

# Amendments to the Manufacturer-Run, Heavy-Duty Diesel In-Use Engine and Vehicle Testing Program

The U.S. Environmental Protection Agency (EPA) is publishing a Direct Final Rule to adopt final accuracy measurement margins for testing gaseous pollutants with portable emission measurement systems. Also, the rule makes several changes to the program in the early years of in-use testing. First, for particulate emissions (PM), this rule eliminates the first calendar year, i.e., 2006, of the two-year pilot program. Second, due to a delay in developing the final accuracy margin for PM, we are delaying the first year of the fully enforceable PM test program from the 2008 calendar year to the 2009 calendar year. During the 2008 calendar year, we are adding another year of pilot program for that pollutant. Third, and finally, we are extending the normal period for reporting in-test results during the initial years of the program and allowing certain short-term changes in how vehicles are recruited and tested.

## Overview

In a rule published on June 14, 2005, EPA established a manufacturer-run, in-use testing program for heavy-duty diesel vehicles. The program assesses compliance with EPA's Not-to-Exceed emission standards for these vehicles when operated on the highway. The in-use test data will also be used by EPA to assure that all other applicable emission standards are being met, and by manufacturers to improve their engine designs.

At the time the original rule was promulgated, EPA established interim emission measurement "accuracy" margins for the requisite portable emission measurement devices pending the development of final accuracy margins through a comprehensive

research program with the California Air Resources Board and the Engine Manufacturers Association. In this rulemaking, we are adopting the final accuracy margins for gaseous pollutants from that work.

Several changes are also being made the program during the early years of in-use testing. First, we are eliminating the first calendar year, i.e., 2006, of the two-year pilot program for particulate emissions (PM) in response to engine manufacturers' concerns, which primarily relate to the availability and efficacy of the requisite portable measurement systems (PEMS) for that pollutant. Second, due to a delay in developing the final accuracy margin for PM under the aforementioned comprehensive research program, we are delaying the first year of the fully enforceable PM test program from the 2008 calendar year to the 2009 calendar year. During the 2008 calendar year, there will be another year of pilot program testing for that pollutant. Third, and finally, we are extending the normal period for reporting in-use test results during the initial years of the program and allowing certain short-term changes in how vehicles are recruited and tested. These revisions are primarily intended to address delays in initiating the gaseous emission and PM pilot programs, manufacturers' concerns regarding the schedule for initial purchases of PM measurement systems, and manufacturers' concerns regarding potential difficulties of initially instrumenting vehicles with these units.

This rule is being released as a direct final rule. However, comments can be submitted under a parallel Notice of Proposed Rulemaking (NPRM). Comments will be accepted for 30 days beginning when the NPRM is published in the Federal Register. All comments should be identified by Docket ID No. EPA-HQ-OAR-2004-0072 and submitted by one of the following methods:

Internet: [www.regulations.gov](http://www.regulations.gov)

E-mail: [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov)

Mail:  
Environmental Protection Agency  
Mail Code 2822T  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

Hand Delivery:  
U.S. Environmental Protection Agency  
EPA Headquarters Library  
EPA West Building  
Room 3334  
1301 Constitution Avenue NW  
Washington, DC

## **For More Information**

You can access the rule and related documents on EPA's Office of Transportation and Air Quality (OTAQ) Web site at:

[www.epa.gov/otaq/marine.htm](http://www.epa.gov/otaq/marine.htm)

For more information on this Direct Final Rule, please contact the Assessment and Standards Division at:

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