

Environmental Protection Agency

§ 85.1411

up to ten days after the certifier responds to the MOD Director's objection.

(2) Any interested party may request additional time to respond to the information submitted by the equipment certifier. The MOD Director upon a showing of good cause by the interested party may grant an extension of time to reply up to 30 days.

(3) The equipment certifier may reply to information submitted by interested parties. Notification of intent to reply shall be submitted to the MOD Director within 10 days of the date information from interested parties is submitted to the MOD Director.

(4) The MOD Director may, at his or her discretion, allow oral presentations by the equipment certifier or any interested party in connection with contested equipment certification.

(c) If notification has been provided to an equipment certifier pursuant to paragraph (a) of this section, the MOD Director shall, after reviewing all pertinent data and information, render a decision and inform the equipment certifier in writing as to whether such equipment may be certified and, if so, under what conditions the equipment may be certified. The written decision shall include an explanation of the reasons therefor.

(1) The decision by the MOD Director shall be provided to the certifier after receipt of all necessary information by the certifier or interested parties, or of the date of any oral presentation regarding the certification, whichever occurs second.

(2) A copy of the decision shall be sent to all interested parties identified in paragraphs (b)(3) and (b)(4) of this section.

(3) Within 20 days of receipt of a decision made pursuant to paragraph (c) of this section, any party may file a written appeal to the Office Director. The Office Director may, in his or her discretion, allow additional oral or written submissions, prior to rendering a final decision. The schedule for such submission shall be in accordance with the schedule specified in § 85.1408(b).

(4) If no party files an appeal with the Office Director within 20 days, then the decision of the MOD Director shall be final.

(5) The Office Director shall make a final decision regarding the certification of equipment after receipt of all necessary information by the equipment certifier or from the date of any oral presentation, whichever occurs later.

(6) A copy of all final decisions made under this section shall be published in the FEDERAL REGISTER.

§ 85.1409 Warranty.

(a) As a condition of certification, the retrofit/rebuild equipment certifier shall warrant that if the certified equipment is properly installed and maintained as stated in the written instructions for proper maintenance and use, the equipment will not cause an urban bus engine to exceed the emission requirements of this subpart and the emission standards set forth in 40 CFR part 86. This retrofit/rebuild equipment warranty shall extend for a period of 150,000 miles from when the equipment is installed.

(b) As a condition of certification, the retrofit/rebuild equipment certifier shall provide an emissions defect warranty that if the certified equipment is properly installed and maintained as stated in the written instructions for proper maintenance and use, the equipment certifier will replace all defective parts, free of charge. This emissions defect warranty shall extend for a period of 100,000 miles from when the equipment is installed.

§ 85.1410 Changes after certification.

The equipment certifier shall recertify any retrofit/rebuild equipment which was certified pursuant to § 85.1406 and to which modifications are made affect emissions or the capability of the equipment to meet any other requirement of this subpart.

§ 85.1411 Labeling requirements.

(a) All retrofit/rebuild equipment certified pursuant to this subpart shall contain a label that shall be affixed to the rebuilt engine which states, "Certified to EPA Urban Bus Engine Rebuild Standards," the model and serial number of the equipment, and the particulate emissions certification level of the