

§ 1068.455

40 CFR Ch. I (7–1–10 Edition)

accurate to the best of my knowledge. I know of the penalties for violating the Clean Air Act and the regulations. (Authorized Company Representative)

(d) Send reports of your testing to the Designated Compliance Officer using an approved information format. If you want to use a different format, send us a written request with justification for a waiver.

(e) We may post test results on publicly accessible databases and we will send copies of your reports to anyone from the public who asks for them. We will not release information about your sales or production volumes, which is all we will consider confidential.

§ 1068.455 What records must I keep?

(a) We may review your records at any time so it is important to keep required information readily available. Organize and maintain your records as described in this section.

(b) Keep paper records for testing under this subpart for one full year after you complete all the testing required for the selective enforcement audit. For additional storage, you may use any format or media.

(c) Keep a copy of the written reports described in § 1068.450.

(d) Keep the following additional records:

(1) The names of supervisors involved in each test.

(2) The name of anyone who authorizes adjusting, repairing, preparing, or modifying a test engine/equipment and the names of all supervisors who oversee this work.

(3) If you shipped the engine/equipment for testing, the date you shipped it, the associated storage or port facility, and the date the engine/equipment arrived at the testing facility.

(4) Any records related to your audit that are not in the written report.

(5) A brief description of any significant events during testing not otherwise described in the written report or in this section.

(e) If we ask, you must give us projected or actual production for a family. Include each assembly plant if you produce engines/equipment at more than one plant.

(f) We may ask you to keep or send other information necessary to implement this subpart.

APPENDIX A TO SUBPART E OF PART 1068—PLANS FOR SELECTIVE ENFORCEMENT AUDITING

The following tables describe sampling plans for selective enforcement audits, as described in § 1068.420:

TABLE A–1—SAMPLING PLAN CODE LETTER

Projected family sales	Code letter ¹	Minimum number of tests		Maximum number of tests
		To pass	To fail	
20–50	AA	3	5	20
20–99	A	4	6	30
100–299	B	5	6	40
300–499	C	5	6	50
500 +	D	5	6	60

¹ A manufacturer may optionally use either the sampling plan for code letter “AA” or sampling plan for code letter “A” for Selective Enforcement Audits of families with annual sales between 20 and 50 engines/equipment. Additionally, the manufacturer may switch between these plans during the audit.

TABLE A–2—SAMPLING PLANS FOR DIFFERENT ENGINE FAMILY SALES VOLUMES

Stage ^a	AA		A		B		C		D	
	Pass #	Fail #	Pass #	Fail #	Pass #	Fail #	Pass #	Fail #	Pass #	Fail #
1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3	0	.....	.....	.....	.....	.....	.....	.....	.....	.....
4	0	.....	0	.....	.....	.....	.....	.....	.....	.....
5	1	5	0	.....	0	.....	0	.....	0	.....
6	1	6	1	6	1	6	0	6	0	6
7	2	6	1	7	1	7	1	7	1	7
8	2	7	2	7	2	7	2	7	2	8
9	3	7	2	8	2	8	2	8	2	8
10	3	8	3	8	3	8	3	9	3	9

TABLE A-2—SAMPLING PLANS FOR DIFFERENT ENGINE FAMILY SALES VOLUMES—Continued

Stage ^a	AA		A		B		C		D	
	Pass #	Fail #	Pass #	Fail #	Pass #	Fail #	Pass #	Fail #	Pass #	Fail #
11	4	8	3	8	3	9	3	9	3	9
12	4	9	4	9	4	9	4	10	4	10
13	5	9	5	10	4	10	4	10	4	10
14	5	10	5	10	5	10	5	11	5	11
15	6	10	6	11	5	11	5	11	5	11
16	6	10	6	11	6	12	6	12	6	12
17	7	10	7	12	6	12	6	12	6	12
18	8	10	7	12	7	13	7	13	7	13
19	8	10	8	13	8	13	7	13	7	13
20	9	10	8	13	8	14	8	14	8	14
21	9	14	9	14	8	14	8	14
22	10	14	9	15	9	15	9	15
23	10	15	10	15	10	15	9	15
24	11	15	10	16	10	16	10	16
25	11	16	11	16	11	16	11	16
26	12	16	11	17	11	17	11	17
27	12	17	12	17	12	17	12	17
28	13	17	12	18	12	18	12	18
29	14	17	13	18	13	18	13	19
30	16	17	13	19	13	19	13	19
31	14	19	14	19	14	20
32	14	20	14	20	14	20
33	15	20	15	20	15	21
34	16	21	15	21	15	21
35	16	21	16	21	16	22
36	17	22	16	22	16	22
37	17	22	17	22	17	23
38	18	22	18	23	17	23
39	18	22	18	23	18	24
40	21	22	19	24	18	24
41	19	24	19	25
42	20	25	19	26
43	20	25	20	26
44	21	26	21	27
45	21	27	21	27
46	22	27	22	28
47	22	27	22	28
48	23	27	23	29
49	23	27	23	29
50	26	27	24	30
51	24	30
52	25	31
53	25	31
54	26	32
55	26	32
56	27	33
57	27	33
58	28	33
59	28	33
60	32	33

^a Stage refers to the cumulative number of engines/equipment tested.

Subpart F—Reporting Defects and Recalling Engines/Equipment

§ 1068.501 How do I report emission-related defects?

This section addresses the certificate holder’s responsibility to investigate and report emission-related defects in design, materials, or workmanship. The provisions of this section do not limit your liability under this part or

the Clean Air Act. For example, selling an engine/equipment that does not conform to your application for certification is a violation of § 1068.101(a)(1) independent of the requirements of this section. The requirements of this section apply separately to each certificate holder if there is more than one certificate holder for the equipment.

(a) *General provisions.* As a certifying manufacturer, you must investigate in