

production volumes if they are substantially different than actual production volumes in earlier years for similar models.

(p) Include other applicable information, such as information required by other subparts of this part.

(q) Name an agent for service located in the United States. Service on this agent constitutes service on you or any of your officers or employees for any action by EPA or otherwise by the United States related to the requirements of this part.

§ 1060.210 What records should equipment manufacturers keep if they do not apply for certification?

If you are an equipment manufacturer that does not need to obtain a certificate of conformity for your equipment as described in §1060.5, you must keep the records specified in this section to document compliance with applicable requirements. We may review these records at any time. If we ask, you must send us these records within 30 days. You must keep these records for eight years from the end of the model year.

(a) Identify your equipment models and the annual U.S.-directed production volumes for each model.

(b) Identify the emission family names of the certificates that will cover your equipment, the part numbers of those certified components, and the names of the companies that hold the certificates. You must be able to identify this information for each piece of equipment you produce.

(c) Describe how you comply with any emission-related installation instructions, labeling requirements, and the general standards in §1060.101(e) and (f).

§ 1060.225 How do I amend my application for certification?

Before we issue a certificate of conformity, you may amend your application to include new or modified configurations, subject to the provisions of this section. After we have issued your certificate of conformity, you may send us an amended application requesting that we include new or modified configurations within the scope of the certificate, subject to the provi-

sions of this section. You must amend your application if any changes occur with respect to any information included in your application.

(a) You must amend your application before you take any of the following actions:

(1) Add a configuration to an emission family. In this case, the configuration added must be consistent with other configurations in the emission family with respect to the criteria listed in §1060.230.

(2) Change a configuration already included in an emission family in a way that may affect emissions, or change any of the components you described in your application for certification. This includes production and design changes that may affect emissions any time during the equipment's lifetime.

(3) Modify an FEL for an emission family as described in paragraph (f) of this section. Note however that component manufacturers may not modify an FEL for their products unless they submit a separate application for a new emission family.

(b) To amend your application for certification, send the Designated Compliance Officer the following information:

(1) Describe in detail the addition or change in the configuration you intend to make.

(2) Include engineering evaluations or data showing that the amended emission family complies with all applicable requirements. You may do this by showing that the original emission data are still appropriate for showing that the amended family complies with all applicable requirements.

(3) If the original emission data for the emission family are not appropriate to show compliance for the new or modified configuration, include new test data showing that the new or modified configuration meets the requirements of this part.

(c) We may ask for more test data or engineering evaluations. Within 30 days after we make our request, you must provide the information or describe your plan for providing it in a timely manner.

(d) For emission families already covered by a certificate of conformity,

we will determine whether the existing certificate of conformity covers your new or modified configuration. You may ask for a hearing if we deny your request (see § 1060.820).

(e) For emission families already covered by a certificate of conformity, you may start producing the new or modified configuration anytime after you send us your amended application and before we make a decision under paragraph (d) of this section. However, if we determine that the affected configurations do not meet applicable requirements, we will notify you to cease production of the configurations and may require you to recall the equipment at no expense to the owner. Choosing to produce equipment under this paragraph (e) is deemed to be consent to recall all equipment that we determine do not meet applicable emission standards or other requirements and to remedy the nonconformity at no expense to the owner. If you do not provide information we request under paragraph (c) of this section within 30 days after we request it, you must stop producing the new or modified equipment.

(f) If you hold a certificate of conformity for equipment and you have certified the fuel tank that you install in the equipment, you may ask us to approve a change to your FEL after the start of production. The changed FEL may not apply to equipment you have already introduced into U.S. commerce, except as described in this paragraph (f). If we approve a changed FEL after the start of production, you must identify the date or serial number for applying the new FEL. If you identify this by month and year, we will consider that a lowered FEL applies on the last day of the month and a raised FEL applies on the first day of the month. You may ask us to approve a change to your FEL in the following cases:

(1) You may ask to raise your FEL for your emission family at any time. In your request, you must show that you will still be able to meet the emission standards as specified in the exhaust standard-setting part. If you amend your application by submitting new test data to include a newly added or modified fuel tank configuration, as described in paragraph (b)(3) of this section, use the appropriate FELs with

corresponding production volumes to calculate your production-weighted average FEL for the model year. In all other circumstances, you must use the higher FEL for the entire family to calculate your production-weighted average FEL under subpart H of this part.

(2) You may ask to lower the FEL for your emission family only if you have test data from production units showing that emissions are below the proposed lower FEL. The lower FEL applies only for units you produce after we approve the new FEL. Use the appropriate FELs with corresponding production volumes to calculate your production-weighted average FEL for the model year.

(g) Component manufacturers may not change an emission family's FEL under any circumstances. Changing the FEL would require submission of a new application for certification.

§ 1060.230 How do I select emission families?

(a) For purposes of certification, divide your product line into families of equipment (or components) that are expected to have similar emission characteristics throughout their useful life.

(b) Group fuel lines into the same emission family if they are the same in all the following aspects:

(1) Type of material including barrier layer.

(2) Production method.

(3) Types of connectors and fittings (material, approximate wall thickness, etc.) for fuel line assemblies certified together.

(c) Group fuel tanks (or fuel systems including fuel tanks) into the same emission family if they are the same in all the following aspects:

(1) Type of material, including any pigments, plasticizers, UV inhibitors, or other additives that are expected to affect control of emissions.

(2) Production method.

(3) Relevant characteristics of fuel cap design for fuel systems subject to diurnal emission requirements.

(4) Gasket material.

(5) Emission control strategy.

(6) Family emission limit, if applicable.

(d) Group other fuel-system components and equipment into the same