

EPA test facility in order for the Administrator to perform the tests required for production verification.

(b) The requirements for purposes of testing by the Administrator and Selective Enforcement Auditing consist of:

(1) Testing in accordance with §204.54 of a compressor selected in accordance with §204.57-2; and

(2) Compliance of the test compressor with the applicable standards when tested in accordance with §204.54.

(c)(1) In lieu of testing compressors of every configuration, as described in paragraph (b) of this section, the manufacturer may elect to verify the configuration based on representative testing, the requirements of which consist of:

(i) Grouping configurations into a category where each category will be determined by a separate combination of at least the following parameters (a manufacturer may use more parameters):

(A) Engine type.

(1) Gasoline—two stroke cycle

(2) Gasoline—four stroke cycle

(3) Diesel—two stroke cycle

(4) Diesel—four stroke cycle

(5) Rotary—Wankel

(6) Turbine

(7) Other

(B) Engine manufacturer

(C) Compressor delivery rate (at rated pressure)

(ii) Identifying the configuration within each category which emits the highest sound level in dBA based on best technical judgment, emission test data, or both.

(iii) Testing in accordance with §204.54 selected in accordance with §204.57-2 which must be a compressor of the configuration which is identified pursuant to paragraph (c)(1)(iii) of this section as having the highest sound level (estimated or actual) within the category.

(iv) Compliance of the test compressor with applicable standards when tested in accordance with §204.54.

(2) Where the requirements of paragraph (c)(1) of this section are complied with, all those configurations contained within a category are considered represented by the tested compressor.

(3) Where the manufacturer tests a compressor configuration which has not been determined as having the highest sound level of a category, but all other requirements of paragraph (c)(1) of this section are complied with, all those configurations contained within that category which are determined to have sound levels no greater than the tested compressor are considered to be represented by the tested compressor: However, a manufacturer must for purposes of Testing by the Administrator and Selective Enforcement Auditing verify according to the requirements of paragraph (b)(1) and/or (c)(1) of this section any configurations in the subject category which have a higher sound level than the compressor configuration tested.

(d) A manufacturer may elect for purposes of Testing by the Administrator and Selective Enforcement Auditing to use representative testing, pursuant to paragraph (c) of this section, all or part of his product line.

(e) The manufacturer may, at his option, proceed with any of the following alternatives with respect to any compressor determined not in compliance with applicable standards:

(1) In the case of representative testing, a new test compressor from another configuration must be selected according to the requirements of paragraph (c) of this section in order to verify the configurations represented by the non-compliant compressor.

(2) Modify the test compressor and demonstrate by testing that it meets applicable standards. The manufacturer must modify all production compressors of the same configuration in the same manner as the test compressor before distribution into commerce.

(Secs. 6 and 13, Noise Control Act, Pub. L. 92-574, 86 Stat. 1244; (42 U.S.C. 4912); 42 U.S.C. 4905; 86 Stat. 1237 and secs. 6, 10, 11, 13, Pub. L. 92-574, 86 Stat. 1234 (42 U.S.C. 4905, 4909, 4910, 4912))

[41 FR 2172, Jan. 14, 1976, as amended at 42 FR 61455, Dec. 5, 1977; 47 FR 57711, Dec. 28, 1982; 49 FR 26738, June 29, 1984]

#### § 204.55-3 Configuration identification.

(a) A separate compressor configuration shall be determined by each combination of the following parameters:

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- (1) The compressor type (screw, sliding vane, etc.).
- (2) Number of compressor stages.
- (3) Maximum pressure (psi).
- (4) Air intake system of compressor:
  - (i) Number of filters;
  - (ii) Type of filters.
- (5) The engine system:
  - (i) Number of cylinders and configuration (L-6, V-8, V-12);
  - (ii) Displacement;
  - (iii) Horsepower;
  - (iv) Full load rpm.
- (6) Type cooling system, e.g., air cooled, water cooled.
- (7) Fan:
  - (i) Diameter;
  - (ii) Maximum fan rpm.
- (8) The compressor enclosure:
  - (i) Height, length, and width;
  - (ii) Acoustic material manufacturer, type, part number.
- (9) The induction system (engine):
  - (i) Natural;
  - (ii) Turbocharged.
- (10) The muffler:
  - (i) Manufacturer;
  - (ii) Manufacturer part number;
  - (iii) Quantity of mufflers used;
- (11) Category parameters listed at § 204.55-2.

**§ 204.55-4 Labeling.**

- (a)(1) The manufacturer of any compressor subject to the standards prescribed in § 204.52 shall, at the time of manufacture, affix a permanent, legible label, of the type and in the manner described below, containing the information hereinafter provided, to all such compressors to be distributed in commerce.
- (2) The label shall be permanently attached, in a readily visible position, on the compressor enclosure.
- (3) The label shall be affixed by the compressor manufacturer, who has verified such compressor, in such a manner that it cannot be removed without destroying or defacing the label, and shall not be affixed to any equipment that is easily detached from such compressor.
- (4) Labels for compressors not manufactured solely for use outside the United States shall contain the following information lettered in the English language in block letters and numerals, which shall be of a color

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that contrasts with the background of the label:

- (i) The label heading: Compressor Noise Emission Control Information;
- (ii) Full corporate name and trademark of manufacturer;
- (iii) Date of manufacture, which may consist of a serial number or code in those instances where records are specified and maintained.
- (iv) The statement:

This Compressor Conforms to U.S. E.P.A. Regulations for Noise Emissions Applicable to Portable Air Compressors. The following acts or the causing thereof by any person are prohibited by the Noise Control Act of 1972:

(A) The removal or rendering inoperative, other than for the purpose of maintenance, repair, or replacement, of any noise control device or element of design (listed in the owner's manual) incorporated into this compressor in compliance with the Noise Control Act;

(B) The use of this compressor after such device or element of design has been removed or rendered inoperative.

(b) Compressors manufactured solely for use outside the United States shall be clearly labeled "For Export Only."

(Secs. 6, 13, Pub. L. 92-574, (42 U.S.C. 4912); 42 U.S.C. 4905; 86 Stat. 1237 and secs. 6, 10, 11, 13, Pub. L. 92-574, 86 Stat. 1234 (42 U.S.C. 4905, 4909, 4910, 4912))

[41 FR 2172, Jan. 14, 1976, as amended at 42 FR 61455, Dec. 5, 1977. Redesignated at 47 FR 57712, Dec. 28, 1982, and amended at 49 FR 26738, June 29, 1984]

**§ 204.56 Testing by the Administrator.**

(a)(1) The Administrator may require that any compressor tested or scheduled to be tested pursuant to these regulations or any other untested compressors be submitted to him, at such place and time as he may designate, for the purpose of conducting tests in accordance with the test procedures described in § 204.54 to determine whether such compressors conform to applicable regulations.

(2) The Administrator may specify that he will conduct such testing at the manufacturer's facility, in which case instrumentation and equipment of the type required by these regulations shall be made available by the manufacturer for test operations. The Administrator may conduct such tests with his own equipment, which shall be equal to or exceed the performance