

## Environmental Protection Agency

## § 1042.325

a proportional sample from each engine family, with testing distributed evenly over the course of the model year, unless we specify a different schedule for your tests. For example, we may require you to disproportionately select engines from the early part of a model year for a new engine model that has not previously been subject to production-line testing.

(c) For each engine that fails to meet emission standards, test two engines from the same engine family from the next fifteen engines produced or within seven days, whichever is later. If an engine fails to meet emission standards for any pollutant, count it as a failing engine under this paragraph (c).

(d) Continue testing until one of the following things happens:

(1) You test the number of engines specified in paragraphs (a) and (c) of this section.

(2) The engine family does not comply according to §1042.315 or you choose to declare that the engine family does not comply with the requirements of this subpart.

(3) You test 30 engines from the engine family.

(e) You may elect to test more randomly chosen engines than we require under this section.

### §1042.315 Determining compliance.

This section describes the pass-fail criteria for the production-line testing requirements. We apply these criteria on an engine-family basis. See §1042.320 for the requirements that apply to individual engines that fail a production-line test.

(a) Calculate your test results as follows:

(1) *Initial and final test results.* Calculate the test results for each engine. If you do several tests on an engine, calculate the initial test results, then add them together and divide by the number of tests for the final test results on that engine. Include the Green Engine Factor to determine low-hour emission results, if applicable.

(2) *Final deteriorated test results.* Apply the deterioration factor for the engine family to the final test results (see §1042.240(c)).

(3) *Round deteriorated test results.* Round the results to one more decimal

place than the applicable emission standard.

(b) If a production-line engine fails to meet emission standards and you test two additional engines as described in §1042.310, calculate the average emission level for each pollutant for the three engines. If the calculated average emission level for any pollutant exceeds the applicable emission standard, the engine family fails the production-line testing requirements of this subpart. Tell us within ten working days if this happens. You may request to amend the application for certification to raise the FEL of the engine family as described in §1042.225(f).

### §1042.320 What happens if one of my production-line engines fails to meet emission standards?

(a) If you have a production-line engine with final deteriorated test results exceeding one or more emission standards (see §1042.315(a)), the certificate of conformity is automatically suspended for that failing engine. You must take the following actions before your certificate of conformity can cover that engine:

(1) Correct the problem and retest the engine to show it complies with all emission standards.

(2) Include in your written report a description of the test results and the remedy for each engine (see §1042.345).

(b) You may request to amend the application for certification to raise the FEL of the entire engine family at this point (see §1042.225).

(c) For catalyst-equipped engines, you may ask us to allow you to exclude an initial failed test if all of the following are true:

(1) The catalyst was in a green condition when tested initially.

(2) The engine met all emission standards when retested after degreening the catalyst.

(3) No additional emission-related maintenance or repair was performed between the initial failed test and the subsequent passing test.

### §1042.325 What happens if an engine family fails the production-line testing requirements?

(a) We may suspend your certificate of conformity for an engine family if it