

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 9 and 90

[FRL-5217-6]

RIN 2060-AF78

Control of Air Pollution; Emission Standards for New Nonroad Spark-ignition Engines At or Below 19 Kilowatts

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action establishes the first phase of regulations to control emissions from new nonroad spark-ignition engines at or below 19 kilowatts (25 horsepower). Regulatory requirements will for the first time control emissions from these engines, which cause or contribute to nonattainment of National Ambient Air Quality Standards for carbon monoxide (CO) and ozone. These engines are used principally in lawn and garden equipment. The new standards are expected to result in a 32 percent reduction in hydrocarbon (HC) emissions and a 7 percent reduction in CO emissions from these engines in the year 2020, when complete fleet turnover is projected. A second phase of regulations addressing emissions from these engines is currently under development.

EFFECTIVE DATE: This rule becomes effective on August 2, 1995. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 2, 1995.

ADDRESSES: Materials relevant to this rulemaking are contained in EPA Air Docket LE-131: Docket No. A-93-25 at the U.S. Environmental Protection Agency, room M-1500, 401 M Street SW., Washington, DC 20460. The docket may be inspected at this location from 8:30 a.m. until 5:30 p.m. weekdays. The docket office also may be reached by telephone: (202) 260-7548 (or fax (202) 260-4400). As provided in 40 CFR part 2, a reasonable fee may be charged by EPA for photocopying.

FOR FURTHER INFORMATION CONTACT: Lisa Snapp, Office of Mobile Sources, Certification Division, (313) 741-7900.

An informational workshop will be held at 10 a.m. on Thursday, August 10, 1995, at the Sheraton Inn, 3200 Boardwalk, Ann Arbor, Michigan; for more information, contact Linda Zirkelbach, Office of Mobile Sources, Certification Division, (313) 668-4567.

SUPPLEMENTARY INFORMATION:

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I. Obtaining Copies of Documents

The proposed regulatory language (which was not published with the notice of proposed rulemaking for this rule), the final rulemaking (both preamble and regulatory language), the Regulatory Support Document (RSD), and the Response to Comments (RTC) are available electronically on the Technology Transfer Network (TTN). TTN is an electronic bulletin board system (BBS) operated by EPA's Office of Air Quality Planning and Standards. Users are able to access and download TTN files on their first call. After logging onto TTN BBS, to navigate through the BBS to the files of interest, the user must enter the appropriate command at each of a series of menus. The steps required to access information on this rulemaking are listed below. The service is free, except for the cost of the phone call.

TTN BBS: 919-541-5742 (1,200-14,400 bps, no parity, eight data bits, one stop bit)

Voice help: 919-541-5384;

Internet address: TELNET

tnbbs.rtpnc.epa.gov;

Off-line: Mondays from 8:00-12:00

Noon ET;

1. Technology Transfer Network Top Menu;

<T> GATEWAY TO TTN TECHNICAL AREAS (Bulletin Boards);

Command: T;

2. TTN TECHNICAL INFORMATION AREAS;

<M> OMS—Mobile Sources

Information;

Command: M;

3. OMS BBS ===== MAIN MENU;

FILE TRANSFERS;

<K> Rulemaking & Reporting;

Command: K;

4. RULEMAKING PACKAGES;

<6> Non-Road;

Command: 6;

5. Non-Road Rulemaking Area;

File area # 2 . . . Non-Road Engines;

Command: 2<CR>;

6. Non-Road Engines.

At this stage, the system will list all available nonroad engine files. To download a file, select a transfer protocol which will match the terminal software on your own computer, then set your own software to receive the file using that same protocol.

If unfamiliar with handling compressed (that is, ZIP'ed) files, go to the TTN top menu, System Utilities (Command: 1) for information and the necessary program to download in order to unZIP the files of interest after downloading to your computer. After getting the files you want onto your computer, you can quit TTN BBS with the <G>oodbye command.

II. Legal Authority and Background

Authority for the actions set forth in this rule is granted to EPA by sections 202, 203, 204, 205, 206, 207, 208, 209, 213, 215, 216, and 301(a) of the Clean Air Act as amended ("CAA" or "Act") (42 U.S.C. 7521, 7522, 7523, 7524, 7525, 7541, 7542, 7543, 7547, 7549, 7550, and 7601(a)).

On May 16, 1994, the Agency published a Notice of Proposed Rulemaking (NPRM) for this rule.¹ That proposed rule contains substantial information relevant to the matters discussed throughout this final rule. The reader is referred to that document for additional background information and discussion of various issues.

The Nonroad Engine and Vehicle Emission Study² ("Nonroad Study") required by section 213(a)(1) of the Act was completed in November 1991. The Agency was required by section 213(a)(2) of the Act to determine whether emissions of CO, oxides of nitrogen (NO_x), and volatile organic compounds (VOCs) from new and existing nonroad engines, equipment, and vehicles are significant contributors to ozone and CO concentrations in more than one area that has failed to attain the national ambient air quality standards for ozone and CO. This significance determination was finalized

¹ 59 FR 25399 (May 16, 1994).

² The Nonroad Study is available in EPA Air Docket #A-91-24. It is also available through the National Technical Information Service, referenced as document PB 92-126960.