(2) Secure it to a part of the engine needed for normal operation and not normally requiring replacement.

(3) Make sure it is durable and readable for the engine’s entire life.

(4) Write it in English.

(5) If the engine label is obscured in the final installation.

(b) Engine labels or tags required under this section must have the following information:

(1) Include the heading “EMISSION CONTROL INFORMATION.”

(2) Include your full corporate name and trademark. You may instead include the full corporate name and trademark of another company you choose to designate.

(3) State the engine displacement (in liters) and maximum engine power (or in the case of fire pumps, NFPA nameplate engine power).

(4) State: “THIS ENGINE IS EXEMPTED FROM THE REQUIREMENTS OF 40 CFR PARTS 89 AND 1039 AS A “STATIONARY ENGINE,” INSTALLING OR USING THIS ENGINE IN ANY OTHER APPLICATION MAY BE A VIOLATION OF FEDERAL LAW SUBJECT TO CIVIL PENALTY.”

(c) Stationary engines required by 40 CFR part 60, subpart III, to meet the requirements of this part 1039, or part 89, 94 or 1042, must meet the labeling requirements of 40 CFR 60.4210.

§ 1039.30 Submission of information.

(a) This part includes various requirements to record data or other information. Refer to §1039.825 and 40 CFR 1068.25 regarding recordkeeping requirements. Unless we specify otherwise, store these records in any format and on any media and keep them readily available for one year after you send an associated application for certification, or one year after you generate the data if they do not support an application for certification. You must promptly send us organized, written records in English if we ask for them. We may review them at any time.

(b) The regulations in §1039.255 and 40 CFR 1068.101 describe your obligation to report truthful and complete information and the consequences of failing to meet this obligation. This includes information not related to certification.

(c) Send all reports and requests for approval to the Designated Compliance Officer (see §1039.801).

(d) Any written information we require you to send to or receive from another company is deemed to be a required record under this section. Such records are also deemed to be submissions to EPA. We may require you to send us these records whether or not you are a certificate holder.

[75 FR 22988, Apr. 30, 2010]

Subpart B—Emission Standards and Related Requirements

§ 1039.101 What exhaust emission standards must my engines meet after the 2014 model year?

The exhaust emission standards of this section apply after the 2014 model year. Certain of these standards also apply for model year 2014 and earlier.

(a) Emission standards for transient testing. Transient exhaust emissions from your engines may not exceed the applicable emission standards in Table 1 of this section. Measure emissions using the applicable transient test procedures described in subpart F of this part. The following engines are not subject to the transient standards in this paragraph (a):

(1) Engines above 560 kW.

(2) Constant-speed engines.

(b) Emission standards for steady-state testing. Steady-state exhaust emissions from your engines may not exceed the applicable emission standards in Table 1 of this section. Measure emissions using the applicable steady-state test procedures described in subpart F of this part.
Environmental Protection Agency

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TABLE 1 OF § 1039.101—TIER 4 EXHAUST EMISSION STANDARDS AFTER THE 2014 MODEL YEAR, G/KW-HR ¹

<table>
<thead>
<tr>
<th>Maximum engine power</th>
<th>Application</th>
<th>PM</th>
<th>NOx</th>
<th>NMHC</th>
<th>NOx+NMHC</th>
<th>CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>kW &lt; 19</td>
<td>All</td>
<td>² 0.40</td>
<td></td>
<td></td>
<td>7.5</td>
<td>³ 6.6</td>
</tr>
<tr>
<td>19 ≤ kW &lt; 56</td>
<td>All</td>
<td>0.03</td>
<td></td>
<td></td>
<td>4.7</td>
<td>³ 5.0</td>
</tr>
<tr>
<td>56 ≤ kW &lt; 130</td>
<td>All</td>
<td>0.02</td>
<td>0.40</td>
<td>0.19</td>
<td></td>
<td>5.0</td>
</tr>
<tr>
<td>130 ≤ kW ≤ 560</td>
<td>All</td>
<td>0.02</td>
<td>0.40</td>
<td>0.19</td>
<td></td>
<td>3.5</td>
</tr>
<tr>
<td>kW &gt; 560</td>
<td>Generator sets</td>
<td>0.03</td>
<td>0.67</td>
<td>0.19</td>
<td></td>
<td>3.5</td>
</tr>
<tr>
<td></td>
<td>All except generator sets</td>
<td>0.04</td>
<td>3.5</td>
<td>0.19</td>
<td></td>
<td>3.5</td>
</tr>
</tbody>
</table>

¹Note that some of these standards also apply for 2014 and earlier model years. This table presents the full set of emission standards that apply after all the transition and phase-in provisions of § 1039.102 expire.

