

10,000 hours of operation for Category 3.

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(b) \* \* \*

(1) Compliance with the applicable emission standards by an engine family shall be demonstrated by the certifying manufacturer before a certificate of conformity may be issued under § 94.208. Manufacturers shall demonstrate compliance using emission data, measured using the procedures specified in Subpart B of this part, from a low hour engine. A development engine that is equivalent in design to the marine engines being certified may be used for Category 2 or Category 3 certification.

(2) The emission values to compare with the standards shall be the emission values of a low hour engine, or a development engine, adjusted by the deterioration factors developed in accordance with the provisions of § 94.219. Before comparing any emission value with the standard, round it to the same number of significant figures contained in the applicable standard.

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8. Section 94.10 is amended by revising paragraph (a) to read as follows:

**§ 94.10 Warranty period.**

(a)(1) Warranties imposed by § 94.1107 for Category 1 or Category 2 engines shall apply for a period of operating hours equal to at least 50 percent of the useful life in operating hours or a period of years equal to at least 50 percent of the useful life in years, whichever comes first.

(2) Warranties imposed by § 94.1107 for Category 3 engines shall apply for a period of operating hours equal to at least the full useful life in operating hours or a period of years equal to at least the full useful life in years, whichever comes first.

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9. Section 94.11 is amended by adding paragraph (g) to read as follows:

**§ 94.11 Requirements for rebuilding certified engines.**

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(g) For Category 3 engines, the owner and operator shall also comply with the recordkeeping requirements in the Annex VI Technical Code (incorporated by reference at § 94.5) regarding the Engine Book of Record Parameters.

10. Section 94.12 is amended by revising the introductory text and adding paragraph (f) to read as follows:

**§ 94.12 Interim provisions.**

This section contains provisions that apply for a limited number of calendar years or model years. These provisions supercede the other provisions of this part. The provisions of this section do not apply for Category 3 engines.

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(f) Manufacturers may submit test data collected using the Annex VI test procedures to show compliance with Tier 1 standards for model years before 2007. Note: Starting in 2007, EPA may approve a manufacturer's request to continue using alternate procedures under § 94.102(c), as long as the manufacturer satisfies EPA that the differences in testing will not affect NO<sub>x</sub> emission rates.

**Subpart B—[Amended]**

11. Section 94.106 is amended by revising the section heading and introductory text to read as follows:

**§ 94.106 Supplemental test procedures for Category 1 and Category 2 marine engines.**

This section describes the test procedures for supplemental testing conducted to determine compliance with the exhaust emission requirements of § 94.8(e)(1). In general, the supplemental test procedures are the same as those otherwise specified by

this subpart, except that they cover any speeds, loads, ambient conditions, and operating parameters that may be experienced in use. The test procedures specified by other sections in this subpart also apply to these tests, except as specified in this section.

\* \* \* \* \*

12. Section 94.107 is amended by revising paragraph (a) and adding paragraph (f) to read as follows:

**§ 94.107 Determination of maximum test speed.**

(a) *Overview.* This section specifies how to determine maximum test speed from a lug curve. This maximum test speed is used in §§ 94.105, 94.106, and § 94.109 (including the tolerances for engine speed specified in § 94.105).

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(f) For Category 3 engines, manufacturers may choose to set the maximum test speed at the maximum in-use engine speed instead of the speed specified in § 94.107(d).

13. Section 94.108 is amended by revising paragraphs (a)(1), (b), and (d)(1) and adding paragraph (e) to read as follows:

**§ 94.108 Test fuels.**

(a) *Distillate diesel test fuel.* (1) The diesel fuels for testing Category 1 and Category 2 marine engines designed to operate on distillate diesel fuel shall be clean and bright, with pour and cloud points adequate for operability. The diesel fuel may contain nonmetallic additives as follows: cetane improver, metal deactivator, antioxidant, dehazer, antirust, pour depressant, dye, dispersant, and biocide. The diesel fuel shall also meet the specifications (as determined using methods incorporated by reference at § 94.5) in Table B-5 of this section, or substantially equivalent specifications approved by the Administrator, as follows:

TABLE B-5.—FEDERAL TEST FUEL SPECIFICATIONS

Item	Procedure <sup>1</sup>	Value
Cetane .....	ASTM D 613-01 .....	40-48
Distillation Range:		
Initial boiling point, °C .....	ASTM D 86-01 .....	171-204
10% point, °C .....	ASTM D 86-01 .....	204-238
50% point, °C .....	ASTM D 86-01 .....	243-282
90% point, °C .....	ASTM D 86-01 .....	293-332
End point, °C .....	ASTM D 86-01 .....	321-366
Flashpoint, °C .....	ASTM D 93-02 .....	54 minimum
Gravity, API .....	ASTM D 287-92 .....	32-37
Hydrocarbon composition:		
Aromatics, volume percent .....	ASTM D 1319-02a or D 5186-99 .....	10 minimum
Olefins and Saturates (paraffins and naphthenes) .....	ASTM D 1319-02a .....	Remainder
Total Sulfur, weight percent .....	ASTM D 129-00 or D 2622-98 .....	0.03-0.80