(f) After each test, compare the current CumSum statistic, C, to the recalculated Action Limit, H, defined as H = 5.0 \times \sigma.

(g) If the CumSum statistic exceeds the Action Limit in two consecutive tests, the engine family fails the production-line testing requirements of this subpart. Tell us within ten working days if this happens. You may request to amend the application for certification to raise the FEL of the engine family as described in §1051.225(f).

(h) If you amend the application for certification for an engine family under §1051.225, do not change any previous calculations of sample size or CumSum statistics for the model year.

§ 1051.320 What happens if one of my production-line vehicles or engines fails to meet emission standards?

(a) If you have a production-line vehicle or engine with final deteriorated test results exceeding one or more emission standards (see §1051.315(a)), the certificate of conformity is automatically suspended for that failing vehicle or engine. You must take the following actions before your certificate of conformity can cover that vehicle or engine:

1. Correct the problem and retest the vehicle or engine to show it complies with all emission standards.
2. Include the test results and describe the remedy for each engine in the written report required under §1051.345.

(b) You may request to amend the application for certification to raise the FEL of the engine family at this point (see §1051.225). You must take the following actions before your certificate of conformity can cover that vehicle or engine:

1. Correct the problem and retest the vehicle or engine to show it complies with all emission standards.
2. Include the test results and describe the remedy for each engine in the written report required under §1051.345.

(c) If we agree before a hearing occurs that we used erroneous information in deciding to suspend the certificate, we will reinstate the certificate.

§ 1051.330 May I sell vehicles from an engine family with a suspended certificate of conformity?

You may sell vehicles that you produce after we suspend the engine family’s certificate of conformity under §1051.315 only if one of the following occurs:

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

(b) We conditionally reinstate the certificate for the engine family. We may do so if you agree to recall all the affected vehicles and remedy any noncompliance at no expense to the owner if later testing shows that the engine family still does not comply.