

§ 86.098-23

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(c)(11)(ii)(B)(2)-(c)(11)(ii)(B)(15) [Reserved]. For guidance see § 86.094-14.

(c)(11)(ii)(B)(16)-(c)(11)(ii)(B)(18) [Reserved]. For guidance see § 86.095-14.

(c)(11)(ii)(B)(19) For each light-duty vehicle, light-duty truck, or heavy-duty vehicle evaporative/refueling emission family, a description of any unique procedures required to perform evaporative and/or refueling emission tests (as applicable) (including canister working capacity, canister bed volume, and fuel temperature profile for the running loss test) for all vehicles in that evaporative/refueling emission family, and a description of the method used to develop those unique procedures.

(20) For each light-duty vehicle, light-duty truck, or heavy-duty vehicle evaporative/refueling emission family:

(i) Canister working capacity, according to the procedures specified in § 86.132-96(h)(1)(iv);

(ii) Canister bed volume; and

(iii) Fuel temperature profile for the running loss test, according to the procedures specified in § 86.129-94(d).

(c)(11)(ii)(C)-(c)(11)(ii)(D)(5) [Reserved]. For guidance see § 86.095-14.

(c)(11)(ii)(D)(6) [Reserved].

(c)(11)(ii)(D)(7)-(c)(15) [Reserved]. For guidance see § 86.094-14.

[59 FR 16289, Apr. 6, 1994]

§ 86.098-23 Required data.

(a) The manufacturer shall perform the tests required by the applicable test procedures and submit to the Administrator the information described in paragraphs (b) through (m) of this section, provided, however, that if requested by the manufacturer, the Administrator may waive any requirement of this section for testing of a vehicle (or engine) for which emission data are available or will be made available under the provisions of § 86.091-29.

(b) *Durability data.* (1)(i) The manufacturer shall submit exhaust emission durability data on such light-duty vehicles tested in accordance with applicable test procedures and in such numbers as specified, which will show the performance of the systems installed on or incorporated in the vehicle for extended mileage, as well as a record of

all pertinent maintenance performed on the test vehicles.

(ii) The manufacturer shall submit exhaust emission deterioration factors for light-duty trucks and HDEs and all test data that are derived from the testing described under § 86.094-21(b)(5)(i)(A), as well as a record of all pertinent maintenance. Such testing shall be designed and conducted in accordance with good engineering practice to assure that the engines covered by a certificate issued under § 86.098-30 will meet each emission standard (or family emission limit, as appropriate) in § 86.094-9, § 86.098-10, § 86.098-11 or superseding emissions standards sections as appropriate, in actual use for the useful life applicable to that standard.

(2) [Reserved]

(3) For heavy-duty vehicles equipped with gasoline-fueled or methanol-fueled engines, the manufacturer shall submit evaporative emission deterioration factors for each evaporative emission family-evaporative emission control system combination identified in accordance with § 86.094-21(b)(4)(ii). Furthermore, a statement that the test procedure(s) used to derive the deterioration factors includes, but need not be limited to, a consideration of the ambient effects of ozone and temperature fluctuations, and the service accumulation effects of vibration, time, and vapor saturation and purge cycling. The deterioration factor test procedure shall be designed and conducted in accordance with good engineering practice to assure that the vehicles covered by a certificate issued under § 86.098-30 will meet the evaporative emission standards in §§ 86.096-10 and 86.098-11 or superseding emissions standards sections as applicable in actual use for the useful life of the engine. Furthermore, a statement that a description of the test procedure, as well as all data, analyses, and evaluations, is available to the Administrator upon request.

(4)(i) For heavy-duty vehicles with a Gross Vehicle Weight Rating of up to 26,000 lbs and equipped with gasoline-fueled or methanol-fueled engines, the manufacturer shall submit a written statement to the Administrator certifying that the manufacturer's vehicles meet the standards of § 86.098-10 or § 86.098-11 or superseding emissions

standards sections as applicable as determined by the provisions of § 86.098-28. Furthermore, the manufacturer shall submit a written statement to the Administrator that all data, analyses, test procedures, evaluations, and other documents, on which the requested statement is based, are available to the Administrator upon request.

(ii) For heavy-duty vehicles with a Gross Vehicle Weight Rating of greater than 26,000 lbs and equipped with gasoline-fueled or methanol-fueled engines, the manufacturer shall submit a written statement to the Administrator certifying that the manufacturer's evaporative emission control systems are designed, using good engineering practice, to meet the standards of § 86.096-10 or § 86.098-11 or superseding emissions standards sections as applicable as determined by the provisions of § 86.098-28. Furthermore, the manufacturer shall submit a written statement to the Administrator that all data, analyses, test procedures, evaluations, and other documents, on which the requested statement is based, are available to the Administrator upon request.

