

Subpart G—Special Compliance Provisions

§ 1042.601 General compliance provisions for marine engines and vessels.

Engine and vessel manufacturers, as well as owners, operators, and rebuilders of engines and vessels subject to the requirements of this part, and all other persons, must observe the provisions of this part, the requirements and prohibitions in 40 CFR part 1068, and the provisions of the Clean Air Act. The provisions of 40 CFR part 1068 apply for compression-ignition marine engines as specified in that part, subject to the following provisions:

(a) The following prohibitions apply with respect to recreational marine engines and recreational vessels:

(1) Installing a recreational marine engine in a vessel that is not a recreational vessel is a violation of 40 CFR 1068.101(a)(1).

(2) For a vessel with an engine that is certified and labeled as a recreational marine engine, using it in a manner inconsistent with its intended use as a recreational vessel violates 40 CFR 1068.101(a)(1), except as allowed by this chapter.

(b) Subpart I of this part describes how the prohibitions of 40 CFR 1068.101(a)(1) apply for remanufactured engines. The provisions of 40 CFR 1068.105 do not allow the installation of a new remanufactured engine in a vessel that is defined as a “new vessel” unless the remanufactured engine is subject to the same standards as the standards applicable to freshly manufactured engines of the required model year.

(c) The provisions of 40 CFR 1068.120 apply when rebuilding marine engines, except as specified in subpart I of this part. The following additional requirements also apply when rebuilding marine engines equipped with exhaust aftertreatment:

(1) Follow all instructions from the engine manufacturer and aftertreatment manufacturer for checking, repairing, and replacing aftertreatment components. For example, you must replace the catalyst if the catalyst assembly is stamped with a build date more than ten years ago

and the manufacturer’s instructions state that catalysts over ten years old must be replaced when the engine is rebuilt.

(2) Measure pressure drop across the catalyst assembly to ensure that it is neither higher nor lower than the manufacturer’s specifications and repair or replace exhaust-system components as needed to bring the pressure drop within the manufacturer’s specifications.

(3) For engines equipped with exhaust sensors, verify that sensor outputs are within the manufacturer’s recommended range and repair or replace any malfunctioning components (sensors, catalysts, or other components).

(d) The provisions of § 1042.635 for the national security exemption apply instead of 40 CFR 1068.225.

(e) For replacement engines, apply the provisions of 40 CFR 1068.240 as described in § 1042.615.

(f) For the purpose of meeting the defect-reporting requirements in 40 CFR 1068.501, if you manufacture other nonroad engines that are substantially similar to your marine engines, you may consider defects using combined marine and non-marine families.

(g) For a marine engine labeled as requiring the use of ultra low-sulfur diesel fuel, is a violation of 40 CFR 1068.101(b)(1) to operate it with higher-sulfur fuel. It is also a violation of 40 CFR 1068.101(b)(1) if an engine installer or vessel manufacturer fails to follow the engine manufacturer’s emission-related installation instructions when installing a certified engine in a marine vessel.

§ 1042.605 Dressing engines already certified to other standards for nonroad or heavy-duty highway engines for marine use.

(a) *General provisions.* If you are an engine manufacturer (including someone who marinizes a land-based engine), this section allows you to introduce new marine engines into U.S. commerce if they are already certified to the requirements that apply to compression-ignition engines under 40 CFR parts 85 and 86 or 40 CFR part 89, 92, 1033, or 1039 for the appropriate model year. If you comply with all the provisions of this section, we consider the certificate issued under 40 CFR part 86,