

Environmental Protection Agency**§ 1027.105**

the standard-setting part for the equipment or fuel system components you produce.

[73 FR 59184, Oct. 8, 2008, as amended at 75 FR 22981, Apr. 30, 2010]

§ 1027.105 How much are the fees?

(a) Fees are determined based on the date we receive a complete application for certification. Each reference to a year in this subpart refers to the calendar year, unless otherwise specified. Paragraph (b) of this section specifies baseline fees, which applied for certificates received in 2005. For engine and

vehicles not yet subject to standards in 2005, these values represent the fees that apply initially based on available information to characterize what the fees would have been in 2005. See paragraph (c) of this section for provisions describing how we calculate fees for future years.

(b) The following baseline fees for each application for certification:

(1) Except as specified in paragraph (b)(2) of this section for Independent Commercial Importers, the following fees apply for motor vehicles and motor vehicle engines:

Category	Certificate type	Fee
(i) Light-duty vehicles and trucks	Federal	\$33,883
(ii) Light-duty vehicles and trucks	California-only	16,944
(iii) Medium-duty passenger vehicles	Federal	33,883
(iv) Medium-duty passenger vehicles	California-only	16,944
(v) Highway motorcycle	All	2,414
(vi) Heavy-duty highway engine	Federal	21,578
(vii) Heavy-duty highway engine	California-only	826
(viii) Complete heavy-duty highway vehicles	Federal	33,883
(ix) Complete heavy-duty highway vehicles	California-only	16,944
(x) Heavy-duty vehicle	Evap	826

(2) A fee of \$8,387 applies for Independent Commercial Importers with respect to the following motor vehicles:

(i) Light-duty vehicles and light-duty trucks.

(ii) Medium-duty passenger vehicles.
(iii) Complete heavy-duty highway vehicles.

(3) The following fees apply for nonroad and stationary engines, vehicles, equipment, and components:

Category	Certificate type	Fee
(i) Locomotives and locomotive engines	All	\$826
(ii) Marine compression-ignition engines and stationary compression-ignition engines with per-cylinder displacement at or above 10 liters.	All, including EIAPP	826
(iii) Other nonroad compression-ignition engines and stationary compression-ignition engines with per-cylinder displacement below 10 liters.	All	1,822
(iv) Large SI engines	All	826
(v) Stationary spark-ignition engines above 19 kW	All	826
(vi) Marine SI engines and Small SI engines	Exhaust only	826
(vii) Stationary spark-ignition engines at or below 19 kW	Exhaust only	826
(viii) Recreational vehicles	Exhaust (or combined exhaust and evap).	826
(ix) Equipment and fuel-system components associated with nonroad and stationary spark-ignition engines, including portable fuel containers.	Evap (where separate certification is required).	241

(c) We will calculate adjusted fees for later years based on changes in the Consumer Price Index and the number of certificates. We will announce adjusted fees for a given year by January 31 of the preceding year.

(1) We will adjust the values specified in paragraph (b) of this section for later years as follows:

(i) Use the fee identified in § 1027.105(b)(3) through 2014 for certification related to evaporative emissions from nonroad and stationary engines when a separate fee applies for certification to evaporative emission standards. Use the following equation starting with 2015:

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$$\text{Certificate Fee}_{\text{CY}} = \left[\left(\text{Op} + L \cdot \frac{\text{CPI}_{\text{CY}-2}}{\text{CPI}_{2006}} \right) \right] \cdot \frac{1.169}{[(\text{cert\#}_{\text{MY}-2} + \text{cert\#}_{\text{MY}-3}) \cdot 0.5]}$$

Where:

$\text{Certificate Fee}_{\text{CY}}$ = Fee per certificate for a given year.

Op = operating costs are all of EPA's nonlabor costs for each category's compliance program, including any fixed costs associated with EPA's testing laboratory, as described in paragraph (d)(1) of this section.

L = the labor costs, to be adjusted by the Consumer Price Index, as described in paragraph (d)(1) of this section.

$\text{CPI}_{\text{CY}-2}$ = the Consumer Price Index for the month of November two years before the applicable calendar year, as described in paragraph (d)(2) of this section.

$\text{CPI}_{2006} = 201.8$. This is based on the October 2006 value of the Consumer Price Index. OH = 1.169. This is based on EPA overhead, which is applied to all costs.

$\text{cert\#}_{\text{MY}-2}$ = the total number of certificates issued for a fee category in the model year two years before the calendar year for the applicable fees as described in paragraph (d)(3) of this section.

$\text{cert\#}_{\text{MY}-3}$ = the total number of certificates issued for a fee category in the model year three years before the calendar year for the applicable fees as described in paragraph (d)(3) of this section.

(ii) Use the following equation for all other certificates for 2006 and later:

$$\text{Certificate Fee}_{\text{CY}} = \left[\left((\text{Op} + L) \cdot \frac{\text{CPI}_{\text{CY}-2}}{\text{CPI}_{2002}} \right) \right] \cdot \frac{1.169}{[(\text{cert\#}_{\text{MY}-2} + \text{cert\#}_{\text{MY}-3}) \cdot 0.5]}$$

Where:

$\text{CPI}_{2002} = 180.9$. This is based on the December 2002 value of the Consumer Price Index as described in paragraph (d)(2) of this section.

