

Environmental Protection Agency

§ 94.5

NIST—National Institute for Standards and Testing.
 NMHC—Non-methane hydrocarbons.
 NTIS—National Technical Information Service.
 NO—nitric oxide.
 NO₂—nitrogen dioxide.
 NO_x—oxides of nitrogen.
 No.—number.
 O₂—oxygen.
 pct—percent.
 PM—particulate matter.
 PMM—post-manufacture marinizer.
 ppm—parts per million by volume.
 ppmC—parts per million, carbon.
 rpm—revolutions per minute.
 s—second(s).
 SAE—Society of Automotive Engineers.
 SEA—Selective Enforcement Auditing.
 SI—International system of units (i.e., metric).
 THC—Total hydrocarbon.
 THCE—Total hydrocarbon equivalent.
 U.S.—United States.
 U.S.C.—United States Code.
 vs—versus.
 W—watt(s).
 wt—weight.

§ 94.4 Treatment of confidential information.

(a) Any manufacturer may assert that some or all of the information submitted pursuant to this part 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 part is confidential, a person or 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 the confidential information from this second copy.

(d) If a claim is made that some or all of the information submitted pursuant to this part is entitled to confidential treatment, the information covered by that confidentiality claim will be disclosed by EPA only to the extent and by means of the procedures set forth in 40 CFR part 2, subpart B.

(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).

§ 94.5 Reference materials.

We have incorporated by reference the documents listed in this section. The Director of the Federal Register approved the incorporation by reference as prescribed in 5 U.S.C. 552(a) and 1 CFR part 51. Anyone may inspect copies at the U.S. EPA, Air and Radiation Docket and Information Center, 1301 Constitution Ave., NW., Room B102, EPA West Building, Washington, DC 20460 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(a) *ASTM material.* Table 1 of § 94.5 lists material from the American Society for Testing and Materials that we have incorporated by reference. The first column lists the number and name of the material. The second column lists the sections of this part where we reference it. Anyone may purchase copies of these materials from the American Society for Testing and Materials, 100 Barr Harbor Dr., PO Box C700, West Conshohocken, PA 19428. Table 1 follows:

TABLE 1 OF § 94.5—ASTM MATERIALS

Document No. and name	Part 94 reference
ASTM D 86-01, Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.	94.108
ASTM D 93-02, Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester.	94.108
ASTM D 129-00, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method).	94.108