

## Environmental Protection Agency

## § 86.000-21

applicable model year by a manufacturer to a dealer, distributor, fleet operator, broker, or any other entity which comprises the point of first sale.

(C) The manufacturer may petition the Administrator to allow actual volume produced for U.S. sale to be used in lieu of actual U.S. sales for purposes of determining compliance with the implementation schedule sales percentages of table A00-5. Such petition shall be submitted within 30 days of the end of the model year to the Vehicle Programs and Compliance Division. For the petition to be granted, the manufacturer must establish to the satisfaction of the Administrator that actual production volume is functionally equivalent to actual sales volume.

(ii) These SFTP standards do not apply to heavy light-duty trucks certified on alternative fuels, but the standards do apply to the gasoline fuel operation of flexible fuel vehicles and dual fuel vehicles.

(iii) These SFTP standards do not apply to heavy light-duty trucks tested at high altitude.

(iv) The air to fuel ratio shall not be richer at any time than the leanest air to fuel mixture required to obtain maximum torque (lean best torque), plus a tolerance of six (6) percent. The Administrator may approve a manufacturer's request for additional enrichment if it can be shown that additional enrichment is needed to protect the engine of emissions control hardware.

(v) The requirement to use a single roll dynamometer (or a dynamometer which produces equivalent results), discussed in §§86.108-00, 86.118-00, and 86.129-00, applies to all SFTP and FTP test elements for families which are designated as SFTP compliant under the implementation schedule in table A00-5.

(vi) Small volume manufacturers, as defined in §86.094-14(b) (1) and (2), are exempt from the requirements of paragraph (e) of this section until model year 2004, when 100 percent compliance with the standards of this paragraph (e) is required. This exemption does not apply to small volume engine families as defined in §86.094-14(b)(5).

(vii) The manufacturer must state at the time of Application for Certification, based on projected U.S. sales or

projected production for U.S. sale, which families will be used to attain the required implementation schedule sales percentages for certification purposes.

(viii) A manufacturer cannot use one set of engine families to meet its intermediate useful life standards and another to meet its full useful life standards. The same families which are used to meet the intermediate useful life standards will be required without deviation to meet the corresponding full useful life standard.

(ix) The NO<sub>x</sub> averaging program is not applicable for determining compliance with the standards of table A00-6.

(x) Compliance with composite standards shall be demonstrated using the calculations set forth in §86.164-00.

(f) [Reserved]

(g) through (k) [Reserved]. For guidance see §86.097-9.

[61 FR 54879, Oct. 22, 1996]

### § 86.000-16 Prohibition of defeat devices.

Section 86.000-16 includes text that specifies requirements that differ from §86.094-16. Where a paragraph in §86.094-16 is identical and applicable to §86.000-16, this may be indicated by specifying the corresponding paragraph and the statement "[Reserved]. For guidance see §86.094-16."

(a) through (d) introductory text [Reserved]. For guidance see §86.094-16.

(d)(1) The manufacturer must show to the satisfaction of the Administrator that the vehicle design does not incorporate strategies that unnecessarily reduce emission control effectiveness exhibited during the Federal or Supplemental Federal emissions test procedures (FTP or SFTP) when the vehicle is operated under conditions which may reasonably be expected to be encountered in normal operation and use.

(d)(2) through (d)(2)(ii) [Reserved]. For guidance see §86.094-16.

[61 FR 54881, Oct. 22, 1996]

### § 86.000-21 Application for certification.

Section 86.000-21 includes text that specifies requirements that differ from §86.094-21, §86.096-21 or §86.098-21.