(2) The fee for any year will remain at the previous year's amount until the value calculated in paragraph (c)(1) of this section differs by at least \$50 from

the amount specified for the previous year.

(d) Except as specified in § 1027.110(a) for motor vehicles and motor vehicle engines, we will use the following values to determine adjusted fees using the equation in paragraph (c) of this section:

(1) The following values apply for operating costs and labor costs:

Engine or Vehicle Category	Op	L
(i) Light-duty, medium-duty passenger, and complete heavy-duty highway vehicle certification	\$3,322,039	\$2,548,110
(ii) Light-duty, medium-duty passenger, and complete heavy-duty highway vehicle in-use testing	2,858,223	2,184,331
(iii) Independent Commercial Importers identified in § 1027.105(b)(2)	344,824	264,980
(iv) Highway motorcycles	225,726	172,829
(v) Heavy-duty highway engines	1,106,224	1,625,680
(vi) Nonroad compression-ignition engines that are not locomotive or marine engines, and stationary compression-ignition engines with per-cylinder displacement below 10 liters	486,401	545,160
(vii) Evaporative certificates related to nonroad and stationary engines	5,039	236,670
(viii) All other	177,425	548,081

(2) The applicable Consumer Price Index is based on the values published by the Bureau of Labor Statistics for all U.S. cities using the "U.S. city average" area, "all items," and "not seasonally adjusted" numbers (see <ftp://ftp.bls.gov/pub/special.requests/cpi/>

cpiai.txt). For example, we calculated the 2006 fees using the Consumer Price Index for November 2004, which is 191.0.

(3) Fee categories for counting the number of certificates issued are based on the grouping shown in paragraph (d)(1) of this section.

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(e) The following example for calculating the 2006 complete federal heavy duty highway vehicle fee illustrates the fee adjustment:

$$\begin{aligned} O_p &= \$1,106,224 \\ L &= \$1,625,680 \\ CPI_{2002} &= 180.9 \\ CPI_{2004} &= 191.0 \\ \text{cert } \#_{2004} &= 131 \\ \text{cert } \#_{2003} &= 95 \\ \text{Fee}_{06} &= [\$1,106,224 + \$1,625,680 . (191.0 / 180.9)] . 1.169 / [(131+95) . 0.5] = \$29,200.88 \\ \text{Assessed Fee} &= \$29,201 \end{aligned}$$

[73 FR 59184, Oct. 8, 2008, as amended at 74 FR 8423, Feb. 24, 2009; 75 FR 22981, Apr. 30, 2010]

§ 1027.110 What special provisions apply for certification related to motor vehicles?

(a) We will adjust fees for 2006 and later years for light-duty, medium-duty passenger, and complete heavy-duty highway vehicles as follows:

(1) *California-only certificates.* Calculate adjusted fees for California-only certificates by applying the light-duty, medium-duty passenger, and complete heavy-duty highway vehicle certification O_p and L values to the equation in § 1027.105(c). The total number of certificates issued will be the total number of California-only and federal light-duty, medium-duty passenger, and complete heavy-duty highway vehicle certificates issued during the appropriate model years.

(2) *Federal certificates.* Calculate adjusted fees for federal certificates with the following three steps:

(i) Apply the light-duty, medium-duty passenger, and complete heavy-duty highway vehicle certification O_p and L values to the equation in § 1027.105(c) to determine the certification portion of the light-duty fee. The total number of certificates issued will be the total number of California-only and federal light-duty, medium-duty passenger and complete heavy-duty highway vehicle certificates issued during the appropriate model years.

(ii) Apply the light-duty, medium-duty passenger, and complete heavy-duty highway vehicle in-use testing O_p and L values to the equation in § 1027.105(c) to determine the in-use testing portion of the fee. The total number of certificates issued will be

the total number of federal light-duty, medium-duty passenger, and complete heavy-duty highway vehicle certificates issued during the appropriate model years.

(iii) Add the certification and in-use testing portions determined in paragraphs (a)(2)(i) and (ii) of this section to determine the total light-duty, medium-duty passenger, and complete heavy-duty highway vehicle fee for each federal certificate.

(b) For light-duty vehicles, light-duty trucks, medium-duty passenger vehicles, highway motorcycles, and complete heavy-duty highway vehicles subject to exhaust emission standards, the number of certificates issued as specified in § 1027.105(d)(3) is based only on engine families with respect to exhaust emissions. A separate fee applies for each evaporative family for heavy-duty engines.

(c) If you manufacture a heavy-duty vehicle that another company has certified as an incomplete vehicle such that you exceed the maximum fuel tank size specified by the original manufacturer in the applicable certificate of conformity, you must submit a new application for certification and certification fee for the vehicle.

§ 1027.115 What special provisions apply for certification related to nonroad and stationary engines?

(a) For spark-ignition engines above 19 kW that we regulate under 40 CFR part 1048 and for all compression-ignition engines, the applicable fee is based only on engine families with respect to exhaust emissions.

(b) For manufacturers certifying recreational vehicles with respect to both exhaust and evaporative emission standards, fees are determined using one of the following approaches:

(1) If your engine family includes demonstration of compliance with both exhaust and evaporative emission standards, the applicable fee is based on certification related to the combined family. No separate fee applies for certification with respect to evaporative emission standards. These are all considered engine families complying with exhaust emissions for determining the number of certificates for calculating fees for later years.