both exhaust and evaporative emissions, you must submit separate applications.

(b) The application must contain all the information required by this part and must not include false or incomplete statements or information (see §1054.255).

(c) We may ask you to include less information than we specify in this subpart as long as you maintain all the information required by §1054.250.

(d) You must use good engineering judgment for all decisions related to your application (see 40 CFR 1068.5).

(e) An authorized representative of your company must approve and sign the application.

(f) See §1054.255 for provisions describing how we will process your application.

(g) We may require you to deliver your test engines to a facility we designate for our testing (see §1054.235(c)).

(h) For engines that become new after being placed into service, such as engines converted to run on a different fuel, we may specify alternate certification provisions consistent with the intent of this part. *See* §1054.645 and the definition of ''new nonroad engine'' in §1054.801.

[73 FR 59259, Oct. 8, 2008, as amended at 75 FR 23025, Apr. 30, 2010]

§1054.205 What must I include in my application?

This section specifies the information that must be in your application, unless we ask you to include less information under §1054.201(c). We may require you to provide additional information to evaluate your application. The provisions of this section apply to integrated equipment manufacturers and engine manufacturers selling loose engines. Nonintegrated equipment manufacturers must follow the requirements of 40 CFR part 1060.

(a) Describe the emission family's specifications and other basic parameters of the engine's design and emission controls. List the fuel type on which your engines are designed to operate (for example, all-season gasoline). List each distinguishable engine configuration in the emission family. For each engine configuration in which the maximum modal power of the emission-data engine is at or above 25 kW (or power at or above 15 kW if displacement is above 1000 cc), list the maximum engine power and the range of values for maximum engine power resulting from production tolerances, as described in §1054.140.

(b) Explain how the emission control systems operate. Describe the evaporative emission controls and show how your design will prevent running loss emissions, if applicable. Also describe in detail all system components for controlling exhaust emissions, including all auxiliary emission control devices (AECDs) and all fuel-system components you will install on any production or test engine. Identify the part number of each component you describe. For this paragraph (b), treat as separate AECDs any devices that modulate or activate differently from each other. Include sufficient detail to allow us to evaluate whether the AECDs are consistent with the defeat device prohibition of §1054.115. For example, if your engines will routinely experience in-use operation that differs from the specified duty cycle for certification, describe how the fuel-metering system responds to varying speeds and loads not represented by the duty cycle. If you test an emission-data engine by disabling the governor for full-load operation such that the engine operates at an air-fuel ratio significantly different than under full-load operation with an installed governor, explain why these differences are necessary or appropriate. For conventional carbureted engines without electronic fuel controls, it is sufficient to state that there is no significant difference in air-fuel ratios.

(c) [Reserved]

(d) Describe the engines, equipment, and fuel system components you selected for testing and the reasons for selecting them.

(e) Describe the test equipment and procedures that you used, including any special or alternate test procedures you used. For handheld engines, describe how you selected the value for rated speed.

(f) Describe how you operated the emission-data engine before testing, including the duty cycle and the number

of engine operating hours used to stabilize emission levels. Explain why you selected the method of service accumulation. Describe any scheduled maintenance you did.

(g) List the specifications of the test fuel to show that it falls within the required ranges we specify in 40 CFR part 1065.

(h) Identify the emission family's useful life. Describe the basis for selecting useful life values with respect to exhaust emissions (see §1054.107).

(i) Include the maintenance and warranty instructions you will give to the ultimate purchaser of each new engine (see §§1054.120 and 1054.125). Describe your basis for meeting the warranty-assurance provisions in §1054.120(f). Describe your recall repair network if it is different than your warranty repair network. State that you will post a bond as specified in §1054.120(f) and 1054.690 or describe why those requirements do not apply.

(j) Include the emission-related installation instructions you will provide if someone else installs your engines in nonroad equipment (see §1054.130).

(k) Describe your emission control information label (see §1054.135).

(l) Identify the emission standards or FELs for the emission family.

(m) Identify the emission family's deterioration factors and describe how you developed them (see §1054.245). Present any emission test data you used for this.

(n) State that you operated your emission-data engines as described in the application (including the test procedures, test parameters, and test fuels) to show you meet the requirements of this part.

(o) Present emission data to show that you meet exhaust emission standards, as follows:

(1) Present emission data for hydrocarbons (such as THC, THCE, or NMHC, as applicable), NO_X, and CO on an emission-data engine to show your engines meet the applicable exhaust emission standards as specified in §1054.101. Show emission figures before and after applying deterioration factors for each engine. Include test data from each applicable duty cycle specified in §1054.505(b). If we specify more than one grade of any fuel type (for example, low-temperature and all-season gasoline), you need to submit test data only for one grade, unless the regulations of this part specify otherwise for your engine.

