

§ 86.001-30

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fuel systems inherently low in refueling emissions are not required to conduct testing to demonstrate compliance with the refueling emission standards set forth in §§ 86.098-8, 86.099-8 or 86.001-9: Provided, that—

(i) This provision is only available for petroleum diesel fuel. It is only available if the Reid Vapor Pressure of in-use diesel fuel is equal to or less than 1 psi (7 Kpa) and for diesel vehicles whose fuel tank temperatures do not exceed 130 °F (54 °C); and

(ii) To certify using this provision the manufacturer must attest to the following evaluation: “Due to the low vapor pressure of diesel fuel and the vehicle tank temperatures, hydrocarbon vapor concentrations are low and the vehicle meets the 0.20 grams/gallon refueling emission standard without a control system.”

(2) The certification required in paragraph (g)(1)(ii) of this section must be provided in writing and must apply for the full useful life of the vehicle.

(3) EPA reserves the authority to require testing to enforce compliance and to prevent noncompliance with the refueling emission standard.

(4) Vehicles certified to the refueling emission standard under this provision shall not be counted in the sales percentage compliance determinations for the 2001, 2002 and subsequent model years.

(h) Fixed liquid level gauge waiver. Liquefied petroleum gas-fueled vehicles which contain fixed liquid level gauges or other gauges or valves which can be opened to release fuel or fuel vapor during refueling, and which are being tested for refueling emissions, are not required to be tested with such gauges or valves open, as outlined in § 86.157-98(d)(2), provided the manufacturer can demonstrate, to the satisfaction of the Administrator, that such gauges or valves would not be opened during refueling in-use due to inaccessibility or other design features that would prevent or make it very unlikely that such gauges or valves could be opened.

[61 FR 54888, Oct. 22, 1996]

§ 86.001-30 Certification.

Section 86.001-30 includes text that specifies requirements that differ from § 86.094-30, § 86.095-30 or § 86.098-30.

Where a paragraph in § 86.094-30, § 86.095-30 or § 86.098-30 is identical and applicable to § 86.001-30, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.094-30.” or “[Reserved]. For guidance see § 86.095-30.” or “[Reserved]. For guidance see § 86.098-30.”.

(a)(1) and (a)(2) [Reserved]. For guidance see § 86.094-30.

(a)(3)(i) [Reserved]. For guidance see § 86.098-30.

(a)(3)(ii)–(a)(4)(ii) [Reserved]. For guidance see § 86.095-30.

(a)(4)(iii) introductory text through (a)(4)(iii)(C) [Reserved]. For guidance see § 86.094-30.

(a)(4)(iv) introductory text [Reserved]. For guidance see § 86.095-30.

(a)(4)(iv)(A)–(a)(9) [Reserved]. For guidance see § 86.094-30.

(a)(10) and (a)(11) [Reserved]. For guidance see § 86.098-30.

(a)(12) [Reserved]. For guidance see § 86.094-30.

(a)(13) [Reserved]. For guidance see § 86.095-30.

(a)(14) [Reserved]. For guidance see § 86.094-30.

(a) (15)–(18) [Reserved]. For guidance see § 86.096-30.

(a)(19) [Reserved]. For guidance see § 86.098-30.

(a)(20) For all light-duty trucks certified to refueling emission standards under § 86.001-9, the provisions of paragraphs (a)(20) (i)–(iii) this section apply.

(i) All certificates issued are conditional upon the manufacturer complying with all provisions of § 86.001-9 both during and after model year production.

(ii) Failure to meet the required implementation schedule sales percentages as specified in § 86.001-9 will be considered to be a failure to satisfy the conditions upon which the certificate(s) was issued and the individual vehicles sold in violation of the implementation schedule shall not be covered by the certificate.

(iii) The manufacturer shall bear the burden of establishing to the satisfaction of the Administrator that the conditions upon which the certificate was issued were satisfied.

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(b)(1) introductory text through (b)(1)(i) [Reserved]. For guidance see § 86.094-30.

(b)(1)(ii)(A) [Reserved]. For guidance see § 86.094-30.

