

50 percent reduction for hydrocarbons and carbon monoxide by 2012. This reduction is demonstrated with the manufacturer's FEL and is a reduction from the baseline snowmobile assumption. This is the purpose of the FEL "to ensure that snowmobiles are consistently under the certification values, with the difference in emissions benefiting the environment in the form of further emission reductions.

Issue: One commentor said that in developing the appropriate FEL, NPS should not use the current BAT values, which were based on OTR. These do not account for test variability, durability effects, and other inherent sources of variability. When these effects are accounted for (*i.e.*, with a 15–20 percent margin), the BAT values should be adjusted to 18 g/kW-hr for HC and 144 g/kW-hr for CO.

NPS Response: We believe that the BAT requirements identified in the proposed rule are appropriate. As noted elsewhere, these were intended to represent the maximum emissions a snowmobile would be allowed to produce. For instance, one snowmobile manufacturer is currently producing a snowmobile that is certified by EPA at a FEL of 10 g/kW-hr for hydrocarbons and 115 g/kW-hr for carbon monoxide. This is 33.3% better than our hydrocarbon requirements and 4.2% better than our carbon monoxide requirements. Thus, it is clear the industry is currently able to meet our BAT requirements given technology presently used in snowmobiles.

Issue: Snowmobile manufacturers and the public must have significant advance notice before changes are made to BAT requirements. Significant changes in emissions performance require modifications to basic engine and chassis design features. NPS should allow 4 years leadtime before BAT requirements are changed, which is the amount of time EPA generally allows before modifying emissions requirements.

NPS Response: We agree that snowmobile manufacturers must have sufficient advance notice before changes to BAT requirements are enacted. Therefore, the final rule will require that any changes to the BAT requirements will be published in the **Federal Register** and the public will be notified in accordance with 36 CFR 1.7(a). Through this process, snowmobile manufacturers and the public will be notified on the timeframe for changes to BAT requirements in light of the technology that is available at the time, environmental needs, and whatever changes might be proposed. Additional details about the adaptive management

process are contained in the response to comments in the adaptive management section. The BAT requirements are not a restriction on what snowmobile manufacturers may produce, but an end-use restriction on which commercially produced snowmobiles may be used in the parks.

BAT Certification Issues

Issue: One commentor noted that the certification process is the responsibility of the snowmobile manufacturers, not the guides and outfitters. Another commentor stated that manufacturers should be allowed to use existing documentation and test methods to certify snowmobiles as BAT compliant. For emissions certification, relevant sections of the current EPA certification template for snowmobiles should be used. The relevant sections include the family information form, the test results form, and the certified models form. This information on the EPA template is subject to audit by EPA and the manufacturer certifies it is correct when submitted to EPA. Production line testing, required by EPA, ensures the units being produced exhibit emission characteristics consistent with the certification values.

NPS Response: We agree that the snowmobile manufacturers have the primary responsibility for documenting compliance with BAT, although guides and outfitters have a responsibility to insure their snowmobiles are BAT compliant and are well-maintained. We also agree that manufacturers should be permitted to use information submitted in accordance with EPA's regulation to document compliance with the NPS BAT requirements. We will accept this application information from manufacturers in support of conditionally certifying a snowmobile as BAT, pending ultimate review and certification by EPA at the same emissions levels identified in the application. Should EPA certify the snowmobile at a level that would no longer meet BAT requirements, this snowmobile would no longer be considered to be BAT compliant and would be phased-out according to a schedule determined by the NPS to be appropriate.

Issue: For sound testing, NPS should confirm compliance with the BAT requirements by using the existing Snowmobile Safety and Certification Committee (SSCC) sound level certification form. Under the SSCC machine safety standards program, snowmobiles are certified by an independent testing company as complying with all SSCC safety standards, including sound standards.

NPS Response: We agree that snowmobile manufacturers should be allowed to use the existing SSCC sound level certification form to demonstrate compliance with NPS BAT requirements. Our regulation does not require this form specifically, as there could be other acceptable documentation in the future. The NPS will work cooperatively with the snowmobile manufacturers on appropriate documentation.

Issue: One commentor suggested that NPS should develop an alternative test method in addition to the manufacturer certification process should a BAT snowmobile be modified.

NPS Response: The primary method for documenting compliance with BAT is the FEL method. All recreational snowmobiles used in the park that are 2005 or later model years must be certified by EPA with an FEL at or below the NPS BAT requirement. However, an individual may modify a snowmobile already approved by the NPS as a BAT machine, so long as these modifications do not increase air or sound emissions. The responsibility to demonstrate that such modifications did not increase emissions would be on the owner. Thus, if after-market emissions reduction equipment became available, a snowmobile owner could install it only on machines already BAT approved.

Snowcoach BAT

Issue: Many commentors said that snowcoaches should be treated the same as snowmobiles for determining compliance with BAT. Snowcoaches should be BAT compliant at the same time snowmobiles are required to be BAT compliant. Many of these individuals do not feel it is fair to exempt historic snowcoaches. Many also said that snowcoaches should not be allowed to operate at 2 dB higher than snowmobiles with speed measured at 25 mph as opposed to full throttle.

NPS Response: The SEIS and EIS air quality analyses indicate that the vast majority of air pollution generated in the parks results from the historic use levels and types of snowmobiles. Little pollution is generated by snowcoaches as a whole, partly because their numbers are far fewer relative to snowmobiles, and also because they are far cleaner on both grams of CO and particulate matter emissions per mile and greater passenger capacity relative to snowmobiles. For sound emissions, the SEIS soundscape analysis noted that a group of 4 BAT snowmobiles, carrying up to 8 people total, has a distance to audibility of 5,810 feet in open terrain under average background conditions. A