

Environmental Protection Agency

§ 86.609–98

assembly plant or storage facility to the test facility if the test facility is not located at the plant or storage facility or in close proximity to the plant or storage facility: Except, that the Administrator may approve more time based upon a request by the manufacturer accompanied by a satisfactory justification.

(f) If a vehicle cannot complete the mileage accumulation or emission tests because of vehicle malfunction, the manufacturer may request the Administrator to authorize the repair of that vehicle or its deletion from the test sequence.

(g) Whenever the manufacturer conducts testing pursuant to a test order issued under this subpart, the manufacturer shall notify the Administrator within one working day of receipt of the test order, which test facility will be used to comply with the test order and the number of available test cells at that facility. If no test cells are available at the desired facility, the manufacturer must provide alternate testing capability satisfactory to the Administrator.

(1) The manufacturer shall perform a combination of tests pursuant to paragraph (a) of this section so that a minimum of four tests are performed per 24 hour period, including voided tests, for each available test cell.

(2) The Administrator may approve a longer period based upon a request by a manufacturer accompanied by satisfactory justification.

(h) The manufacturer shall perform test vehicle selection, preparation, mileage accumulation, shipping, and testing in such a manner as to assure that the audit is performed in an expeditious manner.

(i) The manufacturer may retest any test vehicle after a fail decision has been reached in accordance with § 86.610–98(d) based on the first test on each vehicle; except that the Administrator may approve retests at other times during the audit based upon a request by the manufacturer accompanied by a satisfactory justification. The manufacturer may test each vehicle a total of three times. The manufacturer shall test each vehicle the same number of times. The manufacturer may accumulate additional mile-

age on test vehicles before conducting retests, subject to the provisions of paragraph (c) of this section.

[59 FR 16301, Apr. 6, 1994, as amended at 60 FR 43898, Aug. 23, 1995; 62 FR 31235, June 6, 1997; 79 FR 23700, Apr. 28, 2014]

§ 86.609–98 Calculation and reporting of test results.

(a) Initial test results are calculated following the test procedures specified in § 86.608–98(a). Round the initial test results to the number of decimal places contained in the applicable emission standard expressed to one additional significant figure.

(b) Final test results for each test vehicle are calculated by summing the initial test results derived in paragraph (a) of this section for each test vehicle, dividing by the number of times that specific test has been conducted on the vehicle, and rounding to the same number of decimal places contained in the applicable standard expressed to one additional significant figure.

(c) *Final deteriorated test results.* (1) *For each test vehicle.* The final deteriorated test results for each light-duty vehicle tested for exhaust emissions and/or refueling emissions according to subpart B, subpart C, or subpart R of this part are calculated by first multiplying or adding, as appropriate, the final test results by or to the appropriate deterioration factor derived from the certification process for the engine or evaporative/refueling family and model year to which the selected configuration belongs, and then by multiplying by the appropriate reactivity adjustment factor, if applicable, and rounding to the same number of decimal places contained in the applicable emission standard. For the purpose of this paragraph (c), if a multiplicative deterioration factor as computed during the certification process is less than one, that deterioration factor is one. If an additive deterioration factor as computed during the certification process is less than zero, that deterioration factor will be zero.

(2) *Exceptions.* There are no deterioration factors for light-duty vehicle emissions obtained during spitback testing in accordance with § 86.146. Accordingly, for the fuel dispensing

spitback test, the term “final deteriorated test results” means the final test results derived in paragraph (b) of this section for each test vehicle, rounded to the same number of decimal places contained in the applicable emission standard.

(d) Within five working days after completion of testing of all vehicles pursuant to a test order, the manufacturer shall submit to the Administrator a report which includes the following information:

(1) The location and description of the manufacturer’s emission test facilities which were utilized to conduct testing reported pursuant to this section.

(2) The applicable standards against which the vehicles were tested.

(3) Deterioration factors for the selected configuration.

(4) A description of the vehicle selection method used.

(5) For each test conducted.

(i) Test vehicle description including:

(A) Configuration, engine family, and refueling family identification.

(B) Year, make, build date, and model of vehicle.

(C) Vehicle Identification Number.

(D) Miles accumulated on vehicle.

(ii) Location where mileage accumulation was conducted and description of accumulation schedule.

(iii) Test number, date initial test results, final results and final deteriorated test results for all valid and invalid exhaust emission tests, and the reason for invalidation.

(iv) A complete description of any modification, repair, preparation, maintenance and/or testing which was performed on the test vehicle and:

(A) Has not been reported pursuant to any other paragraph of this subpart; and

(B) Will not be performed on all other production vehicles.

(v) Carbon dioxide emission values for all valid and invalid exhaust emission tests.

(vi) Where a vehicle was deleted from the test sequence by authorization of the Administrator, the reason for the deletion.

(vii) Any other information the Administrator may request relevant to the determination as to whether the

new motor vehicles being manufactured by the manufacturer do in fact conform with the regulations with respect to which the certificate of conformity was issued.

(6) The following statement and endorsement:

This report is submitted pursuant to sections 206 and 208 of the Clean Air Act. This Selective Enforcement Audit was conducted in complete conformance with all applicable regulations under 40 CFR part 86 and the conditions of the test order. No emission related change(s) to production processes or quality control procedures for the vehicle configuration tested have been made between receipt of this test order and conclusion of the audit. All data and information reported herein is, to the best of

(Company Name)

knowledge, true and accurate. I am aware of the penalties associated with violations of the Clean Air Act and the regulations thereunder.

(Authorized Company Representative)

[59 FR 16303, Apr. 6, 1994, as amended at 62 FR 31236, June 6, 1997; 79 FR 23701, Apr. 28, 2014]

§ 86.610-98 Compliance with acceptable quality level and passing and failing criteria for Selective Enforcement Audits.

(a) The prescribed acceptable quality level is 40 percent.

(b) A failed vehicle is one whose final deteriorated test results pursuant to § 86.609-98(c) exceed at least one of the applicable emission standards associated with the test procedures pursuant to § 86.608-98(a).

(c)(1) *Pass/fail criteria.* The manufacturer shall test vehicles comprising the test sample until a pass decision is reached for all of the pollutants associated with all of the test procedures pursuant to § 86.608-98(a) or a fail decision is reached for one of these pollutants. A pass decision is reached when the cumulative number of failed vehicles, as defined in paragraph (b) of this section, for each pollutant is less than or equal to the fail decision number appropriate to the cumulative number of vehicles tested. A fail decision is reached when the cumulative number of failed vehicles for one pollutant is