

## Environmental Protection Agency

## § 1039.825

### § 1039.805 What symbols, acronyms, and abbreviations does this part use?

The following symbols, acronyms, and abbreviations apply to this part:

CFR Code of Federal Regulations.  
CH<sub>4</sub> methane.  
CO carbon monoxide.  
CO<sub>2</sub> carbon dioxide.  
DEF Diesel exhaust fluid.  
EEFM Emergency equipment field modification.  
EPA Environmental Protection Agency.  
FEL Family Emission Limit.  
g/kW-hr grams per kilowatt-hour.  
HC hydrocarbon.  
ISO International Organization for Standardization (see *www.iso.org*).  
kW kilowatts.  
N<sub>2</sub>O nitrous oxide.  
NIST National Institute of Standards and Technology.  
NMHC nonmethane hydrocarbons.  
NO<sub>x</sub> oxides of nitrogen (NO and NO<sub>2</sub>).  
NTE not-to-exceed  
PM particulate matter.  
rpm revolutions per minute.  
SAE Society of Automotive Engineers.  
SCR Selective catalytic reduction.  
SEA Selective enforcement audit.  
THC total hydrocarbon.  
THCE total hydrocarbon equivalent.  
TRU transportation refrigeration unit.  
U.S.C. United States Code.

[69 FR 39213, June 29, 2004, as amended at 74 FR 56509, Oct. 30, 2009; 77 FR 34148, June 8, 2012]

### § 1039.815 What provisions apply to confidential information?

(a) Clearly show what you consider confidential by marking, circling, bracketing, stamping, or some other method.

(b) We will store your confidential information as described in 40 CFR part 2. Also, we will disclose it only as specified in 40 CFR part 2. This applies both to any information you send us and to any information we collect from inspections, audits, or other site visits.

(c) If you send us a second copy without the confidential information, we will assume it contains nothing confidential whenever we need to release information from it.

(d) If you send us information without claiming it is confidential, we may make it available to the public without further notice to you, as described in 40 CFR 2.204.

### § 1039.820 How do I request a hearing?

(a) You may request a hearing under certain circumstances, as described elsewhere in this part. To do this, you must file a written request, including a description of your objection and any supporting data, within 30 days after we make a decision.

(b) For a hearing you request under the provisions of this part, we will approve your request if we find that your request raises a substantial factual issue.

(c) If we agree to hold a hearing, we will use the procedures specified in 40 CFR part 1068, subpart G.

### § 1039.825 What reporting and recordkeeping requirements apply under this part?

Under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget approves the reporting and recordkeeping specified in the applicable regulations. The following items illustrate the kind of reporting and recordkeeping we require for engines and equipment regulated under this part:

(a) We specify the following requirements related to engine certification in this part 1039:

(1) In § 1039.20 we require engine manufacturers to label stationary engines that do not meet the standards in this part.

(2) In § 1039.135 we require engine manufacturers to keep certain records related to duplicate labels sent to equipment manufacturers.

(3) [Reserved]

(4) In subpart C of this part we identify a wide range of information required to certify engines.

(5) [Reserved]

(6) [Reserved]

(7) In subpart G of this part we identify several reporting and recordkeeping items for making demonstrations and getting approval related to various special compliance provisions. For example, equipment manufacturers must submit reports and keep records related to the flexibility provisions in § 1039.625.

(8) In § 1039.725, 1039.730, and 1039.735 we specify certain records related to averaging, banking, and trading.

(b) We specify the following requirements related to testing in 40 CFR part 1065:

(1) In 40 CFR 1065.2 we give an overview of principles for reporting information.

(2) In 40 CFR 1065.10 and 1065.12 we specify information needs for establishing various changes to published test procedures.

(3) In 40 CFR 1065.25 we establish basic guidelines for storing test information.

(4) In 40 CFR 1065.695 we identify data that may be appropriate for collecting during testing of in-use engines using portable analyzers.

(c) We specify the following requirements related to the general compliance provisions in 40 CFR part 1068:

(1) In 40 CFR 1068.5 we establish a process for evaluating good engineering judgment related to testing and certification.

(2) In 40 CFR 1068.25 we describe general provisions related to sending and keeping information.

(3) In 40 CFR 1068.27 we require manufacturers to make engines available for our testing or inspection if we make such a request.

(4) In 40 CFR 1068.105 we require equipment manufacturers to keep certain records related to duplicate labels from engine manufacturers.

(5) In 40 CFR 1068.120 we specify recordkeeping related to rebuilding engines.

(6) In 40 CFR part 1068, subpart C, we identify several reporting and recordkeeping items for making demonstrations and getting approval related to various exemptions.

(7) In 40 CFR part 1068, subpart D, we identify several reporting and recordkeeping items for making demonstrations and getting approval related to importing engines.

(8) In 40 CFR 1068.450 and 1068.455 we specify certain records related to testing production-line engines in a selective enforcement audit.

(9) In 40 CFR 1068.501 we specify certain records related to investigating and reporting emission-related defects.

(10) In 40 CFR 1068.525 and 1068.530 we specify certain records related to recalling nonconforming engines.

[72 FR 53134, Sept. 18, 2007]

APPENDIX I TO PART 1039 [RESERVED]

APPENDIX II TO PART 1039—STEADY-STATE DUTY CYCLES

(a) The following duty cycles apply for constant-speed engines:

(1) The following duty cycle applies for discrete-mode testing:

D2 mode number	Engine speed	Torque (percent) <sup>1</sup>	Weighting factors
1 .....	Engine governed .....	100	0.05
2 .....	Engine governed .....	75	0.25
3 .....	Engine governed .....	50	0.30
4 .....	Engine governed .....	25	0.30
5 .....	Engine governed .....	10	0.10

<sup>1</sup> The percent torque is relative to maximum test torque.

(2) The following duty cycle applies for ramped-modal testing:

RMC mode	Time in mode (seconds)	Engine speed	Torque (percent) <sup>1, 2</sup>
1a Steady-state .....	53	Engine governed .....	100.
1b Transition .....	20	Engine governed .....	Linear transition.
2a Steady-state .....	101	Engine governed .....	10.
2b Transition .....	20	Engine governed .....	Linear transition.
3a Steady-state .....	277	Engine governed .....	75.
3b Transition .....	20	Engine governed .....	Linear transition.
4a Steady-state .....	339	Engine governed .....	25.
4b Transition .....	20	Engine governed .....	Linear transition.
5 Steady-state .....	350	Engine governed .....	50.

<sup>1</sup> The percent torque is relative to maximum test torque.

<sup>2</sup> Advance from one mode to the next within a 20-second transition phase. During the transition phase, command a linear progression from the torque setting of the current mode to the torque setting of the next mode.