

considered noncompliant, and you are liable for each engine produced under the certificate and may face civil or criminal penalties or both. This applies equally to all engines in the engine family including engines produced before we voided the certificate. If we void an exemption, all the engines produced under that exemption are considered uncertified (or nonconforming), and you are liable for each engine produced under the exemption and may face civil or criminal penalties or both. You may not produce any additional engines using the voided exemption.

*Volatile liquid fuel* means any fuel other than diesel or biodiesel that is a liquid at atmospheric pressure and has a Reid Vapor Pressure higher than 2.0 psi.

*We (us, our)* means the Administrator of the Environmental Protection Agency and any authorized representatives.

#### § 1039.805 What symbols, acronyms, and abbreviations does this part use?

The following symbols, acronyms, and abbreviations apply to this part: °C degrees Celsius.

ASTM American Society for Testing and Materials.

cc cubic centimeters.

CFR Code of Federal Regulations.

CI compression-ignition.

cm centimeter.

CO carbon monoxide.

CO<sub>2</sub> carbon dioxide.

EPA Environmental Protection Agency.

FEL Family Emission Limit.

g/kW-hr grams per kilowatt-hour.

HC hydrocarbon.

ISO International Organization for Standardization.

kPa kilopascals.

kW kilowatts.

m meters.

MIL malfunction-indicator light.

mm Hg millimeters of mercury.

NMHC nonmethane hydrocarbons.

NO<sub>x</sub> oxides of nitrogen (NO and NO<sub>2</sub>).

psi pounds per square inch of absolute pressure.

psig pounds per square inch of gauge pressure.

rpm revolutions per minute.

SAE Society of Automotive Engineers.

SI spark-ignition.

THC total hydrocarbon.

THCE total hydrocarbon equivalent.

TRU transportation refrigeration unit

U.S.C. United States Code.

#### § 1039.810 What materials does this part reference?

We have incorporated by reference the documents listed in this section. The Director of the Federal Register approved the incorporation by reference as prescribed in 5 U.S.C. 552(a) and 1 CFR part 51. Anyone may inspect copies at the U.S. EPA, Air and Radiation Docket and Information Center, 1301 Constitution Ave., NW., Room B102, EPA West Building, Washington, DC 20460 or the Office of the Federal Register, 800 N. Capitol St., NW., 7th Floor, Suite 700, Washington, DC.

(a) *ASTM material.* Table 1 of § 1039.810 lists material from the American Society for Testing and Materials that we have incorporated by reference. The first column lists the number and name of the material. The second column lists the sections of this part where we reference it. Anyone may purchase copies of these materials from the American Society for Testing and Materials, 100 Barr Harbor Dr., West Conshohocken, PA 19428. Table 1 follows:

TABLE 1 OF § 1039.810.—ASTM MATERIALS

Document number and name	Part 1039 reference
ASTM E29–02, Standard Practice for Using Significant Digits in Test Data to Determine Conformance with Specifications. ....	1039.801

(b) *SAE material.* Table 2 of § 1039.810 lists material from the Society of Automotive Engineering that we have incorporated by reference. The first column lists the number and name of the material. The second column lists the sections of this part where we reference it. Anyone may purchase copies of these materials from the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale, PA 15096. Table 2 follows:

TABLE 2 OF § 1039.810.—SAE MATERIALS

Document number and name	Part 1039 reference
SAE J1930, Electrical/Electronic Systems Diagnostic Terms, Definitions, Abbreviations, and Acronyms, May 1998.	1039.135

#### § 1039.815 How should I request EPA to keep my information confidential?

(a) Clearly show what you consider confidential by marking, circling, bracketing, stamping, or some other method. We will store your confidential information as described in 40 CFR part 2. Also, we will disclose it only as specified in 40 CFR part 2.

(b) If you send us a second copy without the confidential information, we will assume it contains nothing confidential whenever we need to release information from it.

(c) If you send us information without claiming it is confidential, we may make it available to the public without further

notice to you, as described in 40 CFR 2.204.

#### § 1039.820 How do I request a hearing?

See 40 CFR part 1068, subpart G, for information related to hearings.

#### APPENDIX I TO PART 1039.—NONROAD COMPRESSION-IGNITION (CI) STEADY-STATE CYCLE FOR CONSTANT-SPEED ENGINES

Mode No.	Engine speed	Torque <sup>1</sup>	Minimum time in mode (minutes)	Weighting factors
1 .....	Maximum test .....	100	3.0	0.05
2 .....	Maximum test .....	75	3.0	0.25
3 .....	Maximum test .....	50	3.0	0.30
4 .....	Maximum test .....	25	3.0	0.30