Regulatory Announcement

EPA Re-Issues Amendments for Nonroad Engines and Equipment

The U.S. Environmental Protection Agency (EPA) is adopting amendments to accommodate engine and equipment manufacturers in the effort to transition to Tier 4 standards for nonroad diesel engines, and to adjust various provisions related to the exemption for new replacement engines. These provisions were included in a direct final rule published in June 2013, but were withdrawn in response to adverse comments. After considering these comments, we are finalizing these provisions, with some adjustment to address the concerns that were raised.

Overview

EPA is revising the existing technical hardship relief provisions so the Agency has wider discretion to allow equipment manufacturers to use greater numbers of previous-tier engines during their transition to the Tier 4 standards. Hardship cases will continue to be resolved on a case-by-case basis for equipment manufacturers experiencing exceptional difficulties in obtaining certified Tier 4 engines from engine manufacturers. The technical hardship provisions were originally adopted with the Tier 4 standards in June 2004. The revised regulations are effective on the day of publication in the Federal Register.

The replacement engine exemption allows for limited production of new engines built to earlier standards to replace in-use engines in certain circumstances. The direct final rule included a range of revisions to the replacement engine exemption to replace broad circumvention limits with specific measures to ensure that the exemption is used properly. Based on adverse comments, we withdrew these specific measures in August 2013, but left in place the change to remove the broad circumvention limits. This rule finalizes the specific measures to ensure that the exemption is used properly, with some adjustment to address the concerns that were raised.

EPA United States Environmental Protection Agency

Office of Transportation and Air Quality
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Specifically, we are finalizing a provision disallowing the use of the replacement engine exemption for equipment that is more than 40 years old. The regulatory changes in this action are expected to have no appreciable cost or environmental impact.

For More Information

You can access the direct final rule, the proposed rule and related documents on EPA's Office of Transportation and Air Quality (OTAQ) Web site at:

www.epa.gov/otaq/nonroad-diesel.htm.

For more information on these and related rules, please contact EPA through EPA OTAQ Public Inquiries at:

www.epa.gov/otaq/oms-cmt.htm