² The PM standard is 0.6 g/kW-hr for engines below 8 kW.

₃ The NOx+NMHC standard is 3.0 g/kW-hr for engines below 8 kW.

(c) Optional PM standard for engines below 8 kW. You may certify hand-startable, air-cooled, direct injection engines below 8 kW to an optional Tier 4 PM standard of 0.60 g/kW-hr. The term hand-startable generally refers to engines that are started using a hand crank or pull cord. This PM standard applies to both steady-state and transient testing, as described in paragraphs (a) and (b) of this section. Engines certified under this paragraph (c) may not be used to generate PM or NOx+NMHC emission credits under the provisions of subpart H of this part. These engines may use PM or NOx+NMHC emission credits, subject to the FEL caps in paragraph (d)(1) of this section.

(d) Averaging, banking, and trading. You may generate or use emission credits under the averaging, banking, and trading (ABT) program, as described in subpart H of this part. This requires that you specify a family emission limit (FEL) for each pollutant you include in the ABT program for each engine family. These FELs serve as the emission standards for the engine family with respect to all required testing instead of the standards specified in paragraphs (a) and (b) of this section. The FELs determine the not-to-exceed standards for your engine family, as specified in paragraph (e) of this section.

(1) Primary FEL caps. The FEL may not be higher than the limits in Table 2 of this section, except as allowed by paragraph (d)(2) of this section or by § 1039.102:

TABLE 2 OF § 1039.101—TIER 4 FEL CAPS AFTER THE 2014 MODEL YEAR, G/KW-HR

<table>
<thead>
<tr>
<th>Maximum engine power</th>
<th>Application</th>
<th>PM</th>
<th>NOx</th>
<th>NOx+NMHC</th>
</tr>
</thead>
<tbody>
<tr>
<td>kW &lt; 19</td>
<td>All</td>
<td>0.80</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 ≤ kW &lt; 56</td>
<td>All</td>
<td>0.05</td>
<td></td>
<td></td>
</tr>
<tr>
<td>56 ≤ kW &lt; 130</td>
<td>All</td>
<td>0.04</td>
<td>0.80</td>
<td></td>
</tr>
<tr>
<td>130 ≤ kW ≤ 560</td>
<td>All</td>
<td>0.04</td>
<td>0.80</td>
<td></td>
</tr>
<tr>
<td>kW &gt; 560</td>
<td>Generator sets</td>
<td>0.05</td>
<td>1.07</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All except generator sets</td>
<td>0.07</td>
<td>6.2</td>
<td></td>
</tr>
</tbody>
</table>

¹For engines below 8 kW, the FEL cap is 10.5 g/kW-hr for NOx+NMHC emissions.

(2) Alternate FEL caps. For a given power category, you may use the alternate FEL caps shown in Table 3 of this section instead of the FEL caps identified in paragraph (d)(1) of this section for up to 5 percent of your U.S.-directed production volume in a given model year.

TABLE 3 OF § 1039.101—ALTERNATE FEL CAPS, G/KW-HR

<table>
<thead>
<tr>
<th>Maximum engine power</th>
<th>Starting model year ¹</th>
<th>PM FEL cap</th>
<th>NOx FEL cap</th>
</tr>
</thead>
<tbody>
<tr>
<td>19 ≤ kW &lt; 56</td>
<td>² 2016</td>
<td>0.30</td>
<td></td>
</tr>
<tr>
<td>56 ≤ kW &lt; 130</td>
<td>³ 2016</td>
<td>0.30</td>
<td>³ 3.8</td>
</tr>
<tr>
<td>130 ≤ kW ≤ 560</td>
<td>³ 2015</td>
<td>0.20</td>
<td>3.8</td>
</tr>
</tbody>
</table>

¹For engines below 8 kW, the FEL cap is 10.5 g/kW-hr for NOx+NMHC emissions.
TABLE 3 OF § 1039.101—ALTERNATE FEL CAPS, g/kW-hr—Continued

