

Environmental Protection Agency

§ 90.7

the confidential information from this second copy.

(d) If a claim is made that some or all of the information submitted pursuant to this subpart is entitled to confidential treatment, the information covered by that confidentiality claim will be disclosed by the Administrator only to the extent and by means of the procedures set forth in part 2, subpart B of this chapter.

(e) Information provided without a claim of confidentiality at the time of submission may be made available to the public by EPA without further notice to the submitter, in accordance with § 2.204(c)(2)(i)(A) of this chapter.

§ 90.5 Acronyms and abbreviations.

The following acronyms and abbreviations apply to part 90.

AECD—Auxiliary emission control device
ASME—American Society of Mechanical Engineers
ASTM—American Society for Testing and Materials
CAA—Clean Air Act
CAAA—Clean Air Act Amendments of 1990
CLD—chemiluminescent detector
CO—Carbon monoxide
CO₂—Carbon dioxide
EPA—Environmental Protection Agency
FTP—Federal Test Procedure
g/kW-hr—grams per kilowatt hour
HC—hydrocarbons
HCLD—heated chemiluminescent detector
HFID—heated flame ionization detector
ICI—independent Commercial Importer
NDIR—non-dispersive infrared analyzer
NIST—National Institute for Standards and Testing
NO—Nitric oxide
NO₂—Nitrogen dioxide
NO_x—Oxides of nitrogen
O₂—Oxygen
OEM—original equipment manufacturer
PMD—paramagnetic detector
SAE—Society of Automotive Engineers
SEA—Selective Enforcement Auditing
SI—spark-ignition
U.S.C.—United States Code
VOC—Volatile organic compounds
ZROD—zirconiumdioxide sensor

§ 90.6 Table and figure numbering; position.

(a) Tables for each subpart appear in an appendix at the end of the subpart. Tables are numbered consecutively by order of appearance in the appendix. The table title will indicate the topic.

(b) Figures for each subpart appear in an appendix at the end of the subpart. Figures are numbered consecutively by order of appearance in the appendix. The figure title will indicate the topic.

§ 90.7 Reference materials.

(a) *Incorporation by reference.* The documents in paragraph (b) of this section have been incorporated by reference. The incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be inspected at U.S. EPA Air and Radiation Docket, room M-1500, 401 M St., SW., Washington D.C. 20460, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(b) The following paragraphs and tables set forth the material that has been incorporated by reference in this part.

(1) *ASTM material.* The following table sets forth material from the American Society for Testing and Materials which has been incorporated by reference. The first column lists the number and name of the material. The second column lists the section(s) of this part, other than § 90.7, in which the matter is referenced. The second column is presented for information only and may not be all inclusive. Copies of these materials may be obtained from American Society for Testing and Materials, 1916 Race St., Philadelphia, PA 19103.

| Document number and name | 40 CFR part 90 reference |
|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| ASTM D86–93: Standard Test Method for Distillation of Petroleum Products. | Appendix A to subpart D, Table 3. |
| ASTM D1319–89: Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Adsorption. | Appendix A to subpart D, Table 3. |
| ASTM D2622–92: Standard Test Method for Sulfur in Petroleum Products by X-ray Spectrometry. | Appendix A to subpart D, Table 3. |
| ASTM D2699–92: | |

§ 90.101

40 CFR Ch. I (7–1–10 Edition)

| Document number and name | 40 CFR part 90 reference |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Standard Test Method for Knock Characteristics of Motor Fuels by the Research Method. | Appendix A to subpart D, Table 3. |
| ASTM D2700–92: Standard Test Method for Knock Characteristics of Motor and Aviation Fuels by the Motor Method. | Appendix A to subpart D, Table 3. |
| ASTM D3231–89: Standard Test Method for Phosphorus in Gasoline. | Appendix A to subpart D, Table 3. |
| ASTM D3606–92: Standard Test Method for Determination of Benzene and Toluene in Finished Motor and Aviation Gasoline by Gas Chromatography. | Appendix A to subpart D, Table 3. |
| ASTM D5191–93a: Standard Test Method for Vapor Pressure of Petroleum Products (Mini Method). | Appendix A to subpart D, Table 3. |
| ASTM E29–93a: Standard Practice for Using Significant Digits in Test Data to Determine Conformance with Specifications. | 90.116; 90.509. |

(2) *SAE material*. The following table sets forth material from the Society of Automotive Engineers which has been incorporated by reference. The first column lists the number and name of the material. The second column lists the section(s) of this part, other than § 90.7, in which the matter is referenced. The second column is presented for information only and may not be all inclusive. Copies of these materials may be obtained from Society of Automotive Engineers International, 400 Commonwealth Dr., Warrendale, PA 15096–0001.

| Document number and name | 40 CFR part 90 reference |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| SAE J1930 September 1991, Electrical/Electronic Systems Diagnostic Terms, Definitions, Abbreviations and Acronyms. | 90.114 |
| SAE Paper 770141, Optimization of a Flame Ionization Detector for Determination of Hydrocarbon in Diluted Automotive Exhausts, Glenn D. Reschke, 1977. | 90.316 |

Subpart B—Emission Standards and Certification Provisions

§ 90.101 Applicability.

(a) The requirements of this subpart B are applicable to all nonroad engines and vehicles subject to the provisions of subpart A of this part.

(b) In a given model year, you may ask us to approve the use of procedures for certification, labeling, reporting and recordkeeping, or other administrative requirements specified in 40 CFR part 1054 or 1068 instead of the comparable procedures specified in this part 90. We may approve the request as long as it does not prevent us from ensuring that you fully comply with the intent of this part.

[73 FR 59179, Oct. 8, 2008]

§ 90.102 Definitions.

The definitions in subpart A of part 90 apply to this subpart. All terms not defined herein or in subpart A have the meaning given them in the Act. The following definitions also apply to this subpart.

Attitudinal control means the operator regulates either the horizontal or vertical position of the equipment, or both.

Carry means the operator completely bears the weight of the equipment, including the engine.

Support means that the operator holds the equipment in position so as to prevent it from falling, slipping or sinking. It is not necessary for the entire weight of the equipment to be borne by the operator.

§ 90.103 Exhaust emission standards.

(a) Exhaust emissions for new Phase 1 and Phase 2 nonroad spark ignition engines at or below 19 kilowatts (kW), shall not exceed the following levels. Throughout this part, NMHC+NO_x standards are applicable only to natural gas fueled engines at the option of the manufacturer, in lieu of HC+NO_x standards.