

## Environmental Protection Agency

## § 91.112

(e) At the Administrator's request, the manufacturer must supply such additional information as may be required to evaluate the application including, but not limited to, projected marine SI engine production.

(f) (1) The Administrator may modify the information submission requirements of paragraph (d) of this section, provided the information specified therein is maintained by the engine manufacturer as required by § 91.121, and amended, updated, or corrected as necessary.

(2) For the purposes of this paragraph, § 91.121(a)(1) includes all information specified in paragraph (d) of this section whether or not such information is actually submitted to the Administrator for any particular model year.

(3) The Administrator may review an engine manufacturer's records at any time.

### § 91.108 Certification.

(a) If, after a review of the manufacturer's submitted application, or with respect to an existing technology OB/PWC engine manufacturer's summary information submitted pursuant to § 91.107(a), information obtained from any inspection, and such other information as the Administrator may require, the Administrator determines that the application or summary information is complete and that the engine family meets the requirements of this part and the Clean Air Act, the Administrator shall issue a certificate of conformity for the engine family.

(b) The Administrator shall give a written explanation when certification is denied. The manufacturer may request a hearing on a denial. (See § 91.124 for procedure.)

### § 91.109 Requirement of certification—closed crankcase.

(a) An engine's crankcase must be closed.

(b) For purposes of this section, *crankcase* means the housing for the crankshaft and other related internal parts.

### § 91.110 Requirement of certification—prohibited controls.

(a) An engine may not be equipped with an emission control device, system, or element of design for the purpose of complying with emission standards if such device, system, or element of design will cause or contribute to an unreasonable risk to public health, welfare, or safety in its operation or function.

(b) You may not design your engines with emission-control devices, systems, or elements of design that cause or contribute to an unreasonable risk to public health, welfare, or safety while operating. For example, this would apply if the engine emits a noxious or toxic substance it would otherwise not emit that contributes to such an unreasonable risk.

[61 FR 52102, Oct. 4, 1996, as amended at 67 FR 68340, Nov. 8, 2002]

### § 91.111 Requirement of certification—prohibition of defeat devices.

(a) An engine may not be equipped with a defeat device.

(b) For purposes of this section, *defeat device* means any device, system, or element of design which senses operation outside normal emission test conditions and reduces emission control effectiveness.

(1) Defeat device includes any auxiliary emission control device (AECD) that reduces the effectiveness of the emission control system under conditions which may reasonably be expected to be encountered in normal operation and use, unless such conditions are included in the test procedure.

(2) Defeat device does not include such items which either operate only during engine starting or are necessary to protect the engine (or vehicle or equipment in which it is installed) against damage or accident during its operation.

### § 91.112 Requirement of certification—adjustable parameters.

(a) Engines equipped with adjustable parameters must comply with all requirements of this subpart for any adjustment in the physically available range.

(b) An operating parameter is not considered adjustable if it is permanently sealed by the manufacturer or otherwise not normally accessible using ordinary tools.

(c) The Administrator may require that adjustable parameters be set to any specification within the adjustable range during certification, production line testing, selective enforcement auditing or any in-use testing to determine compliance with the requirements of this part.

**§91.113 Requirement of certification—emission control information label and engine identification number.**

(a) The engine manufacturer must affix at the time of manufacture a permanent and legible label identifying each engine. The label must meet the following requirements:

(1) Be attached in such a manner that it cannot be removed without destroying or defacing the label;

(2) Be durable and readable for the entire engine life;

(3) Be secured to an engine part necessary for normal engine operation and not normally requiring replacement during engine life;

(4) Be written in English; and

(5) Be located so as to be readily visible to the average person after the engine is installed in the marine vessel.

(b) If the marine vessel obscures the label on the engine, the marine vessel manufacturer must attach a supplemental label so that this label is readily visible to the average person. The supplemental label must:

(1) Be attached in such a manner that it cannot be removed without destroying or defacing the label;

(2) Be secured to a marine vessel part necessary for normal operation and not normally requiring replacement during the marine vessel life; and

(3) Be identical to the label which was obscured.

(c) The label must contain the following information:

(1) The heading “Emission Control Information;”

(2) The full corporate name and trademark of the engine manufacturer;

(3) The statement, “This (vessel’s engine or engine, as applicable) is cer-

tified to operate on (specify operating fuel(s));”

(4) Identification of the Exhaust Emission Control System (Abbreviations may be used and must conform to the nomenclature and abbreviations provided in SAE J1930. This procedure has been incorporated by reference. See §91.6.;

(5) All engine lubricant requirements;

(6) date of manufacture [day(optional), month and year];

(7) The statement “This engine conforms to [model year] U.S. EPA regulations for marine SI engines.”;

(8) Family Emission Limits (FELs);

(9) EPA standardized engine family designation;

(10) Engine displacement [in cubic centimeters]; and

(11) Advertised power;

(12) Engine tuneup specifications and adjustments. These should indicate the proper transmission position during tuneup, and accessories, if any, that should be in operation;

(13) Fuel requirements;

(14) Other information concerning proper maintenance and use or indicating compliance or noncompliance with other standards may be indicated on the label.

(d) If there is insufficient space on the engine to accommodate a label including all the information required in paragraph (c) of this section, the manufacturer may delete or alter the label as indicated in this paragraph. The information deleted from the label must appear in the owner’s manual.

(1) Exclude the information required in paragraphs (c) (3), (4), and (5) of this section. The fuel or lubricant may be specified elsewhere on the equipment.

(2) Exclude the information required by paragraph (c)(6) of this section, if the date the engine was manufactured is stamped on the engine.

(3) For existing technology OB/PWC only, exclude the information required by paragraphs (c) (10), (11), (13), and (14) of this section.

(e) The Administrator may, upon request, waive or modify the label content requirements of paragraphs (c) and (d) of this section, provided that the intent of such requirements is met.

(f) Engine Identification Number. Each engine must have a legible,