(2) Note that §§1054.235 and 1054.245 allow you to submit an application in certain cases without new emission data.

(p) Report test results as follows:

(1) Report all test results involving measurement of pollutants for which emission standards apply. Include test results from invalid tests or from any other tests, whether or not they were conducted according to the test procedures of subpart F of this part. We may ask you to send other information to confirm that your tests were valid under the requirements of this part and 40 CFR parts 1060 and 1065.

(2) Report measured CO_2, N_2O, and CH_4 as described in §1054.235. Small-volume engine manufacturers may omit reporting N_2O and CH_4.

(q) Describe all adjustable operating parameters (see §1054.115(b)), including production tolerances. Include the following in your description of each parameter:

(1) The nominal or recommended setting.

(2) The intended physically adjustable range.

(3) The limits or stops used to establish adjustable ranges.

(4) Information showing why the limits, stops, or other means of inhibiting adjustment are effective in preventing adjustment of parameters on in-use engines to settings outside your intended physically adjustable ranges.

(r) Describe how your nonhandheld engines comply with emission standards at varying atmospheric pressures. Include a description of altitude kits you design to comply with the requirements of §1054.115(c). Identify the part number of each component you describe. Identify the altitude range for which you expect proper engine performance and emission control with and without the altitude kit. State that your engines will comply with applicable emission standards throughout the useful life with the altitude kit installed according to your instructions. Describe any relevant testing, engineering analysis, or other information

in sufficient detail to support your statement. In addition, describe your plan for making information and parts available such that you would reasonably expect that altitude kits would be widely used in the high-altitude counties specified in 40 CFR part 1068, Appendix III. For example, engine owners should have ready access to information describing when an altitude kit is needed and how to obtain this service. Similarly, parts and service information should be available to qualified service facilities in addition to authorized service centers if that is needed for owners to have such altitude kits installed locally.

(s) If your engines are subject to handheld emission standards on the basis of meeting weight limitations described in the definition of ''handheld'' in §1054.801, describe your analysis showing that you meet the applicable weight-related restrictions.

(t) State whether your certification is limited for certain engines. If this is the case, describe how you will prevent use of these engines in applications for which they are not certified. This applies for engines such as the following:

(1) Wintertime engines not certified to the specified $HC+NO_X$ standard.

(2) Two-stroke snowthrower engines using the provisions of §1054.101(d).

(u) Unconditionally certify that all the engines in the emission family comply with the requirements of this part, other referenced parts of the CFR, and the Clean Air Act.

(v) Include good-faith estimates of U.S.-directed production volumes. Include a justification for the estimated production volumes if they are substantially different than actual production volumes in earlier years for similar models. Also indicate whether you expect the engine family to contain only nonroad engines, only stationary engines, or both.

(w) State that you will post a bond as specified in §1054.690 or describe why those requirements do not apply.

(x) Include the information required by other subparts of this part. For example, include the information required by §1054.725 if you participate in the ABT program.

(y) Include other applicable information, such as information specified in this part or 40 CFR part 1068 related to requests for exemptions.

(z) Name an agent for service located in the United States. Service on this agent constitutes service on you or any of your officers or employees for any action by EPA or otherwise by the United States related to the requirements of this part.

(aa) For imported engines or equipment, identify the following:

(1) The port(s) at which you have imported your engines (or equipment containing your engines) over the previous 12 months.

(2) The names and addresses of the agents you have authorized to import your engines or equipment.

(3) The location of a test facility in the United States where you can test your engines if we select them for testing under a selective enforcement audit, as specified in 40 CFR part 1068, subpart E.

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§1054.210 May I get preliminary approval before I complete my application?

If you send us information before you finish the application, we will review it and make any appropriate determinations, especially for questions related to emission family definitions, auxiliary emission control devices, deterioration factors, useful life, testing for service accumulation, maintenance, and delegated final assembly. Decisions made under this section are considered to be preliminary approval, subject to final review and approval. We will generally not reverse a decision where we have given you preliminary approval, unless we find new information supporting a different decision. If you request preliminary approval related to the upcoming model year or the model year after that, we will make the appropriate determinations as soon as practicable. We will generally not provide preliminary approval related to a future model year more than two years ahead of time.