

emission standard. The compliance level (or new emission standard) for this engine/vehicle is ____.” (The manufacturer shall insert the applicable pollutant and compliance level calculated in accordance with § 86.1112-87(a).)

(ii) [Reserved]

(2) If a manufacturer introduces an engine or vehicle into commerce prior to the compliance level determination of § 86.1112-87(a), it shall provide the engine or vehicle owner with a label as described in paragraph (h) of this section to be affixed in a location in proximity to the label required in paragraph (a) of this section within 30 days of the completion of the PCA.

[58 FR 15795, Mar. 24, 1993]

§ 86.094-1 General applicability.

(a) The provisions of this subpart generally apply to 1994 and later model year new Otto-cycle and diesel-cycle light-duty vehicles, 1994 and later model year new Otto-cycle and diesel-cycle light-duty trucks, and 1994 and later model year new Otto-cycle and diesel-cycle heavy-duty engines. In cases where a provision applies only to a certain vehicle group based on its model year, vehicle class, motor fuel, engine type, or other distinguishing characteristics, the limited applicability is cited in the appropriate section or paragraph.

(b) *Optional applicability.* A manufacturer may request to certify any heavy-duty vehicle of 10,000 pounds Gross Vehicle Weight Rating or less in accordance with the light-duty truck provisions. Heavy-duty engine or vehicle provisions do not apply to such a vehicle.

(c)-(d) [Reserved]

(e) *Small volume manufacturers.* Special certification procedures are available for any manufacturer whose projected combined U.S. sales of light-duty vehicles, light-duty trucks, heavy-duty vehicles, and heavy-duty engines in its product line (including all vehicles and engines imported under the provisions of §§ 85.1505 and 85.1509 of this chapter are fewer than 10,000 units for the model year in which the manufacturer seeks certification. To certify its product line under these optional procedures, the small-volume

manufacturer must first obtain the Administrator's approval. The manufacturer must meet the eligibility criteria specified in § 86.092-14(b) before the Administrator's approval will be granted. The small-volume manufacturer's certification procedures are described in § 86.092-14.

(f) *Optional procedures for determining exhaust opacity.* (1) The provisions of subpart I of this part apply to tests which are performed by the Administrator, and optionally, by the manufacturer.

(2) Measurement procedures, other than that described in subpart I of this part, may be used by the manufacturer provided the manufacturer satisfies the requirements of § 86.091-23(f).

(3) When a manufacturer chooses to use an alternative measurement procedure it has the responsibility to determine whether the results obtained by the procedure will correlate with the results which would be obtained from the measurement procedure in subpart I of this part. Consequently, the Administrator will not routinely approve or disapprove any alternative opacity measurement procedure or any associated correlation data which the manufacturer elects to use to satisfy the data requirements for subpart I of this part.

(4) If a confirmatory test(s) is performed and the results indicate there is a systematic problem suggesting that the data generated under an optional alternative measurement procedure do not adequately correlate with data obtained in accordance with the procedures described in subpart I of this part, EPA may require that all certificates of conformity not already issued be based on data obtained from procedures described in subpart I of this part.

[58 FR 4002, Jan. 12, 1993]

§ 86.094-2 Definitions.

The definitions of § 86.093-2 remain effective. The definitions listed in this section are effective beginning with the 1994 model year.

Adjusted Loaded Vehicle Weight means the numerical average of vehicle curb weight and GVWR.