§ 1054.301 When must I test my production-line engines?

(a) If you produce engines that are subject to the requirements of this part, you must test them as described in this subpart, except as follows:

1. Small-volume engine manufacturers may omit testing under this subpart.

2. We may exempt small-volume emission families from routine testing under this subpart. Request this exemption in your application for certification and include your basis for projecting a production volume below 5,000 units. We will approve your request if we agree that you have made good-faith estimates of your production volumes. Your exemption is approved when we grant your certificate. You must promptly notify us if your actual production exceeds 5,000 units during the model year. If you exceed the production limit or if there is evidence of a nonconformity, we may require you to test production-line engines under this subpart, or under 40 CFR part 1068, subpart E, even if we have approved an exemption under this paragraph (a)(2).

(b) We may suspend or revoke your certificate of conformity for certain engine families if your production-line engines do not meet the requirements of this part or you do not fulfill your obligations under this subpart (see §§ 1054.325 and 1054.340).

(c) Other regulatory provisions authorize us to suspend, revoke, or void your certificate of conformity, or order recalls for engine families, without regard to whether they have passed these production-line testing requirements. The requirements of this subpart do not affect our ability to do selective enforcement audits, as described in 40 CFR part 1068. Individual engines in families that pass these production-line testing requirements must also conform to all applicable regulations of this part and 40 CFR part 1068.

(d) You may use alternate programs for testing production-line engines in the following circumstances:

1. You may use analyzers and sampling systems that meet the field-testing requirements of 40 CFR part 1065, subpart J, but not the otherwise applicable requirements in 40 CFR part 1065 for laboratory testing, to demonstrate compliance with emission standards if you double the minimum sampling rate specified in § 1054.310(b). Use measured test results to determine whether engines comply with applicable standards without applying a measurement allowance. This alternate program does not require prior approval but we may disallow use of this option where we determine that use of field-grade equipment would prevent you from being able to demonstrate that your engines are being produced to conform to the specifications in your application for certification.

2. You may ask to use another alternate program for testing production-line engines. In your request, you must show us that the alternate program gives equal assurance that your products meet the requirements of this part. We may waive some or all of this subpart’s requirements if we approve your alternate approach. For example, in certain circumstances you may be able to give us equal assurance that your products meet the requirements of this part by using less rigorous measurement methods if you offset that by increasing the number of test engines.

(e) If you certify an engine family with carryover emission data, as described in § 1054.235(d), and these equivalent engine families consistently pass the production-line testing requirements over the preceding two-year period, you may ask for a reduced testing rate for further production-line testing for that family. The minimum testing rate is one engine per engine family. If we reduce your testing rate, we may limit our approval to any number of model years. In determining whether to approve your request, we may consider the number of engines that have failed the emission tests.

(f) We may ask you to make a reasonable number of production-line engines available for a reasonable time so we can test or inspect them for compliance with the requirements of this part.

§ 1054.305 How must I prepare and test my production-line engines?

This section describes how to prepare and test production-line engines. You must assemble the test engine in a way...
§ 1054.310 How must I select engines for production-line testing?

(a) Test engines from each engine family as described in this section based on test periods, as follows:

(1) For engine families with projected U.S.-directed production volume of at least 1,600, the test periods are consecutive quarters (3 months). However, if your annual production period is less than 12 months long, you may take the following alternative approach to define quarterly test periods:

(i) If your annual production period is 120 days or less, the whole model year constitutes a single test period.

(ii) If your annual production period is 121 to 210 days, divide the annual