

§ 86.084-40

40 CFR Ch. I (7-1-00 Edition)

(c) *Construction.* Except where indicated, the language in this subpart applies to both vehicles and engines. In many instances, language referring to engines is enclosed in parentheses and immediately follows the language discussing vehicles.

[45 FR 63747, Sept. 25, 1980, as amended at 59 FR 48492, Sept. 21, 1994]

§ 86.084-40 Automatic expiration of reporting and recordkeeping requirements.

(a) [Reserved]

(b) *Light-duty trucks and heavy-duty engines.* (1) All of the recordkeeping and reporting requirements in this subpart for which 1984 is the first model year of implementation will automatically expire on December 31, 1988, unless the Administrator acts to retain them.

(2) If the Administrator determines that the reporting and recordkeeping requirements should be retained she/he will also at that time establish the subsequent date of expiration, which will not be later than December 31, 1993.

[45 FR 63770, Sept. 25, 1980]

§ 86.085-1 General applicability.

(a) The provisions of this subpart apply to 1985 and later model year new gasoline-fueled and diesel light-duty vehicles, 1985 and later model year new gasoline-fueled and diesel light-duty trucks, and 1985 and later model year new gasoline-fueled and diesel heavy-duty engines.

(b) *Optional applicability.* A manufacturer may request to certify any heavy-duty vehicle 10,000 pounds GVWP or less in accordance with the light-duty truck provisions. Heavy-duty engine or vehicle provisions do not apply to such a vehicle.

(c) [Reserved]

(d) *Alternative Durability Program.* For 1985 and later model year light-duty vehicles and light-duty trucks, a manufacturer may elect to participate in the Alternative Durability Program. This optional program provides an alternative method of determining exhaust emission control system durability. The general procedures and a description of the programs are contained in §§ 86.085-13 and specific provisions on

test vehicles and compliance procedures are contained in §§ 86.085-24 and 86.085-28 respectively.

(e) *Small volume manufacturers.* Special certification procedures are available for any manufacturer whose projected combined U.S. sales of light-duty vehicles, light-duty trucks, and heavy-duty engines in its product line are fewer than 10,000 units for the model year in which the manufacturer seeks certification. In order to certify its product line under these optional procedures, the small-volume manufacturer must first obtain the Administrator's approval. Vehicles produced at facilities leased, operated, controlled, supervised, or in 10 percent or greater part owned by the manufacturer shall be counted in calculating the total sales of the manufacturer. The small-volume manufacturer's certification procedures are described in § 86.084-14.

(f) *Optional Procedures for Determining Exhaust Opacity.* (1) The provisions of subpart I apply to tests which are performed by the Administrator, and optionally, by the manufacturer.

(2) Measurement procedures, other than that described in subpart I, may be used by the manufacturer provided the manufacturer satisfies the requirements of § 86.085-23(f).

(3) When a manufacturer chooses to use an alternative measurement procedure it has the responsibility to determine whether the results obtained by the procedure will correlate with the results which would be obtained from the measurement procedure in subpart I. Consequently, the Administrator will not routinely approve or disapprove any alternative opacity measurement procedure or any associated correlation data which the manufacturer elects to use to satisfy the data requirements of subpart I.

(4) If a confirmatory test(s) is performed and the results indicate there is a systematic problem suggesting that the data generated under an optional alternative measurement procedure do not adequately correlate with subpart I data, EPA may require that all certificates of conformity not already issued

Environmental Protection Agency

§ 86.085-2

be based on data from subpart I procedures.

(Secs. 202, 203, 206, 207, 208, 301a, Clean Air Act as amended; 42 U.S.C. 7521, 7522, 7525, 7541, 7542, 7601(a)

[48 FR 22548, May 19, 1983, as amended at 50 FR 10648, Mar. 15, 1985; 51 FR 24608, July 7, 1986]

§ 86.085-2 Definitions.

The definitions of § 86.084-2 remain effective. The definitions listed in this section apply beginning with the 1985 model year.

Abnormally treated vehicle, any diesel light-duty vehicle or diesel light-duty truck that is operated for less than five miles in a 30 day period immediately prior to conducting a particulate emissions test.

Composite particulate standard, for a manufacturer which elects to average diesel light-duty vehicles and diesel light-duty trucks together in the particulate averaging program, means that standard calculated according to the following equation and rounded to the nearest hundredth gram-per-mile:

$$\frac{(\text{PROD}_{\text{LDV}})(\text{STD}_{\text{LDV}}) + (\text{PROD}_{\text{LDT}})(\text{STD}_{\text{LDT}})}{(\text{PROD}_{\text{LDV}}) + (\text{PROD}_{\text{LDT}})} = \text{Manufacturer composite particulate standard}$$

Where:

PROD_{LDV} represents the manufacturer's total diesel light-duty vehicle production for those engine families being included in the average for a given model year.

STD_{LDV} represents the light-duty vehicle particulate standard.

PROD_{LDT} represents the manufacturer's total diesel light-duty truck production for those engine families being included in the average for a given model year.

STD_{LDT} represents the light-duty truck particulate standard.

Family particulate emission limit means the diesel particulate emission level to which an engine family is certified in the particulate averaging program, expressed to an accuracy of one hundredth gram-per-mile.

Incomplete gasoline-fueled heavy-duty vehicle means any gasoline-fueled heavy-duty vehicle which does not have the primary load-carrying device, or passenger compartment, or engine compartment or fuel system attached.

Production-weighted average means the manufacturer's production-weighted average particulate emission level, for certification purposes, of all of its diesel engine families included in the particulate averaging program. It is calculated at the end of the model year by multiplying each family particulate emission limit by its respective production, summing these terms, and dividing the sum by the total production of the effected families. Those vehicles

produced for sale in California or at high altitude shall each be averaged separately from those produced for sale in any other area.

Primary intended service class means:

(a) The primary service application group for which a heavy-duty diesel engine is designed and marketed, as determined by the manufacturer. The primary intended service classes are designated as light, medium, and heavy heavy-duty diesel engines. The determination is based on factors such as vehicle GVW, vehicle usage and operating patterns, other vehicle design characteristics, engine horsepower, and other engine design and operating characteristics.

(1) Light heavy-duty diesel engines usually are non-sleeved and not designed for rebuild; their rated horsepower generally ranges from 70 to 170. Vehicle body types in this group might include any heavy-duty vehicle built for a light-duty truck chassis, van trucks, multi-stop vans, recreational vehicles, and some single axle straight trucks. Typical applications would include personal transportation, light-load commercial hauling and delivery, passenger service, agriculture, and construction. The GVWR of these vehicles is normally less than 19,500 lbs.

(2) Medium heavy-duty diesel engines may be sleeved or non-sleeved and may