(b)(4)(iii) For petroleum-fueled diesel-cycle vehicles certifying under the waiver provisions of § 86.098-28, the certifications and representations specified in § 86.098-28.

(c) [Reserved]

(d) The manufacturer shall submit a statement that the vehicles (or engines) for which certification is requested conform to the requirements in § 86.090-5(b), and that the descriptions of tests performed to ascertain compliance with the general standards in § 86.090-5(b), and that the data derived from such tests, are available to the Administrator upon request.

(e)(1) The manufacturer shall submit a statement that the test vehicles (or test engines) for which data are submitted to demonstrate compliance with the applicable standards (or family emission limits, as appropriate) of this subpart are in all material respects as described in the manufacturer's application for certification, that they have been tested in accordance with the applicable test procedures utilizing the fuels and equipment de-

scribed in the application for certification, and that on the basis of such tests the vehicles (or engines) conform to the requirements of this part. If such statements cannot be made with respect to any vehicle (or engine) tested, the vehicle (or engine) shall be identified, and all pertinent data relating thereto shall be supplied to the Administrator. If, on the basis of the data supplied and any additional data as required by the Administrator, the Administrator determines that the test vehicles (or test engine) were not as described in the application for certification or were not tested in accordance with the applicable test procedures utilizing the fuels and equipment as described in the application for certification, the Administrator may make the determination that the vehicle (or engine) does not meet the applicable standards (or family emission limits, as appropriate). The provisions of § 86.098-30(b) shall then be followed.

(2) For evaporative and refueling emission durability, or light-duty truck or HDE exhaust emission durability, the manufacturer shall submit a statement of compliance with paragraph (b)(1)(ii), (b)(2), (b)(3) or (b)(4) of this section, as applicable.

(3) For certification of vehicles with non-integrated refueling systems, a statement that the drivedown used to purge the refueling canister was the same as described in the manufacturers' application for certification. Furthermore, a description of the procedures used to determine the number of equivalent UDDS miles required to purge the refueling canisters, as determined by the provisions of § 86.098-21(b)(5)(v) and subpart B of this part. Furthermore, a written statement to the Administrator that all data, analyses, test procedures, evaluations and other documents, on which the above statement is based, are available to the Administrator upon request.

(f)-(g) [Reserved]

(h) Additionally, manufacturers participating in any of the emissions ABT programs under § 86.098-15 or superseding ABT sections for HDEs shall submit for each participating family the items listed in paragraphs (h) (1) through (3) of this section.

(1) *Application for certification.* (i) The application for certification will include a statement that the engines for which certification is requested will not, to the best of the manufacturer's belief, when included in any of the ABT programs, cause the applicable emissions standard(s) to be exceeded.

(ii) The application for certification will also include identification of the section of this subpart under which the family is participating in ABT (i.e., § 86.098-15 or superseding ABT sections), the type (NO_x, NO_x+NMHC, or particulate) and the projected number of credits generated/needed for this family, the applicable averaging set, the projected U.S. (49-state or 50 state, as applicable) production volumes, by quarter, NCPs in use on a similar family and the values required to calculate credits as given in the applicable ABT section. Manufacturers shall also submit how and where credit surpluses are to be dispersed and how and through what means credit deficits are to be met, as explained in the applicable ABT section. The application must project that each engine family will be in compliance with the applicable emission standards based on the engine mass emissions and credits from averaging, trading and banking.

(2) [Reserved]

(3) *End-of-year report.* The manufacturer shall submit end-of-year reports for each engine family participating in any of the ABT programs, as described in paragraphs (h)(3)(i) through (iv) of this section.

(i) These reports shall be submitted within 90 days of the end of the model year to: Director, Engine Programs and Compliance Division (6405J), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

(ii) These reports shall indicate the engine family, the averaging set, the actual U.S. (49-state or 50-state, as applicable) production volume, the values required to calculate credits as given in the applicable ABT section, the resulting type and number of credits generated/required, and the NCPs in use on a similar NCP family. Manufacturers shall also submit how and where credit surpluses were dispersed (or are to be banked) and how and through what

means credit deficits were met. Copies of contracts related to credit trading must also be included or supplied by the broker if applicable. The report shall also include a calculation of credit balances to show that net mass emissions balances are within those allowed by the emission standards (equal to or greater than a zero credit balance). Any credit discount factor described in the applicable ABT section must be included as required.

(iii) The production counts for end-of-year reports shall be based on the location of the first point of retail sale (e.g., customer, dealer, secondary manufacturer) by the manufacturer.

