

(e) We may require you to test a second engine of the same or different configuration in addition to the engine tested under this section. If we require you to test the same configuration, average the results of the testing with previous results, unless we determine that your previous results are not valid.

(f) Use good engineering judgment for all aspects of the baseline determination. We may reject your baseline if we determine that you did not use good engineering judgment, consistent with the provisions of 40 CFR 1068.5.

§ 1042.830 Labeling.

(a) At the time of remanufacture, affix a permanent and legible label identifying each engine. The label must be—

(1) Attached in one piece so it is not removable without being destroyed or defaced.

(2) Secured to a part of the engine needed for normal operation and not normally requiring replacement.

(3) Durable and readable for the engine's entire useful life.

(4) Written in English.

(b) The label must—

(1) Include the heading "EMISSION CONTROL INFORMATION".

(2) Include your full corporate name and trademark.

(3) Include EPA's standardized designation for the engine family.

(4) State the engine's category, displacement (in liters or L/cyl), maximum engine power (in kW), and power density (in kW/L) as needed to determine the emission standards for the engine family. You may specify displacement, maximum engine power, and power density as ranges consistent with the ranges listed in § 1042.101. See § 1042.140 for descriptions of how to specify per-cylinder displacement, maximum engine power, and power density.

(5) State: "THIS MARINE ENGINE COMPLIES WITH 40 CFR 1042, SUBPART I, FOR [CALENDAR YEAR OF REMANUFACTURE]."

(c) You may add information to the emission control information label to identify other emission standards that the engine meets or does not meet (such as international standards). You

may also add other information to ensure that the engine will be properly maintained and used.

(d) You may ask us to approve modified labeling requirements in this section if you show that it is necessary or appropriate. We will approve your request if your alternate label is consistent with the intent of the labeling requirements of this section.

§ 1042.835 Certification of remanufactured engines.

(a) *General requirements.* See §§ 1042.201, 1042.210, 1042.220, 1042.225, 1042.250, and 1042.255 for the general requirements related to obtaining a certificate of conformity. See § 1042.836 for special certification provisions for remanufacturing systems certified for locomotive engines under 40 CFR 1033.936.

(b) *Applications.* See § 1042.840 for a description of what you must include in your application.

(c) *Engine families.* See § 1042.845 for instruction about dividing your engines into engine families.

(d) *Test data.* (1) Measure baseline emissions for the test configuration as specified in § 1042.825.

(2) Measure emissions from the test engine for your remanufacturing system according to the procedures of subpart F of this part.

(3) We may measure emissions from any of your test engines or other engines from the engine family, as follows:

(i) We may decide to do the testing at your plant or any other facility. If we do this, you must deliver the test engine to a test facility we designate. The test engine you provide must include appropriate manifolds, aftertreatment devices, electronic control units, and other emission-related components not normally attached directly to the engine block. If we do the testing at your plant, you must schedule it as soon as possible and make available the instruments, personnel, and equipment we need.

(ii) If we measure emissions from one of your test engines, the results of that testing become the official emission results for the engine. Unless we later invalidate these data, we may decide not to consider your data in determining if

your engine family meets applicable requirements.

(iii) Before we test one of your engines, we may set its adjustable parameters to any point within the specified adjustable ranges (see § 1042.115(d)).

(iv) Before we test one of your engines, we may calibrate it within normal production tolerances for anything we do not consider an adjustable parameter.

(4) You may ask to use emission data from a previous model year instead of doing new tests, but only if all the following are true:

(i) The engine family from the previous model year differs from the current engine family only with respect to model year or other characteristics unrelated to emissions. You may also ask to add a configuration subject to § 1042.225.

(ii) The emission-data engine from the previous model year remains the appropriate emission-data engine.

(iii) The data show that the emission-data engine would meet all the requirements that apply to the engine family covered by the application for certification.

(5) We may require you to test a second engine of the same or different configuration in addition to the engine tested under this section.

(6) If you use an alternate test procedure under 40 CFR 1065.10 and later testing shows that such testing does not produce results that are equivalent to the procedures specified in subpart F of this part, we may reject data you generated using the alternate procedure.

(e) *Demonstrating compliance.* (1) For purposes of certification, your engine family is considered in compliance with the emission standards in § 1042.820 if all emission-data engines representing that family have test results showing compliance with the standards and percent reductions required by that section. To compare emission levels from the emission-data engine with the applicable emission standards, apply an additive deterioration factor of 0.015 g/kW-hr to the measured emission levels for PM. Alternatively, you may test your engine as specified in § 1042.245 to develop deterioration factors that represent the de-

terioration expected in emissions over your engines' full useful life.

(2) Collect emission data using measurements to one more decimal place than the applicable standard. Apply the deterioration factor to the official emission result, then round the adjusted figure to the same number of decimal places as the emission standard. Compare the rounded emission levels to the emission standard for each emission-data engine.

(3) Your applicable NO_x standard for each configuration is the baseline NO_x emission rate for that configuration plus 5.0 percent (to account for test-to-test and engine-to-engine variability). Your applicable PM standard for each configuration is the baseline PM emission rate for that configuration multiplied by 0.750 plus the deterioration factor. If you choose to include configurations in your engine family for which you do not measure baseline emissions, you must demonstrate through engineering analysis that your remanufacturing system will reduce PM emissions by at least 25.0 percent for those configurations and not increase NO_x emissions.

(4) Your engine family is deemed not to comply if any emission-data engine representing that family for certification has test results showing a deteriorated emission level above an applicable emission standard for any pollutant.

(f) *Safety Evaluation.* You must exercise due diligence in ensuring that your system will not adversely affect safety or otherwise violate the prohibition of § 1042.115(e).

(g) *Compatibility Evaluation.* If you are not the original manufacturer of the engine, you must contact the original manufacturer of the engine to verify that your system is compatible with the engine. Keep records of your contact with the original manufacturer.

§ 1042.836 Marine certification of locomotive remanufacturing systems.

If you certify a Tier 0, Tier 1, or Tier 2 remanufacturing system for locomotives under 40 CFR part 92 or part 1033, you may also certify the system under this part 1042, according to the provisions of this section.