

dispensing spitback standard contained in that section provided that:

(i) The manufacturer certifies that the vehicle inherently meets the fuel dispensing spitback standard as part of compliance with the refueling emission standard; and

(ii) This certification is provided in writing and applies to the full useful life of the vehicle.

(2) EPA retains the authority to require testing to enforce compliance and to prevent noncompliance with the fuel dispensing spitback standard.

(m) Inherently low refueling emission testing waiver. (1) Vehicles using fuels/fuel systems inherently low in refueling emissions are not required to conduct testing to demonstrate compliance with the refueling emission standards set forth in § 86.1811-04(e), § 86.1812-01(e), § 86.1813-01(e) and § 86.1816-05(e) 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 deg. F (54 deg. 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 (m)(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.

(n) *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.

(o) Unless otherwise approved by the Administrator, manufacturers must measure NMOG emissions in accordance with the California Non-Methane Organic Gas Test Procedures. These procedures are incorporated by reference (see § 86.1).

(p) For gasoline and diesel-fueled Tier 2 and interim non-Tier 2 vehicles, manufacturers may measure non-methane hydrocarbons (NMHC) in lieu of NMOG. Manufacturers must multiply NMHC measurements from gasoline vehicles by an adjustment factor of 1.04 before comparing with the NMOG standard to determine compliance with that standard. Manufacturers may use other factors to adjust NMHC results to more properly represent NMOG results. Such factors must be based upon comparative testing of NMOG and NMHC emissions and be approved in advance by the Administrator.

[64 FR 23925, May 4, 1999, as amended at 65 FR 6853, Feb. 10, 2000; 65 FR 59969, Oct. 6, 2000; 66 FR 5190, Jan. 18, 2001; 66 FR 19309, Apr. 13, 2001; 70 FR 72928, Dec. 8, 2005]

§ 86.1810-09 General standards; increase in emissions; unsafe condition; waivers.

Section 86.1810-09 includes text that specifies requirements that differ from § 86.1810-01. Where a paragraph in § 86.1810-01 is identical and applicable to § 86.1810-09, this may be indicated by specifying the corresponding paragraph and the statement "[Reserved]. For guidance see § 86.1810-01." Where a corresponding paragraph of § 86.1810-01 is not applicable, this is indicated by the statement "[Reserved]" This section applies to model year 2009 and later light-duty vehicles and light-duty trucks fueled by gasoline, diesel, methanol, ethanol, natural gas and liquefied petroleum gas fuels. This section also applies to MDPVs and complete heavy-duty vehicles certified according to the provisions of this subpart. Multi-fueled vehicles (including dual-fueled and flexible-fueled vehicles) must comply with all requirements established for each consumed fuel (or blend of fuels in

the case of flexible fueled vehicles). The standards of this subpart apply to both certification and in-use vehicles unless otherwise indicated. This section also applies to hybrid electric vehicles and zero emission vehicles. Unless otherwise specified, requirements and provisions of this subpart applicable to methanol fueled vehicles are also applicable to Tier 2 and interim non-Tier 2 ethanol fueled vehicles.

(a) through (e) [Reserved] For guidance see § 86.1810-01.

(f) *Altitude requirements.* (1) All emission standards apply at low altitude conditions and at high altitude conditions, except for supplemental exhaust emission standards, cold temperature NMHC emission standards, and the evaporative emission standards as described in § 86.1811-09(e). Supplemental exhaust emission standards, as described in § 86.1811-04(f), apply only at low altitude conditions. Cold temperature NMHC emission standards, as described in § 86.1811-10(g), apply only at low altitude conditions. Tier 2 evaporative emission standards apply at high altitude conditions as specified in § 86.1810-01(f) and (j), and § 86.1811-04(e).

(2) For vehicles that comply with the cold temperature NMHC standards, manufacturers must submit an engineering evaluation indicating that common calibration approaches are utilized at high altitudes. Any deviation from low altitude emission control practices must be included in the auxiliary emission control device (AEC) descriptions submitted at certification. Any AEC specific to high altitude must require engineering emission data for EPA evaluation to quantify any emission impact and validity of the AEC.

(g) through (p) [Reserved] For guidance see § 86.1810-01.

[72 FR 8562, Feb. 26, 2007]

§ 86.1811-01 Emission standards for light-duty vehicles.

This section applies to 2001 and later model year light-duty vehicles fueled by gasoline, diesel, methanol, natural gas and liquefied petroleum gas fuels except as noted. Multi-fueled vehicles shall comply with all requirements established for each consumed fuel. For methanol fueled vehicles, references in

this section to total hydrocarbons shall mean total hydrocarbon equivalents and references to non-methane hydrocarbons shall mean non-methane hydrocarbon equivalents. This section does not apply to 2004 and later model year vehicles, except as specifically referenced by § 86.1811-04.

(a) *Exhaust emission standards.* (1) Exhaust emissions shall not exceed the following standards at intermediate useful life:

(i) Total hydrocarbons: 0.41 grams per mile, except natural gas, which has no standard.

(ii) Non-methane hydrocarbons: 0.25 grams per mile.

(iii) Carbon monoxide: 3.4 grams per mile.

(iv) Oxides of nitrogen: 0.4 grams per mile except diesel fuel which has a 1.0 gram per mile standard.

(v) Particulate matter: 0.08 grams per mile.

(2) Exhaust emissions shall not exceed the following standards at full useful life:

(i) [Reserved]

(ii) Non-methane hydrocarbons: 0.31 grams per mile.

(iii) Carbon monoxide: 4.2 grams per mile.

(iv) Oxides of nitrogen: 0.6 grams per mile except diesel fuel which has a 1.25 gram per mile standard.

(v) Particulate matter: 0.10 grams per mile.

(b) *Supplemental exhaust emission standards.* (1) Supplemental exhaust emissions from gasoline-fueled and diesel-fueled light-duty vehicles shall not exceed the following standards at intermediate useful life:

(i) Nonmethane hydrocarbon and oxides of nitrogen composite: 0.65 grams per mile except diesel fuel which has a 1.48 gram per mile standard.

(ii) Carbon monoxide. Regulated vehicles shall meet at least one of the following two sets of standards:

(A) *Individual US06 and SC03 Air Conditioning compliance.* Comply with both the following standards:

(1) 3.0 grams per mile on the A/C test, not applicable to diesel fueled vehicles; and

(2) 9.0 grams per mile on the US06 test; or