

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.

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(a) Include the following with your application for certification under 40 CFR part 1033:

(1) A statement of your intent to use your remanufacturing system for marine engines. Include a list of marine engine models for which your system may be used.

(2) If there are significant differences in how your remanufacture system will be applied to marine engines relative to locomotives, in an engineering analysis demonstrating that your system will achieve emission reductions from marine engines similar to those from locomotives.

(3) A description of modifications needed for marine applications.

(4) A demonstration of availability as described in §1042.815, except that the total marginal cost threshold does not apply.

(5) An unconditional statement that all the engines in the engine family comply with the requirements of this part, other referenced parts of the CFR, and the Clean Air Act.

(b) Sections 1042.835 and 1042.840 do not apply for engines certified under this section.

(c) Systems certified under 40 CFR part 92 are subject to the following restrictions:

(1) Tier 0 locomotives systems may not be used for any Category 1 engines or Tier 1 or later Category 2 engines.

(2) Where systems certified under 40 CFR part 1033 are also available for an engine, you may not use a system certified under 40 CFR part 92.

§ 1042.840 Application requirements for remanufactured engines.

This section specifies the information that must be in your application, unless we ask you to include less information under §1042.201(c). We may require you to provide additional information to evaluate your application.

(a) Describe the engine family's specifications and other basic parameters of the engine's design and emission controls. List the fuel type on which your engines are designed to operate (for example, ultra low-sulfur diesel fuel). List each distinguishable engine configuration in the engine family. For each engine configuration, list the maximum engine power and the range

of values for maximum engine power resulting from production tolerances, as described in §1042.140.

(b) Explain how the emission control system operates. Describe in detail all system components for controlling exhaust emissions, including any auxiliary emission control devices (AECDs) you add to the engine. Identify the part number of each component you describe.

(c) Summarize your cost effectiveness analysis used to demonstrate your system will meet the availability criteria of §1042.815. Identify the maximum allowable costs for vessel modifications to meet these criteria.

(d) Describe the engines you selected for testing and the reasons for selecting them.

(e) Describe the test equipment and procedures that you used, including the duty cycle(s) and the corresponding engine applications. Also describe any special or alternate test procedures you used.

(f) Describe how you operated the emission-data engine before testing, including the duty cycle and the number of engine operating hours used to stabilize emission levels. Explain why you selected the method of service accumulation. Describe any scheduled maintenance you did.

(g) List the specifications of the test fuel to show that it falls within the required ranges we specify in 40 CFR part 1065. See §1042.801 if your certification is based on the use of special fuels or additives.

(h) Identify the engine family's useful life.

(i) Include the maintenance and warranty instructions you will give to the owner/operator (see §§1042.120 and 1042.125).

(j) Include the emission-related installation instructions you will provide if someone else installs your engines in a vessel (see §1042.130).

(k) Describe your emission control information label (see §1042.830).

(l) Identify the engine family's deterioration factors and describe how you developed them (see §1042.245). Present any emission test data you used for this.

(m) State that you operated your emission-data engines as described in