<table>
<thead>
<tr>
<th>Maximum engine power</th>
<th>Starting model year</th>
<th>PM FEL cap</th>
<th>NOX FEL cap</th>
</tr>
</thead>
<tbody>
<tr>
<td>kW &gt; 560</td>
<td>2019</td>
<td>0.10</td>
<td>4.5</td>
</tr>
</tbody>
</table>

1 See § 1039.104(g) for alternate FEL caps that apply in earlier model years.
2 For manufacturers certifying engines under Option #1 of Table 3 of § 1039.102, these alternate FEL caps apply starting with the 2017 model year.
3 For engines below 75 kW, the FEL caps are 0.40 g/kW-hr for PM emissions and 4.4 g/kW-hr for NOX emissions.
4 For engines above 560 kW, the provision for alternate NOX FEL caps is limited to generator-set engines. For example, if you produce 1,000 generator-set engines above 560 kW in a given model year, up to 50 of them may be certified to the alternate NOX FEL caps.

(e) Not-to-exceed standards. Exhaust emissions from your engines may not exceed the applicable not-to-exceed (NTE) standards in this paragraph (e).

(1) Measure emissions using the procedures described in subpart F of this part.

(2) Except as noted in paragraph (e)(7) of this section, the NTE standard, rounded to the same number of decimal places as the applicable standard in Table 1 of this section, is determined from the following equation:

\[
\text{NTE standard for each pollutant} = (\text{STD}) \times (M)
\]

Where:

\[
\text{STD} = \text{The standard specified for that pollutant in Table 1 of this section (or paragraph (c) of this section) if you certify without using ABT for that pollutant; or the FEL for that pollutant if you certify using ABT.}
\]

\[
M = \text{The NTE multiplier for that pollutant, as defined in paragraph (e)(3) of this section.}
\]

(3) The NTE multiplier for each pollutant is 1.25, except in the following cases:

<table>
<thead>
<tr>
<th>If . . .</th>
<th>Or . . .</th>
<th>Then . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) The engine family is certified to a NOX standard less than 2.50 g/kW-hr without using ABT.</td>
<td>The engine family is certified to a NOX FEL less than 2.50 g/kW-hr or a NOX+NMHC FEL less than 2.70 g/kW-hr.</td>
<td>The multiplier for NOX, NMHC, and NOX+NMHC is 1.50.</td>
</tr>
<tr>
<td>(ii) The engine family is certified to a PM standard less than 0.07 g/kW-hr without using ABT.</td>
<td>The engine family is certified to a PM FEL less than 0.07 g/kW-hr.</td>
<td>The multiplier for PM is 1.50.</td>
</tr>
</tbody>
</table>

4 There are two sets of specifications of ambient operating regions that will apply for all NTE testing of engines in an engine family. You must choose one set for each engine family and must identify your choice of ambient operating regions in each application for certification for an engine family. You may choose separately for each engine family. Choose one of the following ambient operating regions:

(i) All altitudes less than or equal to 5,500 feet above sea level during all ambient temperature and humidity conditions.

(ii) All altitudes less than or equal to 5,500 feet above sea level, for temperatures less than or equal to the temperature determined by the following equation at the specified altitude:

\[
T = -0.00254 \times A + 100
\]

Where:

\[
T = \text{ambient air temperature in degrees Fahrenheit.}
\]

\[
A = \text{altitude in feet above sea level (A is negative for altitudes below sea level).}
\]

5 Temperature and humidity ranges for which correction factors are allowed are specified in 40 CFR 86.1370–2007(e).

(1) If you choose the ambient operating region specified in paragraph (e)(4)(i) of this section, the temperature and humidity ranges for which correction factors are allowed are defined in 40 CFR 86.1370–2007(e)(1).

(ii) If you choose the ambient operating region specified in paragraph (e)(4)(ii) of this section, the temperature and humidity ranges for which correction factors are allowed are defined in 40 CFR 86.1370–2007(e)(2).

6 For engines equipped with exhaust-gas recirculation, the NTE standards of this section do not apply.
Environmental Protection Agency

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The exhaust emission standards and phase-in allowances apply for my engines in model year 2014 and earlier?

The exhaust emission standards of this section apply for 2014 and earlier model years. See § 1039.101 for exhaust emission standards that apply to later...