

standards). You may include this information by adding it to the statement we specify or by including a separate statement.

(2) You may add other information to ensure that the engine will be properly maintained and used.

(3) You may add appropriate features to prevent counterfeit labels. For example, you may include the engine's unique identification number on the label.

(e) You may ask us to approve modified labeling requirements in this part 1045 if you show that it is necessary or appropriate. We will approve your request if your alternate label is consistent with the requirements of this part.

(f) If you obscure the engine label while installing the engine in the vessel such that the label cannot be read during normal maintenance, you must place a duplicate label on the vessel. If others install your engine in their vessels in a way that obscures the engine label, we require them to add a duplicate label on the vessel (see 40 CFR 1068.105); in that case, give them the number of duplicate labels they request and keep the following records for at least five years:

(1) Written documentation of the request from the vessel manufacturer.

(2) The number of duplicate labels you send for each engine family and the date you sent them.

**§ 1045.140 What is my engine's maximum engine power?**

(a) An engine configuration's maximum engine power is the maximum brake power point on the nominal power curve for the engine configuration, as defined in this section. Round the power value to the nearest whole kilowatt for engines above 30 kW and to the nearest 0.1 kilowatt for engines at or below 30 kW.

(b) The nominal power curve of an engine configuration is the relationship between maximum available engine brake power and engine speed for an engine, using the mapping procedures of 40 CFR part 1065, based on the manufacturer's design and production specifications for the engine. This information may also be expressed by a torque curve that relates maximum

available engine torque with engine speed.

(c) The nominal power curve must be within the range of the actual power curves of production engines considering normal production variability. If after production begins it is determined that your nominal power curve does not represent production engines, we may require you to amend your application for certification under § 1045.225.

(d) Maximum engine power for an engine family is generally the weighted average value of maximum engine power of each engine configuration within the engine family based on your total U.S.-directed production volume of engines you produce from the engine family. However, alternative approaches for defining an engine family's maximum engine power apply in the following circumstances:

(1) For outboard or personal watercraft engines for which you neither generate nor use emission credits, you may identify the greatest value for maximum engine power from all the different configurations within the engine family to determine the appropriate emission standard under § 1045.103.

(2) For high-performance engines, you must use the smallest value for maximum engine power from all the different configurations within the engine family to determine the standards and other requirements that apply under this subpart B.

[73 FR 59194, Oct. 8, 2008, as amended at 75 FR 23019, Apr. 30, 2010]

**§ 1045.145 Are there interim provisions that apply only for a limited time?**

The provisions in this section apply instead of other provisions in this part. This section describes how and when these interim provisions apply.

(a) *Small-volume engine manufacturers.* Special provisions apply to you for sterndrive/inboard engines if you are a small-volume engine manufacturer subject to the requirements of this part. Contact us before January 1, 2010 if you intend to use the provisions of this paragraph (a). You may delay complying with emission standards and other requirements that would otherwise apply until the 2011 model year for