

Environmental Protection Agency

§ 94.5

°C—Degrees Celsius.
CH₄—Methane.
CI—Compression ignition.
CO—Carbon monoxide.
CO₂—Carbon dioxide.
disp.—volumetric displacement of an engine cylinder.
EGR—Exhaust gas recirculation.
EP—End point.
EPA—Environmental Protection Agency.
FEL—Family emission limit.
ft—foot or feet.
FTP—Federal Test Procedure.
g—gram(s).
g/kW-hr—Grams per kilowatt hour.
gal—U.S. gallon.
h—hour(s).
HC—hydrocarbon.
Hg—Mercury.
hp—horsepower.
ICI—Independent Commercial Importer.
in—inch(es).
K—Kelvin.
kg—kilogram(s).
km—kilometer(s).
kPa—kilopascal(s).
kW—kilowatt.
L/cyl—liters per cylinder.
m—meter(s).
max—maximum.
mg—milligram(s).
min—minute.
ml—milliliter(s).
mm—millimeter.
NIST—National Institute for Standards and Testing.
NMHC—Non-methane hydrocarbons.
NTIS—National Technical Information Service.
NO—nitric oxide.
NO₂—nitrogen dioxide.
NO_x—oxides of nitrogen.
No.—number.
O₂—oxygen.
pct—percent.
PM—particulate matter.
PMM—post-manufacture marinizer.
ppm—parts per million by volume.
ppmC—parts per million, carbon.
rpm—revolutions per minute.
s—second(s).
SAE—Society of Automotive Engineers.
SEA—Selective Enforcement Auditing.
SI—International system of units (i.e., metric).
THC—Total hydrocarbon.
THCE—Total hydrocarbon equivalent.
U.S.—United States.
U.S.C.—United States Code.
vs—versus.
W—watt(s).
wt—weight.

[64 FR 73331, Dec. 29, 1999, as amended at 74 FR 56374, Oct. 30, 2009]

§ 94.4 Treatment of confidential information.

(a) Any manufacturer may assert that some or all of the information submitted pursuant to this part is entitled to confidential treatment as provided by 40 CFR part 2, subpart B.

(b) Any claim of confidentiality must accompany the information at the time it is submitted to EPA.

(c) To assert that information submitted pursuant to this part is confidential, a person or manufacturer must indicate clearly the items of information claimed confidential by marking, circling, bracketing, stamping, or otherwise specifying the confidential information. Furthermore, EPA requests, but does not require, that the submitter also provide a second copy of its submittal from which all confidential information has been deleted. If a need arises to publicly release nonconfidential information, EPA will assume that the submitter has accurately deleted the confidential information from this second copy.

(d) If a claim is made that some or all of the information submitted pursuant to this part is entitled to confidential treatment, the information covered by that confidentiality claim will be disclosed by EPA only to the extent and by means of the procedures set forth in 40 CFR part 2, subpart B.

(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 40 CFR 2.204(c)(2)(i)(A).

§ 94.5 Reference materials.

The materials listed in this section are incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, a document must be published in the FEDERAL REGISTER and the material must be available to the public. All approved materials are available for inspection at the Air and Radiation Docket and Information Center (Air Docket) in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave. NW., Washington, DC. The EPA/DC Public

§ 94.6

Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742. These approved materials are also available for inspection 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. In addition, these materials are available from the sources listed below.

(a) *ASTM material*. Copies of these materials may be obtained from ASTM International, 100 Barr Harbor Dr., P.O. Box C700, West Conshohocken, PA 19428-2959, or by calling (877) 909-ASTM, or at <http://www.astm.org>.

(1) ASTM D86-01, Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure, IBR approved for § 94.108.

(2) ASTM D93-09 (Approved December 15, 2009), Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester, IBR approved for § 94.108.

(3) ASTM D129-00, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for § 94.108.

(4) ASTM D287-92 (Reapproved 2000), Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method), IBR approved for § 94.108.

(5) ASTM D445-09 (Approved July 1, 2009), Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity), IBR approved for § 94.108.

(6) ASTM D613-01, Standard Test Method for Cetane Number of Diesel Fuel Oil, IBR approved for § 94.108.

(7) ASTM D1319-02a, Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Adsorption, IBR approved for § 94.108.

(8) ASTM D2622-98, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-ray

40 CFR Ch. I (7-1-13 Edition)

Fluorescence Spectrometry, IBR approved for § 94.108.

(9) ASTM D5186-99, Standard Test Method for Determination of the Aromatic Content and Polynuclear Aromatic Content of Diesel Fuels and Aviation Turbine Fuels by Supercritical Fluid Chromatography, IBR approved for § 94.108.

(10) ASTM E 29-02, Standard Practice for Using Significant Digits in Test Data to Determine Conformance with Specifications, IBR approved for § 94.2.

(b) *IMO material*. Copies of these materials may be obtained from the International Maritime Organization, 4 Albert Embankment, London SE1 7SR, United Kingdom, or by calling +44-(0)020-7735-7611, or at <http://www.imo.org>.

(1) Resolution 2—Technical Code on Control of Emission of Nitrogen Oxides from Marine Diesel Engines, 1997, IBR approved for §§ 94.2, 94.11, 94.108, 94.109, 94.204, 94.211, 94.1004.

(2) [Reserved]

(c) *ISO material*. Copies of these materials may be obtained from the International Organization for Standardization, 1, ch. de la Voie-Creuse, CP 56, CH-1211 Geneva 20, Switzerland, or by calling +41-22-749-01-11, or at <http://www.iso.org>.

(1) ISO 8178-1, Reciprocating internal combustion engines—Exhaust emission measurement—Part 1: Test-bed measurement of gaseous and particulate exhaust emissions, 1996, IBR approved for § 94.109.

(2) [Reserved]

[77 FR 2463, Jan. 18, 2012]

§ 94.6 Regulatory structure.

This section provides an overview of the regulatory structure of this part.

(a) The regulations of this Part 94 are intended to control emissions from in-use marine engines.

(b) The engines for which the regulations of this part (i.e., 40 CFR part 94) apply are specified by § 94.1, and by the definitions of § 94.2. The point at which an engine or vessel becomes subject to the regulations of this part is determined by the definitions of new marine engine and new marine vessel in § 94.2. Subpart J of this part contains provisions exempting certain engines and