(iv) Errors discovered by EPA or the manufacturer in the end-of-year report, including changes in the production counts, may be corrected up to 180 days subsequent to submission of the end-of-year report. Errors discovered by EPA after 180 days shall be corrected if credits are reduced. Errors in the manufacturer's favor will not be corrected if discovered after the 180 day correction period allowed.

(i) Failure by a manufacturer participating in the ABT programs to submit any quarterly or end-of-year report (as applicable) in the specified time for all vehicles and engines that are part of an averaging set is a violation of section 203(a)(1) of the Clean Air Act (42 U.S.C. 7522(a)(1)) for each such vehicle and engine.

(j) Failure by a manufacturer generating credits for deposit only in the HDE banking programs to submit their end-of-year reports in the applicable specified time period (i.e., 90 days after the end of the model year) shall result in the credits not being available for use until such reports are received and reviewed by EPA. Use of projected credits pending EPA review will not be permitted in these circumstances.

(k) Engine families certified using NCPs are not required to meet the requirements outlined in paragraphs (f) through (j) of this section.

(l) [Reserved]

(m) Additionally, except for small-volume manufacturers, manufacturers certifying vehicles shall submit for each model year 1998 light-duty vehicle, light-duty truck, and gasoline- and

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methanol-fueled heavy-duty vehicle evaporative family:

(1) In the application for certification the projected sales volume of evaporative families certifying to the respective evaporative test procedure and accompanying standards as set forth or otherwise referenced in §§ 86.090–8, 86.090–9, 86.091–10 and 86.094–11 or as set forth or otherwise referenced in §§ 86.096–8, 86.096–9, 86.096–10 and 86.098–11 or as set forth or otherwise referenced in superseding emissions standards sections. Volume projected to be produced for U.S. sale may be used in lieu of projected U.S. sales.

(2) End-of-year reports for each evaporative family.

(i) These end-of-year reports shall be submitted within 90 days of the end of the model year to: For heavy-duty engines—Director, Engine Programs and Compliance Divisions (6403J), For vehicles—Director, Vehicle Compliance and Programs Division (6405J), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

(ii) These reports shall indicate the model year, evaporative family and the actual U.S. sales volume. The manufacturer may petition the Administrator to allow volume produced for U.S. sale to be used in lieu of U.S. sales. Such petition shall be submitted within 30 days of the end of the model year to the Manufacturers Operations Division. For the petition to be granted, the manufacturer must establish to the satisfaction of the Administrator that production volume is functionally equivalent to sales volume.

(iii) The U.S. sales volume for end-of-year reports shall be based on the location of the point of sale to a dealer, distributor, fleet operator, broker, or any other entity that comprises the point of first sale.

(iv) Failure by a manufacturer to submit the end-of-year report within the specified time may result in certificate(s) for the evaporative family(ies) being voided ab initio plus any applicable civil penalties for failure to submit the required information to the Agency.

(v) The information shall be organized in such a way as to allow the Administrator to determine compliance

with the Evaporative Emission Testing implementation schedules of §§ 86.096–8, 86.096–9, 86.096–10 and 86.098–11.

[58 FR 16025, Mar. 24, 1993, as amended at 58 FR 34536, June 28, 1993; 59 FR 16290, Apr. 6, 1994; 62 FR 54717, Oct. 21, 1997; 75 FR 22979, Apr. 30, 2010]

§ 86.098–24 Test vehicles and engines.

(a)(1)–(4) [Reserved]

(a)(5) The gasoline-fueled and methanol-fueled light-duty vehicles and light-duty trucks covered by an application for certification will be divided into groupings which are expected to have similar evaporative and/or refueling emission characteristics (as applicable) throughout their useful life. Each group of vehicles with similar evaporative and/or refueling emission characteristics shall be defined as a separate evaporative/refueling emission family.

(a)(6) For gasoline-fueled or methanol-fueled light-duty vehicles and light-duty trucks to be classed in the same evaporative/refueling emission family, vehicles must be similar with respect to the items listed in paragraphs (a)(6) (i) through (xii) of this section.

(i) Type of vapor storage device (e.g., canister, air cleaner, crankcase).

(ii) Basic canister design.

(A) Working capacity—grams adsorption within a 10g. range.

(B) System configuration—number of canisters and method of connection (i.e., series, parallel).

(C) Canister geometry, construction and materials.

(iii) Fuel system.

(iv) Type of refueling emission control system—non-integrated or integrated with the evaporative control system. Further, if the system is non-integrated, whether or not any other evaporative emissions, e.g. diurnal or hot soak emissions, are captured in the same storage device as the refueling emissions.

(v) Fillpipe seal mechanism—mechanical, liquid trap, other.

(vi) Fill limiter system.

(vii) Vapor control system or method of controlling vapor flow through the vapor line to the canister.

(viii) Vapor/liquid separator usage.