§ 1068.425  What happens if one of my production-line engines/equipment exceeds the emission standards?

(a) If one of your production-line engines/equipment fails to meet one or more emission standards (see §1068.420), the certificate of conformity is automatically suspended for that engine or piece of equipment. You must take the following actions before your certificate of conformity can cover that engine or piece of equipment:

1. Correct the problem and retest the engine/equipment to show it complies with all emission standards.
2. Include in your written report a description of the test results and the remedy for each engine or piece of equipment (see §1068.450).

(b) You may ask for a hearing at any time to determine whether the tests and sampling methods were proper (see subpart G of this part).

§ 1068.430  What happens if a family fails an SEA?

(a) We may suspend your certificate of conformity for a family if it fails the SEA under §1068.420. The suspension may apply to all facilities producing engines/equipment from a family even if you find noncompliant engines/equipment only at one facility.

(b) We will tell you in writing if we suspend your certificate in whole or in part. We will not suspend a certificate until at least 15 days after the family fails the SEA. The suspension is effective when you receive our notice.

(c) You may ask for a hearing to determine whether the tests and sampling methods were proper (see subpart G of this part) up to 15 days after we suspend the certificate for a family. If we agree that we used erroneous information in deciding to suspend the certificate before a hearing is held, we will reinstate the certificate.

§ 1068.435  May I sell engines/equipment from a family with a suspended certificate of conformity?

You may sell engines/equipment that you produce after we suspend the family’s certificate of conformity only if one of the following occurs:

(a) You test each engine or piece of equipment you produce and show it complies with emission standards that apply.

(b) We conditionally reinstate the certificate for the family. We may do so if you agree to recall all the affected engines/equipment and remedy any noncompliance at no expense to the