

decision. During this period, the manufacturer may submit technical discussion, statistical analyses, additional data, or other information which is relevant to the decision. The Administrator will consider all information submitted by the deadline before reaching a final decision.

(j) Any manufacturer may request a hearing on the Administrator's withdrawal of approval in paragraph (i) of this section. The request must be in writing and must include a statement specifying the manufacturer's objections to the Administrator's determinations, and data in support of such objection. If, after review of the request and supporting data, the Administrator finds that the request raises a substantial factual issue, she/he must provide the manufacturer a hearing in accordance with § 86.1853-01 with respect to such issue.

[71 FR 2834, Jan. 17, 2006]

§ 86.1825-01 Durability demonstration procedures for refueling emissions.

This section applies to light-duty vehicles, light-duty trucks, and complete heavy-duty vehicles, and heavy-duty vehicles which are certified under light-duty rules as allowed under the provisions of § 86.1801-01(c) which are subject to refueling loss emission compliance. Refer to the provisions of §§ 86.1811-01, 86.1811-04, 86.1812-01, 86.1813-01, and 86.1816-04 to determine applicability of the refueling standards to different classes of vehicles for various model years. Diesel fuel vehicles may qualify for an exemption to the requirements of this section under the provisions of § 86.1810. The manufacturer shall determine a durability process that will predict the expected refueling emission deterioration of candidate in-use vehicles over their full useful life. The manufacturer shall use good engineering judgment in determining this process.

(a) *Service accumulation method.* (1) The manufacturer shall develop a service accumulation method designed to effectively predict the deterioration of candidate in-use vehicles' refueling loss emissions in actual use over its full useful life. The manufacturer shall use good engineering judgement in developing this method.

(2) The manufacturers may develop a service accumulation methods based upon whole-vehicle full-mileage accumulation, whole vehicle accelerated mileage accumulation (e.g., where 40,000 miles on a severe mileage accumulation cycle is equivalent to 100,000 miles of normal in-use driving), bench aging of individual components or systems, or other approaches approved by the Administrator.

(i) For whole vehicle mileage accumulation programs, all emission control components and systems (including both hardware and software) must be installed and operating for the entire mileage accumulation period.

(ii) Bench procedures shall simulate the aging of components or systems over the applicable useful life and shall simulate driving patterns and vehicle operational environments found in actual use. For this purpose, manufacturers may remove the emission-related components (and other components), in whole or in part, from the durability vehicle itself and deteriorate them independently. Vehicle testing for the purpose of determining deterioration factors may include the testing of durability vehicles that incorporate such bench-aged components.

(b) *Vehicle/component selection method.* The manufacturer shall determine a vehicle and component selection procedure which results in representative test vehicles and reflects good engineering judgment.

(c) The manufacturer shall calculate a deterioration factor which is applied to the refueling emission results of the emission data vehicles. The deterioration factor shall be based on a linear regression, or an other regression technique approved in advance by the Administrator. The DF will be calculated to be the difference between the full life mileage refueling loss emission level minus the stabilized mileage (e.g., 4000-mile) refueling loss emission level from the regression analysis. The DF and the full and stabilized mileage emission levels shall be rounded to two decimal places of accuracy in accordance with the Rounding-Off Method specified in ASTM E29-93a, Standard Practice for Using Significant Digits in Test Data to Determine Conformance with Specifications (incorporated by

reference, see § 86.1(b)(1). Calculated DF values of less than zero shall be changed to zero for the purposes of this paragraph.

(d) The durability process described in paragraph (a) of this section must be described in the application for certification under the provisions of § 86.1844–01.

(e) *Emission component durability.* The manufacturer shall use good engineering judgment to determine that all emission-related components are designed to operate properly for the full useful life of the vehicles in actual use.

(f) *In-use verification.* The durability program must meet the requirements of § 86.1845–01.

(g) Information obtained under §§ 86.1845–01, 86.1846–01, 86.1847–01 or from other sources shall be used by the manufacturer in developing new durability processes and/or updating existing durability processes using good engineering judgment.

[64 FR 23925, May 4, 1999, as amended at 65 FR 59974, Oct. 6, 2000]

§ 86.1825–08 Durability demonstration procedures for refueling emissions.

This section applies to 2008 and later model year light-duty vehicles, light-duty trucks, and heavy-duty vehicles which are certified under light-duty rules as allowed under the provisions of § 86.1801–01(c)(1) which are subject to refueling loss emission compliance. Optionally, a manufacturer may elect to use this section for earlier model year light-duty vehicles, light-duty trucks, and heavy-duty vehicles which are certified under light-duty rules as allowed under the provisions of § 86.1801–01(c)(1) which are subject to refueling loss emission compliance. Refer to the provisions of §§ 86.1811, 86.1812, 86.1813, 86.1814, and 86.1815 to determine applicability of the refueling standards to different classes of vehicles for various model years. Diesel fuel vehicles may qualify for an exemption to the requirements of this section under the provisions of § 86.1810.

(a) *Durability program objective.* The durability program must predict an expected in-use emission deterioration rate and emission level that effectively represents a significant majority of the distribution of emission levels and de-

terioration in actual use over the full useful life of candidate in-use vehicles of each vehicle design which uses the durability program.

(b) *Required durability demonstration.* Manufacturers must conduct a durability demonstration which satisfies the provisions of either paragraph (c), (d), or (e) of this section.

(c) *Whole vehicle refueling durability demonstration.* The following procedures must be used when conducting a whole vehicle durability demonstration:

(1) Mileage accumulation must be conducted using the SRC or a road cycle approved under the provisions of § 86.1823(e)(1).

(2) Mileage accumulation must be conducted for either:

(i) The applicable full useful life mileage period specified in § 86.1805, or

(ii) At least 75 percent of the full useful life mileage. In which case, the manufacturer must calculate a df calculated according to the procedures of paragraph (f)(1)(ii) of this section, except that the DF must be based upon a line projected to the full-useful life mileage using the upper 80 percent statistical confidence limit calculated from the emission data.

(3) The manufacturer must conduct at least one refueling emission test at each of the five different mileage points selected using good engineering judgement. The required testing must include testing at 5,000 miles and at the highest mileage point run during mileage accumulation (e.g. the full useful life mileage). Additional testing may be conducted by the manufacturer using good engineering judgement.

(d) *Bench aging refueling durability procedures.* Manufacturers may use bench procedures designed, using good engineering judgement, to evaluate the emission deterioration of evaporative/refueling control systems. Manufacturers may base the bench procedure on an evaluation the following potential causes of evaporative/refueling emission deterioration:

(1) Cycling of canister loading due to diurnal and refueling events;

(2) Use of various commercially available fuels, including the Tier 2 requirement to include alcohol fuel;

(3) Vibration of components;