

40 C.F.R. § 1042.302

Applicability of this subpart for Category 3 engines.

If you produce Tier 3 or later Category 3 engines that are subject to the requirements of this part, you must test them as described in this subpart, except as specified in this section.

- (a) You must test each Category 3 engine at the sea trial of the vessel in which it is installed or within the first 300 hours of operation, whichever occurs first. This may involve testing a fully assembled production engine before it is installed in the vessel. For engines with on-off controls, you may omit testing to demonstrate compliance with Tier 2 standards if the engine does not rely on aftertreatment when Tier 3 emission controls are disabled. Since you must test each engine, the provisions of §§ 1042.310 and 1042.315(b) do not apply for Category 3 engines. If we determine that an engine failure under this subpart is caused by defective components or design deficiencies, we may revoke or suspend your certificate for the engine family as described in § 1042.340. If we determine that an engine failure under this subpart is caused only by incorrect assembly, we may suspend your certificate for the engine family as described in § 1042.325. If the engine fails, you may continue operating only to complete the sea trial and return to port. It is a violation of 40 CFR 1068.101(b)(1) to operate the vessel further until you remedy the cause of failure. Each two-hour period of such operation constitutes a separate offense. A violation lasting less than two hours constitutes a single offense.

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