(b)(1)(ii)(B) The emission data vehicle(s) selected under § 86.001-24(b)(vii) (A) and (B) shall represent all vehicles of the same evaporative/refueling control system within the evaporative/refueling family.

(b)(1)(ii)(C) [Reserved]. For guidance see § 86.094-30.

(b)(1)(ii)(D) The emission-data vehicle(s) selected under § 86.098-24(b)(1)(viii) shall represent all vehicles of the same evaporative/refueling control system within the evaporative/refueling emission family, as applicable.

(b)(1) (iii) and (iv) [Reserved]. For guidance see § 86.094-30.

(b)(2) [Reserved]. For guidance see § 86.098-30.

(b)(3)-(b)(4)(i) [Reserved]. For guidance see § 86.094-30.

(b)(4)(ii) introductory text [Reserved]. For guidance see § 86.098-30.

(b)(4)(ii)(A) [Reserved]. For guidance see § 86.094-30.

(b)(4)(ii)(B)-(iv) [Reserved]. For guidance see § 86.098-30.

(b)(5)-(e) [Reserved]. For guidance see § 86.094-30.

(f) introductory text through (f)(3) [Reserved]. For guidance see § 86.095-30.

(f)(4) [Reserved]. For guidance see § 86.098-30.

[59 FR 16285, Apr. 6, 1994, as amended at 62 FR 54720, Oct. 21, 1997]

§ 86.001-35 Labeling.

Section 86.001-35 includes text that specifies requirements that differ from § 86.095-35, § 86.096-35 and § 86.098-35. Where a paragraph in § 86.095-35, § 86.096-35 or § 86.098-35 is identical and applicable to § 86.001-35, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.095-35.” or “[Reserved]. For guidance see § 86.096-35. or “[Reserved]. For guidance see § 86.098-28.”.

(a) introductory text through (a)(1)(iii)(B) [Reserved]. For guidance see § 86.095-35.

(a)(1)(iii)(C) [Reserved]. For guidance see § 86.098-35.

(a)(1)(iii)(D)-(L) [Reserved]. For guidance see § 86.095-35.

(a)(1)(iii)(M) [Reserved]. For guidance see § 86.098-35.

(a)(1)(iii)(N) [Reserved]. For guidance see § 86.096-35.

(a)(2) heading through (a)(2)(iii)(B) [Reserved]. For guidance see § 86.095-35.

(a)(2)(iii)(C) Engine displacement (in cubic inches or liters), engine family identification and evaporative/refueling family identification.

(a)(2)(iii)(D)-(a)(2)(iii)(E) [Reserved]. For guidance see § 86.095-35.

(a)(2)(iii)(F) [Reserved]

(a)(2)(iii)(G)-(a)(2)(iii)(K) [Reserved]. For guidance see § 86.095-35.

(a)(2)(iii)(L) [Reserved]

(a)(2)(iii)(M)-(a)(2)(iii)(N) [Reserved]. For guidance see § 86.095-35.

(a)(2)(iii) (O)-(P) [Reserved]. For guidance see § 86.096-35.

(a)(3) heading through (a)(4)(iii)(F) [Reserved]. For guidance see § 86.095-35.

(a)(4)(ii)(G) [Reserved]. For guidance see § 86.096-35.

(b)-(i) [Reserved]. For guidance see § 86.095-35.

[59 FR 16285, Apr. 6, 1994]

§ 86.004-2 Definitions.

The definitions of § 86.001-2 continue to apply to 2001 and later model year vehicles. The definitions listed in this section apply beginning with the 2004 model year.

Defeat device means an auxiliary emission control device (AECD) that reduces the effectiveness of the emission control system under conditions which may reasonably be expected to be encountered in normal vehicle operation and use, unless:

(1) Such conditions are substantially included in the applicable Federal emission test procedure for heavy-duty vehicles and heavy-duty engines described in subpart N of this part;

(2) The need for the AECD is justified in terms of protecting the vehicle against damage or accident; or

(3) The AECD does not go beyond the requirements of engine starting.

U.S.-directed production means the engines and/or vehicles (as applicable) produced by a manufacturer for which the manufacturer has reasonable assurance that sale was or will be made to ultimate purchasers in the United