

a single integral unit, the engine may be tested in the net condition. Power corrections from net to gross conditions will be allowed with prior approval of the Administrator.

Small-volume boat builder means a boat manufacturer with fewer than 500 employees and with annual U.S.-directed production of fewer than 100 boats. For manufacturers owned by a parent company, these limits apply to the combined production and number of employees of the parent company and all its subsidiaries.

Small-volume manufacturer means a manufacturer with annual U.S.-directed production of fewer than 1,000 internal combustion engines (marine and nonmarine). For manufacturers owned by a parent company, the limit applies to the production of the parent company and all its subsidiaries.

Spark-ignition means relating to a gasoline-fueled engine or other engines with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark-ignition engines usually use a throttle to regulate intake air flow to control power during normal operation.

Specified by a certificate of conformity or *specified in a certificate of conformity* means stated or otherwise specified in a certificate of conformity or an approved application for certification.

Test engine means an engine in a test sample.

Test sample means the collection of engines or vessels selected from the population of an engine family for emission testing.

Tier 1 means relating to an engine subject to the Tier 1 emission standards listed in § 94.8.

Tier 2 means relating to an engine subject to the Tier 2 emission standards listed in § 94.8.

Total Hydrocarbon Equivalent means the sum of the carbon mass contributions of non-oxygenated hydrocarbons, alcohols and aldehydes, or other organic compounds that are measured separately as contained in a gas sample, expressed as petroleum-fueled engine hydrocarbons. The hydrogen-to-carbon ratio of the equivalent hydrocarbon is 1.85:1.

Trading means the exchange of engine emission credits between credit holders.

Ultimate Purchaser means, with respect to any new engine or vessel, the first person who in good faith purchases such new engine or vessel for purposes other than resale.

United States means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and the U.S. Virgin Islands.

U.S.-directed production volume means the number of marine engine units, subject to this part, produced by a manufacturer for which the manufacturer has reasonable assurance that sale was or will be made to ultimate purchasers in the United States.

Useful life means the period during which an engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as hours of operation and years. It is the period during which a new engine is required to comply with all applicable emission standards. (Note: § 94.9(a) specifies minimum requirements for useful life values.)

Vessel means a marine vessel.

Vessel operator means any individual that physically operates or maintains a vessel, or exercises managerial control over the operation of the vessel.

Vessel owner means the individual or company that holds legal title to a vessel.

Voluntary emission recall means a repair, adjustment, or modification program voluntarily initiated and conducted by a manufacturer to remedy any emission-related defect for which notification of engine or vessel owners has been provided.

[64 FR 73331, Dec. 29, 1999, as amended at 67 FR 68341, Nov. 8, 2002; 68 FR 9781, Feb. 28, 2003; 68 FR 54960, Sept. 19, 2003; 70 FR 40457, July 13, 2005; 73 FR 37196, June 30, 2008]

§ 94.3 Abbreviations.

The abbreviations of this section apply to all subparts of this part and have the following meanings:

AECD—Auxiliary emission control device.
API—American Petroleum Institute.
ASTM—American Society for Testing and Materials.

Environmental Protection Agency

§ 94.5

°C—Degrees Celsius.
CH₄—Methane.
CI—Compression ignition.
CO—Carbon monoxide.
CO₂—Carbon dioxide.
disp.—volumetric displacement of an engine cylinder.
EGR—Exhaust gas recirculation.
EP—End point.
EPA—Environmental Protection Agency.
FEL—Family emission limit.
ft—foot or feet.
FTP—Federal Test Procedure.
g—gram(s).
g/kW-hr—Grams per kilowatt hour.
gal—U.S. gallon.
h—hour(s).
HC—hydrocarbon.
Hg—Mercury.
hp—horsepower.
ICI—Independent Commercial Importer.
in—inch(es).
K—Kelvin.
kg—kilogram(s).
km—kilometer(s).
kPa—kilopascal(s).
kW—kilowatt.
L/cyl—liters per cylinder.
m—meter(s).
max—maximum.
mg—milligram(s).
min—minute.
ml—milliliter(s).
mm—millimeter.
NIST—National Institute for Standards and Testing.
NMHC—Non-methane hydrocarbons.
NTIS—National Technical Information Service.
NO—nitric oxide.
NO₂—nitrogen dioxide.
NO_x—oxides of nitrogen.
No.—number.
O₂—oxygen.
pct—percent.
PM—particulate matter.
PMM—post-manufacture marinizer.
ppm—parts per million by volume.
ppmC—parts per million, carbon.
rpm—revolutions per minute.
s—second(s).
SAE—Society of Automotive Engineers.
SEA—Selective Enforcement Auditing.
SI—International system of units (i.e., metric).
THC—Total hydrocarbon.
THCE—Total hydrocarbon equivalent.
U.S.—United States.
U.S.C.—United States Code.
vs—versus.
W—watt(s).
wt—weight.

[64 FR 73331, Dec. 29, 1999, as amended at 74 FR 56374, Oct. 30, 2009]

§ 94.4 Treatment of confidential information.

(a) Any manufacturer may assert that some or all of the information submitted pursuant to this part is entitled to confidential treatment as provided by 40 CFR part 2, subpart B.

(b) Any claim of confidentiality must accompany the information at the time it is submitted to EPA.

(c) To assert that information submitted pursuant to this part is confidential, a person or manufacturer must indicate clearly the items of information claimed confidential by marking, circling, bracketing, stamping, or otherwise specifying the confidential information. Furthermore, EPA requests, but does not require, that the submitter also provide a second copy of its submittal from which all confidential information has been deleted. If a need arises to publicly release nonconfidential information, EPA will assume that the submitter has accurately deleted the confidential information from this second copy.

(d) If a claim is made that some or all of the information submitted pursuant to this part is entitled to confidential treatment, the information covered by that confidentiality claim will be disclosed by EPA only to the extent and by means of the procedures set forth in 40 CFR part 2, subpart B.

(e) Information provided without a claim of confidentiality at the time of submission may be made available to the public by EPA without further notice to the submitter, in accordance with 40 CFR 2.204(c)(2)(i)(A).

§ 94.5 Reference materials.

The materials listed in this section are incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, a document must be published in the FEDERAL REGISTER and the material must be available to the public. All approved materials are available for inspection at the Air and Radiation Docket and Information Center (Air Docket) in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave. NW., Washington, DC. The EPA/DC Public