) *Required content.* Each application must include the following information:

(1) A description of the basic engine design including, but not limited to, the engine family specifications;

(2) An explanation of how the emission control system operates, including a detailed description of all emission control system components (Detailed component calibrations are not required to be included; they must be provided if requested, however.), each auxiliary emission control device (AECD), and all fuel system components to be installed on any production or test engine(s);

(3) Proposed test engine(s) selection and the rationale for the test engine(s) selection;

(4) Special or alternate test procedures, if applicable;

(5) The service accumulation period necessary to break in the test engine(s) and stabilize emission levels;

(6) A description of all adjustable operating parameters including the following:

(i) The nominal or recommended setting and the associated production tolerances;

(ii) The intended physically adjustable range;

(iii) The limits or stops used to establish adjustable ranges;

(iv) Production tolerances of the limits or stops used to establish each physically adjustable range;

(v) Information relating to why the physical limits or stops used to establish the physically adjustable range of each parameter, or any other means used to inhibit adjustment, are effective in preventing adjustment of parameters to settings outside the manufacturer's intended physically adjustable ranges on in-use engines; and

(vi) Information relating to altitude kits to be certified, including: a description of the altitude kit; appropriate part numbers; the altitude ranges at which the kits must be installed on or removed from the engine for proper emissions and engine performance; statements to be included in the owner's manual for the engine/equipment combination (and other maintenance related literature) that: declare the altitude ranges at which the kit must be installed or removed; and state that the operation of the engine/equipment at an altitude that differs from that at which it was certified, for extended periods of time, may increase emissions; and a statement that an engine with the altitude kit installed will meet each emission standard throughout its useful life (the rationale for this assessment must be documented and retained by the manufacturer, and provided to the Administrator upon request);

(7) The proposed engine information label;

(8) All test data obtained by the manufacturer on each test engine;

(9) A statement that the test engine(s), as described in the manufacturer's application for certification, has been tested in accordance with the applicable test procedures, utilizing the fuels and equipment required under subparts D and E of this part, and that on the basis of such tests the engine(s) conforms to the requirements of this part;

(10) An unconditional statement certifying that all engines in the engine family comply with all requirements of this part and the Clean Air Act;

(11) This paragraph (d)(11) is applicable only to Phase 2 engines.

(i) Engine manufacturers participating in the averaging, banking and