

schedule maintenance on those components more frequently than the alternate useful life (see § 1039.101(g)).

(b) *Recommended additional maintenance.* You may recommend any additional amount of maintenance on the components listed in paragraph (a) of this section, as long as you make clear that these maintenance steps are not necessary to keep the emission-related warranty valid. If operators do the maintenance specified in paragraph (a) of this section, but not the recommended additional maintenance, this does not allow you to disqualify them from in-use testing or deny a warranty claim.

(c) *Special maintenance.* You may specify more frequent maintenance to address problems related to special situations, such as atypical engine operation.

(d) *Noncritical emission-related maintenance.* For engine parts not listed in paragraph (a) of this section, you may schedule any amount of emission-related inspection or maintenance. But you must state clearly that these steps are not necessary to keep the emission-related warranty valid. Also, do not take these inspection or maintenance steps during service accumulation on your test engines.

(e) *Maintenance that is not emission-related.* For maintenance unrelated to emission controls, you may schedule any amount of inspection or maintenance. You may also take these inspection or maintenance steps during service accumulation on your test vehicles or engines. This might include adding engine oil, changing air, fuel, or oil filters, cooling system maintenance, adjustment of idle speed, governor, engine bolt torque, valve lash, injector lash, timing, or lubrication of the exhaust manifold heat control valve. This nonemission-related maintenance may be performed on durability vehicles at the least frequent intervals that you recommend to the ultimate purchaser (not the intervals recommended for severe service).

(f) *Source of parts and repairs.* Print clearly on the first page of your written maintenance instructions that any repair shop or person may maintain, replace, or repair emission-control devices and systems. Your instructions may not require components or service identified by brand, trade, or corporate name. Also, do not directly or indirectly condition your warranty on a requirement that the vehicle be serviced by your franchised dealers or any other service establishments with which you have a commercial relationship.

You may disregard the requirements in this paragraph (f) if you do one of two things:

(1) Provide a component or service without charge under the purchase agreement.

(2) Get us to waive this prohibition in the public's interest by convincing us the engine will work properly only with the identified component or service.

(g) *Owner's responsibility for maintenance.* The owner is responsible for proper maintenance of the engine. This includes a component related to emission control but not designed for emission control, if it meets either of the following criteria:

(1) The component was in general use on similar engines before January 1, 1990.

(2) Failure of the component would clearly degrade the engine's performance enough that the operator would need to repair or replace it.

§ 1039.130 What installation instructions must I give to equipment manufacturers?

(a) If you sell an engine for someone else to install in a piece of nonroad equipment, give the buyer of the engine written instructions for installing it consistent with the requirements of this part. Include all information necessary to ensure that an engine installed this way will be in its certified configuration.

(b) Make sure these instructions have the following information:

(1) Include the heading: "Emission-related installation instructions".

(2) State: "Failing to follow these instructions when installing a certified engine in a piece of nonroad equipment violates federal law (40 CFR 1068.105(b)), subject to fines or other penalties as described in the Clean Air Act."

(3) Describe the instructions needed to install the exhaust system consistent with the requirements of § 1039.205(s).

(4) [Reserved]

(5) Describe any limits on the range of applications needed to ensure that the engine operates consistently with your application for certification. For example, if your engines are certified only for constant-speed operation under § 1039.510(a)(1), tell equipment manufacturers not to install the engines in variable-speed applications.

(6) Describe any other instructions to make sure the installed engine will operate according to design specifications in your application for certification. This may include, for example, instructions for installing aftertreatment devices when installing the engines.

(7) State: "If you install the engine in a way that makes the engine's emission

control information label hard to read during normal engine maintenance, you must place a duplicate label on the vehicle, as described in 40 CFR 1068.105."

(c) You do not need installation instructions for engines you install in your own equipment.

§ 1039.135 How must I label and identify the engines I produce?

(a) Assign each engine a legible unique identification number and permanently and affix or engrave it (including stamping) on the engine.

(b) At the time of manufacture, affix a permanent and legible label identifying each engine. The label must be:

(1) Attached in one piece so it is not removable without being destroyed or defaced.

(2) Durable and readable for the engine's entire life.

(3) Secured to a part of the engine needed for normal operation and not normally requiring replacement.

(4) Written in block letters in English.

(c) The label must:

(1) Include the heading "EMISSION CONTROL INFORMATION".

(2) Include your full corporate name and trademark.

(3) Identify the emission-control system; your identifiers must use names and abbreviations consistent with SAE J1930 (incorporated by reference in § 1039.810).

(4) List all requirements for fuel and lubricants.

(5) State the date of manufacture [MONTH and YEAR]; you may omit the date of manufacture from the emission control information label if you maintain a record of the engine manufacture dates and provide them to us upon request.

(6) State: "THIS ENGINE MEETS U.S. ENVIRONMENTAL PROTECTION AGENCY REGULATIONS FOR [MODEL YEAR] NONROAD COMPRESSION-IGNITION ENGINES."

(7) State the emission standards to which the engines are certified, or the FELs if you certify the engine using the ABT provisions of subpart H of this part.

(8) Include EPA's standardized designation for the engine family (and subfamily, where applicable).

(9) State the engine's displacement (in liters) and maximum engine power for the family. You may use the advertised power for the engine instead of the maximum engine power for the family, as long as the advertised power is within the power category for which the engine family is certified.

(10) State the engine's useful life (see § 1039.101(g)).